

Annex 1

Multiannual Programme

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1. SITUATION IN THE MEMBER STATE

1.1. The national situation and the migration flows affecting this

1.1.1 The Dutch section of the Schengen external border

The Netherlands is part of the EU, within which free movement of goods and persons is among the objectives. Controls at the external border take place within a European framework; controls on individuals at the external border are carried out at Schengen level. The Schengen Border Code also forms the legal basis for these actions. Regular border surveillance has no longer been carried out at the internal borders within the Schengen area since the Schengen Agreement was concluded. This means that no border controls are carried out at the internal borders with Germany and Belgium.

The external borders of the Netherlands are formed by the airports and seaports and the maritime coastline. The Dutch external maritime border is 523 km long. Apart from a coastline this also includes a delta (Zeeland waters) and five islands in the Waddenzee and sandbanks in the Waddenzee. At EU level, the Netherlands has 21 designated Schengen border crossing points: 12 on the maritime border and nine at airports and airfields¹. Each year about 28 million passengers pass through the border crossing points at airports and about 2,800,000 pass through the maritime border crossing points. Everyone entering and leaving the Netherlands is in principle obliged to travel via the border crossing points at the airports and seaports. In 2007, 8,890 people tried to cross the maritime border illegally and 31 stowaways were discovered at the ports. The number denied entry at border crossing points and airports was 3,562 in that year.

1.1.2. Bodies responsible for the Dutch Schengen External Border

In the Netherlands, responsibility for policy on border control regarding persons, and for its implementation, rests with the Minister of Justice. The Royal Netherlands Marechaussee (KMar) and the Seaport Police (ZHP) carry out border control activities regarding persons. The Coast Guard also has some responsibility for border control activities on the North Sea. In the Netherlands, the Minister of Finance is responsible for the policy on border controls regarding goods and for its implementation. The customs authorities carry out border controls regarding goods. The Minister of Foreign Affairs is responsible for the policy on visas and its implementation. Beside the Ministry of Foreign Affairs itself, the Immigration and Naturalisation Service (IND), KMar and the ZHP also issue visas.

Efficient border control ensures proper regulation of migration, facilitates bona fide flows of persons and goods and is the best way of preventing illegal migration and illegal importing of goods. In the balance between economic interest and security, the latter will always have greater weight. The flows moving across the external border are highly diverse. The

¹ Annex 4 to Articles 2.4 and 4.2 of the Aliens Regulations 2000 contains a list of Schengen crossing points in the Netherlands.

containers shipped via the port of Rotterdam have a different dynamic from the travellers entering the Netherlands via Schiphol airport². Different transport sectors³ involve different risks of illegal migration. Therefore, the Schengen Border Code is based on different types of control. Different methods of border checks are used for passengers who enter the Netherlands on board a pleasure yacht and moor in an unpatrolled port than for passengers entering on a cruise ship. The position of the Netherlands Government is that checks at the borders should be coordinated and combined where possible.

1.1.3. Border control in concentric circles

The Netherlands tries to identify the risks as far as possible before the border is crossed as border control begins beyond its own external borders. This position fits in with the European obligations on the forwarding of details on goods consignments and passengers to the responsible authorities in good time before crossing European borders. This method of checking persons also fits in with the already existing position in the Netherlands whereby the term “border” is seen, as it were, as a series of theoretical, successive concentric circles around the Netherlands. Various kinds of control activities take place within these circles.

Outer circle: information and visas

- Security services

The outer circle is in this concept formed by the activities of the intelligence and security services. They detect threats, from abroad or otherwise, and analyse potential risks regarding individuals and goods. These services lie outside the scope of this multiannual programme.

Subsequent circles are formed by representations (embassies and consulates) of the Netherlands in countries all over the world and immigration liaison officers, carriers and pre-boarding teams from KMar working abroad.

