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SCH-EVAL 170  
VISA 279  
COMIX 892

## DECLASSIFICATION

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Subject:	Schengen evaluation of the new Member States - Follow-up report to the recommendations of the Visa Evaluation Committee (Embassy of <b>Malta in Moscow</b> ) in the context of the New Member States' preparations for the full implementation of the Schengen acquis
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Delegations will find attached the declassified version of the above document.

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

# RESTREINT UE



COUNCIL OF  
THE EUROPEAN UNION

Brussels, 28 November 2006

14579/06

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SCH-EVAL 170  
VISA 279  
COMIX 892

## NOTE

from :	the Republic of Malta
to:	the Schengen Evaluation Working Party
No. prev. doc. :	12663/06 SCHEVAL 123 VISA 217 COMIX 731
Subject :	Schengen evaluation of the new Member States - Follow-up report to the recommendations of the Visa Evaluation Committee (Embassy of <b>Malta in Moscow</b> ) in the context of the New Member States' preparations for the full implementation of the Schengen acquis

As agreed during the Schengen Evaluation Working Party of 27-28<sup>th</sup> September, Malta is hereunder submitting the following detailed update/follow-up report on developments in respect of our Embassy's Consular Section in Moscow.

### 3. Access to the Embassy and consular services

Based on EvalCom's comments, Malta has taken heed of the recommendations to provide sufficient information both on the Ground Floor, as also improve that available on the 7<sup>th</sup> Floor. Following the Evaluation, necessary permission was sought from the landlords - GlavUpDK (Main Administration for Service to the Diplomatic Corps) – to affix an Information Board on the Ground Floor. Permission was granted only for an A4-sized board to be affixed in the Main Lobby. As could be imagined, the site and size is insufficient as applicants would still need to be given access to the building to be able to read the information.

In this respect, another request has been made for an Information Board to be placed or for information to be affixed behind the glass panes on the Main Door (*see Appendix 1*) thereby allowing applicants to retrieve necessary information without the need of acquiring access into the building. Approval for a larger Information Board was received on 17<sup>th</sup> October and this is to be placed behind the glass panes on the Ground Floor.

## 4. Security

In their comments and recommendations, EvalCom acknowledged the fact that the building hardly allows for creating a proper separation and recommended that Malta solve this before Malta start implementing the Schengen acquis in full. Malta had informed the EvalCom during the actual evaluation as also during the SchEval Group Meeting of 4<sup>th</sup> September, that Malta being fully aware of this setback, has for some time now been negotiating with the Russian Federation on their Intergovernmental Agreement, for the availability of alternative office space.

On its part, Malta also had explained that it was precisely these “structural shortcomings” that had facilitated a satisfactory coverage through CCTV. It was disappointing that this was not mentioned in the EvalCom’s report. Since the Evaluation, Malta confirms that enquiries were made with a security service company who may be contracted to carry out the necessary security checks.

In as far as the visa counter room not having a secondary exit, Malta confirms that, again, permission has been sought from the landlord to open a secondary exit behind the Visa Counter, leading into the office of the Consul. This has been approved by GlavUpDK on 17<sup>th</sup> October.

It is pertinent, however, to add that the fact that the entry of applicants into the Visa Section is controlled by the Receptionist, allowing visa staff to pass the area or access this office space when required, when no applicants will be present.

## 5. Submission of applications

In as far the pre-check of applications, Malta confirms that, given that the pre-checking exercise largely contributes to the reduction of unprepared applicants visiting the Consulate as also to the reduction of waiting time for applicants – even more important with space limitations, Malta would be continuing to give pre-checking its due importance.

## 6. Processing the application

Malta has noted EvalCom's comments and recommendations and had proposed, for the sake of good order and fair comment, the following amendment:

*Due to the fact that most decisions are taken by the Maltese central authorities and reasons for cases of these refusals are not given, the Embassy has limited capacity to assess the risk of illegal immigration while the local situation may not be fully taken into consideration by the Maltese central authorities. The Embassy, without an exchange of all relevant information is not fully able to contribute to the taking of well-considered decisions on visa applications as described in the CCI (Chapter V, Para 3)*

Malta confirms that, when applying the Schengen acquis in full, its Consulate in Moscow will be establishing an accreditation system for travel agencies and will start to require travel medical insurance policies, in accordance with the provisions of Council Decision 2004/17/EC of 22 December 2003.

