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LATVIA: Report on Sea Borders

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THE EUROPEAN UNION**

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**SCH-EVAL 133
FRONT 175
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REPORT

from : Sea Borders Evaluation Committee
to: Schengen Evaluation Working Party
Subject : Schengen evaluation of the new Member States
LATVIA: Report on Sea Borders

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

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1. INTRODUCTION

Based on the mandate of the Schengen Evaluation Group (SCH/Com-ex (98) 26 def) and the programme of evaluations adopted by the Council (15275/04 SCH-EVAL 70 COMIX 718 and 7638/2/05 SCH-EVAL 20 COMIX 200), the Sea Borders Evaluation Committee carried out a visit to Latvia between 5 and 8 July 2006.

The visit was scheduled as shown below:

5 July 2006: *Arrival in Latvia.*

6 July 2006: *Presentations of the State Border Guard (SBG), the State Police, the NAF, the Customs and the Sanitary Border Inspection; the Ventspils board of the SBG, the Ventspils Police Department, the Naval Forces and Air Forces of the NAF, the Kurzeme regional office of the Customs, and the Sanitary Border Inspection; the Operational Coordination Centre of the Ventspils board of the SBG. Evaluation of the OCC, duty service and mobile video-surveillance system of the marine division of the Ventspils board of the SBG and the Maritime Surveillance and Communication Service of the Latvian Naval Forces in Ventspils; presentations of the Ventspils port BCP, the Ventspils Police, the Customs of the Ventspils port and the Sanitary Border Inspection. Evaluation of the Port of Ventspils.*

7 July 2006: *Presentations of the development projects of the Ventspils board, evaluation of the Ventspils board of the SBG Sea Control Team, evaluation of the vessel "VALPAS", evaluation of the Riga Board of the SBG Passenger terminal.*

8 July 2006: *Presentations of Riga board of the SBG, Riga Central Police Board, Riga Central Customs Board and the Sanitary Border Inspection; presentations of Riga port BCP of the SBG, Riga Police, Customs of Riga port and the Sanitary Border Inspection. Evaluation of the MRCC which is also the Latvian Naval Forces Coast Guard Service and Maritime Rescue Coordination Centre (MRCC Riga). Evaluation of the Port of Riga. Departure to Lithuania.*

Members of the Evaluation Committee:

Mr Henrik WÄRNHJELM – leading expert	Finland
Mr Andreas HOCHEGGER	Austria
Mr Jacques LAINE	France
Mr Sven-Lars MARIENFELD	Germany
Mr Satko MUJAGIC	The Netherlands
Mr Arne Dag FRIVAAG	Norway
Mrs Alexandra CEIA	Portugal
Mr Jesus MARTINEZ LOZANO	Spain
Mr Robert PRIMUS	Sweden
Mr Durante RAPACCIUOLO	European Commission
Mr Sandor DUSIK	General Secretariat of the Council

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The Evaluation Committee wishes to express its appreciation to the Latvian authorities for their outstanding hospitality. Special thanks are extended to the team that accompanied the Evaluation Committee throughout the evaluation and provided all the assistance needed.

The Evaluation Committee visited the following sites for presentations:

Ventspils Board of the State Border Guard,
Riga Board of the State Border Guard,
Latvian Naval Forces Maritime Surveillance and Communication Service in Ventspils
Latvian Naval Forces Coast Guard Service and MRCC Riga.

The Evaluation Committee evaluated the activities at the following sites:

Ventspils Operational Coordination Centre (OCC),
Port of Ventspils,
Port of Riga.

2. MANAGEMENT SUMMARY

The Committee evaluated the border control activities in the ports of Ventspils and Riga, the Operational Coordination Centre, the Ventspils Board Duty Service, the Border Guard vessel Valpas and the Latvian Naval Forces Maritime Surveillance and Communication Service in Ventspils and the Latvian Naval Forces Coast Guard Service and MRCC Riga. Basic presentations were given to the Committee at the Ventspils Board of the State Border Guard HQ in Ventspils and at the Riga Board of the State Border Guard HQ in Riga.

During the entire visit the Committee was escorted by top level representatives of the State Border Guard ready to provide the experts with additional information and to clarify answers. Although some parts of the agreed programme for the visit had to be rescheduled, the Committee gained a broad view of the border control activities at the sea borders in Latvia. A planned demonstration of a combined operation including a helicopter, a vessel, a specially trained boarding team, dogs and boats had to be removed from the programme due to the tight schedule. The Committee was still convinced of the ability of the Border Guard to perform such operations.

The threat of illegal immigration via the Latvian sea borders has been low over recent years and this situation seems to be stable. The Committee underlines, however, the need to continue monitoring this situation since the migratory risk can easily change. The future abolition of internal border controls could also negatively influence this situation.

The integrated border security model forms the basis of the border security system in Latvia. The competent authority responsible for border management is the Latvian State Border Guard, an authority within the Ministry of the Interior. The activities are based on systematically performed risk analysis and continuous exchange of information between cooperative partners and international bodies.

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Border checks are exclusively performed by specially trained Border Guard professionals, but the surveillance of the sea borders is mainly performed by the Latvian Navy which operates the radar network, the AIS Coastal Network (Automatic Identification System) and the Coastal Network of the Global Maritime Distress Ship system (GMDSS) and delivers the information to the Border Guard. Coast Guard cutters, naval ships and aircraft of the National Armed Forces are also used in border surveillance under the supervision of the Border Guard. The Border Guard complement the information provided by the National Armed Forces with information from a system of remotely controlled cameras and patrols by their own personnel.

The Committee notes that any use of confidential data, conduct of risk analysis and any decisions on law-enforcement measures shall be exclusively conducted by professional border guard personnel. In the context of Schengen border surveillance, military units should not be used for stopping or searching vessels, checking identities, or for apprehending civilians.

Taking into account the plans to improve the performance and coverage of the technical surveillance system, the surveillance of Latvian sea borders is considered to be sufficient. The Committee notes, however, that the function of supervision and instruction by the Ministry responsible for border management, implementation of risk analysis as well as data flow management should be strengthened and streamlined. It is also important to ensure an appropriate level of professionalism and training of the personnel responsible for these tasks. To that end it is recommended that the Border Guard should assume a more active role in this field. The operational reaction concept must be able to ensure that stopping, searching and apprehension will always come under a professional service.

At all sites visited by the Committee it was obvious that Latvia, supported under the Phare and Schengen Facility Programmes, has made great efforts to replace and modernise its border control equipment and to train its officers. The purchase of a wide range of additional equipment will be completed by the end of 2007.

The current infrastructure was in general considered to comply with the Schengen standards although some shortcomings were identified with regard to the booths in both Ventspils and Riga. The equipment currently available was considered to be appropriate and sufficient. The border control procedures applied by the personnel also comply in general with the Schengen provisions.

In general, the Committee noted that most officers met during the visit were highly motivated professionals well acquainted with the Schengen acquis. However, their linguistic skills vary greatly. Russian is widely spoken, but their knowledge of the main European languages needs in general to be improved. The Latvians have already made great efforts in this field and additional language training courses are being provided for the personnel. The number of staff available at the sea borders is sufficient.

In general, the border control measures at the sea borders are mostly carried out in accordance with the Schengen requirements, but the Committee notes that the arrangements for border surveillance should be reviewed. In view of the low threat of illegal immigration, the high-tech equipment, the infrastructure as well as the current number and standard of personnel, the Committee is of the opinion that the sites visited at the sea borders will meet Schengen standards.

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3. GENERAL INFORMATION

Information of a more general nature is contained in Latvia's reply to the questionnaire which was addressed to the Latvian authorities with a view to the evaluation of the application of the Schengen acquis, i.e. 15561/05 SCH-EVAL 120 COMIX 825 (RESTREINT UE). Reference is also made to the Latvian replies to additional questions, as contained in 7649/06 SCH-EVAL and 10699/06 SCH-EVAL. However, for reasons of clarity, the Committee would like to reiterate some of the main elements contained in these replies.

3.1. Strategy

3.1.1 Legislation

The laws regulating the operations of the Border Guard are as follows:

- State Border Law;
- Border Guard Law;
- Immigration Law;
- Asylum Law;
- Citizenship Law;
- Law On Stateless Persons;
- Personal Identification Documents Law;
- The Criminal Law;
- Criminal procedure Law;
- Administrative Procedure Law;
- Law on aviation;
- Law on "Radiation and nuclear safety";
- Law on the Handling of Weapons;
- Road Transport Law;
- Maritime Code;
- Maritime Administration and Marine Safety Law;
- Law on Official Secrets.

3.1.2 General strategy for border management

On May 28, 2003 the Latvian Government adopted the **State internal security programme** by approving the **Integrated Border Management Strategy**. This comprehensive programme reflects issues regarding Latvian state border security. One of the many objectives and tasks of this programme is to maintain border security and simultaneously ensure that action is taken in connection with cooperation development and the establishment of compensatory mechanism between the Baltic States prior to full accession to the Schengen Agreement and the abolition of internal border control. The strategy includes action to be taken and proper effectiveness evaluation instruments for such action. According to the objectives of the strategy, the following action was taken:

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- ✓ the Government established a permanent **State Border Security Council**;
- ✓ **cooperation** was initiated among the State Border Guard, the State Police, the Customs and the Sanitary Border Inspection in the area of state border security;
- ✓ a **common contact point** for the State Border Guard and the Customs was established at the internal border of both neighbouring countries;
- ✓ the **State Border Guard liaison officers institute** was established abroad – in Russia and Belarus;
- ✓ **risk analysis areas and distribution of responsibility** were defined among institutions to avoid overlapping functions ;
- ✓ policy for the transfer of staff from internal to external borders, immigration services, aviation and sea borders;
- ✓ increase of traffic capacity at border crossing points and development of methods to ensure detection of illegal immigrants at the internal borders and in the territory of Latvia, etc.

In addition, this strategy is intended to strengthen the fight against cross-border crime by promoting closer cooperation among the State Police, the Customs and the State Border Guard.

The development stages for the state border security have been approved in the **Development plan of the State Border Guard 2001-2005** by the Cabinet of Ministers. This document provides for specific effective border security maintenance and the promotion of objectives and the action to be taken for achieving these objectives, as well as the main results to be achieved. The plan also provides for the infrastructure at the external border, the equipping of border control points and structural units with technical means, the improvement of mobility, etc.

The state border control plan ¹ defines the state border control tasks in a detailed and precise way, including the tasks of the Naval Forces of the National Armed Forces, and provides support for the State Border Guard in respect of sea border surveillance.

3.1.3 Analysis of environment and threats

The main threats are the smuggling of excise goods, the smuggling of migrants and illegal residence in Latvia. Only a few cases of illegal or irregular border crossing were recorded. The current migratory pressure seems to be very low (*see Annex, table I*).

3.1.4 International cooperation (regional, bilateral and readmission agreements)

In respect of EU external border management, the Latvian State Border Guard implements cooperation at international and regional level. The legal basis for bilateral cooperation is established by international and regional level treaties and agreements on common cooperation and information exchange.

Regional cooperation

To combat illegal migration and cross-border crime, as well as to develop an information exchange procedure, the Republic of Latvia law enforcement authorities take part in the following international fora:

¹ Laid down by the Republic of Latvia State Border Law

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The Baltic Sea Region Countries Border Control Conference (BSRBCC)

Cooperation is implemented among the heads of border guard authorities of 11 countries, including third countries. Cooperation provides for regular exchange of situation reports in the area of illegal immigration, the carrying out joint operations and the common training as well as participation in special operations and information exchange.

The Conference of the Baltic States and Finnish Border Guard, Police and the Customs Services

Cooperation is implemented among the Finnish, Latvian, Estonian and Lithuanian border guard, Police and the Customs services by organising activities at the level of heads of and experts in the services, as well as carrying out integrated joint operations for increasing the degree of border security.

The Baltic Council of Ministers

Cooperation is implemented among the Latvian, Estonian and Lithuanian border guard services by organising events at the level of heads of and experts in the authorities, as well as carrying out joint operations.

Task Force

Cooperation is implemented among authorised representatives of border guard authorities, the Police and the Customs of 11 countries by creating target working groups for fighting cross-border crime and for the coordination of forces. Under this cooperation, the acquisition and processing of operational information are organised and special intelligence operations at sea and on land are conducted, including in the area of illegal migration.

The Railway cooperation organisation

Several countries take part in the work of the organisation, including the border guard authorities of the countries of origin of illegal immigrants. Under this cooperation, information exchange is carried out to improve the quality of border control measures.

In respect of EU external border management, the Latvian State Border Guard implements cooperation at all levels. The Head of the Latvian State Border Guard takes part in meetings of the **FRONTEX** agency and is a member of the FRONTEX Management Board. The State Border Guard has taken part in several activities organised by FRONTEX (Joint operations, Focal points and training activities). Prior to the establishment of FRONTEX, the SBG took part in the activities of different special centres (the Land Border Centre, the Air Border Centre, the Western Sea Border Centre, the Eastern Sea Border Centre and the Training Centre).

Bilateral cooperation

Within the scope of bilateral cooperation, during the period from 1993 intergovernmental agreements have been signed with the neighbouring countries – the Russian Federation, the Republic of Belarus, the Republic of Estonia and the Republic of Lithuania – on activities by authorised border representatives, organisation of common border control, cooperation in border guarding issues and the carrying out of operational measures, procedure for exchanging operational information, simplified visa issue to beneficiaries of local border traffic and border maintenance.

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The State Border Guard has signed cooperation protocols and agreements with the Swedish Coast Guard, the Border Guard of the Republic of Hungary, the National Border Guard of the Republic of Poland, the Rotterdam Sea Port Police and with the Moldavian border guard department. Within the scope of cooperation, the bodies exchange information in respect of illegal immigration, take part in the investigation of border incidents, etc. In 1997 the State Border Guard signed protocols with the Finnish Border Guard on mutual cooperation in the area of training, but on 27 November 2002 a cooperation protocol was signed for an indefinite period under which a training plan is devised each year. The State Border Guard plans to improve the border management area by signing agreements on cooperation with the Federal Police of Germany, Northern Headquarters and District Rostock and with the Swedish National State Police. Cooperation with the Georgian Border Guard will commence in the near future.

Cooperation with third countries

On 26 July 2006 an agreement between the State Police and the State Border Guard was signed on the use of the State Police's liaison officer, who is posted to Russia (Moscow), by the State Border Guard to obtain and exchange information on illegal immigration. As a result of to the increasing number of illegal immigrants coming from the Ukraine, the State Border Guard is planning to second a liaison officer to the Ukraine.

On 28 July 2006 an agreement between Latvia and Russia was signed on the establishment of a Joint Latvian – Russian Working group for combating illegal immigration.

An agreement between the State Border Guard, the Office of Citizenship and Migration Affairs of the Republic of Latvia and the Ministry of the Interior of the Republic of Belarus was signed on 18 May 2004 on general information exchange in the field of illegal immigration and asylum.

