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NOTE

from :	the Presidency
to :	the Working Party on Schengen Evaluation
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Subject :	Catalogue of recommendations for the correct application of the Schengen acquis and best practices - Frontiers

(p.m. in the introduction to the Catalogue, a definition of the "Member states applying the Schengen acquis" will be given, taking into account the specific situations of the UK and IRL, of DK as well as of IS and N).

(make also a reference to what the Schengen acquis is, being the Convention, the Common Handbook, other Manuals, the reports of the evaluating committees for Germany, Greece and the Nordic countries. The acquis was integrated in the EU by Council decision ... published in the Official Journal ...)

(mention also the fundamentals of the Schengen spirit, being more freedom and more security, including fight against terrorism)

(check terminology in use, for example border controls, border management, surveillance, strategy, model, control, checks...)

(a distinction where necessary between recommendations or best practices which are only applicable to one type of borders (land, sea, air) shall be added).

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A Integrated border security model (a mechanism of different tiers/filters)

I. Introduction

An overall border model is an important tool to safeguard internal security and in particular prevent illegal immigration. It means in simplified terms that a set of complementary measures has to be implemented on different tiers. In this respect four tiers can be identified.

- 1) Activities in third countries, especially in countries of origin and transit, including the collection of information by Liaison Officers as well as the with a key role of the consular post abroad in the process of visa issuing.
- 2) International border co-operation.
- 3) Measures at the external borders: border management (border checks and border surveillance).
- 4) Further activities inside the territory of the Member states and between MS

The coherence between these measures and the way they are applied by the MS is a key to the success of the general border model.

II. The four tiers

1. Activities in third countries, in countries of origin and transit

- a The first measure required in terms of time and place is advice from liaison officers and document experts, namely in third countries which are the source of the risks generated by illegal immigration (Article 47 (4) of the Schengen Convention). Officials working abroad for the Member States' consular posts and carriers shall be trained by specialists in order to detect document forgeries before the actual travelling has started.

When visas are issued and when passengers are transported by air and sea, it is of great importance (to detect) false and falsified documents in order to prevent unauthorised entry into the Schengen area. The training given by document advisers makes a vital contribution to the detection of such forgeries by officials working for the Member States' consular posts and for carriers.

- b In the second stage, a thorough inspection of the application documents submitted must be carried out by the Member States' consular representations when issuing visas (cf. Articles 15 and 17 of the Schengen Convention and the provisions of the Common Consular Instructions on Visas). This includes inspecting documents and making database queries pursuant to Article 96 of the Schengen Convention. Consulates shall guarantee that sensitive information and blank documents are adequately protected and stored.

The systematic implementation of EC visa regulation should enable the phenomenon of illegal immigration to be effectively tackled at its roots. The importance of intensive Consular Cooperation should be stressed in that context.

- c Carriers are also obliged pursuant to national legislation on the basis of Article 26 (1b) of the Schengen Convention to take all necessary measures to ensure that third-country nationals carried by air, sea or land, in conformity with article 26.(3) of the Schengen Convention have the travel documents necessary for entry into the territory of the Members States. If third-country nationals are deposited in a EU Member State without the prescribed documents, the carriers will be subject to sanctions and compelled in principle to take back those passengers. Staff of carriers should be trained.

2. Bilateral and international border Co-operation

- a International co-operation in the field of border security can be divided into multilateral, bilateral and local cooperation. In this respect, agreements with neighbouring countries on the co-operation in the field of border management are an efficient tool to increase border security. This can be realised by establishing appropriate working mechanisms like an exchange of information, establishing appropriate communication channels, local contact points, procedures for situation of urgency, solving incidents in an objective way in order to avoid political disputes, etc.

Regional cooperation structures across the external border should be established also at the sea areas. These initiatives shall bring together all countries in the region.

- b As for what concerns the cooperation with adjacent states, it is considered necessary that the transit states lend their active assistance by ensuring that their borders are thoroughly secure and by taking measures away from the border, i.e. consistent repatriation practice - if there is no right of abode and there are no impediments based on serious humanitarian grounds or international law (Geneva Convention relating to the Status of Refugees, European Convention on Human Rights).

3. Measures at the external borders

Core area of general border strategy is a functioning border management consisting of border checks and border surveillance and based on a risk analysis. Art. 6 of the Convention implementing the Schengen Agreement sets out the clear framework to be implemented by the Common Handbook, the two of them complementing each other. Essential elements of border management are 1) that all persons crossing the external borders are checked in a systematic way and 2) the effective border surveillance is ensured between the border crossing points.

