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THE EUROPEAN UNION**

Brussels, 18 September 2006

**10474/1/06
REV 1**

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**SCH-EVAL 102
FRONT 121
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REPORT

from: Air Borders Evaluation Committee

to: Schengen Evaluation Working Party

Subject : Schengen evaluation of the new Member States
- SLOVAKIA : report on Air Borders

This report was made by the Air Borders Evaluation Committee and will be brought to the attention of the Sch-Eval Working Party which will submit a report and a presentation of the follow-up thereto to the Council.

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1. INTRODUCTION

Based on the mandate of the Schengen Evaluation Group (SCH/Com-ex (98) 26 def) and the programme of evaluation adopted by the Council (152275/04 SCH-EVAL 70 COMIX 718, and 7638/2/05 SCH-EVAL 20 COMIX 200), an expert team visited the air borders of the Slovak Republic.

PARTICIPANTS:

Austria	Mr Peter BENCZA (leading expert)
Germany	Mr Detlef W. KARIOTH
Finland	Mr Olli LAMPINEN
Latvia	Mr Rolands SVARINSKIS
Lithuania	Mr Rimantas KARPAVICIUS
The Netherlands	Mr Satko MUJAGIC
Norway	Mr Tom FJASTAD
Slovenia	Mr Andrej ZAKRAJSEK
Sweden	Mr Christian LARSSON
Commission	Mrs Gabriela CALDAS
Council Secretariat	Mr Aare EVISALU

The Evaluation Committee visited the following sites:

M.R. Stefanik Bratislava Airport and the Department of Border Control of the Bratislava Ruzinov – Airport Police Force, Košice International Airport and the Department of Border Control of Košice - Airport Police Force.

The information about Poprad - Tatry International Airport and the Department of Border Control of Poprad Airport Police Force was supplied to the experts.

The projects and status of the reconstruction works at the airports for the separation of Schengen and non-Schengen flights were presented by administrations of the airports: M.R. Stefanik Bratislava Airport and Košice International Airport.

The Committee would like to thank the Border and Aliens Police Bureau of the Police Force Presidium, the Ministry of the Interior of the Slovak Republic and the representatives of the airports for the excellent organisation of the visits, well-prepared and structured materials and the hospitality, open attitude and commitment offered by the coordinators and interpreters who accompanied the Committee.

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2. MANAGEMENT SUMMARY

The Committee takes the view that the Slovak Republic's air borders management strategy complies with the basic Schengen principles of integrated border management. The professional and motivated personnel of the Border and Aliens Police of the Slovak Republic ensures high-level border control that largely meets the Schengen requirements. However there is room for improvement concerning several issues: profiling and interrogation as well as language skills. Additional training in these matters will be needed in order to provide a higher level of border control at the Slovak borders.

Infrastructure is largely in place. Necessary reconstructions have been planned and must be implemented as a precondition for full accession to the Schengen area. The Committee takes the view that the competent authorities of the Slovak Republic should further inform the Schengen Evaluation Working Party of success in development of infrastructure, and the problem of separation of passengers on Schengen and non-Schengen flights needs to be followed up.

The Committee would like to highlight the great efforts of the Ministry of the Interior and the Border and Aliens Police of the Slovak Republic in supplying the units at the border with the necessary volume of modern border-control equipment, transportation means, communication techniques and IT systems. The Committee stresses the need to continue preparation for the implementation of SIS II, VIS, use of EURODAC and FADO at the border.

Current EU legislation formed the basis for the evaluation by the Committee. The responsible authorities of the Slovak Republic are aware of the fact that the new Schengen Borders Code will enter into force on 13 October 2006. All the procedures have to be adopted by this date.

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3. GENERAL INFORMATION

3.1. Strategy

Border management in the Slovak Republic is based on:

- Act No 477/2003 Coll. of 23 October 2003 on national border protection;
- Act No 48/2002 Coll. of 13 December 2001 on residence of aliens and on amendments to certain related laws;
- Act No 381/1997 Coll. on travel documents as amended by subsequent legislation;
- Act No 171/1993 Coll. on the Police Force as amended by subsequent legislation;
- Act No 480/2002 Coll. on asylum and on amendments to certain laws as amended by subsequent legislation;
- Ordinance of the Minister of the Interior No 75/2004 on activities of aliens police divisions of the Police Force, the asylum division of the Police Force and the passport service group of the Border and Aliens Police Department of the Border and Aliens Police Bureau as amended by subsequent regulations;
- Ordinance of the Minister of the Interior of the Slovak Republic No 117/2005 on operation of basic units of the Border Police service of the Police Force
- Related acts of the Schengen acquis.

The general border management strategy in the Slovak Republic is based on the integrated border security model and consists of activities in third countries, international border-related cooperation, measures at the external border and further activities within the territory of the country.

Border management is organised under the supervision of the Ministry of the Interior as a ministry working in the field of justice and home affairs and is performed by professional and specially trained Border and Aliens Police personnel.

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The Border and Aliens Police Bureau of the Police Presidium is responsible for:

- protection of the State border;
- border control;
- fight against illegal immigration, cross-border crimes and facilitation of illegal border crossing;
- approval and control of stays by foreign nationals (migration policy);
- return policy;
- visa policy and its implementation;
- initial asylum proceedings and implementation of the Dublin Convention. The Border and Aliens Police is responsible only for conducting preliminary proceedings relating to asylum procedure. Further action is taken by the Migration Office of the Ministry of Interior;
- development of information technologies and their utilisation mainly for the purposes of foreigner migration analysis.

Border management in the Slovak Republic consists of border checks, border surveillance, risk analysis, intelligence and investigation carried out by the same organisation.

Regional units of the Border and Aliens Police Bureau perform border control at the land border and at the international airports. There are currently 8 international airports in the Slovak Republic: Bratislava, Košice, Poprad, Nitra, Piešťany, Prievidza, Sliac and Žilina. It is planned to use only three of them for the organisation of non-Schengen flights after the full implementation of the Schengen acquis: the airports of Bratislava, Košice and Poprad.

Internal cooperation is organised at all levels between the agencies of the Ministry of the Interior, with the Customs Directorate, the Ministry of Transport, Post and Telecommunications, the Ministry of Foreign Affairs, the Ministry of Labour, Social Affairs and Family, the Ministry of Defence and with agencies subordinate to these ministries.

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International bilateral cooperation is organised with Border Services of the neighbouring and some other countries. In the framework of cooperation of the EU border services, it is the Director of the Border and Aliens Police Bureau who represents the Slovak Republic on the FRONTEX Management Board; experts of the regional and local units participate in the activities of the Agency, including the joint operations.

The Department of International and Cross-Border Cooperation of the Border and Aliens Police Bureau cooperates with police attachés.

The Border and Aliens Police Bureau cooperates with the IOM and UNHCR in questions relating to illegal immigration, readmission and expulsion.

The units of the Border and Aliens Police performing border checks at the international airports have access to the lists of passengers provided by the airport/air carriers upon request. The Slovak Republic has transposed the provisions of Council Directive No 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data into Act No 558/ 2005 Coll., which changes and amends Act No 48/2002 Coll. on residence of aliens.

Some elements of international cooperation are performed at the regional and local level.

There is no written strategy document on border management or a national border security plan in the Slovak Republic. Arrangements for admission to countries fully applying the Schengen acquis were adopted in the Schengen Action Plan.

The activities of the Border and Aliens Police Bureau for a given year are regulated by "The Time Schedule for Performance of Tasks by the Border and Aliens Police Bureau of the Police Force Presidium", which is based on the Annual Plan of the Police Force Presidium and the Plan of Main Tasks of the Ministry of the Interior of the Slovak Republic for the respective year.

The Committee considers it expedient to introduce a medium- and longterm planning system in integrated border management.