- Foreign affairs services

The representations of the Netherlands are responsible for dealing with visa applications. The Dutch policy for short-stay visas is based, amongst other factors, on the rules laid down in Brussels. For the implementation of the visa policy, the embassies of the Netherlands work closely with the embassies of the other Schengen countries. For instance, rules are laid down as to which embassy someone should contact to apply for a visa if he or she wishes to visit more than one Schengen country. Also, in countries where the Netherlands does not have its own professional representation (embassy or consulate), the other Schengen countries can issue visas for the Netherlands. The visa service of the Ministry of Justice handles all applications submitted by the embassies for tourism, family and private visits, artists, students, interns and medical visits (apart from people from the former Soviet republics). Visas may be requested from diplomatic or professional consular missions. The Netherlands

² Use of border controls to combat terrorism, letter from the Minister for Immigration and Integration, the Ministers of Justice, Foreign Affairs and Kingdom Relations and Defense, and the State Secretary for Finance, The Hague, 3 February 2006

³ With regard to border surveillance, Schengen distinguishes between the following transport sectors: civil aviation, cruises, pleasure trips, ferries, freight, fishing

has 112 embassies and consulates. The number of consular representations of the Netherlands which issue visas in the countries mentioned in Annex 1 to Reg. 539/2001 is 67. An average of 376,000 visa applications are dealt with every year. It is estimated that about 900⁴ Ministry of Foreign Affairs staff are involved in issuing visas.

When handling visa applications, it is investigated whether the person concerned fulfils the requirements. The requirements include whether the visit may be detrimental to public order, national security or international relations and whether access to the Schengen area has already been denied. The purpose of the trip is also assessed against the above risks, including the risk of an illegal stay. A valid travel document, sufficient financial resources to cover the travel and accommodation costs, and medical travel insurance covering the possible cost of repatriation on medical grounds, emergency medical care and/or emergency hospital treatment are also required.

Currently, the Dutch visa policy is almost totally harmonised with that of the other Schengen countries. The Common Consular Instructions for diplomatic and consular missions (CCI) also form the legal basis for this. The requirements for issuing a uniform visa for the Schengen area are set out in the CCI.

The Council Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement took effect in the Netherlands on 10 April 2001. It is also possible to issue a territorially restricted visa in the Netherlands on humanitarian grounds, for reasons of national interest or under international obligations. This territorially restricted visa then applies in principle to the Benelux countries or in certain cases only to the Netherlands.

The (New) Visa Information System (N)VIS managed by the Ministry of Foreign Affairs is used to issue visas. The NVIS is connected to the Central Shared Database for Basic Information on Applicants (BVV). The BVV is a central system in which all immigrants staying in the Netherlands are registered in a unique and clear way. The BVV also records the various steps in the process so that the partners in the "immigration chain" can see which partner is dealing with a case and find out about the status of the procedures. They can also exchange information electronically. Connection to the BVV facilitates the exchange of information between the issuing bodies and the partners in the chain. The next version of NVIS, which enables biometric features of visa applicants to be captured and stored, is required for connection to an EU VIS.

- IND, KMar, ZHP

Besides the Ministry of Foreign Affairs, the Netherlands has three other visa authorities: the Immigration and Naturalisation Service (IND), KMar and the ZHP. The IND is mainly involved in deciding on applications submitted to the Visa Service of the IND and in granting visas in the Netherlands. KMar and the ZHP grant visas at the border. This is because it is possible for certain groups (mainly seafarers) to apply for a visa at the external border. Each

⁴ Ministry of Foreign Affairs staff involved in issuing visas (no FTEs)

year about 42,500 visas are issued at border crossing points, about 12,500 by the ZHP and 30,000 by the KMar. Like the IND, the ZHP is authorised to grant visas (for seafarers).

The Netherlands has 18 immigration liaison officers (ILOs) stationed in different parts of the world, i.e. Accra, Amman, Bangkok, Dubai, Guangzhou, Istanbul, Moscow, Nairobi, Beijing, Pretoria and Yaoundé. The responsibilities of these liaison officers are divided into various categories. In the interests of prevention, they advise carriers on locations and local authorities as to whether or not to take passengers and they advise the visa departments at Dutch missions abroad in the case of dubious applications. They also provide training on documentation and Schengen-related legislation and regulations and exchange information with liaison officers from other countries. They collect information about travel routes, trends and information about illegal immigration and people trafficking, and help to develop risk profiles. As far as the repatriation process is concerned, the ILOs investigate the possibilities of repatriation to the country of origin and transit countries using their network, by monitoring the involvement of particular organisations, investigating the repatriation policies of other Western nations and identifying reception facilities. The locations of the ILOs and the associated prioritisation of tasks depend greatly on the local political situation and movements in migration flows.

