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**COMIX 735**

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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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COUNCIL OF  
THE EUROPEAN UNION

Brussels, 11 September 2006

12667/06

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## REPORT

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from : Evaluation Committee

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to: Schengen Evaluation Working Party

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

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Delegations will find attached the report of the Schengen Evaluation mission to the Consulate General of Estonia 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 Estonian authorities are set out in footnotes.

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### *Acknowledgements:*

*The members of the Evaluation Committee (EvalCom) wish to thank the Estonian 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 Estonia in St Petersburg on 17 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, Estonia, as far as its Consulate General in St Petersburg is concerned, will 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 synchronised way in which the Consulate General works together with all relevant central authorities to optimise the handling of an application;
- the accreditation system used for cooperation with travel agencies, and
- the training and education of its staff.

*Issues requiring special attention or reviewing by the Estonian authorities in order for Estonia to join Schengen in full related mainly to :*

- security, in particular concerning the safety of the offices where the visa sticker supplies are kept;
- compliance with the Council Decision (Guidelines) regarding travel medical insurance as far as the insured sum is concerned;
- stamping of the visa sticker, and
- the data in the machine readable zone, which should match the requirements of CCI Annex 10.

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 of the Republic of Estonia is situated in the Petrograd district of St Petersburg, at Bolšaja Monetnaja Street 14. It is a separate, 3-story building surrounded by a fence. It has two entrance doors, one for employees, the other for customers.

The ground floor houses the waiting room for visa applicants, a separate reception and discussion room (for other consular issues and interviews with visa applicants) and offices of visa officers.

On the first floor are the offices of other officials (consuls, accountant, secretaries, police liaison officer).

On the second floor are official rooms.

The staff has access to working premises via the main door and can move around the Consulate General only with a personalised magnetic key. Visa applicants enter through another door leading only to the waiting room. From the separate reception room there is also access, by magnetic key, to the Consulate General's working premises.

### 3.2 Information

Visa information can be found on the Consulate General's home-page in Russian, English and Estonian (<http://www.peterburg.estemb.ru/>), the Ministry of Foreign Affairs' (MFA) homepage (<http://www.vm.ee>), on notice boards inside the waiting room as well as outside the Consulate General (information on websites/addresses etc, opening hours, types of visas, documents required, fees, samples of filled in applications etc. mainly in Russian but also in Estonian and English) and by phone (incl. a separate information phone outside office hours in Russian, Estonian and English). Visa information is also regularly provided at information hours arranged for tour operators and at meetings with Estonian nationals living in Russia.

In addition, assistance can be provided by the (Estonian) security guard who is permanently present in and/or outside of the waiting room during opening hours (also to answer questions on the filling in of forms).

### 3.3 Application forms

Application forms are available in the reception room (Russian/Estonian) and on the Consulate General's as well as on the MFA's homepage (also in Estonian/English). Estonia uses the Schengen harmonized visa application form for visa applications, adapted to the relevant parts of national law.

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## 3.4 Access management

The visa section is open Monday to Friday from 9:00 until 12:00 for visa applications (9-10 for travel agencies, 10-12 for individuals although this is flexible) and from 16:00 until 17:00 for visa delivery. During seasonal peaks, the reception time for travel agencies is extended although the officers try to receive all individuals as well. Sometimes the intake of applications ends just before the start of the delivery of visas (at 16:00).

The Consulate General altogether has 16 permanent employees: 9 expatriates from Tallinn, i.e. 4 diplomats, 1 police liaison officer (available upon request for checking false/falsified documents and checking backgrounds of applicants or inviting party), 4 administrative technical employees (not directly involved in the visa issuance procedure); 8 persons employed locally, i.e. 1 (EE) information secretary, 5 (EE) visa secretaries and 2 (EE) visa entry clerks.

Evalcom was told that during the peak of visa applications, up to 5 visa entry clerks and 3 diplomats are employed additionally as support staff, raising the number of staff to 24.

Since the waiting room is relatively small (max. 20 persons), the Consulate General's security guard allows only a restricted number of visa applicants into the waiting room. The remaining applicants have to wait outside. The waiting room has 4 tables and about 8 chairs which allow for the filling in of application forms on the spot. There are 4 counters and one additional, separate interview room for other consular issues / interviews with visa applicants.

The flow of applicants outside is not regulated; depending on the season, between 50 and 100 people p/day queue outside, representing between 200 and 700 applications (NB considering the numerous applications submitted by travel agencies).

The Russian police officer (deployed by the Russian MoI) checks passports on occasion (on his own initiative, not on request of the EE Consulate General).

Before entering the building, approx. 5 applicants are let into a small fenced-in area of about 12m<sup>2</sup> in front of the entrance door by the EE security guard.

