

(Acts adopted under Title VI of the Treaty on European Union)

COUNCIL RECOMMENDATION

of 29 April 1999

on the provision for the detection of false or falsified documents in the visa departments of representations abroad and in the offices of domestic authorities dealing with the issue or extension of visas

(1999/C 140/01)

THE COUNCIL OF THE EUROPEAN UNION,

HEREBY RECOMMENDS TO THE GOVERNMENTS OF THE MEMBER STATES:

Having regard to the opinion of the European Parliament,

Article 1

Whereas, in accordance with Article K.1 of the Treaty on European Union, without prejudice to the powers of the European Community, the Member States regard the following areas, *inter alia*, as matters of common interest:

In future, Member States should improve the conditions for issuing visas, in particular by ensuring that staff are increasingly better able to detect false or falsified documents through:

— rules governing the crossing by persons of the external borders of the Member States and the exercise of controls thereon,

— being equipped to an appropriate level, and

— immigration policy and policy regarding nationals of third countries,

— a corresponding emphasis on the skills and abilities required to carry out these examinations, including the systematic training measures needed for that purpose.

— conditions of entry and movement by nationals of third countries on the territory of Member States,

Article 2

The decision, which falls within national competence, on how to provide for offices engaged in the issue and extension of visas should be taken on the basis of the following determining factors:

— conditions of residence by nationals of third countries on the territory of Member States including family reunion and access to employment,

— number of visa applications,

— combating unauthorised immigration, residence and work by nationals of third countries on the territory of Member States;

— known levels of falsifying and counterfeiting documents.

Whereas it is intended to prevent document abuse when third-country nationals enter and stay in the territory of Member States;

The decisive factor for the provision of equipment shall be not so much the size of the office or the number of visas which it issues as the actual risk of falsification and counterfeiting occurring during the visa procedure. The aim shall be to detect the counterfeiting or falsification of passports on which visas are to be entered, passport substitutes, requisite invitations and other proof which is material to the visa procedure.

Article 3

Whereas document abuse can be effectively counteracted by preventive measures;

The minimum level of technical provision is laid down in the Annex to this recommendation. The Annex shall be regularly adapted to technical progress.

Article 4

Whereas it is important to establish uniform levels of expertise and equipment for detecting forged documents in the visa-issuing authorities of Member States of the European Union,

Member States should endeavour, on the basis of a national evaluation of the risk in each case and after due consideration of the financial resources, to bring the staff training and staff

level and equipment required gradually into line with the criteria of this recommendation.

In the context of local consular cooperation, Member States should consider the possibilities for making their equipment available as and when necessary to other Member States. Alternatively, Member States may consider as a further possibility the common use of equipment at local level. Training courses could be opened up to staff from other Member States.

Knowledge and experience should be shared among technical staff.

Done at Luxembourg, 29 April 1999.

For the Council

The President

W. MÜLLER

ANNEX

RECOMMENDED PROVISION

A. LOW RISK

Staff:

Staff with basic training

Equipment required:

- Ultra-violet light source
 - Portable ultra-violet lamps
- Magnification/lighting
 - Hand-held lenses, or transparent slide — oblique light source
 - Combined document testing device equipped with magnifier, transmitted light and oblique light sources
- Special testing devices
 - Retroviewer (to check reflective materials)
 - Test lenses, filter screens, etc. to check for latent security features in standard documents
- Reference material
 - Reference guide to genuine passports (e.g. passport manual, annual passport guide)
 - European Fraud Bulletin.

B. INTERMEDIATE RISK

Staff:

Staff with basic training: additional presence or availability of document specialists or other qualified staff from the visa office for the detection of false or falsified documents

Equipment required:

- Ultra-violet light source
 - Portable and fixed ultra-violet lamps
- Magnification
 - Low-power stereozoom microscope
 - Light source with flexible fibre-optic light guide
 - Light box for examinations using transmitted light
- Special testing devices
 - Retroviewer (to check reflective materials)
 - Test lenses, filter screens, etc. to check for latent security features in standard documents
- Reference material
 - Reference guide to genuine passports (e.g. passport manual, annual passport guide)
 - European Fraud Bulletin.

C. HIGH RISK

Staff:

Highly qualified officers widely experienced in the detection of forgeries and/or permanently stationed document specialists

Equipment required:

- Ultra-violet light source
 - Portable and fixed ultraviolet lamps
 - Magnification
 - Stereozoom microscope
 - Light source with flexible fibre-optic light guide
 - Light box for examinations using transmitted light
 - Special testing devices
 - Retroviewer (to check reflective materials)
 - Test lenses, filter screens, etc. to check for latent security features in standard documents
 - Infra-red scanning equipment
 - Infra-red document examination apparatus
 - Devices for the machine inspection of documents
 - OCR scanning devices (with verification of check digits)
 - machine authentication devices (e.g. for kinegram patterns)
 - Reference material
 - Reference guide to genuine passport (e.g. passport manual, annual passport guide)
 - European Fraud Bulletin
 - Database systems (information systems on genuine and false documents, and subject-search systems to identify stolen documents).
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