Cooperation has been started with the Moldavian Border Guard in order to provide support for the Moldavian border guards in fighting illegal immigration and to reorganise the Moldavian Border Guard in line with EU requirements. In 2005-2006 the Ministry of Foreign Affairs granted the necessary financing to the State Border Guard for the implementation of cooperation. Ten support missions were planned in 2005, out of which eleven have already been carried out. Nine support missions were planned in 2006, out of which four have already been carried out. A similar programme has been planned vis-à-vis the **Georgian Border Guard**.

The State Border Guard has established a **national contact point for cooperation with immigration liaison officers of other Member States**. The staff of the contact point use a specially established network ICONET for obtaining information on illegal immigrants, elaboration of risk analysis and *ad-hoc* information exchange.

Based on the intergovernmental agreement between the Republic of Latvia and the Russian Federations on activities by authorised border representatives (*a similar agreement is in place with the Republic of Belarus*), as well as in accordance with the agreement between the Governments of Latvia and the Russian Federation on cooperation relating to border guarding issues, there are joint meetings held between authorised border representatives. They regularly exchange information on possible activities and actions to combat illegal immigration.

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The institute of authorised border representatives is used to ensure the Latvian national border security and cross-border cooperation at the Russian and Belarusian borders. These meetings are often attended by Customs and Sanitary Border Inspection executives of both countries. It is also an effective forum for solving issues relating to flexibility of border control. This provides an opportunity for both parties to analyse the border security situation and promptly react to it if it is necessary.

Increasingly active support is given to cooperation with other international and non-governmental organisations by sending the State Border Guard's experts to illegal migration risk countries (BOMCA, UNDP, IOM, etc.).

Readmission agreements

(See Annex, table J)

3.1.5 Cooperation with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)

Overall summaries and reports are sent regularly to FRONTEX. The Head of the Latvian State Border Guard takes part in the meetings of the agency. The SBG experts also take part in joint operations and Focal Points in other EU countries organised by FRONTEX and in FRONTEX training projects.

3.2. Organisational structure

3.2.1. Centralised supervision and instructions

In Latvia the highest border control authority is the **State Border Guard**, established in 1919 and re-established in 1991. It is under the supervision of the Minister of the Interior. The State Border Guard is responsible for border control and surveillance, as well as the fight against illegal migration. The State Border Guard is led by the Head of the State Border Guard, and it consists of the Central Board and nine territorial boards, 69 border control points, 30 border guard divisions, 4 border-crossing points, 30 immigration services/divisions and an illegal immigrants' residence centre. The State Border Guard also supervises an educational establishment of the Ministry of Interior – the **College of the State Border Guard**.

Structure of the State Border Guard

(See Annex: table A)

The rights, duties and responsibilities of the State Border Guard are laid down in the **State Border Law, the Border Guard Law, Immigration Law** and other legislative acts. In Latvia, the organisation of **integrated state border control and surveillance is the area of responsibility of the Ministry of the Interior**. The Ministry of the Interior plans activities on the material and technical supply of the State Border Guard means of communication, motor vehicles, weapons, purchase of guns, construction of buildings and the establishment of infrastructure, as well as ensuring the discharge of the tasks of the State Border Guard.

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The State Border Guard maintains professional contacts with the competent services of other countries. According to its competence, the State Border Guard signs agreements with them and prepares drafts of international treaties and submits them to the Ministry of the Interior for further processing and approval.

3.2.2. Coordination and inter-agency cooperation, division of responsibilities

Cooperation among the national state administration authorities concerning state border security is established by the **State Border Security Strategy** and other legislative acts.

The State Border Guard cooperates with other state and municipal authorities, private entities and international organisations on issues of border surveillance and control, as well as on issues linked to control of compliance with migration rules and other issues under its competence. It is the duty of state and municipal authorities, private entities and their executives to provide assistance to the State Border Guard in carrying out its duties.

Cooperation among the State Police, the Customs, the State Border Guard and the Sanitary Border Inspection is based on instructions from the Cabinet of Ministers and inter-institutional agreements.

The highest level national coordinating institution is the State Border Security Council, which is presided by the Minister of the Interior and composed of the heads of the competent ministries and authorities.

Planning, coordination and implementation of cooperation among the State Police, the State Border Guard, the Customs and Sanitary Border Inspection are the responsibility at institutional level of the cooperation management group, and of regional cooperation groups at territorial level.

The State Border Guard, the Latvian Maritime Administration and the National Armed Forces cooperate in the area of surveillance of maritime areas of Latvia.

To implement the abovementioned function, LNF Coast Guard cutters, naval ships and aircraft of the **National Armed Forces** are used. The information supplied by the LNF maritime surveillance system which is available to the Naval Forces of the National Armed Forces is used by the State Border Guard.

The frequency of and procedure for the use of LNF Coast Guard cutters, naval ships and aircraft of the National Armed Forces is mutually agreed.

The **Customs** carry out physical checks on goods, licences and permits, carriage (size, weight, dangerous cargoes, etc.), as well as checks on personal baggage and examination of persons.

Given the increasing role of the Customs in ensuring public security, the Customs has determined as priority tasks: detection of imports of narcotic and psychotropic substances, forged goods, guns and other conventionally prohibited and illegal goods as well as the fight against the smuggling of excise goods.

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The division of responsibilities among the authorities in the **fight against illegal immigration** is as follows:

The Office of Citizenship and Migration Affairs is responsible for:

- ✓ issuing removal orders;
- ✓ decisions on forced return of an alien;
- ✓ imposing entry bans;
- ✓ maintaining and up-dating a list of aliens on whom an entry ban has been imposed in the Republic of Latvia;
- ✓ issuing of standard travel documents;
- ✓ decisions on admission of persons (issuing of return certificates).

The State Border Guard is responsible for:

- ✓ border control and decisions on entry of persons into the Republic of Latvia;
- ✓ preventive measures;
- ✓ control of visa and residence scheme;
- ✓ detection and detention of illegally residing aliens;
- ✓ decisions on expulsion of a person (in border area, at border control point);
- ✓ expulsion of aliens;
- ✓ fulfilment of readmission agreements;
- ✓ control of employment of aliens;
- ✓ imposition of entry ban.

The State Police is responsible for:

- ✓ detention of aliens illegally residing in the Republic of Latvia for a period of up to 3 hours.

Courts:

- ✓ decisions on detention of aliens;
- ✓ imposition of an additional penalty – expulsion from the Republic of Latvia.

Diplomatic and consular offices of the Republic of Latvia abroad:

- ✓ issuing of return certificates to nationals of the Republic of Latvia;
- ✓ imposition of entry ban.

Consular Department of the Ministry of Foreign Affairs:

- ✓ requesting return certificates (travel documents) for aliens to be expelled;
- ✓ issuing of return certificates to nationals of the Republic of Latvia (in case there are no diplomatic representative office in the corresponding state);
- ✓ imposition of entry ban.

3.2.3. Specialised services

There is a quick reaction unit consisting of 10-15 people in each territorial board. Its staff is specially trained for action in emergency situations (arresting of armed criminals, searching of buildings (cars, ship) etc.).

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3.3. Operational effectiveness

3.3.1. Resources

Human resources

In total, the staff of the State Border Guard consists of 3,317 people, but actually on 1 July 2006 **3 147 employees** were working at the State Border Guard, 2,915 of them are border guards, 222 are civil servants and 10 are trainees (*accepted for a test period before permanent employment*).

(For further details see Annex: table B.)

Technical resources

The Maritime Surveillance System and AIS costal network (Vessel Automatic Identification System) of the Naval Forces of the National Armed forces is used by the State Border Guard. The system consists of 11 technical surveillance posts (TSP), which are located along the western coast of the Latvian Baltic Sea and the Irben Strait. Two such TSPs are located in the Gulf of Riga – in Roja and Riga. TSP performs surveillance of its sector 24 hours a day.

It is planned to implement the Naval Force's new automatically operated LNF Maritime Surveillance until the year 2008. Currently, a video sea surveillance system of the State Border Guard is being implemented, 9 Latvian ports are planned to be equipped with large radius (12 miles) surveillance video cameras and wharf surveillance cameras. Currently, 7 of the Latvian ports are equipped. Three mobile sea surveillance systems were purchased and are used in sea border surveillance. The systems carry out surveillance of the sea territory up to 8 miles by moving along the sea coasts of the Republic of Latvia. GMDSS costal network operated by the MRCC Riga permitted good VHF, MF, HF and satellite communication with vessels and aircraft in the maritime area of the Republic of Latvia.

After the establishment of the video sea surveillance system of the State Border Guard, large video cameras will be installed at port border crossing points, by means of which the staff of the State Border Guard will be able to survey the port aquatory (piers) and port roads. The Lielupe Port is meant only for the border crossing of pleasure boats; it operates only in the navigation season. During winter the staffs of this border crossing point reinforces the staff of the Riga port border crossing point.

The State Border Guard has started to establish an electro-optical sea surveillance system, which will operate on the basis of LNF SCSS radio-location system information, and is meant for the surveillance of nine port roads and aquatories 24 hours a day.

Two ships are equipped with and electro-optical surveillance system and will be operational in the near future.

There are also plans to purchase and install:

- ✓ five electro-optical surveillance sets for surveillance up to 12 sea miles;
- ✓ 3 electro-optical surveillance sets for surveillance up to 12 sea miles.

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The ships and cutters of the State Border Guard are equipped with the necessary surveillance equipment.

Using the *Schengen Facility* financing, it is planned, in addition to the already existing equipment, to purchase 1 new ship, 9 cutters and 1 hovercraft equipped with technical border surveillance devices.

(For the characteristics of the vessels of the State Border Guard see Annex: table C)

3.3.2. Level of external border controls

Based on the risk analysis results, each territorial board estimates the size of the given external border territory. Depending on the size of the territory, its survey intensity is set:

- ✓ especially large state border territories – at least once in 12 hours (full inspection of the state border territory or constant surveillance, visual surveillance or using technical equipment – video surveillance systems, sensors, surveillance towers, etc.);
- ✓ large state border territories – based on the operational situation, but at least once in 24 hours (full state border territory inspection or constant surveillance, visual surveillance or using technical border guarding equipment (video surveillance system, sensors, surveillance towers, etc.);
- ✓ small state border territories – full inspection of the state border territory is performed at least once every 7 days.

Sea border patrols are carried out by ships, boats, as well as motor vehicles, which are equipped with optical surveillance systems.

Below are indicated only approximate calculations of the average staff involvement in surveillance.

Sea border:

- ✓ patrols (by patrol ships, patrol cutters and patrol boats) 17 hours/a day (average number of staff per day is 5 people);
- ✓ surveys from the air – on average once a month for 6 hours involving 2 people;
- ✓ stationary surveillance system (radio locators) 24 hours/a day **and 48** man hours/a day.

Port:

- ✓ patrols of border control point territory – 32 man hours/a day.

In the future, it is planned to increase the intensity of sea territory surveillance by introducing a new stationary and mobile sea and port wharf surveillance system.

The Naval Forces Maritime Surveillance System provides sea surveillance 24 hours a day. Where there is a need for technical maintenance or unplanned repairs of individual system's components, Naval Forces Coast Guard cutters or Naval ships are used as a mobile maritime surveillance unit. They provide Maritime reconnaissance pictures in fixed patrol ships of the SBG and the Naval Forces are sent to conduct technical surveillance of the given post sector while increased visual surveillance is organised. It is thus ensured that the system operates without interruption. The staff of the surveillance posts and the information centre also perform their duties on a watch rota (24 hours a day). AIS activities are led and controlled from the Naval Forces Maritime Search and Rescue coordination centre (MRCC Riga).

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3.3.3. Situational awareness and reaction capability at different parts of the borders

At sea a VTMISS¹ system covers the entire maritime area and ports under evaluation. All vessels are detected and identified by the system. Once identified, a vessel remains constantly known by the system. The system is backed up by offshore craft and airplanes. These mobile units make close identification, fill in gaps and retrieve information from outside the system. **At ports**, based on risk analysis, the port areas are fenced off and monitored constantly.

At sea, constant readiness to dispatch a mobile unit is ensured in order to maintain ongoing surveillance of any vessel attempting to reach the coast.

There is a rapid reaction unit consisting of 10-15 people at each territorial board. Their staff are specially trained for action in emergency situations (arrest of armed criminals, search of buildings – cars, ship – etc.). To strengthen the Eastern border and to perform special operations in the state territory, a rapid reaction unit (30 people) from the College of the State Border Guard is used. The abovementioned units are specially equipped: armoured helmets, armoured vests, batons, guns, specially trained dogs, etc. A significant role is attributed to the mobility of units so that these units can be moved on land, sea or air. The rapid reaction unit of Ventspils Board also uses cutters and motor boats. The staff of this unit is also trained to perform work under water (have attended courses on diving), and trained to land from a helicopter on a suspicious ship. According to the Republic of Latvia State Border Law, the Border Guard Law, the National Armed Forces Law and the Cabinet of Ministers Regulations "Procedure for how the State Border Guard carry out border control at sea by using technical equipment of the National Armed Forces", as well as the Republic of Latvia state border guarding plan, the State Border Guard involves the patrol ships of the National Armed Forces in sea surveillance by placing border guard survey and control groups from the State Border Guard sea boards (Ventspils, Liepāja, Riga) (up to 3 people) on these ships.

The Naval Forces of the National Armed Forces have the following equipment:

- ✓ coastal guard ships (CG) – 6 units max. speed for Kristaps" type ships – 15-16 knots, "Astra" type ship – 30 knots;
- ✓ fast patrol boats (FPB) "Storm" type (P) – 4 units , max. speed – 30 knots;

In addition, 2 minesweepers, 1 minehunter, 2 personnel and logistic ships (total of 5 units) may be used.

Ship facilities include the necessary equipment: radar, individual visual surveillance devices, night (infrared) surveillance devices, AIS as well as full communications equipment. A certain number of the abovementioned ships are on a watch rota. The time required to go into action (15-45 min., depending on the type) remains constant.

If necessary, the State Border Guard also uses National Armed Forces aircraft:

- ✓ aircraft L – 410 1 -unit
- ✓ helicopters Mi – 17- 4 units

¹ Vessel Traffic Management and Information Systems

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3.3.4. Availability and permanent nature of resources (human, technical)

In total, the staff of the State Border Guard consists of 3,147 people, which corresponds to a low level (5,13 %) shortage in staffing. At sea borders, the shortage is approx. 8 %.
(see Annex: table B)

Technical resources: *(See Annex: table C)*

3.4. Risk analysis, intelligence and data-flow management

3.4.1. Organisation

The Ventspils Board oversees sea border surveillance. It uses the LNF Sea Surveillance System, the risk analysis, floating vessels of the State Border Guard and the Naval Forces and helicopters. Constant sea and air patrols supplement the technical surveillance, for example, by identifying objects detected at sea. Technical surveillance of the sea border is carried out by using resources of other services – Naval Forces (Maritime surveillance system, AIS) and Port administration (the data register "Velkonis" on floating vessels in ports). The EU common maritime safety and security system SafeSeaNet will be implemented by Naval Forces Coast Guard Service by the end of 2007.

