**Council of the
European Union**

**Brussels, 5 June 2018
(OR. en)**

**8805/1/06
REV 1 DCL 1**

**SCH-EVAL 76
COMIX 405**

DECLASSIFICATION

of document:	ST8805/1/06 REV 1 RESTREINT UE/EU RESTRICTED
dated:	23 June 2006
new status:	Public
Subject:	Schengen evaluation of ITALY
	- Follow-up to the recommendations of the Schengen evaluation inspection teams for the correct application of the Schengen acquis

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

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

―――――――――――

RESTREINT UE

COUNCIL OF **THE EUROPEAN UNION**	**Brussels, 23 June 2006**

8805/1/06
REV 1

RESTREINT UE

SCHEVAL 76
COMIX 405

NOTE

from :	Italian delegation
to:	Schengen Evaluation Working Party
No. prev. doc. :	14420/3/04 REV 3 SCHEVAL 65 COMIX 678 RESTREINT
Subject :	Schengen evaluation of ITALY
	- Follow-up to the recommendations of the Schengen evaluation inspection teams for the correct application of the Schengen acquis

LAND BORDER

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
Police Offices of Ponte Chiasso and Gorizia	**The green border was not equipped and monitored in a way that could be regarded as Schengen compatible.**	Enhancement of already available services is envisaged, with the necessary involvement of all police forces checking the territory and the border area.
		As to the surveillance of and equipment for green borders, both sectors of the Border Police under evaluation enhanced the control and surveillance services on the green line for the fight against illegal migration. In particular, in Pontechiasso a set of telecameras have been located in the most sensitive places near the border. In addition, in the period from 1 January 2005 to 30 April 2006 the Border Police in Gorizia carried out **4152 patrols** for the control of the State border, of which 821 **mixed patrols with Slovenian authorities** and along the Italian-Swiss border - in the Pontechiasso jurisdiction – **715 patrols** have been carried out.
	Although there are three police services operating on the border line, in the border zone and at the border crossing points, their assignment to border activities related to the control of persons remains for two of them (Customs Police and Military Police) only a secondary task. As a consequence their disposability for border control duties and the co-ordination of their day to day activities,	As regards necessary regular checks in compliance with the Schengen Acquis punctual observation of the relevant provisions is ensured. Moreover, as regards the observations made by the European commissioners on the presence of various police forces at border crossing points and – in particular – on the difference detected in border checking activities between the military staff of the Carabinieri

especially when faced with extraordinary situations, could be improved.

The Committee recommends improving the signing in the terminal and installing sophisticated second line equipment (SPAID and SIDAF) which is already deployed in the ports of Trapani and Bari.

The border checks at the landborders seemed not to be conducted in a way fully meeting the Schengen standards, as obviously, 100% systematic control of all travellers was not conducted at all border crossing at all times, and the Customs Police was manning several border crossing point, with personnel not fully meeting the criteria of professionalism for border control tasks.

Corps and the Guardia di Finanza and border police personnel, said anomalies will be fully overcome only after conclusion of the known *rotation plan* at border crossing points between the border police and the other police forces.

The implementation of said measures enabled to carry out a successful activity in the fight against illegal migration and consequently a remarkable decrease in the number of detected illegal migrants (in Pontechiasso said phenomenon was defeated). To this regard, Italy intends to resort to the External Borders Funds "to develop and apply the measures necessary to enhance the surveillance on border posts (green borders)", as well as to pursue the additional aims and actions envisaged by article 4 and 5 of the relevant draft Decision to define the external border funds for the 2007-2013 period. Among the technologies to be realized for the borders monitoring, the implementation of a specific system – i.e. the Border Information System – is under way, which will support the institutional procedures and control activities at the points of entry through front office and back office modes. The system will be implemented at each Italian border post.

This "rotation plan" was started before the year 2004. Following an evaluation visit, 9 additional border posts located along the Italian-Slovenian border - which were formerly entrusted with Carabinieri (2) and Guardia di Finanza (7) - have been assigned to the border police. The procedure was then sped up on the basis of the recommendations of the Schengen

Commission. In fact, in the year 2005 the border police - through **notable financial burdens and employment** of human resources – undertook the responsibility of 9 border posts. The procedure required an increase in the number of officers of about 100 border police officers who – among other institutional duties – take part in the surveillance of the green line.

