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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.

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Brussels, 11 September 2006

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SCH-EVAL 128
VISA 222
COMIX 736

REPORT

from : Evaluation Committee
to: Schengen Evaluation Working Party

Subject : Report on the Evaluation Committee's mission to the Consulate General of **Latvia in St Petersburg** in the context of the New Member States' preparations for the full implementation of the Schengen acquis

Delegations will find attached the report of the Schengen Evaluation mission to the Consulate General of Latvia in St Petersburg, drafted by the Evaluation Committee (cf Annex) (hereinafter *EvalCom*). It is presented to the Sch-Eval Working Party for discussion and adoption, allowing for its eventual submission to the Council.

The comments of the Latvian authorities are set out in footnotes.

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The members of the Evaluation Committee (EvalCom) wish to thank the Latvian authorities and the the staff of the Consulate General in St Petersburg for the good organization of the visit, the co-operation and assistance by the staff on the spot in helping Evalcom to carry out its task during its visit.

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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 evaluations adopted by the Council (15275/04 SCH-EVAL 70 COMIX 718, and 7638/2/05 SCH-EVAL 20 COMIX 200), an Expert Committee (*EvalCom*) visited the Consulate General of Latvia in St Petersburg on 15 May 2006.

At the moment of this evaluation, the Visa Facilitation Agreement between the European Community and the Russian Federation, signed on 25 May 2006, had not entered into force yet.

2. MANAGEMENT SUMMARY

Evalcom considers that, on the basis of the checks carried out and the information gathered, Latvia, as far as its Consulate General in St Petersburg is concerned, may be in a position to implement the Schengen Acquis in full in due course. No significant failings or chronic errors were noted in the daily work of the Consulate General.

Positive practices worth a particular mention, included:

- the amount and quality of information provided to applicants on consular services;
- the accreditation system used for cooperation with both travel medical insurance companies and travel agencies, and
- regarding security, the existing staff rotation scheme and the presence of a ticket/number system.

Issues requiring special attention or reviewing by the Latvian authorities in order for Latvia to join Schengen in full related mainly to :

- the submission of applications, and the rather low number of applicants being interviewed;
- the rather limited possibilities for the Consulate General provided by the IT system to exchange information when consulting central authorities;
- the risk of refusing a visa to someone appearing on the EU visa ban list for whom an exception is foreseen;
- general security issues, related to the keeping of visa stickers and the counter area (windows), and
- the legibility of the machine readable zone.

These issues are dealt with in depth in the following chapters and the resulting general conclusions and recommendations can be found in chapter 13.

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3. ACCESS TO THE CONSULATE GENERAL AND CONSULAR SERVICES

3.1 Location; entrances

The Consulate General is located in the centre of St.Petersburg close to a number of other Consulate Generals. There are two entrances: a main entrance leading i.a. to the visa section (used by applicants and other visitors of the Consulate General) and a back door entrance in the yard, used by staff.

The Consulate General has three floors, with on the 1st the reception rooms for visa applicants and the workrooms/offices of the Consul, the vice-consuls and technical staff. The 2nd floor is used mainly by the (acting) Consul General, her assistants and one vice-consul, the 3rd floor houses private apartments (Consul and vice-Consul).

3.2 Information

Telephone inquiries can be made to the visa section Monday to Friday from 9:30-17:00. An automatic answering machine provides 24-hour basic information on visa questions in Russian and English. A Consulate General website was set up recently. Applicants can also obtain the relevant information from the website of the Ministry of Foreign Affairs (MFA) and from the website of the Office of Citizenship and Migration Affairs of the Ministry of Interior (MoI) in English, Russian and Latvian.

There is a notice board outside the building providing information in Russian and English on documents required, samples of application forms, the handling fee, opening hours, means of subsistence, travel medical insurance etc. and a similar one in the waiting room. Additional guidelines on how to fill out application forms (in Russian and English) are available at the reception desks.

3.3 Application forms

Application forms in Latvian/English, and Russian/English can be obtained outside the building, in the waiting room or from the above-mentioned websites. The present form is, in substance, already in compliance with the Schengen uniform visa application form ¹.

