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

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

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THE EUROPEAN UNION

Brussels, 30 October 2006

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REPORT

from :	the Evaluation Committee
to:	the Schengen Evaluation Working Party
Subject :	Report on the Evaluation Committee's mission to the Consular Section of the Embassy of the Slovak Republic in Belgrade in the context of the New Member States' preparations for the full implementation of the Schengen acquis

Delegations will find attached the draft report of the Schengen Evaluation mission to the Consular Section of the Embassy of the Slovak Republic in Belgrade, drafted by the Evaluation Committee (cf Annex) (hereinafter *EvalCom*). It is presented to the Sch-Eval Working Party for discussion and adoption, allowing for its eventual submission to the Council.

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

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Acknowledgements:

The members of the Evaluation Committee (EvalCom) wish to thank the Slovakian authorities and the staff of the Embassy's Consular Section in Belgrade for the good organization of the visit, the co-operation and assistance by the staff on the spot in helping Evalcom to carry out its task during its visit.

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1. INTRODUCTION

Based on the mandate of the Schengen Evaluation Group (SCH/Com-ex (98) 26 def) and the programme of evaluations adopted by the Council (15275/04 SCH-EVAL 70 COMIX 718, and 7638/2/05 SCH-EVAL 20 COMIX 200), an Expert Committee (*EvalCom*) visited the Consular Section of the Embassy of the Slovak Republic in Belgrade on 20 September 2006.

The Republic of Serbia became an independent state after separation from Montenegro in June 2006. It is located in south eastern Europe, bordering Hungary, Romania, Bulgaria, Macedonia, Albania, Montenegro, Bosnia-Herzegovina and Croatia. Serbia has a population of approx. 9 500 000 including Kosovo and Vojvodina. Kosovo is administrated by the UN through UNMIK (United Interim Administration Mission in Kosovo).

A variety of ethnic minorities are represented in Serbia. 83% of the Serbian population claim to be ethnic Serbians. Minority groups include Hungarians (293 000), Slovaks (70 000), Bosnians, Roma, Croats and Albanians. There are still about 300 000 refugees in Serbia. They are mainly ethnic Serbians from Croatia, Kosovo and Bosnia-Herzegovina.

The minorities situation in Serbia has improved considerably after Milosevic's resignation. A proposal for a new law on the protection of minorities is under scrutiny.

The socio-economic situation in the country is very difficult, after almost 10 years of war and sanctions. Public services like health and education suffer from lack of resources. Unemployment - especially among young people- is high: officially about 28%, in reality however allegedly close to 40%. Poverty is a large problem. The black/grey economy is considerable, as is corruption.

Taking the above into consideration, the immigration potential in Serbia is huge as a whole, especially in Kosovo and the risk of illegal immigration is considerable. This calls for a thorough examination of visa applicants / applications, bearing in mind the very low rejection rate of visa decisions of the evaluated Consular section in Belgrade in 2005 (0,391%).

In light of joining Schengen and thereby becoming responsible in due course for the issuance of visas with access to all Schengen Member States, the new Member States should be aware of and prepared for a considerable increase in visa applications. It is therefore of great importance to harmonize the decision-making process regarding visas.

2. MANAGEMENT SUMMARY

Evalcom considers that, on the basis of the checks carried out and the information gathered, the Slovak Republic, as far as its Embassy's Consular Section in Belgrade is concerned, may be in a position to implement the Schengen acquis in full in due course. No significant failings or chronic errors were noted in the daily work of the Consular Section.

Positive practices worth a particular mention, included :

Access management, the provision of information, as well as the general security situation inside the consular section; furthermore, training of staff as well as the availability and use of technical equipment, which was also considered adequate.

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

Evalcom considered the low number of in-depth interviews held in relation to the large total number of applications submitted, as well as the low rejection rate, to be a matter of concern. Awareness of the risk of illegal immigration and other forms of misuse of visas should increase, since this will become a key issue when Slovakia starts to issue Schengen visas, and interviews are an essential part of this risk analysis.

Further issues include the security of the outside premises, and the (unsafe) cupboard containing the bulk of visa stickers.

The exemption of minors from appearing in person, the acceptance of group visa applications and the current differences in fees should be remedied as should the current facilities for Serbian citizens- holders of the "Certificate of Slovak origin status".

Monitoring of accredited travel agencies should be introduced.

Decision no. 895/06/CE and 896/06/CE should be effectively implemented as of 1 October 2006 and the necessary publicity ought to be given thereto. Slovak legislation should also be adapted to the requirements of Directive 2004/38/EC, applicable from the date of accession.

