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

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COUNCIL OF THE EUROPEAN UNION	**Brussels, 19 October 2006**

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REPORT

from:	Air Borders Evaluation Committee
to:	Schengen Evaluation Working Party
Subject :	Schengen evaluation of the new Member States - LITHUANIA : report on Air Borders

This report was drafted by the Air Borders Evaluation Committee 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.

RESTREINT UE

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1. INTRODUCTION

Based on the mandate of the Schengen Evaluation Working Party (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 team visited the air borders of the Lithuanian Republic from 15 to 17 July 2006.

Participants:

Finland	Mr. Olli LAMPINEN (leading expert)
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Czech Republic	Mr. Jiri CELIKOVSKY
Germany	Mr. Detlef W. KARIOTH
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Sweden	Mr. Fredrik WALLEN
Commission	Ms. Gabriela CALDAS
Council Secretariat	Mr. Aare EVISALU

The Evaluation Committee visited Vilnius International Airport and Palanga International Airport and evaluated border security related activities there.

The Committee would like to thank the Ministry of Interior and the Headquarters of the State Border Guard Service (SBGS) of Lithuania, the Vilnius district of the SBGS and the representatives of Vilnius International Airport and Palanga International Airport for the excellent organisation of the visits, the well-prepared and structured materials, their hospitality, their open attitude and the commitment given by the coordinators and interpreters who accompanied the Committee.

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2.   MANAGEMENT SUMMARY

The Committee is of the opinion that the border management strategy of the Lithuanian Republic, actively developed by the Lithuanian authorities, is comprehensive and based on the four-tier integrated border security model and therefore represents best practice in the application of the Schengen acquis. National legislation corresponds mainly to the Schengen acquis and, along with the particular national strategic plans and programmes, provides a solid basis for border management, development of which is still ongoing.

The Committee found the organisation and the principles of the activities of the State Border Guard Service of the Republic of Lithuania to be in line with Schengen principles. The existence of a direct command line between Border Guard units at central, regional and local level assures a common approach to border control and a unified planning system. The professional and motivated personnel of the SBGS, who have a dutiful attitude towards their responsibilities and the threats to be tackled, seem to be providing a good level of border control at the air borders that mainly meets Schengen requirements. However, the implementation of risk analysis in border control, training on knowledge of travel documents and methods of detection of counterfeited documents, verification of all entry conditions for third country nationals, an improvement of the level of knowledge of English and some other issues should be further developed to guarantee the full implementation of the Schengen acquis and to provide a high level of border control at the Lithuanian air borders. The necessary resources have been allocated to perform border control at the air borders at a sufficient level.

The current layout of the airport and the infrastructure used to carry out border checks are not fully in line with Schengen standards, and do not provide the separation of passengers on Schengen and non-Schengen flights. The necessary reconstruction has been planned and has to be implemented as a precondition for full accession to the Schengen area. The Committee is of the opinion that the competent authorities of the Lithuanian Republic should further inform the Schengen Evaluation Working Party about progress in the development of the infrastructure. Adoption of the infrastructure for the separation of passengers on Schengen and non-Schengen flights according to the Schengen Borders Code needs to be followed up in due course.

The Committee would like to highlight the great efforts made by the Ministry of Interior and the Headquarters of the SBGS to provide specialised and proper training for the border guard units and to supply them with the necessary amount of modern border control equipment, transportation means, communication techniques and IT systems. The Committee stresses the need to continue the development of resources and preparations for the implementation of SIS II, VIS, and the use of FADO at the border.

Current EU legislation formed the bases of the Committee's evaluation. The responsible authorities of the Lithuanian Republic are aware of the fact that the new Schengen Borders Code will enter into force on 13 October 2006. All the procedures have to be adopted by this date.

3.   GENERAL INFORMATION

3.1.   Strategy

3.1.1.   Legislation

The organisation and measures undertaken in the Lithuanian Republic with regard to state border control are governed in great detail by the:

- Law on the State Border and Protection Thereof (09.05.2000).
- Law on the State Border Guard Service (10.10.2000).
- Law on the Legal Status of Aliens (30.04.2004).
- Law on the Operative Activities (20.06.2002).
- Law on the Police Activities (17.10.2000).
- Law on the Basics of National Security (19.12.1996) and
- Statute of Internal Service

3.1.2.   General strategy for border management

The general strategy for border management in Lithuania has been designed to take into account the principles of EU border management policy and of the national interest of protecting of the internal security of the State, the geographical location of Lithuania and the threats faced today and foreseen during coming years.

Regarding the role of Lithuania in the management of the external borders of the European Union, there are 923 km of external land borders with Belarus and Russia, 119,6 km of external sea borders and 4 international airports to be controlled by the Lithuanian authorities. After full accession to the Schengen area, border control will be lifted from the land borders with Latvia and Poland (691,8 km in total).

In Lithuania there is no single document which contains a solid and all-inclusive national border management strategy. However the questions related to the national border security strategy are defined by:

- **The State Long-term Development Strategy** adopted by the Parliament by decision No. IX-1187 of 12 November 2002;

- **The National Security Strategy** adopted by the Parliament by decision No. IX-907 of 28 May 2002;

- **The Strategy on Development of Public Security till the year 2010** was adopted by the order of the Minister of the Interior No IV-250 as of 2 July 2003 and

- **The State Border Protection Development Program** adopted by the Parliament by decision No. IX-911 of 30 May 2002;

The general strategy for border management is widely based on the Schengen four-tier integrated border security model. Centralised supervision and instructions for border control are provided by the Ministry of the Interior. The Ministry of Defence is responsible for surveillance of the air space.

Activities in third countries, in countries of origin and transit, bilateral and international border cooperation, measures at the external border and further activities inside the territory of Lithuania are being carried out by the State Border Guard Service and its cooperation partners. The State Border Guard Service is the only authority charged with border control at the State border (at the land, sea and air borders) of Lithuania. The SBGS falls under authority of the Ministry of the Interior. Border checks, border surveillance, risk analysis, intelligence, investigations and internal and international cooperation have been performed together by the State Border Guard Service as coherent key elements of border management.

The State Border Guard Service is a centralised three-level (national, regional and local) organisation with a clear command line. There are land, maritime and aviation components in the structure of the SBGS. The organisation of border management is based on a division of the border into segments (part of the state border falling within the area of the districts of the SBGS) and stations (the smallest operational area at the state border).

Border control is carried out by professional and specially trained personnel in possession of special equipment for border control. Intelligence and risk analysis provide a basis for border control measures. Border checks at the border crossing points are performed by units of the SBGS specialised in border checks. All persons crossing the State border are checked on entry and exit. Third country nationals are subject to thorough checks.

In addition to border surveillance and border checks, operational measures are implemented within the country as well. Activities inside the country have the objective of combating illegal immigration, removing illegally residing foreigners and combating crime.

Activities within the country have mostly been carried out by special units of the SBGS and by police structures in the form of police operational controls over the legality of foreigners staying in Lithuania. Control is organised at bus and rail stations, in hotels, motels and other accommodation as a residence registration control, at working places and in night clubs. The same type of control will be performed in the future in internal border areas, in accordance with the concept of compensatory measures by specialised mobile units. Cooperation takes place with the Foreigners Registration Centre, the Criminal Police, the IT office of the Police, the Internal Administrative Department and with the Division of Asylum Affairs of the Migration Department when performing checks on aliens within the country.

Inter-agency cooperation is organised with the Police, the Public Prosecutor, Customs, the Ministry of Foreign Affairs, the Ministry of Transport, the Ministry of Labour, Family and Social Affairs and with the Information Commissioner.

In the framework of integrated border management, tasks such as the combating of all forms of cross-border crime, including illegal migration, document misuse, people smuggling and trafficking in human beings are carried out by the Criminal Police.

Regarding the abolition of border control at the future internal borders, a special *ad hoc* working party was established by Order of the Minister of the Interior on 15 February 2006. This Working Party was given the responsibility of drafting the Concept for the abolition of controls at Lithuanian internal borders and strengthening the activities of the competent institutions in the frontier zones by 1 May 2006 [1].

3.1.3. *Analysis of environment and threats*

The total length of the state border of the Lithuanian Republic is 1734,6 km. There is a 651 km land border with Belarus, a 272 km land border with Russia and a 119,6 km sea border which are external borders of the EU. 76 border crossing points are being operated at the borders, 37 of them at the external borders.

Lithuania has 4 international airports: Vilnius Airport, Kaunas Airport, Palanga Airport and Zokniai Airport.

Cross-border traffic shows a small increase each year. The most steady and notable increase is seen at airports, going up 29 percent in 2004 and 23 percent in 2005. In 2005 the Border Guard carried out border checks on 8.1 million passengers.

The number of passengers who travelled via international airports in the last 3 years:

Airport	2002	2003	2004	2005
Vilnius Airport	612 344	711 754	1 010 555	1 277 820
Kaunas Airport	19 180	21 063	18 890	77 870
Palanga Airport	41 474	43 243	63 842	76 957
Zokniai Airport	2 843	4 998	8 896	10 320
In total:	675 841	781 058	1 102 183	1 442 967

The majority of cross-border passengers are nationals of Lithuania and of neighbouring countries, i.e. Russia, Belarus, Poland and Latvia. They account for 88 percent of the total traffic.

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[1] LT: Minister of Interior on 17 July 2006 issued the decree on the Concept of abolition of the control at Lithuanian internal borders and strengthening the activities of competent institutions at the frontier zones.

While combating illegal immigration in 2005, border guards refused the entry of 4698 aliens to Lithuania at the external borders with Russia and Belarus, at the air and sea borders. 164 persons were refused entry at the airports.

371 illegal immigrants were detained in 2003, 436 persons in 2004, and 865 persons in 2005 [2]. 85 illegal immigrants were detained at the airports in 2003, 40 illegal immigrants in 2004 and 93 illegal immigrants in 2005.

There were 76 detentions of persons with falsified documents at the external borders in 2005, 62 of them at the airports. During the same period 9 persons were detained for the use of a travel document belonging to another person, 5 of them at the airports. Forged documents were used by nationals of Moldova (35 cases), Lithuania (15 cases), Ukraine (7 cases), Belarus (5 cases) and Russia (5 cases).

The Committee was informed and agreed that currently the main threats of illegal immigration are being faced at the Lithuanian land borders. The number of illegal immigrants detained at the air border is small, and they have mainly been discovered during border checks on departure when presenting forged travel documents. Usually these persons had entered the Republic of Lithuania in possession of genuine passports and valid visas and had obtained the forged documents in Lithuania with the aim of travelling on to other countries of the European Union.