## 7. Visa sticker

Despite not yet implementing in full the Schengen acquis, Malta has since 2004, instructed all missions that the dry-seal should always be stamped in the rectangle between the right-hand side of the sticker and the section "Comments". It is reasonable to say that the ones examined by EvalCom must be considered as occasional mistakes.

Having noted the recommendation to destroy the kinegram of invalidated stickers, before submitting these to the Central Visa Unit for final destruction, Malta issued an Internal Circular, dated 20<sup>th</sup> July (see Appendix 2) for the destruction of the kinegram to be made in accordance to SchEval's recommendations, that by destroying the kinegram by punching two holes with the use of a normal hand-hand paper punch.

## 8. Issuance of visas

## 9. Security staff/material)

Malta has noted EvalCom's comments and recommendations regarding the lack of a proper Strong Room and has allocated an area for the new security cabinet to store all blank visa stickers, and more importantly, to enable the Consul to conduct, when required, interviews in his office, without presenting any security risk.

## 10. Education and training

As emphasized during the SchEval Meeting, Malta confirms that, as of January 2007, the Training Unit of the Ministry of Foreign Affairs will be adopting the guidelines, as proposed by Austrian and German experts, during the 2006 Twinning "Light" Project. The training programme, is envisaged not only to train some 40 new recruits each year, but will also introduce refresher courses for serving officers.

An exhaustive training manual for Consular Officers will be published towards the end of 2006 and, in addition, an online training programme for self-training is also planned.

Malta confirms that the Training Unit at the Ministry of Foreign Affairs holds annual training programmes for diplomats and consular staff, and is also responsible for a number of pre-posting revision programmes, targeted at diplomats and consular staff, prior to being posted overseas.

## 11. Equipment for detecting false documents

Malta confirms that, as explained in Education and Training (Para 10), organised training on the detection of false documents will be an important module in the Annual Training Programme.

## 12. Consular co-operation

Given the importance of consular exchange of experience and information, Malta confirms its regular attendance and participation in LCC Meetings.





MINISTERU  
TA' L-AFFARIJJIET BARRANIN



MINISTRY  
OF FOREIGN AFFAIRS

MALTA

### MFA INTERNAL CIRCULAR 14/2006

**To:** Heads of Missions

**Re:** RECOMMENDATIONS TO BE INTRODUCED WITH REGARDS TO  
THE INVALIDATING OF VISA STICKERS

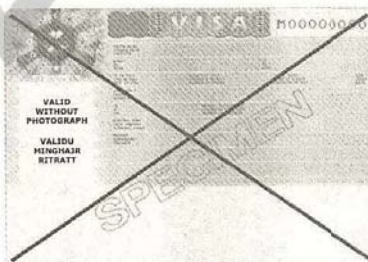
**Date:** 20<sup>th</sup> July 2006

Reference is made to the MFA Internal Circular 12/2005 and dated 28<sup>th</sup> April 2005 and more specifically Para 2 which deals with the destruction of invalidating visas. Your attention is kindly drawn to the new instructions as given hereunder:

#### 2. INVALIDATED VISAS

If an error is made when the visa is being issued, the sticker shall be invalidated.

All information on invalidated visas must be entered into a visa register and reflected on the monthly Visa Reconciliation Sheets. It is imperative that Visa Officers return all invalidated visas to the Consul and that these are marked with an X written in red, across the entire width.



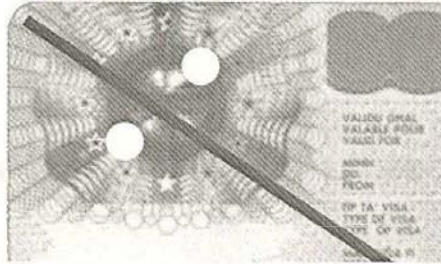
Prior to the Consul returning these (together with the hard-copies of the Visa Reconciliation Sheets) to the Schengen Implementation Unit, Ministry of Foreign Affairs, it is imperative that, in compliance with Recommendation 5(f) of the EU Schengen Catalogue, the OVD-Kinegram shall be destroyed.

Palazzo Parisio, Merchant Street, Valletta



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The method of destroying the optically variable mark (kinegram), placed at the top-left hand corner of the visa sticker, is by punching two holes, with the use of a normal paper punch.



It is imperative that the aforementioned instruction is strictly complied to.

C. Attard-Pirotta  
Permanent Secretary