Once a month the border control points, structural units, immigration services, criminal investigation services and the marine operations coordination centre of the State Border Guard carry out a **tactical risk analysis**. This information is transferred to the territorial boards, which summarise the data received, as well as data from the regional cooperation groups (The State Border Guard, the State Police, the Sanitary Border Inspection and the Customs) and the State Border Guard's Central Board. After summarising this information, the operational risk analysis of the relevant territorial board of the State Border Guard is produced.

Twice a year the summarised risk analysis is transferred for analysis to the Central Board of the State Border Guard where the specially set-up risk analysis working group prepares an overall summary and a report that are sent to the territorial boards, the State Police, the Customs, the European Union Risk Analysis Centre, the FRONTEX agency and other cooperation bodies within its competence.

At least once a year the cooperation management group jointly prepares an integral risk analysis.

There is a constant and regular information exchange carried out among institutions regarding current problems and the latest events in connection with illegal immigration and other cross-border crimes. The information obtained is summarised and analysed and forms the basis for determining trends and their development as well as risk level in the relevant areas.

Cooperation with other Baltic States has also been developed. The State Border Guard uses not only its own state registers and data bases, but also Lithuanian and Estonian registers.

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Institutions responsible for border control have access to information on suspicious persons and motor vehicles, which can be obtained electronically or through correspondence between different security bodies both in a centralised manner and in individual cases – in a "direct manner". Various data bases are available, one of which is the State Border Guard electronic information system (REIS-2002). REIS-2002 is linked to the Register on Entry ban, Register on Invalid Documents, Population Register and Wanted Persons Information System (*Filters*). In addition, a LOSS list has been set up, which includes information on suspected ships.

Information on suspicious or wanted persons or motor vehicles is collated by all services cooperating with each other. The State Border Guard receives this information on line through REIS – 2002 from the national registers, as well as through e-mail, telephone, radio communication or letters. After these data have been entered, they can be used by the units or other intelligence service officers. Depending on the nature of the information, they can be used for further analysis or for taking practical measures at the border.

3.4.2. Methods

In order to meet the requirements of the Schengen Convention, the Common Manual and the recommendations made in the Schengen Catalogue, the Republic of Latvia takes an active part in regional cooperation projects. A major role in the conduct of risk analysis in the Baltic Sea region is played by the Baltic Sea region border control conference (BSRBCC). As part of the cooperation, the countries of the Baltic Sea regions draw up a list of suspected vessels (LOSS), conduct regular information exchange and in emergencies distribute ad-hoc reports on ships, offenders, suspicious passengers, illegal immigrants, as well as possible cases of smuggling.

In accordance with the "Instruction on cooperation among the State Border Guard, the State Police, the Customs and the Sanitary Border Inspection on issues of state border security", each institution carries out an operational risk analysis, taking into account the FRONTEX and CIREFI statistics, information from the Risk analysis centre, Western and Eastern sea centres, experience of previous year, trends detected and operational information acquired. All data are summarised in the comprehensive risk analysis relating to state border security.

The State Border Guard has elaborated a methodology for conducting tactical analysis, according to which each territorial board in cooperation with the State Police, the Customs and the Sanitary Border Inspection regularly conduct tactical risk analysis which is the responsibility of the regional cooperation groups of the State Border Guard, the State Police, the Customs and the Sanitary Border Inspection, but at local level: executives of structural units, border control points and immigration services. In order to obtain more detailed information, there is a possibility of contacting the ports previously visited and to be visited, shipping agents and foreign border security bodies.

When risk analysis is carried out, the following are assessed:

- ✓ situation in the EU and neighbouring countries;
- ✓ situation in the country;
- ✓ trends, routes, scale of illegal immigration;
- ✓ information from the projects of the Baltic Sea countries, BSRBCC, the Baltic Council of Ministers), Task Force, Project Bornholm;
- ✓ LOSS list;

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- ✓ information from ports and security services of other countries;
- ✓ information from the mass media;
- ✓ information from cooperation organisations;
- ✓ sea surveillance system data;
- ✓ seasonal changes in the movement of vessels;
- ✓ flow intensity;
- ✓ operational information;
- ✓ results of border controls in previous month;
- ✓ number and nature of violations identified in the previous border controls;
- ✓ number and nature of violations identified in the previous port regime;
- ✓ day time;
- ✓ categories of vessels in the port.

These data are used both for tactical and operational risk analysis.

Risk analysis is based on constant, comprehensive sea territory surveillance, information previously received on possible violations on the ship, as well as by taking into account the ship's reputation, circumstances during the previous border crossing, nationality of the ship's crew and passengers (where they are representatives of risk countries), ship's routes, expected activities in the port, time of ship stand-by, etc.

In order to coordinate the activities of the relevant competent authorities in the area of sea border security, the Ventspils board of the State Border Guard has set up the Operations Coordination Centre (OCC) whose main task is to conduct risk analysis, summarise information on border control results of vessels, implement international cooperation, as well as coordinate cooperation between port border control points and the Naval Forces ships and Air Force aircraft used for border surveillance. The results of risk analysis are transferred by the OCC for use by the respective border control point.

There is a "Velkonis" data register in each Latvian port. It contains information on ships (name, flag, location, operations to be performed, etc.), which are already in the port or roads or are expected to arrive. The data in this register are available to the State Border Guard.

The captain informs the ship's agent of the ship's arrival time seventy-two, forty-eight, twenty-four and two hours beforehand, but in the case of departure from the port – four hours before. Taking into account the fact that this information is also available to the State Border Guard, it is sufficient time for officials to conduct a comprehensive risk analysis. During this time, the staff of the port border control point obtains information from the port services, the ship's agent and the OCC. As a result, a decision is made on the respective degree of risk to be assigned to the water-borne vessel, on which depends the type and scope of border control to be carried out.

The State Border Guard has developed a special ship control and accounting software "KRUIS". Certain data are entered in the software on ships and their crews, which the programme checks on the basis of the history of the respective ship. This software is in operation at the Ventspils port border control point and is currently being tested in other Latvian ports as well. After programme testing has been completed, there is a plan to use the programme at other port border control points of the Republic of Latvia as well.

In accordance with certain criteria, the State Border Guard's port border control point officials estimate the degree of risk of the vessel:

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Minimum risk

- ✓ When carrying out the border control in a Latvian port, no violations have been identified during the border control;
- ✓ Reputation of the vessel and crew is perfect;
- ✓ The vessel services a regular sea traffic route;
- ✓ Border guards have no evidence for increasing the risk level.

Average risk

- ✓ The vessel rarely arrives at a Latvian port;
- ✓ The reputation of the owner and crew of the vessel is not known or is not perfect;
- ✓ There is substantial suspicion that the information contained in crew and/or passenger lists differs from the real information;
- ✓ Border guards have no evidence for increasing the risk level.

High risk

- ✓ During previous calls in Latvian ports violations of legal acts have been detected so that the possibility of a repeat cannot be evaluated (list of suspicious water-borne vessels (LOSS));
- ✓ The vessel is under the flag of a country at risk of terrorism and/or its owner is a national of one of the countries in this group and/or crew members or passengers of the vessel are nationals of the said countries;
- ✓ Border guards have information which serves as evidence of the possibility of a border violation or other illegal activities.

3.4.3. Responsibilities

Regional level

The Latvian border management system is based on the territorial liability principle. The management authority of the territorial unit of the State Border Guard is liable for the border control and immigration supervision in the territory for which it is liable.

A territorial board oversees the operation of its structural units and border crossing points and supervises and administers their activities.

Territorial boards organise cooperation with the structural units of the State Police and the Customs, the National Armed Forces and the relevant authorities of neighbouring countries.

Within each territorial board, there is:

- ✓ a Border guard service that plans and coordinates the activities for the sections and border crossing points of the territorial board; develops methodological instructions;
- ✓ an Immigration service that coordinates activities in the fight against illegal immigration, conducts investigations and organises removal operations;
- ✓ a Criminal investigation service for the purposes of combating organised crime and conducts investigations of criminal offences and operational investigations, and cooperates with the State Police and the Customs criminal investigation structural units by exchanging intelligence information, planning and carrying out special operations.

There is a rapid reaction unit consisting of 10-15 people in each territorial board. Its staff is specially trained for action in emergency situations (arrest of armed criminals, search of buildings (cars, ships, etc.)).

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The rapid reaction unit (30 people) of the College of the State Border Guard is used to strengthen the Eastern border and to conduct special operations in the state territory.

The abovementioned units are specially equipped: armoured helmets, armoured vests, batons, guns, specially trained dogs, etc. A significant role is attributed to the mobility of units so that these units can be moved on land, sea or air. The rapid reaction unit of the Ventspils Board also uses cutters and motor boats. The staff of this unit is also trained to perform works under water (have attended courses on diving) and trained to land from a helicopter on a suspicious ship.

There is the operational cooperation coordination centre set up by the Criminal Police Board in which officials of the State Border Guard and the Customs take part. The State Border Guard has appointed an official to coordinate cooperation with Europol.

There are regional cooperation groups consisting of officials of the State Police, the Customs and the State Border Guard established in areas of Latvia for information exchange, conduct of joint risk analysis and planning actions in the fight against organised crime.

An institute of authorised border representatives has been established. Their duties include joint (with neighbouring countries) investigation of border incidents, the planning of preventive measures and the coordination of cooperation between the territorial boards and the border authorities of neighbouring countries.

Local level

On a day-to-day basis, border control at border crossing places is organised and carried out by structural units of territorial boards. Their work is organised in 5, 12-hour shifts a day. The organisation of work and cooperation between services working at border control points is based on border control technologies and cooperation plans. In special circumstances, the number of staff in a shift may be increased by involving staff not on duty.

Ventspils Board oversees the sea border surveillance. It uses the Sea surveillance system, risk analysis, floating vessels of the State border Guard and the Naval Forces and helicopters. Constant sea and air patrols supplement technical surveillance, for example, by identifying objects detected at sea. Technical surveillance of the sea border is carried out using resources of other services – Naval Forces (Maritime Surveillance System and AIS) and Port administration (the "Velkonis" data register on vessels in ports). This information is collected in the centralised situation controls system.

Cooperation between the State Border Guard and the Police is constant and regular. Management issues and the procedure applicable in such cases is described in the cooperation plan. Joint operations are organised when operational information has been obtained which comes within Police competence, or if joint raids are organised for the purposes of fighting illegal immigration. Joint operations are organised at the border area together with the Traffic Police, Police district inspectors or the Economic Police. In addition, plans for searching trespassers and plans to avoid other dangerous situations (anti-terrorism plans, detection of dangerous criminals or drug smugglers, trespasser runaway cases) have been devised at border control points and the State Border Guards structural units. Here the involvement of the State Police is envisaged.

Criminal investigation services successfully plan and implement joint operations to combat organised crime and illegal immigration, if necessary, by cooperating with the State Police and the

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Customs structural units, as well as the relevant services of the neighbouring country (information acquisition and examination, planning of joint operations, inspection and detection of suspicious persons, etc.). Their duties also include information collection work for offences connected with state border security.

3.4.4. Horizontal and vertical data flows

The main basic principle governing the attainment of results is cooperation.

Firstly, each institution involved (the State Police, the Customs and the State Border Guard, the Sanitary Border Inspection) has its own data registers, data bases and data processing procedures. Of course, each of these institutions has specific areas of interest, which are provided for in the national acts and agreements with other bodies. In accordance with the Cabinet Instruction on *Cooperation on Border Security Issues among the State Border Guard, the State Police, the Structural units of the State Revenue Service and the Sanitary Border Inspection of the Food and Veterinary Service*, there are certain areas of cooperation and a distribution of responsibility for carrying out risk analysis. With a view to ensuring the state border security of the Republic of Latvia, the State Border Guard, the State Police, the Customs and the Sanitary Border Inspection cooperate and conduct risk analysis in the following areas:

➤ **fight against cross-border crime:**

- elimination and detection of illegal migration of persons;
- elimination and detection of human trafficking;
- elimination and detection of illegal movement across the state border of drugs, guns, ammunition, explosives and other prohibited goods;
- elimination and detection of illegal movement of motor vehicles across the state border;
- elimination and detection of violations of Customs regulations;
- elimination and detection violations of state border regulations regarding movements of products and livestock, which is subject to veterinary, phytosanitary, harmless food and non-food consumer goods safety control.

➤ **control of border area, border land and border control points scheme:**

- detection of wanted persons;
- fighting and detection of illegal activities of company executives.

In addition, there is a common area of interest, which arises from similar duties and objectives.

This common area includes both operational as well as informational activities. Mutual agreements ensure access to the data bases of other authorities both for searching and using the information. In practice this means that the information entered by the State Border Guard can be searched and used by the rest of the authorities involved. This procedure is in compliance with data protection rules.

In order to facilitate joint use of information, the creation of a joint unit was started at the State Police in 2005. The officers analysing intelligence and information in the Police, the Customs and the State Border Guard jointly carry out intelligence measures by using both the data bases and technical possibilities of each authority. This unit obtains comprehensive intelligence information, which provides these bodies with possibilities of carrying out necessary actions both jointly and independently of each other.

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Information is gathered at different levels:

- from the State Border Guard (tactical and operational risk analysis):
 - ✓ border control points and structural units of the State Border Guard;
 - ✓ immigration structural units;
 - ✓ structural units of criminal investigation.
- from structural units of the State police;
- from the Security police;
- from the Office of Citizenship and Migration Affairs;
- from the Customs;
- from the relevant services of other countries.

3.5. Investigation and aliens policing

3.5.1. Legal background

The law-enforcement authorities of the Republic of Latvia consequently fulfil the requirements of the Schengen *acquis*, including the provisions of the Common Manual. The rules of procedure for entry, stay, transit, exit and detention, detection and removal are stipulated in the **Border Guard Law, Immigration Law** and relevant Cabinet of Ministers' Regulations.

In accordance with the requirements of the Border Guard Law, the State Border Guard is obliged and entitled to check whether the rules on the entry of foreigners and stateless persons, their stay, exit and transit are complied with. It also has responsibility for the duties laid down in the **Asylum Law**. The **border guards** are entitled to act in the whole territory of the country in cases connected with the control and prevention of migration of foreigners and stateless persons' exit and transit.

To combat illegal immigration in the Republic of Latvia, the following regulations have been adopted:

- ✓ regulations on the Republic of Latvia local traffic and border regime;
- ✓ procedure of forced return;
- ✓ regulations on the regime of border control points;
- ✓ regulations on the health insurance of foreigners;
- ✓ regulations on residence permits;
- ✓ procedure for the entry and stay of minors in the Republic of Latvia;
- ✓ regulations on work permits for foreigners;
- ✓ procedure for border crossing at the Republic of Latvia state border;
- ✓ invitation approval procedure;
- ✓ regulations on the level of means of subsistence necessary for foreigners;
- ✓ visa regulations.