### EvalCom comments and recommendations:

**The role of the Russian police officer outside the building is unclear, since he sometimes also checks passports and therefore seems -on occasion- to be actively involved in the access procedure, although it was established that his official duties consist of protecting the building and he does not fall under the authority of the Consulate General.**

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## 4. SECURITY (PREMISES)

Outside: The building of the Consulate General and its perimeter are guarded 24/7 by Russian militia (1 and on occasion 2 on site at all times). They are connected to their control centre and can call support forces when necessary. These militia may not enter the premises of the Consulate General without the consent of the Consul General.<sup>1</sup>

There are electronic locks on the front doors of the Consulate General and on the doors leading to the offices from the staircase. All offices are protected electronically. Magnetic cards to open them have been given to all employees, including differentiations between them according to each individual's rights of access.

The visa section's windows are barred. At the counters, security glass separates the applicant from the visa secretaries receiving the applications. Documents are handed over through a sliding drawer without physical contact. In the separate interview room, the counter is also equipped with security glass.

The windows of the offices of both the General Consul and the Consul, located on the second floor of the building, are not barred.

Inside there is one Estonian security guard, seconded by the MFA, who works 5 days p/week from 09:00 –18:00 (he can also fulfil other tasks e.g. driver/technician/administrator when necessary, outside the official working hours).

Upon entry, applicants pass through a metal detector and are subsequently checked again by the security guard who has (and uses) a hand metal detector.

A security alarm system and a separate fire alarm system are installed in the building. In case of alarm, Evalcom was told that the sound signal is switched on and the Consul General (or the consul on duty) and the guard receive a phone-alert.

The surroundings of the Consulate General are watched by 6 cameras (including 2 next to the entrances), 1 in the waiting room, 1 in the interview room and 2 in the room where the server is. The images can be seen simultaneously at the IT room or at any office-PC of the Consulate General, as well as at the MFA. The images are saved approx. 2 months.

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<sup>1</sup> Comments Estonia: The main purpose of the local militia is indeed to protect and to offer security service in the perimeter of the territory of the Consulate General. Which are the additional functions of the militia prescribed by their national security institutions, are not known to the Consulate General. The subject has been raised also at the meeting of the consuls general of EU member states. The Consulate General cannot intervene as the question is not within the Consulate's competence.

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## EvalCom comments and recommendations:

Evalcom recommends that in case of alarm, an external security company also be alerted <sup>2</sup>.

## 5. SUBMISSION OF APPLICATIONS

### *- Pre-check of applications*

Visa applicants are serviced by 3, and during peaks by 4 visa officers who receive the application, enter the data, cash the handling fee and stamp the passport (see below). Pre-checking at the counter also allows for the checking of the invitation via the EE Citizenship and Migration Board's database to which the inviting party must address the invitation.

### *- Personal appearance*

Applications may be submitted by someone other than the applicant in case that person, in addition to his/her ID, has a recognised authorization (i.e. departmental, notarised or in the form of an authorised letter).

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 staff may ask any applicant to appear in person for an interview.

### *- Representation*

The Estonian Consulate General does not represent any other country in visa matters.

### *- Nationality of applicants*

The overwhelming majority of visa applicants (98,5%) are of Russian nationality. Non-residents may not apply for a visa.

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<sup>2</sup> Comments Estonia: This recommendation has been discussed by the Consulate General and the Department of the Diplomatic Security. The Ministry of Foreign Affairs intends for the Consulate General to apply for a 2-member team of police guard, who would be on guard duty on working days and at the working time and who beyond working time would act in response to the alarm of the security system. It cannot be ruled out that we would consider conveying the signal of the security system to the alarm centre of the local militia or to a security company. The conveying of the alert to the alarm centre of the militia will enable to inform the on-site patrol, in order that the primary measures to catch the possible intruder could be taken.

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## - *Handling fee*

The visa applicant must, upon submission of the application, pay the state fee for visa processing in Euros (single entry: 20€; multiple entry: 25-50€ (1 year)). The fee is not refunded in case of refusal (*handling fee*). A copy of the payment order is given, which is also electronically registered and accessible online in case of pre-payment<sup>3</sup> e.g. by the inviting party.

## - Stamping of the passport

The passport is always stamped (application stamp) immediately after receipt of the application, on the first empty page, even when passports are kept.

## **EvalCom comments and recommendations:**

**Evalcom noted that the application stamp was already in compliance with the provisions of the CCI.**

## **6. PROCESSING THE APPLICATION**

### **6.1 Lodging an application**

#### **Examination of an application**

After submission (see also above, point 5.), the visa secretary enters the application in the visa register, marking the registration number on the application. The passport is stamped and the state handling fee is cashed. After registration of the application, the applicant gets a receipt incl. his/her data, the type of visa requested, the amount paid (state fee) and the estimated time for obtaining an answer (see below).

Checking: The Consul continues with the processing of the entered visa applications, verifies the travel- and other documents, sends the application to the MFA (with any additional useful comments where necessary, in the "remarks" box in the visa registration program) for co-ordination with other relevant authorities (incl. Border Guard, MoI) and, where necessary requests additional supporting documents or invites the applicant for an interview. Between 16 and 20 interviews are conducted per day (5 face-to-face in addition to approx. 15 by telephone and the written questionnaire for stays up to 5 days for tourist trips, used as replacement for interviews (see also 6.5).

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<sup>3</sup> In this case, a commission may be requested.

