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- MALTA

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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COUNCIL OF
THE EUROPEAN UNION

Brussels, 14 February 2006

6353/06

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SCH-EVAL 15
COMIX 158

NOTE

from : the Maltese delegation

to: the Schengen Evaluation Working Party

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Subject : Answers to the questionnaire addressed to the new Member States with a view to the evaluation of their preparations for the application of the Schengen Acquis
- MALTA

CONTENTS

I.	Control and surveillance of external borders.....	2
A.	Sea borders	10
B.	Airports	12
C.	Land borders.....	13
II.	Entry	14
III.	Readmission.....	17
IV.	Schengen Information System.....	19
V.	Issuing of visas / consular cooperation.....	19
VI.	Judicial cooperation.....	28
VII.	Legislation on firearms	31
VIII.	Police cooperation	33
IX.	Drugs	43
X.	Data protection	47

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I. CONTROL AND SURVEILLANCE OF EXTERNAL BORDERS

1. Which are the authorities charged with controlling borders in your country? Which Ministry or Ministries do they come under and how are the authorities structured? How is the coordination taking place between the different bodies, both at central and at operational level?

The Police are responsible for border control in Malta. Land surveillance is carried out by police patrols. The police carrying out this surveillance form part of the Police Special Branch which is responsible for coordination and organisation of border control.

The Malta Police falls under the responsibility of the Ministry for Justice and Home Affairs. The Armed Forces of Malta (AFM) are responsible for sea patrols. The Armed Forces of Malta fall under the responsibility of the Office of the Prime Minister.

The Police Force and the Armed Forces of Malta work closely together in controlling Malta's borders. Thus for example, when the Armed Forces of Malta conduct a boat carrying illegal immigrants to Malta's shores, they would be acting in constant liaison with the Police. The latter would take the responsibility for the illegal immigrants once the boat is conducted to shore.

Border Control is regulated by the Immigration Act (Cap. 217) and regulations made thereunder.

2. What strategy is followed with regard to the handling of information concerning illegal immigration, cross-border crime and organised crime? Is there any risk assessment strategy developed at national/local level?

All information relating to illegal immigration is referred to and handled by the Police Special Branch Field Immigration officers. Information received is analysed and action is taken by designated officers to investigate. Persons involved and proven to be responsible for such crime are prosecuted by the Immigration Police, unless the crime falls under the competence of the superior courts, in which case the prosecution will be handled by the Attorney General.

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The International Relations Unit of the Malta Police Force is responsible for information related to cross border crime. Depending on the nature of the case, the International Relations Unit collaborates with other departments within the Malta Police Force such as the Drugs Squad, the Criminal Investigations Department, the Vice Squad and the Terrorism Unit.

Information related to organised crime is handled by the relevant departments within the Malta Police Force.

Risk analysis assessments are carried out as necessary by the departments concerned.

Do the authorities in charge of the control and surveillance of borders have such information about suspicious vehicles and persons, and if so, what procedure or mechanism allows them to timely obtain and use this information?

Such information is entered in the dedicated control system and action is taken as per above.

3. Is there a global national security plan or a national border security plan, in which the general border control management is developed?

To date, no national security plan or national border security plan have been drawn up.

4. What is the number of staff present at border crossing-points? At sea, land and air borders?
Malta does not have any land borders.

There is one air border crossing-point at the Malta International Airport, staffed by 23 Immigration Police Officers and 67 civilian Immigration Officers.

Sea border crossing-points are manned by 20 Immigration Police Officers. The sea border crossing points consist of one passenger terminal and a yacht marina, apart from another seasonal marina in Gozo.

5. How many border crossing-points are there? How many new border crossing points have been constructed in the last three years? Distribute these statistics over sea and land borders and airports, as well as by border crossing point, where available.

There is one air border crossing-point at the Malta International Airport. There is one sea-passenger terminal and a yacht marina, apart from another seasonal marina at Gozo.

No new border crossing points have been constructed in the last three years.

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To what extent have border crossing points be fenced in?

The air border crossingpoint at the Malta International Airport and the sea border crossingpoint at the seaport are fenced all around.

What are the principles underlying the surveillance of the green/maritime border? Statistics on all known cases of illegal border crossing?

The principles underlying surveillance of Malta's borders are that there should be no crossings and entering of Malta's borders except in accordance with national legislation.

The following are the statistics of the arrivals of third country national:

Year:	2002	TCN Arrivals:	1686 individuals
	2003		502
	2004		1388
	2005		1822

These originated mainly from Sudan, Eritrea, Ivory Coast, Somalia, Democratic Republic of Congo and Ethiopia. .

What is the estimated level of detection and apprehension of persons crossing the border illegally? How is this estimate calculated/justified?

The estimated level of detection at the air and sea borders is regarded to be very high since a high level of surveillance is carried out.

In recent years there has been an increase in the frequency of people arriving by boat in an illegal manner. The level of detection is deemed to be very high. Malta is a small country with hardly any sheltered secluded areas where boats with illegal immigrants can land without being noticed and the general public is quite cooperative in this field.

There were also a few cases of attempted illegal entry at the Malta Freeport by stow-aways although, in these cases, the detection rate is also deemed very high.

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6. Describe the legislation (or administrative practice or instructions) provided for fight against illegal immigration, and in particular on controls on persons inside the territory?

The Immigration Act (Cap. 217) aims to restrict, control and regulate immigration into Malta and to make provision for matters ancillary thereto. Article 337A of the Criminal Code (Cap. 9) makes the trafficking of persons to enter or leave Malta illegally a criminal offence. Based on their comprehensive training and experience, police officers throughout Malta are generally careful to check persons whom they suspect as being illegal immigrants.

Does this legislation (or administrative practice or instructions) provide differences between internal borders/connections or internal border zones and the rest of the territory? If so, describe the differences.

There are no such differences in Malta.

How many illegal immigrants have been detected at the border or inside the territory and what were their countries of origin? Where have they been apprehended (special routes, special places/regions, future internal borders)? Give data over the last 3 years.

In 2005, 1822 individuals were detected, originating mainly from Sudan, Eritrea, Ivory Coast, Somalia, the Democratic Republic of Congo, and Ethiopia.

Most of the persons apprehended on land enter Malta legally and are in possession of a valid visa and usually stay beyond the validity of their visa. These are generally not detected in any one particular part of the territory. In the majority of cases illegal immigrants enter Malta by boat and are either apprehended on their arrival or are rescued at sea. It is believed that such boats depart from North African shores.

7. What training and continuing training measures have been undertaken to achieve the level of control required by Schengen? How frequently are training programmes provided to/attended by border control personnel?

Training is ongoing. Twinning light programmes are in the pipeline. Such programmes provide further specific training including the drawing up of the necessary manuals and curricula. Furthermore, the Maltese authorities are currently drawing up a comprehensive training programme in line with the requirements of the Border Guards Agency.

There is no fixed timetable, but training is ongoing.

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Is the training based on a local or national training programme?

The distinction between local and national training is not applicable to Malta.

8. Have the new officials responsible for border controls been briefed on the Community legislation on external borders and prepared for applying it?

Every new police officer is trained in immigration matters. New officials posted at border control points are given on-the-job training in Community legislation on external borders.

Moreover, it is envisaged that more training will be given as a result of the twinning light programmes currently in the pipeline. However, it should be noted that due to the special circumstances prevailing in Malta, the number of personnel involved is contained and there is a low turnover of staff.

9. New intervention concepts introduced or planned, such as:

- organisational units with competence at regional level, operating in different zones (border crossing points and green/blue borders) and equipped with mobile units capable of rapid deployment in the context of organised interventions;
- what is the operational activity of the organisational units at local level and of the special investigation groups?
- formation of special investigation groups with a view to combating international organised crime;
- surveillance of borders at the border line itself and in border regions with the participation of general police services.

No new intervention concepts have been introduced so far although procedures are regularly updated to meet new challenges as these evolve.

10. What technical equipment is available at the border crossing-points? What equipment has recently been introduced or will be introduced before full implementation of the SCHENGEN acquis, for instance:

- terminals for consulting SIS (fixed or mobile),
- Schengen entry and exit stamps,
- equipment for checking documents?

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Currently, all officers at border crossing-points at airport and harbours have access to the national stop list database (PISCES) from check point desks. Passport scanning facilities are also available.

With regard to terminals for consulting SIS (fixed or mobile), all border cross-point desks will be fully equipped to access the SIS II database in the near future.

With regard to Schengen entry and exit stamps, these are available and all border control officers will have Schengen entry and exit stamps.

With regard to equipment for checking documents, at first line checking-points, each check point desk at border crossing-points is equipped with retro check viewers (U.V. light and transmitted light source incorporated). Every border control officer is issued with a magnifying glass.

Second line offices at the airport and seaport are equipped with a Video Spectral Comparator (VSC) 4 and a Leica microscope.

As a third line checking-point, there is the National Document Unit, situated at the Police Head Quarters Forensic Section which is equipped with a VSC 2000, high power microscope, ESDA, Raman Spectral Comparator, Photophone, Scanners as well as Retro Check viewers.

11. What technical equipment has been made available to the forces responsible for surveying borders, for instance:
- helicopters/aeroplanes,
 - radars/night vision/infrared detection equipment?
 - ships/boats; how many patrol boats are available for monitoring sea borders [by category according to length and maximum speed in knots],

The Police Force has no helicopters / airplanes or ships / boats at its disposal for surveying borders. However, the police co-operate on a formal basis with the Armed Forces of Malta with regard to such assistance.

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The Armed Forces of Malta is the only national entity operating vessels and aircraft relevant to the control of Malta's maritime borders. Thus, the Armed Forces of Malta have a certain involvement in law-enforcement activities relating to border control.

The Armed Forces of Malta are equipped with the following technical equipment for surveying borders:

Helicopters: Single engine 3 x Alouette III

Aeroplanes: Twin engine 2 x BN2B Islander

Single engine 4 x Bulldog MK 2

7 Hand Held Units for Night Vision / Infrared

6 vessels: P61 - 54m, 24kts (IR equipped)

P51 & P52 - 28m, 25kts (NVG equipped)

P32 - 24m, 18kts

P23 & P24 - 15m, 19kts

12. What is the number, broken down by type, of the monitoring facilities at borders?

3 coastal outposts manned 24x7 with one lookout.