KMar liaison officers are also seconded abroad. The KMar liaison officers are mainly deployed for the purpose of achieving a better position regarding migration-related crime. The KMar liaison officers report, analyse and advise on developments in (illegal) (im)migration to and via the Netherlands and map out the illegal migration patterns and their relation to terrorism. They collect and distribute information on people trafficking and fraud regarding travel and identity documents. The KMar liaison officers also provide coordination, escorts and support within the EU and beyond. The liaison officer performs these tasks by contacting the enforcing authority for the countries in his area of work. The liaison officers are mainly based in countries involved in international people trafficking and drugs trafficking. With regard to the performance of the tasks of the liaison officers from the IND and KMar, practical arrangements are in place for the exchange of information and support in relation to training.

Middle circle: Enforcement in territorial waters

The next layer is surveillance in Dutch territorial waters. The Coast Guard is responsible for guarding the external borders of the Netherlands in the North Sea.

- Coast Guard

The Coast Guard operates from the Coast Guard Centre in Den Helder. At the Coast Guard Centre information is gathered from the various services with regard to enforcement in the North Sea and therefore also border surveillance. The Coast Guard Centre acts as a coordination, control and information centre and is designated as the National Netherlands Maritime (MRCC) and Aeronautical (ARCC) Rescue Coordination Centre (Joint RCC).

Inner circle: carrying out border surveillance in the Netherlands

The inner circles deal with the activities of the border control services on the physical border

and internal surveillance within the Netherlands.

- KMar

As described on page 3, the external borders of the Netherlands are formed by the airports and seaports and the maritime coastline. KMar and the ZHP control the external borders of the Netherlands to establish whether aliens satisfy the conditions for entry into the Netherlands.

KMar carries out border control activities, except in the ports of Rotterdam. KMar is responsible for border control at the border crossing points at the airports and the border crossing points at the seaports, other than Rotterdam. KMar is also responsible in the Rotterdam-Rijnmond police region for operating the Hook of Holland/Europort border crossing point (passenger ferries to the UK). The main border crossing points for the ports are Amsterdam, IJmuiden, Vlissingen and Terneuzen-Gent⁵. The main border crossing points at the airports, other than Amsterdam Schiphol, are those of Eindhoven, Rotterdam and Maastricht-Aachen⁶. KMar is responsible for border control in the rest of the Netherlands, particularly on the maritime external border.

KMar devotes⁷ over 930,000 hours a year to carrying out border control activities. The number of people passing through the national airport in Schiphol (arrivals-departures-transfers) is estimated at 40 million a year. A total of 14 million people pass the border crossing points in the airports every year. And the total number of people passing the border crossing points at the seaports, other than Rotterdam, is around one million. KMar deploys staff on board the two Coast Guard vessels. KMar also has two vessels and three rapid inflatable boats of its own. It is estimated that about 41 vehicles are deployed by KMar solely or primarily for border surveillance.

KMar uses a process-based registration system, the Aliens Basic System (VBS). KMar and ZHP have agreed to connect the operating process systems together to facilitate border checks and surveillance. KMar has taken over the Maritime Comprehensive Expandable Information System (ZUIS), which enables maritime border control to be carried out in a risk-based manner.

KMar is training new border guards itself and uses the central training facilities of the service. KMar also participates in FRONTEX training programmes. For instance, the first document training course was held recently in the Netherlands and concluded with an examination. The resources to be devoted to instruction and training are discussed annually with Frontex. Dutch RABIT members from KMar and ZHP participate in training programmes and seminars offered in this area. The RABIT training programmes were launched at the beginning of 2008 and RABIT members have taken part in various seminars. A total of 40 training courses will

⁵ In order of number of ship movements per year, source Statistics Netherlands

⁶ In order of number of travellers per year, source Statistics Netherlands

⁷ This is after the deduction of time for training, leave and absence due to sickness.

be held in 2008. One participant per Member State may be nominated to attend each training course.

There is no national training programme for border guards as yet.

KMar established a National Document Bureau in 2002. This office is based at Schiphol and staffed by specialists in forgery. Information about (forged) passports, travel documents and other legal documents that comes to light during border patrols is processed there. This information is used as a basis for providing information and supporting internal and external bodies in the areas of training and instruction in particular.

- ZHP

The ZHP of the regional Rotterdam-Rijnmond police force is authorised to supervise the adherence to and carrying out of the legal provisions regarding border control. The ZHP officers are responsible for patrolling the (mobile) border crossing point of the port of Rotterdam, including the designated mooring sites (at sea). They are also responsible for carrying out border control tasks in the police region of Rotterdam-Rijnmond including the coastal and internal waters within this area. Each year there are about one million movements of persons from and to the port of Rotterdam, representing over half of the crossings of the maritime external border.