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During 2005 more than 102 million passengers crossed the borders of the Slovak Republic. Only 0,3% of them crossed the border with a visa (326 569 persons).

During the year 16 392 persons were refused entry into the territory of the Slovak Republic: 6 885 persons for travel document deficiencies, 9 462 persons for other reasons. 45 persons were refused because they were included on the Inadmissible Persons Index (IPI) following a ban on staying within the area of the Slovak Republic or a judicial or administrative expulsion. Since 2000 the number of refused persons has more than halved (35 631 persons were refused entry in 2000).

The Slovak Republic remains mainly a transit country for illegal immigration. During 2004 a total of 3 756 persons were detected on entry into the territory of the Slovak Republic and 4 578 when exiting illegally. In 2005 a total of 2 939 persons were detected entering and 2 239 persons exiting the country illegally.

The number of detected cases of illegal crossing of the Slovak borders in 2005 decreased by 38% compared to the year 2004 (5 178 detected cases in 2005 and 8 334 in 2004). The biggest change occurred during the year at the Czech-Slovak border, where the number of detected illegal immigrants decreased more than 10 times (1 671 cases in 2004 and 128 in 2005).

As regards illegal entry, the highest number of illegal immigrants in 2005 was detected at the Ukrainian-Slovak border (2 554 cases - 86% of all cases) while the largest number of illegal immigrants exiting (2 002 cases - 89%) was detected at the Slovak-Austrian border. The top five nationalities of illegal immigrants over the past few years were Afghan, Indian, Russian, Chinese and Iraqi.

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The Committee wondered about the reason for such a decrease in detected cases of illegal immigration during the year. The experts could not understand the explanation that the decreasing numbers of foreigners refused entry into the territory of the Slovak Republic, as well as illegal immigration, was due to EU membership ¹. The experts stress that the assessment of the situation is one of the key elements of the integrated border security model. Valid and reliable data should form part of a permanent evaluation which could be shared by other Member States.

3.2. Organisational (functional) structure

The Border and Aliens Police is part of the Police Force of the Slovak Republic and has a centralised structure at three levels:

- At central level there is the Border and Aliens Police Bureau of the Police Force. The structure of the Bureau includes the Border Police Section, Aliens Police Section, Section for Investigation of Particularly Serious Criminal Activities, National Unit for Combating Illegal Migration, Department of Travel Documents Analysis, Analytical-Operational Department, Department of International and Cross-Border Cooperation and Department of Information Systems.
- At regional level there are four Borders and Aliens Police Headquarters: Police Detention Unit for Aliens Medved'ov and Police Detention Unit for Aliens Secovce. The structure of the Border Police Sobrance Headquarters includes a Mobile Squad.
- The main units at local level are the Border Control Departments, the Border Police Departments, the Aliens Police Departments and the Asylum Departments.

¹ **SK:** The decrease in the number of detained foreigners is connected to the effective operation of the National Unit for the Fight against Illegal Migration, i.e. detecting criminal groups committing the crime of trafficking in human beings. The decrease in the volume of illegal immigration is also connected with the stricter asylum procedure (EURODAC). The decrease in the number of foreigners refused entry into the territory of the Slovak Republic is connected to the accession of the Slovak Republic to the European Union (1.5. 2004). From this date on, the conditions for refusing entry into the territory of the Slovak Republic for EU citizens are stricter (only if he/she is a threat to public order, internal security, public health and international relations).

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The Bureau is a unit of the Police Force Presidium and it directly manages the organisational units in their performance of tasks in the field of national border protection, the fight against illegal immigration, border control, authorising and controlling the stay of aliens, expulsion of aliens, visa practice and, in a defined scope, asylum procedure and the implementation of the Dublin Convention.

Pyrotechnical services of the local units of the Border and Aliens Police primarily perform pyrotechnical inspections of airport premises, passengers and their luggage, airplanes and other vehicles as well as other necessary activities relating to the pyrotechnical protection of the airports.

The Committee found the organisation of the Border and Aliens Police of the Police Forces centralised and clearly structured.

3.3. Operational effectiveness

As of 1 January 2006 a total of 3 563 police officers were deployed by the Border and Aliens Police Bureau.

At the basic units designated for the protection of the future external border (9 Border Control Departments of the Police Force at the sector of the State border with Ukraine, 3 Border Control Departments of the Police Force at the international airports, Mobile Squad of the Border Police Headquarters in Sobrance), 793 police officers were deployed. Of that number, 182 police officers were deployed at 3 international airports planned in future for non-Schengen flights: Milan Rastislav Stefanik Airport in Bratislava, Košice International Airport and Poprad – Tatry International Airport.

Border management at the temporary external borders between the Slovak Republic and other Member States of the EU (future internal borders) is provided by 28 departments of the Police Force Border Police (future mobile strike forces of the Police Force) with a total of 1 620 police officers.

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The number of police officers deployed to the airports was found to be sufficient by the Committee to perform the border checks of all persons crossing the border both on entrance and on exit, to exercise second-line control and to fulfil other responsibilities connected with border management. Regulations governing border control procedures were mostly followed in performing the duties. The Committee was of the opinion that the Slovak authorities provide a high level of border management with some minor exceptions.

According to the opinion of the Slovak authorities it can be assumed that the border police achieves an illegal immigration detection rate of approximately 75%. The experts were not able to comment on this figure as no calculations were presented.

The Ministry of the Interior of the Slovak Republic and the Border and Aliens Police Bureau have made great efforts to supply units at the border with the necessary border control equipment, communication means, databases and vehicles.

EU financial means (Phare and Schengen Facility) have been largely used for providing the necessary equipment and for training personnel.

3.4. Risk analysis, intelligence and data-flow management

Risk analysis is organised and exercised mainly at central and regional level. There are no special units for risk analysis. Risk analysis is one of the tasks of the Analytical and Operational Department of the Border and Aliens Police Bureau. The Department performs the following tasks in the area of risk analysis:

- processes analyses for national and European institutions (evaluates, analyses information concerning illegal immigration and its impact on national policy-making within the area concerned, evaluates security situation);
- via its operational centre continuously coordinates the activities of individual bodies of the Border and Aliens Police Bureau units;
- provides the information flow in the designated scope within the Bureau as well as with other authorities.

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Based on the threat assessment, analyses have been drawn up, which are further used in operational activities. An analysis was made of illegal migration of Turks as well as the phenomenon of illegal migrants leaving camps. The above-mentioned analyses provided the basis for further investigation of facilitators' networks.

There are no risk analysis units or persons responsible just for risk analysis at the level of the basic units. Despite that fact experts found that information was available about the trends and concrete facts of illegal immigration.

3.5. Investigation and alien policing

Investigation is mainly performed by the Section for the Investigation of Particularly Serious Criminal Offences. To carry out its tasks this Section:

- performs investigations of criminal offences, which are in the first instance handled by the special Court or a regional Court;
- investigates other crimes relating to the State border;
- performs procedural activities based on requests from other authorities;
- processes relevant investigation analyses and statistics;
- examines information, notices and complaints from citizens and organisations within its jurisdiction.

Control of persons within the territory is performed by the Aliens Police divisions of the Police Force, which are basic units of the Police Force. They focus their activities in particular on checks on eligibility of the stay, compliance with the conditions of residence and the alien's obligations arising from the Act on Residence of Aliens. They also check the fulfilment of obligations by other natural and legal persons in connection with residence pursuant to the above-mentioned Act.

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3.6. Staff and training

Border control is carried out only by professional personnel of the Border and Aliens Police of the Police Force who correspond to the determined selection criteria and have taken the necessary training in the respective training institutions of the Police Force.

A person applying for a job in the Border and Aliens Police must be a citizen of the Slovak Republic, at least 18 years old and without a criminal record. He/she should have good health and a good knowledge of the Slovak language. To be accepted he/she has to pass a psychological test.