3.4 Access management

The Consulate General is open Monday to Friday 9:30-12:30 (reception of documents) and 14:00-15:00 (delivery of passports). Although official working hours are 9:00-17:00, the timetable is flexible in order to meet the requirements of applicants, especially during peak periods (i.e. December and summer, when the daily number of applicants may reach up to 150).

¹ Council Decision N° 2002/354/EC of 25 April 2002, OJ L123 of 9.5.2002, p.50.

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A police officer from the Russian MoI guards the entrance outside (24/7) and checks passports; if necessary, he organizes a queue outside the Consulate General. After applicants enter the Consulate General, they are directed upstairs by a Latvian police officer who controls the flow of applicants, through a metal gate, to the waiting room. Just before entering, applicants draw a number (ticket system) which points them to a given counter.

The recently renovated waiting room contains 2 tables and 8 chairs. A maximum of 10 applicants is allowed in the waiting room at one time.

A metal door separates the visa section from other parts of the Consulate General (see also 4.). The visa section has 3 counters, one of which in a separate office (no 3), for receiving applicants, ensuring privacy. This counter is used when the Consul or the Vice-consuls hold interviews with applicants. On Wednesdays, this counter is also used for other (non-visa) questions (residence permits, citizenship of Latvia etc.). The other two counters are used for visa applications by travel agencies in the afternoon (no 1) and individual applications (No 2); they are received by a Latvian technical staff member.

The counters are staffed by 2 Russian employees and 1 (technical) Latvian employee

EvalCom comments and recommendations:

The information provided is comprehensive, well legible and readily-accessible for applicants. The role of the Russian police officer outside the building is unclear, since he also checks passports and therefore seems to be actively involved in the access procedure, although it was established that his official duties consist of protecting the building. Since this officer does not fall under the authority of the Consulate General, it is advisable to take measures to abolish his involvement ².

4. SECURITY (PREMISES)

Outside: One police officer from the Russian MoI guards the Consulate General. He is posted outside at the Consulate General's main entrance 24/7 (see also 3.4). In case of emergency, he can call for assistance.

Inside: Inside the premises, two Latvian police officers in turn ensure the security (24/7) of the Consulate General. He is (they are) also responsible for safety in/of the visa section.

The visa section's windows, which are above street level, are either equipped with security glass (partly bullet-proof, partly not), or barred.

The upper part of the window of the office space of the counter staff is equipped with a relatively simple hinge and could be opened.

² Comments Latvia: measures have been taken to ensure that the Russian police officer only guards the Consulate General and does not check passports of the visa applicants.

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Three cameras monitor the Consulate General's 2 entrances. In addition, a communication system is installed at the door which leads to the waiting area inside, so that anyone standing at the entrance can be seen in the reception area (of the visa section) and in the office of the Latvian police officer located in the basement. There are also cameras in the waiting room and the counter area.

A metal door separates the visa section from other parts of the Consulate General. This door is not used during opening hours and can only be used by the diplomatic and security staff.

As for the visa counters, bullet-proof glass separates the applicant from the official receiving the application. Applications and documents are received through a sliding drawer, i.e. without physical contact.

In all relevant rooms and areas, an alarm system with motion detectors is installed and functioning. The alarm system and the camera images are monitored online and real-time by the Latvian central authorities in Riga. At the time of the evaluation, not all features of this new system were installed / accessible.

The camera images can also be watched in the Latvian police officer's basement office and in the IT room. In practice the police officer monitors the images only after he has finished his work at the entrance, i.e. after reception-closing hours, since only one police officer is on duty at a time.

The images are recorded and kept for two months.

When the alarm goes off, the Consul General is immediately called.

Access to all parts of the Consulate General is by magnetic key-cards; access is differentiated according to each individual's competencies. Access rights are granted and activated by the central authorities on request of the (acting) Consul General.

EvalCom comments and recommendations:

Evalcom was informed that the Consulate General is in the process of improving certain security aspects. In this respect, to ensure safety, it is recommended that the upper part of the window described above, is properly secured, so that it could not be forced open from the street-side³.

5. Submission of applications

- Personal appearance

In general, for a first visit to Latvia, the applicant must appear in person. Exceptions are made for: travel agencies, accompanying family members (spouses, children, parents, brothers, sisters), "bona-fide" applicants known to the staff and diplomats on an official visit.