Administrative and criminal liability has been laid down in order to restrict illegal migration.

Administrative liability for any breach of rules concerning entry, stay and employment is laid down in the **Administrative Code**.

Criminal liability is stipulated in the **Criminal Law** for human smuggling, hiding identity, use of forged or stolen document, stamp or seal etc.

3.5.2. Organisation

In Latvia the prevention and combating of illegal immigration are under the jurisdiction of the Office of Citizenship and Migration Affairs, the State Border Guard and the State Police. An important role is also played by the foreign missions of Latvia, primarily in questions concerning the issue of visas.

The following authorities are involved in the fight against illegal immigration in Latvia:

- Office of Citizenship and Migration Affairs,
- State Border Guard,
- State Police,
- Diplomatic and consular representations of the Republic of Latvia abroad,
- Consular Department of the Ministry of Foreign Affairs,
- Courts.

3.6. Staff and training

3.6.1. Selection criteria

According to Article 19 of the State Border Guard Law, the Border Guard service accepts citizens of the Republic of Latvia between the ages of 18 and 40 who, in view of their personal characteristics, education, physical condition and health, are able and willing to fulfill the duties of service imposed upon the Border Guard.

A border guard official must be able to speak the official language and the language predominately used in the relevant region and must be able to communicate with persons crossing the border in at least one other foreign language.

Persons who have previously been sentenced for intentional crimes shall not be accepted for Border Guard service.

Persons who have been admitted to the Border Guard shall conclude service contracts for the Border Guard and take the border guard oath.

The Border Guards' School of the State Border Guard's College enrolls citizens of the Republic of Latvia who are 18 years old, but not more than 27, have a certificate of secondary education and whose personal characteristics, physical condition, health and height qualify them for service in the State Border Guard. An applicant, who has previously been sentenced for deliberate crimes, shall not be accepted. Information on an applicant's character is gathered and considered. Where an applicant is found to be of good repute and after a medical examination, he participates in a selection procedure organised by a territorial board of the State Border Guard.

A territorial board of the State Border Guard calculates an average figure for marks (it cannot be below 5,5) in his secondary education certificate and then an applicant has to pass preliminary examinations.

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Preliminary examinations:

- verification of physical condition;
- foreign language test (English, German) skills;
- interview (applicant's readiness to study at the Border Guards' School of the State

Border Guard's College and understanding of the chosen profession are evaluated).

Taking into account the results of preliminary examinations, an average figure for marks in his secondary education certificate, a common score is calculated.

Preference is given to applicants who have a thorough knowledge in law, informatics and foreign languages or who have served in the National Armed Forces of the Republic of Latvia. The Head of the territorial board of the State Border Guard appoints an examination commission. A decision on an applicant's acceptance is made by the examination commission in accordance with the terms of enrolment. At the end of the "Professional preparatory course programme for border guards" (duration – 1 month) a trainee sits an examination and, in addition, a psychological test. Following successful examinations, an applicant is interviewed. An examination commission selects applicants for professional a further education programme, taking into account the results of the preliminary examinations, the psychological test and an interview. It also awards a number of places to cadets at the Border Guards' School of the State Border Guard's College.

A cadet, who has successfully graduated from the Border Guards' School of the State Border Guard's College (with a mark of not lower than "5 – so-so") and has had qualification practice in the structural units of the State Border Guard, receives a qualification certificate – Inspector of the State Border Guard and a rank – Corporal. Cadets are given positions in the State Border Guard after they have finished their studies in the Border Guards' School of the State Border Guard's College.

3.6.2. Basic training

Border surveillance and border check training programmes are based on the Schengen *acquis* and national legal acts.

The training system of the State Border Guard consists of basic training, additional training and courses to improve professional skills.

The **basic training** of border guard instructors lasts one year. In basic training courses the border guards acquire theoretical and practical knowledge, which is necessary for border surveillance and border check measures; they are compulsory for every border guard who has not received higher education. The main objective is to prepare border guards for the performance of their tasks.

The officers of the State Border Guard receive the first level of higher education at the College of the State Border Guard (2 years) only when cadets have finished the Border Guards' School of the State Border Guard's College and have obtained a qualification certificate – Inspector, but the second level of higher education is dispensed at the Latvian Police Academy (2 years). The main objective – to prepare junior officers of the State Border Guard for the performance of their tasks

Both the basic training and higher education programmes are accredited by Ministry of Education and Science of the Republic of Latvia; their planning is subject to compliance with international requirements.

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Currently, the State Border Guard is developing the first level of a professional higher education *part-time* study programme "Border control" (3 years).

Regular monitoring is carried out regarding implementation of EU requirements for training programmes.

The State Border Guard, in cooperation with FRONTEX and the Ministry of the Interior of the Republic of Austria, implemented a training programme "European Union Day". It included topics on the Schengen *acquis* (border crossing and foreigners stay), border guard authorities in other EU Member states, document verification, risk analysis, the FRONTEX Agency, etc.

In previous years the SBG also cooperated actively with the Ad-hoc Centre for border guard training (ACT) in Austria. Lecturers at the College of the State Border Guard regularly take part in courses, seminars and conferences organised by the ACT.

The list of the lectures at the College of the State Border Guard has been submitted to the ACT for inclusion in the international catalogue of lectures.

3.6.3. Further continuing education

The knowledge and skills of the staff **are regularly updated** through training at workplaces. In territorial boards, training topics are approved each year, which are to be repeated or learnt anew by the border guards through self-training. General issues connected with the Schengen system are described in notices and bulletins published by the State Border Guard and appearing on the home page of the State Border Guard website.

Once a year territorial boards carry out **staff knowledge inspections**, during which the skills and knowledge of the staff about legal acts, detection of forged documents, shooting, physical fitness etc. are checked.

Community law binding on the State Border Guard, including the Schengen Convention, regulations, decisions, the Common Manual and the Schengen Catalogue are available in all structural units. These documents are used as a training material at workplaces. There is a documentation file (folder) "European Union documents" at each border control point; in each structural unit of the State Border Guard the folder contains EU legal acts regarding issues of border control and immigration. The Schengen Convention, relevant regulations, decisions, the Schengen Catalogue, the Common Manual and the Schengen Borders Code are available electronically on the State Border Guard intranet in all structural units and border-crossing places. Additionally – border guards may continue their further training using the State Border Guard's home page, its section "Integration in the EU and NATO/EU legislation" includes Community law in the area of border control.

In accordance with the internal legal act of the State Border Guard "On the Organisations of the European Union Training Day at the State Border Guard" it is planned to carry out staff training in the area of the Schengen *acquis* (8 hours for each employee). Inspectors and officers of the State Border Guard receive training in Community legal acts: inspectors – 48 hours, officers – 22 hours (in addition to training, they undergo during inspectors' training).

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Training courses for border guards since 2003

(see Annex: table D)

3.6.4. Language training

In order to improve the foreign language knowledge of the staff of the State Border Guard, foreign language courses are organised regularly; it is planned to train about 500 border guards in Latvia and abroad by means of the Schengen Facility.

(see Annex: table E)

3.6.5. Specialised document checking training

Training on false documents is organised at 3 levels:

- ✓ *BASIC LEVEL* – for inspectors (passport examiners). Professional education programme (1 year) for border guards, which includes training on document protection elements and methods of detection of forgery, interviewing and profiling, etc.
- ✓ *HIGHER LEVEL* – for officers.
 - First level of the professional higher education programme "Border Guarding", including document training. Additional course in the Expertise division of the State Border Guard's Central Board;
 - Courses given by foreign experts for border guards involved in document checks,
 - Courses organised by the Expertise Board of the Ministry of the Interior leading to qualifications.
- ✓ *EXPERT LEVEL* – border guards specialised in detection of forged documents. Training takes place in the Expertise Board of the Ministry of the Interior. Duration of training is 1 year, after graduating experts are authorised to issue expert's conclusions to the court.

Special training on document checks

Practical training in the detection of false documents is carried out every year during the centralised and regional training courses. Competent officials in the Expertise division of the State Border Guard or the Expertise centre of the State Police usually participate as trainers in these training courses.

Additional training:

- ✓ Knowledge and skills of the staff are regularly updated through training in forged documents at workplaces. Border guards improve their knowledge of document protection, methods of detection of forged documents, etc. through self-training. The expertise division of the SBG and SBG experts prepares Forged document catalogues (descriptions) and a summary of best practices. Once a year territorial boards carry out staff knowledge inspections, during which staff skills and knowledge of legal acts, detection of forged documents, shooting, physical fitness, etc. are checked.

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- ✓ Within the framework of "European Union day" border guard personnel who carry out border checks and controls on the terms of foreigners' stay receive 3 hours of document training (FRONTEX Training operation materials on CD format are used).
- ✓ Different courses and seminars are organised within the framework of international projects.

(see Annex: table F)

3.6.6. Specialised training for different managerial levels

Taking into account the development of new methods and their implementation in the area of border control the State Border Guard organises **course programmes for border guards to improve their professional skills** that usually last 1 month. These courses are regularly attended by State Border Guard staff, which is involved in border control and border surveillance.

Since trained dogs have a significant role in border control, one of the units making up the College of the State Border Guard is the Dog-Breeding Centre. It implements the programme for dog handlers in the area of searching and trailing tracks, human searching, detection of narcotics, searching for explosives and guns, etc.

The staff of the floating vessels of the State Border Guard are trained in addition at the Maritime Academy of the Republic of Latvia.

The educational programmes of the College of the State Border Guard and Border Guards School are based on the requirements of the EU common border guards training plan ("Core Curriculum").

3.7. Readmission, expulsion and illegal immigration, carriers liability

3.7.1. Administrative structures and coordination

- Administrative and criminal-law penalties for persons entering the national territory illegally:

Administrative liability is provided for in the Administrative Offences Code of Latvia where the state border regime is breached.

In the case of illegal crossing of the state border, a fine of between 50 lats and 250 lats is imposed.

Criminal liability is provided for in the Criminal law in cases of illegal crossing of the state border.

In the case of reiterated illegal crossing of the state border over a period of one year, the penalty is imprisonment for up to three years or arrest, or forced labour, or a fine of up to sixty times the minimum monthly salary.

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➤ Persons involved in assisting/facilitating illegal immigration:

In accordance with provisions of the Administrative Offences Code of Latvia, the State Border Guard is entitled to impose punitive sanctions on carriers not complying with legal requirements.

In accordance with the requirements of the Immigration Law, sea and air carriers as well as operators of international coach services are obliged to take all necessary measures to ensure that an alien is in possession of the travel documents required for entry into the territories of the Contracting Parties at the point of departure. In cases where an alien does not possess any valid travel documents and is refused entry to the country, the carrier is obliged to bring the alien back to the country of origin. In accordance with the regulations of the Cabinet of Ministers, the carrier has to cover the detection, detention and expulsion costs of the alien.

Administrative liability is provided for in the Administrative Offences Code of Latvia in cases of:

– carriage of people to the Republic of Latvia without travel documents

For carrying of citizens of countries other than the Member States of the European Union or the European Economic Area from these countries to the Republic of Latvia, if the abovementioned persons are not in possession of the necessary travel document for crossing the state border and the carriage took place by sea, air or land transport, – a fine of between 1 700 and 2 800 lats per person carried is imposed on natural persons or legal entities.

– providing a possibility to illegally reside in the Republic of Latvia

For deliberately providing a person with a possibility to illegally reside in the Republic of Latvia – a fine of between 30 and 150 lats is imposed.

Criminal liability is provided for the Criminal Law in cases of:

– illegal movement of a person across the state border

- (1) For illegal movement of a person across the state border in breach of the border crossing rules – the penalty is imprisonment for a period of up to five years.
- (2) For the repeated illegal movement of a person across the state border or in the case of abuse of official powers – the penalty is imprisonment for a period of up to seven, years with or without confiscation of property.
- (3) Where the illegal movement of a person across the state border is carried out by an organised group or where this has had serious consequences, or where a large number of people, i.e. more than five persons, are moved across the state border at a time – the penalty is imprisonment for five to ten years with confiscation of property.

– providing a possibility to illegally reside in the Republic of Latvia

- (1) For repeatedly deliberately providing a person with a possibility to illegally reside in the Republic of Latvia for one year – the penalty is imprisonment for a period of up to two years, forced labour, or a fine of up to forty times the minimum monthly salaries.
- (2) For deliberately providing a person with a possibility to illegally reside in the Republic of Latvia where official powers are abused – the penalty is imprisonment for a period of up to three years or a fine of up to sixty times the minimum monthly salary, with or without a ban on working in certain positions for period of one to five years.

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- (3) For deliberately providing a person with a possibility to illegally reside in the Republic of Latvia where this is done with a mercenary intention or where this is done for two or more persons – the penalty is imprisonment for up to five years or forced labour, or a fine of up to one hundred times the minimum monthly salary, with or without confiscation of property.

➤ Persons having work done by illegally resident aliens:

Administrative liability is provided for in the Administrative Offences Code of Latvia in cases of employment without a work permit

- (1) For employing of one or more persons (up to five) without the work permits required by law and regulations – a fine of between one hundred and three hundred lats is imposed on natural persons and a fine of between 500 and 2 500 lats is imposed on legal entities.
- (2) For employment of more than five persons not having work permits required by laws and regulations – a fine of between 300 and 500 lats is imposed on natural persons and a fine of between 2 500 and 10 000 lats is imposed on legal entities.

Criminal liability is provided for in the Criminal Law in cases of breach of the rules of employment of a person. As regards breach of restrictions and the rules of employment of a person as laid down by the Law where this is reiteratedly done by the employer for a period of one year – the penalty is imprisonment for a period of up to one year or arrest, or forced labour, or a fine of up to fifty times the minimum monthly salary.

3.7.2. Removal and readmission of persons who are not admitted or who are found to be present illegally (identification, detention, issue of documents, escort, financing)

The **Office of Citizenship and Migration Affairs** (the Head of the Office or his authorised representative) issues an order to leave to an alien illegally resident in the country, whereby the alien is obliged to leave the country within seven days. The Office of Citizenship and Migration Affairs, in cooperation with the State Border Guard and other competent authorities, checks whether the alien has voluntarily left the country within the set period. Where the alien has not left the country within the set period and has not appealed the order to leave the country, or where he/she has appealed the decision, but the Head of the Office of Citizenship and **Migration Affairs has not changed it**, the Office of Citizenship and Migration Affairs (Head of the Office or his authorised representative) decides to expel the alien. In order to ensure the decision to expel the alien is carried out, the Head of the State Border Guard is entitled to **decide to have the alien escorted** to the country to which he/she is expelled.

If an alien who is the subject of an expulsion order or in respect of whom a decision on forced return has been taken does not have a **valid travel document**, and such a document cannot be obtained with the help of the consular services, he/she receives a standard travel document.

