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

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

# RESTREINT UE



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THE EUROPEAN UNION

Brussels, 11 September 2006

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## REPORT

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from : Evaluation Committee

to: Schengen Evaluation Working Party

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Subject : Report on the Evaluation Committee's mission to the Consulate General of the **Czech Republic 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 the Czech Republic 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 Czech authorities are set out in footnotes.

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### *Acknowledgements:*

*The members of the Evaluation Committee (EvalCom) wish to thank the Czech authorities and the staff of the Consulate General in St Petersburg for the excellent organization of the visit and their valuable co-operation. Evalcom would also like to thank the staff of the Czech central authorities for their assistance as coordinators of the visit to the Consulates General located in St Petersburg.*

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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 the Czech Republic in St Petersburg on 16 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, the Czech Republic, 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 comprehensive exchange of general information between the Consulate General and the Ministries of Foreign Affairs and of the Interior as well as the possibilities provided by the electronic data transmission system.**

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

- **the in-service training of staff, which should be duly informed / trained about all relevant Schengen rules and regulations in the near future<sup>1</sup>;**
- **the security situation, notably regarding the interview room, the possibility to ensure a quick response in case of alarm, and the safe storage of visa stickers<sup>2</sup>;**
- **stamping of the visa sticker and the type of data contained in the machine readable zone<sup>3</sup>.**

**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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<sup>1</sup> Comments Czech Rep.: Technical staff of the Consulate has been trained in IT and Schengen acquis (plus more subjects – e.g. falsified documents identification) before their posting. Subsequent on-site training is organized by consul at periodic intervals. MFA plans to increase this type of training at all its Consulates in months preceding the date of full participation of the Czech Republic in the Schengen cooperation.

<sup>2</sup> Comments Czech Rep.: MFA has decided to hire a security company, which personnel would patrol inside Consulate's waiting room and if necessary also outside (to control flow of applicants). Security guard will be equipped with an access card to enter the waiting room from outside. In case of emergency this guard will be able to call a rapid-response team. The Consulate General currently takes necessary steps to find a reliable security company for this task. Problem of visa stickers has been addressed by urging this Consulate to relocate visa stickers' supply into IT system room, which is considered safer.

<sup>3</sup> Comments Czech Rep.: The Consulate General did not correctly apply the rule to stamp visa stickers outside of the machine readable zone. This problem has been addressed by urging this Consulate (moreover all other Czech consulates) to follow this rule. Problem of non-compatibility will be solved by changing of data in the machine readable zone according to Annex 10 of the CCI before the date of full participation of the Czech Republic in the Schengen cooperation.

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## 3. ACCESS TO THE CONSULATE GENERAL AND CONSULAR SERVICES

### 3.1 Location; entrances (description of premises/building)

The Consulate General is centrally located in St.Petersburg close to the seat of the local government and the Legislative Assembly. It is located in two houses on Tverskaya street, no. 5 and 7. The Consulate General is located in no.5, the visa section is on the ground floor of no 7 (the other floors are private apartments). Although each house has a separate entrance, the Consulate General is connected with the visa section by an internal corridor.

### 3.2 Information

Information on opening hours etc. and documents required for B and C-type visa and residence permits is posted on notice boards outside the Consulate General in Russian. In the waiting room of the visa section, information is available in Russian on opening hours, documents required for B and C type visas and residence permits, on the registration requirement within the Czech territory, on how to complete the application form (including a specimen of a correctly completed application form), and on travel medical insurance.

The Consulate General has its own website containing the necessary information on the visa procedure as well as on the requirement of travel medical insurance without however specifying the minimum sum to be insured, supporting documents and information on fees in Czech crowns (and the possibility of paying in € - without specifying the amount).<sup>4</sup>

Information on fees is not provided anywhere else.<sup>5</sup>

There is an automatic telephone answering service providing information in Czech and Russian 24/7. For additional advice, the applicant can phone the Consulate General during office hours.