Moreover, a number of projects are under way to implement the SIDAF technology all over the national territory. More than 150 SPAID stations have already been purchased to be assigned to all border posts. We have already assigned:

Fiumicino Police	12 SPAID
Gorizia Police	5 SPAID
Pontechiasso Police	7 SPAID
Ancona Police	8 SPAID
Trieste Police	3 SPAID

AIR BORDER

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
Fiumicino and Malpensa aiports	**The passport control booths at the airports do not meet the recommendation allowing for profiling (the booths are not facing the queue, the officers are seated at a low level and unauthorised observation of the computers is not fully prevented).**	As to the correct positioning for document checking boxes and, as a result, of border checking officers (the position is considered to be too low, as passengers can see the activity carried out by officers inside, mainly as regards database checks) border police offices under consideration have involved their competent airport bodies in view of a correct re-positioning of said boxes. We have already assigned 12 SPAID.

RESTREINT UE

SEA BORDER

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
Port of Trapani	**The most important shortcoming is the ferry terminal where no infrastructure exists to accommodate booths for arriving passengers.** **The Committee recommends carrying out controls in ferry terminals which is more comfortable for both the authorities and the passengers.**	With a view to optimizing control procedures a targeted structural intervention is envisaged, as well as a relevant staff increase. A "targeted structural intervention" is an adaptation of the present harbour station and relevant port area to border control requirements (as pointed out - on the spot - by the evaluation committee) to remedy the registered infrastructural lacks and, in particular, the completion of the fencing, physical separation of flows and positioning of suitable signs. The setting up of a new terminal, for which a notable financial support has been formally envisaged - more than 35 million euro -, is still under way
Port of Bari	**The Committee considers the number of booths too little in comparison with the massive arrival of ferries from third countries at the same moment of the day (between 8h00-9h00).**	As to the need to increase the number of control booths – within the framework of the enlargement and adaptation plan of the port of Bari – a change in the number, size, exposure and ventilation system of the booths destined to documents controls in the central harbour station of Bari has been planned for the years 2007 and 2008. As to the initiatives on security between the region Apulia and Albania, it is to be pointed out that the European Commission - within the framework of a cross-border cooperation between Italy and Albania - adopted through Decision C 1660 (2002) the European Initiative Program INTERREG III A Italy-Albania. In the Convention concluded between the

Ministry of the Interior and the Region Apulia - within the framework of axis 1, measure 1.2, action 1 "Development of security structures and infrastructures" - **interventions in port areas have been envisaged in order to enhance security standards and make the fight against illegal migration and illegal material smuggling more effective.** In particular, a data transmission system - with wide band - for the monitoring and control of port areas along the Apulian costs is under implementation. It envisages also the setting up of control rooms and positioning of videosurveillance equipment. On 21 December 2005, - further to a European tender - a contract for the realization of the above-mentioned system has been entered into with the contracting enterprises.

Through specific national funds, the Ministry of the Interior set up an immigration control room for the coordination of the fight against illegal immigration and border control services, which is linked to the control rooms of the general headquarters of Guardia di Finanza, harbour office and navy general staff. In particular, said control room shall carry out all activities indicated by the evaluation committee, as operations tactical centre and centre for risk evaluation and analysis in liaison with all police forces operating in seaports and, in particular, in Bari and Ancona which have been expressly mentioned in the evaluation final report.

Port of Ancona		
	Shortcomings are mainly due to the infrastucture of the port of Ancona which gives to much opportunity for illegal border crossing. **The Committee recommends improving the signing in the terminal and installing sophisticated second line equipment (SPAID and SIDAF) which is already deployed in the ports of Trapani and Bari.**	As to the measures to modify infrastructures, the requirement of separation of entry flows will be complied with (it is to be pointed out that the departing passengers flows are already separated, while just one of the arriving passengers flows is). In particular, the port security plan which – according to the provisions of the ISPS Code - should have been implemented be the end of the year 2005, will be realized during the years 2007-2008. The **initial works - with the fencing of port facilities – are already under way**. The plan – which envisages the setting up of an extra-Schengen control area – through the separation of flows will guarantee an integrated control system as in airports. Following the Schengen evaluation visit in 2004, it was pointed out that to make a so-called "tactical command centre" more effective, it would be advisable to set it up at central level so to harmonize, coordinate and follow security procedures at the Adriatic, as well as Ionian and Tyrrhenian Sea borders. However, the setting up at local level of a tactical centre – at port authorities - as a reference point of all European legislation deriving from said ISPS Code was envisaged.Measures to adjust infrastructures are envisaged. We have already assigned 8 SPAID.