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

3. ACCESS TO THE EMBASSY AND CONSULAR SERVICES

3.1 Location; entrances

The Consular section is situated within the premises of the Embassy at Bulevar Umetnosti 18, 111 50 Novi Beograd. The Embassy is a large building, formerly housing the Czechoslovakian trade department (approx. 50 x 25 m, 4 floors) and occupies a large area. The visa offices (waiting room, counters, back-office, and vice-Consul's office) are located on the ground floor; the Consul's office, the local employee's office and the consular archives are located on the 1st floor. Other parts of the building are occupied by the apartments of members of the diplomatic staff. Applicants enter and leave the premises through a separate entrance. Consular staff enter and leave the premises through the official main entrance of the Embassy.

3.2 Information

Visa information is provided on an information board outside at the entrance, inside in the waiting room and on the webpage of the Slovak Ministry of Foreign Affairs (MFA) (www.mfa.sk), which has a link to the Embassy in Belgrade.

Specialised information is available for travel agencies and authorities of Serbia, Montenegro, Albania and FYRoM.

Information can also be obtained by phone (answering machine with possibility to be connected with someone in the visa section).

The information is available in Slovak, Serbian and English.

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3.3 Application forms

Application forms are available in Slovak, Serbian and English, upon request also in French, German, Russian and Spanish. They can be obtained from the MFA's and Embassy's homepage, by e-mail, fax, at the entrance, in the waiting room and at travel agencies.

The content and lay-out of the visa application form correspond to the uniform application form set out in Annex 16 of the CCI.

3.4 Access management

Opening hours for visa applicants are Monday to Thursday, from 9h00 - 12h00. Travel documents are returned Monday to Thursday from 15h00 - 15h30. Applications for group visas (see below) are received on Fridays from 9h00 - 12h00 and returned/ delivered on Friday from 15h00 - 15h30, although when necessary this can be done on other days also.

Two private security company guards, one at the outside entrance, one in the waiting room, regulate clients' entry, in cooperation with the counter staff, on a first come, first serve basis. Approx. two applicants are let into the waiting room at a time. Other applicants wait outside the Embassy's entrance gate.

Evalcom was told there is little queuing as there are usually no more than 10 applicants at a time. There is no appointment system; however, during peak periods (Mondays, pre-summer, October and December) queuing numbers can be issued.

Visa applicants are normally dealt with at 1 counter, equipped with an intercom system. There is a 2nd counter in a separate interview room which is used in peak periods and for in-depth interviews; it is normally locked. (A 3rd counter, also in a separate room, is used for other consular matters.)

EvalCom comments and recommendations:

Access management and information appeared to be generally adequate.

4. SECURITY (PREMISES)

Outside:

Outside the Embassy's entrance gate, applicants are separated from other visitors. Applicants have to pass the private security guard's booth, where they are only sporadically checked (no metal detectors, only the general rule that large bags must be left behind).

Applicants walk +/- 50m to the visa section along the building through a corridor of movable metal barriers.

The visa section's/waiting room entrance doors are barred by metal roll-down shutters and the ground floor windows of the visa section are protected by fixed bars.

The entire premises (Consular section and Embassy) are surrounded by a relatively low fence, protected by a security alarm system and under camera surveillance. Recorded images are kept for 1 month.

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Inside:

The security guard inside carries out security controls at the entrance to the waiting room, by portable metal detector.

This entrance is monitored by 2 security cameras.

The counter in the waiting room is under camera surveillance, the (counter in the) separate interview room is not. Counters are equipped with bullet-proof windows, communication is via intercom and there are 2 portable emergency "panic buttons". Documents are handed over through a sliding drawer without physical contact.

There is no access from the waiting room to the back offices (no doors).

EvalCom comments and recommendations:

The security situation inside the consular section seems adequate; the security of the outside premises however leaves room for improvement considering the vastness of the terrain, surveilled only by cameras, and the fact that the fence is not very high and could be climbed fairly easily. ¹

5. SUBMISSION OF APPLICATIONS

Pre-checking

A first pre-check of the application is made by the local or (sometimes) expatriate staff at the counter, who receive the application and check the application form and the travel- and supporting documents regarding the purpose and length of stay in Slovakia. Previous visas (Slovak and others), entry and exit stamps are also checked and a short interview is made in order to ascertain the purpose of stay (NB in 2005, 50 % of the visas granted were for transit purposes).

Counter staff cash the handling fee and stamp the passport (application stamp) immediately after receipt of the application, on the first empty page.

Data are then entered in the back-office (manually).

Personal appearance

The applicant must in principle submit his/her application in person. However, applications may be submitted by someone other than the applicant in the following cases: members of an official delegation and/or civil servant of SCG, ALB, or FYROM; minors (in case parents are applying); organised tours of travel agencies or cultural and sport undertakings carried out by institutions which presented all the necessary documents and applications through an empowered person to the Consular Section before.

Evalcom was told that, if necessary, applicants can be asked to appear for a personal interview.