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<sup>4</sup> Comments Czech Rep.: This problem has been addressed by urging this Consulate (moreover all other Czech consulates) to update information on travel insurance and visa fees on its website. Information on visa fees is also available upon request by phone.

<sup>5</sup> Comments Czech Rep.: Information on fees has been posted on notice boards inside and outside the Consulate.

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## 3.3 Application forms

Application forms in several languages (6) can be downloaded from the website of the Consulate General and that of the MFA. The applicant can complete the form online and print it. Application forms are also available at the counters upon request. The Schengen harmonised visa application form <sup>6</sup> was introduced, although it has not been adapted to Czech national law for the relevant parts <sup>7</sup>.

## 3.4 Access management

The visa section is open Monday to Friday, 9:00-11:00 and 13:30-16:00. The morning office hours are in principle reserved for applications from travel agencies and the afternoon hours for individual applicants, but these hours are flexible; if necessary, the visa section may receive applications outside the said opening hours. According to what Evalcom was told, about 150 people appear p/day, which may represent up to 700 applications (considering the numerous applications submitted by travel agencies).

There are 1 diplomat, 5 Czech technical staff (visa secretaries) and 2 local Russian staff members. Staff members use the entry of house no. 5 whereas applicants use the entry of house no. 7.

There are three counters: 2 for receiving applications (staffed by the 2 local Russian staff members) and 1 for receiving payments and returning passports with affixed visas (staffed by 1 Czech technical staff member).

Applicants are let into the waiting room in groups of max. five, by one of the counter-staff using the camera-intercom system (see also below, 4.).

There are 2 tables with 3 chairs and 1 wall table.

Applicants for long-stay visas, passports and civil registrar's services etc. are taken to a separate room (individually) inside the visa section (see also below, 4.)

No measures have been taken to control the flow of applicants; this was considered unnecessary by the staff of the Consulate General <sup>8</sup>.

In case of applying for a long term visa and in case of travel agencies presenting more than 40 applications, an appointment should be made.

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<sup>6</sup> Council Decision N°2002/354/EC of 25 April 2002, OJ L123 of 9.5.2002, p.50.

<sup>7</sup> Comments Czech Rep.: The Schengen harmonised visa application form has been adopted in order to harmonize visa processing. Relevant articles (53, 54) of the Alien Act (Czech national law) have been amended in accordance with Decision No. 2002/354/EC. An updated form with links to relevant parts of this Act will be made available (soon) and will be used until the date of full participation of the Czech Republic in the Schengen cooperation.

<sup>8</sup> Comments Czech Rep.: The MFA has decided to hire a security company, whose personnel would patrol inside Consulate's waiting room and if necessary also outside (to control flow of applicants). The security guard will be equipped with an access card to enter the waiting room from outside, guard the door from the waiting room to the interview room (to which he has (card key) access in case of alarm) so that in case this door is open he/she can prevent unauthorised persons from entering the interview room. In case of emergency this guard will be able to call a rapid-response team. The Consulate General currently takes necessary steps to find a reliable security company for this task.

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## EvalCom comments and recommendations:

Application forms should be made more readily available to applicants (now only available at the counters *upon request* and electronically) and fees should be clearly indicated (the latter was remedied on the spot).<sup>9</sup>

The Schengen harmonised visa application form is not adapted to Czech national law for the relevant parts: i.e. the reference should be to relevant national law, not yet to Schengen rules as is the case presently, in particular in box n°44.<sup>10</sup>

Although Evalcom did not note any particular problem, it struck the team that there was no control of the flow of applicants, which might be useful notably in peak periods<sup>11</sup>.

## 4. SECURITY (PREMISES)

### Outside

The premises are equipped with surveillance cameras fixed to the walls, which are monitored by the expatriate secretary during office hours. The images are recorded and saved for 1-2 weeks. This recorder is also installed in the office of (one of) the expatriate visa secretaries.

All windows are protected with bomb blast foil, circuit breaker alarm detectors and - in some areas - iron bars. The windows can be opened from the inside.