Port of Trieste	In relation to the lack of a ferryboats terminal, it is to be pointed out that the adaptation works of the port pier IV – old entrepôt -, which have been started in the year 2005, are now almost finished. Then, as to cruisers the additional improvements at the Molo Bersaglieri – i.e. the seabed dredging and setting up of passengers embarkation and landing rooms - are almost finished. We have alrealy assigned 3 SPAID
The Committee recommends installing sophisticated second line equipment (SPAID and SIDAF) which is already deployed in the ports of Trapani and Bari.	
Port of Lampedusa	In order to strengthen the surveillance at the borders in any possible way - according to the provisions of Act 189/2002 - a specific "operational technical protocol" was drawn up which envisages the participation of all police and military forces entrusted with the fight against illegal migration. In relation to the cooperation with Malta, in the light of the present close cooperation relations, it is to be stressed that a European project named "RAPOLMED" - which envisages the organization of joint flights for the repatriation of aliens found in Lampedusa and Malta – is on the way to be adopted.
The Commission point out the necessity to strengthen the surveillance at the borders in any possible way	

DATA PROTECTION

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
	A non-internet based publicity campaign should be conducted at airports and post offices in order to serve individuals who are arriving in Italy and those who have no access to the internet.	This Recommendation was duly taken into account. Currently, the information on the rights afforded to individuals under the Schengen Convention as for processing of their data in the SIS is provided by consulates and border checkpoints on the basis of the leaflets that were printed out and circulated on the occasion of the common information campaign decided upon by the Schengen JSA. The Italian data protection authority actually drafted the text of a new information leaflet (see Annex), however it is considering whether it is appropriate – on account of the major costs involved – to wage a new information campaign following extension of the system to the new EU Member States and the forthcoming definition of the new regulatory framework (as per the proposals put forward by the Commission on SIS II). The competent governmental authorities (Ministry of Foreign Affairs and Ministry of Home Affairs) will be called upon to provide their contribution in order to circulate the leaflets to all the individuals that are about to enter the Schengen area, by making such leaflets available at all external borders and in all consular offices.
	Due attention should be given to the relative high number of 30% deletions and corrections in order to address problems that cause this high figure.	As already pointed out, the N-SIS experts were referring to the percentage of "hits" following entry of a "query" in the SIS.

	Therefore, this data is to be construed as follows: interrogation of the system yields 30% of negative replies, i.e. in 30% of the queries no data matching those being aimed at are found in the system. Based on the information provided by the competent departments, the percentage of deletions and corrections concerning the entered data is quite smaller as regards, for instance, alerts under Article 96 of the Schengen Convention (currently amounting to about 2%). At all events, the data will be verified further by the supervisory authority (the Italian data protection authority) on the occasion of a next check.
Experts are positive about the presence of an adequate analysis tool, however it seems useful for data protection reasons to make a more structural use of it.	This recommendation was duly taken into account and will be also considered in the light of the guidance issued to that effect by the Italian data protection authority as for the processing operations carried out by the data processing centre of the police (CED/SDI).
Rapid technical evolution in security technologies and other developments ask for a more or less permanent debate between the competent authorities and the DPA on the adequacy of security measures in place.	This recommendation was duly taken into account and its full implementation will be ensured, also by having regard to the ongoing debate concerning management of the police data processing centre (CED) inter alia in terms of security measures. From this viewpoint, there have been several guidelines issued in order to enhance security, which are to be implemented by the first half of 2006; these measures will also apply to the N-SIS.

RESTREINT UE

SIS – SIRENE

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
Lack of systematic control of third countries nationals entering Fiumicino Airport	**All incoming third country nationals (including their documents) entering through Fiumicino airport should be checked in the SIS (see also the report of the Air/Land borders group[1]). Passport readers could be helpful here.**	With a view to optimizing time frames to query the data bank, since July 2005 all document checking boxes at the border have been equipped with optical passport readers. As to the kind of query, since the entry into operation of SDI the Air Border Police Office in Fiumicino has preferred to adopt the so-called "summary query" which is simpler and more rapid in relation to the functional needs of a border check. Actually, a "cope query" necessarily requires precise data which cannot always be easily acquired, mainly considering the numerous nationalities of transiting passengers. Moreover, response times for this query are longer compared to summary queries. All personnel belonging to the a.m. border police post are constantly made aware of the relevant problems. In this connection, the total number of queries on Schengen terminals made in 2005 increased by 17% compared to the previous year. In this framework and on the basis of the statistics of the Fiumicino Airport in the first six months of 2005 unsuccessful queries increased by 28%, whereas successful queries by 76%.

