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

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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

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RESTREINT UE

SCH-EVAL 112  
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## NOTE

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from : the Republic of Lithuania

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to : the Schengen evaluation Working Party

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

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## Question 1.

**a) What activities have taken place over the past four years: how many courses have been organised, on what subjects, for how many officials, how long did they last and what form did they take?**

The order of the Commander of the State Border Guard Service confirms the plan of professional training for the current year, specifying the number of professional training activities, the number of civil servants (including officials) from the central authority to the State Border Guard Service (Staff), battalions and other divisions of the State Border Guard Service, the place of the training, duration, date, namely such order confirms the plan of centralised professional training for the officials from the State Border Guard Service.

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The activities of professional training that have been organised in the centralised way take place at Visaginas Border Guard School and the training centres subordinate to the mentioned school (in Medininkai, Palanga), universities (chiefly at Kaunas Faculty of Police of Mykolas Romeris University) and other institutions entitled to provide the training for the civil servants (mainly at the Lithuanian Institute of Public Administration), where the computer literacy, administrative and other skills are improved, as required for the execution of functions with reference to the implementation of the EU law (*acquis*).

## Centralised Professional Training of the Personnel of the State Border Guard Service for 2002-2005

	Period			
	2002	2003	2004	2005
Number of the activities organised	174	183	189	351
Number of participants inter alia:	1694	1702	1535	2107
specialists (officers)				
border officials	1102	954	872	1253
(non-commissioned officers)	592	757	663	854

Under the order of the Commander of the State Border Guard Service, as mentioned above, the validation is passed also on the teaching plans for the education by separate teaching programmes intended for the officials of the State Border Guard Service (for example, for the specialists of dog training, examination and check of documents, etc.).

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Training courses			Period							
			2002		2003		2004		2005	
Courses/programmes	Duration (days)	Form	Number of activities	Number of participants	Number of activities	Number of participants	Number of activities	Number of participants	Number of activities	Number of participants
<b>EU/Schengen acquis requirements for border security</b>	3-5	theoretic/ practical	2	42	3	78	4	59	13	188
<b>Personal travel documents: visa</b>	5	practical/ theoretic	2	45	2	47	-	-	-	-
<b>Check and examination of travel documents</b> (specialised courses of three levels)	2-5	practical/ theoretic	4	37	10	137	14	197	16	219
<b>Foreign language training</b>	5-90	practical/ theoretic	15	130	16	171	21	236	14	147
1. English 2. German	5-90 10-20	practical/ theoretic	13 2	102 28	10 6	128 43	16 5	209 27	13 1	133 14
<b>Schengen Information System (SIS)/Training of Sirene trainers</b>	5	practical/ theoretic	-	-	-	-	-	-	1	31
<b>Training based on the Special Kaliningrad Transit Programme</b> (courses on document check and examination, Facilitated Rail Transit Document (further – FRTD)/Facilitated Transit Document (further - FTD) system issues, courses on work with video and sensor monitoring system within the borderland between the state border and state border crossing point)	5	practical/ theoretic	-	-	17	201	9	124	6	87
<b>Training courses on dog training</b> (specialised courses on narcotic substances; search of weapons, alcohol, tobacco, search of persons, courses on guard dog training; primary training and lifelong courses)	1-20	practical/ theoretic	14	172	16	98	20	175	16	135
<b>Training at the Finnish Border Guard Service</b> (pursuant to the co-operation programme between the State Border Guard Service and the Finnish State Border Guards)	3-10	practical/ theoretic	12	103	9	142	3	33	-	-
<b>Training courses by the programme of “Twins” project between the Ministry of Foreign Affairs of the Republic of Lithuania and the Ministry of Foreign Affairs of Finland</b> (preparation for the introduction of the Schengen <i>acquis</i> requirements)	3-4	practical/ theoretic	57	636	-	-	-	-	-	-