Where necessary, the expatriate staff may ask any applicant to appear in person for an interview (Evalcom was told between 5 and 7X p/day currently).

³ Comments Latvia: The remaining features of the new alarm system at the Consulate General were installed in June 2006. The safety of the upper part of the window of the counter staff's office space at the Consulate General has been solved by equipping it with an additional lock.

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- Representation

The Consulate General of Latvia in St. Petersburg does not represent any other country in visa matters.

- Nationality of applicants - Applications from non-residents

Applicants are mainly Russian citizens (99%). Other nationalities include the Ukraine and Belarus. The Consulate General accepts visa applications from foreigners residing legally in Russia.

- Handling fee

The fee is paid upon submission of the application and a receipt is given. A copy of the receipt is attached to the application form. If the applicant is exempted from payment of the fee, the (Vice)Consul marks it on the application form (*official remarks*).

The visa fee is fixed and paid in Euro: EUR 35 for single- and double entry visas, EUR 70 for multiple entry visa. The handling fee is not refunded in case of refusal.

- Application stamp

The technical staff stamps the first empty page of the passport upon submission of the application, even if the file is incomplete and subsequently returned.

EvalCom comments and recommendations:

Evalcom considered the number of applicants being interviewed rather low in relation to the relatively large total number of applications submitted; once Latvia applies Schengen in full, it will therefore become necessary to interview more applicants to ascertain the purpose of their journey, to rule out the possibility of "visa-shopping" ⁴.

Evalcom noted that the application stamp is already in compliance with the provisions described in the CCI.

⁴ Comments Latvia: As far as the Consulate General in St. Petersburg is concerned, it should be taken into account that close business and family ties with residents of the Russian Federation, cross-border cooperation as well as established joint ventures all provide grounds for a lot of Russian citizens to request visas and to travel to Latvia regularly. Since they travel frequently and therefore are well known to the Consulate General, in many cases no interviews are made with the visa applicants, because there exist no doubts concerning the actual purpose of the visits or the intentions of the applicants to return to the Russian Federation. Purpose of the visits and liability of the inviters can also be established from the information included in the approved invitations.

However, additional instructions to interview visa applicants if there exist even minimal doubts on their purpose of journey have been prepared by the Consular Department of the Ministry of Foreign Affairs and forwarded to all diplomatic and consular representations of Latvia.

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6. PROCESSING THE APPLICATION

6.1 Lodging and examination of an application

- Receiving and checking:

Local Russian and expatriate Latvian technical staff receive applications and collect the handling fee (above). They check whether the application is complete, if all necessary supporting documents are attached and automatically stamp the passport. If a file is incomplete, the passport is stamped even if it is returned to the applicant who is requested to return at a later date with a complete file (e.g. when important documents are missing).

After submission, the application is registered and the attached photo is scanned and inserted in the Latvian Visa Information System (VIS) by the Latvian technical staff.

- Further checking and Consultation:

The next step is when the (Vice-) Consul checks the application, looks through the attached supporting documents, checks for information about the applicant in the Latvian VIS and takes the decision to grant the visa or not, subject to the required consultations. A blacklist is in use which includes the EU visa ban list and which is stored electronically and connected to the Latvian VIS. Only the (Vice-)Consuls have online access thereto (without however knowing the reasons why a person is listed). An application is rejected immediately in case of a hit.

When consulting the central authorities' database, the following checks are made:

- automatic consultation of the national blacklist,
- whether applicants have the nationality of one of the 37 countries listed nationally (equivalent to Annex 5A CCI - answer received within 72 hours. An interview systematically follows), and
- certain categories of persons for which preliminary consultation is necessary (e.g. a potentially malafide application or applicant, irrespective of his/her nationality).

To check whether documents presented are recognised, a table of foreign travel documents recognised in Latvia is available.

The Latvian technical staff then print the visa sticker and return the passport to the applicant.

Passports are kept in a locked metal cupboard.

- Timeframe:

In general visa applications are processed, according to the notice board outside, within 7 working days; in practice it appeared between 5 and 8 working days (depending on the period). In exceptional cases (humanitarian reasons, State interest etc.), this period may be shorter. On the other hand, in case of doubts or in case the consultation procedure is applied, it may take up to one month.