The biggest number of illegal immigrants is formed by nationals of Russia, Ukraine and Moldova, attempting to cross Lithuania for illegal work in several of the countries of the European Union. The percentage of nationals of other third countries is presently not significant.

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[2]   LT: The term "illegal immigrants" means foreigners who entered Lithuania illegally and stayed there illegally. A foreigner commits an "illegal entry" when he enters Lithuania by crossing the border in an unauthorised place or by travelling through a Border Crossing Point using falsified documents. A foreigner "stays illegally" in Lithuania when he/she enters legally with a valid visa, but overstays or is involved in an activity not authorised under his/her visa (for example, enters employment). The notable growth in the number of illegal immigrants is comprised of foreigners who have overstayed in Lithuania. Such persons make up 81 percent (or 699 persons) of illegal immigrants.

3.1.4. *International cooperation (regional, bilateral and readmission agreements)*

There is international cooperation with the authorities responsible for the border management in neighbouring countries, the countries of the Baltic Sea region, several countries of the European Union and with several third countries identified as source countries or transit countries for illegal immigration.

Lithuanian, Latvian and Estonian Chiefs of Border Guard Services have until recently formed a Committee of Senior Border Guard Officials of the Baltic Council of Ministers, which worked on the harmonization of border security standards, information exchanges and sharing experience between the three countries. The Committee has now been restructured as a sub-committee on border issues of the Committee of Senior Interior Officials of the Baltic States.

Lithuania has concluded bilateral agreements on border management cooperation with the four neighbouring countries, namely Latvia, Russia, Belarus and Poland.

Cooperation with the Belarus Border Troops is administered at (semi-)annual meetings between the Chiefs of Services. The Chiefs of the Districts of the SBGS hold regular quarterly meetings with their Belarusian counterparts.

Cooperation with the Russian Border Service is founded on inter-agency protocols on 1) cooperation in border issues, 2) cooperation in the field of operative and search activity and 3) the activities of the Representatives of the Services, which were signed in 1996.

Cooperation with the Polish Border Guard is founded on the interstate treaty on the border, the legal relation pertaining thereto and legal assistance in this field, which established a body of (chief) border delegates formed, respectively, from the Chiefs of Services and chiefs of regional units who are authorised to solve border issues at a non-diplomatic level.

An intergovernmental agreement on the activities of border delegates, signed between Lithuania and Latvia, facilitates the resolution of border issues and information exchange with that country.

Framework documents on bilateral cooperation were signed with the Latvian State Border Guard in 2000, the Swedish Coast Guard in 2001, the Finnish Frontier Guard in 2002, the Directorate of the German Federal Border Police in 2003, and the Headquarters North of the German Federal Border Police in 2005.

Over recent years the SBGS has established bilateral relations with the Hungarian, Georgian and Ukrainian Border Guards, involving the exchange of information and visits by specialist teams.

The SBGS maintains one permanent contact point at the land border with Poland and plans four more such contact points at the land border with Latvia. An agreement with Latvia to this purpose was signed on 17 June 2006.

The SBGS also benefits from the police liaison officers who take account of the needs of border management in performing their tasks. The SBGS is planning to post one liaison officer to Ukraine and Moldova.

In the framework of multilateral cooperation in the area of border management and foreigners the SBGS is actively involved in the activities of the International Conference of Border Police

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

With regard to cooperation with FRONTEX, the SBGS has implemented the following activities:

- Lithuania is represented on the Management Board of FRONTEX,

- a National FRONTEX Point of Contact has been established,

- units of the SBGS participated in joint operations organised in the framework of FRONTEX at the land borders in 2005 and 2006 and in operation "Torino" in 2006,

- representatives of the SBGS participate in different meetings,

- a Common Core Curriculum and EU Training Day are being implemented,

- Lithuania has seconded a national expert to FRONTEX.

3.2. Organisational (functional) structure

3.2.1. *Centralised supervision and instructions*

The State Border Guard Service has a centralised three-level structure with a command line connecting the central, regional and local levels.

The Commander of the State Border Guard Service, who works directly under the Minister of Interior, leads and controls the regional and central units either directly or assisted by the Chief of Staff and the other Deputies.

The 6 Frontier districts and the Coast Guard District organise the implementation of their tasks through the local units: 38 Frontier Stations (29 of them at the external borders of the EU) and 76 Border Crossing Points (37 of them at the external border of the EU).

There are five central units working directly under the Commander of the SBGS:

- the Special Tasks Brigade,

- the Aviation Squadron,

- the Foreigners' Registration Centre,

- the Visaginas Border Guard School and

- the Ignalina Nuclear Power Plant Security Unit.

The Frontier Guard Stations are responsible for border surveillance and for border checks. The Border Crossing Points are responsible only for border checks.

3.2.2. *Coordination and inter-agency cooperation*

The legal background for cooperation between different law enforcement authorities and administrations of the airports is formed by:

- the Government Resolution on cooperation between the institutions conducting border checks, airport administration and airlines at international airports.

- the Government Resolution on instructions for the activity of border crossing points.

- the Government Resolution on coordination of activities.

- the Order of the Commander of the SBGS on cooperation of BCP officers responsible for border checks with legal persons.
- the Agreement between the Customs Department, the SBGS and the Police Department on cooperation.

Cooperation between different bodies (the Police, the Customs and the SBGS) at central and operational levels was established by the Interagency Cooperation Agreement of 2002. Under that agreement, working groups have been formed and contact persons appointed at central, regional and local levels. In addition, on the basis of this tripartite cooperation agreement, bilateral and trilateral co-operation agreements between relevant regional units of the police, customs and border guard have also been signed which establish forms of cooperation at regional and local levels.

The main forms of cooperation are as follows:
- regular meetings of leaders at central, regional and local levels,
- access to the databases of the contracting authorities,
- exchange of risk analysis data,
- joint training,
- specific joint operations and
- joint patrolling (along the border and at the frontier zone).

3.2.3. Specialised services

The **Special Tasks Brigade** of the SBGS deals with intelligence and the investigation of illegal immigration at the border area and inside the country.

The helicopters and the plane of the **Aviation Squadron** are used for regular patrolling of the land and sea borders.

The **Foreigners' Registration Centre** is a special unit of the SBGS responsible for the detention of illegal immigrants and the lodging of asylum applicants, the identification of foreigners and the implementation of removal orders.

The Ignalina Nuclear Power Plant Security Brigade is a special unit of the SBGS responsible for guarding the Ignalina Nuclear Power Plant.

There are **Task Force Squadron** which act as rapid reaction units within the structure of every Frontier District.

3.3. Operational effectiveness

3.3.1. *Resources*

Human resources

The total number of staff positions in the SBGS was 4956 on 1 June 2006. The number of deployed personnel was 4431. There are 4151 posts for professional border guards in the structure of the SBGS, of which 3679 were filled (or 88,6%), and 805 posts for civilian staff. 2750 persons (or 62% of personnel) were deployed at the external borders. The remaining personnel were deployed at the future internal borders of the EU, at the Visagenas Border Guard School, in the Foreigners Registration Centre, in the Ignalina Nuclear Power Plant Security Brigade and in the Headquarters of the SBGS.

Technical resources

Various surveillance equipment and technical means for border checks, vehicles, vessels and boats, an aeroplane and two helicopters are deployed by the SBGS for the units operating at the borders. At the border there are also over 50 thermal imagers and about 350 night vision devices, over 500 different vehicles for the units on land, and 4 vessels, 24 motorboats and 2 hovercraft for the sea, border rivers and lakes. The border crossing points, including the border crossing points at the international airports, are equipped with technical devices for carrying out first and second-line border checks.

3.3.2. *Level of controls at the external border*

According to the information presented by the Lithuanian authorities and observed by the Committee, all persons crossing the state border at the sites visited are checked on entry and exit. Surveillance of the territory and the perimeter of the airports was provided by patrols and video surveillance, to prevent the illegal entry of aliens.

3.4. Risk analysis, intelligence and data-flow management

3.4.1. Organisation

Until 16 June 2006 the basis for risk analysis in the SBGS was provided by the Order of the Commander of the SBGS of 14 May 2002 which approved the methodology of risk assessment during border checks at the BCPs, and the Order of the Commander of the SBGS of 20 May 2004, which approved regulations on composing the list of risk factors and systematizing them. In order to transpose EU principles regarding risk analysis, as well as to expand and systematize the management of risk analysis, the Order of the Commander of the SBGS of 16 June 2006 was issued which approved the Concept of Risk Management in the SBGS, the methodology of risk assessment during border checks and the regulations on composing the list of risk factors and systematizing them.

3.4.2. Methods

At local and regional levels, analyses and situation evaluations are performed progressively by activity area (illegal migration, vehicle theft, drug smuggling, etc), allowing for a quick response time. At national level, data on illegal migration and cross-border crime are monitored daily, and regional authorities receive daily reports on these controls.

Risk evaluation is carried out at both national and regional levels, following the end of each quarter of the year. At the local level, border guards carry out appropriate measures on the basis of these evaluations in order to prevent and detect border-related crime.

At regional level, the Border Guard Division and the Division of Operative Activities constantly collect and analyse criminal information from the BCPs and from the surveyed border sector. The Division of Operative Activities transmits the summarized information to the headquarters of the SBGS and to the local units. The Division of Operative Activities processes information about organised criminal activities.

3.4.3. Responsibilities

At central level, strategic risk analysis is carried out by the Operative Activity Board in the Headquarters of the SBGS. The central level encompasses risk assessment made in regard to all national borders; after the end of every quarter, Risk Analysis Reports are drafted at the Headquarters of the SBGS. Risk is assessed by processing the collected data. On the basis of the risk assessment, threats are identified and measures to eliminate them are planned. These reports have subsequently to be forwarded to the regional units of the SBGS. Alongside quarterly reports, the Operative Activity Board is also obliged to prepare a periodical (not less than once per semester) and analytical review of risk factors at the borders. In cases where the Operative Activity Board finds that there are urgent risk indicators, this information is immediately forwarded to the Frontier Districts and the Coast Guard District.

The Order of 16 June 2006 obliges the Frontier Districts and the Coast Guard District to assign officers of the Operative Activity Units to be responsible for risk analysis at the local and regional levels. In that way a network of officers that specialize in risk analysis is being created. The regional level encompasses risk assessment made by the Frontier Districts. The data collected in regard to illegal immigration, border-related crimes, cross-border crimes and organised crime is used by the Frontier Districts when planning the deployment of resources in order to secure the most vulnerable sections of the border.

The Frontier District and the Coast Guard District are obliged to summarize information on risk factors received from their sub-units and periodically (not less that once per semester) to submit it to the Operative Activity Board at the Headquarters of the SBGS.