The ZHP deploys about 147 FTEs in carrying out border control in the port of Rotterdam. Some of these are border guards who carry out checks and issue visas (103 FTEs in 2008) and some are the regular police force of the ZHP who are deployed particularly for border patrol activities. The border checks are carried out on a mobile basis on board vessels or at one of the checkpoints of the port of Rotterdam crossing point where visas are also issued. In 2008, the ZHP has a net deployment capacity of about 115,000 hours for carrying out border surveillance in the port. Twenty-one cars are available to the ZHP for border surveillance activities. The ZHP service also uses five surveillance vehicles. The service also has two rigid hulled inflatable boats.

The aforementioned Maritime Comprehensive Expandable Information System (ZUIS) is used for border surveillance on the maritime external border. ZUIS is a recording and risk analysis system developed initially for border control in the port of Rotterdam and then expanded into a national system for maritime border surveillance. ZUIS contains all characteristics of vessels, details of all crews and passengers that have ever put in at the port of Rotterdam. Before a vessel enters the port, the lists of passenger and crew details are supplied digitally or by fax and then entered in ZUIS. The details are checked in the national (OPS) and Schengen Information system (NSIS). Based on risk indicators, it is then determined which vessels are high priority for a border check, and a check is then carried out on board these vessels of crew lists, travel documents and the crew itself.

The ZHP can now use (part of) the VBS, which has practical advantages as it is process-based and connected to the BVV and the ZHP can also be connected to this system.

The ZHP trains the border guards itself (as does KMar, q.v.). Where possible, they draw on each other's expertise. The ZHP has an internal training programme for new border guards.

Border guards then follow regular training programmes and courses for staff throughout the force, such as the Integrity and Diversity course. The ZHP has developed a "recheck", which checks the knowledge of all staff involved in carrying out border surveillance. Depending on the results of this recheck (individual or collective) (additional) training programmes are developed. The theme of "Police work in a Safe Port" will play a role in the further development of professionalism and standards of staff.

- Customs

The customs authority carries out border control at all border crossing points and along the maritime coastline. As has already been mentioned, controls are combined where appropriate. The customs authority provides capacity for this for activities such as joint surveillance of external borders (GTB, joint patrols of KMar, ZHP and the customs authority on the external border). Cooperation also takes place on joint risk analyses and information is exchanged. The deployment of the customs authority on joint patrols of external borders is 59 FTEs for 2008. Information about the use of equipment is not available centrally.

1.1.4. Prioritisation

Border controls are carried out at the border crossing points in the Netherlands in order to ascertain whether the respective persons, their vehicles or their possessions may enter or leave the Netherlands. Border patrols also take place away from the border crossing points in order to prevent people from evading the checks at border crossing points. It is important to bear in mind that, due to geographical circumstances alone, border surveillance in the Netherlands cannot be sufficiently comprehensive and all (security) risks cannot be fully covered. Therefore carefully considered decisions have to be made and priorities decided upon with regard to the carrying-out of border surveillance. Decisive factors for this include the target group to which the traveller belongs and the transport sector within which he or she is travelling. The risk assessment is always based on current trends in the area of illegal migration. A thorough risk analysis and good information position are also essential if border surveillance is to be carried out properly.

It is also important to be able to consult NSIS/OPS automatically in the case of technically assisted border controls (such as via the aforementioned ZUIS system). This initial administrative check also enables the prioritisation of border controls (naturally a hit in an investigation system always leads to a thorough physical check).

1.1.5. Information and risk basis

It is essential for risk analysis that information be collected on passengers in advance and analysed. More targeted controls can be carried out based on prior information. Controls on persons and goods can start in the country of origin. This therefore means that the control will in principle be carried out remotely. The importance of liaison officers and the Dutch embassies and consulates should not be overlooked here. Based on prior information, e.g. by way of working more with profiles, the border officers can concentrate on certain target groups or even individual travellers while the non-risk group individuals can pass the border

without being held up. Most travellers are bona fide. More targeted control of passengers instead of random checks is the way to make border control more effective and more efficient according to the Netherlands Government.

1.2. Measures already adopted by the Member State

The previous paragraph discusses the situation regarding border control of the Dutch section of the Schengen external border. The various executive services and bodies involved are mentioned and the principle of carrying out border control activities according to the concentric circles model is explained. The risk and information-based process and prioritisation are also described.