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- Refusals:

Refusals are filed and said to be kept for 5 years, granted ones are kept for 1 year. After that period, the application files are sent to the Archive of the Office of Citizenship and Migration Affairs and kept for another 10 years.

Evalcom only found refusals up to 4 years ago present in the archives.

6.2 Supporting documents

In general an invitation approved by the Office of Citizenship and Migration Affairs ⁵ is necessary. A document proving means of subsistence is required if there is no invitation.

Tourists and business visitors may additionally be asked to provide documents confirming the purpose of entry such as hotel reservations and commercial contracts.

In case of study visit an invitation is required.

In case of minors travelling with their parents, no additional documents are required if they are registered in their mother's or father's passport..

An application form has to be filed for every applicant, including the previously mentioned minors. If accompanied by a relative or traveling in a group, a power of attorney (verified by a notary) from both parents as well as a copy of their birth certificate must be submitted. The warrantee may be a relative or the group leader.

Additional documents may be required from certain types or groups of applicants (e.g. lorry drivers, sailors are asked to provide respectively driver's license, work certificate, crew list etc.).

6.3 Co-operation with travel agencies

In 2005, 2937 visa applications (equaling 12% of the total number) were filed for tourist purposes, most of them submitted through travel agencies. According to information given by the staff, quite some applications presented through accredited travel agencies are for individual persons rather than for groups.

⁵ The procedure for obtaining an invitation is said to be as follows: The host (natural or legal person) presents a personal identification document and submits an application for an invitation (invitation letter for legal persons; information on the foreigner for natural persons). The Immigration Law declares that the liability for timely departure of the invited foreigner and also, if necessary, liability to cover costs of living during his/her stay in Latvia, as well as expenses of foreigner's health care and returning to home country is born by the host. The obtained data are inserted into the Database of Invitations. If the host is willing to cover all expenses resulting from the alien's stay in Latvia and to provide him/her with accommodation, a corresponding record is inserted in the Database of Invitations. Each invitation receives its own number. Examination of the information available on the host and the foreigner is carried out respectively in the Database of Population Register and the Database of Entry Bans (not to be confused with the EU visa ban lists); data on legal persons are also verified in the Commercial Register. Other additional examinations are also possible.

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The Consulate General regularly works with about 40 travel agencies.

The decision to cooperate with travel agencies is taken after a thorough accreditation procedure, including a special ID with a photograph for the appointed courier which must be renewed on a yearly basis and shown when submitting and collecting travel documents.

The Consulate General maintains the right to discontinue cooperation with any travel agency at all times.

A meeting with representatives of the travel agencies is organized once a year where information related to their functioning is exchanged and procedural issues are discussed.

6.4 Medical Insurance

A medical insurance policy must be submitted upon applying for a visa. The staff checks whether the insurance has the same period of validity as the visa for which the insurance was issued. There are about 40 medical insurance companies with which the Consulate General co-operates and uses an accreditation system, whereby the insurance companies must submit the following documents: documents concerning their foundation; a license issued by the Russian Authorities; a description of the insurance conditions for the insured people; confirmation of the Russian authorities that the company may operate as an insurance business and a sample of an insurance policy. The Consulate General maintains the right to withdraw the accreditation at any time.

6.5 Types of visa issued

The Consulate General receives approximately 25 000 applications p/yr (see annexed tables).

It may issue category A, B, C and D visas, although in practice A-type visas are not issued. In 2005, the largest number (+/- 80%) of visas issued were entry visas (C type), mainly single entry. 1 out of 5 were transit visas (B type), which could be explained by a special promotional offer of an airline company with a compulsory stop-over in Riga.

Usually, multiple entry visas of long validity are not issued to applicants the first time. In any case, there should be well-justified reasons (family ties, business etc.) for the applicant to obtain a multi-entry visa.

Schengen visas for the purpose of transit/stay are not recognised at the moment.