13. What are the means of communication between the operational units assigned to monitor land and maritime borders and their operational centre?

Radio: VHF AM, VHF FM, MF, HF, UHF

Satellite Telephone

Inmarsat C.

14. Approximately, how many hours a day are external borders surveyed by resources available (broken down by the different areas)?

Territorial Waters: Surface - 24 hours with one patrol boat

Air - 1 to 2 hours

Off shore: Surface - approximately 48 hours per week

Air - 3 hours per day (in high threat months)

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15. Are further reinforcements planned in terms of technical equipment or staff? When/according to which timetable?

The following equipment is being procured during 2005/2006 to reinforce the AFM's border capacity control:

- *A FLIR is being purchased for one of the Islander Aircraft. Installation planned for mid-2006;*
- *A fast interception craft (Rigid Hull Inflatable Boat, 60kts) to be delivered in early 2006;*
- *A hand held Thermal Imaging camera to be delivered in early 2006;*
- *Coastal VTS to be installed and operational by end 2006. This will cover all territorial waters;*
- *New Maritime Coast Radio Station to be installed by end 2006, early 2007.*

It is also envisaged that AFM will be further equipped with 10 VHF FM transceivers (hand-held), 4 VHF FM transceivers (vehicle mounted), 12 bullet proof vests (level 3A) and an aircraft ground power unit 1 in 2006. (Under the Development of Border Management Control in Malta Transition Facility Programme, Component II).

16. Do custom services or other authorities or services also take part in border controls? What is their role? What is the availability of staff? How does the cooperation and the coordination of actions with border control authorities work?

The Malta Police work in close cooperation with the customs authorities with a view to combat different forms of crime, including smuggling of narcotics, firearms, vehicles, tobacco products and liquor. However, customs authorities do not have any independent powers in relation to actual border control.

17. How many refusal-of-entry decisions have been taken? (total number, breakdown by main nationalities concerned, breakdown by border posts).

Please refer to Annex 1 (3 sheets).

18. How do you proceed, when a person presents him/herself at the border with a visa issued by another Member State?

The possession of such a visa would facilitate entry formalities.

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19. Explain the activities undertaken by your authorities in third countries, especially in countries of origin and transit, against illegal immigration, as well as the existent cooperation between liaison officers.

Due to its limited resources, Malta can play only a limited role as regards activities in third countries. However, it should be noted that Malta participated in the EU Commission's fact-finding mission to Libya in December 2004.

20. Present a general oversight on the bilateral and multilateral cooperation regarding border security, including structures in place to exchange information and joint operational activities undertaken.

Due to the prevailing circumstances, Malta can only participate in bilateral and multilateral cooperation to a limited extent. However, since Italy is the nearest Member State to Malta, the Malta Police co-operates on a regular basis with the Italian authorities especially in exchange of information.

A. Sea borders

21. What measures have already been taken or are you planning to take in terms of infrastructure to guarantee the separation between passengers on ferries on Schengen crossings and passengers on ferries on non-Schengen crossings (physically, administratively, equipment)?

Malta has one seaport (Valletta) with regular ferry service to and from a Schengen State, namely Italy. There are also a number of cruise liners that call from non-Schengen states. The Seaport Terminal is undergoing structural construction to guarantee the separation between passengers on ferries on Schengen crossings and those on non-Schengen crossings. All border check-point desks will be equipped with equipment enabling access to the SIS II.

22. Are passengers on extra-Schengen crossings channelled in such a way as to ensure the separation between persons covered by Community law and those from third countries?

As above.

23. Statistics should be provided for the past three years as regards the number and types of vessels calling at ports from EU and third country ports (ferries, cruise ships, cargo vessels, fishing vessels and pleasure boats).

Please refer to Annex 2 (Shipping Movements).

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How are vessels surveyed during their stay in ports?

Vessels are surveyed by security personnel of the Malta Maritime Authority. The Immigration Police also perform inspections, in the port area.

How are the different types of vessels (ferries, cruise ships, cargo vessels, fishing vessels and pleasure boats) checked?

In each case Immigration Police and Customs carry out clearance formalities on board the vessels. Passengers disembarking in Malta are checked through the normal channels. With regard to cruise liners, risk analysis assessments are carried out prior to the arrival of the vessels.

Amounts of physical control made onboard these vessels? Results of the controls? How are decisions of such controls made?

As above.

24. Please explain methods and practice in tactical and operational risk analysis at blue borders.
With regard to arrivals of ships from non-Schengen States, border control police usually ask for a list of passengers from the operator beforehand. They also check passengers in a systematic manner on arrival.
25. Are the responsible authorities participating in the EISICS system and to what extent?
The Malta Police currently does not use the EISICS system.
26. Are the responsible authorities using electronic data interchange (EDI) at their maritime borders?
No.

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B. Airports

27. What measures have already been taken or are you planning to take in terms of infrastructure to separate passengers on Schengen flights from those on extra-Schengen flights (physically, administratively, equipment)?

The Malta International Airport, which is the only airport in Malta, is currently undergoing building alterations so as to ensure the separation of passengers on flights originating from within the Schengen zone and those not from the Schengen zone. Each area will have separate facilities for passengers that are EU nationals and third country nationals. All border check-point desks will be equipped to enable access to the SIS II.

28. What measures have already been taken or are you planning to take so that passengers on extra-Schengen flights are channelled in such a way as to ensure the separation between persons covered by Community law and those from third countries? On how many airports has the separation been operated or will it be operated by physical means?

The Malta International Airport, is currently undergoing building extensions so as to ensure the separation of passengers on flights originating from within the Schengen zone and not from the Schengen zone. Each area will have separate facilities for passengers that are EU nationals and third country nationals. All border check-point desks will be equipped to enable access to the SIS II.

It should be noted that Malta only has one airport.

29. Do airports have separate areas providing for temporary accommodation for asylum applicants and inadmissible passengers?

A temporary facility is currently being availed of. However, arrangements are being made for the provision of permanent facilities.

30. Do airports have a separate international transit zone?

Yes, the Malta International Airport has an international transit zone.

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31. Please describe measures implemented in airports to enable appropriate controls of persons travelling in private flights.

In view of the fact that there is only one terminal at the Malta International Airport, persons travelling on private flights go through the same border control channels and are dealt with in the same manner as passengers on normal flights.

32. What forms of cooperation have been established with air carriers? Are they required to transmit passenger data?

Although there are currently no formal established agreements with air carriers, there exists good cooperation between the Immigration Authorities and air carriers.

C. Land borders

33. Are passengers on international crossings channelled in such a way as to ensure the separation between persons covered by Community law and those from third countries?

N/A.

34. How are the Schengen provisions concerning land borders, as they are described in the Schengen Border Catalogue, applied at your land borders both at the main international border crossing points, at smaller BCPs' and as for what concerns border surveillance? Do you foresee any substantial improvement until full implementation?

N/A.

35. How are border checks carried out in international trains and, in particular, what kind of equipment is available to border guard carrying out such checks?

N/A.

36. Do you have any agreement on local border traffic with neighbouring countries? If so, how are border checks carried out in that context?

N/A.

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II. ENTRY

37. What administrative and criminal-law penalties have been introduced under your national legislation for

(a) persons entering the national territory illegally?

As part of the fight against illegal immigration and illegal work, the Immigration Act (Cap. 217) comprises provisions establishing administrative procedures to be taken against persons entering Malta illegally and/or who work illegally. Moreover, there are criminal law penalties for employers illegally employing third-country nationals.

(b) persons involved in assisting/facilitating illegal immigration?

According to the Criminal Code (Cap. 9), persons involved in assisting / facilitating illegal immigration can face from 6 months to 5 years imprisonment. This penalty is increased to up to 12 years of imprisonment if they assist more than 3 persons.

(c) persons using labour made up of illegally resident aliens?

A fine up to Lm 5,000 and/or imprisonment for up to 2 years is envisaged.

38. Has your country already signed or ratified the additional protocols to the UN Convention against Transnational Organized Crime on trafficking in human beings and the smuggling of migrants?

Yes.

39. What measures have been implemented in order to apply Article 27 of the Convention against those who assist an alien to enter the territory of one of the other Schengen States illegally?

According to the Criminal Code (Cap. 9), persons involved in assisting / facilitating illegal immigration can face from 6 months to 5 years imprisonment. This penalty is increased to up to 12 years of imprisonment if they assist more than 3 persons.

40. Are criminal-law penalties envisaged against those who assist a person to leave a country allowing them to enter another one illegally?

Yes, according to the Criminal Code (Cap. 9), persons involved in assisting / facilitating illegal immigration can face from 6 months to 5 years imprisonment. This penalty is increased to up to 12 years of imprisonment if they assist more than 3 persons.

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41. In accordance with the provisions of Article 26 of the Convention, does the national law oblige sea or air carriers or operators of international coach services to take all the necessary measures to ensure that an alien is in possession at the point of departure of the travel documents required for entry into the territories of the Contracting Parties?

Article 15 of the Immigration Act (Cap. 217) states that a carrier by sea or air is obliged to take all necessary measures to ensure that a person carried by it to Malta is in possession of the travel documents and any visa or other authorisation required for entry into, or transit through, Maltese territory before transporting such person to Malta. In default, the carrier will be liable to pay a penalty to be established by the Principle Immigration Officer, within the parameters of the Immigration Act (Cap. 217).

42. Have criminal-law or coercive measures been introduced in the case of non-compliance with this duty?

As above.

43. Are carriers legally obliged to return aliens who are not in possession of the required documents?

Yes. The carrier is obliged to return a person on the grounds of not being in possession of any visa, travel documents or other documents required for entry, either to the State from which the person was transported, or to the State which issued the travel document on which he/she travelled, if any, or to any other State to which he is guaranteed entry. (Article 15(2) of the Immigration Act (Cap. 217)).

44. Are there figures on how many penalties were imposed and how many were effectively applied?

During 2004, a total of 135 cases involving 139 individuals were registered. During 2005, a total of 140 cases involving 163 persons were registered.

Which is the competent authority in this area? What legal base and administrative practice are involved?