This section describes the measures adopted by the Netherlands. These are to be seen in the light of several general trends which can be explained briefly by reference to a number of relevant policy documents: the Report by the Court of Audit, the Border Controls Action Plan and the Border Control Framework Document giving rise to the Revised Border Control programme. These documents show that establishing efficient border control on the Dutch section of the Schengen external border presents the government of the Netherlands with a number of challenges. In view of the high number of movements of individuals on the external borders of the Netherlands, the migration flows to the EU and the threat of international terrorism, the Government of the Netherlands has taken a number of measures in recent years in order to make border control more effective and more efficient and to promote the safety of civil aviation.

For instance, measures have been taken to link information systems. These are described in section 1.2.4. Developments are also in progress to improve the early collection of passenger information and risk analysis. Section 1.2.5 describes five developments in this area. Relevant developments should also be mentioned in the area of the improvement of the control system (particularly at Schiphol airport) and the procedure for carrying out border surveillance (particularly maritime border surveillance). These are described in section 1.2.6. Finally, the implementation of the relevant EU legislation and regulations is explained in section 1.2.7.

1.2.1. Report by the Court of Audit

In 2005 the Netherlands Court of Audit (AR) investigated the role of border control in combating terrorism. In its report entitled *Gebruik van grenscontroles bij terrorismebestrijding*⁸ (*Use of border controls in combating terrorism*) the Court of Audit concluded amongst other matters that the legislation and regulations and the carrying-out of border surveillance were incompatible with the role of combating terrorism and that there was a lack of a clear vision of how border surveillance could help to combat terrorism. It was also concluded that a risk-based approach of controls on individuals and the organisation of the exchange of information between the various services needed to be developed further. The report's main recommendations relate to the establishment of a government-wide standard of

⁸ TK 2005-2006, 30315, Nos. 1-2

enforcement which should indicate how to deal with the weak points of the system of border surveillance. On a practical level, the aim would be to improve the information position and the use of risk analysis and findings of assessments.

1.2.2. Plan of approach regarding border controls

In response to the AR report, in February 2006, the then Cabinet drew up a *Plan of Approach regarding Border Control* and presented it to the Lower House⁹. In line with the recommendations of the AR, the Plan of Approach is aimed at discovering as much as possible about the overall flow of traffic of both individuals and goods crossing the border and to establish and enforce the desired level of controls on the external borders. The intention is also to carry out targeted enforcement on the border by coordinating controls more closely and combining them where appropriate. A number of measures to improve border control were then mentioned. Several of the measures mentioned there are described below.

1.2.3. Revised Border Surveillance Programme

European proposals in the field of external border patrols relate amongst other matters to automatic border crossing, the use of passenger details and travellers' programmes. The European proposals are set out in the Border Surveillance Framework Document in which the national policy framework for reviewing border surveillance is laid down. The Border Surveillance Framework Document will be implemented through the Revised Border Surveillance programme. This programme includes various projects concerning automatic border crossing and the use of passenger details amongst other matters.

1.2.4. Linking of information systems

1.2.4.1 Recording and risk analysis systems

It is essential that information on individuals be analysed and distributed in good time for the purpose of risk-based controls. Creating the necessary information demands an intensive and continuous process of collecting and analysing available information. It is important that the information from the various organisations be distributed among one another in good time. The Netherlands Government has undertaken various initiatives recently in order to ensure the information is distributed in good time and carefully as with the creation of contact points.

Linking the ZUIS and the VBS helps to improve the information position in the port and the reciprocal exchange of information on maritime border patrols in ports; The establishment of Expertise Centres (for ports and airports) and (maritime) control rooms means that more information is shared more effectively by the enforcement agencies concerned (KMar, ZHP, the customs authority, the tax authorities and the National Criminal Intelligence Service).

Research has been initiated by the National Anti-terrorism Coordinator into the possibilities for facilitating information exchange between the various organisations. The outcome of this could facilitate a more structured exchange of information.

⁹ TK 2005-2006, 30315, No. 3

1.2.4.2. Exchange of information with regard to the Coast Guard

In 2005, the Cabinet decided that the joint venture within the Coast Guard should be revamped to create the new style Netherlands Coast Guard. . Until then the Coast Guard was a joint venture of six ministries. From 1 January 2007 the Coast Guard became an organisation with its own duties, powers and responsibilities for the purpose of facilitating more effective government intervention in the North Sea. This mainly involves actively monitoring activities and developments relevant to the security of the Netherlands, including patrolling the Netherlands external borders in the North Sea. The Coast Guard is intended to be the information centre for enforcement at sea from which information-based action is taken. Information-based controls at sea thus receive a strong impulse partly for the support of anti-terrorism, security and border control.