In this respect all appropriate measures have to be taken in order to safeguard internal security and prevent illegal immigration¹:

A coherent **legislation** based on the EU/EC –Schengen requirements in the area of border management is needed (for example: border guard act, penalties for carriers which transport third country nationals without travel documents, data protection rules). With regard to **infrastructure** appropriate facilities to carry out border checks and – surveillance have to be available. Officials carrying these tasks have to be professional and specialised trained. Sufficient human resources are required. The exact need depends of several factors (geographical situation, volume of border traffic etc.). Moreover a clear concept of **training** (basic training and further training) is required covering operational skills, knowledge of the legislation, languages etc.

Equipment has to be appropriate according to border situation. A functioning **internal co-ordination** on all levels is needed (what authorities are competent for what task, no competence vacuums). Information exchange between competent authorities (border guard, customs, police, judicial authorities) is essential including a mechanism to solve possible disputes of competences between the authorities. Furthermore operational issues have to be covered (for example use of compatible communication equipment).

¹ Recommendations and best practices *see the following part* of the documents

Agreed **international/bilateral co-operation** has to be implemented in practise on the spot (Examples: exchange of information, joint controls, handling of readmission situations). **The special requirements for the three different types of border** (air, sea, land) have to be fulfilled (for example: at the airports a separation of passenger flows - international and internal flights - has to be made by physical means or, for minor airports, by a systematically monitored and accompanied flow of passengers).

4. Further activities inside the territory of the Member states

a Measures to prevent illegal immigration and cross-border crime should be pursued inside the territory of the Member States by enhanced search, control and surveillance measures based on national information and in accordance with national law, where possible on the basis of police cooperation agreements pursuant to Article 39 (4) and (5) of the Schengen Convention. Given that the problems of migration and crime are not subject to geographical restrictions, international traffic routes should in future become main areas of activity for national police forces in accordance with domestic law. However, where public policy or national security so require a Member state may, after consulting the other Contracting Parties, decide that for a limited period national border checks appropriate to the situation shall be carried out at internal borders

b The last stage in the geographical and time sequence is the repatriation in accordance with national law (cf Article 23 of the Schengen Convention) of third-country nationals who have entered the Schengen area without authorisation if no right to stay exists and if there are no obstacles based on compelling humanitarian grounds or international law (Geneva Convention on Refugees, European Convention on Human Rights)

III. Key elements for the correct application of the Integrated border security model

In the following synthetic overview of Recommendations and Best Practices, some basics requirements will be indicated about the methodology for the correct application of the Integrated Border Security Model.

One should emphasise on the coordination of duties between the responsible government bodies in dealing with information, reports, training and in responding to irregularities. Coordination in these fields should extend to regional and local levels, too.

Another key element of the method is to pay attention to the assessment of the situation. Thus, the performance of a border control system shall be adjusted in accordance with the prevailing conditions along all its borders. Valid and reliable data should form part of a permanent evaluation which could be shared by other member states. Where necessary, the allocation of resources should be adapted accordingly

As a general rule, persons performing border police duties shall be specialised trained professionals. Persons with less experience can only be used for auxiliary duties assisting professionals temporarily. No exception is allowed in duties that require any use of personal data, making searches in confidential registers or decisions of interfering with somebody's physical integrity or freedom.

To facilitate mutual trust, any state must be able to provide valid and reliable data concerning the situation at all its borders and also, the applied border control measures. Knowledge on situation at the border lays on knowledge on the performance of border control system. Reliable estimates concerning border control measures should be based, among other things, on complete knowledge of regional and local circumstances. To reach what is mentioned above, and to facilitate cost-effective use of resources, various methodologies should be applied at maritime border control. Terms such as risk analysis, intelligence, data flow management, situational awareness, reaction capability and information exchange with other member states can be used when evaluating and developing these methods.

Risk analysis can be seen as a tool for optimisation of the border control and a way of providing reliable information on the border situation. It should be adapted to the type of borders.

At the practical level this means evaluation of the persons, vehicles, vessels or flights to be checked. This evaluation is made in the context of a real time tactical situation, and thus, the methods can be called **tactical risk analysis**. At the external border, all persons must be checked according to the Common Manual. To reveal border crossing crime, extra emphasis should be put in the checking procedure of risky objects. The personnel should be provided with knowledge on risk indicators, risk profiles and typical modi operandi of border crossing crime. Named special targets of surveillance and control shall also be known by the personnel. The risk analysis and management of border control need to be backed by systematic intelligence. Border control system should be able to gather intelligence, analyse it and finally, utilise the products in field work.