The Malta Police Force (Immigration Branch) is the competent authority in this area. In line with Maltese legislation (Article 3 of the Immigration Act (Cap. 217)), the Commissioner of Police is appointed by the Prime Minister of Malta as the Principal Immigration Officer. The Principal Immigration Officer is assisted by Police Immigration Inspectors, duly authorised by him to exercise or perform on his behalf any powers or duties under the Immigration Act.

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45. Which are the competent administrative and/or law enforcement bodies involved in combating illegal immigration inside the territory, and what are their exact powers and the legal and practical means at their disposal to carry out their tasks?

In Malta, the Police are responsible for combating illegal immigration and crime in the form of smuggling of human beings. With regard to control and surveillance at the external border, reference should be made to Malta's reply to Question 1. With regard to criminal investigation of cases regarding human smuggling, the competence lies with the Police Immigration Section of the Special Branch of the Malta Police Force, whilst criminal investigation of cases regarding human trafficking falls under the competence of the Police Vice Squad.

46. Have photocopies of the residence documents contained in Annex 4 to the Common Consular Instructions been circulated to the Passport Control Services in order to facilitate passport controls? How often is this circulation updated?

Officers performing duties are aware of these formats.

47. What method is used for keeping uniform entry/exit stamps?

Each Immigration Official has a specific set of un-transferable stamps, which are kept in a secure place at the point of entry. Stamps are delivered to the Immigration Official before commencement of their duty against receipt. The stamps are sealed by the respective officer following duty and stored securely. The necessary arrangements are in place as to the procurement of Schengen entry stamps.

48. What are the methods and times for changing the numerical security codes for uniform entry/exit stamps?

The current stamps used do not have a security code. However, each set of arrival / departure stamp has an identification number that is issued to a particular border control officer. A secured register regarding the issuing of border control stamps is kept.

49. Is there a memorandum governing cooperation between the competent authorities involved in combating illegal immigration within the country?

Although there is no such formal documentation binding the competent authorities, close liaison and operational cooperation exists between all the stakeholders. The key players are the Immigration Authorities and the Armed Forces of Malta.

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50. How many aliens have sought political asylum?

<i>Year:</i>	<i>2002</i>	<i>Number:</i>	<i>474</i>
	<i>2003</i>		<i>568</i>
	<i>2004</i>		<i>997</i>
	<i>2005</i>		<i>1,166</i>

The above figures include all applications for asylum as per the provisions of the 1957 Geneva Convention.

III. READMISSION

51. What readmission agreements exist with

- (a) other Schengen States?
- (b) with other MS of the European Union
- (c) third countries?

Malta has concluded a bilateral readmission agreement with Italy.

52. How many persons have been sent back every year since 2000 under these agreements?

None.

53. What is the percentage of foreigners readmitted (figures per State)

- (a) to other Schengen States?
- (b) to neighbouring States?
- (c) to the countries of origin of the persons concerned?

None.

How many cases were studied in total? What were the countries of origin involved?

None.

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54. What legal and practical measures have been taken to ensure the expulsion of illegally resident aliens? Are these measures effective?

In such circumstances, the police can detain such person in order to establish if this person is in breach of immigration conditions. If the individual is found to be in breach of such conditions a removal order is issued. Such individuals are granted the right to appeal. Should the appeal sustain the removal order, the person in question is kept in custody until he/she is effectively removed from Malta.

55. What are the residence arrangements for foreigners who, for various reasons, cannot be expelled?

Does this apply also to persons who have entered the country illegally without having applied for asylum?

Accommodation is provided to all concerned.

What measures do your authorities take to help an alien required to leave the country to acquire travel documents, or are such steps left entirely to the alien?

Efforts are made towards the procurement of the necessary documentation from consular representations in Malta or through the Ministry for Foreign Affairs when such representation is not established in Malta.

56. Is instant return a legal possibility in the case of foreigners detected upon entering the country illegally or immediately after crossing the borders?

Yes, this is possible if a valid travelling document is available, and there are no other impediments.

57. Is there some central body responsible for issuing travel documents for repatriation? What experience does it have in this field? Are any other (i.e. decentralised) authorities involved in acquiring repatriation documents?

In situations where an alien does not hold valid travel documents that can be used in connection with departure, the police take the necessary action to contact the consular representations in Malta. If such representation is not established in Malta, the Ministry of Foreign Affairs intervenes through contacts with authorities in the home country, in order to obtain either an extension of the expiry date, for the renewal of the expired travelling documents or the issuing of new travel documents / repatriation documents.

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IV. SCHENGEN INFORMATION SYSTEM

See document 6353/06 SCHEVAL 15 COMIX 158 ADD 1 (to be issued).

V. ISSUING OF VISAS / CONSULAR COOPERATION

58. What/which authority(ies) in your country is/are competent of the issuing of visas?

The Malta Police Force is currently the competent authority that issues visas.

59. To what extent are diplomatic missions and consular posts prepared in order to have access to SIS (will on-line consultation be possible in consular posts or will CD-roms...)?

Diplomatic missions and consular posts will not have direct access to the SIS.

What equipment is there to detect forged documents?

The equipment installed in 24 of Malta's diplomatic missions and consular posts comprises of the following:

- *RETRO-CHECK complete with 12V-20W Halogen lamp (Art 00.020) and 9W-PL BLB Lamp (Art 00.0010) for checking security features in identity documents like retro reflective laminates (3M ConfirmTM), watermarks and see-through registers, dry embossings and latent images (intaglio or plate printing), fluorescent marks like fibres, fluorescent ink patterns, micro printings, holograms, kinegrams and micro perforations.*
- *SECURITECH Inspection Kit - Expert (Art 25.010) supplied in a sturdy nylon carrying-bag (with shoulder strap) and consisting of:*
 - *4-Watt UV-Lamp with spotlight*
 - *Securitech Retro-Viewer*
 - *Waltex 8x Magnifier (Model 7504)*
 - *Illumax 30x Illuminated Handy Microscope*
 - *Booklet with retroreflective patterns*
 - *2 Euromex Scalpel holders*
 - *2 sets of cutting blades - Blunt x5 (PB96) and Sharp x5 (PB95)*
 - *Curved set of tweezers*
 - *Pointed set of tweezers*

RESTREINT UE

- *PEAK Scale Lupe 10x Magnifying Lenses (Art No 1983) specifically designed for checking passports, tourist cards, ID Cards and any related documentation. The list had been drawn up with the assistance of the National Forgery Section of the United Kingdom and procedures for the purchase of this equipment had commenced during the first quarter of 2002.*

60. What security measures have been taken or will you take with regard to Schengen visa stickers for the transmission of visa stickers from the central authorities to the post as well as within the consulates?

The transmission of visa stickers from the Ministry of Foreign Affairs to the diplomatic missions and consular posts is normally carried out via courier services.

61. How has the staff of the diplomatic posts and consular missions been informed about the common visa policy and the application in practice on the Common Consular Instructions?

All diplomatic and consular staff are briefed on the Common Consular Instructions on Visas prior to their posting abroad. The missions abroad also have an Administrative Manual which is updated regularly through Administrative Instruction Updates.

62. Do you have a special training programme for the consular officers and staff before posting? If so, describe this program? Do you have follow up trainings for the consular officers?

Each and every consular officer and staff member attends a special training programme before posting.

63. How do you ensure proper feed back from consulates and monitoring of consular work with special regard to the application of the relevant community legislation?

Feedback is ensured through monthly reports, and where possible, through random checks.

64. How do you ensure that the decisions and documents of the Council and the Commission that are of relevance to the consular work are made known to the consular officers abroad?

Whereas Council Decisions are translated into Administrative Instructions, it is also envisaged that Commission documents will, in the future, be submitted on a regular basis.

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65. How is the data transmission from your country's diplomatic and consular missions to the respective central authorities processed (with special reference to consultation)?

Data transmission from diplomatic missions and consular posts to the Immigration Police is carried out via fax.

66. What instructions have been or will be given in order to ensure an effective local consular cooperation?

All of Malta's diplomatic missions are encouraged to participate in national consular cooperation in order to facilitate the exchange of information between the consular services of the Member States regarding visas.

67. How will your country participate in the automatic consultation process set out under Article 17(2) of the Convention (VISION network)?

Malta will participate through consultation in VIS and SIS II.

68. Which authorities are responsible for extending the uniform visa in accordance with decision SCH/Com-ex (93) 21?

The administrative authority that is responsible for the extension of national visas is the Central Immigration Office.

69. Which provisions have been or will be adopted in order to introduce the travel medical insurance (Council Decision 2004/17/EC)?

Provisions have been adopted by which a national of Malta, a national of any other EEA country and paying NI contributions or receiving a state pension from Malta, a stateless person or refugee, a full time student following a course at the University of Malta or the Malta College of Arts, Science and Technology (MCAST), or a widow or widower receiving a Malta state pension or widow's benefit (whose late spouse was a national of an EEA country and living in Malta at the time of his/her death) is eligible to obtain a European Health Insurance Card which has replaced the E111 as from 31 December 2005.

RESTREINT UE

This gives the holder entitlement to public healthcare in a Member State of the EU and EEA as though he/she were a citizen of that country.

The Card complements private insurance and does not cover costs for return in the case of serious illness, accident or death.

70. Which provisions have been or will be adopted in order to introduce the harmonised form for visa applications (Council Decision 2002/354)

The Visa Application Form currently used, takes the form of the uniform document as established by Council Regulation 354/2002/EC on the Adaptation of Part III of, and the Creation of an Annex 16 to, the Common Consular Instructions and which is used by all Member States. The application form is identical to the harmonised uniform-visa application form as per Annex 16 to the 'Common Consular Instructions on Visas for the Diplomatic Posts and Consular Posts' (OJ C 310, 19.12.2003) and is made available in 3 versions – English/French, English/Arabic, and English/Russian.

71. In which of the countries listed in Annexe I of Regulation 539/2001/EC do you not have a diplomatic post or consular mission? If you do not have a diplomatic post or consular mission, do you intend to be represented by another Member State? If so, in which third countries do you intend to be represented? Have you already contacted other Member States?

Malta has a diplomatic mission or consular post in 6 of the 136 third countries listed in Annex I of Regulation 539/2001/EC (listing the Third Countries whose Nationals must be in Possession of Visas when Crossing the External Borders and those whose Nationals are Exempt from that Requirement). These are China, Egypt, Libya, Russia, Saudi Arabia and Tunisia.