Only applications of ethnic Albanians (from Kosovo) are forwarded online to the Central Visa Authority (CVA) for prior consultation.

¹ Comment SK: The MFA will verify the possibility to carry out construction work of the fence in order to improve the security of the outside premises.

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Representation

The Slovakian Consular section in Belgrade does not at present represent any other country in visa matters. Evalcom was however told that this matter is under (re)consideration in the framework of Visegrad cooperation.

Nationality of applicants

99 % of all applicants are Serbians or Montenegrins. Holders of UNMIK passports may, besides in Belgrade, also apply for a visa at Slovak representations in Budapest, Sarajevo, Athens and Vienna. Non-residents legally staying in Serbia may also submit an application (except nationals of countries subject to the "specific visa regime").

Handling fee

Nationals of Serbia, Montenegro and fYRoM are exempted from paying the visa/handling fee since 1 July 2006 (before that, only certain categories of people from aforementioned countries were exempted). Other nationals must pay a -non-refundable- handling fee of between 35 € (for single short-term, airport transit and one-way transit visa) and 83 € (for multiple short-term and multiple transit visa). There is a reduced fee for group transit and short-term visa (20 €/27 € per person); The fee must be paid in cash in € at the counter.

Fees may be waived in exceptional cases (e.g. civil servants going on business trips, members of official delegations, humanitarian reasons) by the head of the diplomatic mission / consular post. The applicant receives written confirmation of the lodging of an application and proof of payment.

EvalCom comments and recommendations:

The practice of exempting minors from appearing in person in case parents are applying for a visa, is not in line with the general rule that each applicant should appear in person, as laid down in the CCI ch. III.4 and the Best Practices ².

The current differences in fees are to be harmonised in accordance with Schengen rules, as of the date of joining Schengen. ³

² Comment SK: we would like to inform that the exemption from personal appearance is mostly related to bona-fide persons, applicants represented by travel agencies and minors. Parents can submit visa applicants of their children only until the children do not achieve 15 years. In case that the child travels alone, the parents have to submit notary verified approval of both parents with his travel. Nevertheless, the Consular Department of MFA will remind all Slovak diplomatic missions and consular posts to allow exemptions from personal appearance only in exceptional cases, when no doubts occur (well-known, reputable and trustworthy person, applicants lodging their applications through an accredited travel agency in case of organized tours), but in case of any doubts, the applicant is due to come for a personal interview.

³ Comment SK: The Slovak Republic is aware of the fact that handling fees will have to be harmonised in accordance with the Schengen acquis as of the date of joining Schengen. Slovak legislation will be adapted accordingly.

6. PROCESSING THE APPLICATION

6.1 Lodging an application

Examination of an application

After the pre-check at the counter (see above), the Consul or his deputy:

- check the authenticity of the travel document randomly with the retro-viewer
- check the supporting documents
- carry out further checks if necessary by phone, internet etc. (approx 3 - 5 times p/day)
- consult the local and national black list.

The electronic *local* black list is kept in one computer which is accessible only by the (vice-)Consul. The list contains the name and birth-date of applicants previously refused a visa locally and -Evalcom was told- is supplemented/fed by another (local) consulate with personal data of persons expelled from that country. This list started being circulated 4 months ago (+/- June 2006) among other Slovak consulates in the region to prevent visa shopping.

The *national* black list is available on 2 computers and accessible by the Consul, the vice-Consul and the expatriate staff. This list displays the name, birth-date and nationality of all persons listed. The list can be copied and printed.

It is possible to check both lists without a link to an application and it is possible to check the lists on the basis of date of birth.

On the basis of the outcome of their checks, the Consul or his deputy can decide to grant the visa, refuse it, or ask for further supporting documentation and/or an in-depth interview. Applicants are informed by phone of any additional requirements.

Evalcom was informed that a maximum of 2 interviews are conducted per day.

In case of a positive decision, the Consul fills out the relevant boxes of the application form (i.e. type, validity, number of entries, duration of stay). The application is returned to the expatriate staff who then register it in the visa information system. When registering, the national black list automatically appears and if the applicant is not listed, the visa sticker is printed.

Persons listed on the national blacklist are refused automatically.

For some nationalities (mandatory) or upon request of the consul, the consultation procedure is initiated.

There are 2 special interconnected visa computers in a separate room, both of which are connected on-line to the MFA in order to carry out the on-line consultation process with the Central Visa Authority (CVA) through encrypted VSAT links. The expatriate staff or vice-consul enter the data into the visa computer and carry out on-line consultations. The consultation period last two days.

Timeframe: on average a decision is taken within 3 working days.