EvalCom comments and recommendations:

Concerning the consultation procedure, since the computer/data-system allows for a relatively limited exchange of information only, Evalcom had the impression that as far as applications subject to consultation with the central authorities were concerned, the Consulate General does not play an active role in the decision taking process. When applying the Schengen Acquis in full, the consultation procedure should allow for taking decisions with full knowledge of the facts, especially as far as the local context is concerned (individual facts and circumstances as well as applicable policies which have been agreed upon in the framework of local consular cooperation).

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The accreditation system used by the Consulate General of Latvia for cooperation with both travel medical insurance companies (bearing in mind that the CCI contains no provisions thereon) and travel agencies could be considered a best practice.

Evalcom was informed that an application is refused immediately in case of a hit (national blacklist and/or EU visa-ban list). In this case, the Consulate General runs the risk of refusing a visa to someone appearing on the EU visa ban list for whom an exception is foreseen (in the provisions of the corresponding EU Regulation) and, as a consequence, for whom a visa could indeed be issued (if no other doubts arise / no documents are missing of Latvian national law). This could lead to problems, especially bearing in mind that the Consulate General does not have at its disposal the EU Regulations in written form (incl. the list of exceptions) to check whether the applicant benefits from such an exception.⁶

⁶ Comments Latvia: The Consulate General in St. Petersburg as well as other diplomatic and consular representations of Latvia carry out consultations with the central authorities regarding issuance of visas electronically by means of secure data channels, that are not an integral part of the Visa Information System.

Latvia considers that diplomatic and consular representations of Latvia play active role in the decision taking process regarding issuance of visas, because of the following:

- a) during the consultation procedure consular officials at the diplomatic and consular representations may express their arguments regarding issuance/refusal of a visa in the interview protocol (formal questionnaire on two pages with separate field for official remarks) of the visa applicant or in the covering letter of the visa application, which along with visa applications are sent to the central authorities;
- b) final decision regarding issuance/refusal of a visa is taken by the consular official of the diplomatic and consular representation;
- c) in a case where there is a ground for immediate refusal of a visa, consular officials of diplomatic and consular representations may not consult the central authorities.

While elaborating the new national Visa Information System (N.VIS) the possibility to carry out consultations with central authorities regarding the visa issuance only by means of the N.VIS will be considered.

The Immigration Act (Article 16, Part 4) foresees that it is possible to take a decision of issuing a visa to the foreigner who is included in the list of foreigners whose entrance into the Republic of Latvia is forbidden, provided it complies with the provisions of international law, the interests of Latvian state or is related to *force majeure* or humanitarian considerations.

Also technically the Visa Information System allows issuing a visa to the person who appears in the list, on the basis of an individual decision.

Nevertheless, special procedure for the persons included in the EU visa-ban list has been introduced. Now, Visa Information System alerts EU visa-ban cases. After that, consultations with the central authority take place. The central authority evaluates if an exception can be applied to the particular case and carries out the necessary actions regarding the possibility to grant a visa.

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7. VISA STICKER

The expatriate technical staff print the stickers and affix them in the passports. When children are registered in the passport of their mother / father, no separate sticker is printed for them but a mark is made on the visa sticker.

There are three sticker printers, two of which are in use.

The contents of the machine-readable zone in the visa sticker are in accordance with the provisions of the CCI (Annex 10).

No stamp of the issuing authority is used when affixing the visa sticker.

There is no obligation in Latvian law for a Consul to approve the visa sticker by signing it, but the name of the (vice-)Consul who took the decision, appears on the sticker, sometimes just in the machine readable zone.

In case of a mistake, the visa sticker is cancelled and a new one issued. In case it is already in the travel document, it is done by stamping "Anuleta-Cancelled" on the sticker; in case it is not yet in the travel document, this is done in handwriting. The integrated kinegram is either spoilt or crossed out by hand. All information on cancelled and destroyed visas is stored in the database (Latvian VIS). When such visa stickers are destroyed (i.e. shredded, which is done approx. once per quarter), relevant acts are drawn up and sent to the Consular Department of the MFA and to the Office of the Citizenship and Migration Affairs.

EvalCom comments and recommendations:

Evalcom considers that care should be taken that the printed name of the vice-Consul who took the decision on the sticker is not placed in the machine readable zone⁷.

8. ISSUANCE OF VISA

Concerning the granting of visas, see above under 6.1.