The local level encompasses risk assessments made both at border crossing points in charge of controlling the passengers and vehicles crossing the state border, and at Frontier Stations in charge of the security of the land borders. Data regarding illegal immigration, border violations, cross-border crimes, and modus operandi is stored, analysed and forwarded correctly.

The Border Guard Division and the Division of Operative Activities in the Frontier District organise training about risk analysis for the staff of the district.

3.4.4. *Horizontal and vertical data flows*

The vertical data flow is organised between central, regional and local units of the SBGS. The horizontal data flow is used for sharing information within the same level with the Police, Customs and other authorities.

3.5. **Investigation and policing of aliens**

3.5.1. *Legal background*

Relevant national legislation comprises:

- the Law on the State Border and the Protection thereof,
- the Law on the Legal Status of Aliens,
- the Law on the State Border Guard Service,
- the Statute of Internal Service,
- the Law on Operative Activities,
- the Law on Police Activities,
- the Law on the Basics of National Security.

3.5.2. *Organisation*

The Police, the SBGS and the Migration Department under the Ministry of the Interior are in charge of the control of aliens inside the territory of Lithuania. The SBGS is responsible for border checks of foreigners crossing the border, prevention of the illegal crossing of the border between Border Crossing Points, participation in control of aliens inside the country, intelligence and investigation of illegal immigration, accommodating detained illegal immigrants and carrying out removal orders on aliens. The criminal investigation of forged documents is done by a specialised unit of the SBGS. The Police are primarily responsible for alien policing inside the country. The Migration Department is concerned with the prevention of illegal migration and the analysis of migration trends and routes. Also, the Migration Department is responsible for giving out removal orders to aliens who have to leave Lithuania.

3.5.3. Methods

Only the Police and the SBGS are competent to take an administrative decision. After this, the Migration Department is competent to issue a removal order. Finally, the SBGS and the Police are responsible for the actual removal of the alien.

An apprehended alien may be held initially for 48 hours. After that, and only by decision of a judge, this detention may be prolonged. In the case of an ongoing criminal investigation, the maximum period for detention is 1,5 years. There is no legal limit to detention when it is used just for the purpose of identification and removal. The actual period of detention will be decided by the judge.

Apprehended illegal migrants may be brought to the Foreigners Registration Centre. The Centre is able to detain illegal migrants in relevant cases. Asylum seekers are also housed in the Centre. However, the regime for illegal migrants and asylum seekers is strictly separated. Illegal migrants can be detained, whereas asylum seekers are in principle allowed free movement. The Centre is designed to accommodate 500 persons: 300 illegal immigrants and 200 asylum applicants.
There were 377 illegal immigrants detained in 2003, 318 illegal immigrants in 2004 and 278 illegal immigrants in 2005.

Persons who had entered Lithuania legally, but had not left the country at the end of the period of stay allowed, formed 89% of apprehended migrants in 2005. After a massive decrease in refusals of entry in recent years, the SBGS considers the flow of illegal migration now to have stabilised.

3.6. Staff and training

3.6.1. Adequacy and the level of professionalism

Only professional border guards, who are educated to perform their tasks, are used for border control activities in Lithuania. 69% of uniformed personnel are deployed for border control at the local level, 24% of personnel at the regional level and 7% at the central level. 11,4% of posts for uniformed personnel were vacant on 1 July 2006.

The experts were informed and convinced that the available staff are sufficient to carry out border control given the current situation at the borders. The average age of the staff is between 34 and 35 years and most staff have served in the SBGS for 5-15 years. The turnover rate has stabilised.

3.6.2. Responsibilities of the Border Guards

The SBGS is responsible for:

- carrying out border checks at the border crossing points,

- performing border surveillance at the land and sea borders and participating in border surveillance at the air borders,

- enforcement of the regulations concerning the frontier and, within the scope of their competence, the regulations on border crossing points,

- search and rescue activities in the sea, in the Curonian Lagoon and in other inland waters,

- security of the "Ignalina Nuclear Power Plant Station" and

- radiation control at the boarder control points.

Although the police are primarily responsible for policing with regard to aliens, the SBGS takes part in the control of immigration within the territory of the state.

3.6.3. Selection criteria

A person may be recruited to the SBGS under the condition that he/she fulfils the following criteria:

- is a citizen of the Republic of Lithuania and speaks Lithuanian,

- is between 18 and 35 years old,

- has a secondary education,

- is sufficiently fit.

A person who wants to become an SBGS officer must be in possession of a proficiency education or have finished proficiency school introductory courses.

In addition, the main selection criterion for working at Vilnius Airport is to have foreign language skills.

3.6.4. *Basic training*

Basic professional border guard training (for the lowest level officers) is conducted at the Visaginas Border Guard School of the SBGS. The National Border Guard Training Standard 2000 states that the duration of basic training is 2 years. The new Border Guard Curriculum was endorsed in 2005 pursuant to the professional training standard of the national education system. The Committee was informed that the Curriculum is in line with the Common Core Curriculum for border guard training.

The training course is divided into four semesters. The training programme consists of 3056 training hours; of these 2472 hours involve lectures and practice, 343 hours are for individual studies and 236 hours are for passing the exams and getting the course credits. Training at the Border Guard School contains 500 hours of compulsory military training according to the national security concept. Theoretical training is combined with practical experience (initial practice and 2 internships at the Frontier Districts of the SBGS – 920 hours or 30 percent of total curriculum time).

Upon successfully passing the final qualification test, border guard officers acquire the national border guard qualification (diploma); this examination is also equal to the compulsory initial military service for school graduates.

Professional qualification (specialization) of border guards can also be acquired by passing the equivalency examination by border guards who have been in active service for no less than 1 year, but have not acquired the border guard professional qualification.

Initial training courses have been organised for persons with a higher education diploma, seeking to become SBGS officers. Given the special nature of service with the SBGS units, 2 week and 15 week tutorials have been drafted.

During the tutorials, the attendees are introduced to legislation regulating statutory service, border guard duties etc., which is necessary for serving as an officer at a certain level.

The Mykolas Romeris University (4 years bachelor studies at Kaunas Police Faculty under the curriculum "Law and State Border Guard") and the Lithuanian War Academy of General Jonas Žemaitis (4 years bachelor studies) provide secondary level training. The educational model is academic-practical. According to the approved curriculum, students are assigned to work internships with SBGS units.

In 2005 the first group of officers graduated from the Kaunas Police Faculty of Mykolas Romeris University under the bachelor full time curriculum "Law and State Border Guard"

To meet the needs of the SBGS, high and highest level SBGS officers are being educated at local high schools with master tutorials for 1.5–2 years.

3.6.5.   *Further continuing education*

The Rules for Qualification Development for Officers in the Internal Service System approved by the Minister of the Interior states that officers' qualifications shall be constantly and methodically developed (enhanced). The officer must develop his qualifications during work time for no less than 8 academic hours during one year of active service.

By the annual order on professional training, the Commander of the SBGS sets the goals for a statutory officer's professional training and the development of their qualifications, and approves the curriculum on the basis of which qualification development courses take place. These courses are conducted at the Visaginas Border Guard School and other local educational institutions, and also in the workplace. The officers also have an opportunity to perform their traineeships at overseas high schools.

Officers responsible for professional training in the workplace are involved in annual workshops; instructors are trained to transfer their structural skills and experience acquired during these courses to their colleagues at work.

The instructions on professional training for SBGS officers at work lays down that the duration of professional training in the workplace for SBGS officers and officers at the Frontier Districts' Headquarters must be no less than 40 hours a year (4 hours each per month); at Frontier Stations it must be no less than 70 hours a year, and for the Special Task Force Squadron it must be no less than 140 hours a year).

Since 2002, qualification development courses entitled "Schengen Activity in Border Guard and Frontier Control" have been conducted by the Visaginas Border Guard School. In 2005, the new qualification development programme "EU/Schengen Acquis Requirements for the Border Guard"(duration – 24 hours) was drafted; it was the basis for officers working at the headquarters of the administration of the SBGS and the BCPs. The Schengen Acquis has been translated into Lithuanian and recorded on CD-ROM, and it is also available on the internal network of the SBGS.

3.6.6.   Linguistic training

There are 176 hours of linguistic training in the basic border guard training programme. However, not only students at the Visaginas Border Guard School but also border guards in active service are taught foreign languages.

Since 2002 the joint project of the SBGS and the British Council concerning English language learning has been dedicated to establishing a standard system of foreign language learning for the SBGS officers. The concept as well as four-level programmes for English language learning were drafted, and the English language learning centre was established in Medininkai. German language courses are arranged by the Embassy of the German Federation in Vilnius (most attendees are officers from the Coast Guard and Vilnius Border Guard District, working at international BCPs).

3.6.7.   Specialised document checking training

The basic border guard training includes 98 hours of special training on checks of travel documents, which is provided to all border guards. Further training is based on additional courses provided by multipliers inside the SBGS or lectors from outside the SBGS. Multipliers from the higher level instruct and share knowledge with lower level specialists. The system is carried out on four levels:

- The top level includes officers of the Document Examination Centre authorised for forensic examination.
- The higher level (instructors) includes specialists of the Frontier Districts (multiplicators) responsible for document checks and instructors of the Border Guard School.
- The middle level consists of document check specialists. They are immediate assistants to the first control line. The plan is to have at least 2 such officers in each shift.
- The basic level consists of all staff working at Border Crossing Points.

3.6.8.   Specialised training for different managerial levels

For the border guards at basic level and also for middle-level officers career training is possible. Candidates are selected. After this career training the border guards are promoted to senior border guard or junior specialist. The middle-level officers are promoted to a higher level.

3.7.   Readmission, expulsion and illegal immigration, carriers' liability

3.7.1.   Administrative structures and coordination

Activities to combat illegal immigration networks have been carried out by the SBGS and the Police. Pre-trial investigations are conducted and organised by a prosecutor.

At central level, the Operative Activity Board and the Pre-trial Investigation Board in the Headquarters of the SBGS organise and carry out the fight against illegal immigration.

At regional level, combating illegal immigration networks is carried out by officers from the Divisions of Operative Activity and Pre-trial Investigation Divisions of the Districts of the SBGS; in the Vilnius District it is also carried out by the Task Force Squadron, and in other districts of the SBGS by Special Task Brigades.

The Police, the SBGS and the Migration Department within the Ministry of Interior are in charge of the control of aliens inside the territory of Lithuania. The competent authorities maintain close cooperation with each other in the fight against illegal immigration and render support within the spheres of their own competence.

The liaison officer who will be seconded to Ukraine and Moldova will also have to participate in combating illegal immigration networks.