A Consular Cooperation Agreement was signed with Austria on 7 May 2004 and representation through the Austrian diplomatic missions is being negotiated for the following 35 countries:

RESTREINT UE

Albania

Bosnia-Herzegovina

Bulgaria

Chile

Colombia

Croatia

Ethiopia

Guatemala

Iran

Jordan

Korea (South)

Malaysia

Oman

Romania

Senegal

Syria

Venezuela

Zimbabwe

Argentina

Brazil (Brasilia)

Canada

China

Cote D'Ivoire

Cuba

Former Yugoslav Republic of Macedonia

Indonesia

Japan

Kenya

Kuwait

Mexico

Peru

Saudi Arabia

Switzerland (Berne)

Thailand

Vietnam

Another Consular Cooperation Agreement has been negotiated with Italy and representation through the Italian diplomatic missions is being negotiated for the following 43 countries:

Afghanistan

Angola

Bahrain

Belarus

Brazil (San Paolo)

Canada

Georgia

Iraq

Kazakhstan

Mali

Algeria

Azerbaijan

Bangladesh

Bolivia

Burma/Myanmar

Eritrea

India

Israel

Lebanon

Monaco

RESTREINT UE

Morocco

Nambia

Nicaragua

Pakistan

Qatar

Singapore

South Africa

Sudan

Tanzania

Uganda

Uzbekistan

Zambia

Mozambique

Nepal

Nigeria

Panama

Serbia & Montenegro

Somalia

Sri Lanka

Switzerland

Turkey

United States of America

Yemen

Other Consular Cooperation Agreements are being negotiated with Finland and France.

72. Does your national legislation provide for the obligation to indicate the grounds for refusal of a visa? If so, is it provided for to inform the applicant in accordance with point V.2.4 of the ICC?

National legislation does not outline such provisions.

73. Have you concluded any agreements with third countries that have a relevance to the issuing of visas? Are the terms of these agreements fully in line with the Community legislation? If not when do you plan to amend/terminate these agreements?

Malta's visa policy is in line with Community legislation. Malta has visa abolition agreements as listed hereunder;

RESTREINT UE

<i>Country</i>	<i>Signature Date</i>
<i>Albania</i>	<i>19 February 2002</i>
<i>Andorra</i>	<i>6 August 1996</i>
<i>Argentina</i>	<i>4 April 1991</i>
<i>Bosnia & Herzegovina</i>	<i>10 January 1974</i>
<i>Chile</i>	<i>28 September 1993</i>
<i>Costa Rica</i>	<i>7 May 2004</i>
<i>Croatia</i>	<i>10 January 1974</i>
<i>Iceland</i>	<i>1 September 1967</i>
<i>Israel</i>	<i>9 September 1993</i>
<i>Japan</i>	<i>5 February 1973</i>
<i>Republic of Korea (South Korea)</i>	<i>23 September 1993</i>
<i>Russian Federation</i>	<i>21 June 1999</i>

74. What is the total number of visas issued in the last three years? (by jurisdiction, number of applications, type of visa issued, number of refusals). What are the most significant developments?

2004 STATISTICS:

	Visas A	Visas B	Visas C	Total A+B+C	Visas D	TOTAL A+B+C+D	Not Issued	Rejection Rate %
AUSTRALIA								
<i>Malta High Commission (Canberra)</i>			4	4	1	5	-	0
<i>Consulate of Malta (Melbourne)</i>				-		-	-	0
<i>Consulate of Malta (Sydney)</i>			1	1		1	-	0
AUSTRIA								
<i>Embassy of Malta (Vienna)</i>			75	75	1	76	-	0
BELGIUM								
<i>Embassy of Malta (Brussels)</i>	1		33	34		34	-	0

RESTREINT UE

CANADA

<i>Consulate of Malta</i> (Toronto)		1	6	7		7	1	13
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CHINA

<i>Embassy of Malta</i> (Beijing)			2125	2125		2125	440	17
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DENMARK

<i>Embassy of Malta</i> (Copenhagen)			24	24		24	-	0
---	--	--	----	----	--	----	---	---

EGYPT

<i>Embassy of Malta</i> (Cairo)	2	16	716	734	31	765	195	20
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FRANCE

<i>Embassy of Malta</i> (Paris)		3	182	185		185	1	1
------------------------------------	--	---	-----	-----	--	-----	---	---

GERMANY

<i>Embassy of Malta</i> (Berlin)			14	14		14	-	0
-------------------------------------	--	--	----	----	--	----	---	---

GREECE

<i>Embassy of Malta</i> (Athens)			14	14		14	3	18
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HUNGARY

<i>Embassy of Malta</i> (Budapest)			20	20		20	-	0
---------------------------------------	--	--	----	----	--	----	---	---

IRELAND

<i>Embassy of Malta</i> (Dublin)	3	1	34	38		38	1	3
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ITALY

<i>Embassy of Malta</i> (Rome)			114	114		114	7	6
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LIBYA

<i>Embassy of Malta</i> (Tripoli)	2	78	8512	8592		8592	736	8
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NETHERLANDS, The

<i>Embassy of Malta (The Hague)</i>		2	2	4		4	-	0
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RUSSIA

<i>Embassy of Malta</i> (Moscow)			1602	1602		1602	106	6
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RESTREINT UE

SAUDI ARABIA

<i>Embassy of Malta</i> <i>(Riyadh)</i>			106	106		106	10	9
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SPAIN

<i>Embassy of Malta</i> <i>(Madrid)</i>			19	19		19	16	46
--	--	--	----	----	--	----	----	----

SWEDEN

<i>Embassy of Malta</i> <i>(Stockholm)</i>			39	39		39	-	0
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SWITZERLAND

<i>Permanent Mission of</i> <i>Malta (Geneva)</i>		2	134	136		136	2	1
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TUNISIA

<i>Embassy of Malta</i> <i>(Tunis)</i>			1288	1288		1288	227	15
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UNITED KINGDOM

<i>Malta High</i> <i>Commission (London)</i>		7	1043	1050		1050	35	3
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U.S.A.

<i>Embassy of Malta</i> <i>(Washington)</i>			84	84		84	11	12
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TOTAL NO OF VISAS ISSUED	7	111	16191	16309	33	16342	1791	176
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Statistics for the total number of visas are only available as of 2004. It should also be noted that the 2005 figures are currently being compiled.

75. Have the bodies responsible for the exceptional issue of visas at the border, pursuant to Article 17(3)(c) of the Schengen Convention and Regulation 415/2003/EC and Annex 14 of the Common Manual, been briefed on the relevant provisions and prepared to apply them? Which authorities will be responsible for this?

The conditions governing the issue of visas at the border are well known to the Immigration Police, which is the responsible authority.

RESTREINT UE

76. What provisions have been made to ensure that permanent consular posts will only issue Schengen visas in the future?

Provisions ensuring that diplomatic missions and consular posts will issue only Schengen visas in the future are being made in accordance with the recommendations and best practices as outlined in the Schengen Catalogue Vol. III on the issuance of visas.

77. Is any specialised training given in the detection of false documents?

As previously mentioned in Malta's reply to question 62, prior to posting, consular officers and staff attend a three-hour training programme on forged document detection at the Police HQ (Fraud Section).

78. Are there any manuals of specimen documents to check that the documents presented are genuine?

Manuals / journals are available at border control check-points.

All diplomatic missions and consular posts are supplied with copies and updates of the Interpol Identity Checker (Keesing Reference Services).

Prior Consultation

79. How will other States be consulted? What technical means will be implemented?

Other States will be consulted through VIS and SIS II systems.

80. What will be the estimated response time for consultation?

Estimated response time would be determined once both systems have been rolled-out and tested.

81. Under which circumstances will the consuls of your country consult their central authorities? What criteria will be applied?

Consuls are not entitled to issue visas.

RESTREINT UE

82. Do you intend to include third countries in Annex V B for prior consultation? How many?

No decision has yet been taken on which and how many third countries are to be included in Annex VB. However, as detailed in Malta's reply to question 71, consular cooperation agreements have been signed with other Member States for representation in the majority of these third countries.

VI. JUDICIAL COOPERATION

83. Has your country received and made requests for mutual assistance on issues relating to the areas covered in Articles 49 and 50 of the Schengen Convention?

No such requests were made or received.

84. What is the current situation regarding application of the rules on compliance with requests and the granting of authorisations in accordance with Article 50(3) of the Convention?

Whilst there is no explicit legal provision regulating this, as a matter of good practice and courtesy to the requested party, Malta's position has always been in accordance with this principle, given that all requests for mutual assistance are strictly confidential and hence no information is used or forwarded without the prior consent of the party from whom it has been obtained.

85. Has application of Article 52(2) of the Convention caused problems of any kind?

To date, this Article has not yet been resorted to and therefore, Malta did not have any problems with regard to this Article of the Convention.

86. As regards application of Article 53 of the Convention, are there any guidelines or directives defining the channels to be used for sending requests for mutual assistance, or is this simply left to the discretion of the judicial authorities?

Similarly to the main treaties and conventions to which Malta is party and which deal with mutual legal assistance in criminal matters, the Attorney General's Office will act as Central Judicial Authority.

RESTREINT UE

87. Have the judicial authorities received the Directory of the cities of the other Member States so they can use the possibility of forwarding directly requests for mutual assistance as provided for in the Convention? Do the judicial authorities have access to the European Judicial Network instruments (in particular the Atlas utility)? Are the contact points of the EJM known to all relevant judicial authorities?

No, this Directory has not yet been received.

Yes, the judicial authorities have access to the European Judicial Network instruments.

88. Have any extradition requests been authorised under Article 66 of the Schengen Convention? How many have been authorised to date?

No extradition requests have been authorised to date.

89. How are the forms for requesting the transmission of extracts from judicial records (SCH/III (97) 41 4 rev) distributed and used?

The Information Technology Unit within the Malta Police Force, following internal procedures, forward the forms to the Office of the Attorney General for onward transmission and necessary action.

90. Are the possibilities for mutual judicial assistance in criminal matters and extradition provided for by the Convention implementing the Schengen Agreement used satisfactorily?