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If the applicant appears on the national black list (NB the EU visa ban list is checked at the same time), the reasons for a listing are not visible on the screen. The data base of Border Crossings (through which the points of entry and exit are automatically checked, allowing for a visa-refusal on the basis of the Schengen rule providing for a maximum stay of 3 months during a period of 6 months) and the locally compiled data base known as the "yellow list" (also fed by information from the central authorities, the Estonian Embassy in Moscow, local colleague-Consuls and the Border Guard), assist the Consul in establishing the bona-fide nature of the applicant/application.

Consultation: All Estonia's foreign missions are connected online to the national visa register's central server, which also allows for obtaining information on applications lodged elsewhere (in Estonian diplomatic representations abroad).

According to the provisions of the Aliens Act, consular officers coordinate all visa applications with domestic authorities. The Consul General however maintains the right to issue a visa under his own authority without consulting domestic authorities, but only after carrying out the online blacklist- and EU visa ban lists-check.

Domestic authorities must also be consulted in case of applications lodged by applicants listed on the national list of (about 20) countries for which a preliminary check is compulsory (comparable to CCI Annex 5A).

The Consul's decision is registered in the visa register as well as on paper, on the application form under 'official notes'.

Timeframe: A decision must be taken within max. 30 days from receipt of the application; on average one is taken within 5-8 working days.

## 6.2 Supporting documents <sup>4</sup>

All applicants must submit, besides a valid travel document, 1 colour photo and the travel medical insurance policy:

- for Russian citizens: their national passport, or if the application is submitted through an authorized person, a copy thereof,
- for citizens of other countries: a document certifying their legal stay in the country.

The number of further supporting documents to be submitted depends on the type of visa and the reasons for travelling, as well as on the frequency ('multiplicity') of visas:

1. Visiting of acquaintances, relatives or family members: a visa invitation required <sup>5</sup>; in case of a multiple entry visa: documents certifying the relationship.
2. Official and business travels – visa invitation required <sup>6</sup>. In case of a multiple entry visa, a 'guarantee letter' is also required from the applicant's employer and it is recommendable to present a co-operation contract.

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<sup>4</sup> See annexed "List of documents and data to be provided (...)".

<sup>5</sup> The visa invitation of a natural person must be confirmed by the Citizenship and Migration Board.

<sup>6</sup> A visa application of a private legal person must be confirmed by the Citizenship and Migration Board.



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3. Culture and sports – visa invitation required. In case of a multiple entry visa the presentation of a competition calendar or of a performance schedule is required.
4. Visiting of a grave – presentation of the Red Cross certificate required.
5. Tourism and entertainment events:
  - 5.1 Submission of an application through a travel agency – covering letter of the travel agency, a voucher certifying the purchase of tourist services, tickets as necessary;
  - 5.2 Submission of an application in person – application, booking certifying the purchase of tourist services, tickets, confirmation regarding sufficient monetary means.

In case the applicant is a minor travelling without parents: in addition to the above-mentioned, the notarised consent of at least one parent (of no objections to the child travelling to a foreign country either by itself or together with some other person) must be submitted.

The Consul can request any other additional documentation pertaining to the purpose of travel from the applicant.

## 6.3 Co-operation with travel agencies

Before tourist bureaus are recognised, an introductory meeting takes place with the Consul, in the course of which they must submit documents confirming their right to operate and allowing the Consul to familiarise himself with their operational plans. The Consul can then start up the 'accreditation conversation' (procedure and requirements for submitting visa applications).

At present over 100 tourist bureaus are registered at the Consulate General which have expressed their wish to operate in the direction of Estonia. They are accredited after presenting the following documents: a written request, licence, foundation articles, registration certificate, certificate of registration at the Tax Board, cooperation agreement with EE counterparts, specimen of voucher, and authorisations for appointed couriers.

The Consul can meet with representatives of tourist bureaus on a weekly basis (Thursdays) and work meetings with tourist bureaus take place at least twice a year, to inform about new legislation, provide feedback and discuss new tourist objects.

The share of visas submitted through tourist bureaus has grown; in 2005, 42% of all visa applications were submitted through tourist bureaus, which can also submit individual applications.

## 6.4 Medical Insurance

When applying for a visa, the presentation of insurance is mandatory, the whole visa period applied for must be covered whilst corresponding to the period of stay. The minimum of the insurance liability of the medical insurance has been established (Resolution No 150 of the Government of the Republic of 27/4/2004) at 160,000 EEK (10.666 €).

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No registration of insurance companies is provided.

In case someone is exempted from the requirement of having medical insurance, a note of “NO INSURANCE REQUIRED” is made on the visa sticker.

## 6.5 Types of visa issued

Estonia issues A, B, C type visas; in 2005 no A type visas were issued in St Petersburg. Concerning short stay visits up to max. 5 days, a single entry visa can be issued in a simplified way to an alien upon additional submission of a form (annexed) for entry into or stay in Estonia for tourism or leisure purposes, together with the normally required documents. Means of subsistence must be shown at the border (and are, Evalcom was told, usually checked). In such cases, the alien does not require a sponsor.