There is an agreement to create a common Criminal Information Analysis Centre in the Police Board, where the Police, the SBGS and the Customs will be represented, to carry out the exchange of information between authorities.

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 Lithuanian Government has concluded readmission agreements with all Schengen States except Norway and Denmark, as well as with some other EU Member States (Estonia, Latvia, Poland and Slovenia) and countries acceding to the EU (Romania) or Schengen (Switzerland). Regarding third countries, readmission agreements have been signed with Armenia, Croatia, Moldova, the Russian Federation and Ukraine. With the Kingdom of Sweden, readmission issues have been incorporated into the agreement concerning the abolition of visas.

The Republic of Lithuania is bound by the readmission agreements on behalf of the European Union with third countries (Hong Kong, Macao, Sri Lanka and Albania).

According to the Law on the Legal Status of Aliens an alien shall be expelled from the Republic of Lithuania if:

- the alien has failed to comply with the requirement obliging him to depart from the Republic of Lithuania within a set time period;
- the alien has entered or is staying in the Republic of Lithuania unlawfully;
- the alien's stay in the Republic of Lithuania constitutes a threat to public security or public policy.

Aliens expelled from the Republic of Lithuania:

2000	2001	2002	2003	2004	2005	TOTAL
345	342	312	376	206	142	1723

3.7.3.   Means deployed to combat illegal immigration networks

Means to combat illegal immigration networks are being deployed at national and regional level.

At central level, there are up to 25 border guard officers in the Operative Activity Board and up to 22 officers in the Pre-trial Investigation Board in the Headquarters of the SBGS. The Special Tasks Brigade consists of 100 border guards.

At regional level, the Divisions of Operative Activity consist of 15 border guards and the Pre-trial Investigation Divisions of the Districts of the SBGS have up to 10 officers each. 30 border guards are deployed in each Task Force Squadron.

The Committee found that there are approximately 500 persons in the SBGS deployed to combat illegal immigration networks.

3.7.4. *Implementation of carriers' liability*

The Law on Basics of Transportation Activity provides for an obligation for carriers to ensure that transported passengers are in possession of adequate documentation for entry into the country. Also, this transport law provides for the possibility of fining carriers who have transported a person to Lithuania who is not in possession of the right travel documents. A fine may vary between LTL 11 000 and LTL 18 000 (between EUR 3100 and 5100) for each transported alien.

The fine is not imposed if:

1) the alien seeks asylum in Lithuania:

2) the carrier provides proof that before boarding the alien was in possession of the travel documents necessary for entry to the Republic of Lithuania;

3) the SBGS establishes that the travel document of the alien is forged.

4) required visa is missing.

The Committee is of the opinion that these exceptions are not in line with the Council Directive 2001/51/EC. Regarding the limited legal possibilities to impose sanctions on carriers up until the moment of the visit of the evaluation team, there had been only 7 cases in which carriers were fined, of which to that point, one was implemented after court procedures. 4 cases were still in court. The Committee was informed that in Vilnius airport about 85% of the157 refusals of entry is based on lack of visa during 2005, which means that the number of sanctions imposed on carriers could have been much higher if national legislation was in conformity with the Directive.

The obligation for carriers to return inadmissible passengers is also included in this law.

3.8. Comments and recommendations of the Evaluation Committee:

The experts were appreciative of the following facts:

- The border management strategy in Lithuania is comprehensive and based on the EU integrated border security model. The Committee is of the opinion that the general strategy represents best practice in the application of the Schengen acquis.

- The Committee found the organisation of the State Border Guard to be centralised and clearly structured. The Committee is of the opinion that unified and specialised organisation guarantees a unified approach and similar understanding of border security at all levels of the organisation.

- The system for the basic professional training and further training courses given to border guards were regarded by the Committee as comprehensive and well-organised.

- Border control is performed only by professional border guards. The number of personnel seemed to be sufficient for the border management of Lithuania's external borders and the Committee found the stability of the personnel to be good.

The experts took special note of the following items:

- Relevant national legislation seems mainly to respond to the Schengen acquis and to provide the necessary legislative basis for border management. However, the Committee was informed that Council Directive 2004/82/EC on the obligation of carriers to communicate passenger data has yet to be transposed into national law [3].

- The risk analysis system created according to the Order of the Commander of the SBGS of 16 June 2006 seemed to be sufficient, especially at national and regional level. The Committee was told that operations carried out at the external borders and inside the country should be intelligence-based. The Committee invites the SBGS to implement the new Order of the Commander of the SBGS fully and to increase the use of the products of risk analysis at operational and tactical levels.

- International cooperation is organised widely at national and regional levels. However, the Committee invites the SBGS to ensure everyday practical contacts between local units and their counterparts in foreign countries.

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[3]   LT: This Directive is transposed to national law from the 1 of September 2006.

- The Committee stresses the importance of active preventive measures in the first tier of the border management system. The widening of the Immigration Liaison Officers network should therefore be considered. In this respect the Committee appreciates the Lithuanian authorities' decision to second an SBGS liaison officer to Ukraine and Moldova. The Lithuanian authorities are encouraged to consider the placement of joint liaison officers or document advisors together with other Member States of European Union.

Experts consider that there is room for improvement on the following points

- The Lithuanian legislation on sanctions on carriers is not in line with Council Directive 2001/51/EC.

4.   **VILNIUS INTERNATIONAL AIRPORT**

4.1.   General information

4.1.1.   Environment, structure of border crossing point, organisation, traffic, threats, crime statistics

Vilnius Airport is the biggest airport in Lithuania, operated by the state company which was founded by Ministry of Transport and Communications of the Republic of Lithuania. The airport is used for international passenger traffic, general aviation and cargo traffic and operates 17 hours per day (from 6 a.m. till 11 p.m.).

The number passengers checked annually was 1 277820 in 2005, which was an increase on 2004 of approximately 26%. Since 2003 the passenger flow has increased by about 80%.
There were 28922 flights altogether in 2005. The number of flights increased by approximately 28% compared to 2004.

There are 204 scheduled flights to 20 "Schengen destinations" per week. There have been flights to 13 non-Schengen destinations, 9 as scheduled flights and 4 as charter flights. Altogether there are 55 scheduled flights per week to Dublin, Dubrovnik, Istanbul, Kiev, Monastyr, Moscow, London, Simferopol and Tel Aviv. 32 of these flights are the flights to or from London and Dublin. Non-Schengen flights form 21% of all scheduled flights.
The average number of Schengen flights per month is 1800 and the average number of passengers on these flights is 63 454. The average number of non-Schengen flights per month is 630 and the average number of passengers is 43 034.

The construction of the new passenger terminal is due to the increasing passenger flow as well as because of Schengen requirements. Work began in May 2006, and is due to be completed in September 2007. The new terminal provides increased capacity for the airport, taking it up to 3 millions passengers per year. During the construction works a new signal system will be installed on the perimeter of the airport.

Border security related duties at Vilnius Airport are performed by the Vilnius Airport Border Crossing Point (BCP) which belongs to the Vilnius district of the SBGS.

The BCP is headed by the Head of the BCP who is assisted by the Deputy Head of the BCP and by the Administration Section (2 officers, one civilian). The remaining personnel is divided between 5 shifts. The shifts are assisted by the Document Investigation Section, represented by one expert. There are two officers of the Operative Activity Division of the Vilnius District of the SBGS located permanently at the BCP, to carry out intelligence activities and risk analysis.

65 illegal border crossings were discovered at the Vilnius Airport BCP in 2005. The same number of illegal border crossings was discovered in 2004.

At the Vilnius Airport BCP, 134 forged documents were discovered in 2003; 65 forged documents were discovered in 2004 and the same number in 2005. In 61 cases the forged documents were discovered during exit checks. This supports the conclusion that the main direction of the illegal migration flow via Vilnius Airport is out of the country.

The number of detained wanted persons increased in 2005 by 71% compared to 2004. 350 wanted persons were detained in 2005. The representatives of the SBGS explained the increase in the number of detained wanted persons by the close cooperation between law enforcement authorities, which provide information about criminals and other offenders to the information system of the SBGS.

4.1.2.   Regional or local strategy, inter-agency cooperation, international cooperation (regional and cross-border cooperation).

The main tasks of the Vilnius Airport BCP are carrying out border checks on persons, border surveillance at the airport and participation in the control of migration. The Vilnius Airport BCP is also responsible for radiation control in the passenger and luggage lanes. The BCP is also responsible for border control at Vilnius railway station.

Five authorities responsible for law enforcement and civil aviation security are operating at Vilnius Airport:

- Vilnius Airport Border Crossing Point,
- Vilnius Airport Customs,
- Vilnius Airport Security,
- a local police unit and
- the Second Regiment of Internal Forces.

The Border Crossing Point and Aviation Security carry out patrolling at the airport; Aviation Security, the local police unit and the Regiment of the Internal Force carry out passenger screening. The Patrol Service of the Aviation Security operation has 122 staff and the Passenger Screening Service has 85 staff.

Cooperation at the level of the Vilnius Airport BCP is organised on the basis of the documents referred to in point 3.2.2. and the Regulation on the Activity of Vilnius Airport BCP.
There is international cooperation with the organisations responsible for border checks in 9 destination airports in 8 EU Members States and in Iceland, and with the Nordic Customs and Police Cooperation Liaison Officer in Lithuania.

4.1.3. *Risk analysis and intelligence functions*

Risk analysis at BCP level is performed by the heads of the BCP and by all border guards when performing border checks. The heads of the BCP are responsible for organisation of data collection, and for analysing and summarizing the collected data. Results of the risk analysis are implemented in the planning of resources and decision-making at BCP level and are submitted to the regional directorate.

Border guards have to evaluate the psychology and behaviour of the passengers and provide information about new risks. Results of the risk analysis by the border guards are implemented in the border check process.

Situation reports on the past day from the SBGS, the Police and Customs were available at the duty officer's office; however, any other products of regular or tailored risk analyses were not presented at the BCP.

4.2. Infrastructure and equipment

4.2.1. Signposting

The separate lines for EU, EEA and CH citizens and passengers in possession of all other passports were marked with the pictograms provided in the Council Decision of 29 April 2004 (2004/581/EC) determining the minimum indications to be used on signs at external border crossing points. The expert noted that the text in Lithuanian had been added to the pictograms.

Plates with the pictograms were controlled from the booths and changed depending on the flow of passengers.

4.2.2. Separation of flows

There is one terminal building at Vilnius Airport and the total passenger flow is handled in this terminal. Departures and arrivals are separated, as well as passengers from Schengen and non-Schengen flights at arrivals.