The decision to expel an alien detected in the border area or at the border crossing point of the country is taken by the Head of the State Border Guard or by his authorised representative in accordance with Article 46 of the Immigration Law.

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If after serving a sentence for a crime an alien has no legal reason to stay in the Republic of Latvia, the Office of Citizenship and Migration Affairs decides to expel the alien. A court can also impose an additional penalty on the alien – expulsion.

The State Border Guard has concluded a cooperation agreement with a travel company for the supply of plane tickets.

3.7.3. Means deployed to combat illegal immigration networks

The immigration service of the Border Guard carries out the immigration control function all over the state. In total, 160 border guards work in the Immigration Service. It is planned to increase the number of border guards to up to 410 by the time of accession to the Schengen agreement. Immigration services use the EURODAC¹ information system in their everyday work.

3.7.4. Implementation of carriers liability

In accordance with the provisions of the Administrative Offences Code of Latvia, the State Border Guard is entitled to impose punitive sanctions for carriers not complying with the requirements of the law.

In accordance with the requirements of the Immigration Law, sea and air carriers as well as operators of international coach services are obliged to take all the necessary measures to ensure that an alien is in possession of the travel documents required for entry into the territories of the Contracting Parties at the point of departure. Where an alien does not possess any valid travel documents and is refused entry to the country, the carrier is obliged to take the alien back to the country of origin. In accordance with regulations of the Cabinet of Ministers, the carrier covers the detection, detention and expulsion costs of the alien.

Administrative liability is provided for in the Administrative Offences Code of Latvia.

Carriage of persons to the Republic of Latvia without travel documents

For carrying citizens of countries other than the Member States of the European Union or the European Economic Area from these countries to the Republic of Latvia, if the abovementioned persons are not in possession of the necessary travel document for crossing the state border and the carriage took place by sea, air or land transport, – a fine of between 1 700 and 2 800 lats per person carried is imposed on natural persons or legal entities.

Criminal liability is provided for in the Criminal Law in cases of illegal movement of a person across the state border

- (1) For the illegal movement of a person across the state border in breach of the border-crossing rules – the penalty is imprisonment for a period of up to five years.
- (2) For the repeated illegal movement of a person across the state border or in the case of abuse of official powers – the penalty is imprisonment for a period of up to seven years, with or without confiscation of property.

¹ Automated Fingerprint Identification System

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- (3) Where illegal movement of a person across the state border is carried out by an organised group or where this has had serious consequences, or where a large number of people, i.e. more than five persons, are moved across the state border at a time – the penalty is imprisonment for five to ten years, with confiscation of property.

In accordance with the requirements of the Immigration Law, where when an alien does not possess any valid travel documents and/or is refused entry to the country, the carrier is obliged to take the alien back to the country of origin. In accordance with the regulations of the Cabinet of Ministers, the carrier covers the detection, detention and expulsion costs of the alien.

The Regulation on the procedure for crossing the border into of the Republic of Latvia lays that that the carrier is obliged to ensure a person entering the Republic of Latvia in a vehicle belonging to the carrier, but not admitted to enter the country at the border crossing point is returned to the country of origin or to the country, which issued the travel document, or to any other country which guarantees admission to such person.

In addition to this, Latvia applies also the conditions specified in the ICAO and FAL Conventions – pilot of a plane or air operator and sea carriers which have transported a passenger without valid travel documents, are obliged, at the request of border guards, to take the passenger back on board and take him back to the country of origin or to any other country which guarantees admission to such person.

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Reports on individual sites visited:

4. VENTSPILS HARBOUR

4.1. General information

Ventspils is located in the northwest of Latvia covering an area of 55,4 sq.km with a population of 43 726 persons. The most important business sector is transit and tourism. Ventspils port has 60 piers with a total length of 11 km, the port is able to handle the following ships with 130 000 GT, length 270 m and draught 15 m.

The Ventspils Board of the State Border Guard oversees the sea border surveillance. It uses the LNF Maritime Surveillance System, the risk analysis, ships and cutters of the State Border Guard and the Latvian Naval Forces and Air Force helicopters. Constant sea and air patrols supplement technical surveillance, for example, by identifying objects detected at sea. The technical surveillance of the sea border is carried out by using the resources of other services– Latvian Naval Forces (Maritime surveillance system and AIS) and Port administration (the data register "Velkonis" on vessels in ports). The Operational Coordination Centre of the State Border Guard (OCC) is subordinate to the Ventspils Board of the State Border Guard.

Sea border surveillance area:

- ✓ Territorial sea and internal waters of the Republic of Latvia (length – 269 n.m. or 498 km; area – 4976 sea square miles);
- ✓ EEZ of the Republic of Latvia (length – 128 n.m. or 237 km; area – 5625 sea square miles).

Structure of the Ventspils Board

(See Annex: table G)

4.2. Infrastructure and equipment

4.2.1 Signposting, separation of flows, lanes for checks and control facilities

Since only cargo ships are checked in this BCP, there is no need for signposting. The flows of the lorries were not separated. For passengers and cars there were different flows arranged which, at the time of the visit, was confusing for passengers. Major reconstruction of the port is in preparation.

At the lorry control station there were different lanes ("EU-nationals", "All Passports") for entry, but not for exit. For cars there were no separate lanes. For passengers different lanes were provided for entry and exit.

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Cargo ships are checked on board. Passengers checks are carried out from booths in a container. The border guards were facing neither the arriving nor the leaving passengers and no overview was provided for them (because the booths were located in the container). Checks on cars were carried out outside the booth, between the containers for passengers. There were no booths for checking lorries. The checks were conducted in a container, prior to lorry drivers leaving the vicinity of the port.

4.2.2 Equipment: first line, second line, mobile

All the necessary equipment was available. Sufficient means of transportation are available.

4.2.3 Communication

All the necessary communication devices were available. Computers are equipped with an Internet/Intranet connection. Access to national databases is provided via the Intranet connection. During border checks the shift leader can be consulted by radio and telephone.

4.2.4 Access control / fencing

The port is fenced and monitored by video-surveillance. Access control is carried out by a private security company.

4.2.5 Detention / readmission premises

There were no adequate detention premises at the port. If needed, the Border Guard call the local police and they take care of the person. An agreement between the two authorities is in force.

4.2.6 Storage of blank visas

The blank visas are stored in a safe at the BCP. The shift leader keeps a log of issued visas.

Comments and recommendations of the Evaluation Committee:

The equipment available in the port of Ventspils is sufficient but the infrastructure should be improved. The booths should be reconstructed to make it possible for the officers to oversee the queue of passengers waiting and the improvement of signposting is also necessary.

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4.3. Controls and procedures

4.3.1 Procedure for checking on entry and exit (profiling, interrogation, checking conditions of entry, checking the documents, stamping)

Cargo ships

The border guard receives the information about the arrival of the ship from the OCC. Usually, the crew and passenger lists are provided by the ship's agent or by the captain on board. The administrative check takes place after the arrival of the ship following the passport control on board. After the administrative check, border guards stamp the lists authorising all persons to go ashore.

If the list is received in advance, the administrative check is carried out prior to arrival of the ship. Passport control is not provided for face-to-face, unless there is a well founded reason for it. Usually the crew's passports are compared with the crew list in the captain's cabin. If the ship is coming from an EU country, there is no administrative check.

Cruise ships

The crew and passenger list is received 2-3 hours prior to arrival by fax and the administrative check is carried out. Passport control of third-country nationals is carried out when the passengers leave the ship.

Fishing vessels

There is no passport control of fishing vessels unless they leave the territorial waters of Latvia. In that case the vessel is checked at the time of arrival in the port.

4.3.2 Utilisation of registers and of the Common Manual

There was a problem with several people using the database at the same time at the car gate. It was impossible to verify a second passport in the database because another verification was underway. The officer on duty explained the difficulty as a temporary technical problem. Indeed, at the lorry gate it was possible for several people to use the database. Whenever there is a need for a second database verification, the officer on duty has to call a car and bring the person along with the documents to the second line office which is located at the lorry gate.

The Common Manual, the Schengen Catalogue and the Schengen Borders Code are available electronically and on paper as well at the car and lorry gates. The border guard officers could easily find and reduce these documents in the course of the visit.

4.3.3 Vehicle check

At the car and lorry gates the border guard stand by the car/lorry and check the passports of the driver and passengers inside. There are no booths for immediate verifications of documents. At the car gate, the Evaluation Committee had the impression that the border guard on duty was not used to making checks.

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4.3.4 Processing of refusals and asylum applications

Usually the grounds for refusals of entry are either the expired documents or the lack of visa

(See Annex: table H)

There have been no stowaways detected in the port of Ventspils. In the event of refusal of entry the standard form is used. The refused person must remain on board and leave the country with the same ship, even if the ship does not go to the same port (cargo for example). If the next port is situated in an EU country, the border guard informs the authorities of the presence of the refused person(s) on board.

4.3.5 Issue of visas

The visas are printed and include the photo of the person. In the case of visas issued to seamen, only the passport is taken to the office while the seamen remain on board and are obliged to stay there till the end of the procedure. Only Ventspils Port BCP issues visas. The first 'B' type visa was issued in January 2004.

Visas issued

Category of visa	2004	2005	2006 (I-VI.)
Individual "B" category	340	255	170
Group "B" category	10	15	10
Individual "C" category	1	5	—

4.3.6 Sanctions imposed on carriers

According to the information provided by the border guard, there are no fines imposed on the carriers.

Comments and recommendations of the Evaluation Committee:

The passport control is in line with the relevant Schengen regulation, though the EU/EEA/CH nationals were frequently asked about the purpose and duration of their stay. Profiling was not possible due to the form and structure of the booths with lateral windows. The Evaluation Committee appreciated the usage of the Latvian practical handbook by the border guards, and the presence of several emergency plans.

The second line is situated at the entrance of the port for vehicles. The cargo ships are controlled in another building about 500 meters from the passenger terminal. Due to this distance, the second-line control of pedestrians, the crew and passengers of cargo ships takes a long time.

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5. RIGA HARBOUR

5.1. General information

Riga, the capital of Latvia, is situated on the Baltic Sea coast at the mouth of the River Daugava with a population of 731 000. Riga harbour is the 2nd largest Latvian seaport by cargo turnover. It is situated in the estuary of the largest Latvian river, the River Daugava. The harbour terminals are located along the riverbanks, channels and artificial aquatories. The main types of cargo handled at the port of Riga are containers, various metals, timber, coal, mineral fertilisers, chemical cargoes, oil and food products.

5.2. Infrastructure and equipment

5.2.1. Signposting, separation of flows. Lanes for checks and control facilities

The harbour is properly signposted but the flows are not separated. At the time of the visit there was no need for separation because the ships were arriving in the morning and leaving in the evening. The passenger lanes were signposted with convertible signs. The glass windows of the booths were equipped with mirror foil, making it impossible for the passengers to see the officers in the booths. Due to this, a face-to-face discussion between the officer and the passenger was not possible. The passengers also had difficulties realising if a booth was manned or not.

The booths in the passenger terminal were not facing the queue of passengers waiting and the overview was poor. A room for second-line checks was situated close to the first line. There are no booths at the indoor car check facilities, but a combined first and second line check facility is situated in the hall. Checks on the lorries are carried out outside the car hall. There are no booths for controls of lorries.

5.2.2. Equipment: first line, second line, mobile

All the necessary equipment is available.

5.2.3. Communication

All necessary technical devices are available. The computers are equipped with an internet/intranet connection. Access to national databases is provided via the intranet connection. During border checks the shift leader can be consulted by radio and telephone.

5.2.4. Access control / fencing

The harbour area is completely fenced. Entry and exit are controlled by a private security company. For the surveillance of the port area CCTV cameras are in place.

5.2.5. Detention / readmission premises

One detention room is located at the BCP in the commercial harbour.

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5.1.1 Storage of blank visas

The blank visas are stored in a safe in the office building. Access is given only to the shift leader who also keeps a log of issued visas.

Comments and recommendations of the Evaluation Committee:

The equipment available in the port of Riga is sufficient but the infrastructure should be improved. The booths in the port of Riga should be reconstructed to make it possible for the officers to oversee the queue of passengers waiting and the mirror foil attached to the windows should be removed.

5.3. Controls and procedures

5.3.1. Procedure for checking on entry and exit (profiling, interrogation, checking conditions of entry, checking the documents, stamping)

The Border Guard have access to the port authority's traffic information system so they always know when and what kind of ships are arriving and departing. They are also aware of the ships' position in the harbour.

When it comes to a special situation concerning any crew member or passenger, the Border Guard uses the EISICS form to provide the next port with all the information needed.

The Border Guard has several emergency plans, for instance for potential hostage situations, arrival of large groups of immigrants, fire, radiation, etc.

Furthermore, each border guard officer has a practical handbook on several relevant topics such as: relevant legislation, duties and rights of the persons, border control procedures of all segments, procedure for issuing visas, etc.

Ferries

The Border Guard Board receives every list of passengers, crew, and vehicles usually 24 hours prior to the arrival of the ship, but not less than 6 hours – before arrival and not less than 2 hours before departure, signed by the agent, usually by e-mail or by fax. The e-mail list is automatically verified in the electronic databases. The fax list must be checked against the data bases verifying each name. The face-to-face checks of the crews are not systematically carried out where the ships regularly call at the port, and the crews are known to the border guards.

The Evaluation Committee was able to evaluate the border control procedure for the ferry coming from Stockholm. Most passengers were EU nationals.

The committee noticed that the border guards had a good knowledge of Russian and a basic knowledge of English. However, not all the border guards were able to speak English. Due to this fact, in some cases conversation with English-speaking passengers (US citizens) was difficult. The interrogation techniques of some officers were fairly poor although the officers were very polite and had good social skills. The passport readers and the equipment in the booths were used occasionally. The passports of all third-country nationals were stamped properly. EU nationals (mostly Swedish nationals) were asked systematically about the purpose and duration of their stay in Latvia. In some cases the passengers were obviously surprised to be interrogated on this matter. One of the officers was not sure if Israeli citizens needed a visa for Latvia.

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Profiling of the passengers was not possible due to the location of the booths and the fact that the officers were not facing the queues. Since none of the officers were visible to the passengers, some booths – *though they were free* –, were not used because the passengers were not able to see them.

Globally, the first line controls are made fairly well though the windows of the booths are on the side and not on the front line.

At the time of the visit passport control was carried out by 5 officers in the booths. The same booths are used for the entry and exit controls but at different times. However, the committee observed that two persons crossed the same booth to exit, while entries were going on.

Cruise ships

There are about 20 cruise ships per month during the season. When a cruise ship arrives, a border guard goes on board along with the other authorities and makes face-to-face check of seamen from third countries. Regarding cruise ships, passengers can leave their documents on board, and they may go ashore by using a "shore pass" delivered by the border guard at the booths. Seamen can also go ashore but they must show their documents when passing through the booths control.

Fishing vessels are usually not controlled unless they leave the territorial waters. However, there is a random check from time to time.