=

---

1 doc. 13884/04 SCH-EVAL 59 FRONT 183 COMIX 641.

	Recommendation	Comment
Response times of the SDI terminals at Fiumicino Airport	**Response times at the Fiumicino airport are too long and adequate measures to overcome this should be taken, e.g. the network capacity should be increased.**	In case of COPE and SUMMARY queries response times are less than one second. Moreover, enhancement of the network capacity is envisaged.
Use of wild characters (wild card) in the SIS queries	**The query with the % wildcard character should be extended to all parts of names, and training of operators on its use should be increased**	This subject has been dealt with in a more detailed way during training courses held by the Sirene Division personnel. The importance of more extensive queries (in case of double family names) has been stressed.
The SIS queries by means of SDI integration are not automatic but are carried out through the functional key PF5	**Searches in the SDI should automatically include the SIS, rather then be triggered by the operator pushing the PF5 key.**	The so-called COPE queries meet the need to make SIS data visible together with SDI data. Conversely, as regards "summary queries", the block between the two systems (PF5 key) has been intentionally kept in order to avoid absolutely unmanageable results and useless burdening of the CED and CSN-SIS systems. It is necessary to specify that this querying procedure has to be carried out for administrative activities, i.e. when the subject of the query is not present during checks. The time necessary to press the PF5 key is offset by a much clearer and more synthetic result.
Favouring a more comprehensive use of the SIS	**Law enforcement staff should be encouraged to use the SIS more.**	This subject has been dealt with in a more detailed way during training courses held by the Sirene Division personnel. The importance of more extensive queries (in case of double family names) has been stressed.
Use of phonetic search systems and/or "fuzzy logic"	**A phonetic and/or fuzzy search should be implemented**	Phonetic search systems are not implemented by the SIS+ system. However, the possibility to envisage such functions on SIS II is envisaged.

Increased highlighting of the "violent and armed" characteristics as a response to a SIS query	**The user interface could be improved on the following points:** - **the reply screens contain information about the flags, which is unnecessary info for the end user and could be removed** - **information appearing after a hit on a person that is "armed and dangerous" and about misused identity should appear more clearly e.g. highlighted**	The so-called COPE queries meet the need to make SIS data visible together with SDI data. Conversely, as regards "summary queries", the block between the two systems (PF5 key) has been intentionally kept in order to avoid absolutely unmanageable results and useless burdening of the CED and CSN-SIS systems. It is necessary to specify that this querying procedure has to be carried out for administrative activities, i.e. when the subject of the query is not present during checks. The time necessary to press the PF5 key is offset by a much clearer and more synthetic result. The field displaying the characteristics "violent and armed" appears in DOUBLE BRIGHTNESS on the maps displaying detail queries.
Instructions on behaviour in case of fire in the NSIS and SIRENE facilities	**Instructions on behaviour in case of fire should be clearly displayed in the computer room of the N.SIS and SIRENE and trained for**	Now the SIRENE Division is a new structure, equipped with adequate fire-fighting systems and rapid evacuation maps. In June 2005 a "Program Document on Safety" was drawn up for the N.SIS Division. Said document analyzes all measures necessary to avoid damage to data in case of accidents both of "physical" and "logic" nature. The safety plan shall have to be reviewed "totally", when the N.SIS Division is transferred to the new headquarters in Rome/Anagnina.

RESTREINT UE

Assistance services for the NSIS and SIRENE systems.	A SLA for the N.SIS and SIRENE system must be described	The activity of computer room officers is organized in working shifts covering the entire day (round-the-clock, 7/7). During office hours system and application technicians are always present. In the remaining hours and on holidays a round-the-clock availability service of the technical staff is organized. Said staff are obliged to intervene not later than two hours after they are called. Thanks to the implementation of SIS II the NSIS Division will be moved to a new site envisaging also a Disaster Recovering structure.

POLICE - COOPERATION

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
Single point of contact and Performance Measures	**While welcoming the fact that all bureaux dealing with international police cooperation are accommodated in the same building in Rome and fall under the same management structure, it is considered useful take the integration one step further and ensure that there is a single point of contact for the entire international police cooperation (and not limited to the Schengen territory). This will allow better coordination of cases which have both intra- and extra-Schengen aspects.**	The International Police Cooperation Service is so far the only contact point for every international police cooperation activity. The specific activities relating to the relevant geographical areas are carried out – as regards the Schengen area – by the Section set up for this purpose at the S.I.R.E.N.E. Division. They are performed by the Interpol Division as regards the non-Schengen area.