To have a realistic thought about prevailing irregularities on the **level of long and medium term operative management**, these estimates should be drawn:

- the level of risk against illegal border crossing provided by the authorities
- the level of detected irregularities
- the level of estimated undetected irregularities.

The aim of this is to show that there are no pre-known places or routes which offer a lower risk of being caught upon illegally entering the territory of Member states. This is to ensure, that resources will be allocated optimally along the border in order to maintain a reasonable risk level against border crossing crime. Also, at all managerial levels, the control system shall be evaluated in order to find out gaps in the system. A gap exists where illegal border crossing can predictably be committed with a very low risk or without any risk at all.

B Details of Recommendations and Best Practices

1. Recommendations/Best practices

Recommendations	Best Practices
1.1 Strategy and organisational structure <i>1.1.1 general strategy for the border management + risk assessment</i> - Establishing a national plan defining the steps to be taken in the countries of origin and transit, at the external Schengen borders and inside the individual Schengen state - border management is a task which requires a high level of professionalism - streamlined and functionary ministerial competences for border management. Centralised supervision and instruction of border control in the auspices of a ministry working on the field of EU justice and home affairs. - effective border management is obtained by supplementing strategy with technology, equipment and staff; mobile and stationary, airborne or at land/sea, uniformed or not.	- the competent public authority is a specialised Police/Border Guard force (not a military force) - border control and surveillance should be executed by professional officials of the same administration organising border management under one national ministry for Justice and/or Home Affairs

Recommendations	Best Practices
- permanent analysis determines the allocation of personnel and technical resources; - an evaluation is to be made to ensure that the border management matches the requirements of article 6 of the Schengen Convention and to consider whether the border management has to be adapted. Article 7 requires exchange of all relevant information. - At international level the border control has to be ruled in bilateral agreements - cooperation and coordination of the responsibilities of the different bodies should be regulated by an official Act	These agreements/Acts should cover the whole spectrum of cross border cooperation, i.e. joint risk analysis, exchange of experience, cooperation in training, cooperation in investigation
<i>1.1.2 Intelligence and data flow management</i> - A two way information exchange should be arranged between central and local levels of border control authority. - The local authorities should be instructed to gather information on illegal immigration and other border crossing irregularities, analyse it locally, and provide it further to the central	Secure database is established to exchange experience between units and to distribute information on objects of intelligence. This database is available for use in border control. For specified analysis and exchange of information, a network of intelligence liaison officers is established to connect different

Recommendations	Best Practices
level. - The central level should compile all information country wide, process it to usable form and deliver it to local authorities to be used as a tool for tactical risk analysis and operational planning. - Data flow management can be used as a term of evaluating the effectiveness of information exchange inside and between authorities involved in border control. The availability and the access to vital data and data protection are also elements to be evaluated.	units and different organisational levels. The information in intelligence database is hidden, until a specific query is made. The right for searches made is controlled by a supervisory unit.
<i>1.1.3 regional or local strategy</i> - where appropriate, establish regional plans based on risk assessment - intensive cooperation of all law enforcement agencies in the national border region - cooperation with law enforcement agencies of neighbouring states - the reception of information from the population must be encouraged and transformed into risk analysis and operational activities if necessary	- creating gates for information by the public and responding to it (Internet, etc.)

Recommendations	Best Practices
<i>1.1.4 organisational (functional) structure</i> - Coordination of all activities at the central, regional and local level - establishing capabilities to fight successfully against border crossing crime - the organisation should provide highly specialised services required for border checks/surveillance - for example on false documents - Commit a space of time in which the squad must reach the border in case of alarm	- creating a local and regional coordination mechanism or organisation - establishing specialised officers/teams/units to fight border cross crime on different levels if needed - The organisational structure provides in every shift or every BCP that there is a specialised officer for false and falsified documents and one with the necessary linguistic skills
<i>1.1.5 availability and permanency</i> - <i>depending on the situation, ensure availability and permanency of staff.</i>	
<i>1.1.6 Situational awareness and reaction capability</i>	

Recommendations	Best Practices
In green and blue border control, terms of situational awareness and reaction capability can be used to define the provided risk against illegal border crossings. The situational awareness measures how the authorities are capable of detecting cross border movements and finding reasoned grounds for control measures. In practice, the situational awareness depicts, how the authorities define the lapse of time and area for three functions: - detecting movements that possibly could be attempts of illegal border crossing - identifying the detected targets - analysing the identifications The reaction capability at sea or land measures the lapse of time to reach any border crossing movement to be controlled and also the time and the means to react	At landborders, the borderline is covered by constant monitoring (human or technical devices). Where this is not feasible, specialised sniffer dogs may extend the surveilled time. The dogs should not be aggressive or uncontrolled when meeting illegal border crossers. At sea a VTMISS-system (or compatible) covers the whole maritime area and ports under evaluation. All vessels are detected and identified by the system. A vessel once identified remains constantly known by the system. The system is backed up by offshore crafts and airplanes. These mobile units make close identifications, fill in gaps and fetch information from outside of the system. At ports, based on a risk analysis, the port area may be fenced and monitored constantly. In such cases all persons entering or leaving the port area are checked. - deploy stand-by squads At sea there is constant readiness to send a mobile unit, in order to take any vessel trying to reach the coast, under constant surveillance.