Cargo vessels

There are about 3500 cargo ships per year. The crew list is usually sent by the ship's agent 6 hours prior to the arrival of the ship. The administrative check is applied to third-country nationals only. The passports of the crew members are checked against the crew list. In the event of any doubt, face-to-face control is provided for. During the presentations, the border guard reported to the Evaluation Committee that they had never encountered fake crews.

The Evaluation Committee was present during the border control of one cargo ship departing from the port of Riga. All the passports of the crew and seamen's books were controlled and checked against the crew list. The control was performed very professionally.

Pleasure boats

The port authorities inform the Border Guard of the arrival of a pleasure boat in the port of Riga. The Border Guard carries out the face-to-face border control on board the vessel and on exit as well.

5.3.2. Utilisation of registers and of the Common Manual

Everyday, the crew and passenger lists are sent to the Border Station to be kept for 1 year. The databases were not used systematically during the passport control of third-country nationals.

In each shift, the duty officer makes an operational report including remarks on risk analysis, number of staff involved, any special situation during the shift, etc. Besides this, there is also a book which contains information on the departure and arrival of ships and on the nationalities of the controlled persons. The Border Guard keeps the visa application files for one month after which the files are forwarded to the Immigration Service of the Border Guard which verifies if the person has left the country.

The Common Manual is available electronically in the second line.

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5.3.3. Vehicle check

During vehicle checks the border guards conduct a face-to-face check of every person inside the car, ask for all documents, look inside the boot and stamp the ticket of the car authorising the car and all persons inside to proceed to the security control prior to leaving the terminal.

The Evaluation Committee was present during the checks on vehicles transported by the ferry from Stockholm and witnessed that the border control was provided in a very professional way.

5.3.4. Processing of refusals and asylum applications

There were 6 refusals of entry in 2006; two of these were because of the lack of visa. However, no fines were imposed because ferries and cruise ships arrive in Latvia from the ports of other EU countries.

5.3.5. Issue of visas

In principle no visas are issued to ordinary travellers. If the traveller does not possess a visa, entry shall be refused. The exceptions are seamen (around 250 persons/year) and the third-country nationals who are members of the family of an EU-national.

5.3.6. Sanctions imposed on carriers

According to the information provided by the border guard, there are no fines imposed on the carriers.

Comments and recommendations of the Evaluation Committee:

The passport control is in line with the relevant Schengen regulation, though the EU/EEA/CH nationals were frequently asked about the purpose and duration of their stay.

6. BORDER SURVEILLANCE

In order to evaluate the border surveillance system, the Evaluation Committee visited the Ventspils Board of the State Border Guard and the Maritime surveillance and communication service and the Coast Guard Service of the Latvian Naval Forces.

The Ventspils Board of the State Border Guard oversees sea border surveillance. It uses the LNF Maritime Surveillance System, Automatic Identification System (AIS), the risk analysis, ships and cutters of the State Border Guard and the Naval Forces and fixed wing aircraft and helicopters of the Air Force. Constant sea and air patrols supplement the technical surveillance, for example, by identifying objects detected at sea. Technical surveillance of the sea border is carried out by using the resources of other services— Latvian Naval Forces (Maritime surveillance system and AIS) and Port Administration (the data register "Velkonis" on vessels in ports).

6.1. Tactics applied

The Border Guard divides the area of responsibility into four different regions: Riga, Ventspils, Valmiera and Liepaja. The Sea border surveillance of the Border Guard is based on a monthly schedule proposed by the Head of floating means and approved by the Chief of Staff. This monthly schedule is based on risk analysis.

The abovementioned monthly plan shows the schedule of services the units have to carry out in order to combine all the available means such as vessels, cutters, helicopters, aircraft and the inspection and control units. These units receive this plan one month in advance. The Head of the Ventspils Board completes the schedule with particular and more detailed orders to each one of these units.

6.2. Situational awareness

The Maritime surveillance system and AIS of the Naval Forces of the National Armed forces is used by the State Border Guard. The system consists of 11 technical surveillance posts (TSP), which are located along the Republic of Latvia Baltic Sea Western coast and the Irbe Sea Gulf. Two such TSPs are located in the Gulf of Riga – in Roja and Riga. TSP performs surveillance of its sector 24 hours a day.

By 2008, it is planned to implement a new automatically-operated LNF Maritime surveillance system. A sea video surveillance system of the State Border Guard is currently being implemented and it is planned to equip 9 Latvian ports with large radius (12 miles) surveillance video cameras and wharf surveillance cameras. Three mobile sea surveillance systems are being purchased, and will be installed on cars. The systems will be able to carry out surveillance of the sea territory up to 8 miles by moving along the sea coasts of the Republic of Latvia.

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After the establishment of the sea video surveillance system of the State Border Guard, large video cameras will be installed at port border crossing points, by means of which the staff of the State Border Guard will be able to survey the port aquatory (piers) and port roads. The Lielupe Port is intended only for border crossing by pleasure boats; it operates only in the navigation season. In winter the staff of this border crossing point strengthens the staff of the Riga port border crossing point.

The State Border Guard has started to set up a sea surveillance electro-optical surveillance system, which will operate on the basis of the LNF SCSS radiolocation system information, and is intended for the surveillance of nine port roads and aquatories day and night.

Two ships are equipped with an electro-optical surveillance system and will be operational in the near future.

In the near future it is planned to purchase and install:

- ✓ five electro-optical surveillance sets for 12 sea mile surveillance;
- ✓ 3 electro-optical surveillance sets for sea surveillance up to 12 miles.

The ships and cutters of the State Border Guard are equipped with the necessary surveillance equipment.

Using the *Schengen Facility* financing it is planned, in addition to the already existing equipment, to purchase 1 new ship, 9 cutters and 1 hovercraft equipped with border surveillance technical devices.

Naval units:

- ✓ 6 Coast Guards Cutters (with two crews),
- ✓ 4 Fast Patrol Boats.
- ✓ 3 MCM ships,
- ✓ 2 personnel ships,
- ✓ 4 Motor Boats (SAR units).

The enlargement of the naval units by five ALKMAAR type ships and five Coast Guard cutters (expected 5 ribs on April 2007 – 10,60 m and 2 x 225 hp – and 4 speed boats on June 2007 – 10,31 m speed cruise 22/38 knots and 1 hovercraft) is underway all along the coast.

The Evaluation Committee was informed that the four existing State Border Guard cutters would be sent to Moldova for river surveillance. The renovation of the Operational Coordination Centre and the construction of support bases for vessels of the SBG in Riga and Ventspils are also planned along with the establishment of the sea border video surveillance system.

Aircraft units:

One helicopter belonging to the Border Guard is used to control the maritime sea and for search and rescue operations and is used for combined actions with the patrol vessels and the cutters. Two new helicopters are already ordered for delivery in 2007 and it is planned to purchase a third one.

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Mobile units:

Three single units equipped with mobile surveillance system, thermal sensor, movement sensor, laser range finder, GPS and digital maps, are used to supplement and improve the surveillance carried out by the naval units along the coast line.

Intelligence, OCC, MSC, the LNF Maritime Surveillance System, LNF MRCC MIRC CHAT program, SafeSeaNet , AIS system, GMDSS net., CECIS, Motorola Smart Zone (MRCC), UHF communication with Air assets, COSPAS-SARSAT :

- The CCC system of the Latvian Naval Forces (*a Radar Network with 10 operational Radar Posts*) deployed along the coast provides information to the Command of Naval Forces about violation of national and international law in its area of responsibility. This information is transmitted in near real time to the Operational Coordination Centre of the Border Guard in Ventspils where the operator gathers information on every vessel in the Latvian maritime zone (e.g. name, position, register, type).
- MIRC CHAT programme: is a specialised chat programme operated by LNF Coast Guard Service constituting at present five (more users can be connected) users that can exchange information in real time. The five users at present are:
 - ✓ Centre of Emergencies and Disasters Medicine,
 - ✓ Fire Fighting and Rescue Service,
 - ✓ Naval Forces Duty Officer,
 - ✓ Maritime Rescue Coordination Centre,
 - ✓ Border Guard.
- COASTNET, a system of exchange and transmission of information covering Norway, Estonia, Lithuania, Latvia, Poland, Germany, Sweden, Finland and Russia.
- Automatic Identification System is a coastal and shipboard broadcast system that acts like a transponder, operating in the VHF maritime frequencies band. The Latvian AIS network is remotely operated by the LNF CG MRCC Riga by the OCC. Information received from a ship's AIS terminals is presented in the MRCC Riga by the following distribution to any authorised users (LNF, port's authorities, State Border Guard etc.)

GMDSS (Global Maritime Distress and Safety System) consists of several systems remotely operated from the MRCC Riga technical sites along the coast line. The system consists of VHF/MF/HF voice/ data exchange terminals, Inmarsat-C terminals and remote-control units. The main tasks for the system are:

- emergency, distress and safety information exchange between MRCC and ships at sea;
- DSC announcement;
- Maritime-related information broadcasting from the MRCC Riga (warnings, forecasts etc.);
- Voice and DSC conversations;
- CATCOM communications;
- Connection to the public services (ship's connection to the public networks in the event of emergency, radio medical assistance etc.)

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The Motorola Smart-zone network built into the MRCC Riga is a part of the State Smart-zone network operated by the Ministry of the Interior. Equipment, installed in the MRCC Riga and onboard LNF CG units (7 sets in total), are used for direct communications between MRCC Riga, SC units and the services in the area of activities (State Boarder Guard, Fire Brigades, Police etc.)

A UHF ground-to-air asset, installed in the MRCC Riga, is used for direct communication between aircraft in the area and the MRCC Riga. The main task for the system – 24-hour duty on air emergency frequencies.

6.3. Reaction capability

The readiness time for reaction accepted by the Latvian Border Guard units is as follows:

Vessels:

- ✓ Patrol vessels: approximately one hour to react if the vessel is in the harbour.
- ✓ Cutters: 15 minutes to react if the cutter is in the harbour.

Helicopters:

- ✓ The reaction time when the crew is in the territory of the base is approx. 15 minutes.

6.4. Availability and permanent nature of the abovementioned resources

See Para. 3.3.1

6.5. Communication and encryption

Databases in use:

- ✓ REIS-2002: Information system on border checks of persons and means of transport.
- ✓ KRUIS: Information system of border checks on floating means.
- ✓ Register of specimen documents.
- ✓ Electronic database of documents description.
- ✓ Register of illegal immigrants.
- ✓ Control system for residence period of aliens.
- ✓ RAIS XP, results summarisation system.
- ✓ COASTNET.
- ✓ Automatic Identification System.
- ✓ EURODAC.

Communication and technical facilities in use:

- ✓ Radio stations: Motorola hand sets, FM radio station, Furuno FM2520,
- ✓ Computer Communications : E-mail, Internet, Intranet,
- ✓ Phone communications: Lattelecom phones, mobile phones, IP phones, Iridium satellite phones and fax.

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Comments and recommendations of the Evaluation Committee:

Taking into account the plans to improve the performance and coverage of the technical surveillance system, surveillance of the Latvian sea borders is considered to be sufficient, but the Committee notes that the function of supervision and instruction by the Ministry responsible for border management, implementation of risk analysis as well as data flow management should be strengthened and streamlined. It is also important to ensure an appropriate level of professionalism and training of the personnel responsible for these tasks. To that end, it is recommended that the Ministry of the Interior and the State Border Guard should assume a more active role in this field.

The coverage of the sea border surveillance and the ability to identify radar targets should be improved by implementing the plans for the reconstruction of the technical surveillance system and by a more effective use of Border Guard vessels integrated into the technical surveillance system.

The Committee notes that the direct involvement of the State Border Guard in border surveillance at sea should be strengthened and the possibilities of centralising the complete surveillance of the sea borders under the State Border Guard's wing should be further investigated. The Committee further notes that the operational reaction concept must be able to ensure that stopping, searching and apprehension will always be part of a professional service.

7. STAFF AND TRAINING

7.1. Adequacy and the level of professionalism

The Committee is of the opinion that the personnel at all sites visited are well trained and professional. The officers are conscious of their duties and responsibilities and they are well aware of and apply the Schengen provisions.

7.2. Selection criteria

See Para. 3.6.1

Ventspils Operational Coordination Centre:

The personnel are specially selected for its tasks and have to have completed "second level higher education" before starting work. As reported to the Evaluation Committee, the staff has obtained certificates for GMDSS-operators and radio telephone communication.

7.3. Basic training

See Para. 3.6.2

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7.4. Further continuing education

See Para. 3.6.3

In 2006, the officers of the Ventspils BCP have undergone the following special training courses:

- Training on European Union (95 % of the border guards);
- 24 hour training course on the Schengen acquis (70 % of the border guards);
- Training on the falsification of travel documents (18 border guards);
- Training on equipment for thorough inspection of documents (12 border guards);
- Training on profiling of persons (10 border guards);
- English language training (12 border guards);
- Russian language training (100 % of the border guards).

Furthermore, some officers had the opportunity to participate in study visits abroad (Denmark, Netherlands and Ukraine).

The opportunity to exchange staff between airport and port has proved to be advantageous.

Further continuing education is organised by the:

- Central Board of the Border Guard;
- Experts Centre of the Ministry of the Interior;
- Latvian School of Public Administration;
- Exchange of experience with foreign Border Guard and Police services.

7.5. Language skills and training

Ventspils Border Control Point:

The border guard officers of Ventspils BCP have the ability to communicate in Russian and in English at different levels.

Supported by the funds of the European Union Border Guard, Officers can improve their language skills by attending language courses abroad (United Kingdom, Germany – duration 3 months).

Language training is expected to be intensified in the future.

Ventspils Operational Coordination Centre:

Border Guard Officers have the ability to communicate in several foreign languages (English, Russian, 1 officer in German).

Port of Riga:

The border guard officers of Riga port have the ability to communicate in Russian (90% of staff), English, French, Spanish and in German at different levels.

Supported by the funds of the European Union Border Guard, Officers can improve their language skills abroad (United Kingdom, Germany – duration 3 months)

Language training is expected to be intensified in the future.

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7.6. Specialised document checking skills and training

See Para. 3.6.5

7.7. Availability and permanent nature of staff

Ventspils Border Control Point:

The total number of personnel at the Ventspils Border Crossing Point is 46/47 (1 Chief, 1 Dept Chief, 10 senior inspectors, 26 inspectors, 5 junior inspectors, 4 inspectors – dog handler). Ventspils BCP is open 24 hours a day throughout the year. In accordance with the work schedule, border guard officers normally work in 6 – 12 hour shifts. The officers in the duty officer's office, established at Ventspils Board, work in 12 hour shifts.

Working time is 40 hours a week. Overtime is not applicable.

Ventspils Operational Coordination Centre:

17 Border Guard officers (1 Chief, 1 Deputy Chief, 10 senior officers and 5 officers) are employed at the Ventspils OCC. The Centre is operational 24 hours a day. The officers in the Centre work in 12 hour shifts, covered at minimum by 3 officers in each shift. The working time is 40 hours a week. Overtime is not applicable.