6.2 Supporting documents

All applicants must submit, besides a valid travel document and depending on the purpose of stay, the following documents:

- a) Purpose – tourism: hotel booking, voucher, confirmation on study, ticket, labour book, in case of minors - notary verified consent of parents, international medical insurance;
- b) Purpose – private visit: invitation, in case of multiply visa – declaration on relative relations, international medical insurance;
- c) Purpose – official or business: notary verified business licence/registration of company in SCG, ALB, FYROM, extract/record from local business register of local company, extract/record from Slovak business register of Slovak partner (some companies), agreement on co-operation between Slovak and local company (in case of multiply visa), letter of local company asking for granting visa for concrete employee, invitation letter written by Slovak partner, international medical insurance;
- d) TIR drivers: notary verified business licence/registration of SCG, ALB, FYROM employer, agreement between Slovak and local company (some companies), international driving licence, labour book (some applicants), letter of local company asking for granting visa for concrete employee, in case of transit visa – country of destination visa, international medical insurance.
- e) Travel agencies, see below (6.3)
- f) In case of transit visa, some of the above-listed documents are not requested, but country of destination visa has to be presented always.

6.3 Co-operation with travel agencies

The Consular post keeps its own register of 15 bona-fide travel agencies, which it established in cooperation with the Consular Section of the Czech Republic.

In order to be accredited, a travel agency must present the following documents:

- extract from the business register
- registration at the (Serbian) Ministry of Trade, Tourism and Services
- valid licence for the provision of tourist services
- valid agreement concluded with a Slovak/Czech/Polish travel agency or -hotel;
- document signed by legal representative, delegating a maximum of 2 couriers whose name and ID-copy are filed
- specimen of voucher and signature of the travel agency.

The share of visas submitted through travel agencies is +/- 35%; they may also submit individual applications, although this number is low (10 p/ year).

There is no regular monitoring of the accredited travel agencies or periodic reviewing of their accreditation.

6.4 Medical Insurance

When applying for a visa, the presentation of international medical insurance valid on the territory of Slovakia for the whole period of stay is mandatory. The minimum liability of the medical insurance has been established at € 30 000.

Medical insurance policy is not required in cases where third country nationals have been granted a "Certificate of Slovak origin status" (120 cases between January and August 2006).

Registration of insurance companies is provided: at present 3 companies have been registered.

6.5 Types of visa issued / Simplification of transit

Transit visas "B" are granted for one, two or multiply transits according to the type and validity of the visa of the country of destination. NB 50% of total visas applied for are transit visas.

Short-term visas "C" are granted for one, two or multiply entries (NB maximum validity being 6 months, maximum duration of stay: 90 days) according to purpose and length of stay, mainly for tourist, official/business purpose, visit, cultural and sports undertaking.

Group visas B and C are granted in cases of organised tours or participation in cultural / sports events in the Slovak Republic, groups consisting of between 5 and 50 persons.

Schengen visas for the purpose of transit/stay were not recognised (yet) at the time of the evaluation although Slovakia had notified its intention to implement Decision no. 895/06/CE and 896/06/CE as of 1 October (2006); there appeared to be confusion/misunderstanding as to the date of required implementation.

EvalCom comments and recommendations:

Concerning the local and national blacklist, the current practice of exchanging data (by phone and unencrypted email as far as the local blacklists concerned), and the apparent possibility of consulting both blacklists without any relation to a concrete visa application, raises concern in terms of personal data protection. ⁴

⁴ Comment SK: The Slovak Republic is currently developing a new integrated computer system for processing visa application. The local blacklists will be part of this integrated visa system as well, so the personal data protection will be fully guaranteed. Nevertheless, in the case of telephone consultations on persons ranged into local black list between Consular Sections of Slovak Embassies in return or Consular Sections and MFA, the Slovak Republic would like to note that all telephone links are encrypted.

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Evalcom considered the number of applicants being interviewed in-depth very low (max. 2 p/day) in relation to the relatively large total number of applications submitted; Evalcom recalls that interviews are essential to the risk-analysis related to illegal immigration and other forms of misuse of visas. ⁵

Having examined filed applications, Evalcom noted that the holders of the specific ID delivered by the Slovak authorities to ethnic Slovaks living in Serbia, i.e. the "Certificate of Slovak origin status" are apparently exempted from producing any supporting documents related to the purpose of stay. Similarly, upon joining Schengen, third country nationals in possession of this Certificate may no longer be exempted from the requirement of having TMI (viz. CCI ch.III 2. and ch.V 1.1.4). Furthermore, no applications were found containing any proof of the financial situation of the applicant (viz. CCI ch.III 3. and ch.V 1.1.4).

The maximum validity of short term C visas, presently limited to 6 months, should be extended to 1-5 years upon joining Schengen (CCI ch. V.2, 2.1) ⁶.