Basic police education is provided by high schools of the Police Force in Bratislava, Pezinok and Košice for a duration of 1 year. Higher police education is offered at the high school in Bratislava and the Academy of the Police Force in Bratislava (duration 6-10 months). University education is provided by the Academy of the Police Force in Bratislava (duration 3-5 years). For special education various specialised training courses are organised (detection of forged travel documents etc.).

Further continuing education is organised by individual units of the Border and Aliens Police Bureau, independently or in cooperation with domestic and foreign institutions. Police officers in active service are trained in three basic categories:

- Study organised within units. It involves briefings and self-study of methodological guidance, procedures, manuals, equipment maintenance and the use of software etc.;
- Qualification, re-qualification and innovation training courses and training. These training courses focus on improvement of the logistic level of work and implementation of new procedures. They are provided as special courses and training, mostly by external specialists and practitioners;
- International training events - focusing on comparison of experience, communication of best solutions and practices in order to achieve a new quality of service and problem-solving.

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Language training is included in the training programmes of police education. In the curriculum of the Police Force Secondary Vocational School in Bratislava there are 124 or 115 hours of English or German language training; in the curriculum of the Academy of the Police Force there are 192 hours of foreign language training. Despite that fact the Committee found the level of foreign language knowledge in all inspected units insufficient. The Committee is of the opinion that language knowledge should be improved also at managerial level.

Further linguistic training is organised at several language courses for a limited number of officers. Additional language skills are compulsory only for certain functions. Participation in language courses is voluntary for most of the Border Police officers. Often officers at regional and local level have to take courses individually on their own initiative.

Basic training in document checking is provided during the basic training course for personnel of the Border and Aliens Police. Further specialised document-checking training is organised by the Border and Aliens Police Bureau and by the regional units of the Border and Aliens Police.

According to the information presented by the Border and Aliens Police Bureau regarding detection of falsified and forged travel documents, attention is paid to preparation of the contact persons at regional directorates of the Border and Aliens Police. The contact persons are trained by the Bureau's Unit of Travel Documents Analysis. Training given to contact persons is aimed at new methods of falsification and forgery of travel documents.

In 2004 a total of 315 persons from basic units of the Border and Aliens Police were trained by the Border and Aliens Police Bureau over 12 days on issues connected with FADO and falsification of documents.

In 2005 a total of 247 persons were trained for 10 days in the framework of the Memorandum of Understanding between the Netherlands and Ministry of the Interior of the Slovak Republic, focusing on forged and falsified travel documents.

Some training activities per year were organised by the Bratislava Regional Headquarters of the Border and Aliens Police and by the Sobrance Regional Headquarters of the Border Police.

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No information was presented to the Committee about systematic specialised training for the different managerial levels. Some officers of the basic units of the Border and Aliens Police told the Committee that there had been no specialised management training over the last ten years since their graduation from the officers' courses.

The Committee found the training provided to the personnel of the Border and Aliens Police basically adequate for the missions connected with border control. The Committee stresses the need for more systematic language training for the personnel of the Border and Aliens Police at the external borders. The involvement of the Border and Aliens Police Bureau of the Police Force in the organisation of language training is appreciated. Knowledge of languages should be compulsory for the staff working at the external borders. The Committee sees the need for the creation of a system of management training for all levels of leading officers.

3.7. Readmission, expulsion and illegal immigration, carriers' liability

The Slovak Republic has concluded readmission agreements with 9 Schengen States, with 4 other Member States of the EU and with 7 third countries (Ukraine, the Republic of Bulgaria, the Former Yugoslav Republic of Macedonia, Romania, Hong Kong and Special Administrative Region Macao of the People's Republic of China, the Democratic Socialist Republic of Sri Lanka and the Republic of Albania.

In 2004 a total of 1 041 persons were readmitted on the basis of these agreements. Considering that 8 334 illegal migrants were detected crossing the borders of the Slovak Republic illegally in 2004, the percentage of persons readmitted on the basis of readmission agreements forms 12% of the total number of illegal immigrants detected at the borders. All of them were readmitted to the neighbouring countries and 187 of them were citizens of these countries.

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Expulsion of persons who entered the territory of the Slovak Republic illegally is the responsibility of the police units. If for various reasons the person cannot be expelled, a police unit will grant the alien a permit of tolerated residence. Where an alien is not in possession of his/her own travel document which cannot be issued through the embassy of the State of which he/she is a national, and has been granted a permit of tolerated residence, or where it has been decided that he/she will be administratively expelled or will be sentenced to expulsion, he/she will be issued with an alien's passport by the police unit. The alien's passport authorises an alien to leave the country.

At present there is no central body within the Slovak Republic which issues alien's passports. These passports are issued by the competent divisions of the Aliens Police of the Police Force. The Slovak authorities have reported that this type of passport is issued very rarely and the countries admitting the alien very often do not recognise it.

The above-mentioned information gives the Committee a reason to assume that a significant proportion of illegal immigrants detected on the territory of the Slovak Republic have not been readmitted or expelled and that some of them have stayed in the territory of the country or have left it without any documents ¹.

¹ **SK:** The difference between the persons detained at the territory of the Slovak Republic as illegal migrants (in the year 2004: 8 334 persons) and the number of persons who were readmitted, arises from the fact that these persons asked for asylum at the territory of the Slovak Republic. After submitting the asylum application, the foreigners are transported to the asylum facilities. Many foreigners leave the facility and try to cross the State border illegally. These persons are detained repeatedly and sent back to the asylum facilities. This sizable number of persons – illegal migrants in the territory of the Slovak Republic - results from multiple detentions of asylum-seekers apprehended when crossing the State border illegally.

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The National Unit for Combating Illegal Migration participates in the detection of illegal immigration and performs the following tasks:

- prevents, detects and reports the offence of unauthorised crossing of the State border;
- operatively analyses and reports particularly serious criminal offences;
- proposes and takes measures to dismantle criminal activities;
- evaluates and analyses the security situation;
- cooperates with other police units and partners abroad.

There are units with the same tasks at the level of the regional units of the Border and Aliens Police.

In 2005 a total of 201 facilitators of illegal immigration were charged (in 2004: 272). More than 70% of the facilitators were Slovak citizens but the number of facilitators who are foreign citizens has increased every year.

It is possible to impose sanctions on air carriers in accordance with Act No 48/2002 Coll. on Residence of Aliens. According to Act No. 69/2005 Coll. on amendments to the Act on the Police Force, the police authority must impose a fine of SK 120 000 to SK 200 000 on air carriers for every foreigner transported without a travel document or a valid visa or with a counterfeit travel document.

The same fine will be imposed on the air carrier if the carrier does not provide the data on travellers required by Council Directive 2004/82/EC or provides incorrect or incomplete data.

In 2002 – 2003 no sanctions were imposed. In 2004 a total of 39 sanctions were imposed and, in 2005, 23 sanctions were imposed by the Border Control Unit of the Bratislava – Airport Police Force. No sanctions were imposed at other airports.

Taking into account the number of refusals of entry on the grounds of missing travel documents, the Committee found the number of imposed sanctions adequate.

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3.8. Comments and recommendations of the Evaluation Committee:

The experts were appreciative of the following facts:

- The general border management strategy in the Slovak Republic presented to the Committee is based on the integrated border security model.
- The Committee found the organisation of the Border and Aliens Police of the Police Forces centralised and clearly structured.
- The number of police officers deployed to the airports was found sufficient by the Committee to perform border checks of all persons crossing the border both on entry and on exit, to exercise second-line control and to fulfil other responsibilities connected with border management.
- The relevant regulations governing border control procedures were mainly followed in performing duties.