Port of Riga:

The total number of personnel at the Riga Border Crossing point is 93.

The Border Crossing point is headed by the Chief of the Border Guard Station who is supported by the Chief Inspector. Due to the organisational structure, the Border Crossing Point is divided into 2 units:

Unit 1 – responsible for passenger and commercial terminal:

- ✓ total number of personnel: 62 (1 Chief of the structural unit, 1 document expert, 13 senior inspectors, 29 inspectors, 2 dog handlers, 16 junior inspectors)).

Unit 2 – responsible for Daugargriva terminal:

- ✓ total number of personnel: 29 (1 Chief of the structural unit, 5 senior inspectors, 11 inspectors, 3 dog handlers, 9 junior inspectors)).

The Port of Riga is open 24 hours a day throughout the year. In accordance with the work schedule, Border Guard officers normally work in 8-12 hour shifts.

The working time is 40 hours a week. Overtime is not applicable.

Comments and recommendations of the Evaluation Committee:

At all sites visited by the Committee the number and professionalism of the personnel was considered to be satisfactory. In general training is properly arranged and the provisions of the Common Manual, Schengen Borders Code, Schengen Catalogues etc. are incorporated into the Schengen Training Strategy. The language skills of the border guard officers were also considered satisfactory, though their knowledge of main European languages needs in general to be improved.

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8. READMISSION, EXPULSION AND ILLEGAL IMMIGRATION, CARRIERS LIABILITY

The **Office of Citizenship and Migration Affairs** (the Head of the Office or his authorised representative) issues an order to an alien illegally resident in the country whereby the alien is obliged to leave the country within seven days. The Office of Citizenship and Migration Affairs, in cooperation with the State Border Guard and other competent authorities, checks whether the alien has voluntarily left the country within the set period. Where the alien has not left the country within the set period and has not appealed the order to leave the country, or where he/she has appealed the decision, but the Head of the Office of Citizenship and Migration Affairs has not changed it, the Office of Citizenship and Migration Affairs (Head of the Office or his authorised representative) **decides to expel** the alien. In order to ensure the decision to expel the alien is carried out, the Head of the State Border Guard is entitled to **decide to have the alien escorted** to the country to which he/she is expelled.

If an alien who is the subject of an expulsion order or in respect of whom a decision on forced return has been taken does not have a **valid travel document**, and such a document cannot be obtained with the help of the consular services, he/she receives a standard travel document.

The decision to expel an alien detected in the border area or at the border crossing point of the country is taken by the Head of the State Border Guard or by his authorised representative in accordance with Article 46 of the Immigration Law.

If an alien has no legal reason to stay in the Republic of Latvia after serving a sentence for a crime, the Office of Citizenship and Migration Affairs decides to expel the alien. A court can also impose an additional penalty on the alien (expulsion).

The State Border Guard has concluded a cooperation agreement with a travel company for the supply of plane tickets.

According to the information provided by the Border Guard, no fines are imposed on carriers because ferries and cruise ships arrive in Latvia from a port in other EU countries.

(See Annex: table I, J)

Comments and recommendations of the Evaluation Committee:

The Evaluation Committee notes that the Latvian practice regarding the sanction of carriers is in line with the relevant EU legislation (Directive 2001/51/EC of 28 June 2001).

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9. GENERAL CONCLUSIONS AND RECOMMENDATIONS

The Committee is of the opinion that the border security strategy and organisational structure in Latvia, with the exception of the sea border surveillance arrangements, represent best practice in the application of the Schengen acquis. The Latvian State Border Guard follows a sound and permanent cooperation policy with other Latvian authorities and border authorities of neighbouring countries.

It is commonly agreed that supervision and instructions for border management should be centralised under the auspices of a ministry working in the field of justice and home affairs. The recognised best practice in this regard is that the competent public authority should be a specialised Police/Border Guard force, not a military one. Border checks and surveillance should be executed by professional officials from the same administration as that organising border management, if possible under a single national ministry. The current organisational structure in Latvia is not totally in line with these principles and Latvia is therefore invited to strengthen the role of the Ministry of the Interior and the State Border Guard in border management.

The Committee considers the sites visited in general meet the Schengen standards with regard to the professionalism and number of personnel, the border control procedures, risk analysis, equipment and infrastructure. Some shortcomings were, however, identified with regard to the booths in both Ventspils and Riga. The booths were not facing the passengers. The Committee invites the Latvian authorities to remedy these deficiencies.

The control procedures are considered to be in line with the relevant Schengen regulation, though EU/EEA/CH nationals were frequently asked about the purpose and duration of their stay.

It is obvious that Latvia, supported under the Phare and Schengen Facility Programmes, has made great efforts to replace and modernise its border control equipment and to train its officers. The equipment used for border checks is in general high-tech and sufficient. The purchase of a wide range of additional equipment will be completed by the end of 2007. The purchase of two new helicopters already ordered will very significantly improve the mobility and reaction capacity of the State Border Guard.

The Latvian State Border Guard executes their tasks in a professional and adequate way. In general EU provisions and procedures are applied correctly, but the staff's knowledge of the main European languages is in general rather limited. The Latvians have already made great efforts in improving the linguistic skills of the staff and additional training courses are being provided. Border control procedures are effectively performed and the number of staff available at the sea borders is sufficient.

The Evaluation Committee notes that the Latvian practice regarding the sanction of carriers is in line with the relevant EU legislation (Directive 2001/51/EC of 28 June 2001).

The surveillance system at the sea borders is based on a network of old radars with limited performance and coverage. The radar network is operated by the Navy which passes on the information to the Border Guard. The old radars still in use will be replaced with new ones before the end of 2010.

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The State Border Guard supplement the information provided by the radar network with information from a system of remotely controlled cameras and patrols by vessels and aircraft as well as regular exchange of information. The system can be regarded as sufficient, but while the cooperation between the State Border Guard and the National Armed Forces is considered good, the Committee is of the opinion that the direct involvement of the State Border Guard in the border surveillance at sea should be strengthened.

A recognised key element for the correct application of the integrated border security model is that persons performing border guard/police duties should be specialised trained professionals. Persons with less experience can be used only for auxiliary duties assisting professionals temporarily. No exception is allowed in respect of duties that require any use of personal data, making searches in confidential registers or decisions interfering with an individual's physical integrity or freedom.

The Committee notes that the direct involvement of the State Border Guard in border surveillance at sea should be strengthened and the possibilities of centralising the complete surveillance of the sea borders under the State Border Guard's wing should be further investigated. The Committee further notes that the operational reaction concept must be able to ensure that stopping, searching and apprehension will always form part of a professional service.

Considering the low threat of illegal immigration, the high-tech equipment, the infrastructure as well as the current number and standard of personnel, the Committee is of the opinion that the sites which were visited during the evaluation will meet Schengen standards. The Committee is aware of the current low migratory risk but underlines the need to closely monitor the situation.

Recommendations:

1. The booths in the ports of Ventspils and Riga should be reconstructed to make it possible for the officers to oversee the queue of passengers waiting.
2. Second line border control facilities should be located close to any first line position.
3. The mirror foil attached to the windows of the booths in the port of Riga should be removed in order to enable eye-to-eye communication between Border Guard officers and passengers.
4. EU/EEA/CH nationals should not be interviewed in the course of border checks about the purpose and duration of their stay.
5. The direct involvement of the State Border Guard in border surveillance at sea should be strengthened and the possibilities of centralising the total surveillance of the sea borders under the State Border Guard's wing should be further investigated. The operational reaction concept must be able to ensure that stopping, searching and apprehension will always form part of a professional service.
6. The extent of the sea border surveillance and the ability to identify radar targets should be improved by implementing the plans for the reconstruction of the technical surveillance system and by a more effective use of Border Guard vessels integrated into the technical surveillance system.
7. The language training of the personnel should be enhanced.

Latvia is invited to report to the Scheval Working Party the developments and measures taken with regard to the recommendations.

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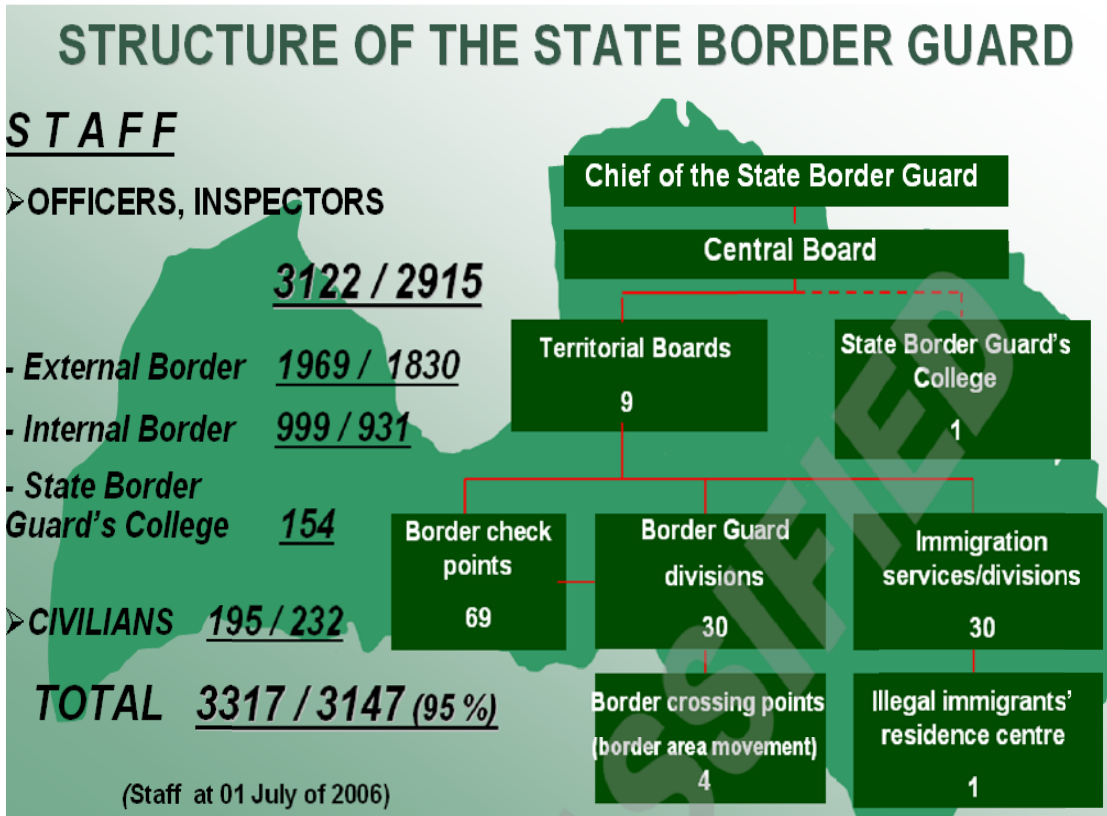
Comments of Latvia:

Regarding recommendations No 2 and No 3 the following measures have already been taken:

- the mirror foil has been removed from the windows of the booths in the Riga passenger terminal and the visual contact between persons crossing the border and Border Guard officers is now possible. This also improves the possibility of supervising flows of persons going up to the booths ;*
- the second line border control facilities in the passenger terminal at Ventspils port have been brought closer to the first line ones by transferring them from the cargo vehicle checking place to the passenger checking place.*

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Table A (Structure of the Latvian Border Guard)



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Table B (human resources)

The Latvian Border Guard is formed according to the following distribution of personnel:

STAFF	FORCE PRESENT	TOTAL FORCE
<i>External Borders</i>	1830	1969
<i>Internal Borders</i>	931	999
<i>Officers and inspectors</i>	2915	3122
<i>Civilians</i>	195	232
TOTAL	3147	3317

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(-first figure: actual number of staff, -second figure: positions available)

BCP	
214/228	Total
53/54	Officers
160/173	Instructors
1/1	Employees

Maritime Service of Ventspils Board	
70/83	Total
23/25	Officers
47/58	Instructors

Staffing of the State Border Guard structural units

(Abbreviation used: BGD – Border guarding division, BCP– border crossing point.)

Sea border	
Structural Unit	Number of staff
Skulte port's II category BCP of Valmiera Board	7/7
Salacgrīva port's II category BCP of Valmiera Board	7/7
Liepāja II category BCP of Liepāja Board	47/49
Pāvilosta II category BCP of Liepāja Board	10/10
Ventspils port's II category BCP of Ventspils Board	47/47
Roja port's II category of Ventspils Board	6/6
Mērsraga port's II category BCP of Ventspils Board	7/8
Rīga port's I category BCP of Riga Board	83/94
inter alia Riga port's I category BCP Trade port's BGD of Riga Board	57/63
Inter alia Riga port's I category Daugavgrīva port's BGD of Riga Board	24/29
Total Staff	295/320

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Table C (The characteristics of the vessels of the State Border Guard)

ship “VALPAS” (totally renovated in 2006):

- ✓ Length – 48.3 m
- ✓ Speed – 15 knots
- ✓ Equipment – locator Selesmar, Plotter Roland DXY01250, Echo sounder SKIPPER GDS 101, GMDSS – station for area A2, VHF, VHF COMM, UHF “Motorola”, VHF position finder

ship “TIIRA”:

- ✓ Length – 26.8 m
- ✓ Speed – 25 knots
- ✓ Equipment - locator Raytheon, Echo sounder Raytheon, VHF DSC, VHF COMM, UHF “Motorola”, MF/HF, VHF position finder, Sonar Simrad 200

cutters – 3 units:

- ✓ Length – 10.3 m
- ✓ Speed – 25 knots
- ✓ Equipment - RLS Raytheon, Echo sounder Raytheon, VHF DSC, UHF “Motorola”

sea cutters – 1 unit:

- ✓ Length – 10.3 m
- ✓ Speed – 30 knots
- ✓ Equipment - RLS Raytheon, Echo sounder Raytheon, VHF DSC, UHF “Motorola”

motor boats – 2 units

- ✓ Length – 6,5 m
- ✓ Speed - +45 knots

motor boat – 1 unit

- ✓ Length – 6 m
- ✓ Speed - +30 knots

motor boat – 1 unit

- ✓ Length – 5 m
- ✓ Speed - +30 knots

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motor boat – 1 unit

- ✓ Length – 5 m
- ✓ Speed - +25 knots

motor boat – 1 unit

- ✓ Length – 5 m
- ✓ Speed - +30 knots

Technical devices:

1. Stationary equipment for document examination with ultraviolet light Eye-D

According to contract: land BCP – 34;
airport BCP– 4;
port BCP – 13;
exchange fund – 4.