Notification of a refusal is given orally; upon written request, it can also be done in writing.

National legislation does not oblige the officer who refused to issue a visa, to clarify the reasons for such a decision.

It is not possible to appeal against a negative decision on a visa application, the applicant may however submit a new application at any time.

⁷ Comments Latvia: The diplomatic and consular representations have been reminded that all visa stickers have to be printed according to the existing standards. If in a visa sticker the name of the consular official is printed lower than stipulated (in the machine readable zone) it should be destroyed with a relevant act being prepared.

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9. SECURITY (STAFF/MATERIAL)

9.1 Staff

In total, the Consulate General employs 1 acting Consul and 4 vice-Consuls (diplomats), 3 technical (Latvian) staff, and 2 Russian staff. Of this total, 3 vice-Consuls (diplomats), 3 technical (Latvian) staff, and 2 Russian staff work in the visa section although the 4th vice-Consul and the acting Consul can help out in peak periods.

Local staff may work at the counter and have contact with the applicants, indirectly supervised by a vice-consul (office next door) and monitored by a camera which can be watched locally as well as in Riga; check whether the documents presented are complete/sufficient; prepare the electronic processing application (e.g. enter data into database); hand out the visas and cash the handling fee. They may not print the sticker.

Expatriate technical staff may: receive negative answers from national databases and print the sticker.

Expatriate(diplomatic) staff may: decide whether further information or an interview is required, decide whether a visa is granted or refused and contact local partners / consular representations of other MS if necessary in particular cases.

Police and the competent national authorities carry out the checking of expatriate staff upon recruitment; for local staff, checks upon recruitment are performed at national level also.

A weekly rotation scheme is in place involving the 3 Latvian technical staff members. There is also a ticket numbering system for applicants, directing them at random to a certain counter, which has the same effect as a rotation scheme (see above under 3.4).

Evaluation, updating and training is carried out regularly when necessary.

9.2 Documents

The moment visa stickers are received by the MFA, they are registered in the Latvian VIS. At any given moment it is possible to establish to which visa-issuing authority the stickers were sent and whether they have been used already or not.

The visa stickers are transported to the Consulate General by diplomatic pouch. Within three days, the receiving Consulate General confirms their reception in writing to the central authorities which then activate the stickers in the Latvian VIS.

Inside the Consulate General, the visa stickers are stored in the safe located in the office of one of the Vice-Consuls, who also monitors the stock.

Only the Consul and one Vice-Consul have access to the safe. The Vice-Consul estimates the required number of stickers for the coming day. The expatriate technical staff must ask the Vice-Consul for stickers. The official has to sign the register book to prove that he/she received the stickers and their numbers. Unused visa stickers are returned to the private safety boxes of each official at the end of the day. The system does not allow for assigning stickers to one particular person, however it can be checked whether stickers have been used or not, and (if yes) by whom.

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Blank stickers are usually ordered in an amount of 6000 when the supply has reached 1000. The office of the Vice-Consul is equipped with a motion detector alarm and a sophisticated lock; the door however is made of wood and cannot be considered a safety door. The window is barred. The safe is bolted to the floor.

9.3 IT

All users of the Latvian VIS must have prior authorisation from the head of the Consular and Visa Section. The server is located in a safe room - only the Consul and an IT expatriate expert have access to this room. There are different levels of access to the system for expatriate and for local staff, decided on by the head of the Consular Section.

Latvian VIS information can be accessed on-line and decisions on visa issuance are taken on-line.

Evalcom was informed that data transmission is processed by means of data channels, which are protected by the encrypting equipment that is said to comply with the level "EU RESTRICTED".

Access cards are activated by the MFA upon request of the Consul. All Latvian VIS users have their passwords and ID in the Latvian VIS. Passwords expire after max. 60 days.

Regarding the blanking of screens, this is done automatically after 2-3 minutes for officials taking decisions.

EvalCom comments and recommendations:

The staff rotation scheme between the 3 Latvian technical staff members adds to security (see CCI VII) and can, to a large degree, prevent staff abuse of position. The same applies to the counter staff thanks to the presence of a ticket number system.