To date, this mechanism has not been utilised.

91. Has the application of Article 51 a) caused problems of any kind?

No requests have yet been made or received under the said Article and, therefore, no difficulties have been encountered.

What are the conditions for the application of Article 51 a) and b)?

When coercive measures such as search and seizure are requested, Malta generally accedes to such requests provided that the offence to which the said request relates is also punishable under its own laws. The possibility for execution of rogatory letters is expressly catered for in Article 649 of the Criminal Code (Cap. 9).

(http://docs.justice.gov.mt/lom/legislation/english/leg/vol_1/chapt9.pdf).

RESTREINT UE

92. In the event of a conflict between a European arrest warrant and a request for extradition presented under article 66 of the Schengen Convention, how is the decision taken on whether the EAW or the extradition request takes precedence? Did you note some difficulties on conciliation?

In such a case the legislative provisions of Part IV, Extradition (Designated Foreign Countries) Order (LN320/04) relating to competing requests would apply.
(<http://docs.justice.gov.mt/lom/Legislation/English/SubLeg/276/05.pdf>)

Did you note some difficulties on conciliation?

Since to date there has not been any competing requests, one cannot comment any further on this.

VII. LEGISLATION ON FIREARMS

93. Have the contents of the EU Directive (91/477) on firearms been transposed into national legislation. Have the suggested model of common forms been adopted for the control of firearm purchases?

Directive 91/477/EEC (control of the acquisition and possession of weapons) has been transposed into Maltese law through the Arms Act (Cap. 480) and the Firearms and Ammunition (Movement in Member States and other Matters) Regulations (LN56/04).

94. What measures have been taken in terms of organisation and personnel in order to ensure the application by the competent authorities of the contents of the EU Directive on arms or the corresponding national legislation?

The Malta Police Weapons Office within the Malta Police Headquarters is the authority in charge of the national firearms legislation and the issuing of weapons transfers, imports and exports in line with the provisions of the Directive. The Malta Police Weapons Office is also responsible for the European Firearms Pass. The practical application of the Directive on firearms takes place both at the central Police Weapons Office and also in the national district police stations. The latter work in direct liaison with the central Police Weapons Office. All information regarding firearms and ammunition, firearm licences, lost / stolen firearms and firearm passes is collated and held at the central Weapons Office.

RESTREINT UE

95. How is information on firearms purchases (and other information required under the Directive) exchanged between your country's authorities and their counterparts in other EU Member States? What is the number of such exchanges per year?

All information exchange called for in the Directive is processed through the Malta Police Weapons Office which falls under the ambit of the Malta Police Special Branch.

The following is the number of applications for the importation of firearms:

Between 1 March to 31 December 2004 - 42

Between 1 January to 31 October 2005 - 67

(Note: Each application may refer to more than one firearm)

The following is the number of firearms exported:

Between 1 March to 31 December 2004 - 6

Between 1 January to 31 October 2005 - 15

96. What firearms may be brought into your country without prior permission but solely using the European pass?

National legislation allows that only weapons exclusively used for hunting and target shooting may be entered onto an EU Firearms Pass.

The only firearms that can be possessed for hunting and target shooting in Malta are the following:

- Shotguns having a smooth bore barrel of 24 inches or more in-length, whose magazine and chamber cannot hold more than three rounds of ammunition. These should be without a pistol grip and without folding butt;*
- Air weapons with a maximum power of fifteen foot pound and*
- Black powder firearms.*

Apart from the EU Firearms Pass, visitors must be in possession of a 'visitor's authority' justifying the grounds of their visit to Malta for the carriage of firearms for hunting and target shooting. Therefore, no firearms may be brought into Malta by solely using the Firearms Pass.

RESTREINT UE

97. Which firearms do not require consent within the meaning of Article 11(4) of Directive 91/477/EEC by your competent national authorities in order to be brought into your country?

All firearms that can be transferred to Malta can only be transferred if prior approval or consent is obtained in accordance with the provisions of Article 11(4) of Directive 91/477/EEC.

VIII. POLICE COOPERATION

98. Present a general oversight of the forces with police tasks in your country and their most important competences.

The Malta Police Force, which is the only national Police Force in Malta, falls within the remit of the Ministry for Justice and Home Affairs and is regulated by the Police Act (Cap. 164). The Commissioner of Police, who is appointed by the Prime Minister, heads the national Police Force. He has the command, direction, management and superintendence of the Force. The Commissioner of Police is assisted by a Deputy Commissioner and nine Assistant Commissioners.

The Police Force currently consists of a total of 1790 police officers. The total complement consists of 118 officers and 1672 other ranks.

The duties of the Malta Police Force are laid down in the Criminal Code (Cap. 9) and include the maintenance of public order and peace, the prevention, detection and investigation of offences, the collation, preservation and presentation of evidence, and the prosecution of offenders before the judicial authorities. Recent amendments to the Criminal Code (Cap. 9) provide that the investigative function is shared with the judicial authorities at the early stages of most cases. However, the main investigative responsibilities still lie with the police, who also act as prosecutors in proceedings before the Magistrates' Court.

In order to achieve these objectives, the Police Force is organised into nine main areas.

These are Strategy and Planning, Finance, District Policing, Criminal Investigations, Drugs, Vice and Economic Crimes, Forensic Science, Protective Services and the Special Branch.

RESTREINT UE

The Police Districts

District policing lies at the core of the Force's strategy of bringing the police closer to the community. Malta is divided into 11 police districts with some 25 police stations manned all over the Island. Each district falls under the command of a Superintendent who has the responsibility for all policing activities in the district. Each police district falls under one of two police regions, depicting the north and south of Malta. Each region falls under the command of an Assistant Commissioner.

All police officers are trained to be able to fulfil every aspect of ordinary police work, including criminal investigation, public order and community policing.

Specialised Police Services:

Each specialised section, except for the Forensic Science Laboratory, is headed by an Assistant Commissioner who answers directly to the Commissioner of Police. All specialised Police services work on a national level. The following are the specialised sections:

- *Strategy and Planning Office*

The Strategy and Planning Office sets out and monitors the overall direction of the Police Force and administers the various offices essential to any policing organisation, such as Human Resources, Training, Internal Affairs and Information Technology. This Office also liaises closely with the Ministry for Justice and Home Affairs on all EU-related matters. It also staffs a Community and Media Relations Unit whose function is to build and maintain healthy relations with the public and various organisations.

- *The Special Branch*

The Special Branch also comprises the International Relations Unit, whose remit includes the Interpol NCB, the Europol National Unit, the SIRENE Office, the logistics of security arrangements of VIPs visiting Malta, investigations into rogatory commissions as well as the policing aspect of terrorism issues.

The Immigration Department within the Special Branch deals with visa issues, work permits, border control as well as other related administrative and field duties. The Explosives / Weapons Office also falls under the Special Branch.

RESTREINT UE

- *Criminal Investigations*

Criminal investigations are split into three core sections respectively dealing with serious crimes, drug-related offences and with vice and economic crimes. Apart from investigating crimes of a serious nature, the Criminal Investigations Department (CID) also comprises the Mobile Squad, the Stolen Vehicles Squad and the Criminal Intelligence Unit. The Drug Squad is responsible for all criminal investigations relating to drugs, whilst the Vice and Economic Crimes department tackles sexual offences and crimes of an economic nature such as usury and fraud.

- *The Forensic Science Laboratory*

The Forensic Science Laboratory is headed by a director. It supports all other police sections by providing services associated with forensics, such as the scene of crime preservation, fingerprinting and photography.

- *Protective Services*

This branch of the police organisational structure comprises the Technical Operations Unit (SAG), the Traffic Branch, the Mounted Police, the Dog Section, the Police Command and Control Centre as well as the Administrative Law Enforcement (ALE) section.

- *The Malta Police Academy*

The Malta Police Academy is the central educational institution for the Police Force in Malta. It provides basic training for service in the Malta Police and specialised training covering various areas of the police profession.

- *The Data Protection Unit*

The primary role of this Unit is to prepare and subsequently enforce a Data Protection Policy within the Police Force on the lines of the Data Protection Act (Cap. 440) and the Data Protection (Processing of Personal Data in the Police Sector) Regulations (LN142/04), in line with Directive 95/46/EC on the Protection of Individuals with regard to the Processing of Personal Data and on the Free Movement of such Data.

RESTREINT UE

- *The Malta Police IT Section*

This is a specialised police section responsible for the information and computer technology within the police service.

(Please refer to Annex 3 - Organisational Chart of the Malta Police Force).

Organisation of the Prosecuting Authority in the Malta Police

Prosecutions of criminal offences in Malta are divided under the responsibility of both the Malta Police and the Attorney General's Office. This is regulated by the Criminal Code (Cap.9) (Book Second). The principle is that the prosecuting authority will operate independent of political signals and administrative control.

- *The Prosecution Office*

This new Office is in its 'setting-up' stage. It is envisaged that this Office will carry out the prosecution of offenders indictable / triable before the Magistrates' Court, the screening of cases to ensure justifiable proceedings, the preparation of the best evidence and to act as a liaison with other agencies and governmental departments to develop improvements in the criminal justice system. Until such time that this Office functions with its envisaged operative capacity, it provides legal and administrative support to other Police Branches by giving advice on preferred charges, prosecuting procedures and updating information on changes in statute and case law.

99. With which Schengen and non-Schengen States have agreements been concluded or are agreements being prepared in matters of police cooperation, (including arrangements or declarations referred to in Article 40(6), 41(9), 41(10) of the Convention)? Describe the contents of these agreements.

An Agreement has been concluded between the Government of Malta and the Government of the Republic of Slovenia on Co-operation in the Fight Against Organised Crime, Trafficking in Illicit Drugs, Psychotropic Substances and Precursors, Terrorism and other Serious Crimes (16 July 2003).

A Memorandum of Understanding has been concluded between the Government of Malta and the Government of the United Kingdom of Great Britain and Northern Ireland on Co-operation in Combating Illicit Drug Trafficking, Organised Crime, Terrorism and Other Serious Crime (9 January 2003).

RESTREINT UE

An Agreement has been concluded between the Government of Malta and the Hellenic Republic on Cooperation between the Ministry of Home Affairs of Malta and the Ministry of Public Order of the Hellenic Republic on Matters of their Competence (International Organised Crime, International Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and International Terrorism) (24 May 2001).