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

### EvalCom comments and recommendations:

**Evalcom considers that the synchronised way in which the Consulate General is able to work together with all relevant central authorities to optimise the handling of an application, is particularly efficient and effective.**

**The accreditation system used by the Consulate General of Estonia for cooperation with travel agencies, could be considered a best practice for the future with regard to CCI Ch VIII.5.**

**Evalcom draws the attention of the Estonian authorities to the fact that, upon joining Schengen in full, they must comply with the Council Decision regarding travel medical insurance <sup>7</sup> as far as the minimum insured sum (€30 000) is concerned <sup>8</sup>.**

**It is recommended to screen travel medical insurance companies in the future, in line with the existing Guidelines thereon.**

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<sup>7</sup> Council Decision of 22 December 2003, Article 2 (OJ L 5, 9.1.2004, pp. 79-80).

<sup>8</sup> Comments Estonia: We find the Evalcom's remark about the minimum rate of travel medical insurance (on several pages) cannot directly be reproached as according to the Estonian Government's Regulation of 27 April 2004, no 150, a visa applicant must present a valid medical expenses insurance policy, which guarantees the payment of medical treatment costs resulting from illnesses or injuries during the validity term of the visa being applied for, unless otherwise specified by law or international agreement. The minimum rate for the limit of indemnity in the health insurance agreement is 160.000 Estonian kroons (10.666 euros) for the entire period of stay in Estonia. As prescribed, Estonia will apply a higher minimum requirement for health insurance (as specified by Council Decision [2004/17/EC](#) (30.000 euros)) as from the accession to the Schengen area.



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## 7. VISA STICKER

A visa sticker corresponding to Schengen requirements is in use and visas are being issued with integrated photos.

Visa stickers are printed in a separate room on one printer by an Estonian visa secretary (a second printer is available). After printing, the stickers are returned together with the applications (and annexes) to the counters where they were received. The other Estonian visa secretaries verify once again whether the visa sticker corresponds to the Consul's decision and after that affix the visa sticker in the left corner of the page of the travel document, so that the machine readable zone remains in the margin of the page. The machine-readable zone can be read at border crossings. The data in the machine readable zone at present do not fully match the requirements of the CCI (annex 10).

The Consul who has taken the decision to issue the visa (each Consul has his/her own stamp) places the stamp on the sticker. Evalcom noted that in most cases viewed by its experts, the stamping of the visa sticker was done partly in the machine readable zone.

A visa sticker is not confirmed by a signature.

In case a visa sticker has been erroneously printed and affixed in the passport, Evalcom was told that it is declared null and void by marking it with a red cross (sticker and kinegram) and a new correct visa sticker is issued.

In case the mistake is discovered before affixing the visa sticker in a passport, the kinegram is marked with a cross and the cancelled visa stickers are destroyed by means of shredding (once a month). A report is drawn up on all invalidated and destroyed visa stickers which is sent to the MFA.

Information on invalidated and destroyed visa stickers is inserted into the electronic visa system.

### **EvalCom comments and recommendations:**

**The stamping of the visa sticker partly in the machine readable zone should be remedied by the time of joining Schengen in full (CCI VI, 5.5) <sup>9</sup>.**

**The data in the machine readable zone, which at present do not fully match the requirements of the CCI (annex 10), should be adapted by the time of joining Schengen in full <sup>10</sup>.**

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<sup>9</sup> Comments Estonia: At the Consulate General a visa sticker is affixed by the small stamp of the consul, who has made the decision to issue a visa (each consul has his/her own stamp). According to the *Issuing of Visa: Recommendations and Best Practices*, the half of the stamp is placed on the sticker and another half on the page of the travel document so that it would be placed on the right side of the field of notes and it would not cover the text or the machine-readable zone.

<sup>10</sup> Comments Estonia: This comment was already taken into account: the data have been amended.

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## 8. ISSUANCE OF VISA

Granting: see above under 6.

Refusal: In case the Consul decides not to grant a visa, his decision is registered in the visa register as well as on the application form, with a reference to the corresponding section of the Aliens Act. The applicant is informed about the refusal orally as well as in writing, although the reasons for refusal are not subject to disclosure (cf Article 10<sup>10</sup> paragraph 3 of the Aliens Act). Appeal is not possible, but a new application can be lodged at any time.

## 9. SECURITY (STAFF AND MATERIAL)

### 9.1 Staff

*Local staff* (all of whom have Estonian citizenship) can be distinguished in 2 groups:

- visa entry clerks: may prepare electronic processing of the application (insert data into database).
- visa secretaries: may work at the counter and have contact with the applicants; check whether the documents presented are complete/sufficient; prepare the electronic processing application (e.g. insert data into database), print and affix the sticker, hand out the visas and cash the state handling fee.

*Expatriate (NB only diplomatic) staff* may: receive negative answers from national databases and 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.

Checks upon recruitment are made, besides locally, in Tallinn where a thorough checking procedure takes place at the MFA. Further evaluation of staff takes place on the spot.