The departure area is on the 1st floor in the check-in hall. The border control booths are placed behind the check-in counters. The booths on the right side are used for Schengen and non–Schengen flights. The booths on the left side are used for Schengen flights.

There are 2 arrival areas (arrival area "North" and "South") on the ground floor. The arrival area "North" is used for non–Schengen flights. The arrival area "South" is used for Schengen flights.

4.2.3. Lanes for checks

Separate lanes are used for the border checks of EU, EEU and CH citizens and passengers in possession of other passports.

In the departure zone there are eight lanes. In both arrival zones there are three lanes for the border checks of passengers.

4.2.4. Control facilities

There are 6 control booths in the arrivals areas, three booths in arrivals area "North" and three booths in arrivals area "South". There is one working place in each booth.

There are 8 booths containing one working place in each booth at the first control line for departures, with four booths opposite to each other. The booths are located directly behind the check-in line, enabling the border guards to observe the passengers during check-in, which allows for timely profiling..

The booths are facing the passengers. The material used for the booths screens the computer monitors from the passengers. The experts found the booths spacious enough to house all the equipment used for first-line border checks.

The second-line office is near to the arrival zones. The room for the document expert is near to the first line in the departure zone. The duty officer's rooms are also used for second-line activities.

The Surveillance Centre at Vilnius Airport, managed by Aviation Security, is also used by the border guards to monitor passengers from flights which the risk analysis suggests should be watched.

4.2.5.   Equipment: first line, second line, mobile

For first-line border checks, the booths were equipped with a computer in combination with an optical passport reader, a UV and a regular light device, a magnifying glass, a retro-reflective lamp or a "Regula" document checking device, containing a magnifying glass, a retro-reflective lamp and a UV light.

All first-line computers, and the computers used for second-line activities, were connected to the intranet. The experts found the passport readers and the intranet connection to work very quickly: it only took one or two seconds for the information to be scanned and the checks made in the databases.

15 entry and 15 exit stamps were used to stamp the travel documents.

The second-line office near to the arrival area was equipped with three computer workstations, a printer, a docubox (VSC 4), a flatbed scanner, a microscope, a UV document tester, a digital camera and a collection of specimens of passports.

The second-line office adjacent to the first line at departures is used by the III level document expert and was equipped with 2 computer workstations, a printer, and a document examination device VSC 5000 (video-spectral comparator).This device was also used for the transmission of images of the documents to the document centre in the SBGS Headquarters. A digital version of the "Edison" database of travel documents was available in the office.

There was one mobile kit for document checks at the airport.

There were no AFIS or EURODAC work stations at the Vilnius Airport BCP.

4.2.6. Communication

Phones are used for communication in the booths. There is a direct line to the booths from the duty officer's office. VHS radio transmitters were used by the head of the BCP, the duty officer and his/her assistant and by supervisors at departures and arrivals.

4.2.7. Access control / fencing

The Patrol Service is responsible for the security control of entrances from landside to airside, for security control at entrances to security restricted areas and for supervision of the perimeter, fencing, and airport emergency gates. The Patrol Service controls traffic inside the airport perimeter and the movement of people airside, and is responsible for the protection and patrol of the airport owner's property and video supervision.

The whole perimeter of the airport is fenced with reinforced concrete topped with barbed wire. Entrance to airside is through 3 checkpoints; a main checkpoint is guarded by the Aviation Security Patrol Service and by the Second Regiment of Internal Forces. All exits from the terminals to the airport operating zone are equipped with card readers.

4.2.8. Detention / readmission premises

Close to the second-line office there is a room for interrogation which is connected with the room for temporary detention. In addition there are two rooms for the temporary lodging of asylum applicants or of persons who are refused entry.

4.2.9. *Storage of blank visas*

Blank visa stickers are kept in a locked safe in the duty officer's office. The key of the safe is held by the Head of the shift who takes the decision to issue a visa and delivers the blank visa sticker to the officer responsible for issuing visas. The number of visas in the safe and issued visas is recorded in the special journal.

4.3. Controls and procedures

4.3.1. *Traffic handling / traffic modes*

All passengers, crews and persons using general aviation are transported to and from flights via passenger galleries or by bus.

There are no special lanes for the checking of crew members at arrivals. On arrival, crew will be given priority for checking at the regular passenger booths. On departure, two gates are especially set aside for staff, namely gates 5 and 6.

There is also no special checking point for general aviation. On departure, general aviation users have to proceed through the normal checking lines. On arrival, the passengers and crew of private flights are transported by bus to the arrivals hall, where they are checked with other passengers. Also, mobile equipment is available to check persons inside or outside the aircraft, if necessary.

Vilnius airport has VIP facilities, including one booth for the SBGS. In this booth, there is a computer terminal with access to VSATIS, as well as a document reader. When carrying out border checks an UV light source and a mobile magnifying device with different light sources are used.

Vilnius airport does not have special facilities for transit passengers, but for EU nationals in transit an arrangement can be made. If airlines notify the airport in advance, the passenger may be escorted to a special door which leads to the aviation security controlled area for departures. For passengers coming from outside Schengen a minimum check can be made at one of the arrival booths, before taking them to the departure area. For third-country nationals it is not possible to make use of the transit facility. Experts were told that in 2005, 56 passengers made use of these transit facilities.

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

All passengers had to undergo border checks on entry and exit. The Committee noticed that at the arrivals checks, the passengers from the flights using the arrival gate were not queuing in the arrivals hall but on the stairs next to the first line, and the border guards did not have a frontal view of the queue. EU citizens were submitted to a minimum check and third-country nationals were submitted to thorough checks. Lithuanian citizens may be entered in VSATIS and checked in the databases if a border guard has suspicions about them. During the visit, for example, the majority of young women were checked in the database. This was based on a risk assessment concerning the phenomenon of the misuse of Lithuanian passports. Also, border guards may decide to check a Lithuanian or European citizen because of an individual assessment.

All third-country nationals were checked against national databases either using the data included in the machine-readable zone or by manual introduction of the data. The experts found the checks in databases and registration of the information using passport readers to be very quick.

If need be, thorough checks on EU nationals and additional thorough checks on third-country nationals are carried out in the second-line office, which is located next to the control booths.

Technical equipment was used during border checks, although experts noted that some of border guards were not using light sources to check documents.

All passports of third-country nationals were stamped. Stamping was carried out correctly in most cases; sometimes the experts noted that the stamp covered the machine-readable area of the visa. Stamps are issued to border guards in shifts by the duty officer and each border guard has to sign when receiving and returning the stamps. The attribution of the stamp is also registered in the internal database, which also indicates when the security code needs to be changed. The shift leader keeps the stamp registration book.

The numerical security codes for uniform entry/exit stamps are changed once a month according to the Order of the Deputy Commander of the SBGS.

Due to the fact that Directive 2004/82 is not yet implemented, the passenger lists of third-country flights are not provided to the BCP [4].

Advanced information on the passengers of private planes from third countries is not provided.

4.3.3. Utilization of registers

All third-country nationals are entered on entry and exit in VSATIS, which is the electronic system of the SBGS. The information system of SBGS is connected to the server of the Information and Communication Department of the Ministry of Interior, and utilizes the following databases:

- Police Department Database (wanted persons),
- Migration Department Database (persons whose entry has to be hindered),
- Database of lost and invalid passports,
- Citizen's Register of the Republic of Lithuania,
- Database of wanted persons and invalid documents of the Republic of Latvia.

Every individual border guard has his own access card to this system, by which it is possible to track every registration of this person in the system. Personal data are entered in the system either by the document reader or manually. By entering data in VSATIS, a check is made automatically against the abovementioned databases.

Additionally every working position at the first and second line is equipped with access via the internet to the set of electronic support materials consisting of specimens of travel documents in the "Keesing" database.

A database of situation reports on the past day from the SBGS, the Police and Customs was available in the duty officer's office.

4.3.4. Utilization of the Common Manual

A copy of the Common Manual and of the Schengen Borders Code was available in the first-line booths on paper and also electronically through the intranet.

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[4] See footnote 3.

4.3.5. Vehicle check

1-2 border guards in every shift were dedicated to checking aircraft.

4.3.6. Processing of refusals and asylum applications

The duty officer is responsible for decisions on refusals. He is also responsible for filling in the refusal form. An EU form and a national form for refusal are in use simultaneously. In all cases of refusal both forms are filled in manually, and the person has to sign both forms. The Committee was told that the national form is used because the reasons for refusal are defined in more detail there.

The number of refusals has been stable for the last three years. 148 persons were refused entry in 2003, 139 persons in 2004 and 157 persons in 2005.

In 2005 the ground for refusal in 85% of cases was the absence of a valid visa. 15 persons were refused entry for not being in possession of a valid travel document and 4 persons for not being in possession of documents justifying the purpose and conditions of their stay.

4.3.7. Issue of visas

At Vilnius airport visas are issued at the border by the SBGS. In 2005, a total of 1149 visas were issued from which 668 visas were issued on request of the Migration Department and the Ministry of Foreign Affairs. The SBGS issued visas mainly to seamen, and also for attendance at competitions and conferences. These visas were mainly issued to nationals of Russia, Ukraine, Serbia and Montenegro, India and the Philippines. In the first half of 2006, 432 visas were issued, of which 210 were issued by the SBGS. Most of them (189) were issued to seamen, and some for humanitarian reasons. Visas were mainly issued to nationals of Azerbaijan, the Philippines, Russia, India and Serbia and Montenegro. The Committee was told that one of the reasons for issuing visas at the border was the limited number of Lithuanian representations in third countries.

The visas are issued in the second-line offices in the arrivals hall close to the first-line control facilities. The same equipment is used to issue visas as in Lithuanian embassies abroad. Information about issued visas is entered into the national visa register via the internet.

4.3.8.   *Second-line activities*

Second-line activities consist of thorough checks on EU citizens and on third-country nationals, the thorough examination of travel documents, the processing of refusals of entry, the issue of visas, the guarding of detained persons or persons refused entry, the investigation of detained or apprehended persons and the monitoring of the radiation control system.

Second-line activities are carried out by the head of the shift, the duty officer or his/her assistant, by the supervisors at the first line and by the document expert.

The head of the shift in the second line has a good overview of queuing passengers from entry into the terminal until the border check is carried out.

4.4.   Border surveillance

4.4.1.   *Tactics applied, including system of border patrolling, command and control*

Various agencies are involved in the monitoring the vicinity of the airport for different purposes. Besides the SBGS and the Customs these were the Police, the Airport Security Service and the Second Regiment of the Internal Forces. Of these agencies, only the SBGS were competent to apprehend illegal migrants. If any of the other agencies come into contact with a (possible) illegal migrant, they will immediately contact the SBGS.