Total – 55 units (purchased – 60 units)

Units of SBG	Number of equipment (units)
Land BCP	
Terehova BCP	8
Grebņeva BCP	6
Aizgārša BCP	1
Pededze BCP	2
Bērziņu BCP	1
Vientuļu BCP	2
Punduru BCP	1
Pāternieku BCP	4
Silene BCP	5
Meikšānu BCP	1
Vorzova BCP	1
Piedruja BCP	1
Kaplava BCP	1
Airport BCP	
Airport „Riga” BCP	12
Port BCP	
Liepājas port BCP	3
Ventspils port BCP	4
Rīga port BCP	6
SBG’sC	1

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2. Video spectral comparator (VSC4CX) – distribution was determined in supply contract.

According to contract: land BCP – 5;
 airport BCP – 1;
port BCP – 3;
 rail BCP – 3.
 SBG'sC - 2

Total – 15 units

Units of SBG	Number of equipment (units.)
Land BCP	
Terehovas BCP	1
Grebņevas BCP	1
Pededzes BCP	1
Vientuļu BCP	1
Pāternieku BCP	1
Airport BCP	
Airport „Riga” BCP	- (installed VSC – 5000)
Port BCP	
Liepājas port BCP	1
Ventspils port BCP	1
Riga port BCP	3
Rail BCP	
Kārsavas rail BCP	1
Zilupes rail BCP	1
Indras rail BCP	1
SBG'sC	2

3. High resolution video spectral comparator (VSC - 5000) – distribution was determined in supply contract.

According to contract: Central Board of the SBG – 1.
 Total– 1 unit (purchased – 2 units)

Units of SBG	Number of equipment (units.)
Central Board	1
Airport “Riga” BCP	1

4. Stereo microscopes (Leica Zoom-2000, MS5, MZ7,5)

According to contract: land BCP – 13;
 airport BCP – 4;
 port BCP – 16;
 rail BCP – 3;
 SBG territorial boards – 6.
 Total– 42 units (purchased – 45 units)

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Units of SBG	Number of equipment (units.)
Land BCP	
Terehovas BCP	1 (MS5)
Grebņevas BCP	1 (MS5)
Aizgāršas BCP	1 (Leica Zoom-2000)
Pededzes BCP	1 (MS5)
Bērziņu BCP	1 (Leica Zoom-2000)
Vientuļu BCP	1 (MS5)
Punduru BCP	1 (Leica Zoom-2000)
Pāternieku BCP	1 (MS5)
Sīlenes BCP	1 (MS5)
Meikšānu BCP	1 (Leica Zoom-2000)
Vorzovas BCP	1 (Leica Zoom-2000)
Piedrujas BCP	1 (Leica Zoom-2000)
Kaplavas BCP	1 (Leica Zoom-2000)
Airport BCP	
lidostas „Rīga” BCP	1 (MZ7,5)
Daugavpils lidostas BCP	1 (MS5)
Liepājas lidostas BCP	1 (MS5)
Ventspils lidostas BCP	1 (MS5)
Port BCP	
Liepājas port BCP	2 (MS5)
Pāvilostas port BCP	1 (MS5)
Ventspils port BCP	3 (MS5)
Rojas port BCP	1 (Leica Zoom-2000)
Mērsraga port BCP	1 (Leica Zoom-2000)
Skultes port BCP	1 (Leica Zoom-2000)
Salacgrīvas port BCP	1 (Leica Zoom-2000)
Rīgas port BCP	5 (MS5)
Lielupes port BCP	1 (Leica Zoom-2000)
Rail BCP	
Kārsavas rail BCP	1 (MS5)
Zilupes rail BCP	1 (MS5)
Indras rail BCP	1 (MS5)
SBG territorial boards	
Ludzas territorial board	1 (Leica Zoom-2000)
Viļakas territorial board	1 (Leica Zoom-2000)
Daugavpils territorial board	1 (Leica Zoom-2000)
Liepājas territorial board	1 (Leica Zoom-2000)
Ventspils territorial board	1 (Leica Zoom-2000)
Rīgas pārvalde	1 (Leica Zoom-2000)
SBG Central Board	1 (MZ5), 1 (MZ7,5)
SBG’sC	1 (MZ7,5)

Mobile document examination equipment – 1 (Viļaka territorial board Vientuļu BCP)

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Table D (Training courses for border guards since 2003)

<i>Staff, place</i>	<i>Program</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006 (6 months)</i>
Officers, Police Academy of Latvia	Second level professional higher education program „Legal studies” (115 KP-4600 hours)	11	8	8	9
Officers, State Border Guard’s College	First level professional higher education program “Border guarding” (82 KP-3280 hours)	26	50	24	42
Officers, State Border Guard’s College	Professional further education program “Border guarding” 1015 hours	87	100	95	101
Instructors dog handlers, State Border Guard’s College	5 programs	131	89	108	40
Instructors, officers – pilots, Baltic Helicopter, Aero navigation Service	Provided by Schengen <i>Facility</i> budget	----	----	10 pilots, 3 form 10 take further 2 step training; 2 pilots improve professional skills; 11 aviation technical specialists	
Instructors, officers-seamen, Liepāja Maritime College	First level professional higher education program	----	12	12	4
Instructors, officers-seamen, Maritime Academy of Latvia, LSC Maritime Training	Provided by Schengen <i>Facility</i> budget	----	----	52	
Instructors, officers-document experts, the Department of Forensic Science (MOI)	Several courses	2 (+ 2 from 2002)	0	4	
Staff of supernumerary quick reaction unit	2 weeks training program	111	----	----	

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Instructors, officers the Department of Forensic Science (MOI)	Vehicles number (incl. VIN) comparing	42	44	-----	
Instructors, officers	IT courses, incl. provided by Schengen <i>Facility</i> budget	636	520	31	75
Instructors, officers-Territorial boards of the SBG	4 hour trainings on Schengen <i>acquis</i>	----	----	27	1300
Instructors, officers-Territorial boards of the SBG	European Union training Day -8 hours (since 2005)	----	----	2137	
Instructors, officers-State Border Guard's College	Basic training program for border guards with higher education	----	29	14	
Instructors- State Border Guard's College	Professional preparatory course program for border guards	119	93	137	27
Instructors, officers-State Border Guard's College	Training program (identification of drugs) for border guard specialists	----	----	----	27
Instructors, officers	transborder cooperation	----	----	----	26

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Table E (Language courses for border guards since 2003)

<i>Staff, place</i>	<i>Program</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006 (6 months)</i>
Instructors, officers	Trainings on foreign languages provided by Schengen <i>Facility</i> budget	----	----	428 persons in Latvia; 120 persons in Great Britain; 5 persons in France; 5 persons in Spain; 6 persons in Germany	

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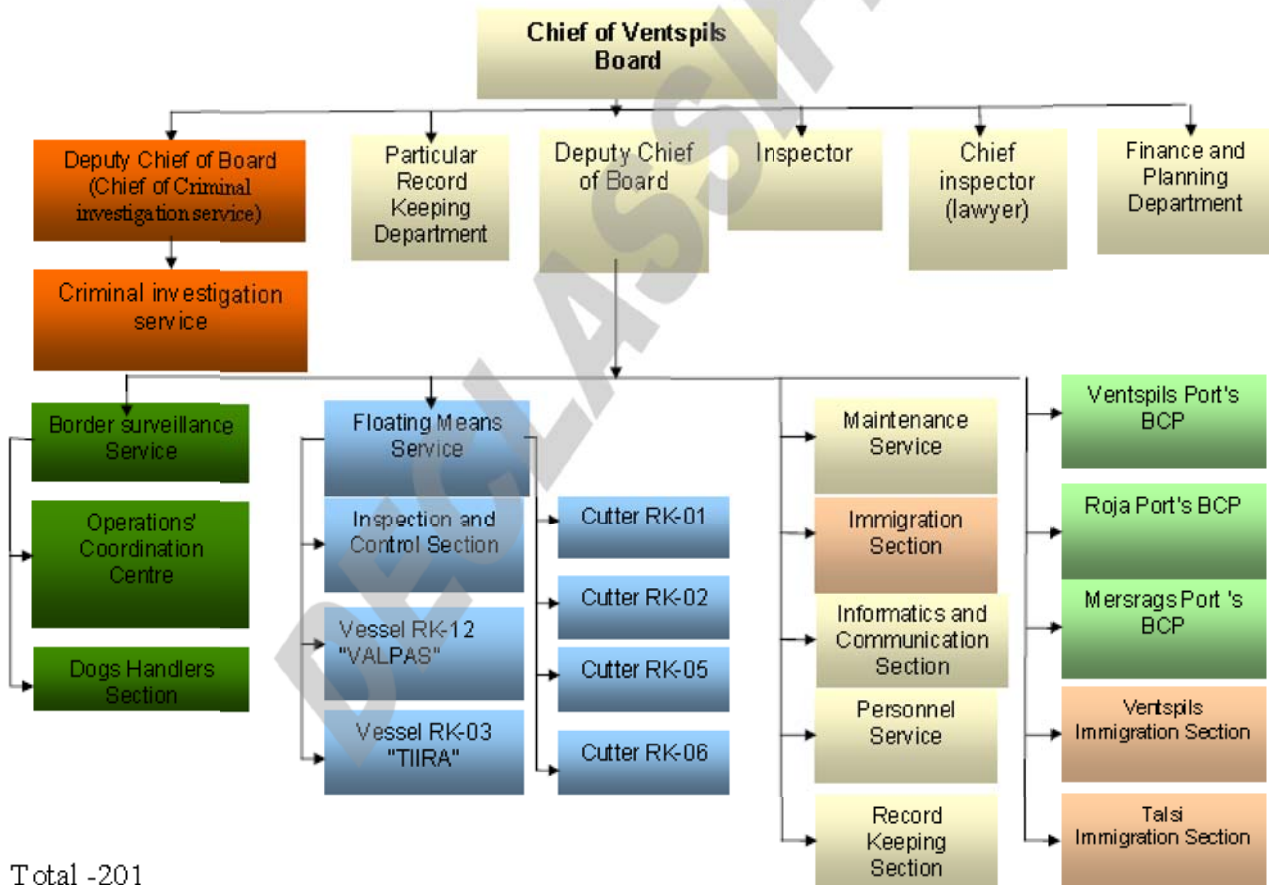
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Table F (Training courses for border guards since 2003)

<i>Staff, place</i>	<i>Program</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006 (6 months)</i>
Instructors, officers	Documents training, profiling, interviewing	-	-	350	20

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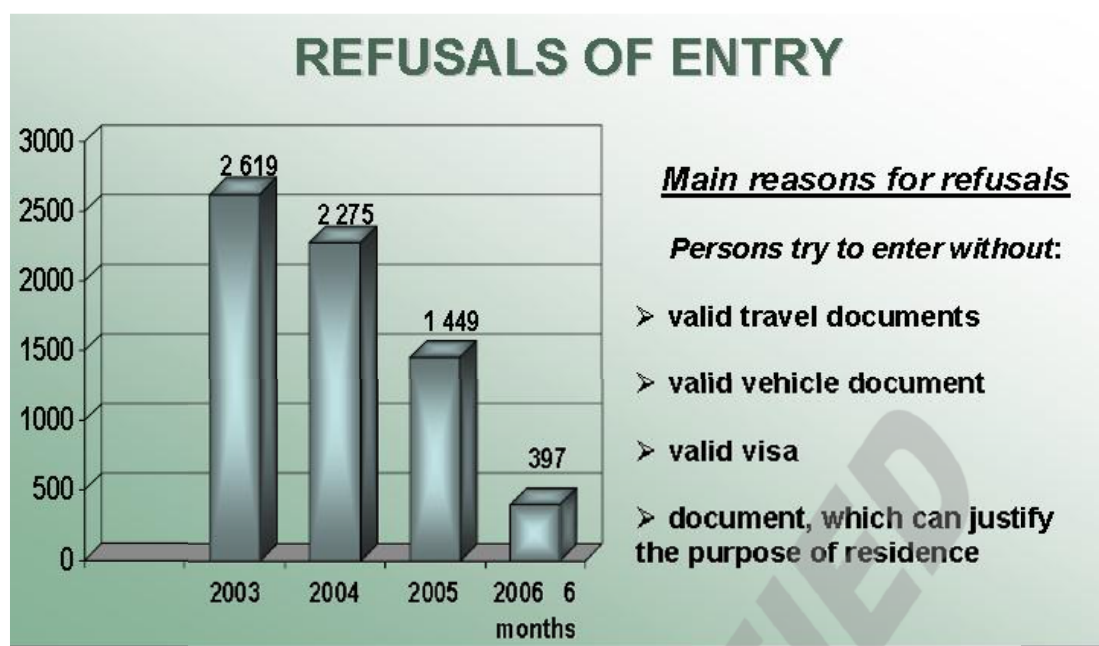
Table G (Structure of Ventspils Board)



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Table H (Refusals of entry)



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Table I (flows, refusals, detection)

II. Site information, 2004

Sea ports

Site name	Flows				Refusals		Detection	
	Inward		Outward		Inward	Outward	Illegal entry	Facilitation
	Total	Visa required	Total	Visa required				
Ventspils board	53525	444	52230	105	41	28	-	-
Ventspils port	50978	444	49737	105	41	28	-	-
Rīga trade port	150706	3220	126429	2577	12	8	-	-
Liepāja port	45917	1103	47159	1001	10	1	4	-

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Site information, 2005 (the first half year)								
Sea ports								
Site	Flows				Refusals		Detection	
	Inward		Outward		Inward	Outward	Illegal	Facilitation
name	Total	Visa required	Total	Visa required			entry	
Ventspils board	25053	260	26378	85	25	4	-	-
Ventspils port	24278	260	25616	85	25	4	-	-
Rīga trade port	56798	11872	68492	12280	2	4	8	-
Liepāja port	21117	605	22093	563	3	-	-	-

Table J (Readmission agreements)

Latvia has signed bilateral readmission agreements with:	The agreement was signed	The agreement entered into force
Armenia	26.06.2002	17.05.2003
Austria	08.06.2000	01.09.2000
Belgium	09.06.1999	*
Bulgaria	05.07.2002	12.10.2002
Croatia	21.09.1998	21.09.1998
Denmark	18.12.1996	01.01.1997
Estonia	01.07.1995	01.07.1995
Finland	02.12.1996	04.05.1997
France	05.12.1997	14.06.1998
Germany	16.12.1998	01.02.1999
Greece	17.03.1999	21.12.2000
Hungary	17.10.2001	04.05.2002
Iceland	18.04.1997	21.04.1997
Italy	21.05.1997	07.11.1997
Liechtenstein	23.12.1997	28.01.1998
Lithuania	01.07.1995	01.07.1995
Luxemburg	09.06.1999	*
Norway	15.05.1997	01.07.1997
Portugal	08.11.1999	*
Romania	05.07.2002	25.09.2004
Slovenia	05.03.1998	16.10.1998
Spain	30.03.1999	01.02.2000
Sweden	09.04.1997	01.05.1997
Switzerland	23.12.1997	22.01.1998
The Netherlands	09.06.1999	*
Ukraine	27.07.1997	17.05.1998
Uzbekistan	07.04.2004	17.06.2004

* - agreement is not ratified by the other party.