Misuse of professional position is limited by way of occasional staff rotation (between the 5 visa secretaries) some of whom may even be exchanged with the Moscow Consulate General (2/yr, involving 1 staff member) as well as through the fact that local staff have one year employment contracts which must be renewed every year.

### 9.2 Documents

Received applications are kept in lockers. (see also 4. regarding keys/locks etc.)

Visa stickers are sent by the Consular Department of the MFA and transported via diplomatic pouch. The numbers of the visa stickers allotted to a representation are entered in the visa register by its administrator, at the MFA in Tallinn. Visa stickers are kept in a safe in the office of the Consul General.

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When necessary, he delivers several packages to the Consul, who also keeps them in a safe. At the beginning of a working day, the Consul delivers to the visa secretary having a printing right, against signature, one package of visa stickers at a time (100 stickers). This secretary keeps the visa stickers in a small portable box which can be locked. The visa stickers can only be used after they are activated by a competent official in Tallinn.

Application stamps are kept in the Consul's safe and handed to each visa secretary at the beginning of the day. At closing time, these stamps are returned to the consul.

Each Consul has his or her own differentiated small stamp which is kept in a separate safe.

Refusals are kept in lockers within the Consulate General for 5 years; processed (positive) applications are kept for 1 year, after which they are (all) destroyed. Applications for which the visa fee was waived by the Consul, are kept 7 years for accounting purposes.

## 9.3 IT

Visa issuing is done via a computer system called "Visa register", which can be accessed by all Estonian Embassies/Consulates General. It is a Virtual Private Network (VPN) secured by a SSL Protocol.

Access to the Visa Register is authorised by an administrator located at the MFA, upon request of the Consul General. There are different levels of authorisation for access, in accordance with the allocation of tasks among staff. Passwords expire after one month.

IT devices are located in a room next to the entrance which has barred windows and is watched by two cameras.

The blanking of screens depends on the PC but the system closes down automatically after 1 minute. The system must be closed manually when leaving office.

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## EvalCom comments and recommendations:

**The windows of the 2 consul's offices on the first floor (backside) have neither security glass nor bars; considering that the safe containing the visa supplies (both the main and the daily supply) are in these offices, Evalcom recommends to improve the safety of these offices (or move the visa supplies to one "safe" room as of full joining of Schengen) <sup>11</sup>.**

## 10. EDUCATION AND TRAINING

Annually, a 2-3 day seminar is organized for people already working as consular officers, to exchange information, discuss the introduction of reforms and receive additional expertise on detection of false documents and the Schengen acquis.

In addition, regional gatherings of consular officials take place every year in Tallinn.

For locally employed visa secretaries, trainings are arranged either at the MFA or at regional level at a bigger representation at least once a year, also in connection with major changes in legislation. The agenda of such seminars includes legislation, handling of the visa register as well as topics concerning communication with the client. Locally employed visa secretaries receive additional work-related training from consular officials at their working place.

False documents / specimen etc:

Training on the identification of false documents is a part of the regular consular training conducted in Tallinn and is conducted by the Travel Document Evaluation Center of the Board of the Border Guard both for Consuls and locally employed visa secretaries.

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<sup>11</sup> Comments Estonia: We agree with the report's remark that only the ground floor's windows of the Consulate General are barred. The 1<sup>st</sup> floor's (where the working premises of the consular officers are located, in which also the visa stickers are kept) windows are not barred. At the same time, we cannot agree with the comment that the windows are left unprotected (see Evalcom's comments above) as the members of the Evaluation Committee were also informed during the evaluation mission that the building of the Consulate is an architectural-historical monument and its façade (from 1st floor) should be preserved and therefore all windows are covered with bomb blast foil (3M Scotchshield™ ULTRA600, tear strength 32,1 kg/cm, thickness 0,152 mm). The windows have also been equipped with impact sensors. In case an intruder attempts to enter the building through the window and to break the glass, the glass will crack; however, the film will prevent the glass from breaking down. At the same time, the impact sensor (active 24/7) will give a signal immediately after the first stroke and the alarm will be given. The period of time between the first stroke against the glass and the real entering should be sufficient for the militia patrolling on site to take measures to detain the intruder. The safes used for keeping the visa stickers are pursuant to standard EN 1143-1:1997 the safes of the 1st safety category, the resistance unit or RU of partial breaking open of which is 30 and of full breaking open 50. The time is sufficient for acting in response. A combination of regular glass, security film and impact sensors will give an equally good result from the point of view of acting in response as the use of bars.

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The Document Division of the MFA has a collection of the travel documents recognized by Estonia together with descriptions of their security features. In addition, every mission has a Keesing Identity Checker into which additional pages can be inserted. All foreign missions have samples of the travel documents of the country where they are located.

EU/CCI knowledge: The EU common visa policy and the rules for joining Schengen have been introduced to consular officers. The Common Consular Instructions (CCI) are dealt with at the annual consular training for both new and practicing consular officers. The missions receive the CCI electronically after each updating of instructions. When amending national legislation, the common visa policy and the CCI are taken into account as well as in the MFA's consular instructions to the missions.