The staff entry door of house no. 5 is fitted with a door control intercom system and a camera system. The door for applicants to enter house no. 7 (visa /consular waiting room) has a double door system (lockage/slucice), a door control intercom system and surveillance cameras.

Both houses of the Consulate-General are guarded 24/7 by the Russian police (diplomatic missions protection unit). There is neither a Czech police officer nor a locally hired security guard on the premises of the Consulate General.

### Inside

An alarm system is in place. Motion detectors are installed in all relevant areas inside the building. Access to the different areas/zones of the building is differentiated - the alarm codes are assigned by the Czech national authorities.

The waiting room is separated from the rest of the building by a steel security door and all three counters are fitted with bullet-proof glass. This door is used for asking visa applicants into the back-office for interviews (if necessary), into the office of the expatriate visa staff. In this office, a panic button has been installed, in a visible place.

A handheld metal detector is available and functioning. This device is said to be used in case of suspicion, e.g. when bags are left unattended in the waiting room and occasionally when applicants are invited into the back-office (as described above).

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<sup>9</sup> Comments Czech Rep.: This problem has been addressed by urging this Consulate to change its praxis; visa application forms are now freely available inside the waiting room.

<sup>10</sup> See footnote 7.

<sup>11</sup> See footnote 8.



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Evalcom was informed that, in case the panic button is triggered or the alarm goes off, a siren goes off. In this case, the Russian police officer in the street may either render assistance, or call for backup by a rapid-response-team. However, the Russian police officer can only get access to the building when the staff of the Consulate General lets him in. In addition, after office hours, the alarm is connected to the mobile phone of the duty officer.<sup>12</sup>

**EvalCom comments and recommendations<sup>13</sup>:**

**Response/follow-up to alarm may take a long time since it is entirely dependant on action undertaken by the (1) Russian police officer outside, who in turn can only enter the building by virtue of a staff-member.**

**The interview room is in the secure zone occupied by the visa staff instead of in the area reserved for applicants; despite the protected access door and the presence of a hand-held metal detector, there is a security risk which could be avoided (bearing in mind that the response time may be quite long due to what was said above).**

**With a view to these two matters, Evalcom recommends that measures are taken to ensure a quick response in case of alarm, e.g. by making use of guards of a security company, preferably with a rapid response unit. Such a guard could also take care of crowd control matters (see chapter 3).**

## 5. SUBMISSION OF APPLICATIONS

### *- Pre-checking of applications*

The local (Russian) staff at two counters receive the application, check whether it is correctly completed, and check the supporting documents. The Czech staff of the visa section deals with any visa related questions and problems. A certificate of receipt of the application is made out with a reference number after which the application is handed to the cash counter, where the handling fee is collected and a receipt is made out (Czech staff).

### *- Personal appearance:*

In general, for a first visit to the Czech Republic, the applicant must appear in person. Exceptions to the rule of personal appearance are made for travel agencies, accompanying family members (spouses, children, parents, brothers, sisters) and "bona-fide" applicants known to the staff (businessmen, officials)<sup>14</sup>.

Where necessary, the staff may ask any applicant to appear in person for an interview.

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<sup>12</sup> See footnote 8.

<sup>13</sup> See footnote 8 - ***NB to be re-phrased by CZ regarding the interview room***

<sup>14</sup> Comments Czech Rep.: The Consulate General did not correctly apply the rule of personal presence of accompanying family members. This problem has been addressed by urging this Consulate (moreover all other Czech consulates) to follow this rule.



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## - *Representation*

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

## - *Nationality of applicants - Treatment of applications from non-residents*

The bulk of applicants are Russian (98%). About 1% are Ukrainian and 1% Belarusian.

Visas can be issued to non-residents, unless they are nationals of a country listed on the regularly updated list of countries with an increased migration and security risk.

## - *Application stamp*

The technical staff does not stamp the passport upon submission of the application since they keep the passport; they do stamp it if the applicant wishes to keep his passport. The same stamp is also placed in the passport in case of refusal at the end of the procedure. The stamp has the date and 'St Petersburg' written on it, but no reference to the type of visa.