It is recommended that accredited travel agencies be regularly monitored and/or their accreditation periodically reviewed. ⁷

For the purpose of transit, Slovakia should recognise short stay visas, long term visas and residence permits issued by Schengen Member States and new Member States as well as residence permits issued by Switzerland and Liechtenstein, thereby ensuring effective implementation of Decision no. 895/06/CE and 896/06/CE as of 1 October 2006. It should also provide the necessary information thereon (awareness raising). ⁸

The practice of accepting group visa applications should be reviewed in light of the introduction of biometrics in the near future.

⁵ Comment SK: The low number of interviews is given by structure of visa applicants (holders of the specific ID delivered by the Slovak authorities to ethnic Slovaks living in the Republic of Serbia, and bona fide applicants) and related to the fact that 60 % of total visas issued are transit visas to an EU country destination. In case of any doubts, the applicant is subjected to a personal interview. Awareness of the issue of illegal immigration risk and other forms of misuse of visas is present in the common cooperation between consular offices and police authorities as regards this issue. Available information is exchanged i.e. on misuse of the visa for illegal border crossing, unreliable travel agencies or on overstayers.

⁶ Comment SK: The Slovak Republic will adapt its national legislation to comply with the CCI in this respect.

⁷ Comment SK: The Consular Section of the MFA will remind all Slovak consular posts of the necessity of monitoring and verifying the credibility of accredited travel agencies.

⁸ Comment SK: Decision no. 896/2006/EC in its article no. 4 and Decision no. 895/2006/EC in its article no. 5 says, that the Commission shall publish the information communicated by the new Member states in the Official Journal (Slovak republic has done so on 20th July 2006). Notification of Slovak republic has stated the date of implementation of those two decisions as of 1st October 2006 for the reason to leave sufficient time for its publication in the Official Journal, as stated in art. 5, art. 4 respectively. On 17 October 2006 this publication was made in OJ C 251, p.20, as of which date the Slovak Republic implements both decisions.

7. VISA STICKER

Visa stickers are printed by a Slovak expatriate visa secretary on special interconnected visa computers situated in a separate room. After printing, the printed data are checked. The local staff double-checks data before affixing the visa sticker onto the travel document.

The sticker correspond to the standards of the CCI. The photo is not printed; a remark to this end is put on the sticker ("*valid without photo*") in 3 languages.

The data in the machine readable zone (MRZ) do not fully match the requirements of the CCI.

The Consul or vice-Consul stamps and signs the visa sticker once it has been affixed in the passport.

In case a visa sticker has been erroneously printed, it is not affixed onto the passport, a red cross is drawn on the sticker, the kinegram is destroyed and the sticker is kept in a locked metal cupboard. A stamp with the mention –NEPLATNE- -invalid/annulled -- is also put on the sticker. The numbers of these cancelled / incorrect / destroyed visa stickers are registered in the visa computer.

In case the incorrect visa sticker has been affixed onto a passport, it is annulled by a stamp and the hologram is destroyed. A copy of the visa sticker is put into the afore-mentioned daily evidence document.

An earlier visa sticker is annulled by a stamp when an applicant requests a new visa.

Evalcom was informed that cancelled stickers are kept for 5 years and then shredded.

EvalCom comments and recommendations:

By the time Slovakia joins Schengen in full, the data in the machine readable zone should fully match the requirements of the CCI.⁹

8. VISA REFUSAL

In accordance with current Slovak legislation, the decision to refuse a visa is not provided in writing. The applicant does not have a right to be informed about the reasons for a refusal. However in practice, upon request, the applicant is informed verbally on these reasons. There is no legal possibility to appeal a refusal decision.

There is no specific provision for EU family members.

The average monthly rejection rate in 2005 was 0,4%.

⁹ Comment SK: The Slovak Republic is currently developing a new integrated computer visa system for processing visa application. This system will include MRZ standards in accordance with CCI.

EvalCom comments and recommendations:

As a consequence of procedural safeguards enjoyed by family members of EU nationals under Directive 2004/38/EC, refusals must be notified in writing, detailed motivation must be given and this category of persons also enjoys a right of appeal of such decisions. Slovak legislation must be adapted accordingly without delay since this Directive applied from the date of accession. ¹⁰

The rejection rate is very low; given the fact that few interviews are held, Evalcom considers this to be a matter of concern. Awareness of the risk of illegal immigration and other forms of misuse of visas should increase, since this will become a key issue when Slovakia starts to issue Schengen visas. ¹¹

9. SECURITY (STAFF AND MATERIAL)

9.1 Staff

The Consular Section has 5 staff members: the head of the consular post, i.e. the Consul (diplomat); his deputy, the vice-Consul (diplomat); 1 expatriate administrative staff member and 2 local staff, i.e. 1 counter staff and 1 person providing information, translation and other administrative / secretarial work. (NB the Embassy also has 1 (expatriate) Slovak security guard who is present, Evalcom was told, at all times.)