Relevant decisions and documents of the Council and the Commission are made known to the consular officers abroad by (daily) e-mails from the consular department. The consuls receive guidelines based on overviews of Council and working group meetings.

## **EvalCom comments and recommendations**

**Evalcom considers training and education to be very good.**

## **11. EQUIPMENT FOR DETECTING FALSE DOCUMENTS**

The offices are equipped with technical means for identifying false currency.

There is 1 UV lamp and a Regula professional 10x magnifier lens.

Evalcom was told there is a Keesing Identity Checker (manual) into which additional pages can be inserted.

There is no retro-viewer.

The police liaison officer is available upon request for checking false/falsified documents and checking backgrounds of applicants or of the inviting party.

## **EvalCom comments and recommendations:**

**Evalcom recommends the acquisition of a retro-viewer<sup>12</sup>.**

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<sup>12</sup> Comments Estonia: This recommendation has already been taken into account; equipment (incl. magnifying glasses and banknote controllers) has been sent to the representations, in addition to a document universal detector.

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## 12. LOCAL CONSULAR CO-OPERATION (LCC)

Estonia participates in EU MS' meetings, whose consuls meet regularly (once a quarter), on initiative of the presidency, on a range of issues (not necessarily visa related subjects). No meetings have taken place yet in 2006 on visa matters, since Austria is not represented in St.Petersburg. In-between meetings, information is exchanged by e-mail (a mailing list of EU visa consuls working in St. Petersburg has 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 Estonia, as far as its Consulate General in St Petersburg is concerned, will 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.***

Evalcom considered the synchronised way in which the Consulate General is able to work together with all relevant central authorities to optimise the handling of an application, to be particularly efficient and effective.

Furthermore, the accreditation system used by the Consulate General of Estonia for cooperation with travel agencies could be considered a best practice.

Evalcom finally considers training and education to be very good.

***However, Evalcom wishes to comment on a few points which, to its mind, merit special attention or reviewing by the Estonian authorities in order for Estonia to join Schengen in full<sup>13</sup>:***

Regarding the general security situation, Evalcom recommends that in case of alarm, an external security company also be alerted.

It furthermore recommends the acquisition of a retro-viewer.

The windows of the 2 consul's offices on the first floor (backside) have neither security glass nor bars; considering that the safe containing the visa supplies (main and daily) are in these offices, Evalcom recommends to improve the safety of these offices (or move the visa supplies to one "safe" room as of full application of Schengen).

Evalcom draws the attention of the Estonian authorities to the fact that, upon joining Schengen in full, they must comply with the Council Decision (Guidelines) regarding travel medical insurance (insured sum is presently only €10 666).

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<sup>13</sup> Comments Estonia: see footnotes 1-2 and 8-12.



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Evalcom noted that in most cases viewed by experts, the stamping of the visa sticker was done partly in the machine readable zone. This should be remedied by the time Estonia joins Schengen in full (CCI chapter VI, 5.5).

Finally, the data in the machine readable zone at present do not fully match the requirements of the CCI (Annex 10). This should be remedied by the time Estonia joins Schengen in full.

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ANNEX I

## VISAS ISSUED BY THE ESTONIAN CONSULATE GENERAL IN ST.PETERSBURG

### VISAS ISSUED BY THE ESTONIAN CONSULATE GENERAL IN ST PETERSBURG IN 2005

	VisasA	VisasB	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	9	2314	2323	0	2323	0	31	1.33
February	0	24	2558	2582	0	2582	0	23	0.89
March	0	43	3566	3609	0	3609	1	210	5.82
April	0	27	4073	4100	0	4100	0	29	0.71
May	0	20	3635	3655	0	3655	0	15	0.41
June	0	56	4015	4071	0	4071	1	37	0.91
July	0	34	4300	4334	0	4334	0	46	1.06
August	0	20	3259	3279	0	3279	0	42	1.28
September	0	31	2254	2285	0	2285	0	53	2.32
October	0	36	3286	3322	0	3322	0	69	2.08
November	0	78	3662	3740	0	3740	0	89	2.38
December	0	34	6663	6697	0	6697	0	66	0.99
<b>Total</b>	<b>0</b>	<b>412</b>	<b>43585</b>	<b>43997</b>	<b>0</b>	<b>43997</b>	<b>2</b>	<b>710</b>	<b>1.68</b>

### VISAS ISSUED BY THE ESTONIAN CONSULATE GENERAL IN ST PETERSBURG IN 2006

	VisasA	VisasB	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	34	2230	2264	0	2264	0	61	2.69
February	0	26	3095	3121	0	3121	0	44	1.41
March	0	46	4133	4179	1	4180	0	52	2.17
April	0	33	4450	4483	0	4483	0	42	1.88
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	
<b>Total</b>	<b>0</b>	<b>139</b>	<b>13908</b>	<b>14047</b>	<b>1</b>	<b>14048</b>	<b>0</b>	<b>199</b>	<b>2.04</b>



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ANNEX II

## Participants

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

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List of documents and data to be provided when applying for issue of visa, approval of visa invitation or extension of period of stay and the deadlines for issue of a visa, refusal to issue a visa, approval of visa invitation or refusal to approve a visa invitation, extension of period of stay and refusal to extend period of stay, premature termination of period of stay, revocation of visa, the establishment of the limit of sufficient funds and required insurance coverage of health insurance policy.