## - *Handling fee*

The handling fee can be paid in Czech crowns and (since 1 March 2006) in Euros.

The applicant receives the original receipt, one copy is enclosed with the monthly accounts for the Czech MFA, and a second remains at the Consulate.

The Administrative Fees Act currently allows the MFA to lower or waive handling fees in cases of reciprocity or national interest; certain third countries benefit from this provision (e.g. Ukraine).

In case of refusal, the handling fee is not refunded <sup>15</sup>.

## **EvalCom comments and recommendations:**

**Since the passport is not necessarily stamped upon application since most applicants leave their passport at the General Consulate, and it is stamped in case of refusal, the application stamp *de facto* becomes a refusal stamp (or one of non-issuance), which is not in conformity with the future applying of the Schengen acquis. Furthermore, EvalCom points out that the CCI does not provide for exemption from personal appearance as a general rule for the category of accompanying family members; this category of visa applicants should, in principle, appear in person once applying the Schengen acquis in full. <sup>16</sup>**

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<sup>15</sup> Comments Czech Rep.: Visa application fees will be harmonized with Annex 12 of the CCI as of the date of full participation of the Czech Republic in the Schengen cooperation. Relevant parts of the Administrative Fees Act of the Czech Republic have been already amended.

<sup>16</sup> Comments Czech Rep.: The Consulate General did not correctly apply the existing internal rules on stamping every passport upon reception with the application stamp. This problem has been addressed by urging this Consulate (moreover all Czech consulates) to follow these rules. On personal appearance, see footnote 14.

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## 6. PROCESSING THE APPLICATION

### 6.1 Lodging of an application

#### Examination of an application

The Czech staff enters the application in the electronic visa system. They are also able to scan the passport's machine readable zone, allowing for quick computer access to all the relevant available data on the applicant. During the process, they (re-) check the supporting documents, passport validity, type of visa and length of stay requested as well as checking proof of accommodation, insurance, available funds, transport and the letter of invitation.

The local database shows an immediate “hit” providing an alert in case there is a real or potential problem with the applicant. Three different kinds of alerts can appear on the screen:

- “blacklisted”;
- “warning” (meaning that particular attention should be paid to the application);
- “wait” (meaning that issuing of the visa without prior consultation of the central authority is strictly forbidden).

All applications are normally submitted to the central authority (exceptions can be made only by the Consul General).

Data entered in the electronic visa system are transmitted to the Czech MFA (a “remark” frame can be opened and used by the expatriate staff for comments to help the central authority to take a decision in full knowledge of the facts), which forwards them to the Aliens Police. The reply follows the same route (all in all approx. 2 days).

The final decision is always taken by the MFA, which checks all factual data, whereas all security data are checked by the Aliens Police.

If the reply is positive, the Consul can still decide whether or not to issue the visa, in which case he will perform a last check. (see below). If the reply is negative, the visa may not be issued.

Normally, the whole process takes five days (national law stipulates a 30-day limit); it can however be delayed by data transmission problems or requests for additional data by the Aliens Police.

### 6.2 Supporting documents

The applicant must submit a valid travel document with the required period of validity, colour photo, proof of health insurance, proof of accommodation and means of subsistence (voucher, letter of invitation, proof of available funds).

Exemptions from the obligation to submit supporting documents must be approved by the Consul General.

As a means to "ensure" that an applicant returns to his country of origin, the Consulate General may additionally require the deposit of a guarantee of 1000€ (15-20 cases p/yr in St Petersburg).

Concerning minors, certified parental consent from both parents is required for children under 18 travelling alone. If the child travels with only one parent, the other parent must produce a notarised consent. Pupils and students must submit an original letter from their school or college.

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## 6.3 Co-operation with travel agencies

Cooperation with travel agencies accounts for 80% of total applications; they can also present applications for individuals. They must register with the Consulate General (presently over 120 registered agencies, 40 of which the Consulate regularly works with). Morning office hours are reserved for their applications.