Local staff may work at the counter and have contact with the applicants with supervision by an expatriate, check whether the documents presented are complete, hand out the visas and cash the handling fee. They may not insert data into the database or print the sticker.

Expatriate diplomatic staff may receive negative answers from national databases, decide whether further information or an interview is required, decide whether a visa is granted or refused and contact local partners, if necessary, in particular cases.

The Consul evaluates staff duties. Checks are made upon recruitment locally as well as in the capital.

Evalcom was told that to avoid any negative influence, the Consul carries out random controls on the application of the rules on contact and communication with applicants. Local staff members have to submit a current extract/record from the criminal register of either the SCG or the Slovak Republic every year.

No staff rotation policy is foreseen due to small staff numbers.

There have been no negative experiences so far regarding misuse of professional position or illegal contacts with local criminal organisations.

¹⁰ Comment SK: The Slovak Republic intends to include the obligations relating to family members of EU nationals in the act of stay of aliens during the next legislative process of amendment of this legal act (beginning of 2007).

¹¹ Comment SK: see footnote 5. Rejected visa applications are mostly related to ethnic Albanians from Kosovo taking into consideration the risk of illegal immigration and security aspects in this region.

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9.2 Documents

Visa stickers are delivered to the Consular section by diplomatic pouch.

The Consul receives the visa stickers (3000-5000) and stores them in a small key-locked cupboard in his office on the 1st floor. The cupboard has no (number) combination lock. The office is under alarm surveillance; the windows are not barred or otherwise protected.

According to the "evidence book" (*visa register*) and upon signature, the head of the consular post passes 1000 visa stickers to the vice-Consul who stores the visa stickers in a safe in her office on the ground floor (also opened by key and not equipped with a (number) combination lock). The office is also under alarm surveillance.

Every working day, the vice-Consul, upon signature, passes to the consular employee in charge of printing, +/- 100 visa stickers which are kept in his/her drawer during working hours, and locked in metal cupboards in the visa processing/back-office during breaks. After working hours, the remaining non-used visa stickers are returned to the vice-Consul's safe. The daily number of non-used visa stickers is recorded and signed by the respective staff member.

Only expatriate staff handle visa stickers.

Statistics on received applications, number of visas granted, number of applications being processed, number of refusals, number of issued visa stickers, number of destroyed/annulled visa stickers are drawn up on a daily basis and sent to the MFA at the end of each month.

Application stamps are kept in the vice-Consul's safe outside working hours and handed to visa secretaries during working hours. During breaks they are also locked in the metal cupboards in the visa processing/back-office.

All applications and travel documents are locked in the metal cupboards in the visa processing/back-office, of which the Consul keeps the keys.

The head of the Consular section and the vice-Consul are the only persons using the stamps stored in the safe. The keys of the metal cupboards and of the archive room are stored in the safe.

At the end of the month, all applications are stored in the archives room, after processing.

The archives are situated in a separate locked room, the key to which is kept by the head of the consular post.

NB Applications which were subject to consultation with the CVA (central visa authorities) and refusals are stored separately.

Refusals as well as processed (positive) applications are kept in file for 5 years.

9.3 IT

The computers of the Consul and the vice-Consul are accessible only with individual password, but visa processing is not possible on these two PCs.. There are two special visa computers in the back-office on which all visa data processing is carried out (both of which can access the national blacklist). One of them is accessible for expatriate staff; the other one, which also contains the local black list (online connection with MFA), is only accessible to the Consuls. The national black list is updated on a weekly basis. The special visa computers are equipped with UPS.

Data on which of the Consuls granted or refused an application can only be checked in the paper file.

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The on-line connection to the Central Visa Authority is through encrypted VSAT links.

Passwords expire every month. Screens block after 5 minutes.

EvalCom comments and recommendations:

Evalcom considers that the small cupboard in the Consul's office on the 1st floor, where the bulk of visa stickers is kept, is below standard and insufficient to ensure the necessary protection of visa stickers (also taking into consideration that the windows are not barred or otherwise protected). The same applies to the safe in the vice-Consul's office on the ground floor.¹²

10. EDUCATION AND TRAINING

Before posting of expatriate staff, a two month training is carried out by the consular department of the MFA in Bratislava which includes a.o. specific training on IT, document security, false/falsified documents and new EU visa provisions. Once a year a refresher course is given to all consular officers.

Evalcom was informed that the Consular section in Bratislava will organise a training for all visa officers in 2007 in light of the full implementation of the Schengen Agreement.

Local staff is trained locally / on the job by the head of Consular section and the vice-Consuls. Staff has been trained in the handling of personal data in accordance with national law.

The Common Consular Instructions are available in paper and electronic version.

EvalCom comments and recommendations

Training of staff seems to be adequate.