The perimeter of the airport is patrolled by the Aviation Security Patrol Service from airside, and the apron is patrolled by the Aviation Security Patrol Service and the Second Regiment of Internal Forces. 122 persons are used for patrolling by the Aviation Security Patrol Service.

4.4.2. Situational awareness (description of methods of surveillance used in order to detect and identify potential illegal crossing of the border)

For surveillance of the airside and landside of the airport 73 CCTV cameras are used.

Video surveillance materials are stored for 30 days. The experts were told that there are no legal limitations for the storage of surveillance material in Lithuania. The limitation was purely practical. No cameras were used purely for border control. However several of them were movable in such a way that all persons in a certain area could be observed.

The Committee was informed that there will be a Perimeter and Border Intrusion Detection System operational from 1 December 2006.

4.4.3. Reaction capability (ability to encounter incidents – routine situations and situations posing an intensified threat)

The Special Task Unit of the SBGS and the Task Force Squadron of the Vilnius Frontier District of the SBGS could be used to counter incidents and situations posing an intensified threat at the Vilnius Airport BCP.

4.5. Staff and training

4.5.1. Adequacy and the level of professionalism

According to the structure of the Vilnius Airport BCP, the personnel of the BCP consists of 99 persons, 98 of whom are professional border guards. 92 staff positions were filled at the moment of the inspection. These were the Chief of the BCP, the Deputy Chief of the BCP, 5 senior specialists, 5 specialists, 39 senior border guards and 40 border guards at the BCP, or in total 12 officers and 79 non-commissioned officers and one civilian employee. The Committee found the personnel to be experienced and motivated and the professionalism of the border guards to be at a good level.

4.5.2. Basic training

All border guards of the Vilnius Airport BCP had passed designated basic training.

4.5.3. Further continuing education

Further continuing education is organised in the form of different training courses provided at national and regional level and as in-service training at the BCP. 58 border guards from the BCP took part in different training courses in 2004, and 44 border guards did so in 2005.

4.5.4. Linguistic skills and training

The Committee found that the border guards at the BCP have good language skills, especially in Russian and English. The experts were informed (see the table below) that 97% of the personnel speak English to a certain extent and 99% speak Russian. However, the level of knowledge of English should be improved as 86% of those speaking English have only a basic level of knowledge. During the inspection the experts noted that some border guards were not able to carry out a full interrogation of the passenger due to insufficient knowledge of English. Almost all Border Guards were capable of speaking Russian, 71% of them at intermediate or advanced level.

Language	Level of knowledge						Total Number
	A 1	A 2	B 1	B 2	C 1	C 2	
English	60	16	6	6	-	-	88
Russian	-	26	27	18	9	10	90
German	21	2	4	-	1	-	28
French	-	1	-	-	-	-	1

In 2004, 14 border guards participated in foreign language courses, among them 3 supervising officers. In 2005, 8 officers passed foreign language courses, among them 2 supervising officers.

4.5.5. Specialised document checking skills and training.

All BCP personnel used for first and second-line border checks have had special training on checks of travel documents during their basic training, and have first-level document specialist knowledge . In addition there are 4 border guards with second-level document expert education and two third-level document experts. Regular training for document experts has been organised at national and regional level. In 2004 four second-level experts passed a falsified document detection course lasting 80 hours and one third-level expert passed a course lasting 64 hours.

In 2005 three second-level document experts passed the falsified document detection training course lasting 80 hours, and two second-level experts and one third-level expert passed the respective courses lasting 16 hours.

The second and third-level experts regularly organise training on travel documents and detection of falsified documents for other BCP personnel. The Committee was told by the third-level expert that he provides training to the border guards three times per week with a duration of 2-3 hours.

4.5.6. *Availability turnover of staff*

The BCP operates 24 hours per day. Day shifts last from 7 a.m. till 6.30 or 8.30 p.m., night shifts from 6 or 8 p.m. till 7.30 a.m. Staff in the Administrative Section and Document Investigation Section work 5 days per week from 8 a.m. till 5 p.m.

The day shift consists of 18-19 border guards, the night shift of 14-15 border guards. The shift is led by the Head of Shift. The Duty officer together with his/her assistant work directly under the Head of Shift.

There are 4-6 border guards responsible for border checks in arrivals (one of them is the supervisor and one is responsible for issuing visas), 5-7 border guards for border checks in departures (one of them is the supervisor), 1-2 border guards for checks of aircraft and escorting passengers and 3-4 border guards in the mobile group, responsible for border checks at Vilnius railway station.

The experts found that every first-line Border Guard officer performs about 8000 border checks on non-Schengen passengers per year, and the number of personnel for the border checks was assessed as sufficient to perform high quality checks.

The Committee considered the Vilnius Airport BCP to be a favoured border guard unit as 45% of the personnel had a university level of education, and found the personnel experienced and permanent as 67% of the personnel have more than 5 years service in SBGS and 41% of personnel have more than 11 years of service.

4.6. Readmission, expulsion and illegal immigration, carriers' liability

4.6.1. Administrative structures and coordination

25 expulsions and readmissions were effected at Vilnius airport in 2005 and 14 in the first half of 2006, of persons with a variety of nationalities. The institutions authorized to take decisions on expulsion are the Migration Department or the Vilnius District Administrative Court. The decision is implemented by the SBGS or by the Police. The agency responsible for detention of the alien at the moment when the return decision is taken will also be responsible for effecting the removal and for providing an escort, if needed.

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

The number of persons refused entry at Vilnius Airport and afterwards removed in 2005 was 157. 189 persons of 22 nationalities were expelled from the Republic of Lithuania in 2005, 25 of them (13%) via Vilnius Airport. To effect a return, the Migration Department may issue an EU Travel Letter. By the time of the expert team's visit, there had been 1 case in which return was effected using an EU Travel Letter, to Kosovo. At the time of the evaluation team's visit, no use had been made of the Directive on mutual assistance in the case of removal by air. However, all Lithuanian international airports have been appointed as contact points for the purpose of this Directive.

4.6.3. Means deployed to combat illegal immigration networks

There are two officers of the Operative Activity Division of the Vilnius District of the SBGS located permanently at the BCP to carry out intelligence activities and risk analysis and to participate in combating illegal immigration networks.

4.6.4. Sanctions imposed on carriers

Decisions to impose a fine on carriers have to be endorsed by the Chief of the Vilnius BCP. Before 2006, no sanctions were imposed on carriers. In 2006 fines on carriers were imposed in 7 cases. Of these cases 1 case was reversed, 1 case was appealed against, 1 case was recovered, 1 case is in court and 3 cases are under investigation. The Committee was told that every time a fine was imposed an appeal was made in court by the carrier. In one case the fine imposed on the carrier was diminished by the court to LTL 1000 (approximately EUR 290). The Committee feels that the possibility of fining carriers could be used more often by the SBGS.

4.7.   Comments and recommendations of the Evaluation Committee:

The experts were appreciative of the following:

- The sufficient number of personnel to perform border controls at a good level. Based on interviews at the BCP, the border guards seemed to be well motivated.

- Regular training on detection of forged travel documents and involvement of third-level document experts in the structure of the BCP.

- The professionalism of the border guards and their attitude towards the duties and the threats to be tackled.

- Good and efficient cooperation between the SBGS and Aviation Security at Vilnius Airport, especially concerning the common use of the Surveillance Centre.

- The permanent location of two officers of the Operative Activity Division of the Vilnius District of the SBGS at the BCP to carry out intelligence activities and risk analysis and to participate in combating illegal immigration networks.

- The location of the second-line offices immediately next to the first line at arrivals and at departures which allows for close cooperation between both lines, including the possibility of a good view of queuing passengers.

- The experts found the first and second-line equipment to be in conformity with the relevant recommendations in the Schengen Catalogue and with the Council Recommendation of 28 May 1998 on the provision of forgery detection equipment at ports of entry to the European Union. The scanners for machine-readable passports are not only able to read passports but they also automatically save the last image taken. The scanners and the network were found to be operating in a very fast manner.

The experts took special note of the following items:

- The number of border guards speaking foreign languages was found to be appropriate. The personnel of the Border Guard Service (from high rank officers to lower levels) have skills in different languages. The Committee would like especially to point out the wide knowledge of the Russian and English languages. However, the SBGS is invited to continue courses for the border guards at the airport to raise their level of skill in English.

- The experts were of the opinion that the possibility could be considered of using second-line checks more often.

- The national Visa Information System was used online when issuing visas at the airport and also for second-line checks. The Committee recommends considering use of the Visa Information System for first-line checks of third-country nationals in possession of visas.

- The Committee urges that all the rules in the Common Manual on affixing entry stamps in the visas of third-country nationals should be followed.

- Situation reports on the past day from the SBGS, the Police and Customs were available at the duty officer's office; however, any other products of regular or tailored risk analyses were not presented to the Committee at the BCP.

The experts consider that there is room for improvement on the following points

- The Committee noticed that for the checks in arrivals, passengers from flights using the arrival gate were queuing not in the arrival hall but on the stairs beside the first line, and that the border guards did not have a frontal view at the queue. The Committee invites the SBGS to organise the queues at the arrivals area in such a way that the passengers are facing the booths.

- The Committee found the number of sanctions imposed on carriers to be low and the amount of the fines imposed by the court not to be in line with the Council Directive 2001/51/EC. The Committee is of the opinion that the possibility of fining carriers could be used more often following the Council Directive.

- The current construction of the passenger terminal does not provide separation of passengers on Schengen and non-Schengen flights in the departures area. The separation above the booths at arrivals does not reach the ceiling. There is no transit area in Vilnius Airport. Construction of the new terminal should be completed in due course and the Lithuanian authorities are invited to inform the Schengen Evaluation Working Party about the progress of construction works. Follow-up is recommended.

5. PALANGA INTERNATIONAL AIRPORT

5.1. General information

5.1.1. Environment, structure of border crossing point, organisation, traffic, threats, crime statistics

Palanga airport is situated 28 km north of Klaipėda. It is the only international airport in the western part of Lithuania. The airport is administered by the state enterprise Palanga International Airport.

The airport is used for international and domestic passenger traffic, general aviation and cargo traffic and operates 17 hours per day (from 6 a.m. till 11 p.m.).. When needed, services can be provided outside the regular timeschedule (24 h/day).

The annual number of passengers on international flights in 2005 was 76957 and which is an increase of approximately 21% compared to 2004. Since 2003 the passenger flow has increased by about 78%. Lithuanian citizens were 43% of passengers in 2005.