A Cooperation Agreement has been concluded between the Government of Malta and the Government of the Tunisian Republic on Security and Police matters (Joint Cooperation in Security and Police Matters and Particularly in Combating all Forms of Criminal Acts, Drug Trafficking, Terrorist, Transnational and Organised Crime) (6 April 2001).

A Cooperation Agreement has been concluded between the Government of Malta and the Government of the Republic of Turkey on Fighting Against International Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, International Terrorism and Organised Crime (29 November 1999).

An Agreement has been concluded between the Government of the Republic of Malta and the Government of the Republic of Cyprus on Co-operation in Combating Terrorism, Illicit Drug Trafficking and Organised Crime (16 September 1999).

An Agreement has been concluded between the Government of the Republic of Malta and the Government of the Republic of France on the Co-operation in Matters regarding Internal Affairs (9 March 1998).

A Cooperation Agreement has been concluded between the Government of the Republic of Malta and the Government of the Arab Republic of Egypt on the Fight against Drug Trafficking and Organised Crime (including Terrorism) (23 February 1997).

RESTREINT UE

100. With which Schengen and non Schengen States have arrangements been concluded, or are these arrangements in preparation or under study in matters of police cooperation in border zones referred to in the provisions of Article 39(4) of the Convention (see also Executive Committee Decision SCH/Com-ex (98) 51 Rev. 3 of 16.12.1998)? Describe the contents of these agreements.

N/A.

101. With which Schengen and non Schengen States exist agreements on exchange of liaison officers been agreed (Articles 7 and 47 of the Convention)? Provide overview of secondments. With which Schengen States exist agreements on the use of that liaison officers seconded in third States shall also represent the interests of your country? Describe how your country keeps or will keep the other Schengen States informed of the secondments of your liaison officers in third countries (Article 3 of Council Decision 2003/170/JHA).

Malta does not have bilateral agreements with other Schengen States on exchange of liaison officers.

Malta has one liaison officer assigned to Europol.

102. Describe the training curriculum for police officers, especially as regards their training on the application of the provisions of the Schengen acquis? Which instructions, administrative provisions, etc. exist in regard to implementation of the Schengen acquis? Describe the mechanism for updating these rules?

Training that addresses the application of the provisions of the Schengen Acquis has been introduced and included in the training curriculum of the Malta Police Force. All new recruits follow this training programme before being actually deployed. The Malta Police Force has an ongoing training programme and it is envisaged that this programme is updated in the coming months as a result of the Twinning Light project mentioned in earlier replies.

103. Describe the training curriculum and method to brief police officers on the Handbook on Cross-Border Police Cooperation? Is the Handbook available and in use in all police units? Have you prepared the relevant updates of the Handbook for your country and have they been sent to the Council SG? Do other information channels exist to inform Schengen States of relevant rules for future cross-border cooperation and information exchange?

The handbook is available and has been distributed.

RESTREINT UE

104. Within the framework of cross-border cooperation pursuant to Article 39(1-3) of the Schengen Convention, does your national law authorise your police services to take, without the involvement of the judicial authorities, the measures listed in the document adopted by the Executive Committee of Schengen on 28 April 1999 (SCH/Com-ex (99) 18; SCH/I (98) 75 rev. 5) on principles for police cooperation in the prevention and detection of offences? If not, what measures are the police not authorised to take?

The Malta Police Force is authorised by law to fully co-operate with other Police Forces and furnishes the information as per SCH/Com-ex (99) 18; SCH/I (98) 75 Rev.5.

105. What additional measures, if any, are your police authorities authorised to take, without the involvement of the judicial authorities, other than those mentioned in the Decision of the Executive Committee mentioned in the previous question?

The police can take all measures with regard to information exchange without the involvement of the judicial authorities, provided that they comply with Maltese legislation.

106. If the police authorities are not competent to deal with requests, describe the procedure used to forward them to the competent judicial authorities pursuant to Article 39(1), sentence 2? Under which conditions, if any, do the judicial authorities accept and execute requests for legal assistance forwarded in this way?

Requests for judicial assistance are to be forwarded through the Attorney General's Office, which requests are subsequently filed in Court and executed through police co-operation with the Courts.

107. Do the judicial authorities accept and execute requests for authorisation according to Article 39(2) of the Schengen Convention sent by fax or e-mail, as provided for in the Executive Committee's decision (SCH/Com-ex (99) 18)?

Yes, judicial authorities accept requests by fax or e-mail. However, these must pass through the Attorney General's Office.

Do the applicable rules on judicial assistance and/or data protection allow, and if so, under which conditions, – information that is obtained from non-Schengen countries through police channels to be passed on to judicial authorities? Can they be used as evidence in criminal proceedings or does the use as evidence require the explicit consent of the judicial authorities in your country, similar to Article 39(2) of the Schengen Convention?

RESTREINT UE

The use of information forwarded can only be used as evidence in legal proceedings if explicit consent is given by the judicial authorities. Forwarded information may be used to corroborate evidence if sent through proper channels.

108. Does your national law provide for restrictions on the use of data if your police authorities exchange data with Schengen/non-Schengen States?

In accordance with the Data Protection Act (Cap. 440), data can only be used for the pre-stated purpose for which it was furnished.

109. Does your national legislation impose an obligation to inform the national central body, if in an urgent case the direct channel pursuant to Article 39(3), sentence 2 of the Schengen Convention is used?

All cases are channelled through the same channel. There is no legislative provision to this end, however, since there is only one Police Force, the Immigration Police has been designated as the contact point through the International Relations Unit.

110. Which measures is your country planning to take/which provisions must be observed regarding the use of technical means in cross-border surveillance? E.g. what kind of direct links will be used to facilitate cooperation and communication, as meant in article 44.

Contacts are carried out through electronic means, with Europol and Interpol. Fax connection is also available.

111. Which initiatives have been taken or are you planning to take, pursuant to article 44 (1) and the options set out in Article 44 (2) to ensure cross-border interoperability of radio telecommunication systems?

It is not considered viable to utilise Radio Telecommunication Systems, given that the distances covered are contained.

112. Does your national law qualify an attempted to commit a crime as sufficient ground to take measures pursuant to Article 40(1) and (2) of the Schengen Convention?

No specific provisions are in place with regard to the application of Article 40(1) and (2) of the Schengen Convention as to attempted crimes.

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113. Except in cases of urgency pursuant to Article 40(2) of the Schengen Convention, where it is obviously not possible to seek the prior authorisation of the corresponding central authority designated in Article 40(5), will the police officials of Schengen States, who conducts cross-border surveillance be allowed to carry their service weapons in your country for standard surveillance operations pursuant to Article 40(1) as provided for under Article 40(3)(d) of the Schengen Convention?

Currently, no foreign officer can carry firearms in Malta, in the execution of their duties.

114. In the context of Article 40 of the Schengen Convention, does your legislation require information on the type and number of service weapons? What information should be provided and at which moment? Does your legislation put any restrictions in this connection on observation teams from other Schengen States, and if so, what are they?

Currently, the carriage of firearms by any officer, not being a Maltese Police Officer, is prohibited.

115. How often are the registrations forms, mentioned in Article 45, used by the competent authorities to prevent threats, conduct criminal investigations or to clarify the circumstances of mission person or accident victims?

Such registration forms are obligatory and are used by the competent authorities according to need.

116. Regarding police data; is there one general police database or are there several databases belonging to the different police forces. If there is only one, do all police forces have access to this database? If there is more than one, who has access to which database?

There is only one Police Force in Malta. Currently, the main police database (Police Incident Reporting System (PIRS)) can be accessed by all police personnel according to their policing needs. It is envisaged that all police databases will be accessible by police personnel on a need-to-know basis.

117. Which police service/force is/will be or has been appointed as the central Schengen authority as mentioned in Article 39 and 46 of the Schengen Convention? Which police forces are/will be represented in the central Schengen authority? Will the central Schengen authority have access to all police databases?

There is only one Police Force in Malta. The central Schengen authority falls under the Police Special Branch. It is envisaged that the Schengen authority will have access to all police databases.

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118. Is article 46 of the Schengen Agreement used to exchange information regarding public order and is this information processed by the central Schengen authority? Do you avail of statistical material on the exchange of information over the 3 previous years? If so, can you provide it?

Information is exchanged through Europol and Interpol channels. No statistical data in this regard is available.

119. Are mixed patrols carried out in the border area in the framework of direct cooperation?

Mixed land border patrols are not applicable to Malta since it is an island. Sea and air border patrols fall under the responsibility of the Armed Forces of Malta. No mixed patrols are carried out in border areas.

120. What rights do foreign officers have on your territory? Can they act independently? Do they have the right to apprehend?

Foreign officials cannot act independently. However, they are provided with support and assistance by the Malta Police Force upon request.

121. Are officers participating in joint missions required to have a basic knowledge of the border language?

Although no formal obligation exists, it is considered that such knowledge is desirable.

122. Do you have police and customs cooperation centres or joint police stations? If not, are there plans to set them up?

N/A.

123. How are (will) relations between such joint centres and the central Schengen body be organised?

N/A.

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124. In addition to cooperation on land, are there (will there be) other forms of cooperation (waterways, sea, air, etc)?

Malta has taken part in various sea operations in 2003, 2004 and 2005, both as participator and as observer, organised by the Eastern Seaborder Center and Western Seaborder Center during which various countries, such as Italy, Greece, Cyprus and the UK, had participated.

IX. DRUGS

125. What specific organisational measures have been adopted at the external borders (air, sea and land) to combat drug trafficking?

It should firstly be noted that Malta has no external Schengen land borders.

(a) New structures

The setting up of the Customs Intelligence Section (CIS).

(b) Staffing measures

The Customs Enforcement Unit (CEU), which specialises in combating drug trafficking, was strengthened through the redeployment of staff. This unit is made up of 50 members.

(c) Creation of new customs services specialised in surveillance

No specialised unit exists within Customs to perform surveillance operations outside 'Customs areas'. The CIS works closely with the Malta Security Service (MSS) which is staffed by personnel from Customs, Police and the Armed Forces of Malta.

(d) at the land borders

N/A.