The decision to cooperate with travel agencies is taken after a thorough accreditation procedure where the agency must show proof of their national licence, an agreement with a Czech counterpart, a sample of a voucher and the existence of a certified courier before being accredited to the Consulate General.

Meetings are held on a yearly basis with travel agencies to discuss operational aspects of cooperation, performance etc.

## 6.4 Travel medical insurance

Every applicant must present proof of travel medical insurance (based on national law); the minimum amount to be insured is EUR 30,000. Exemptions apply to diplomatic and service passport holders. There is no registration of travel medical insurance companies, but 5-6 big companies are recognised.

## 6.5 Types of visa issued

Long stay visa applications are sent to the Alien and Border Police Service for a decision. Competence for extending short stay visas lies with the Regional Directorates of the Alien and Border Police Service.

EvalCom was informed that applications for multiple entry visas (approx. 10 p/day) are approved by the (deputy-) head of the visa section.

Schengen residence permits are recognised for transit purposes.

### EvalCom comments and recommendations:

**As to the Consulate General's requirement of depositing a guarantee of 1000€ from citizens of certain countries to ensure that an applicant returns to his country of origin, Evalcom was told this practice would be abolished upon joining Schengen in full.**

**With a view to the future, it is recommended that better screening of travel medical insurance companies take place in line with the existing guidelines thereon <sup>17</sup>.**

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<sup>17</sup> Comments Czech Rep.: Better screening of travel medical insurance companies will also be organized through Czech contributions in the framework of local consular cooperation.

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Furthermore, EvalCom considers the number of approx. 10 applications for multiple entry visas per day rather high and points out that - when applying Schengen in full - multiple entry visas should only be issued when necessary according to the travel itinerary.<sup>18</sup>

## 7. VISA STICKER

Stickers are printed, by the Czech technical staff, on an inkjet printer (there are 5) directly from the electronic visa system. The visa sticker has a digital photograph, machine-readable zone, a stamp in special red ink (affixed by the Czech technical staff), and the signature (black ink) of the Consul or his deputy.

Already affixed stickers containing errors are stamped 'NEPLATNÉ-INVALID'. Other visa stickers containing errors are similarly stamped and destroyed once per 2-3 months in a shredder. A record is made of all invalid stickers, which is sent to the MFA.

### EvalCom comments and recommendations:

Evalcom noted that in several cases, the stamping of the visa sticker was done partly in the machine readable zone. This should be remedied by the time of joining Schengen in full (CCI VI, 5.5).<sup>19</sup>

Since the data in the machine readable zone at present do not fully match the requirements of the CCI (Annex 10), this should be brought in line with the existing requirements.<sup>20</sup>

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<sup>18</sup> Comments Czech Rep.: The Consulate General issues multiple entry visas only when necessary and only to the following three categories of applicants:

- Applicants travelling to border areas of the Czech Republic (usually for a spa treatment) ONLY IF they are equipped with valid Schengen visas;
- Businessmen (usually “bona fide” applicants);
- Applicants with invitation forms confirmed by the Czech Alien Police, which confirm that the inviting person will cover all necessary expenses arising from stay of the invited person and contain reasons why a multiple entry visa should be issued.

<sup>19</sup> Comments Czech Rep.: The Consulate General did not correctly apply the rule to stamp visa stickers outside of the machine readable zone. This problem has been addressed by urging this Consulate (moreover all other Czech consulates) to follow this rule.

<sup>20</sup> Comments Czech Rep.: This problem will be solved by changing of data in the machine readable zone according to Annex 10 of the CCI before the date of full participation of the Czech Republic in the Schengen cooperation.

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## 8. ISSUANCE OF VISA

The visa is delivered normally within 3-5 working days to the applicant by a Czech staff member. The applicant must present a certificate of receipt of the visa application.