Improvement of the communication and cooperation between Italian law enforcement services may lead to even more effective and efficient results when using Schengen instruments.

Moreover, the lack of accurate, complete and detailed statistics suggest that the SIRENE bureau is not used neither informed of all cross-border police cooperation requests and operations. In order to provide the necessary coordination, management control and, in the longer term, enhancement of procedures and working methods, it is absolutely necessary that all police cooperation requests and operations are handled through the SIRENE bureau, even if this is limited to post facto information e.g. in cases where bilateral agreements provide for the possibility of direct cooperation between the concerned police authorities. This is especially true for the exchange of information pursuant to Article 46, which is done by many different authorities.

For the same purpose of management control, it would be useful to put in place performance measures at the SIRENE bureau to analyse how (efficiently) international police cooperation requests are dealt with. The same is valid for the operations at the PCCC. The absence of such performance measurement may lead to a lack of focus on opportunities and risks.

In case the interests of both offices should coincide in the same operation, cooperation is full-fledged and the corresponding interaction is coordinated by S.C.I.P.

As regards requests for international police cooperation within the Schengen area the S.I.R.E.N.E. Division is the only national point of reference, in compliance with articles 39, 40 and 46. Despite this, other offices dealing in particular with counter-terrorism matters use their international network to transmit the requests envisaged in the a.m. art. 46.

The activity of the C.C.P.D. is regulated by specific bilateral agreements – in compliance with art. 39, points 4 and 5 C.A.A.S. – and punctually reported to the S.I.R.E.N.E. Division.

The statistics on the activity conducted by the 3rd Section – International Police Cooperation of this S.I.R.E.N.E. Division - are given below:

ARTICLE	ACTIVE STATISTICS	PASSIVE STATISTICS	TOTAL AMOUNT
39	2299	691	2990
40	20	5	25
46	20	11	31

	Consideration should be given to conducting joint Italian-French and Italian-Austrian-Slovenian reviews of cross-border criminality. This should lead to the setting of agreed objectives for law enforcement agencies, which should be supported by a joint performance management regime designed to measure achievements.	The fight against any kind of organized crime, both trafficking in drugs and in weapons, in human beings, in smuggled or counterfeited goods is continuous and involves the various police forces even in the open sea. It is constantly increased and enhanced. Criminal activities are constantly monitored also by the Criminal Analysis Service of the Central Directorate of Criminal Police.
Illegal Immigration	**Police cooperation in the border area appears to focus on the fight against illegal immigration. Whilst realising that this is of great importance, more emphasis should be given to other serious organised crime (e.g. drugs and weapons smuggling, trafficking in human beings). The simplified readmission procedure is considered to be a very useful and quick solution and might be extended to all borders.** **Also, it should be standard procedure for the concerned police forces to make use of the Eurodac database with regard to illegal immigrants.**	
Schengen Catalogue of Recommendations and Best Practices	**The Schengen Catalogue of Recommendations and Best Practices document is considered to be a very important catalogue and user reference book for operational cooperation between police forces, as well as the Handbook on Police Cooperation. The Italian authorities are encouraged to distribute these reference documents as widely as possible and ensure their implementation.**	The Catalogue of Best Practices was, together with the International Police Cooperation Handbook, distributed to the whole International Police Cooperation Service, as well as to every unit or office responsible for the matter at issue.