(e) at the sea borders

CEU staff, which operate in plain clothes, may carry out surveillance from the shore. There is close co-operation between Customs and the Armed Forces of Malta who carry out sea patrols.

(f) at the air borders

CEU staff are present at the air borders and work closely with the Police Drug Squad.

(g) Do the customs authorities have any aircraft (planes, helicopters) for detecting illegal shipments?

No.

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126. Technical aspects

- (a) What specific measures and tactical methods have been adopted at the external borders to combat drug trafficking?

Targeting after risk analysis is the main measure adopted.

- (b) What special measures have been taken to guarantee that controls are effectively targeted (targeted controls)?

Feedback reports are always requested so that results may be assessed.

- (d) What new methods have been introduced to obtain relevant information?

The setting up of the Customs Intelligence Section (CIS) which inter alia scrutinises passenger manifests. Information sharing with other Law Enforcement Agencies (LEAs) is another method.

- (e) Have any steps been taken with a view to concluding protocols and agreements with international carriers and to obtaining information on suspect activities, in accordance with the recommendations issued by the World Customs Organisation (WCO)?

Currently a proposal by a private company for the provision of information relative to air traffic is being studied by Customs.

- (f) Does your country carry out risk assessment or profiling in relation to drug trafficking?

If so, please provide brief details of how this is carried out.

Movements of persons adversely known to national LEAs are monitored. The Customs carry out pre-arrival/departure scrutiny of passenger/freight manifests (where available) arriving on flights deemed 'high risk'. Import declarations are also scrutinised.

- (g) Could you give more information on the national and international controlled deliveries carried out?

Customs investigative powers where drugs are concerned are limited to border areas.

The Police carry out controlled deliveries.

127. What technical means have been deployed at the external borders to detect drugs smuggled illegally into the country?

For each of the following categories of border

- land borders: *N/A.*

- sea borders and air borders: *The deployment of Customs sniffer dogs, mobile x-ray vans, fibre-optic kits and field test kits are deployed at both sea and air borders. A permanent x-ray machine is also deployed at the air border for incoming passengers' luggage.*

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Please indicate the type and number of detection means deployed and the frequency with which these are used, drawing a distinction between

- (a) sniffer dogs

4 Customs sniffer dogs are currently deployed on full-time basis.

- (b) X-ray machines

The X-ray machine deployed at the air border is used according to the needs on a 24x7 basis.

- (c) permanent equipment for controlling air freight

No permanent equipment is used for controlling air freight. One permanent X-ray machine is utilised at the Courier's office and another at the Parcel Post.

- (d) mobile facilities

The two Customs mobile X-ray vans are also deployed as needed on a 24x7 basis. Being mobile, these X-ray machines are also deployed to control airfreight.

- (e) Endoscopes

The two Customs endoscopes available are normally used for vehicle searches. The incidence is low.

- (f) systems for analysing urine to detect the presence of drugs concealed inside the human body

N/A.

- (g) any other technical means

Customs Test-kits are often used for checking substances.

128. What measures have been taken to obtain information within the framework of international external border cooperation?

- (a) international agreements (specific bilateral agreements, etc.)

N/A.

- (b) participation in international working groups

The Customs authority is a member of the MARINFO SUD and Pompidou Group. The Customs authority also attends the HONLEA (Europe) – Heads of National Drug Law Enforcement Agencies meeting organised by the United Nations.

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- (c) communication and information systems

The Customs authority utilise AFIS mail, MARINFO, the Customs Information System (CIS), Customs Enforcement Network (CEN) and the Risk Information Form (RIF).

- (d) criminal tactics measures

Customs executive/investigative powers are limited by area (borders). As already mentioned the MSS also comprises Customs personnel

- (e) others

N/A.

129. What results have you attained in terms of seizures between 2000 and 2004 at the land, sea and air borders?

- (f) nature and volume

- (g) country of origin

- (h) destination

- (i) means of transport

- (j) means of concealment used by the trafficker

Please refer to Annex 4.

DECLASSIFIED

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X. DATA PROTECTION

130. Has the national legislative process for adopting legislation on personal data as referred to in Article 117 of the Convention been completed? If not, which procedures are still outstanding?
The national legislative process for adopting the legislation has been completed and no procedures are outstanding.
131. What data protection rules do you apply as regards the protection of SIS data?
Data Protection rules are established under the Data Protection Act (Cap. 440) and the Data Protection (Processing of Personal Data in the Police Sector) Regulations (LN142/04). These legislative instruments apply to the Police and all other law enforcement authorities, including Customs.
132. Who are the national supervisory authorities competent for SIS data?
The National Supervisory Authority is the Commissioner for Data Protection.
133. Which concrete powers are available to the supervisory authority in case there is misuse in the processing of SIS data?
The powers available are those contained in Directive 95/46/EC on the Protection of Individuals with regard to the Processing of Personal Data and on the Free Movement of such Data and in Recommendation R87 (15) of Article 117 of the Schengen Convention, as embodied under the Data Protection Act (Cap, 440) and its subsidiary legislative instruments. Under the Data Protection Act (Cap. 440), the Supervisory has the same powers as are exercisable in any other case of misuse of data, including the power for erasure, rectification, monetary penalties and initiation of court proceedings.
134. How will the supervisory authority use its right of supervision to the national part of the SIS in future including its right of access?
The right of supervision of the supervisory authority, which includes the right to require information and the right of access, are derived from the provisions of the Data Protection Act (Cap. 440) and the Data Protection (Processing of Personal Data in the Police Sector) Regulations (LN142/04).

RESTREINT UE

135. Will this right of access be used in situ? Is it being considered to organise supervision in parallel, one person in the SIRENE Bureau and the other with the final user?

The right of access will be used in situ. Parallel supervision will be organised whenever it is deemed necessary for appropriate supervision.

136. When there is access from the data subject on the basis of Article 109 of the Schengen Convention, will this right be exercised directly or will the national supervisory authority also play a role? In the latter case, what is the scope of the task of the national supervisory authority? What exactly does the national supervisory authority supervision over an alert relate to: the legality of the procedure or also the validity of the grounds for the alert?

A data subject will be able to exercise his right directly. If the data subject feels that he was not properly granted such right he may lodge an appeal with the National Supervisory Authority (Data Protection Commissioner). In such instances, the national Supervisory Authority can investigate both the legality of the procedure adopted and/or the validity of the reply given and subsequently the Data Protection Commissioner can and if necessary give directions for remedial action.

137. How will cooperation between your national supervisory authority and other authorities in particular national supervisory authorities be organised if it transpires that another Schengen country has recorded a person and your national SIRENE Bureau does not have the complete file?

This will be done by communication between the contact point in the Maltese national supervisory authority and the contact point of the other national supervisory authority.

138. On the average, how long will it take for the national supervisory authority to handle a case (complaint) related to the processing of SIS data?

Since processing of SIS data has not commenced, the average time required to conclude the findings relating to a complaint cannot be assessed. However, the supervisory authority will deal with a complaint in the least possible time but the conclusion will depend on each particular case.

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139. What protection rules are applied for the processing of SIS data in the national system? What will happen to the paper files relating to the SIS alert? Are they archived? Are they destroyed? After how long?

The protection rules that apply to the processing of SIS data are the legal provisions under the Data Protection Act (Cap. 440) and Article 118 of the Schengen Convention.

With regard to the paper files relating to the SIS data, it should be noted that this data will be retained only for the time required to achieve the purposes for which it was provided, but within the parameters set in Article 112 of the Convention.

140. How are you planning to resolve the possible conflict between the transparency of public action and the protection of data entered, in the future, in the SIS?

Conflicts of a similar nature are currently resolved by the Court in civil proceedings.

141. How will access to the SIS data be supervised by local staff in the consulates?

Consular staff will not have direct access to SIS data.

142. Are you planning to duplicate SIS data? In what context?

A National Copy of the SIS-II database will be maintained in the main Police Data Centre.

Two operational, or technical copies, will be maintained. These will be sited in the Main Police Data Centre and the Backup Police Data Centre.

The context is that being proposed for the SIS II.

143. How do you ensure that only authorised users access SIS data and for the authorised purpose?

Authorised users' access and purposes will be ensured through the adoption of a system establishing appropriate rights and privileges as accorded under Article 118 of the Schengen Convention, coupled with the relative auditing procedures.

144. What technical and organisational security means are put in place to protect SIS data?

Full security measures, including but not limited to network security, personnel security checks, locations of SIRENE Office within the Police Headquarters, isolated data centre and restricted access, systems audit trails and register recording the communications of data (as established under Regulations 10, 11, 12 and 14 of the Data Protection (Processing of Personal Data in the Police Sector) Regulations (LN142/04) are being implemented to satisfy the requirements of Article 118 of the Convention.

RESTREINT UE

ANNEX Ia

Foreigners who were refused to enter Malta from Border Controls (Inadmissible) - 2003

Nationality	Jan		Feb		March		April		May		June		July		August		Sept		October		Nov		Dec		Total		Grand Total	
	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea		
ALGERIAN							1								6		2							3		12	12	
ARGENTINIAN																						1					1	1
AZERBAIJAN							1																				1	1
BAHAMAS									1																		1	1
BANGLADESHI																					6						6	6
BELGIUM	1																						1				2	2
BELARUS									10																		11	11
BOSNIA	1								2			1			1												6	6
BRAZIL									1			3		1	1												5	5
BRITISH									1			1		1													7	7
BULGARIA	3						10		10		1	6			1		2								1	50	55	
CHINESE									3						2												22	22
COLOMBIAN									1																		5	5
CROATIA	2								1																		3	4
CYPRUS	1																										1	1
ECUADORIANS																											2	2
EGYPT	3							2	3		3				6		2										25	25
GEORGIAN									1								1										2	2
GERMANS														4													6	6
GHANAIAI																					1						1	1
HONG KONG																											6	6
HUNGARY	4																										5	5
INDIANS																											7	7
IRAQIS																											6	6
IRELAND																											1	1
ISRAEL									1																		1	1
ITALIAN															2		2										8	12
JORDANIAN										1																	3	3
KAZAKHSTAN															1												2	2
LEBANESE															2												9	9
LIBYA	25						25		31		34		29		23		18										320	326