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<b>Training on the issues of personnel management, inner audit</b> (following the memorandum of mutual understanding with the Federal Border Guards of Germany)	4	practical/ theoretic	2	34	-	-	1	12	-	-
<b>Application of the Schengen requirements in carrying out border control at an airport</b>	4	practical	-	-	-	-	-	-	2	16
<b>Target support office activities</b> (following "ACT" programme)	5	practical/ theoretic	-	-	-	-	1	8	1	14
<b>Courses "Training Day on the European Union"</b> (teaching of the trainers according to "ACT" programme)	3	theoretic/ practical	-	-	-	-	-	-	3	59
<b>Total</b>			108	1199	73	874	73	844	72	896

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## Centralised Professional Training of the Officials of the State Border Guard Service on the Issues of the Schengen *Acquis* Requirements for the Years 2002 – 2005

b) What activities are planned for 2006 and 2007: how many courses will be organised, on what subjects, for how many officials, how long will they last and what form will they take?

## Planned Centralised Professional Training of the Officials of the State Border Guard Service on the Issues of the Schengen *Acquis* Requirements for 2006

Training courses					
Courses/programmes	Duration (days)	Form	Number of activities	Number of participants	
<b>EU/Schengen <i>acquis</i> requirements for border security</b>	2	Theoretic/ practical	<b>51</b>	<b>875</b>	
<b>Training on verification and examination of travel documents</b> (specialised courses of three levels)	2-5	practical/ theoretic	<b>14</b>	<b>195</b>	
<b>Foreign language training</b> (pursuant to the programmes of Visaginas Border Guard School, Kaliningrad transit, Schengen measures)			<b>41</b>	<b>453</b>	
English	5-25	practical/ theoretic	22	263	
German			3	30	
French			2	20	
Russian			14	140	

<b>Training courses on dog training *</b> (specialised courses on narcotic substances; search of weapons, alcohol, tobacco, search of persons, courses on guard dog training; primary training and lifelong courses)	3-20	practical/ theoretic	8*	73
<b>Training based on the Special Kaliningrad Transit Programme</b>			<b>12</b>	<b>184</b>
1. Courses on FRTD/FTD transit system issues	5	practical/ theoretic	4	62
2. Courses on document control and examination	5		3	42
3. Courses on FRTD/FTD transit system issues, document control and examination	5		5	80
<b>Training based on the programme of the Schengen measures</b>			<b>18</b>	<b>180</b>
1. Courses on the application of the Schengen <i>acquis</i> requirements	5	practical/ theoretic	7	70
2. Courses on document control and examination	5		11	110
Total				1960

**NOTE.** \* The number of professional training activities on dog training has been reduced due to the ongoing construction of dog training centre buildings.

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## c) What activities, if any, are planned for 2008?

The professional training activities for the officials of the State Border Guard Service for 2007-2008 and the number of participating officials have not been planned. The centralised plan of professional training of the officials of the State Border Guard Service for 2007 will be drafted in the autumn of the present year (respectively, the educational plan for 2008 will be drafted in the autumn of 2007), following the planned budget of the State Border Guard Service. The subject of the training courses and the number of the officials as planned to be taking part in the training will be organised with reference to the needs of the divisions of the State Border Guard Service. It should be stated that in the professional training programmes for the officials of the State Border Guard Service for 2007-2008 the priority will be granted to the foreign language training, courses on document control and examination, Kaliningrad transit and dog training, moreover, training courses to improve other skills of the officials to apply the Schengen *acquis* requirements for border control and security.

## **Question 2. Please describe in more detail how the personnel from the services, responsible for guarding external borders, is involved and how such engagement is planned to be developed seeking incorporation into the Schengen space.**

The responsibility for the external border control is granted to the State Border Guard Service. At the border crossing points (border control points) besides the functions performed by the personnel of the State Border Guard Service other services are also conducting their responsibilities within the limits of their competence:

Customs department (subordinate to the Ministry of Finance); State Food and Veterinary Service (subordinate to the Ministry of Environmental Protection); State Plant Protection Service (subordinate to the Ministry of Agriculture); State Public Hygiene Centre (subordinate to the Ministry of Health).

