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- Questionnaire - Additional questions put by the French delegation -
Reply by LATVIA

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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SCH-EVAL 108
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NOTE

from : the Republic of Latvia

to : the Schengen evaluation Working Party

No. prev. doc. : 8882/06 SCHEVAL 79 COMIX 414

Subject : Schengen evaluation of the new Member States
- Questionnaire - Additional questions put by the French delegation - Reply by
LATVIA

1. **With regard to the continuing training of border control staff:**
 - (a) **What activities have taken place over the past four years: how many courses have been organised, on what subjects, for how many officials, how long did they last and what form did they take?**
 - (b) **What activities are planned for 2006 and 2007: how many courses will be organised, on what subjects, for how many officials, how long will they last and what form will they take?**
 - (c) **What activities – if any – are planned for 2008?**

Over the past four years:

After the accession to the European Union on May 1, 2004 improvement and updating of professional education programs related to border guarding matters of the EU and border control of Schengen area were initiated in the College of the State Border Guard. Changes were made in the professional program of further education „Border guard” (one year) and the first level of the professional study program of higher education „Border guarding” (2 years).

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Update of the programs was carried out in accordance with recommendations of Common Core Curriculum (further in text CCC) developed by ACT. Latvia included approximately 80% of requirements proposed by CCC in its education programs. Mainly following courses were updated: “Border guarding service and tactics”, “Border checks”, “Border control”, “Border surveillance” and new study courses were developed and implemented (for 2 years program) “Document checks” and “Immigration control”.

The College of the State Border Guard provides:

1. Education programs:

- Professional further education program “Border guarding”:
 - duration – 1 year;
 - qualification obtained – inspector of State Border Guard;
 - total length of the program – 1015 lessons (including qualification practice – 240 lessons):

Border surveillance	110 lessons
Border control	107 lessons
False documents (document control)	45 lessons
EU law, Schengen acquis	8 lessons
 - 309 border guards were trained in 2003 – 2006;
 - It is planned to train approximately 270 border guards in 2007 – 2008.

- First level of the professional further education program “Border guarding”:
 - duration – 2 years (full time studies), 2,5 years (extramural course);
 - qualification obtained – junior officer of the State Border Guard;
 - total length of program – 82 credit points (3280 lessons, practice – 640 lessons, qualification work – 320 hours):

Border surveillance	120 lessons
Border control	160 lessons
False documents (document checks)	40 lessons
EU law, Schengen acquis	12 lessons
 - 48 border guards were trained in 2003 – 2006 (at present - 19 border guards, planned to enroll 31 border guards, part time studies – 18 border guards);
 - approximately 70 border guards in full time studies and approximately 60 border guards in extramural studies program are planned to train in 2007 – 2008.

2. Programs for improvement of professional skills:

- “Basic training program for border guard specialists with higher education”:
 - duration – 1 month;
 - main topics: Immigration Law, Asylum Law, International legislation in border guarding;
 - 58 border guards were trained in 2004 – 2006;
- “Professional preparatory course program for border guards”:
 - duration – 1 month;
 - main topics: Schengen convention and Schengen manual;
 - 349 border guards were trained in 2003 – 2006;

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- “Training program for staff of supernumerary quick reaction unit”:
 - duration – 1 month;
 - 111 border guards were trained in 2003 – 2006;
- “Training program (identification of drugs) for Border guard specialists”:
 - duration – 3 days;
 - 27 border guards were trained in 2006;
- “Training program for Border guard specialists (computer users)”:
 - duration – 4 weeks;
 - 31 border guards were trained in 2005.

The Dogs breeding centre of the College of the State Border Guard provides following programs for improvement of professional skills:

- “Training course program for inspectors (dog handlers) of the State Border Guard and service dogs in tracing”:
 - duration – 4 weeks;
 - 133 border guards were trained in 2003 – 2006 (2 Belarusian dog handlers – instructors got acquainted with program);
- “Primary training program for inspectors (dog handlers) of the State Border Guard and puppies”:
 - duration – 11 month;
 - 83 border guards and service dogs were trained in 2003 – 2006 (among them 6 dog handlers (border guards) with service dogs from Republic of Moldova, 2 Inspectors (dog handlers) of Prison Administration Board of Ministry of Justice of Republic of Latvia with service dogs);
- “Training course program on finding persons for inspectors (dog handlers) of the State Border Guard and service dogs”:
 - duration – 10 weeks;
 - 32 border guards with service dogs were trained in 2004 – 2006 (2 Belarusian dog handlers – instructors got acquainted with program);
- “Training course program on finding drugs for inspectors (dog handlers) of the State Border Guard and service dogs”:
 - duration – 3 weeks;
 - 106 border guards with service dogs were trained, 1 customs officer with service dog in 2003 – 2006 (2 Belarusian dog handlers – instructors got acquainted with program);
- “Professional qualification rising training course program on finding explosives for Inspectors (dog handlers) of the State Border Guard and service dogs”:
 - duration – 3 weeks;
 - 15 border guards with service dogs were trained in 2003 – 2006;
- “Protection and figurant courses” (leading specialists from French police):
 - duration – 3 weeks;
 - 17 border guards with service dogs were trained in 2003 – 2006 (4 officials from State police and 1 official from the Guarding squadron of the Ministry of Interior with service dogs were trained as well).