Recommendations	Best Practices
adequately to unusual circumstances. The last mentioned necessary time and means to react apply also to the situation in airports.	
1.2 Infrastructure <i>1.2.1 entrance and exit control</i> - The facilities should be there to perform the compulsory entrance and exit controls. - Entering and exiting border crossing traffic of all kind has to be separated <i>1.2.2 organisation of the border surveillance</i> - border surveillance can be carried out by human resources (supported by technical means) or mainly by highly sophisticated technique operated by men. To guarantee the efficiency, the means are adapted to the density of population, number of personnel, equipment and migration risk. - deployment and dissemination of infrastructure facilities (buildings etc.) adapted to mobility, number of staff, regional traffic infrastructure and migration risk	

Recommendations	Best Practices
<i>1.2.3 organisation of the border crossing point</i> - exchange of information with the neighbouring country on building a BCP, aiming at a certain coordination (land) - constructing border crossing points, using common experience among Schengen partners, according to the regional conditions, in perhaps two versions, one model of a large one and another one of a small bcp. Travellers should be made familiar with similar procedures - the delimitation of the bcp and the applicable regulations shall be noticeable to everybody - Border checks shall be executed in special control booths or desks - Inside of buildings specials desks or booths shall provide be dedicated to the different tasks and be built accordingly - Outside of buildings, there are	building border crossing point installations with the neighbouring country in a coordinated way aiming at an adequacy of means (dimension, lanes, installations) (land) • the signpost shall provide information for the users in different languages (depending on type of BCP and neighbouring country) or by international used sketches (pictogram) • a fence around the BCP - these installations shall be provided to all relevant national services/ authorities

Recommendations	Best Practices
control-booths which contain the necessary equipment - Unauthorised observation (especially on computer systems) shall be prevented - to define standardised criteria's for the manufacture of control boxes/booth (considering the security; technical equipment) - <i>communication</i> a suitable communication system must provide instant information on each important situation at any time for all units <i>1.2.4 separation of the passenger flows</i> Structure <i>Separation at the ports</i> Ferry passengers shall be separated so, that external border traffic never can mix with the internal traffic between the vessel and the border check. As a general rule, this must be guaranteed with physical constructions (walls, fences etc). On minor ports with only a limited amount of passengers, constructions can be supplemented by surveillance.	- flexible control booth which can be lifted to oversee the queue of passengers waiting

Recommendations	Best Practices
<i>Separation at airports</i> Airports should be re-arranged in order to avoid the possibility of passing through of persons or documents, from the Schengen-zone to the non-Schengen zone. This can be reached by physical separation through glass or grid walls or by a systematically monitored and accompanied flow of passengers. Procedures Identify Schengen and non-Schengen flights Cooperate in the closest way with the third parties within airports, with special attention to connecting flights Provide the necessary information in due time for the border control authorities. establish a link with the flight aviation information system <i>1.2.5 lanes for the controls</i> separation between EEA and non-EEA nationals (airports and sea) Number and capacity of lanes has to fulfil the needs for fluid and quick but Schengen-	Separate terminals for Schengen and non-Schengen traffic. - controls at the gate for risk flights Monitor the flights accordingly through a real time system, agreed upon with the civil aviation authority Foresee busses for transporting passengers from remote parking positions to the dedicated area of the airport. - separate control lanes for EEA nationals, for third country residents and depending on the situation a third lane for the citizens of the neighbouring country can be provided in order to facilitate the traffic. Where possible