Since the main supply of stickers is at present not kept in a strong room, whereas such a room is available for the IT system, it would be advisable to move the main supply to this room as of full implementation of the Schengen acquis⁸.

On the whole, the IT seemed up to standards.

10. EDUCATION AND TRAINING

Every spring, all Latvian Consuls posted abroad participate in a centralised training course organized by the Consular Department of the MFA. This seminar deals with general EU and Schengen issues.

⁸ Comments Latvia: The main supply of the visa stickers has been moved to the IT system strong room.

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Once a year, the MFA also organizes 2 regional trainings of consular officials in the framework of the Schengen Facility Project meant to provide the knowledge necessary for the issuance of Schengen visas to Consular officials at the embassies and Consulates General of the Republic of Latvia abroad. In 2005, these meetings took place in Athens and St. Petersburg.

Practical training on the detection of false documents was provided by officials of the Division of Examination of Documents of the State Border Guard or the Forensics Office of the State Police.

Every three months, consular circular reports containing information which on occasion is related to visas, are sent by the Latvian MFA to all its Consular offices.

If necessary, Latvian technical staff members involved in the issuance of visas can be trained by the expatriate visa officers; they are however not monitored during their first months at work.

EvalCom comments and recommendations:

Education and training seems to be adequate.

11. EQUIPMENT FOR DETECTING FALSE DOCUMENTS

In order to detect forged documents, which is done randomly, the Consulate General has the following equipment: "Regula", model 4003 – "System for verification of genuineness of security papers", consisting of ultra violet light, white light, a lens suitable for a 3,5 – 7 time enlargement, an extra lens suitable for a 10 time enlargement. There is no retro-viewer.

Evalcom was informed that in the coming months, new more advanced equipment for detecting false documents is expected to be installed at the Consulate General.

The National System (Register) of Document Specimens, although said to be available on-line at the Office of Citizenship and Migration Affairs and the MFA, could not be accessed at the time of evaluation due to expiry of the password of the acting Consul General and of the vice-Consul.

EvalCom comments and recommendations:

Evalcom appreciated the fact that in the coming months, new more advanced equipment for detecting false documents is expected to be installed.

Notwithstanding the fact that the majority of travel documents are from the Russian Federation and therefore known to the staff, Evalcom considers that easier access to the National System (Register) of Document Specimens would facilitate/encourage a better checking of documents from other countries⁹.

⁹ Comments Latvia: The access to the National System (Register) of Document Specimens for the acting Consul General and for the Vice-Consul has been restored.

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12. LOCAL CONSULAR CO-OPERATION (LCC)

At present, meetings of EU visa officers in St. Petersburg are organised on average every 3-4 months in the framework of local consular cooperation by the representation of the country holding the EU Presidency. The exchange of information on visa procedures, -documents, -insurance companies, -fees, bona fide lists etc. is very scarce.

No meetings have taken place in 2006, because -as EvalCom was informed- Austria as current EU presidency, has no Consulate General in St Petersburg.

In-between meetings, information is allegedly exchanged by email, a mailing list of EU visa consuls working in St Petersburg having been compiled.

The Consul General participates in LCC meetings.

13. GENERAL CONCLUSIONS AND RECOMMENDATIONS

At the end of its mission, Evalcom considers, on the basis of the checks carried out and the information gathered, that Latvia, as far as its Consulate General in St Petersburg is concerned, may be in a position to implement the Schengen Acquis in full in due course. No significant failings or chronic errors were noted in the daily work of the Consulate General.

The information provided on consular services is comprehensive, well legible and readily-accessible for applicants.

The accreditation system used by the Consulate General of Latvia for cooperation with both travel medical insurance companies (bearing in mind that the CCI contains no provisions thereon) and travel agencies, could be considered a best practice.

Regarding security, the staff rotation scheme between the 3 Latvian technical staff members adds to security (viz CCI VII) and can prevent to a large degree, staff abuse of their position. The same applies to the counter staff thanks to the presence of a ticket/number system.

However, Evalcom wishes to comment on a few points which, to its mind, merit special attention or reviewing by the Latvian authorities in order for Latvia to join Schengen in full ¹⁰:

On the submission of applications, considering the rather low number of applicants being interviewed in relation to the relatively large total number of applications submitted, once Latvia joins Schengen in full it will become necessary to interview more applicants to ascertain the purpose of their journey, to rule out the possibility of "visa-shopping".