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The College of the State Border Guard has planned to provide following qualification rising programs in 2006 – 2008:

- “Primary training program for officials of the Immigration Service of the State Border Guard”:
 - duration – 1 month;
 - main topics: control and organization of foreigners residence conditions;
 - 15 border guards will be trained in 2006;
- “Border control”:
 - duration – 1 month;
 - main topics: basic information regarding Schengen Border Code, border control of persons: interviews, profiling, control of foreigners residence conditions;
 - 15 border guards will be trained in 2006;
- “False documents”:
 - duration – 1 week;
 - main topics: requirements of the EU and Schengen acquis regarding document control, false documents, their protection, methods of document checks, profiling;
 - 20 border guards will be trained in 2006;
- “Administrative process. Administrative law”:
 - duration – 1 week;
 - 15 border guards will be trained in 2006;
- “Recognition of trace and further actions with them”:
 - duration – 3 days;
 - 20 border guards will be trained in 2006;
- “Electronical information system of the State Border Guard – 2002 (REIS – 2002)”:
 - duration – 8 hours;
 - 60 border guards will be trained in 2006;
- “Basic training program for border guards with higher education”;
- “Professional preparatory course program for border guards”;
- “Training program for personnel of supernumerary rapid reaction unit” (implementation depends on demand);
- “Training program (identification of drugs) for Border guard specialists”;
- “Training program for Border guard specialists (computer users)”;
- “Training course program for inspectors (dog handlers) of the State Border Guard and service dogs in tracing”
- “Primary training program for inspectors (dog handlers) of the State Border Guard and puppies”
- “Training course program on finding persons for inspectors (dog handlers) of the State Border Guard and service dogs”
- “Training course program on finding drugs for inspectors (dog handlers) of the State Border Guard and service dogs”
- “Professional qualification rising training course program on finding explosives for inspectors (dog handlers) of the State Border Guard and service dogs”

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The College of the State Border Guard (in co – operation with State Border Guard units) has planned to develop following qualification rising programs in order to provide them in 2007 – 2008:

- „Usage of means of border control and engineering equipment”
 - duration – 5 weeks;
- “Professional qualification rising training course program on finding persons for inspectors (dog handlers) of the State Border Guard and service dogs”:
 - duration – 3 weeks;
- “Professional qualification rising training program for inspectors carrying out border control at sea ports (control of vessels)”;
- “Professional qualification rising training program for operative management specialists of sea border control”;
- “Basic course for divers of the State Border Guard”;
- “Professional qualification rising training program for personnel of supernumerary rapid reaction units of territorial boards of the State Border Guard”;
- “Professional qualification rising training program for ports border control inspectors (dog handlers)”;
- “Training of personnel working with sea border video surveillance system and technical staff”.

Additionally to courses organized by the College of the State Border Guard following courses took place as well:

Year 2004

In cooperation with the Expertise centre of the State Police courses regarding drawing up of experts statements (about false documents) and practical work with different types of documents. 44 border guards participated in these – two weeks long – qualification rising courses.

Year 2005

The State Border Guard in cooperation with Finnish partners carried out several training programs within the framework of project “Improvement of State border control system”:

- EU legislation in the field of border control (5 lawyers and officials responsible for implementation of EU legislation into Latvian legislation).
- detection of hidden objects, interview technologies and profiling (over 200 border guards participated in these courses).

1 border guard of the State Border Guard participated in courses “Modern technologies of document checks” which took place in Portugal and 3 border guards participated in same courses in Germany, 2 border guards has been trained in Great Britain and 3 in Finland regarding detection of false documents. 150 border guards were trained at border crossing points.

Year 2005 – 2006

Training regarding requirements of the EU and Schengen legislation took place (2000 border guards, duration of course – 24 hours (19 hours – theory, 5 – practice).