11. EQUIPMENT FOR DETECTING FALSE DOCUMENTS

The Consular section is equipped with and uses 2 UV lamps at the counters and a Retro-viewer. Specimen / samples of relevant travel documents are available. There is a database of all travel documents with their security features

EvalCom comments and recommendations:

The necessary equipment is available and seems to be used.

¹² Comment SK: The MFA will provide a new safe with a digital number combination lock for the consul and vice-consul for storing visa stickers.

12. LOCAL CONSULAR CO-OPERATION (LCC)

The Slovak Republic participates in EU Member States' meetings, whose Consuls meet on initiative of the local EU presidency. The Consular section provides and receives statistics on visas issued and refused together with other consular and visa information. Within LCC there is an exchange of information on current problems, e.g. on suspicious persons (visa applicants) which is carried out by phone or e-mail.

In the past, the establishment of a joint local Schengen and EU black list in Belgrade was discussed. This initiative failed because internal legislation of some Schengen and EU member states did not allow for the provision and exchanging of such information.

The Consular section closely cooperates with the Vizegrad countries (Poland, Czech Republic, Hungary) in order to exchange information, e.g. on suspicious persons and on the genuineness of travel- and other documents.

13. GENERAL CONCLUSIONS AND RECOMMENDATIONS ¹³

At the end of its mission, Evalcom considers, on the basis of the checks carried out and the information gathered, that the Slovak Republic, as far as its Consular Section in Belgrade is concerned, may be in a position to implement the Schengen acquis in full in due course. No significant failings or chronic errors were noted in the daily work of the Consular Section.

Access management, the provision of information, as well as the general security situation inside the consular section seemed generally adequate.

Training of staff as well as the availability and use of technical equipment was also considered to be adequate.

Evalcom wishes to comment on a few points which, to its mind, merit special attention or reviewing by the Slovakian authorities in order for the Slovak Republic to join Schengen in full:

Evalcom considered the low number of in-depth interviews held in relation to the large total number of applications submitted, as well as the low rejection rate, to be a matter of concern. Awareness of the risk of illegal immigration and other forms of misuse of visas should increase, since this will become a key issue when Slovakia starts to issue Schengen visas, and interviews are an essential part of this risk analysis.

The security of the outside premises leaves room for improvement considering the vastness of the terrain, surveilled only by cameras, and the fact that the fence is not very high and could be climbed fairly easily. Evalcom also considers that the small cupboard in the Consul's office, which contains the bulk of visa stickers, should be replaced by a proper safe equipped with the necessary security features to ensure maximum safety. A similar safe should be installed in the visa-Consul's office.

¹³ Comments SK: see our footnotes in the preceding chapters.

RESTREINT UE

The practice of exempting minors from appearing in person in case parents are applying for a visa, is not in line with the general rule that each applicant should appear in person, as laid down in the CCI ch. III.4 and the Best Practices, and the current differences in fees should be harmonised.

The practice of accepting group visa applications should be reviewed in light of the introduction of biometrics in the near future.

Serbian citizens- holders of the "Certificate of Slovak origin status" should not be exempted from the requirement to produce the necessary supporting documents or, in case of third country nationals-Certificate holders, from having travel medical insurance.

For the purpose of transit, Slovakia should recognise short stay visas, long term visas and residence permits issued by Schengen Member States and new Member States as well as residence permits issued by Switzerland and Liechtenstein, thereby ensuring effective implementation of Decision no. 895/06/CE and 896/06/CE as of 1 October 2006. It should also provide the necessary information thereon (awareness raising).

It is recommended that accredited travel agencies be regularly monitored and/or their accreditation periodically reviewed.

Evalcom recalls that Slovak legislation should be adapted to the requirements of Directive 2004/38/EC, applicable from the date of accession, to grant the necessary procedural safeguards and rights to family members of EU nationals in case a visa is refused.

Participants

(FIN)	Timo TÄYRYNEN (leading expert)
(NO)	Anne AUBERT
(NL)	Karina KREUGER
(F)	Patrick POINSOT
(PL)	Marek STASIENKO
(D)	Jens JANIK
(Cion)	Dafni GOGOU
(CS)	Laetitia BOT