There were 40 scheduled flights to 9 Schengen destinations (6 airports in Germany, and the airports of Copenhagen, Oslo and Billund) and 4 flights from 2 non-Schengen airports (3 flights from Moscow and 1 flight from Dublin) per week. The percentage of non-Schengen passengers was only 4% of the total passenger flow in 2005.

Domestic flights run between Palanga and Vilnius.

According to the airport development plan prepared by a German company the number of the passengers during the next five years is estimated to increase by 5-20 thousand passengers per year, reaching the maximum of 144 000 passengers in 2010. At least 20 % of passengers are estimated to be from non-Schengen countries by then, the majority being Russian citizens.

Palanga Airport prepared an investment project regarding the allocation of LTL 3 million from the state budget for extension of the passenger terminal, upgrading it to comply with the requirements of the Schengen acquis. LTL 1 million was assigned by the Government of the Republic of Lithuania in 2006 to the state enterprise International Palanga Airport. The additional LTL 2 millions under the investment project are expected in 2007. Preparation of the technical project has now started. The estimated time for completion of this technical project is August 2006. In October a contractor will be selected, an agreement signed and the works will start. It is expected that the terminal extension designed to accept passengers from non-Schengen countries will be completed and all necessary equipment installed by 30 September 2007.

Border control at the BCP Palanga is carried out by the Palanga Frontier Station of the Coast Guard District of the SBGS. The Palanga Frontier Station is a structural sub-unit of the Coast Guard District responsible for border checks, coastal surveillance and control of a section of land border with the Latvian Republic. Border checks are carried out at Palanga airport BCP, Būtingė oil terminal BCP, and Būtingė-Rucava land border BCP.

Three wanted persons were detained in 2003, two in 2004 and 15 in 2005.

Three counterfeit travel documents and 2 counterfeit visas were discovered in 2003, and 2 forged travel documents were found per year in 2004, 2005 and the first six months of 2006. All the forged documents have been discovered during departure checks. In 2006, two Moldovan nationals were detained during departure checks attempting to cross the border with forged Lithuanian passports

5.1.2.   Regional or local strategy, inter-agency cooperation, international cooperation (regional and cross-border cooperation)

Cooperation is organised with the Airport Customs Post, the Airport Administration, the Aviation Security Service, the Flight Control Centre, the Palanga Police Station, the National Defence Volunteer Forces for Protection of Airports and with carriers.

5.1.3. *Risk analysis and intelligence functions*

Due to the small amount of air traffic and the small number of detected violations and illegal migrants the BCP does not carry out special any risk analysis nor does it perform intelligence functions at airport level. Information is collected at Palanga Frontier Station and Coast Guard District and provided in a monthly report. The head of the shift of the BCP Palanga Airport submits a daily report about the results of border checks to Palanga Frontier Station. The border guards receive a regular briefing with all the necessary facts relevant to their shift, provided by the head of the shift as it begins.

There were situation reports on the past day from the SBGS presented by border guards. No regular systematized analyses prepared by the responsible units at the national or regional level were available at the BCP on paper nor via intranet.

5.2. Infrastructure and equipment

5.2.1. *Signposting*

EU pictograms were used in conformity with the signs annexed to the Council Decision 2004/581/EC determining the minimum indications to be used on signs at external border crossing points and with the Annex III of the Schengen Borders Code.

5.2.2. *Separation of flows*

At Palanga Airport there is one terminal building. Given the small number of passengers at the Palanga BCP the separation of Schengen and non-Schengen passengers is provided by organisational arrangements. Currently there is only a physical separation of departing and arriving international passengers. Domestic passengers arrive and depart from a separate domestic gate. Passengers are accompanied by airport administration staff between the plane and the terminal. Additional airport staff were said to be present in the peak summer season. The movement of passengers from/to the plane is on foot or by bus. Arrivals by foot are under the supervision of airport aviation security personnel and the operator.

There is no separate international transit zone at the airport.

After the reconstruction of the passenger terminal a new area in the Northern part of the terminal will be used for non-Schengen arrivals and departures. The existing area for departures and arrivals will be used for passengers on Schengen flights. To retain flexibility in this small airport with limited traffic, both parts of the terminal can be used for Schengen when there are no non-Schengen flights. The project envisages the possibility of non-Schengen/non-Schengen transit. The Committee found the project suitable to provide the separation of passengers on Schengen and non-Schengen flights.

5.2.3.   Lanes for checks

There are two lanes at arrivals and also at departures. These two lanes are separated by a metallic barrier. One of the lanes was used for border checks of citizens of EU and EEA Member States and CH, and the second for passengers in possession of all other passports.

There are no special lanes for the checking of crew members or general aviation. Experts did not have the opportunity to witness a check on crew. For VIPs there is a separate booth, next to the VIP room.

5.2.4.   Control facilities

There is one booth with 2 working positions for border checks of passengers and aircraft crews at arrivals and one booth with 2 working positions for border checks of passengers and crews at departures. There is one booth with one working position for border checks in front of the VIP lounge. All control booths at the airport are facing the passengers.

The only second-line office is near to the first-line control booths for arrivals.

5.2.5.   Equipment: first line, second line, mobile

In the first-line booths every working position was equipped with a computer workstation with an MRTD linear document reader, a magnifying glass, and UV, infrared and retro-reflective 3M film control lamps. In addition there is a "Waldman" or "Regula" document checking device installed in every booth (a device consisting of a magnifying glass and several light sources). There was one mobile kit for document checks at the airport.

Entry and exit stamps used by the Border Guard were found to be in compliance with the technical specification referred to in Article 9 of the Decision of the Schengen Executive Committee SCH/COM-EX (94)16 REV 1 as well as in Article 2.1 of the Common Manual.

5.2.6. *Communication*

The internal phone communication system and VHF radio communication systems were used for communication between authorities operating at the airport. All first and second-line working positions are equipped with phones.

All computers used for first and second-line border checks are connected to the intranet. Additionally there is internet access, an international phone and a fax connection at the second line. The area is covered by the mobile phone network.

Communication with the Palanga Border Guard Station is by phone and the VHF radio network.

5.2.7. *Transportation and mobility*

The vehicles needed for mobile border guard patrols are available.

5.2.8. *Access control / fencing*

Physical access control is provided by the Airport Security Service. There is no electronic access control system in the passenger terminal at Palanga Airport.

The whole perimeter of the airport is fenced and covered by an alert system with 14 CCTV cameras. The space in front of the border control booths is also covered by video surveillance. The video system is handled by the Airport Security Service. Monitors have been installed in the video control room manned by the Aviation Security Service and there are two monitors in the BCP duty officer's office.

5.2.9. *Detention / readmission premises*

There are no detention facilities at the airport. The VIP lounge is used to hold persons awaiting removal.

5.2.10. *Storage of blank visas*

Blank visas are stored in a small locked box in a safe in the office of the chief of the shift. The deposit box is locked and sealed; blank visas are counted when shifts change.

5.3. Controls and procedures

5.3.1. *Traffic handling / traffic modes*

The current flight schedule almost makes it possible to process one plane after the other. The SBGS can receive information about the arrival and departure of international flights from the airport authorities. The aircraft stands are located to the left of the main building. Generally, passengers walk from the plane to the arrival gate, as the aircraft park close to the airport building. If the aircraft is parked further from the building, a bus is available to transport passengers to the gate. Airport Authority staff, military staff and the border guards monitor passenger movement on the apron.

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

All passengers on international flights are checked on entry and exit. EU citizens are submitted to a minimum check; third-country nationals are submitted to thorough checks. All third-country nationals are said to be entered in VSATIS on entry and exit. Every individual border guard has his own access card to this system, by which it is possible to track every registration of that person in the system. Lithuanian or other European citizens may be entered in VSATIS and checked in the databases if a border guard has suspicions about them. During the experts' visit, all departing Lithuanian passengers were asked for their onward destination from Copenhagen, and were asked to state the purpose of their stay in the country of destination. Also, it was checked if Lithuanian citizens had work permits, if needed.

Checking procedures on arrival were found to be adequate. The equipment for document checks was frequently used by border guards.

The experts found that some border guards were not fully aware of the security features of documents and forgery methods of travel document.

Border guards had not yet been briefed about the differences in procedures as set by the new Schengen Borders Code.

5.3.3. *Utilization of registers*

During the regular thorough checks of third-country nationals and non-systematic checks on persons enjoying the Community right of free movement the following national databases and databases of the Republic of Latvia were consulted via "VSATIS",the Information System of the SBGS:

- database of wanted persons;
- database of aliens whose entry has to be hindered;
- invalid documents;
- Citizen's Register of the Republic of Lithuania;
- wanted persons and invalid documents of the Republic of Latvia.

The personal data were entered in the system either by the document reader or manually. When data is entered in "VSATIS" a check is automatically made against the above databases. Access to "VSATIS" is also available at the second line.

Additionally, access was available to a set of specimens of travel documents (Keesing Documentchecker Identity Documents) and forged documents at every first or second-line working position, via the intranet. However the database containing specimens of travel documents used at the first line was found not to be complete.

5.3.4 *Utilization of the Common Manual*

A copy of the Common Manual was available in the booths. In addition the Common Manual, the Schengen Borders Code, the Schengen Catalogue and the Common Consular Instructions were available via the intranet.

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5.3.4. Processing of refusals and asylum applications

A standard form for refusal of entry at the border according to Council Decision 2004/574/EC is filled in and handed to the alien concerned. Additionally a second form is filled in by the border guard in Lithuanian. The refusal is usually processed by the Chief of the Shift. Refusals were registered in a special journal at the airport BCP.

The number of refusals of entry has been low during the last three years. Four people were refused entry in 2003, eight in 2004 and four in 2005. The main reasons for refusal were the lack of a valid visa (9 cases in total during the last three years) or the lack of a valid travel document (6 cases). Mostly entry was refused to citizens of the Russian Federation and Ukraine

No asylum applications have been submitted at the airport during the period 2003-2006.

5.3.5. Issue of visas

Visas can be issued at the Palanga airport BCP in exceptional cases. The decision to issue a visa is taken by the Chief of Shift. All issued visas are registered in a special journal.

The number of issued visas:

	B visas	C visas	Total
2003	29	5	34
2004	11	2	13
2005	32	2	34

Visas were issued mainly to seamen in accordance with Council Regulation 415/2003.

During 2003-2005, 58% of visas were issued to citizens of the Philippines, 24% to citizens of India, 5% to citizens of Romania, 4% to citizens of the Russian Federation and 3% to citizens of Kazakhstan and citizens of Serbia and Montenegro.