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In 2005 – 2006, 564 border guards improved foreign language skills in intense courses in Latvia:

- Individual courses (6 officials, 120 lessons for each official);
- Intensive English language training courses in Latvia (412 officials, 420 lessons for each official);
- Intensive French language training courses in Latvia (5 officials, 420 lessons for each official);
- Intensive Spanish language training courses in Latvia (5 officials, 420 lessons for each official);

Outside Latvia:

- English language courses in Great Britain (not less than 100 officials, not less than 360 lessons for each official);
- English language courses in Great Britain for border guards who have graduated the College of the State Border Guard (20 officials, not less than 360 lessons for each official);
- German language courses in Germany for border guards who have graduated the College of the State Border Guard (6 officials, not less than 360 lessons for each official);
- French language courses in France (5 officials, not less than 360 lessons for each official);
- Spanish language courses in Spain (5 officials, not less than 360 lessons for each official).

Year 2006

- Courses on “Cross – border cooperation” (417 border guards, duration of courses – 24 hours (20 lessons for theory and 4 lessons for practical activities);
- 50 border guards will be trained on issues related to data protection of individuals;
- IT courses for system providers (59 officials of the State Border Guard);
- Training on cross – border operations for officials of Criminal investigation service of the State Border Guard.

Year 2006 - 2007

- Courses with participation of foreign experts on issues related to visa and residence permits. 1000 border guards will be trained;
- In cooperation with Estonian and Lithuanian border guarding services courses on issues related to hot pursuit will be organized for officials of Criminal investigation service of State Border Guard;
- Courses on information systems and information exchange (VIS, SIS, VISION and SIRENE). It is planned to train 2020 border guards, duration of courses – 24 hours (7 lessons – theory, 17 lessons – practical activities).

Year 2008

- Training regarding changes in organizational structure and tasks after full accession to the Schengen area;
- Detection of false documents, document checks;
- Training on communications and telecommunications;
- Training courses on EU and Schengen acquis;
- Training on usage of equipment for border control.

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Knowledge and skills of officials of the State Border Guard are constantly updated performing training at working places. Every year in territorial boards of the State Border Guard list of necessary trainings for border guards is adopted. Questions on existing legislation and procedures, issues of usage of equipment and devices and physical training are included.

State Border Guard in cooperation with Ministry of Interior of the Republic of Austria carries out the training program “European Unions’ day”, which includes topics on Schengen acquis (border crossing and residence of foreigners), checks and examination of documents, risk analysis, FRONTEX Agency and other issues. For each official of State Border Guard 8 lessons of training are foreseen.

Additional information regarding training issues is mentioned in: doc. 15561/05 SCH-EVAL 120 COMIX 825.

2. Could you please provide details of the deployment and planned development of the staff of the external border control services with a view to Schengen accession?

The vacancies of the State Border Guard regularly are redeployed from internal borders to external ones.

In 2004 – 43 vacancies,

In 2005 – 44 vacancies

After the full accession to the Schengen agreement it is planned to develop the staff of the external border control services, immigration services and criminal investigation structural units.

The staff of the external border control services will be completed from the staff of the internal border control services.

Sea border surveillance is strengthened by purchasing 1 sea patrol vessel and 9 sea patrol boats, as well as ability to control territory between border crossing points from the air by purchasing 2 helicopters.

The State Border Guard has elaborated the strategy of staff redeployment after full accession to the Schengen area.

Detailed information was given in document 6480/06 SCH-EVAL 18 COMIX 176.

3. As regards mutual legal assistance, how many of the letters rogatory issued have actually been implemented?

In 2004:

Pretrial Investigation department of the Central Criminal Police Department: there were received 120 requests for mutual legal assistance from the EU member states; all of them were implemented;

Prosecutor General Office – 207, 191 answers were sent;

Ministry of Justice – 24, 20 answers were sent.

331 out of 351 requests received from the EU member states were implemented.

Pretrial Investigation department of the Central Criminal Police Department sent 95 mutual legal assistance requests to the EU member states, all of them were implemented;

Prosecutor General Office -63, 50 answers were received;

Ministry of Justice – 71, 36 answers were received.

181 out of 229 requests sent to the EU member states were implemented.

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In 2005:

Pretrial Investigation department of the Central Criminal Police Department: there were received 156, all of them were implemented;

Prosecutor General Office – 241, 191 answers were sent;

Ministry of Justice – 114, 48 answers were sent.

395 out of 511 requests received from the EU member states were implemented.

Pretrial Investigation department of the Central Criminal Police Department sent 149 mutual legal assistance requests to the EU member states, all of them were implemented;

Prosecutor General Office -93, 54 answers were received;

Ministry of Justice – 130, 62 answers were received.

265 out of 372 requests sent to the EU member states were implemented.

4. With regard to combating organised crime, illegal immigration and cross-border crime, how does statistical analysis translate into action at an operational level?

In accordance with the decision of the Government it is stated that risk analysis shall be performed by the State Border Guard, the State Police, the Customs and the Sanitary Border Inspection.

Statistical data and operational information is taken into account when operational and tactical risk analyses are carried out.