Bilateral Agreements and Cooperation	**The bilateral cooperation arrangements (agreements, police and customs cooperation centres, joint patrols etc) with France, Austria and Slovenia are working well and to the satisfaction of all parties, which encourages the concerned authorities to use them to an ever larger extent and to enhance and multiply them.**	Police and Customs Cooperation Centers and bilateral agreements between bordering member States are constantly followed and their development ensured and adjusted in real time to any emerging need of both the national and international scenarios.
	The evaluation team encourages the Italian authorities to continue their current policy towards joint cooperation centres, in order to show that they are taking the issue of cross-border cooperation seriously.	Two combined committees were set up (one consisting of Italian and French representatives, the other of Italian, Austrian and Slovenian representatives) to study and develop trans-border aspects of the specific field. One Police officer of the International Police Cooperation Service is takes part in both committees which meet regularly during the year and submit proposals and initiatives to the competent national and supranational law making bodies, even in terms of amendments or legal changes.
	There is nevertheless room for improvement. In particular, there seems to be scope to enlarge the number and range of cross-border law enforcement activities in the context of the Schengen provisions. This could include the increased use of information exchange pursuant to Article 46, as proposed by the Italian SIRENE bureau itself. The evaluation team also suggests that for example the joint patrols could be extended in time and/or range and include officers of other forces as well. Moreover, consideration should be given to data protection regarding the use of SIS information at the Common Police Centre of Thörl-Maglern.	A further Committee (consisting of Italian and Swiss representatives) was set up recently in view of trans-border cooperation and of the imminent accession of Switzerland to the Schengen Agreement.
	It should also be borne in mind that information exchanged on a bilateral basis can be of interest to other countries. Therefore, this information should always be transmitted to the central authority so that this office can ensure the broader coordination, management control and overall	

	strategic overview of the information exchange (see also point 6.1).	
Training	**Where currently all police forces provide their own training on Schengen issues, the effectiveness of such training should improve if common training courses could be organised.** **Language training should be enhanced and improved: language programs could be set up for those officers particularly involved in cross-border cooperation.** **At managerial level, an established forum should be encouraged whereupon senior officers can exchange ideas and best practice.**	Foreign language courses have already been organized, with particular attention to professional language. So far most personnel attended these courses, as well as any police officer needing to study a foreign language in detail. Bilingual personnel or staff speaking the border language are deployed in C.C.P.D. or in Border Offices or Units. Professional training is always ensured by senior and more skilled personnel. Training on International Police Cooperation and S.C.I.P. and its branches is going to be carried out. Police officers of the International Police Cooperation Service will train all over the Italian territory.

www.parlament.gv.at

VISA - ISTANBUL

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
II: Premises	**EvalCom pointed out that the metal detector at the main entrance was not constantly in operation**	Constant use of a fixed metal detector has been recommended to the General Consulate. In any case, visitors are checked by means of a mobile metal detector.
III: Staff	**EvalCom recommends to resort to regular rotation of the staff appointed to the Visa sector**	It has been recommended to rotate regularly the staff appointed to the visa office, on the basis of staff availability.
IV: Submissions of applications	**Technical equipment to check fake documents is not constantly used**	The General Consulate clarified that the number of fake documents which have been detected (+/-10-12 per month) refers to those submitted to support a visa application, not to passports/travel documents. Technical equipment (*"Docutest"*) is used when doubts arise on the authenticity of travel documents.
	EvalCom could not verify whether the General Consulate checked the reliability and security requirements of the call center company IKS which is responsible for making appointments for visa applications and supplying information on the documents requested.	IKS started to cooperate only one month before the Scheval visit, therefore the quality of the service supplied was still under examination. The Visa Offices of the Schengen Consulates which signed cooperation contracts with IKS have a particular link enabling them to check that the names of the persons applying for appointments were entered correctly. The software used by the Company was designed in such a way to make it possible for the name of an applicant to be included only in the first place available in the list.

	No procedure to accredit travel agencies is applied. No documents are regularly collected to accredit them, as envisaged by ICC VIII, 5.	The General Consulate cooperates with those travel agencies which demonstrate they are registered at the local Chamber of Commerce and produce a crediting letter sent by the National Tourism Agency (TURSAB) confirming regular registration of the Agency, its economic and financial situation, its license to organize international trips. Moreover, the specimen of the signatures of the officials authorized to sign visa applications are collected, as well as identity documents and photos of agencies' carriers and their labour contracts. Apart from these aspects, visa applications forwarded by travel agencies must be accompanied by all compulsory documents. Italy holds that these requirements are in line with the provisions contained in ICC, VIII.
	Moreover, the list of accredited travel agencies is not available at counters	At present folders containing documents on accredited travel agencies and on their carriers (with their photos) are available at counters.
V: Visa application procedure	**As regards the automated system, EvalCom pointed out that PC screens are not switched off when the staff leave their workstations.**	The staff appointed to the visa sector have already been instructed to suspend operation of their workstations in case they should leave them, also temporarily.
	Data relating to individuals reported at local level are exchanged between the Schengen Consular Offices through non secure procedures not taking account of personal data protection.	EvalCom pointed out that this aspect should be analyzed within the Sch-Eval data protection subgroup.