If a visa is refused, the applicant is informed orally. A form with a reference to the relevant national law is delivered at the counter only upon request (national law contains the obligation to inform the alien in writing, only upon request, about the refusal in law). This obligation applies also to family members of EU citizens.

Motivation may be given on the factual grounds of refusal if these are not considered sensitive. Applicants do not have the opportunity to appeal. They can however lodge a new application any time.

## 9. SECURITY (STAFF/MATERIAL)

### 9.1 Staff

*Local (Russian) staff* may: work at the counter, have contact with the applicants and check whether the documents presented are complete/sufficient.

*Expatriate Czech technical staff* may check whether the documents presented are complete/sufficient; prepare the electronic processing application (e.g. insert data into database), print the sticker, receive negative answers from national databases, decide whether further information is required, hand out the visas and cash the handling fee.

*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.

Checks upon recruitment are carried out for both the expatriate and local staff; the head of mission sends candidatures with their CV's to the security department of the MFA and after approval, the candidate is hired. He/she is monitored and evaluated during approx. 3 months after which he/she can receive a permanent contract. The head of mission evaluates performance of all staff approx. 2X p/yr. Staff does not undergo any further evaluation.

Potential for misuse of professional position is limited by the existence of a weekly rotation scheme between the 5 Czech technical staff members.

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## 9.2 Documents

When the main supply of stickers reaches a level of 10.000, the consul orders 20.000 new ones.

Evalcom was informed that the MFA keeps a detailed register of stickers and ensures proper protection and distribution. Upon receiving the stickers (by diplomatic pouch), diplomatic missions must confirm receipt to the MFA's Consular Department, keep records of stickers used and register their numbers electronically.

Expatriate staff members who are authorised to handle visa stickers, receive 1.000 stickers, which is sufficient for 1 to 2 weeks.

During office hours, the stickers and stamps are allocated to authorized staff against their signature. Each staff member keeps the allocated visa stickers in his/her own lockable box, which must be put back in the safe after office hours. Both the Consul and the relevant staff member sign for taking over and handing over of the stickers.

After office hours, visa stickers, stamps and other protected documents are kept in a safe at the visa section. This room is equipped with a motion detector. The window does not have security features other than those already described in chapter 4 (the iron bars in that particular room were found to be weak and rusty)<sup>21</sup>. The window leads to an inner courtyard (with a fence and a mechanic code lock, but used by occupants of apartment blocks above and next to house No. 7).

Processed visa applications are kept in safe archives in the building of the Consulate General for 5 years, after which they are destroyed.

## 9.3 IT

All data entered in the electronic visa system are backed up on the local server, the MFA server and the Aliens Police server. The local server is located in a safe room: only the Consul and the IT expatriate expert have access to this room.

There are different levels of access to the system for the Czech technical staff.

Passwords are allocated to authorised staff by the MFA and normally expire after a maximum of one month.

The screens are not blanked automatically; staff has to log out themselves.

EvalCom was informed that data transmission is processed by means of data channels which are encrypted (LOTUS).

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<sup>21</sup> Comments Czech Rep.: The Security Department has been requested to solve this problem. See also footnote 23.



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## EvalCom comments and recommendations:

**On the whole, the IT system seemed up to standards although measures should be taken to ensure that screens are blanked automatically to prevent unauthorized access to information. The electronic data transmission system provides useful possibilities to exchange information, feed the central and local databases and draw the attention of the expatriate staff to potential *mala fide* applications / applicants (cf the triple "hit" alert mentioned above).<sup>22</sup>**

**Since the room in which the main supply of visa stickers is currently kept, cannot be considered a strong room, whereas such a room is available for the IT system, it is recommended that the main supply of visa stickers be stored in a safe in that room upon joining Schengen in full.<sup>23</sup>**

## 10. EDUCATION AND TRAINING

Four regional consular officers' meetings take place every year in Prague (one for each region in which the Czech Republic has a significant number of Consulates). These seminars include training on travel documents, IT and give Consuls the opportunity to comment on common difficulties encountered at work. Evalcom was informed that similar meetings take place also at Embassies of the Czech Republic in Asia, Africa and America. Another specialized meeting for heads of consular sections in sensitive regions (Russian Federation, Ukraine...) is organized annually at one of the Czech Republic's Embassies in the region.