In accordance with the Instruction of the Cabinet of *On the Cooperation on Border Security Issues among the State Border Guard, The State Police, the Structural units of the State Revenue Service and the Sanitary Border Inspection of the Food and Veterinary Service* the standing cooperation management group is established. It holds meetings at least four times a year and performs annual integral risk analysis.

There are nine regional cooperation groups that taking into account statistical information and operational risk analyses regularly perform tactical risk analysis and carry out respective activities. Risk analyses contains recommendations on operational actions to be taken at the border area, joint actions to combat cross-border crime, introducing of thorough border checks and detection of suspicious persons.

After obtaining the information on threats in specific areas the necessary actions are taken and/or the additional structural units are involved.

Additional information is given in: doc. 15561/05 SCH-EVAL 120 COMIX 825.

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5. Is any form of cooperation with African countries to combat illegal immigration already in place or planned?

The threats of illegal immigration mainly are caused by CIS countries (Russia, Ukraine, Moldova). Illegal immigration from African countries is not typical for Latvia which is indicated also by statistics given in the doc. 15561/05 SCH-EVAL 120 COMIX 825. African countries nationals intends to arrive in Latvia only as in a transit country.

Within the framework of the Conference of the International border polices services held on September 7-8, 2004 in Finland the problem on the fight against cross border and organized crime was discussed among participants from 15 countries, also Latvia and South Africa. This conference has established the professional contacts and awareness of tendencies on border control cooperation and development.

In 2005 the expert of Ethiopian Interpol National Central bureau gave assistance on identifying of 7 Ethiopian national that had illegally entered Latvia.

The meeting with Ethiopian consular authorities took place in Moscow as well but they could not help to solve the issues on identifying and expulsion of illegal immigrants.

Implementing the European Council conclusions on priority actions to improve the operational cooperation on fight against the illegal immigration from Africa Latvia along with other Member states takes part in reaching objectives of the EU development policy, especially in strengthening the cooperation of the Member states in the area of migration.

6. Do the border control authorities have access to the APIS-PNR personal data on passengers collected by carriers?

The Cabinet of Ministers regulation No 892, adopted on November 22, 2005, defines the formalities for ships arriving in and/or departing from ports. At least twenty four hours before arrival a ship's captain, owner, operator or agent submits the general information about the ship (the name and flag of the ship, IMO identification number, expected time of arrival and departure from port, crew and passenger list).

Ship's captain, owner, operator or agent submits information on departure from the port at least two hours before the departure.

On May 11, 2006 the Law on Aviation was amended regarding the obligation of the Council Directive on the obligation of carriers to communicate passenger data. In accordance with these amendments carriers that carry out international flights from the third country to Latvia are obliged to transmit data on passengers that are third countries national or stateless persons to the State Border Guard.

The amendments of the Republic of Latvia Administrative Code in order to transpose into national legislation respective sanctions are already prepared, but not adopted yet.

Authorities of the border control point of the airport "Riga" on regular basis hold meetings with the administration of the airport "Riga" and major air carriers. Within the framework of these meetings the agreement to provide with and obtain the information on passenger data only on the bases of request in writing has been reached.

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7. Could you please provide details of the distribution, responsibilities and work cycles of border control staff at Riga airport?

Up to 99% of persons and aircrafts of all Latvian international air traffic flows are controlled in the international airport "Riga". The amount of passengers and aircrafts increases every year.

The main tasks of the border guards of the airport „Riga" are defined in the law on the State border, the Law on State Border Guard, the Regulations of the State Border Guard, Technological Scheme of border control adopted by Riga Board of the State Border Guard and staff position description.

They are:

- Border checks of persons arriving and departing from the state;
- Guaranteeing of the airport border control point regime;
- Checks of private aircrafts;
- Issuance of entry and transit visas in particular cases;
- Radiometric controls of cargo.

A border guard of the airport has the following rights:

- to make a decision on refusal of entry or exit;
- to carry out profiling of persons, interviewing;
- to detain border offenders, persons, which committed a crime or administrative offence, as well as wanted persons;
- to co-operate with the State police, Customs, Consular Department of Ministry of Foreign Affairs in the matters of visa issuing, airport administration, airline companies and other institutions.

Work cycles of border control staff at airport „Riga”:

Work cycle of a shift is 12 hours a day (9.00 - 21.00; 21.00 - 9.00). Shift consists in average of 12-15 border guards. Leading personnel works 8 hours a day.

Staff of airport „Riga”:

Number of persons	
58	Total
13	Officers (2 of them are technical experts of documents)
45	Instructors

Intensity of passenger flows at airport „Riga”:

Year	Passenger flows		
	Entry	Exit	Total
2003	577693	587239	1164932
2004	768623	757852	1526475
2005	1096881	1129815	2226696
2006 (January, February, March, April)	363827	378549	742376