**Passed with the Government Regulation Nr 150 of 27 April 2004 (RT I 2004, 35)  
Entered into force on 1 May 2004.**

Amended by the following regulations (date, number, publication in Riigi Teataja, entry into force):

21 February Nr 38 (RT I 2005, 12, 57) 1 March 2005

23 January 2006 Nr 21 (RT I 2006, 5, 30) 30 January 2006

## **DOCUMENT REQUIREMENTS WHEN APPLYING FOR VISA**

### **§ 4. Document requirements when applying for visa**

(1) Document requirements when applying for visa:

- 1) valid travel document;
- 2) application;
- 3) photograph;
- 4) a valid health insurance policy guaranteeing that any costs related to his or her medical treatment as a result of illness or injury during the period of validity of the visa will be met, unless provided otherwise by law or international agreement;
- 5) documents confirming the purpose and cause of the visit;
- 6) documents that confirm the sufficient funds during the stay in Estonia;
- 7) documents that confirm that costs related to accommodation and stay in Estonia are covered; [RT I 2006, 5, 30 – entry into force 30 January 2006]
- 8) a receipt or other data confirming the payment of state fee or a document or other data confirming the exemption from the payment of state fee or a document or other data confirming the remission of state fee and a document or other data confirming the payment of the remission of state fee.

(2) documents confirming the circumstances mentioned in subsection 1 clauses 5-7 and Section 6 subsection 1 clauses 5-7 are:

- 1) visa invitation;
- 2) diplomatic note or written communication from international organisation;
- 3) summons;
- 4) documents or their copies confirming the use of tourism services;
- 5) documents or their copies confirming the use of leisure services;
- 6) document which confirms the right to enter into the next transit country;
- 7) documents confirming the performing of freight transport by road;
- 8) documents confirming the employment in Estonia;

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- 9) flight or travel tickets;
- 10) other documents.

[RT I 2006, 5, 30 – entry into force 30 January 2006]

## § 5. Additional documents when applying for a long-term visa

(1) a person who applies a long-term visa on the basis of «Aliens Act» section 10<sup>7</sup> subsection 1 clause 1 shall submit in addition to the documents mentioned in the regulation also:

- 1) accrediting / registering decision;
- 2) from the employer a statement together with a letter which grants the payment of mission costs in Estonia.

(2) a spouse or minor child applying for a long-term visa on the basis of «Aliens Act» section 10<sup>7</sup> subsection 1, clause 4 shall submit in addition to the documents mentioned in the regulation also a document confirming the fact of being a relative or a vital statistics document.

(3) adult child applying for a long-term visa on the basis of «Aliens Act» section 10<sup>7</sup> subsection 1, clause 4 shall submit in addition to the documents mentioned in the regulation also a document confirming the fact of being a relative and a document confirming state of health or disability.

## § 6. Documents to be submitted when applying for a visa at border checkpoint

(1) when applying for a visa at border checkpoint on the basis of «Aliens Act» section 10<sup>13</sup> subsection 1, clauses 1 and 2 following documents shall be submitted:

- 1) valid travel document;
- 2) application;
- 3) photograph;
- 4) a valid health insurance policy guaranteeing that any costs related to his or her medical treatment as a result of illness or injury during the period of validity of the visa will be met;
- 5) documents confirming the purpose and cause of the visit;
- 6) documents that confirm the sufficient funds during the stay in Estonia;
- 7) documents that confirm that costs related to accommodation and stay in Estonia are covered; [RT I 2006, 5, 30 – entry into force 30 January 2006]
- 8) a document, which confirms the unforeseeable and urgent circumstances for entry into Estonia;
- 9) a receipt or other data confirming the payment of state fee or a document or other data confirming the exemption from the payment of state fee or a document or other data confirming the remission of state fee and a document or other data confirming the payment of the remission of state fee, or the state fee shall be paid on the spot.

(2) when applying for a visa at border checkpoint on the basis of «Aliens Act» section 10<sup>13</sup> subsection 1 clause 3 the following documents shall be submitted:

- 1) valid travel document;
- 2) application;
- 3) photograph;
- 4) if required, then a document which confirms humanitarian grounds for entry into Estonia;
- 5) a receipt or other data confirming the payment of state fee or a document or other data



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confirming the exemption from the payment of state fee or a document or other data confirming the remission of state fee and a document or other data confirming the payment of the remission of state fee, or the state fee shall be paid on the spot.

(3) when applying for a visa at border checkpoint on the basis of «Aliens Act» section 10<sup>13</sup> subsection 1 clauses 4 and 5 the following documents shall be submitted:

- 1) valid travel document;
- 2) application;
- 3) photograph;
- 4) invitation of a member of the Government of the Republic or a diplomatic note or a written communication of an international organisation or other documents;
- 5) a receipt or other data confirming the payment of state fee or a document or other data confirming the exemption from the payment of state fee or a document or other data confirming the remission of state fee and a document or other data confirming the payment of the remission of state fee, or the state fee shall be paid on the spot.