The experts took special note of the following items:

- There is no written strategy paper on border management in the Slovak Republic.
- There is a need for more systematic specialised training for different managerial levels.

Experts consider that there is room for improvement in the following areas:

- The Committee has reason to assume that a significant proportion of illegal immigrants detected at the territory of the Slovak Republic were not readmitted or expelled and some of them stayed in the territory of the country or left it without any documents¹.
- The Committee stresses the need for more systematic language training for personnel of the Border and Aliens Police at the external borders including at managerial level. The involvement of the Border and Aliens Police Bureau of the Police Forces in the organisation of language training is appreciated. The level of profiling and interrogation techniques could also be improved.
- The Committee considers it expedient to introduce a medium- and long-term planning system in integrated border management.

¹ See footnote 1 on page 16.

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4. M.R. STEFANIK BRATISLAVA AIRPORT.

4.1. General information

M.R.Stefanik Bratislava Airport is the main and biggest international airport in the Slovak Republic, operating 24 hours a day. The territory of the apron is 125 000 m². There are 27 stands and 2 heliports on the territory of the airport. The passenger terminal has 9 gates. The capacity of the passenger terminal is about 2 million passengers per year. A new terminal will be ready in 2008 with a capacity of approximately 4,5 million passengers per year. Traffic in 2005 totalled 1 326 493 passengers, the increase compared to 2004 was 48 %. There were 1 258 127 passengers on international flights in 2005 (47% increase). The number of passengers on scheduled international flights in 2005 was 908 464 (73% increase) and on non-scheduled international flights 349 663 (6% increase). In the first quarter of 2006 compared to the first quarter of 2005, the increase in scheduled international flights was 92%. The proportion between non-Schengen and Schengen traffic was 38% to 62%. There were 30 380 aircraft movements at the airport during 2005. The role of domestic traffic was very small - only 5 % of the overall volume of passengers.

The main carriers are SkyEurope Airlines and Slovak Airlines. The scheduled connection airports in the non-Schengen third countries are Moscow (4 flights per week), Bucharest (4 flights per week), Sofia (4 flights per week), Amritsar (India) and Tel Aviv (3 flights per week respectively) and Kiev (2 flights per week). Non-scheduled connections exist with Egypt, Tunisia, Turkey and Bulgaria. The biggest volume of non-Schengen passengers arrived in 2005 from London (about 17% of the entire passenger flow).

The airport was privatised in February 2006.

Border management at the airport is provided by the Department of Border Control of the Bratislava Ruzinov - Airport Police Force which is subordinate to the Bratislava Border and Aliens Police Headquarters.

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The Department of Border Control (DBC) is led by the Director. There are 2 Deputy Directors. The Deputy Director for Duty Performance who is the superior of 5 Heads of Shifts is responsible for border control. There are 72 senior officers, 10 senior officers/pyrotechnics and 10 senior officers/dog trainers in the DBC structure. Dogs are used only for the detection of explosives.

The tasks of the DBC are:

- carrying out border control;
- cooperation in the protection of civil aviation and public order on the airport premises;
- fighting cross-border crime;
- detection of falsified or forged travel documents;
- handling of administrative offences committed by carriers;
- acting as a contact point at the air border.

Existing acts and agreements regulate cooperation between the authorities not only at national but also at regional level. Regional cooperation is organised on the basis of agreements between the Border and Aliens Police and the other authorities operating at the border or whose duties are connected with the Border and Aliens Police missions.

At the level of the DBC cooperation is organised with other Police units, other authorities and international cooperation partners.

Cooperation between the Police and Airport authorities is based on Act No 171/1993 Coll. on the Police Force, Act No 143/1998 Coll. on Civil Aviation, Resolution of the Government of the Slovak Republic No. 748/2004 and the Coordination Agreement between Bratislava Airport and the Ministry of Interior of the Slovak Republic. In cooperation with the airport operator, the DBC:

- carries out patrolling activities at the airport terminals;
- performs oversight over restricted areas and public areas using technical equipment;
- exercises supervision over the performance of detection control;
- performs entry control to airport restricted areas during extraordinary security measures;
- takes other security measures in case of a threat of acts of criminal interference.

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The Committee found that the cooperation system generally complied with the Schengen regulations and recommendations. There is a well-designed information flow between the local and regional units as well as horizontally within the DBC. The experts noticed that some cooperation connections could not be handled rapidly.

There is no risk analysis unit or persons responsible at BCP level. A relevant unit exists at regional headquarters.

For risk analysis at DBC level, information is gathered from different sources and some measures have been taken. The following sources of information are used: internal sources, information submitted via the superior units, information from other authorities and information obtained through international cooperation.

The following measures have been taken:

- immediate use of information during duty performance;
- getting acquainted with new information at the beginning of the shift during debriefing on the security situation;
- incorporation of information into long-term or permanent (standing) instructions, directives and regulations.

Several analytical documents concerning the situation regarding illegal immigration and the use of counterfeit documents and a Border and Aliens Police Yearbook were presented to the Committee.

The experts pointed out that a comprehensive and efficient reporting system at regional level was in place and the common attitude towards risk analysis was creditable. The experts found that even though information was available via the Intranet not all officials at the DBC were experienced in using the analytical information distributed via the Intranet.

In 2005 a total of 164 persons were refused entry by the DBC (in 2003: 153, and in 2004: 244 persons). The largest number of persons refused in 2003 was from Iraq, in 2004 and in 2005 from Turkey.

The number of persons expelled in 2003 was 18; in 2004 and in 2005 the figure was 30 persons per year.

RESTREINT

Counterfeit documents were discovered in 2003 in 21 cases, in 2004 and in 2005 in 10 cases per year. The counterfeit travel documents were detected only on exit from the Slovak Republic.

The illegal immigrants detected at the DBC were mainly nationals of Afghanistan, India, Russia, China, Iraq and Ukraine.

Illegal migrants from Ukraine usually entered the Slovak Republic legally and, having obtained counterfeit documents, tried to leave the Slovak Republic for Austria or the Czech Republic.

In 2005, 30 “blocked” persons and 71 wanted persons were detected and 111 different offences were discovered in the process of carrying out border checks. In 2004 there were 212 blocked persons and, in 2003, 326. It was explained to the Committee that the decrease in the number of “blocked” persons was connected with the accession of the Slovak Republic to the European Union (1.5.2004). As of this date, minimal control of EU citizens was introduced in line with the Schengen legislation. No systematic search is carried out in the evidence database of the Police Force.

4.2. Infrastructure and equipment

The Committee found signposting complying with Council Decision 2004/581/EC on the minimum indications on signs at external border crossing points and with Annex III to the Schengen Borders Code. Signs were illuminated and generally well visible.

The experts pointed out that in bright sunlight it is not easy to identify which signs are illuminated on the departure booths, and this makes the choice of the right control line complicated for passengers..

Separation is arranged between arrival and departure and between domestic and international flights.

RESTREINT

The reconstruction plan of the airport, designed to increase airport capacity and separate passengers on Schengen and non-Schengen flights, provides for four building phases. In the course of reconstruction a new arrival terminal for Schengen flights will be built. Changes of layout will be made in the old terminal building to allow it to be used for non-Schengen flights.

During building phase "A" the following construction work will be done:

- Building the new arrival hall for Schengen flights.

The deadline for termination of construction work is May 2006. The new arrival terminal is almost finished.

The experts visited the new arrival terminal and found the construction of the building suitable for the separation of passenger flows. The construction of the connection between two terminals provides for the possibility of using the arrival terminal for border checks of passengers on non-Schengen flights if necessary. The experts had doubts as to whether passengers from more than one plane could be handled simultaneously because of the construction of the booths and available space in the arrival hall for non-Schengen flights.