	Some stickers are not put correctly on passports. EvalCom pointed out that the stamp should be put on the sticker right side, without covering some fields, in particular the double optical reading line. **EvalCom pointed out that the amount of visa fees is printed in the section of the sticker where the holder's photo is to be put.**	The General Consulate has always put its stamp on the sticker left side, in the light of the instructions contained in the *"EU Schengen Catalogue, Issuing of Visas, Recommendations and Best Practices"*, (5c Use of the stamp of issuing authority). Instructions have been given in order to put both stamp and sticker according to the provisions contained in ICC, VI. By introducing the obligation to put the holder's photo on the sticker the amount of visa fees is no longer printed.
VI: Fees	**The cost of 9 Euro requested by the IKS call center to those resorting to it is considered a questionable procedure. EvalCom holds that the cost of 35 Euro should cover the entire visa issuing procedure.**	Italy does not consider that this procedure is in contrast with the Schengen Acquis, as additional costs cover payment of the specific services supplied by the Company and – therefore – they are not collected by the General Consulate. Moreover, applicants can choose not to resort to the call center and apply directly to the Consular Office. Opening hours are envisaged daily not for planned appointments, but for applicants intending to resort directly to the Consular Office.
VII: Refused visas and appeal	**EvalCom pointed out divergences in the statistics of "non issued" and "refused" visas when documents submitted are insufficient or should be supplemented. EvalCom holds that in both cases passports/travel documents should be stamped and that the two differing situations should appear clearly in the statistics.**	On the basis of the new procedures all visa applications are accepted, even if documents supporting them appear to be insufficient. Passports/travel documents are stamped, fees collected and the applicant's data entered in the relevant automated program. Since all submitted applications are accepted, the difference between the two kinds of refusal no longer exists. Accepted visa applications are sent to the Italian authorities to be checked in the SIS and be possibly the object of consultations between law enforcement authorities at

		central level. If an application is rejected, the reason for rejection is entered in the automated program and – on the basis of the Italian legislation – the applicant receives a notice specifying how to file an appeal to the competent Italian authorities. Thanks to the new automated program of the "Global Visa Network" it is possible to draw up statistics clearly stressing the reasons why a visa has not been issued.
VIII: Storage and handling of documents and visa stickers	**EvalCom pointed out possible risks in terms of security as regards the access by non authorized personnel to the restricted area of the Visa Section. Likewise, consular fees do not seem to be stored in a secure way.**	Due account was taken of the potential risks related to the access by non authorized personnel, as well as of the need to store consular fees more securely. It was recommended to comply with the observations made by EvalCom.
IX: Consular cooperation	**Joint documents analyzing immigration risks or establishing common criteria to assess applications do not seem to have been worked out.**	EvalCom has, however, stressed that the list of documents requested by the General Consulate makes it possible to assess visa applications in an adequate way. It also pointed out that the officers in charge of the Visa sector actively participate in local consular cooperation activities.
	The exchange of information on issued VTLs should take place within 72 hours, as envisaged by ICC. EvalCom pointed out that this is not the case in Istanbul.	It is a general problem of the local consular cooperation. Actually, it does not relate specifically to the General Consulate which every year issues a negligible number of VTLs (in 2004 it issued 0,09% of all issued "C" visas), mainly in relation to travel documents that are not acknowledged by all Schengen countries.

X: Overall assessment		
	Perplexities are expressed as regards the amount of 9 Euro requested by the IKS Company for its services.	See point VI.
	Information exchange within 72 hours from the issuing of VTLs does not take place in Istanbul.	See point VIII.
	All passports/travel documents must be stamped upon receipt of a visa application.	See point VII.
	The stamp of the Office must be put on the right side of the sticker, in order not to prevent optical reading.	See point V.
	The sticker must be put according to the instructions given in ICC.	See point V.
	The visa fee is printed in the sticker section where the holder's photo is to be put.	See point V.
	PC screens must be switched off when the staff leave their workstations.	See point V.
	Information between Visa Offices are exchanged by means of non secure procedures.	See point V.