Recommendations	Best Practices
<i>conform controls</i> - hand in hand management of traffic flows by all competent authorities of both neighbouring states. - flexible organisation of the control lanes and their securing for a quick and effective reaction to prosecution or traffic jam there shall be separate lanes for the different types of border crossing traffic - organisation of border control with the priority on the entry to the respective state	adapt the situation to the required controls on EEA and non-EEA nationals. Lanes must be marked clearly for the use of the travellers (private cars, pedestrians, lorries, busses, CD/CC if necessary. The marking may be adapted to the needs in a flexible way.
1.3 Staff <i>1.3.1 Adequacy</i> - effective border control and surveillance requires that the number of staff must be adapted to the risk assessment, based on analysis <i>1.3.2 selection criteria for recruiting new staff</i> - have a written regulation for recruiting new staff - physical constitution - meet moral and legal requirements (criminal (judicial, legal) records, ...) <i>1.3.3 professionalism</i>	- study comparable situations in other MS which could serve as an example

Recommendations	Best Practices
- high level of professionalism based on a successfully completed training. (The requirements for this topic are presented under the topic "Training") - foresee in regular evaluation in which e.g. job satisfaction, effectiveness, social conditions, liability are measured	- it is useful to foresee in rotation of the staff
1.4 Training <i>1.4.1 basic training</i> Operational staff should have successfully completed a training directed at their future tasks, which should include: - knowledge of Schengen and the EC/EU - basic rules and procedures - document checks (valid, falsified documents) - rules for entry, stay and exit - coordination and cooperation with other agencies - special cooperation between MS in the internal border zone (Dublin, Readmission, ...) - police cooperation - Schengen Information System - judicial cooperation <i>1.4.2 further continuing education</i>	- programs should flexibly adapt to risk assessment

: the sub-group recommends the adoption of a standard training module for border control staffs

Recommendations	Best Practices
- a training programme must be established which foresees a regular training/briefing hours for officers as a part of their working hours <i>1.4.3 linguistic training</i> - knowledge to speak a foreign language useful for their work <i>1.4.4 specialised technical training counterfeits and forgeries</i> - specialised training to recognise false travel documents <i>1.4.5 Specialised training for the management levels</i>	The organisation should provide programs and facilities at central and local level to accompany officers during their career by offering them education and training on issues which are relevant for their work encourage staff to learn other languages necessary for their work, languages of the neighbouring countries or the countries of origin Specialised trained officers should train officers at all BCP's international experience in a similar responsibility is an asset -having participated in the training programme of CEPOL will in future be advisable
1.5 Equipment	

well as one specific module about falsified travel documents

Recommendations	Best Practices
<i>1.5.1 Recommended equipment</i> <i>1.5.1.1. Introduction</i> The following paragraphs will mention equipment which is thought necessary and should permanently be optimized in the first line and additional requirements in the second line, in trains as well as mobile equipment. It should be stressed that SIS connection and stamps are considered to be key equipment <i>1.5.1.2. At the first line:</i> Upon entry and exit at the border crossing-points access to the following equipment will be provided: - Terminal for consulting SIS and national systems. There will be mobile terminals at ground control on passengers in vehicles in sea ports with ferry traffic and in airports with limited traffic, otherwise fixed terminals. - Document examination instrument, with UV light, white overhead light, transmitted light, etc. - Magnifying glass x 8/10 - Retro-reflective lamp - stamps. Following the Common Manual, Schengen entry and exit stamps will be provided to all border-crossing points. Information must be given at the shortest	Carplates imaging system - trucks scanning facility - radioactivity sensors mobile/stationary X-ray machine Number of the stamps should be listed for the different offices

Recommendations	Best Practices
notice to MS on lost or stolen stamps 1.5.1.3. For in-depth controls at the second line Questioned Document Examination System for authentication of travel documents with infrared and ultraviolet light, filters etc. - Stereo magnifying glass for example x 40 - Identification equipment and material (including template to compare stamps...) - Common Handbook - Handbook containing genuine and false passports and ID documents communication material - availability of sets and telephones to communicate during the border control to consulates or other authorities in the EU 1.5.1.4. Mobile equipment Mobile equipment will be used at border-crossing points where there are no fixed positions. The mobile equipment will contain: - Hand lamp with UV light - Mini-microscope x 30 - Magnifying glass x 8/10	- image transmitting device - availability by electronic means of the Common Handbook - availability by electronic means of Images of false documents, ... - mobile SIS terminal - mobile document readable device