5.3.6. Second-line activities

Second-line activities consist of thorough checks on third-country nationals and on EU citizens, the thorough examination of travel documents, the processing of refusals of entry, the issue of visas and investigations of detained or apprehended persons.

Second-line activities are carried out by the Head of the Shift, the duty officer or his/her assistant, the first-line supervisors or the document expert.

The experts were told that the second-line room was used approximately 10 times a month. During the experts' visit no passengers were selected for second-line control.

5.4. Border surveillance

5.4.1. *Tactics applied, including system of border patrolling, command and control*

The whole perimeter of the airport is under permanent electronic surveillance around the clock and is patrolled by voluntary military personnel from the Lithuanian National Defence Volunteer Forces. That solution is to be changed by a national Lithuanian decision during the autumn of 2006. That decision will establish if responsibility for guarding the airport should be passed to another part of the Lithuanian armed forces or if it will be conducted by the Border Guard in future.

5.4.2. *Reaction capability*

BCP activities at Palanga Airport are backed up by the Palanga Border Guard Station where additional personnel are permanently available.

5.5. Staff and training

5.5.1. *Adequacy and the level of professionalism*

20 border guards are assigned from Palanga Frontier Station for border checks in the Palanga Airport BCP. These persons are permanently employed at the airport. The experts found that the staff they met at the Palanga Airport BCP during the inspection were professional and well motivated, as was shown amongst other things by their good communication skills. However, the experts recognized that the level of knowledge of travel documents of some border guards needs improvement. The limited knowledge may partly result from the fact that border guards at Palanga Airport are confronted only with the documents of a limited range of nationalities.

5.5.2. *Basic training*

All border guards carrying out border checks have passed the basic border guard training.

5.5.3. *Further continuing education*

Border Guards are given about 7 hours training each month which is delivered by responsible officers from the Palanga Frontier Station according to the training curriculum.

18 border guards from the Palanga Airport BCP passed the "EU / Schengen Acquis requirements for border protection " training programme during the period 2003-2006.

The Committee was informed that the border guards had not yet been briefed about the procedures set by the Schengen Borders Code.

5.5.4. *Linguistic skills and training*

Language	Level of knowledge						Total Number
	A 1	A 2	B 1	B 2	C 1	C 2	
English	9	3	2	2	-	-	16
Russian	-	-	-	5	15	-	20
German	-	-	1	-		-	1
French	-	-	-	1	-	-	1

The Committee was informed that all Palanga Airport BCP personnel speak Russian at advanced or intermediate level, 16 persons speak English, one border guards speaks German and one speaks French. The Committee noted that the border guards observed during the inspection used their language skills without any hesitation, although the level of knowledge of English could be improved as more than half of the personnel speak English at the basic level.

6 border guards have passed language training since 2003 in English, German and Russian.

5.5.5. *Specialised document checking skills and training*

All officers working at the BCPs have attended the special basic course on document checks and have the knowledge of a level one document control specialist.

There are 4 second-level document experts at the checkpoint. The document experts can be used to carry out first-line border checks.

5.5.6. Availability and turnover of staff

There is one team for the airport on the station. There are 4 shifts for border checks. In every shift there is a Chief of Shift and 2-5 border guards. A day shift lasts from 7 a.m. till 9 p.m. and a night shift from 9 p.m. till 7.a.m.

The experts found that every first-line Border Guard officer performed about 140 border checks on non-Schengen passengers per year in 2005, and the number of personnel for the border checks was assessed as sufficient to perform high quality checks during the next 4-5 years.

The Committee found the personnel of the BCP to be experienced and permanent as 87% of the personnel have more than 5 years' service in the SBGS and 53% of the border guards have served in the SBGS for more than 11 years.

5.5.7. Readmission, expulsion and illegal immigration, carriers' liability

No expulsions and readmissions were effected from Palanga Airport in 2005 and the first half of 2006. All persons refused entry were removed by carriers.

Sanctions on carriers will be imposed by the Chief of the Border Guard Station Palanga or by the Deputy Chief of the station. In 2006, two third country nationals were refused entry due to the absence of Lithuanian visas. Fines were not imposed on carriers.

5.6. Comments and recommendations of the Evaluation Committee:

The experts were appreciative of the following facts:

- Taking into consideration the size of the airport and the number of passengers, the number and the quality of personnel was found by the Committee to be sufficient to perform their tasks. The border guards met during the visit seemed to be well-motivated.
- The Committee was appreciative of the use of the Russian and English languages and of the communication skills of the border guards while carrying out border checks
- The equipment for first and second-line border checks and the number of booths were found to be adequate for the current passenger flow.

- The technical surveillance system on the perimeter of the airport was found to be advanced and efficient.

- The Committee found that cooperation between the Border Crossing Point and the Aviation Security at Palanga Airport was good. The Committee was told that contacts with the partner services at destination airports had been arranged.

The experts took special note of the following items:

- BCP personnel are experienced and motivated; however, regular special training on document checks should be provided to all personnel performing border checks.

- Despite the impressive number of officers having foreign language skills, further training is recommended for officers at the basic language level.

- The majority of officers could use the equipment available in the booth at an adequate level. The Committee recommends regular use of the technical equipment to verify the authenticity of the travel documents of third-country nationals.

- The Committee considers that, taking into account the number of passengers that arrive and depart from Palanga Airport and the number of Border Guard personnel, the border guard shifts have a large capacity to conduct second-line controls. The border guards are therefore invited, on the basis of profiling, to perform thorough checks on third-country nationals more often, using the second-line facilities .

- The Committee invites the SBGS to provide training on the Schengen Borders Code to all border guards before the date of implementation of the Code.

Experts consider that there is room for improvement on the following points

- Palanga Frontier Station should introduce a full intelligence-led Risk Analysis System according to the CIRAM model. The experts considered the need for a wider range of risk analysis products at all levels of the Coast Guard District SBGS.

- Due to the limited range of documents presented at Border Control and also the limited number of nationalities crossing Palanga Airport Border Crossing Point, the border guards were found not to be fully aware of the security features of documents and forgery methods. The Committee invites them to improve their knowledge of fraudulent documents and of the security features of travel documents on a daily training-on-the-job basis, especially regarding the documents that are currently most frequently presented.

- The current construction and infrastructure of the passenger terminal currently used for border checks do not make it possible to separate passengers on Schengen and non-Schengen flights or allow the transit of non-Schengen passengers. However, the Committee was briefed about the arrangements for reconstruction of the terminal and the basic technological scheme for passenger flows and the organisation of border checks was presented. The Committee was informed that the reconstruction works will be finished in summer 2007.

- On entry into force of the Schengen Borders Code the Lithuanian authorities are invited to ensure that information about private flights from third countries is provided to the Border Crossing Point before take-off.

- No carriers were held liable, even though two people were refused entry in 2005 due to the absence of a valid travel document and in two were refused due to the absence of a valid visa.

6.   **GENERAL CONCLUSIONS INCLUDING RECOMMENDATIONS AND FOLLOW-UP**

- The strategy for border management in the Republic of Lithuania is comprehensive and based on the integrated border security model. The Committee is of the opinion that the general strategy represents best practice in the application of the Schengen acquis.

- The Committee found the organisation of the State Border Guard Service of the Lithuanian Republic to be centralised and clearly structured. A direct command line exists between Border Guard units at central, regional and local level assuring a common approach to border control, a unified planning system and data flow at all levels of the organisation.

- Interagency cooperation seemed to be very tight and efficient. In particular, the Committee would highlight the integrated and systematic approach of the SBGS and cooperating authorities to tackling border-related threats and risks.

- The Committee appreciates the wide international cooperation carried out by the State Border Guard service at central and regional level, and contacts with authorities carrying out border control at the main destination airports.

- The Committee is of the opinion that the number of border guard personnel used for border checks at the BCP Vilnius and BCP Palanga responds to the current flows of the passengers and is sufficient for carrying out border checks after full accession to the Schengen area.

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- Relevant national legislation seems mainly to respond to the Schengen Acquis. However, the Committee noticed that the Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data has not yet been adopted in national legislation. [5]

- The Committee appreciated the professionalism and attitude toward their duties of the border guard personnel. The Committee is of the opinion that Lithuania is providing a good level of border management at the airports, and that it mainly meets Schengen requirements. Experts found border checks to be efficient, with some minor exceptions.

- The system of basic training for border guards seemed comprehensive and efficient. The Committee was satisfied with the well-organised training on the detection of forged documents at Vilnius Airport. However the Committee saw a need for improvement in the level of document knowledge at Palanga Airport.

- The Committee highlighted the general knowledge of foreign languages of the border guards; the Committee especially points out the high level of Russian language skills. Additional training to upgrade the level of knowledge of English from the mainly basic level is welcomed.

- The Lithuanian authorities are well aware of the situation at the borders. The Committee appreciates the measures taken by the Lithuanian Border Guard to create the system of risk analysis and recommends considering carrying out joint risk analysis with the authorities involved in border management and combating illegal immigration. It would also be appreciated if analyzed information were to be distributed regularly at local level for use in border control at BCP level, by the shifts and by individual Border Guards performing border checks.

- The Committee stresses the importance of active preventive measures in the first tier of the border management system. The widening of the Immigration Liaison Officers network should therefore be considered. In this respect, the Committee appreciates the decision of the Lithuanian authorities to second a liaison officer from the SBGS to Ukraine and Moldova. The Lithuanian authorities are urged to consider the placement of joint liaison officers or document advisors together with other Member States of European Union.

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[5] See footnote 3.

- The Committee is of the opinion that the threats of illegal immigration at the air borders of Lithuania are currently not high compared to the land borders and that the transit of illegal immigrants via the air borders remains at a low level. Regarding the main modus operandi currently used by illegal migrants - where they arrive in Lithuania legally in possession of the necessary travel documents and Lithuanian visas, then obtain forged documents in Lithuania which will be used to leave Lithuania and enter other EU countries - the Committee stresses the importance of the preliminary control of aliens in the process of issuing visas in consulates and the role of controls on aliens within the country, especially after the abolition of border checks at the internal borders.

- The Committee invites Lithuania to amend the national legislation in order to be fully in line with Council Directive 2001/51/EC and to reconsider the current court practice on that issue.

- The Committee is of the opinion that the infrastructure used for border checks at the airports does not respond fully to the relevant recommendations described in the Schengen Catalogue and to the relevant articles of the Schengen Borders Code. There is no readiness yet for the full separation of passengers on Schengen and non-Schengen flights. The Committee invites the responsible authorities of Lithuania to remove existing gaps in the infrastructure and to ensure the separation of passengers. The Lithuanian authorities are invited to inform the Schengen Evaluation Working Party about completion of the construction work at the airports in due course. Follow-up is needed.

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