VISA – TIRANA

TOPIC	COMMENTS OF EVALCOM	COMMENTS FROM THE ITALIAN SIDE
II: Premises	**EvalCom recommends improvement of security in the "VIP" lounge, since from this it would be possible to have access to the staff and document area.**	In the framework of the headquarters renovation, the Embassy has planned to install a door separating the VIP lounge from the restricted area behind the counters, which is already protected by a bullet-proof glass door which will be kept closed during office hours.
III: Staff	**EvalCom recommends adoption of a regular rotation of the staff appointed to the Visa sector.**	It has been recommended to rotate regularly the personnel appointed to the Visa office, on the basis of personnel availability.
IV: Submissions of applications	**Technical equipment to check fake documents is not constantly used.**	Technical equipment is used mainly when doubts arise on the genuineness of the old models of Albanese passports still in use. On the contrary, recently issued models have adequate security measures.
	EvalCom pointed out an unusual number of issued VTLs, mainly as compared to the number of issued "C" visas.	The high number of VTLs essentially depends on the particular historical, cultural and political relations between Italy and Albania. For this reason, VTLs were issued to all those persons not in possession of all the requirements envisaged by Art. 5 of the Schengen Implementing Convention. In any case, the Italian authorities agree with the observations made by EvalCom and gave instructions for VTLs to be issued in compliance with and in the spirit of ICC. Therefore, last year the number of VTLs issued by the Embassy in Tirana dramatically dropped: in 2004 1,092 VTLs had been issued (equal to about 10% of

		issued "C" visas), whereas in 2005 only VTLs were issued (equal to 1.2% of granted "C" visas).
V: Visa application procedure	**The requirement of health insurance is specified only in the web page and in the application form, not in the list of required documents put up in the waiting room and in public spaces.**	The Embassy advertised the requirement of health insurance also by putting it up in the show case of the waiting room and in public spaces.
	As regards the automated system, EvalCom pointed out that PC screens are not switched off when the personnel leave their workstations.	Instructions have already been given for the officers appointed to this sector to always suspend operation of their workstations if they leave them, also temporarily.
	Data on persons reported at local level are exchanged between Schengen Consular Offices by means of non secure procedures which do not take account of personal data protection.	EvalCom pointed out that this aspect should be examined in the framework of the Sch-Eval data protection subgroup.
	Some stickers are not correctly put on passports.	From the analysis of the copies of issued visas it emerges that stickers are put correctly on passports. Therefore, we hold that stickers examined by EvalCom represent occasional mistakes. In any case, the Italian authorities agree with the observations made and recommended that stickers be put in compliance with the provisions contained in Annex 10, point 2 of ICC.
	EvalCom pointed out that the amount of visa fees is printed in the sticker section where the holder's photo is to be put.	By introducing the obligation to put the holder's photo on the sticker the amount of visa fees is no longer printed.

VI: Fees	**EvalCom has pointed out that no stamp is put on passports or travel documents, nor is collected any fee until a visa application is accompanied by all the documents required.**	On the basis of the new procedures all passports/travel documents are stamped and the relevant fees collected upon submission of a visa application.
VII: Refused visas and appeal	**EvalCom pointed out that visas are refused in two ways: "non issued visas" (official data) and "refused visas" at the counter (unofficial data) when the relevant documents are insufficient or to be supplemented. EvalCom holds that in both cases passports/travel documents should be stamped and visa fees collected.**	On the basis of the new procedures all visa applications – regularly signed by their applicants - are accepted, even if documents supporting them appear to be insufficient. Passports/travel documents are stamped, fees collected and the applicant's data entered in the relevant automated program. Since all submitted applications are accepted, the difference between the two kinds of refusal no longer exists. Accepted visa applications are forwarded to the Italian authorities to be checked in the SIS and be possibly the object of consultations between law enforcement authorities at central level. If an application is rejected the reason for rejection is entered in the automated program and – on the basis of the Italian legislation – the applicant receives a notice specifying how to file an appeal to the competent Italian authorities.
IX: Consular Cooperation	**EvalCom pointed out that the exchange of information between Schengen Consulates on VTL issuing, refused visas and fake documents is insufficient. It also pointed out that no concerted document is available establishing common criteria to assess applications or migratory risks.**	EvalCom stressed that, in this context, the Italian Embassy seems to be particularly available to establish occasional information exchange with the other Visa Offices.
X: Overall assessment	**VTLs should be issued only in exceptional cases, as envisaged by ICC.**	See point IV.

All passports/travel documents must be stamped upon reception of a visa application.	See point VII.
The stamp of the Office must be put on the sticker right side, in order not to prevent optical reading.	See point V.
Stickers must be put according to the instructions contained in ICC.	See point V.
Collected fees are printed in the sticker section where the holder's photo is to be put.	See point V.
PC screens must be switched off when the personnel leave their workstations.	See point V.
Information between Visa Offices are exchanged by means of non secure procedures.	See point V.

www.parlament.gv.at