Recommendations	Best Practices
- Retro-reflective lamp (3M.laminat) - Hand lamp for overhead light, transmitted light (Mini Maglite or similar) - Template to compare stamps, etc. - a stable access to SIS has to be provided <i>1.5.2 Checking of trains</i> Trains should be under sufficient and continuous surveillance from border to border checking point. The actual border checks may be carried out in the moving train, or at the railway station either onboard the train or in the fixed premises dedicated to these functions. Border control authorities shall have effective tools to check and detect travel documents and consult with on-line databases at their disposal in all cases. All passengers and crew (and train) must be checked according to Schengen principles (art6/SIC).	Train should be under continuous surveillance from border to border checking point (e.g. patrols, technical surveillance, video) Platform area for external traffic trains shall be physically separated from internal traffic ones The possibility to avoid border check should be prevented and arrival area should be under sufficient control. Pre-frontier checks together with border authorities of neighbouring third countries may be effective, if the relevant jurisdictional requirements are met and reciprocal trust factually exists between the neighbouring countries on the other hand and between the Schengen partners on the other hand. Agree on cooperation with train carriers. This cooperation should, where appropriate be formalised by providing a list of passengers to border authorities in good time beforehand. mobile SIS equipment on trains (control before crossing the border and on hotspots)

Recommendations	Best Practices
<i>1.5.3 Border surveillance</i> Observation and detection material which provides an adequate surveillance of the terrain at all season and weather conditions (day and night)	A highly centralised technical surveillance system that detects and identifies (camera) the target and enables immediate reaction. (patrol). The system is based on sensor fields that consist of different types of sensors (stable and portable) such as active and passive IR-beams, radars, cameras, seismic sensors etc. The sensor fields and/or individual sensors are installed in accordance with the existing local situation. The system itself is controlled centrally with or by a computer in the OP-centre that is capable to command and control the acting patrols and request reinforcement when necessary. thermographic cameras (portable, stationary and/or vehicle based) binoculars, short and long range versions
<i>1.5.4 Transportation/Mobility</i> Providing transportation depending on the local infrastructure, regional conditions (weather, topographic situation, density of population) manpower and migration flows Transportation services must be available at day and night	according to the local situation, compatible devices based on radio transmission, telephone system and/or data connection are advisable with the neighbouring country

Recommendations	Best Practices
<i>1.5.5 Communication and encryption</i> Foresee procedures for secured communications between the services	
1.6 Internal coordination - <i>coordination between different national services (police-customs-border guard)</i> - direct and immediate interchange of information between bcp's and border surveillance force - building up local headquarters with authority (Check with E.W.) - common operations with united leaderships <i>New item to suggest to Council: According to national law, cooperation between the border control services, law enforcement agencies and the judicial authorities</i>	- meeting between heads of services and at all levels - joint database - joint risk analysis - joint training - integrated approach involving all authorities for tackling the problems of illegal immigration
1.7 International cooperation <i>1.7.1 bilateral agreements</i> - At international level the border control has to be rules in bilateral	

Recommendations	Best Practices
agreements <i>1.7.2 regional cooperation</i> - obligatory, written down rules about the local and regional border – crossing cooperation - support the neighbouring border authority through exchanging informations and transmitting facts for their interests. <i>1.7.3 Liaison Officers</i> - establishment of a liaison office for the exchange of informations on the basis of conventions or national law information exchange with other Member states on maritime borders	- Liaison officers to detect false documents in the consulate or on the airports of origin SCH/Com-ex (99) 7 rev.2 - cooperation between Liaison Officers The Nordic cooperation between Liaison Officers could serve as an example for a future EU network. Demand for information exchange is set in article 7 of the Convention. Use of EISICS is seen as a recommended practise.

Recommendations	Best Practices
1.8 rules and procedures <i>1.8.1 General aspects</i> it should be stated that entry and exit controls should be performed systematically. Exceptions on exit controls are only possible under special circumstances. national legislation shall provide the relevant authorities for border controls and surveillance the legal possibility of patrolling, surveying and investigating border related crime, without limiting it to the close border area <i>1.8.2 Rules for minor border traffic ¹</i> bilateral agreements are basis of minor border traffic between the neighbouring countries; in any case, information must be communicated to the EU-partners. <i>1.8.3 rules for issuing visas at the border</i> Issues of visa should be done in principle at consulates. Only in exceptional	

¹ *Recommendation to the Council: The Council should adopt an instrument clarifying the rules for minor border traffic, where attention should be paid to the legal requirements for such agreements, the information to the other member states, the geographical delimitation, the target groups of such facilitation, the eventual economical purposes, etc*

Recommendations	Best Practices
circumstances, they may be issued at BCP's there has to be a general manual valid for all bcp describing the steps that have to be done for a visa to be issued at the bcp all available national and EU-member states information has to be used to make a proper decision the decision and the major reasons to do so have to be written down in a file the necessary contacts and participation involving other EU-members has to be done in a standardized way <i>1.8.4 procedure for transit passengers (airport)</i> <i>1.8.5</i> <i>Operational aspects of fighting cross border crime</i> Border management includes an important operational dimension in fighting cross border crime. It is important therefore to have legislation	• the decision is be made by a senior officer or an official of a superior organisation Beside the compulsory use of SIS and the national watch-out-list it is advised to use information of other services