1.2.5. Pre-arrival information and risk analysis

1.2.5.1. Passenger details

Council Directive 2004/82/EC (on passenger data) was implemented in August 2007. Technical provisions will need to be made before it will actually be possible to receive the requested passenger data. The Netherlands is to prepare its initial position regarding the Commission Proposal for setting up a European PNR system as part of a package of anti-terror measures.

1.2.5.2. Biometrics pilot scheme in Nigeria

The 'biometrics combined with compulsory copying of documents' pilot scheme was launched in Lagos in June 2005. In 2006 the pilot scheme was extended to Abuja and Kano. The pilot scheme involves the voluntary recording of biometric features of passengers and their temporary storage on a CD-ROM together with copies of passengers' travel and identity documents. If an undocumented person is discovered at Schiphol, a biometric feature can be captured and compared with the database of biometric features captured during the check-in procedure at the departure airport. If the person is found on the CD-ROM, it is possible to establish where the person has travelled from and under what personal details he or she has travelled and a copy of the travel document can be obtained. This enables a claim to be filed against the air carrier so that the alien refused entry can be returned by this airline to the departure airport (in most cases).

The capturing of biometrics combined with compulsory copying of documents makes the border surveillance process faster and more precise. The pilot scheme will end in 2008. As soon as the Aliens Act 2000 grants authority to capture and process biometric data, passengers can be required to supply biometric data and the procedure can be formalised.

1.2.5.3. Rapid Action Teams (RATs)

Rapid Action Teams were launched in Nigeria at the beginning of 2008. The RATs in Nigeria consist of two KMar staff and one member of staff of the IND and possibly at a later stage also a member of the National Police Agency (KLPD). This pilot scheme is aimed at the heightened influx of (single minor) aliens who may fall victim to people trafficking and is

intended to prevent possible victims of people trafficking and (other) inadequately documented or undocumented persons from flying from Nigeria to the Netherlands.

Preboarding checks were carried out by the RATs on 12 flights from Nigeria. The KMar checks documents; during this check the persons concerned are asked further questions in order to establish their profile. This check may give rise to a further, more in-depth investigation. Based on the outcome of the investigation, the RAT advises the carrier as to whether or not the passenger should be allowed on board, the decision ultimately lying with the carrier. If it is discovered in the course of the check that a passenger is a potential victim of people trafficking and the person concerned is open to assistance or further action, the RAT will contact the 'National Agency for Prohibition of Traffic in Persons and Other Related Matters' (NAPTIP). Arrangements are in place with the NAPTIP for the transfer of victims of human trafficking to that organisation, through the intermediary of the Nigerian immigration service.

1.2.5.4. Reporting function for pleasure trips

Timely exchange of information is important to ensure optimum enforcement of border control activities in accordance with the Schengen agreement. As far as the pleasure trips transport sector is concerned, the aim is to arrive at a solution whereby, as far as possible, the executive agencies can access the necessary information on crew and passengers for cross-border pleasure trips direct in advance. This may be achieved through a common electronic reporting function whereby the entry and exit of passengers and crew of (initially) extra-Schengen pleasure craft can be recorded in a customer-friendly manner so that the executive agencies can base their controls more on information and risk. This concept is currently being developed by the executive agencies.

1.2.5.5. Joint risk analysis per transport sector

The risk analyses for all transport segments were completed in 2007. This produced a clearer picture of the risks associated with illegal immigration and illegal importing of goods in the transport sectors of cruises, pleasure trips, minor civil aviation, ferries, freight and fishing. The Border Control Coordination Committee (SAG) of the executive agencies will update the analyses periodically.

1.2.6. Improvement of the system of controls and their execution

1.2.6.1. Streamlining of government controls at Schiphol (Gerritsen Committee)

Mobility and security are crucial at Schiphol airport. In the autumn of 2006, the Cabinet commissioned research into the possibilities for streamlining, integrating and improving government controls at Schiphol airport. The research mapped out the bottlenecks regarding the carrying out of government controls at Schiphol from the point of view of suitability, effectiveness and customer-friendliness. This involves the following aspects: the perception of passengers, legislation and regulations, tasks, powers, responsibilities, policy, organisational structures, joint ventures and international developments. The results of this research were recently submitted to the Cabinet. The conclusion is that the Government, together and in

effective consultation with the Schiphol Group, can contribute to renewing the passenger process by improving the quality and efficiency of its control processes. How the process should be organised will have to be dealt with in more detail over the coming period. Another conclusion was that it was at this point not desirable to set up or to appoint a service that was responsible for all border control processes at Schiphol. The conclusions offer starting points for further improvement of the quality and efficiency of (government) control processes.