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ANNEX I

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ANNEX Ib

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RESTREINT UE

Foreigners who were refused to enter Malta from Border Controls (Inadmissible) - 2004

Nationality	Jan		Feb		Mar		Apr		May		June		July		Aug		Sept		Oct.		Nov		Dec		Total		Grand Total	
	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea
ALGERIAN			2																		2			1		5		5
ANGOLA			1																							1		1
BANGLADESH										1																1		1
BELARUS																			1							1		1
BELGIUM																									4		4	
BOSNIA																			1						1		1	
BULGARIA	1	N	1	N	8	2	1	2	1	2	3	1	3	N	3	3	1	4	1	3	1	6	5		36	6	42	
CAMEROON											3										1				5		5	
CHAD													L												15	1	16	
CHILE																		1							2		2	
CHINESE					8		10				7		15		11		8		29		1			13	1	121	1	122
COLOMBIAN	2		4		3		1	2		2	3							2		2	1				15		15	
CROATIA																									4		4	
EGYPT									2	2	1										1		3	1	6	2	8	
GUATEMALA	1																								1		1	
INDIANS									2																2		2	
INDONESIAN																		6							6		6	
IRANIAN												4													4		4	
JAMAICAN																							1		1		1	
JORDANIAN																									1		1	
JORDANIAN																									1		1	
KENYA																									1		1	
LIBYA	16	N	12	N	23		37	1	4		9	17	N	21		14		4			9		21		188	1	189	
MOLDAVIAN																		4							10		10	
MOROCCANS	1	L			2		1	1	1			1	L			3	2				9		5		22	3	25	
NEPAL																									2		2	
NIGERIA			1		1		1					4			3	1	1						2		14		14	
PAKISTAN											1													1		3	3	
PHILIPINE																									1		1	
ROMANIA	2				2						1														9	27	36	
RUSSIA	1	N					5					6	N		2	2	3				1		1		19	2	21	
SENEGAL																											3	3
SRI LANKA																									7		7	
SYRIA	1	L			1		1				1		L		4						4		2		17		17	
TUNISIAN																									4		4	
TURKISH			2		2							2			1										10		10	
UKRAINIAN	1				11					2		4									3		2		23	1	24	
VENEZUELA																											1	
YUGOSLAVIA			2		1		2		1			6									2				19		19	
TOTAL	26		25		66	2	68	2	17	2	30	1	66		50	8	44	6	61	23	59	4	61	2	586	50	636	

RESTREINT UE

ANNEX I c

Foreigners who were refused to enter Malta from Border Controls (Inadmissible) - 2005

Nationality	Jan		Feb		Mar		Apr		May		June		July		Aug		Sept		Oct.		Nov		Dec		Total		Grand Total		
	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	Air	Sea	
ALBANIAN																													
ALGERIAN	1		2													2													
AUSTRALIAN											1																		
BOSNIAN		N							1																				
BRAZILIAN		I						1																					
BULGARIA	6	L	2	2	2	1	5		3	1	2	4	4	4	4	2	2			3	2	2							
CHILE																1													
CHINESE	5								1				1			1		6											
COLOMBIAN									1																				
CROATIA	1																												
EGYPT			2		1				1																				
EQUADOR	1																												
GEORGIA	1		1				3																						
GABON																													
GAMBIA																													
GHANA																													
GUYANA					1				1																				
IRAQ		N																											
INDIANS		I	5						2																				
IVORY COAST		L																											
JAPANESE																													
JORDANIAN																													
LIBYA	9		5		6		2		8		5	7	7	4	4	4	4			2	4	4							
MOLDAVIAN			2																										
MONGOLIAN			1																										
MOROCCANS	1				2				2																				
NIGERIA					4		3		5		2	2	2	3															
PAKISTANI																													
PHILIPPINE					4																								
ROMANIA					1	4	1	1	1		3				2	2	4			1	1	1							
RUSSIA	2		1		1				1						2	2													
SENEGAL									1																				
SERBIAN																													
SIERRA LEONE											1																		
SYRIA			1		2				2													3							
TOGO																						1							
TUNISIAN		N	1																			1							
TURKISH	2	I							3			1			1														
UKRAINIAN		L											1																
YUGOSLAVIAN																													
TOTAL	29		23	1	24	6	15	1	33	1	15	4	19	4	20	4	23	1	9	1	17	1	11	238	24	263			

ANNEX I

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ANNEX II

Annex 2 - Shipping Movements

	2003			2004			2005		
	EU Countries	Other Countries	Total	EU Countries	Other Countries	Total	EU Countries	Other Countries	Total
<i>CARGO VESSELS</i>									
Container Vessels (Grand Harbour)	34	7	41	38	8	46	31	7	38
Container Vessels (Freeport)	613	782	1.395	506	758	1.264	502	679	1.181
Ro-Ro/Ferries	447	102	549	383	140	523	330	119	449
Break Bulk	333	211	544	358	309	667	350	222	572
Motor Tankers	236	856	1.092	269	904	1.173	331	925	1.256
Bulk Carriers	16	17	33	17	3	20	33	13	46
Car Carriers	26	1	27	19	7	26	23	6	29
TOTAL	1.705	1.976	3.681	1.590	2.129	3.719	1.600	1.971	3.571
<i>O THERS</i>									
Cruise Liners	350	68	418	244	89	333	187	140	327
Repairs	49	54	103	68	82	150	64	79	143
Supply Vessels	154	249	403	76	403	479	49	312	361
SES Catamaran	306	0	306	322	1	323	316	11	327
Fishing Vessels	1.241	41	1.282	981	87	1.068	845	103	948
Research Vessels	2	1	3	10	11	21	1	26	27
Tug Boats	17	8	25	35	23	58	5	14	19
Naval Vessels	7	72	79	3	98	101	2	39	41
Barges	1	76	77	2	26	28	0	50	50
Local Tankers	0	162	162	1	128	129	0	150	150
Motor Yachts	1	1	2	2	0	2	6	2	8
Others	301	190	491	288	247	535	210	260	470
TOTAL	2.429	922	3.351	2.032	1.195	3.227	1.685	1.186	2.871
<i>O UTSIDE P ORT</i>									
Bunkers WTW	425	626	1.051	464	659	1.123	453	669	1.122
Conveyances/Other Services	345	944	1.289	292	1.019	1.311	308	921	1.229
TOTAL	770	1.570	2.340	756	1.678	2.434	761	1.590	2.351
GRAND TOTAL	4.904	4.468	9.372	4.378	5.002	9.380	4.046	4.747	8.793

ANNEX III:

Malta Police Force - organisational chart: see separate file (tif image)

RESTREINT UE

Answer to Q. 129

Airport & Seaport Seizures

2000

Nature	Volume	Country of Origin	Destination	Means of Transport	Mean of Concealment
Heroin	465.9grms	Turkey	Malta	Airport	Under The Shoe Soles
Cannabis Resin	0.9grms	France	Malta	Airport	Luggage
Cannabis Seeds	4 seeds				
Cannabis Plant	3 Plants				
Heroin	356.5grms	Libya	Malta	Airport	On his Person
Cannabis Resin	1kg483.grms	Marocco (Casablanca)	Malta	Airport	Luggage
Cannabis Resin	1grm	Libya	Malta	Airport	On his Person
Heroin	1kg164grms	Turkey	Malta	Airport	In his Luggage
Heroin	879grms	Turkey	Malta	Airport	Luggage & Shoes
Heroin	317grms	Marocco (Casablanca)	Malta	Airport	Under The Shoe Soles
Cannabis Grass	1.5grms	The Netherlands	Malta	Airport	In Her Hand Bag

2001

Nature	Volume	Country of Origin	Destination	Means of Transport	Mean of Concealment
Heroin	73.4grms	Marocco (Casablanca)	Malta	Airport	Swallower
Cannabis Resin	4.8grms	France	Malta	Airport	In his Luggage (Personal Use)
Heroin	448.9grms	Libya	Malta	Airport	Luggage
Heroin	2kg	Turkey	Malta	Airport	Luggage (double bottom)
Cannabis Resin	3kg	Libya	Malta	Airport	Luggage
Heroin	395grms	Tunisia	Malta	Airport	Under the shoe soles
Cannabis Resin	8grms	UK	Malta	Airport	On his Person

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2002

Nature	Volume	Country of Origin	Destination	Means of Transport	Mean of Concealment
Cannabis Resin	3grms	Germany	Malta	Airport	On his person
Cannabis Resin	12.6grms	Spain	Malta	Airport	On his Person
Cannabis Resin	762grms	Marocco (Casablanca)	Malta	Airport	Picture Frame
Cocaine	90.968grms	The Netherlands	Malta	Airport	Hidden in her intimate Part of the Body
Cocaine	85.345grms	The Netherlands	Malta	Airport	Hidden in her intimate Part of the Body
Cocaine	124.51grms	UK	Malta	Airport	Hidden in her intimate Part of the Body
Heroin	222.52grms	Unknown	Malta	Airport	Capsules in socks Dentention Center MIA

2003

Nature	Volume	Country of Origin	Destination	Means of Transport	Mean of Concealment
Cannabis Resin	18grms	Zurich	Malta	Airport	On his Person
Cocaine	2kg988grms	Spain	Malta	Airport	Luggage
Ecstasy	7151 Tabs				
Heroin	509.588grms	Turkey	Malta	Airport	Swallower
Heroin	611.634grms	Turkey	Malta	Airport	Swallower
Heroin	430grms	Libya	Malta	Airport	In his Shoes
Heroin	546.344grms	Turkey	Malta	Airport	Swallower

2004

Nature	Volume	Country of Origin	Destination	Means of Transport	Mean of Concealment
Cannabis Grass	10grms	The Netherlands	Malta	Airport	On his Person
Cannabis Resin	3.8grms	Germany	Malta	Airport	On his Person
Cannabis Grass	14.5grms	The Netherlands	Malta	Airport	In his Luggage
Cannabis Resin	300grms	Libya	Malta	Airport	In his Shoes
Cannabis Resin	25grms	Libya	Malta	Airport	Luggage
Cannabis Resin	770grms	Libya	Malta	Airport	On the person
Cannabis Resin	9kg415grms	Italy	Malta	Seaport	In his Vehicle
Cannabis Grass	2grms	Italy	Malta	Seaport	On her Person