Recommendations	Best Practices
which provides all the relevant authorities (Border Guard, police, customs, judiciary, ...) the legal possibility of preventing and detecting border related crime, without limiting it to the close border area. Member states should describe the framework they have adopted to fight cross border crime, which - should be based on an analysis of the different types of crimes and - should include an overview of all relevant factors, such as personnel, equipment, training as well as cooperation between national and international services <i>1.8.6 rules for issuing Airport transit visa</i>	establish specialized multidisciplinary units for border-related crime fighting
1.9 Particular cases for certain types of borders	
<i>1.9.1 Risk analysis</i>	

Recommendations	Best Practices
Maritime borders The amount of vessel movements is usually high in comparison with the resources available for control. Therefore, tactical risk analysis is essential at blue border surveillance to fulfil the demands set under CM title 2.2. The vessel movements should be monitored and the vessels should be identified. The identifications (names of the vessels) should be referred to background information containing knowledge on risky vessels. The level of control on each particular vessel should be decided according to this reference. The same procedure should be applied to the crew- and passenger lists The command with operative responsibility of some defined area should maintain reasonable risk levels against known or possibly prevailing irregularities. This should take place at all areas and on all flows of traffic. To do this, the performance of border control authorities' duties should be adjusted in accordance with fresh knowledge on risk factors. This touches basically medium term planning that takes place in the operative command. Medium term methods of estimating the situation and adjusting the countermeasures can be called operative risk analysis. The operative command should have a realistic thought about prevailing	VTMIS or similar system is used to cover large maritime areas, where all major traffic remains as identified targets. The authority responsible of maritime border police duties has a real time access to VTMIS. It constantly refers the vessel traffic with information provided by the intelligence. The person conducting risk analysis is authorised to launch control measures or the decision can otherwise be made rapidly. Detected risk is a valid reason for control, no absolutely sure information about ongoing violations is needed.

Recommendations	Best Practices
irregularities on the area of responsibility. To reach this, following figures or estimates should be drawn: • The types and amounts of all vessel movements between the open sea and coast • the amount of actual control measures directed to different types of vessel movements • (based on the above) the level of risk against illegal border crossing • the amounts and types of detected irregularities • the amounts and types of estimated undetected irregularities. cooperation with third parties Cooperation with all type of carriers should be strengthened	Formalise where possible the cooperation with carriers in Memoranda of Understanding or in Agreements
<i>1.9.2 Cargo ships</i> 100% administrative control should be made in advance. Based on this control and available intelligence, a risk analysis should be made. A risky vessel shall be controlled physically immediately, when it arrives. The control shall consist of face to face checks of persons onboard and/or physical search in the ship. If information concerning the crew and passengers is not available in advance, the	Participation to the EISICS-system

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ship should be physically met immediately when it arrives. The passengers shall always be controlled face by face. In particular risky cases, the vessel shall remain under constant control of authorities during it's stay in a Schengen port. All persons entering and leaving the ship shall be controlled face to face. Information on risky vessels shall be relayed to the next Schengen port of destination of the ship and through the CIREFI early warning system.	
<i>1.9.3 Cruise ships</i> In principal, the Schengen Acquis requires a face to face check to be made for all passengers onboard cruise ships in the first and last port of entry. As a general rule the passenger shall provide all necessary preconditions of entry or exit. However, the regulations concerning special circumstances make lower level of checks justified, if: • there are a lot of passengers onboard, • only a limited time is available for checks, and • there are good grounds to state the vessel with it's passengers as a non-risky one Under these preconditions, only administrative control in the first and last port	

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of Schengen is acceptable. This requires at the very least, that an SIS query is made on third country nationals and their passports are stamped. If the check shows onboard such persons that must be refused entry to the Schengen-territory, special measures are necessary and in the mutual interest of contracting parties as well as shipping companies. The authorities shall guarantee, that the person remains onboard and leaves the port with the ship. Information on such persons should be relayed to the next Schengen port of destination of the ship. There, a similar procedure shall apply. If a cruise ship is a risk in the sense of illegal crossing of the external border, special measures are necessary and in the mutual interest of contracting parties. Such a vessel shall remain under constant control of authorities during it's stay in a Schengen port. All persons entering and leaving the ship shall be controlled face to face. To be allowed to disembark or embark, each passenger shall provide all necessary preconditions of entry or exit. Information on such persons should be relayed to the next Schengen port of destination of the ship and through the CIREFI early warning system. In the next port, a similar procedure shall apply.	