No specific pre-Schengen training/conferences have been organized by the Czech Republic's central authorities.

New regulations and guidelines are sent to all Consulates by the Czech MFA. Evalcom was told that Consulates annually receive a document called "Assessment of Travel Documents Misuse in Illegal Migration in the Czech Republic", but only the 2003 version was found at the Consulate General<sup>24</sup>. Detailed information on how to process applications for short-stay as well as national visas has been distributed to the Consulates by means of a "Guidebook for Issuing Visas". The CCI (both in English and in Czech) is available to all staff members working at the Visa Section of the Consulate General. The MFA also distributes all relevant reports, documents and minutes of meetings of EU Council VISA and COCON working groups.

In 2006, the Directorate of the Alien and Border Police Service set up an electronic catalogue of specimen of travel documents, obtained from third countries, which is available to all staff members of the Visa Section. The catalogue seems to be regularly updated.

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<sup>22</sup> Comments Czech Rep.: This problem has been addressed by urging this Consulate (moreover all other Czech consulates) to change PC settings; screens will be blanked after a preset delay.

<sup>23</sup> Comments Czech Rep.: This problem has been addressed by urging this Consulate to relocate visa stickers' supply into IT system room, which is considered safer.

<sup>24</sup> Comments Czech Rep.: 'Assessment of Travel Documents Misuse in Illegal Migration in the Czech Republic' is distributed -both electronically and in paper copy- to all Consulates of the Czech Republic annually. The Consulate General in the meantime received a replacement copy.



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Czech Consular officers compile annual consular reports containing information including on visas, and forward them to the MFA.

Czech technical staff members involved in the issuance of visas are not specifically trained at the Consulate-General, neither on the Schengen acquis nor on IT. They are however monitored during their first weeks on the job.<sup>25</sup>

## EvalCom comments and recommendations

**Despite a comprehensive exchange of information between the MFA and the Consulate General (in both directions), the in-service training system of both consular officers and staff members on the spot is considered to be insufficient. Before being able to apply Schengen in full, Czech visa officers should be duly informed about all relevant Schengen rules and regulations.** <sup>26</sup>

## 11. EQUIPMENT FOR DETECTING FALSE DOCUMENTS

The Consulate General is equipped with a source of ultraviolet (UV) light and a magnifying glass for the purpose of detecting false and falsified documents. Evalcom was informed that the expatriate technical staff receives training on how to work with this equipment. Additionally, part of the training before posting is carried out at the Alien Police Directorate special division for false/falsified documents. Finally, Evalcom was told that it is intended to extend the scope of this training.

Evalcom was told that in cases of doubt the Consulate General consults the Russian authorities. An electronic database with samples of travel documents from all countries, incl. security features, is available. This database appears to be up to date and is easily accessible.

## EvalCom comments and recommendations:

**In addition to the extension of training as mentioned above, it is advisable to equip the Consulate General with all the relevant devices to check safety features of travel documents (incl. retro-viewers)** <sup>27</sup>.

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<sup>25</sup> Comments Czech Rep.: Technical staff of the Consulate has been trained in IT and Schengen acquis (plus more subjects – e.g. falsified documents identification) before their posting. Subsequent on-site training is organized by Consul at periodic intervals. MFA plans to increase this type of training at all its Consulates in months preceding the date of full participation of the Czech Republic in the Schengen cooperation.

<sup>26</sup> See footnote 25.

<sup>27</sup> Comments Czech Rep.: See footnote 25. MFA will gradually equip all its Consulates with retro-viewers.