1.2.6.2. Security and Public Safety Platform Schiphol

In response to the recommendations of the Schiphol Access Management Committee¹⁰ the Schiphol Security and Public Safety Platform (BPVS) was set up as a joint venture between the Government and Schiphol airport with the aim of improving security and public safety at Schiphol. All relevant processes at Schiphol airport, including the border surveillance process, are being examined in the light of security and efficiency. The intention is to make the border surveillance and security process more efficient and risk-based in order to achieve the correct balance between the need for security and the economic interests of the Netherlands. Several activities have been launched in connection with this. For instance, Schiphol airport has been drawing up plans for reorganising the passenger processes at the airport with a view to accelerating the flow of passengers and making it more secure. The intention here is to combine technology and streamline the passenger process aiming at as few control elements for the passenger as possible. This includes the development of the “*Redesign Passenger Process*” (hereafter: RPP) by the private sector, Amsterdam Airport Schiphol (AAS). This plan was partly developed with a view to the passenger growth expected at Schiphol from 40 million in 2003 to 70 million in 2020. The RPP is a long-term plan.

Schiphol wishes to give shape to this by, for example, having the various controls by KMar, customs and services responsible for security carried out as far as possible at the same time.

1.2.6.3. Automated and information-based border crossing

Forms of automatic border crossing for certain groups of passengers registered in advance (Privium) and the use of biometric features in the border process facilitate more efficient organisation of the various (Government) control processes. The parties involved plan to have the border crossing process carried out in an automated and information-based manner as far as possible. As a precursor to this Schiphol has begun a *Self Service Border Crossing* pilot scheme. This pilot scheme is part of the RPP. Schiphol, in cooperation with KMar, the Ministry of Justice and the Ministry of Foreign Affairs, is using this pilot to test the possibilities for self-service passport control. The aim of the pilot is to test travellers’ willingness to carry out certain passport control actions themselves and to test the equipment. It is also intended to investigate whether this self-service form of border surveillance saves time and capacity without affecting the substance and quality of the controls. This pilot started in the summer of 2007 at departure 2 (for flights to non-Schengen countries). While the passenger stands in the queue for passport control, he places his passport against the glass plate on a “column” provided, whereby an automatic control (of a number of authenticity features of the passport and an NSIS/OPS control) is carried out. When the traveller then reaches the KMar counter, the KMar officer sees the scan of the passport plus the result of the

¹⁰ TK 2004-2005, 24804, No. 30

controls on his screen. The officer then controls the other authenticity features, carries out an identity control, the visa control and stamps the passport (including those of overstayers) if necessary. These travellers will be subject to an NSIS/OPS control during the pilot as the pilot will be taking place at a counter for EU citizens. As this is not provided for under the Schengen Agreement, travellers are informed about this and the examination takes place on a voluntary basis. A study will be carried out after the pilot to see whether self-service border crossings in an adjusted form can be structurally introduced.

Since 2001, EU/EEA citizens at Schiphol Airport can also pass the border automatically by using the biometrics (iris scan) system, Privium. Swiss citizens can now also take part in this programme. Privium started in 2001 and is a joint venture between the Government and Schiphol Airport.

The *International Expedited Traveller* initiative with the US (IET) should also be mentioned. The *IET initiative* with the US involves setting up a “trusted traveller programme” between Schiphol Airport and JFK Airport (New York). This initiative envisages enabling a reliable group of travellers to pass the borders of the Member States in a quick, safe and reliable manner. Discussions are still in progress with the US about the precise details of the programme.

1.2.6.4. Enforcement procedure for the North Sea

With a view to more efficient enforcement of and compliance with regulations in the North Sea, the powers of the officials of the various organisations are to be extended. The officials concerned will soon be able to share reciprocal powers. This concerns enforcement tasks which may be carried out by boarders, working for the services that make up the Dutch Coast Guard, in order to increase the efficiency and effectiveness of the Coast Guard. The existing radar systems have also been adapted and extended.