The personnel of the State Border Guard Service, being responsible for the assurance of the external border control, is engaged in:

- safeguarding border surveillance (applying various border guard types, considering the vulnerability of the protected state borderland, risk factors, characteristics of the locality, the technical surveillance and control means used, etc.; reinforcing the protection of external borderlands near the internal borders by engaging the present staff, etc.);



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- assuring smooth work at border control points;
- performing other functions, as provided in the legal acts regulating the activities of the State Border Guard Service.

Within the limits of their competence the staff of the State Border Guard Service takes part in various target operations alongside with the customs, police and other co-operating institutions. These operations are conducted in the borderland or at the border control points (for example, fight against smuggling, illegal production of alcoholic beverage, prostitution, destruction of narcotic plant plantations, etc.). The personnel of the State Border Guard Service is also engaged during the international operations (both with the services of neighbouring countries and also at the regional level).

Responsibility for the protection of an adequate part of the state borderland lies with the outpost of the State Border Guard Service (divisional battalion of the State Border Guard Service). Currently there are 38 outposts close to the Lithuania's internal and external frontiers, namely:

- 29 outposts are guarding the external borders;
- 9 outposts are guarding the internal borders (2 outposts, thereof, assure the protection of the state borderland with Poland, other – protection of the state borderland with Latvia).

Already since 2002 the State Border Guard Service has conducted targeted actions seeking reorganisation of internal border control. The national action plan for the adoption of the Schengen *acquis*, approved by 2002 Resolution of the Government of the Republic of Lithuania, defines: with the elimination of control near the internal frontiers of the European Union more than 50 % of the personnel of the State Border Guard Service shall be redeployed next to the frontiers of Russia and Belarus.

Within the battalions, which are guarding the internal borders, the number of staff is being reduced. Since 2002 approximately 304 positions have been redeployed and this constitutes about 24 %.

Once the incumbencies are vacant they are established at the structural divisions next to the external frontiers of the European Union.

Pursuant to the plans, part of the staff safeguarding the internal borders will be redeployed to the external borders by predicting the following: to establish the International Border Guard Training Centre at Medininkai, to establish the Aviation Battalion in order to assure protection at Palanga airport, to allocate additional forces to assure cross-border control at border control points in close proximity to the external frontiers, to establish 3 new outposts next to the external frontiers (close to the border with Russia and Belarus).

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## Question 3. On the issue of legal assistance assignments: how many inquiries as regards the provision of information have been accomplished?

Legal assistance assignments sent and accomplished for their implementation during the period from 1 May 2003 up to 1 June 2006

Country	Legal assistance assignments sent
Latvia	44
Federation of Russia	15
Poland	17
Denmark	1
Republic of Belarus	55
Ukraine	2
Slovakia	1
Norway	1
Germany	6
England	1

The numbers given are not exact, as a service carries out pre-trial investigations following the territorial principal and the Code of Criminal Procedure of the Republic of Lithuania, pre-trial investigations are conducted and organised by a prosecutor, consequently, pursuant to the diverse existing prosecutorial practice, as it has settled in the Republic of Lithuania, several prosecutor's offices forward legal assistance assignments themselves and the following data is not retained in the records of our Pre-trial Investigation Sections. This inaccuracy amounts approximately to 30 legal assistance assignments (during the overall period).

In the course of the said period of time Prosecutor General's Office of the Republic of Lithuania has forwarded 18 legal assistance assignments for their implementation.

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**Question 4. On the issue of fight against organised criminality, illegal migration and cross-border crimes: how is the data of statistical analysis transformed into the effect measures on the operative level?**

Underlying sources of statistical information:

√ computer-based information system “Siena” for the reported cases that happened in the frontier area;

√ computer-based information system VSATIS that registers persons and vehicles crossing the state border.