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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 since -as EvalCom was informed- Austria which currently holds the 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 or one of the other two consuls (depending on the issues discussed) attends the 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 the Czech Republic, as far as its Consulate General in St Petersburg is concerned, may be in a position to implement the Schengen Acquis in due course. No significant failings or chronic errors were noted in the daily work of the Consulate General.*

As far as the availability of information is concerned, there is a comprehensive (electronical) exchange of general information between the MFA and the Consulate General in both directions on e.g. new regulations and guidelines, reports, documents etc.

The electronic data transmission system also provides useful possibilities to feed the central and local databases and draw the attention of the expatriate staff to potential malafide applications / applicants.

On the whole, the IT system was considered up to standard, although care should be taken that screens are blanked automatically to prevent unauthorized access to information.

*Evalcom wishes to comment on a few points which, to its mind, merit special attention or reviewing by the Czech authorities in order for the Czech Republic to apply Schengen in full* <sup>28</sup>:

Regarding the in-service training system of both consular officers and staff members on the spot, Evalcom considers this to be insufficient; before being able to apply Schengen in full, Czech visa officers should therefore be duly informed / trained about all relevant Schengen rules and regulations.

The visa application form, which is aligned to the Schengen harmonised visa application form, should be adapted (for the time being) to Czech national law, in particular regarding box n°44, and made more readily available to applicants.

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<sup>28</sup> Comments Czech Rep.: see footnotes 1-5 and 7-27.

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On security, there is a risk regarding the interview room which should be remedied. Evalcom recommends that measures be taken to ensure a quick response in case of alarm, e.g. by making use of guards of a security company, preferably with a rapid response unit. It furthermore recommends that the main supply of visa stickers be stored in a safe in the existing strong room (available for the IT system) upon joining Schengen in full.

The stamping of the visa sticker should be done in accordance with CCI VI, 5.5, and the data in the machine readable zone should match the requirements of the CCI (Annex 10).

EvalCom considers the number of approx. 10 applications for multiple entry visas per day rather high and points out that - when applying Schengen in full - multiple entry visas should only be issued when necessary according to the travel itinerary.

Finally, family members of EU nationals should be exempted already now from the requirement to provide proof of travel medical insurance, in accordance with Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

Similarly, with a view to the future it is recommended that better screening of travel medical insurance companies take place in line with the existing guidelines thereon.

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ANNEX I

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

### VISAS ISSUED BY THE CZECH REPUBLIC CONSULATE 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 in %
January	0	12	1354	1366	8	1374	10	0,72780204
February	0	62	1744	1806	15	1821	12	0,65897858
March	0	18	3230	3248	20	3268	9	0,2753978
April	0	11	4829	4840	17	4857	8	0,16471073
May	2	39	2514	2555	22	2577	5	0,19402406
June	3	31	3102	3136	33	3169	10	0,31555696
July	0	31	3825	3856	29	3885	7	0,18018018
August	0	22	3736	3758	24	3782	7	0,18508726
September	0	59	3053	3112	29	3141	21	0,66857689
October	0	14	3689	3703	24	3727	12	0,32197478
November	0	23	3121	3144	36	3180	9	0,28301887
December	2	40	5350	5392	12	5404	7	0,12953368
<b>Total</b>	<b>7</b>	<b>362</b>	<b>39547</b>	<b>39916</b>	<b>269</b>	<b>40185</b>	<b>117</b>	<b>0,34207015</b>

### VISAS ISSUED BY THE CZECH REPUBLIC CONSULATE 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 in %
January	0	12	1101	1113	38	1151	10	0,86880973
February	0	16	1599	1615	15	1630	9	0,55214724
March	2	41	4272	4315	9	4324	3	0,0693802
April	0	20	6311	6331	11	6342	1	0,0157679
<b>Total</b>	<b>2</b>	<b>89</b>	<b>13283</b>	<b>13374</b>	<b>73</b>	<b>13447</b>	<b>23</b>	<b>0,37652627</b>

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ANNEX II

## Participants

<b>(FIN)</b>	Timo TÄYRYNEN (leading expert)
<b>(SK)</b>	Fedor ROLL
<b>(NL)</b>	Ferdi GEUTJES
<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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