During building phase "B" the following work will be carried out:

- Modification and increase in capacity of the gates on the 2nd floor of the terminal for Schengen and non-Schengen departures.
- Area rearrangement for the Police Force on the 1st floor of the terminal for non-Schengen arrivals/departures, including the working area of the Screening Unit and Passport Control at the non-Schengen transit area.
- A new separation wall at Passport Control on the 1st floor of the terminal for non-Schengen arrivals/departures.
- Separation of the VIP area for Schengen and non-Schengen flights.
- Removal of the VIP area for non-Schengen and Schengen flights.
- Layout changes relating to the construction of a customs control station on the 1st floor of the terminal for non-Schengen arrival/departure.

The deadline for termination of the construction work is December 2006.

RESTREINT

During building phase "C" the following work will be accomplished:

- A new departure bridge for passengers on non-Schengen flights - extension of the terminal for non-Schengen arrivals/departures.
- Relocation of the existing Passport Control Desk for non-Schengen flights from the terminal for Schengen/non-Schengen departures to the terminal for non-Schengen arrivals/departures.
- A new separation wall and relocation of the service entrance and construction of a new one on the 2nd floor of the terminal for Schengen/non-Schengen departures.

The deadline for termination of the construction work is October 2007.

The Committee was informed that if there is a delay in construction works due to privatisation, then temporary solutions would be used.

Once the construction work is finished, there will be a separate new arrival hall for Schengen traffic (first/ground floor), a separate bridge for non-Schengen departures (on the second floor), and the old terminal will be reorganised and reconstructed to cater for non-Schengen arrivals (first/ground floor) and Schengen departures (second floor).

Representatives of the airport administration estimate that there is space for 270 passengers awaiting border checks in the new arrival hall for passengers on non-Schengen flights.

For non-Schengen transit passengers there is a special area where border control can be performed.

There is a special bus service to ensure the correct flow of arriving non-Schengen passengers. This system is based on an agreement between the airport dispatch, the handling agent and the Border Police. The bus service is under permanent physical surveillance by the Border Police officers.

Arrival and departure of international flights and domestic flights is handled in one terminal, general aviation in a separate terminal. There is no special cargo terminal.

RESTREINT

Crews and general aviation traffic are handled at the General Aviation Terminal which is manned 24 hours per day by Border Police officers. In the General Aviation Terminal the arrival and departure directions are mixed but, taking into account the current flight schedule, the experts did not envisage any problem there as it is possible to arrange the separation of flights by time of arrival or departure (Schengen or non/Schengen flights).

At the passenger terminal there are 4 booths at arrival and 4 at departure. For the control of crew members and general aviation there is 1 additional booth at the General Aviation Terminal. Lines are divided between those for EU, EEA and CH citizens and those for all other nationalities (all passports).

The Committee noticed that this principle was followed.

Control facilities are new and have a unique design. First-line border control booths at departure and arrival have a curved front side and look nice but experts found them not most suitable for passport control from a technical point of view, as these booths do not provide a frontal view of the waiting passengers. The experts took the view that the chairs used were too low for observation of passengers. The experts were told that there had been discussions about changing the booths but, taking account the architecture of the airport, a decision had been made not to change the construction of the booths.

The arrival booths on the ground floor are turned 75 degrees. Due to this fact there is space only for a few passengers waiting in front of these booths. The entrance door to the arrival area is quite close to the booths, which makes queuing complicated.

There is only one second-line office which is situated on the premises of the arrival terminal. The second-line office is situated close to the first line of passport control on arrival and provides a good opportunity for observing the arriving passengers.

The experts were of the opinion that there was suitable space for the operational activities available at the second line.

The booth in the General Aviation Terminal does not face the persons to be checked.

RESTREINT

All first-line booths are equipped with a personal computer (connected to the network and providing access to national information systems IPI, BORIS, PATROS), a travel document reader, a magnifying glass, a UV lamp, a phone and a radio transmitter. Booths at the departure are equipped additionally with a retro-respective reader and booths on arrival with a retro-check.

The second-line office was equipped with a PC providing access to national databases, a Projectina Docubox device for examining travel documents, a stereoscopic microscope, a digital camera and a photo-printer.

The DBC has means of transport guaranteeing the necessary mobility of personnel for performing service tasks.

The airport security unit is responsible for monitoring the entrance and exit regimes by technical equipment, security control of entrances and supervision of the perimeter fencing and the airport gate lookout. The screening unit is responsible for screening persons, luggage and cargo. The airport is fenced.

There is no special detention room in Bratislava Airport. Persons who have to be readmitted await readmission in the common waiting area behind the departure passport control line.

The experts propose that the need for detention rooms in Bratislava Airport be reconsidered, taking into account the number and character of non-admitted persons.

4.3. Controls and procedures

The experts observed border control on arrival of the flight from Moscow. The experts noticed that all passengers were checked. EU citizens passed a minimum control. On third-country citizens thorough checks were carried out.

During the checks of third-country citizens UV lamps and passport readers were used on a regular basis. In the process of passport control third-country citizens were checked via several databases e.g. the IPI police information system (Inadmissible Persons Index) comprising information about “blocked” persons and wanted persons.

RESTREINT

In the event of any irregularities in a travel document or if there are any other doubts, the police official asks the passenger to undergo the second-line control.

The experts observed that in some cases the ability of the Border Police personnel to identify documents and security features was insufficient. The experts noticed that interviewing and profiling of persons was not performed regularly because of language problems or lack of knowledge about the interrogation and profiling techniques.

In the General Aviation Terminal the experts observed that some crew members tried to pass the control booth without border checks but were stopped by a Border Police officer. The above-mentioned technical features and mobile computers were used during the checks at the General Aviation Terminal.

The stamping of the travel documents of third-country nationals was in general performed pursuant to the provisions of the Common Manual but in some cases the experts observed that the visa stamp covered the machine-readable area of the visa.

Before starting duty a police official confirms takeover of the stamp by signing the registration book. Stamps are stored in a safe in the permanent service room. Protection codes are changed each month. Information about the actual protection code for the respective month is stored by the Head of the Shift in the operation centre.

The experts noticed that some officers left a data-stamp in the booths when they had to leave the booths.

Every officer has a login name and a personal password, which is attributed to him/her by the Director of the DBC and which is not known to the other officials of the DBC.

During border checks at the first line the computer system provides access to the BORIS, IPI and PATROS databases of the Police Forces.

BORIS is a database of the Alien and Border Police for checking persons and vehicles crossing the border.

RESTREINT

The IPI database (Inadmissible Persons Index) comprises data about expelled foreigners, those subject to the penalty of expulsion and persons who are to be refused entry for other reasons.

PATROS is the database for searching for persons and identifying dead bodies found.

At the second line there is additional access to the databases of travel documents of the Slovak Republic (CDO), inhabitants (REGOB), identity cards (IDC) and foreigners granted a residence permit at the territory of the Slovak Republic (ECU 2).

By phone there is access to the databases on documents, weapons, persons of interest to the police, the register of prisoners in the Slovak Republic and the Czech Republic and to the citizens register.

The Common Manual was available electronically at the first and second line and as a paper version at the second line.

A decision on refusal of entry has to be taken by the Head of the Shift. In 2005 a total of 164 persons were refused entry into the DBC, including 22 persons for a missing travel document and 85 for misuse of stay for other purposes.

The Committee inspected how refusal of entry was carried out by the personnel of the DBC and found that the proceedings were registered; the necessary digital forms were filled in and printed out.

The DBC is responsible for the primary processing of asylum applications.

The asylum applications should be approved by the Head of the Shift. For the control of the asylum seeker's identity via EURODAC fingerprints are taken manually, scanned and distributed to the appropriate unit. It was explained to the Committee that there are only 3 workstations in the EURODAC Department of the Forensic Science Institute in Bratislava which provide direct access to EURODAC. It is planned to install relevant equipment at the DBC Bratislava -Ružinov.