Statistical information is used for the management decisions to be taken on the basis of risk analysis targeting the following directions:

√ during the investigation of the registered cross-border cases it is highly possible to determine the most vulnerable state borderlands, provide threat risk assessment and draw decisions on a corresponding level:

- central level: Action Organisation Board of the Staff, alongside with the Operational Activities Board, conducts constant monitoring of the situation in borderland, prepares long-term forecast of the changes of the situation, on the basis of which together with the Infrastructure Development Board, Information and Communications Board and Personnel Board of the Staff it plans and implements the means to reduce the negative impact caused by risk factors (border infrastructure development, introduction of technical border guard measures, professional development of the personnel);

– territorial level: battalion border guard units, alongside with the operational activities sections, perform permanent monitoring of the protected state borderlands, determine the most vulnerable areas, submit proposals to apply technical protection means on such borderlands, allocate additional forces for border guard and carry out target operations in the mentioned areas;

– local level: commander of the outpost, having considered the risk factors established and having evaluated the operative situation within the protected state borderland, envisages optimal routes of the patrols and the deployment of the forces available to assure the protection of the “green” border;

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√ during the investigation of the registered cross-border cases, the flow of persons and vehicles crossing state border and the operative information available, it is possible to determine the risk factor manifestations in organised criminality, illegal migration and cross-border criminality, which are used on a respective level:

- central level: constant analysis of the manifestations of organised criminality, illegal migration and cross-border criminality and analysis of the threat caused by such manifestations, notifications to the divisions of the Services on new methods of criminal activities, determination of potential criminal relations and organised criminal groups, administration of the list of risk factors at a Service;

- territorial level: after investigating the collected operative information of the pre-trial investigations carried out by the battalions and other information, as well as having reviewed information at the available databases and the risk factors (for instance, vehicles, which are most frequently crossing the state border, suspecting them of the transportation of contraband), the divisions of the battalion operational activities foresee and conduct adequate measures to fight against the manifestations of organised criminality seeking to reduce negative effect caused by risk factors at particular border control points or in every protected area, as well as administer the lists of risk factors that manifest during the battalion's fight against organised criminality;

- local level: border official, who performs border control actions at a border control point, identifies and applies in the course of his service the risk factors associated with the crossing of the state border;

√ making use of the integrated data processing programme "Argus" and on the grounds of the data about the persons and vehicles crossing the state border, as registered on the computer-based information system VSATIS, the officers of operational divisions perform the following actions:

- make data lists (for instance, when, how many times and what border control points the person under examination was crossing, the other accompanying persons, by what means of transport he crossed the state border, who from the border officials examined that person, etc.);

- while investigating the obtained lists, officers determine potential manifestations of criminal acts and the linked risk factors;

- propose and carry out the measures to reduce negative effect caused by the risk factors determined: to take preventive measures, to initiate operational investigation of a criminal act (once the operatively examined information proves out the pre-trial investigation is initiated).

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**Question 5. Please describe in more detail how records in VSATIS system are made and what terms of this system application are.**

VSATIS is the integrity of software and telecommunication means allowing recording and storing the chronicle on crossing the state border of the Republic of Lithuania and cases related. For the convenience of system users additional possibilities to access e-mail, data browser and other e-services are granted to the users.

The key functions of VSATIS include the checking of the persons, vehicles and the numbered items crossing the state border of the Republic of Lithuania via the registers within the existing systems (“black” and other data lists).

VSATIS works with the data of the following spheres: persons, documents (passports, personal certificates, etc.), numbered items, vehicles, cross-border restrictions, cross-border points, and border control cases.

Data into VSATIS is entered in two ways:

1. If any person has any possibly scannable travel document, which conforms to *ICAO* requirements, the data scan of a personal document happens automatically once the document is placed on the scanner. The data of a document gets into the database.
2. In any other cases data is entered manually. A personal document is taken and the following data is entered: type of the document, the documented three-letter-acronym of the country from the list provided to the user, personal surname and given names, number of the document, three-letter-acronym for citizenship from the list provided to the user, date of birth, sex (letter “*M*” stands for male and letter “*F*” - female), document expiry date, identification number (if any).