¹⁰ Comments Latvia: see footnotes 2-4 and 6-9.

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When consulting central authorities, the system allows for a relatively limited exchange of information only. Evalcom therefore had the impression that, as far as applications subject to consultation were concerned, the Consulate General plays a relatively minor role since it can formally submit basic information only, without being able to express in detail any concerns, thus leaving investigations on the substance up to the central authorities.

Evalcom recommends that this procedure be enhanced, allowing for a more substantial input by the Consulate General.

Evalcom also recommends that the necessary steps be taken to avoid situations where a visa is refused to someone appearing on the EU visa ban list for whom an exception is foreseen (in the provisions of the corresponding EU Regulation) and, as a consequence, for whom a visa could indeed be issued in principle, simply because the application is rejected immediately in case of a hit.

Evalcom considers that the role of the Russian police officer outside the building is unclear, since he also checks passports and therefore seems to be actively involved in the access procedure, although it was established that his official duties consist of protecting the building. Since this officer does not fall under the authority of the Consulate General, it is advisable to take measures to abolish his involvement.

Since the main supply of stickers is at present not kept in a strong room, whereas such a room is available for the IT system, it would be advisable to move the main supply to this room as of full joining of Schengen.

On general security issues, to ensure safety, it is recommended that the upper part of the window behind the counter area, is properly secured, so that it could not be forced open from the street-side.

Finally, Evalcom considers that care should be taken that the name of the vice-Consul who took the decision, which is printed on the sticker, is not placed in the machine readable zone.

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ANNEX I

VISAS ISSUED BY THE LATVIAN CONSULATE GENERAL IN ST.PETERSBURG

VISAS ISSUED BY THE LATVIAN CONSULATE GENERAL IN ST.PETERSBURG
IN 2005

	Visas A	Visas B	Visas C	Total Visas A+B+C	Visas D	Total Visas A+B+C+D	Visas Not Issued	Rejection Rate	Rejection Rate in %
January	0	237	626	863	8	871	30	0.0344431	3%
February	0	351	796	1147	13	1160	31	0.0267241	3%
March	0	411	885	1296	8	1304	32	0.0245398	2%
April	0	432	1422	1854	10	1864	70	0.0375536	4%
May	0	403	1951	2354	19	2373	49	0.0206489	2%
June	0	538	2878	3416	17	3433	52	0.0151471	1%
July	0	413	3304	3717	10	3727	35	0.0093909	1%
August	0	340	2111	2451	19	2470	25	0.0101214	1%
September	0	292	1085	1377	9	1386	18	0.0129870	1%
October	0	335	1261	1596	10	1606	31	0.0193026	2%
November	0	255	1466	1721	13	1734	26	0.0149942	1%
December	0	422	2322	2744	20	2764	46	0.0166425	2%
Total	0	4429	20107	24536	156	24692	445	0.0202079	2%

VISAS ISSUED BY THE LATVIAN CONSULATE GENERAL IN ST.PETERSBURG
IN 2006

	Visas A	Visas B	Visas C	Total Visas A+B+C	Visas D	Total Visas A+B+C+D	Visas Not Issued	Rejection Rate	Rejection Rate in %
January	0	230	744	974	7	981	10	0.0101936	1%
February	0	344	942	1286	5	1291	23	0.0178156	2%
March	0	0	0	0	0	0	0	0	
April	0	0	0	0	0	0	0	0	
May	0	0	0	0	0	0	0	0	
June	0	0	0	0	0	0	0	0	
July	0	0	0	0	0	0	0	0	
Total	0	574	1686	2260	12	2272	33	0.0140047	1.5%

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ANNEX II

Participants

(FIN)	Timo TÄYRYNEN (leading expert)
(SK)	Fedor ROLL
(NL)	Ferdi GEUTJES
(B)	Philippe LEFEBVRE
(D)	Berit BÄUMERICH
(ESP)	Álvaro KIRKPATRICK DE LA VEGA
(Commission)	Yolanda GALLEGO-CASILDA GRAU
(Council Secr.)	Laetitia BOT

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