RESTREINT

One asylum application was submitted in 2003, no applications were submitted in 2004 and 55 applications were submitted in 2005 (by 9 Chinese nationals, 7 Vietnamese nationals, 4 Indian nationals, 3 Syrian and Palestinian nationals and others).

At the DBC only two types of visas are issued: a transit visa and a short-term visa. Blank visa stickers are stored in a secured box in the permanent service room. The visas issued are registered in the Issued Visa Journal. The experts found that the visas were issued according to the provisions of the Common Manual. Visas were issued by the second-line officers; decisions were taken by the Head of the Shift.

In 2005 the number of visas issued by the DBC increased. Whereas 195 visas were issued in 2003 and 185 visas in 2004, 431 visas were issued in 2005. The biggest number of visas issued in 2003 was for Georgian nationals, in 2004 and 2005 for Indian nationals. In 2005, 427 visas were issued in the interests of the Slovak Republic and 4 for humanitarian reasons.

The storage of visas and the Issued Visas Journal were inspected by the Committee and were found appropriate. Visa stickers were kept in a briefcase in a locked safe in the room of the Head of the Shift.

The second-line activities consist of:

- detailed verification of submitted travel documents;
- examination of the documents concerning the purpose of travel and, when necessary, verification of the person's background;
- assessment of sufficient means of subsistence for the whole stay, return to the country of origin or transit and whether these means can be obtained in a legal way;
- direct verification of personal data in the police information systems;
- verification to ensure that the person or transported item is not a threat to public order, national security or international relations.

RESTREINT

13 officers have been prepared for work at the second line of control at the DBC. 2-3 officers are always available for performing the second-line activities. The second-line officers can also work at the first line. The experts observed that the second-line officers regularly provide support to the first-line officers. The experts found the second line officers very experienced, well-prepared and motivated.

During the second-line control, 10 cases of the use of counterfeit documents were detected in 2005.

4.4. Border surveillance

According to the Civil Aviation Act, the Border Police is responsible for landside and airside patrolling of the airport. The Airport Security Unit is responsible for passenger screening and access control. The Airport Security Unit also provides supervision of the perimeter, fencing and the airport gate lockout, and supervision of the movement of persons on the airport road.

Additionally there are 25 CCTV cameras which are connected to the Operational Centre of the Border Police. The experts were told that in the near future the number of cameras for surveillance of the perimeter and territory of the airport will be increased to 180.

4.5. Staff and Training

The number of personnel in the DBC has increased from 72 officers in 2003 to 100 officers in 2006. After the Slovak Republic joins Schengen it is planned to increase manpower by about 40 police officers.

All the personnel of the DBC have one senior officer or higher-grade posts. Police officers were found to be highly motivated, shift leaders experienced and well-prepared for all tasks. All the personnel of the DBC had taken the necessary basic training corresponding to their posts.

RESTREINT

Refreshment training is organised once per month on new legislation, internal and Schengen regulations and travel documents. Personnel of the DBC participate in European Training Day activities.

The experts were informed that 2 persons at Bratislava Airport DBC can communicate in English, 10 in Russian, 2 in German and 8 in Hungarian. 12 persons understand to some extent English, 18 Russian, 12 German and 4 Hungarian. For certain functions language skills are compulsory.

Only 5 language training courses for 19 persons were organised at the level of the Regional Headquarters of the Border and Aliens Police Bratislava during the period 2004-2006. 3 of these courses (for 17 persons) lasted 5 days.

The experts found the language skills of personnel insufficient to carry out thorough checks and interrogation. The number of English- or German-speaking officers does not respond to the characteristics of the passengers. The Committee is of the opinion that knowledge of languages at managerial level should be improved.

All police officers at the DBC have had some training in travel documents and the security features of travel documents as part of their basic training. Further training is provided in the framework of additional short workshops or training hours at the workplace. Only five training events on travel documents and the forgery and falsification of travel documents (for 34 officers of the Region) were organised in 2004-2006 by the regional headquarters.

Sometimes training in the use of advanced control equipment is included in the procurement agreement and provided by the producer or the supplier of the equipment. Document control training is organised quarterly for the police officials assigned to second-line control.

Heads of the shifts have not attended special management training. There is no system of comprehensive follow-up training after officers finish their special border police training.

The personnel is divided into 4 teams covering two shifts per day (13-14 police officers per shift). The experts found that every first-line Border Police officer performs about 10 000 border checks of non-Schengen passengers per year so the amount of personnel seems to be adequate.

RESTREINT

4.6. Readmission, expulsion and illegal immigration, carriers' liability

In 2005 as in 2004, 30 persons were expelled by the personnel of the DBC.

Representatives of the Border and Aliens Police regard the readmission activities as highly successful due to the fact that 94% of illegal immigrants have been readmitted on the basis of readmission agreements. The authorities also underlined the good cooperation with the embassies and consulates which enabled 50 % of the persons subject to expulsion to be expelled with newly issued travel documents.

The Committee found that the percentage of readmitted illegal immigrants did not correspond to the statistics on illegal immigrants detected and the number of persons readmitted and expelled ¹.

In 2002-2003 no sanctions were imposed on carriers. 39 sanctions in 2004 and 23 sanctions in 2005 were imposed by the Border Control Unit of the Bratislava-Airport Police Force. The total amount of the fines imposed in 2004 was about SK 10 million and in 2005 about SK 3 million.

4.7 Comments and recommendations of the Evaluation Committee:

The experts were appreciative of the following facts :

- The sufficient number of police officers at the DBC.
- The motivation and knowledge of the heads of the shifts.
- Motivation of personnel.
- Use of databases and access to databases at all levels.
- Use of the digital forms of procedural documents in the computer.

¹ Comment by SK. See footnote 1 on page 16.

RESTREINT

The experts took special note of the following items:

- Insecure keeping of the data-stamps during the breaks.
- Current construction and position of the departure and arrival booths.
- Regarding the passenger queues and location of the entrance at the non-Schengen arrival gate, reconsideration is recommended.
- Managers should be aware of all information issued and risk analysis products available on Intranet.

The experts consider that there is room for improvement in the following areas:

- Profiling, interrogation of third-country nationals and language skills.
- The crew control procedure at the General Aviation Terminal
- Refresher training in travel documents (security features, forged documents).
- The experts propose that the need for detention rooms at Bratislava Airport be reconsidered, taking into account the number and character of non-admitted persons.

DECLASSIFIED

RESTREINT

5. KOŠICE INTERNATIONAL AIRPORT

5.1. General information

Košice International Airport is the second largest airport in the Slovak Republic. The total surface area of the airport is about 3,6 km². The airport provides a 24-hour service. Construction of the new passenger terminal was completed in 2004. The maximum traffic volume of the airport is currently about 700 000 passengers per year. The airport is undergoing privatisation and this process will be completed after the final decision of the Antimonopoly Authority. The successful candidate in the privatisation process is the consortium TWO ONE.

The airport is used for scheduled and non-scheduled flights, charter flights and general aviation. There are no regular non-EU flights at present. The destination countries of the charter flights are Tunisia, Egypt, Turkey, Bulgaria and Croatia. The main carriers are Czech Airlines, SkyEurope Airlines and Austrian Airlines. There were 269 885 passengers in 2005; growth compared to 2004 was 17%. The top international destination with a transfer via Prague, Bratislava and Vienna was London. There were 114 000 passengers to non-Schengen destinations in 2005 (approximately 40% of all passengers). Negotiations regarding the inauguration of flights between Kosice and Kiev are taking place. There are 5-6 international flights per day at the airport.

There are four terminals at the airport: Terminal 1 and Terminal 2 for passenger traffic, the General Aviation Terminal and Cargo Terminal.