(4) when application is submitted by a legal representative, then in addition to documents mentioned in subsections 1-3 also an identification document of the representing person and a document confirming the authority of representation shall be submitted.

(5) documents confirming the circumstances mentioned in subsection 1 clauses 5-7 are:

- 1) visa invitation;
- 2) summons;
- 3) document which confirms the right to enter into the next transit country;
- 4) other documents.

## § 9. Information submitted in the visa application

In visa application the following data shall be presented:

- 1) personal data (first name(s), surname(s), earlier names, ID-number or date of birth, place of birth, sex, current nationality and nationality at birth);
- 2) marital status;
- 3) names of parents;
- 4) type of travel document, number, date and place of issue and validity period;
- 5) permission to return to the country of residence;
- 6) occupation;
- 7) name and address of the employer or school;
- 8) destination of travel;
- 9) purpose of travel;
- 10) type of visa and number of entries;
- 11) period of stay;
- 12) other visas and their validity period;
- 13) permission to enter third country;
- 14) date of entry into Estonia and departure from Estonia;
- 15) border checkpoint for entry into Estonia or route travelling through Estonia in transit;
- 16) means of transport;
- 17) name address and contact information of the person who invites or contact person of the legal person;
- 18) name, address and contact information of the person who carries the costs of travel and stay;
- 19) means for covering costs for travel and stay;
- 20) validity of travel and/or health insurance contract;
- 21) previous stay in Estonia;
- 22) personal data of the spouse (first name(s), surname(s), earlier names, ID-number or

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date of birth, place of birth);

23) personal data of child(ren) (first name(s), surname(s), ID-number or date of birth, place of birth);

24) Personal data of the EU or EEA citizens (first name(s), surname(s), previous names) who supports the applicant;

25) home address and contact data (phone);

26) place and date of submitting of the application;

27) signature.

## **§ 12. Time limit for the review of visa application**

The decision of issuance or refusal of visa shall be made by consular officer in 30 days from the day the visa application was received.

## **§ 16. Time limit for the revocation of visa**

The Citizenship and Migration Board, the Border Guard Administration or a police authority designated by the Minister of Internal Affairs or Ministry of Foreign Affairs shall revoke the visa without delay should there become evident circumstances that constitute the basis for revocation of visa.

## **17. Limit of sufficient financial means**

Limit of sufficient financial means referred to in chapter 4 of «Aliens Act» equals to 0.2 times of the minimum monthly wage for every day that the applicant plans to stay in Estonia.

## **§ 18. Limit of insurance coverage of health insurance contract**

Insurance contract minimum limit of insurance coverage referred to in chapter 4 of «Aliens Act» is 160 000 EEK for the entire duration of the stay in Estonia.

## **§ 19. Protection of personal data**

Processing of data provided by regulation, including when taking measures, the order of processing personal data shall be followed pursuant to «Personal Data Protection Act» (RT I 2003, 26, 158) and «Databases Act» (RT I 1997, 28, 423; 1998, 36/37, 552; 1999, 10, 155; 2000, 50, 317; 57, 373; 92, 597; 2001, 7, 17; 17, 77; 2002, 61, 375; 63, 387; 2003, 18, 107; 26, 158).

## **§ 20. Preservation of applications and documents**

Submitted applications and documents attached to them shall be preserved pursuant to the order established in «Archives Act» (RT I 1998, 36/37, 552; 1999, 16, 271; 2000, 92, 597; 2001, 88, 531; 93, 565; 2002, 53, 336; 61, 375; 63, 387; 82, 480) and in legislation established pursuant to that Act.



Просим Вас ответить на следующие вопросы: Special questionnaire for applications for short stay visits (max. 5 days)

1. Ваше имя, фамилия

.....

2. Цель поездки (пожалуйста, опишите подробно)

.....  
.....  
.....

2.1. места / мероприятия, которые Вы хотите посетить (названия, точные даты)

.....  
.....

2.2. Билеты / подтверждение о бронировании билетов прилагаются

- да  
 нет

3. С кем едете?

.....  
.....

4. Источник средств для оплаты Вашего путешествия (включая проезд, размещение, посещаемые Вами мероприятия, питание и иные расходы)

- зарплата (в месяц)  
 до 5 000 рублей  
 5 000-10 000 рублей  
 10 000-30 000 рублей  
 более 30 000 рублей  
 - пенсия  
 - оплачивает кто-то другой (пожалуйста, укажите кто именно)  
.....  
 - иное (пожалуйста, разъясните)  
.....

NB! Наличие указанных Вами денежных средств (наличные, кредитные карты, дорожные чеки и т.п.) проверяется при пересечении границы Эстонской Республики. Необходимый суточный минимум – 40 евро.

5. Где вы будете проживать во время пребывания в Эстонии:

- гостиница (укажите, пожалуйста, ее название и адрес)

.....

- бронь гостиницы прилагается  
 бронирования гостиницы не имеется

- иное .....

Дата, подпись .....