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The relaxations depicted above shall in no way prevent authorities from making more thorough control or checks anywhere in the following ports. Cruise passengers shall hold a visa according to the same rules as other persons, when entering the Schengen territory.	
<i>1.9.4 Fishing vessels</i> Monitoring shall be carried out to ensure that fishing vessels coming from third countries follow the correct procedure. The Schengen acquis allows administrative checks on the crewmembers, if they can be regarded as seamen. Nevertheless, face to face checks and/or physical search of the vessel should be used whenever deemed necessary by risk analysis. Also coastal fisheries mentioned in CM 3.4.4.4. should be controlled occasionally in accordance with proper risk analysis.	Exchange of information is arranged between contracting party and the neighbouring third states. The third state reports i.a. vessels, that are leaving it's territory and, especially, such boats, that have avoided exit control when leaving the Schengen territory.
<i>1.9.5 Pleasure boats</i> Monitoring shall be carried out to ensure that pleasure boats coming from third countries follow the correct procedure.	Exchange of information is arranged between contracting party and the neighbouring third states. The Third state reports i.a. boats, that are leaving it's territory and, especially, such boats, that have avoided exit control when

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	leaving the Schengen territory.
<i>1.9.6 Ships with a lot of illegal immigrants on board</i> There shall be existing emergency plans to handle ships with a lot of illegal immigrants onboard, covering the following aspects: • For further judicial measures, apprehend the persons responsible of illegal transportation • Apprehending all persons onboard in order to take responsibility over the immigrants with the view of repatriation and in order to guarantee their rights of health and protection • Relaying information on risky vessels to other member states by EISICS and CIREFI Early Warning System	A governmental organ is nominated for inter-ministerial and inter-agency coordination. This organ has necessary parallel representative sub-organs on regional and local levels, to facilitate coordination and clear division of responsibilities. Adequate powers and resources are made available to this structure and especially those regional organs, that are responsible of conducting the physical measures. This structure is held in good readiness to facilitate ending up to the recommended practise. Local and regional authorities maintain consistency plans of their participation and cooperation. This plan is regularly tested and developed as instructed by the governmental coordinative organ.
<i>1.9.7 Stowaways</i> In the sense of combating the phenomenon of stowaways, authorities should adopt	

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preventive measures against non authorised entries from/to the ships.	
<i>1.9.8 Fake crews</i> In the sense of combating the phenomenon of fake crews as a means of illegal entry, authorities should conduct intelligence, exchange of information, investigative measures and prosecution.	
<i>1.9.9 Seamen's identity document</i> In issuing seamen's identity documents, close attention should be paid to the security features of the document.	The security features of the document are equal to the national passport.
<i>1.9.10 Transiting seamen</i> According to the Acquis, the captain or the shipowner's agent shall inform the authorities in charge of border control of the arrival of seamen in need of a transit visa and any other changes in the composition of the crew. The border control authorities in charge of issuing transit visa to seamen shall check the exactness of the data provided by the captain or the shipowner's agent.	The captain or the shipowner's agent will inform the border control authorities as soon as possible and always at least three days prior to the arrival of the seamen, in order to speed up the procedures of issuing a transit visa The authorities can issue transit visas to seamen only after careful verification of the data provided by the shipowner and the confirmation of the authorities where the ship is moored or is expected to moor

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	A unit on duty 24 hours a day, will be established to give coordinated and quick answers to the request of transit visa for seamen made at the border.
<i>1.9.11 Eisics</i> Vessels and their crew and passengers should be controlled most thoroughly in the first port of arrival in the Schengen-area. If the vessels next stop will also be in a port of a contracting state using the EISICS-system, then the control authority of the first contracting state should, when the vessel is departing that state, fax the EISICS-form to the next port. In this EISICS-form all the relevant information gathered by the control authority on the vessel should be listed. The border control in the next port can be less thorough based on the information received with the EISICS-form. <i>Electronic data interchange</i> Member States should encourage the use of electronic data interchange (EDI) at their maritime borders. Electronic data, among others to identify crew members, passengers, stowaways - as well as their travel documents - on board of a vessel, transferred in good	All contracting parties should join the EISICS-system and the system should be computerised, to make sure the information is protected and sent around quickly to the relevant control authority.

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time, should act as a binding substitute for all paper documents in use at the Schengen border. Harmonisation and standardization of legislation on binding impact or consequences should facilitate the use of EDI. Border authorities of the Schengen port where a vessel is leaving its berth, should transfer the updated electronic data in good time to the authorities of the next Schengen port of destiny.	
1.10 Miscellaneous	