The Department of Border Control of the Košice-Airport Police Force is responsible for border control. The Department is subordinate to the Prešov Border and Aliens Police Headquarters.

The Department of Border Control (DBC) is led by the Director. There are 2 Deputy Directors subordinate to the Director in the DBC. The Deputy Director for Duty Performance who is the superior of 5 Heads of Shift is responsible for border control. There are 37 senior officers, 5 senior officers/pyrotechnics and 2 senior officers/dog trainers in the DBC structure.

RESTREINT

The Department of Border Control is responsible for carrying out border control, cooperating in the protection of civil aviation and public order on the airport premises, fighting cross-border crime, handling administrative offences committed by carriers and searching for persons and items.

In the framework of the Ministry of the Interior, cooperation is organised with the National Unit for Combating Illegal Migration, local police departments, district police headquarters, regional police headquarters, the Bureau of Judicial and Criminal Police, the Bureau for the Protection of VIPs and Diplomatic Missions.

Outside the framework of the Ministry, cooperation agreements have been concluded with the Slovak Intelligence Service, the Military Defence Intelligence, the Military Police, the operator of the Košice Airport and the Customs Administration.

The cooperation agreement with the airport operator provides for common actions in:

- supervision and protection of the control sites;
- patrolling in the restricted security areas;
- safeguarding of flights to and from Tel Aviv;
- protection of passengers in the terminal public space and
- direct protection of airplanes at the dispatch area.

Some international cooperation is organised at the level of the DBC: visits of foreign experts, visits to airports in other States, cooperation via joint contact workplaces and cooperation via carriers with the border control institutions of neighbouring countries. The experts found that regular cooperation with the border control institutions of the neighbouring countries or at the airports of the destination countries of the flights did not exist and that there was no information about contact points in foreign countries available in the office of the Head of the Shift.

There is no risk analysis unit or responsible staff on the level of the BCP. There is a risk analysis unit in the regional headquarters.

RESTREINT

For risk analysis at the level of the DBC information is gathered from different sources and some measures have been taken. The following sources of information are used: internal sources, information submitted via superior units, information from other police units and information obtained through international cooperation.

Processing and analysis of the information received is executed by the managing officer or by the Head of the Shift.

Measures taken as a result of the risk analysis include:

- immediate use of information during the duty performance;
- providing new information on the security situation at the beginning of the shift during the briefing;
- incorporation of the information into long-term or permanent standing instructions, directives and regulations.

In 2004, 19 persons were arrested and apprehended at the DBC and the same number in 2005.

One counterfeit travel document was discovered in 2004 and 2 documents were discovered in 2005.

5.2. Infrastructure and equipment

The signposting was found to be partly in accordance with Council Decision 2004/581/EC on the minimum indications on signs at external border crossing points and with Annex III to the Schengen Borders Code. Signs were illuminated and well visible.

In Terminal 2 one departure booth was marked only “passport control”. The same situation occurs in the Terminal 1 with the departure booth and arrival booth.

During the border check of an arriving flight the experts observed that personnel used both signs on one cabin simultaneously or did not illuminate the signs at all.

RESTREINT

Terminal 1 (2 departure gates and 1 arrival gate) is used for:

- Arrivals and departures of domestic flights.
- Arrivals and departures of charter flights.

Terminal 2 (4 departure gates and 1 arrival gate) is used for:

- Arrivals and departures of international and domestic scheduled flights.
- In exceptional cases non-Schengen flight arrivals.
- Departures of international and domestic flights.

Passenger flows for flights with different regimes are separated by the time of operation.

In the General Aviation Terminal the same one gate is used for arrival and departure control. Separation is organised by the time of the proceedings: arrival or departure, Schengen or non-Schengen flight. The officials of the DBC, Customs and an employee of the Airport Safety and Security Department are responsible for the separation of these regimes.

The crews of the general aviation and passenger flights pass the border checks in the same way as passengers of regular flights.

Buses are used when it is necessary to guarantee the separation of passengers but usually passengers move to and from the plane on foot. DBC officials are responsible for closing and opening the doors and observing the non-Schengen and Schengen passenger flows.

According to the information provided by the airport administration, the adaptation of the infrastructure for the separation of Schengen/non-Schengen flights will be finished by 1 April 2007. The administration presented a list of the works that have to be done.

RESTREINT

The plan for the separation of Schengen and non-Schengen flights is as follows:

- Terminal 1 is to be used for the arrival of non-Schengen flights and for the departure of non-Schengen and Schengen flights (gate F). The possibility exists for joint operation of both departure gates for non-Schengen traffic.
- It is planned that Terminal 2 will mostly be used for Schengen flight arrivals, making use of both entrance gates 22 and 23. In exceptional cases it will be used for non-Schengen arrivals, making use of entrance gate 23 only. Gates A, B, C, and D will be used for Schengen flight departures only.

The experts found the plan acceptable if all planned works are completed according to the diagrams and description presented.

There are 6 booths at arrival and 4 booths at departure at the first line of border control. 1 booth is used for the control of general aviation and the crew members. There is one second-line office on the premises of the arrival terminal for both directions.

The construction of the booths on arrival and departure in Terminal 1 and arrival booths in Terminal 2 fully complies with the recommendations and the booths face the passengers.

There are 2 booths with 2 working positions each at arrival and one booth with 2 working positions at departure in Terminal 2. The booth at departure does not offer the possibility of observing passengers awaiting control because of its position just behind the doors. It is impossible for Border Police officers to have a view of the people queuing up.

No booth and only a desk is used for the border checks in the General Aviation Terminal

All booths at the first line in Terminal 2 were equipped with a PC connected to the network, a travel documents reader, a portable magnifying glass, a portable UV lamp, a retro-reflexive browser, a DOCUTEST and a phone. The booths in Terminal 2 at arrival were equipped with CCTV cameras for permanent recording of the passengers being checked. The experts were told that the recording is made for border control and crime combating purposes.

RESTREINT

The Common Manual was available for the border control personnel at the first line via Intranet.

Entry and exit stamps used for the stamping of the travel documents of third-country nationals were found to be in compliance with the technical specifications referred to in Article 9 of the Decision of the Schengen Executive Committee SCH/COM-EX (94)16 REV 1 as well as in Art 2.1 of the Common Manual. There are 11 stamps for all the personnel performing the border checks.

The experts found the computer network fast for passport control but slow for help functions via Intranet.

A PC used for border control in the General Aviation Terminal is not connected to the network and a staff member must every time insert a CD with the information.

The second-line office was equipped with a Projectina Inspect II device for the examination of travel documents, a stereoscopic microscope, a digital camera, a PC connected to the network and a printer.

All control booths at the first line are equipped with a phone and connected to the computer network. Additionally, mobile VHF radio transmitters are available for communication.

The DBC has means of transport guaranteeing the necessary mobility of personnel for carrying out service tasks.

Access control is exercised by the Airport Safety and Security Control Department. The Border Police participates in the security protection of civil aviation.

There are 2 detention rooms with the necessary space and good conditions for detained persons at the airport. The number of persons detained over the past 2 years has been very small. Only 2 persons were detained in 2004 and the number was the same in 2005.

Visa stickers are stored in a safe in a permanent service room together with the entry and exit stamps. Blank visa stickers and issued visas are strictly recorded. The Committee inspected the storage and use of visa stickers and was satisfied with the procedure.

RESTREINT

5.3. Controls and procedures

Passengers walk from/to the plane under the control of the Border Police and will be divided between the terminals.

The experts observed the border checks of passengers on arrival and noticed that all the passengers were checked. EU citizens passed a minimum control. Thorough checks were carried out on third-country nationals.

During the checks of third-country nationals UV lamps and passport readers were used on a regular basis. In the process of passport control third-country nationals were checked via several databases, among others via the police information system IPI.