Cross-border control is carried out during the detailed border examination and, in case any suspicion is raised during it, the object under examination is sent to the second inspection line. Currently VSATIS service is used by over three thousand users, more than half a thousand workplaces there are at border control points, outposts, battalions and other divisions of the State Border Guard Service. VSATIS users are also the officials of other institutions (State Security Department, Customs Department, Special Investigation Service, Police Department and its regional police units), who receive data on the basis of data provision agreements.

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The currently applied VSATIS was introduced in December 1999. Pursuant to the hereupon applicable legal acts of the Republic of Lithuania, all the data of the persons crossing the state border was required to be stored in the database. After the admission of Lithuania into the EU and starting to apply the Schengen *acquis* requirements, the documents that belong to the EU citizens and that conform to risk factors or profiling only are scanned and checked in the databases by applying the same software, as installed in 1999, thus, it is impossible nowadays to avoid storing the personal data of the examined EU citizens (the database fields, such as SURNAME, GIVEN NAME (-S), DATE OF BIRTH, NUMBER OF THE DOCUMENT, are set as obligatory requisites).

During this year the Ministry of the Interior of the Republic of Lithuania has announced public procurement "Creation and Introduction of the Technical and Information Infrastructure of the Lithuanian National Schengen Information System", the constituent part of which is VSATIS modernisation by applying it to the Schengen *acquis* requirements. VSATIS modernisation is planned to be terminated by the middle of 2007. Once the modernised VSATIS is introduced personal data of the EU citizens will not be stored in the system. The present data stored in the system is used for statistical purposes (including EUROSTAT).

Protection of VSATIS is guaranteed by user authentication, which is transparent. Seeking to carry out identification NT Domain and electronic chip ID cards are used. Having authenticated himself in his workplace (computer) official may solely work in a specific workplace and perform only the functions ascribed to him. All the actions of the officer are recorded in the information system. Currently VSATIS is a decentralised system. Local bases of border points, as established by range, transmit information to the central VSAT database about cross-border facts.

Presently, VSATIS is identified as the user of national registers and information systems and the user of the SIS II system, which is still being created; consequently, decision has been drawn to re-establish VSATIS. The reorganised VSATIS would operate in "Online" mode and have interface with the Schengen Information System and Visa Information System, which are under construction. According to the plans, the re-established VSATIS would start its operation in the summer of 2007.

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**Question 6. Is the personal data APIS/PNR, which is accessible to border guard institutions, related to the passengers of the carriers?**

Data about passengers, which is available to carriers, is inaccessible to VSAT institutions, but upon necessity carriers are addressed in a written form regarding every passenger (for example, ticket acquiring places, payment procedure, who was booking the tickets, etc.). Currently we are receiving only the paper copy of the passenger lists.

**Question 7. Please describe in more detail the distribution of border guard personnel, their tasks and work cycles at Vilnius airport.**

Border control point of Vilnius airport is open 24 hours per day. The work cycle at the border control point of Vilnius airport is the following: administration of border control point (chief of the border control point, deputy chief, two administrative officials and freelance clerk) works on workdays from 8 a.m. until 5 p.m., moreover, there are 4 shifts (working time of which is from 7 a.m. until 6.30 p.m., from 7 a.m. until 8.30 p.m., from 6 p.m. until 7.30 a.m. and from 8 p.m. until 7.30 a.m.) and an additional fifth (5) shift (comprising several officers – number may differ every month), which works at daytime only (from 7 a.m. until 6.30 p.m. and 7 a.m. until 8.30 p.m.). The total number of incumbencies occupied at this moment at border control point is 91 (99 incumbencies intended).

The tasks performed at border control point (distribution):

- the shift senior of border control point (1);
- the border control point officer on duty (1);
- document check of the outgoing passengers – senior task officer (1);
- document check of the outgoing passengers (5);
- document check of the incoming passengers – senior task officer (1);
- document check of the incoming passengers (5);
- aircraft inspection, document check of the flight crew, surveillance and passenger escort (2);
- visa issuance (1);
- check of persons, vehicles and the transported cargo for radiation (1).

Note: the number in brackets indicates the number of officers performing a task.