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VISAS ISSUED BY THE SLOVAK CONSULAR SECTION IN BELGRADE

VISAS ISSUED BY THE SLOVAK CONSULAR SECTION IN BELGRADE									
IN 2005									
	Visas A	Visas B	Visas C	Total Visas A+B+C	Visas D	Total Visas A+B+C+D	Visas Not Issued	Rejection Rate	Rejection Rate in %
January	0	136	489	625	3	628	2	2	0,318
February	0	405	478	883	0	883	2	2	0,113
March	0	668	616	1284	0	1284	2	2	0,001
April	0	1410	803	2213	0	2213	3	3	0,136
May	0	616	866	1482	0	1482	2	2	0,135
June	0	765	1266	2031	0	2031	1	1	0,049
July	0	558	1227	1785	0	1785	0	0	0
August	0	784	1589	2373	0	2373	17	17	0,716
September	0	1732	864	2596	0	2596	0	0	0
October	0	2293	795	3088	0	3088	5	5	0,162
November	0	493	755	1248	0	1248	18	18	1,421
December	0	646	1231	1877	0	1877	32	32	1,703
Total	0	10506	10979	21485	3	21488	84	84	0,391

VISAS ISSUED BY THE SLOVAK CONSULAR SECTION IN BELGRADE									
IN 2006									
	Visas A	Visas B	Visas C	Total Visas A+B+C	Visas D	Total Visas A+B+C+D	Visas Not Issued	Rejection Rate	Rejection Rate in %
January	0	202	541		0	743	4	4	0,538
February	0	372	510		0	882	7	7	0,790
March	0	269	471		0	740	31	31	4,18%
April	0	417	591		0	1008	10	10	0,99%
May	0	280	689		0	969	18	18	1,85%
June	0	449	534		0	983	6	6	0,61%
July	0	389	755		0	1144	1	1	0,087%
August	0	383	681		0	1064	4	4	0,37%
Total	0	2761	4772			7533	81	81	1,075%

VISAS ISSUED BY "SCHENGEN" CONSULATES IN BELGRADE IN 2005

UE / Schengen Country	A visas issued	B visas issued	C visas issued (ADS included)	C visas applied for	ADS visas issued	Total A,B,C visas issued	Total A,B,C visas applied for	Total A,B,C visas not issued	Not issued rate for A,B,C visas	Total LTV visas issued	D visas issued	"D+C" visas issued	Total A,B,C,LTV, D, "D+C" visas issued
GREECE		108	40036			40144				276	245		40665
SLOVAKIA	0	10792	10646	10727	0	21438	21519	81	0,38%	0	3	0	21441
POLAND	0	121	4211	4216	0	4332	4337	5	0,12%	0	58	0	4390
ITALY	4	325	26780	27789		27109	28131	1022	3,63%	346	3635	24	31114
NETHERLANDS	0	40	7328	8057		7368	8098	471	5,82%	7	16	155	7546
SWEDEN		7	5745			5752	7403	1468	19,83%				5752
CYPRUS	0	29	0	4179	0	29	4257	2	0,05%	4206	49	0	4284
HUNGARY	2	16979	66160	66809		83141	83819	678	0,81%		153		83294
FRANCE	2	559	19766	20811		20327	21444	1077	5,02%	40	449		20816
BELGIUM	0	25	4579	5689	0	4604	5719	1139	19,92%	0	261	26	4891
PORTUGAL	0	18	1605	1703		1623	1722	69	4,01%	1	44	0	1668
NORWAY			1626			1626		111			24		1650
AUSTRIA	2	3244	38219			41465	42608	1143	2,68%	5	293	138	41901
GERMANY	8	594	48442	56248		49044	56881	7837	13,78%	47	3368		52459
CZECH REPUBLIC	0	729	15536	15599	0	16265	16336	53	0,32%		274		16539
FINLAND		8	868			876	991	115	11,60%	81			957
DENMARK		9	2772	3009		2781	3018	228	7,55%	3			2784
SPAIN	1	118	5434	5535		5553	5656	133	2,35%		144		5697
SLOVENIA		591	28927	29672		29518	30309	791	2,61%				29518

VISAS ISSUED BY "SCHENGEN" CONSULATES IN BELGRADE in 2006

VISAS ISSUED BY SCHENGEN CONSULATES IN BELGRADE IN 2006 (January-May)											
	Visas A	Visas B	Visas LTV B	Visas C	Visas LTV C	Total Visas A+B+C	Visas D	Visas D+C**	Total Visas A+B+C+D	Visas Not Issued	Rejection Rate
AUSTRIA	2	1347		15993	11	17353	650		17992	721	4,83%
BELGIUM ?											
DENMARK		4		791		795	28		823	90	10,2%
FINLAND				13	271	284				37	13,6%
FRANCE ?											
GERMANY	1	178		23601		23780	2765		26545	5866	20,5%
ITALY *	1	134		4164	14	4313	743		5056	239	5,3%
THE NETHERLANDS		5		3007		3012				216	6,3%
PORTUGAL		13		573		586				5	3,3%
SWEDEN **				1379	251	1630				292	15,6%
NORWAY	0	0	0	582	0	582	76	0	658	54	9,4%
Total	4	1681		50103	547	52335	4262		51074	7520	9,8%

* Italy : Statistics for January/February 2006

** Sweden: Statistics for January until April 2006