During border checks profiling was used and persons were asked about the circumstances of their trip. In the event of any irregularities in travel documents or if there were any other doubts, the police official asked the person to undergo the second-line control.

The Committee noticed the professional manner and experience of the border control personnel.

The passengers who were subjected to the second-line control procedure had to wait for the results in front of the first-line control booth as the second-line office is dislocated behind the first-line control and cannot be used for work with passengers.

The experts found that the stamping of travel documents was in general performed pursuant to the provisions of the Common Manual. As at Bratislava Airport, in some cases the visa stamp covered the machine-readable area of the visa.

There are no personal data-stamps for all the border control personnel. Before starting duty the police official confirms that he has taken over the stamp by signing a registration book. Stamps are stored in a safe in a permanent service room. Protection codes were changed each month and the actual code for the current month was stored in the operational centre.

RESTREINT

Various registers are used both by the personnel performing border checks at the first line and by the officers working at the second line. Information system IPI, databases of blocked persons and wanted persons are used at the first line. Police information systems BORIS, IPI, PATROS, FOREIGNERS, PASSPORTS IS, REFUGEE and access to EURODAC and FADO were available at the second line. It is possible to make requests by phone to the databases on documents, weapons, persons of interest to the police, the register of prisoners and citizens register.

Access to the Common Manual was provided via Intranet at both the first and second control line but not all officers of the DBC were able to find it. Regulations of the Common Manual and requirements of the other legislative acts of the EU and the Slovak Republic on border checks were assembled in the national handbook on border checks. The handbook was available for the personnel performing border checks via Intranet or in the printed version.

A decision on refusal of entry has to be taken by the Head of the Shift. The experts found proceedings being registered in the special journal. The necessary form is available on computer and is printed out after having been filled in.

The number of refusals of entry over the past few years has been small. 10 persons were refused entry in 2003, 16 persons in 2004 and only 3 persons in 2005. No asylum applications have been submitted at the Košice-Airport DBC in the past 3 years.

Only two types of visa are issued at the DBC: transit visa and short-term visa. Visas are issued pursuant to the provisions of the Common Manual and the Act on Stay of Foreigners. Visas are issued by the Head of the Shift. In 2003 6 visas were issued, in 2004 6 visas and in 2005 8 visas.

The second-line activities consist of:

- detailed verification of submitted travel documents;
- examination of the documents concerning the purpose of travel and, when necessary, verification of the person's background;
- assessment of sufficient means of subsistence for the whole stay, return to the country of origin or transit and whether these means can be obtained in a legal way;
- direct verification of personal data in the police information systems and
- verification to ensure that a person or transported item does not represent a threat to public order, national security and international relations.

RESTREINT

5.4. Border surveillance

Surveillance of the territory of the airport and the fence is performed by 62 fixed CCTV cameras (55 cameras in operation) and 3 movable cameras. The DBC has access to the camera information via the monitors situated in the operational centre. The entire perimeter of the airport is fenced and patrolled by the personnel of the Airport Safety and Security Control department and DBC.

5.5. Staff and training

The personnel of the DBC have senior officer or higher-grade posts. The Committee found the officers professional and motivated. Many of them have served at the DBC for a long time.

All the personnel performing border control have taken the basic training according to the national training system for Border and Aliens Police officers.

Heads of units receive special further training. Officers have refresher training for 1 day every 1-2 months.

8 officers at the DBC are able to communicate in Russian, 7 in English, 3 in Hungarian and one in Spanish; 12 persons understand at some level Russian, 8 English, 7 Hungarian and 5 German.

12 police officers had participated in language courses provided by the Ministry of the Interior and 8 in individual language courses.

Specialised training in document checking is mainly provided for the Heads of the Shifts and the second-line officers.

There is no specialised refresher training for officers at managerial level.

RESTREINT

As from 1.1.2006 there are 52 police officers at the Košice-Airport DBC. The personnel are divided into two shifts: day shift from 6.00 until 18.00 and night shift from 18.00 until 6.00. According to the planning of the shifts there are 6-8 officers on the day shift at the first line and 1-2 at the second line and 4-5 officers on the night shift on average. 10 officers have received training for the second-line control. The second-line officers are sometimes used for the first-line control. The experts found that every first-line Border Guard officer performs about 4 000 border checks of non-Schengen passengers per year so the number of personnel was considered to be quite adequate.

After the Slovak Republic joins the Schengen area it is planned to increase the manpower of the Košice-Airport DBC by about 40 police officers.

5.6. Readmission, expulsion and illegal immigration, carriers' liability

It was explained to the experts that all 100% of persons not admitted to the Slovak Republic were readmitted, and information about each person readmitted in 2003 – 2005 was presented. According to the information all persons were readmitted to the Czech Republic or to Austria.

There is no unit or staff responsible for combating illegal immigration networks in the DBC structure. Combating the illegal immigration networks is organised centrally at the level of the Border and Aliens Police Bureau and at the level of the border police region. It was explained to the experts that such a unit previously existed.

No sanctions have been imposed on carriers.

5.7 Comments and recommendations of the Evaluation Committee

The experts were appreciative of the following facts:

- There is a sufficient number of experienced and motivated officers in the DBC.
- A clearly structured concept for the separation of passengers on Schengen/non-Schengen flights is planned for the future.
- There is new and modern equipment at the second line.
- First-line procedures and use of the registers is sufficient.

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The experts took special note of the following items:

- For the separation of passenger flows a wall (glass, nets) extending to the ceiling should be added.
- Access to the Common Manual and Schengen Borders Code should be provided to all officers at the first and second line.
- Besides the well-functioning inter-agency and regional cooperation, the Committee proposes that enhancement of practical international cooperation at DBC level of be considered.

The experts consider that there is room for improvement in the following areas:

- The second-line office is not used for the entire second-line procedure.
- The departure booth at Terminal 2 does not offer the possibility of observing passengers before border checks.
- The control desk in the General Aviation Terminal should be replaced by a control booth and an online computer should be installed.
- The Committee proposes to find a solution to how to make the signs on the booths in the arrival hall of Terminal 2 easier for passengers to understand and to use only one active sign at the control line.
- The Committee proposes to seek possibilities for increasing the speed of the Intranet for help functions.

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6. GENERAL CONCLUSIONS INCLUDING RECOMMENDATIONS AND FOLLOW-UP

- The Committee appreciates the general border control strategy at the air borders of the Slovak Republic and performance of the border checks which are almost in line with Schengen requirements. However, it would be useful if there were a written strategy paper as a basis for the development of border management.
- In general the experts were satisfied with the sufficient number and professional quality of personnel and the availability of technical resources for performing border control. The experts saw a need for enhancing the linguistic training of the personnel performing border checks or for recruiting persons with the necessary level of foreign language skills. Special management training and continuous training in the examination of travel documents should be available. Some improvement is needed in performing the profiling and interrogation of passengers and the stamping of travel documents.
- The Committee recommends improving the practical implementation of cooperation with counterparts in neighbouring and other countries at local level (e.g. cooperation between the border crossing points at the airports).
- The infrastructure for the current border checks is largely in place, but the reconstruction of the airports for separation of passengers on Schengen and non-Schengen flights has not yet been completed. The experts stress the need to bring the existing infrastructure into line with Schengen requirements and to complete the reconstruction works in time. The experts consider there is a need for reports on progress in the reconstruction of the airports and for follow-up.
- The experts see a need to clarify the current big difference between the number of illegal immigrants detained at the borders and within the country and the numbers of persons readmitted and expelled¹.
- The Committee stresses the need to adopt all border control procedures along with the Schengen Borders Code before 13 October 2006 and to provide corresponding training for all personnel of the Border and Aliens Police Force of the Slovak Republic.

¹ Comment by SK. See footnote 1 on page 16.