1.2.6.5. Implementation of Land-Sea concept

This concept involves information-based multidisciplinary and integrated cooperation between the border authorities, developed and implemented by KMar, with both maritime and land units. This is based on operating in three successive zones in accordance with the concept of the concentric circles in the blue border area and measures in the (last) port of the ship's departure. The Land-Sea concept demonstrates that more information and risk-based and technically assisted border surveillance can be achieved in smaller ports using radar and camera equipment.

1.2.6.6. Joint Surveillance of External Borders (coastline)

In response to the report by the AR, an attempt has been made to gain a clearer view of the blindspots along the coastline. The decision was made for joint KMar, customs and ZHP patrols to be carried out along the coast, in the small harbours and in the small airports. The deployment of combined teams for Joint Surveillance of External Borders for a better information position. Joint Surveillance of External Borders enables information-based patrols to be carried out in an intelligent manner on the maritime external border and in small ports. A number of measures have also been carried out that take account of the risks and

threats in the Netherlands. Joint lists of indicators for the various transport sectors (cruise ships, pleasure boating, coastal fisheries, ferry connections, maritime (cargo) trade and minor civil aviation) have been prepared for this. By strict enforcement of the notification requirement and closer cooperation between the services, further improvements can be made in the information position regarding pleasure boating, coastal fisheries and minor civil aviation. Contact points have also been created within the respective organisations for improving the information position and promoting the exchange of information between the various organisations responsible for border surveillance. Activities will need to be undertaken in the coming period in order to ensure maritime surveillance and the surveillance of the smaller airports and small harbours.

1.2.6.7. Information-based external border surveillance in the port of Rotterdam

A quality and efficiency improvement programme has recently been implemented for the border surveillance procedure in seaports. The ZHP has made particularly good progress with this in the largest seaport. This includes measures such as the intensification of Port-related Supervision of Aliens (HVT);

HVT is an intensified form of border surveillance which takes place in and around the port of Rotterdam, situated on the Schengen external border. The purpose of this is, while complementing the border controls, to combat illegal migration (and cross-border criminality) at the earliest possible point. HVT also helps to improve security in the port of Rotterdam, which is classed as an A location in view of the potential threats. HVT is also important because it can provide information about the quality of execution of border surveillance (for instance if illegal aliens turn out to have come from ships) as well as illegality in the Netherlands (if illegal aliens staying in the Netherlands are discovered in ports). HVT can help to indicate the quality of implementation of the aliens' policy.

Steps have also been taken towards developing public and private cooperation. An example of this is the Norfolkline Pilot; The arrival in the port of Rotterdam of a highly frequent cargo ferry connection from outside the Schengen Area (Britain) has led to the development of an efficient information and risk-based procedure for which relatively limited deployment can suffice, despite the expansion of the transport sector. The findings from this are used to apply a clearer control method to other shipping companies and ferry services.

1.2.7. Implementing EU regulations

1.2.7.1. EU VIS

The Master Plan for the implementation of EU VIS was drawn up in 2007. The Master Plan involves a coordinated approach to implementing EU VIS in the Netherlands. The visa authorities (the Ministry of Foreign Affairs, Kmar, ZHP, Aliens Police (VP) and IND) participate in this implementation project coordinated by the Ministry of Justice. An action plan has been drawn up by the chain partners for the implementation of EU VIS within their own organisations. The implementation of the project in the Netherlands depends heavily on the progress of the European project being implemented by the European Commission. So far the Commission has delivered the promised products on schedule. The modification of the

central facilities in the Netherlands to access EU VIS has been planned and implementation and testing of the required modifications have started. The Ministry of Foreign Affairs is designing and applying the necessary modifications to its visa information system. A tendering process has begun with the Ministry of the Interior for the necessary biometrics recording equipment. In accordance with the EU planning, the implementation will be prepared in the first quarter of 2009 and the users will be trained to ensure that the consular posts can take biometric features within the context of the visa issuing process and the data can be delivered to the EU VIS. Based on the European schedule, the Netherlands will be connected in June 2009.

The authorities with the power to carry out controls on the external borders will have access to EU VIS for consulting details with a view to verifying an individual's identity and/or the authenticity of the visa. The identity of aliens requiring visas can be verified more effectively among other things based on biometric features by the introduction of the EU VIS. All border crossing points will be fitted with verification equipment. The new Netherlands visa information system (NVIS) will be connected to EU VIS in 2009. The implementation of the European Visa Information System (EU VIS) and the above-mentioned API Directive will considerably improve the information position on a European level.

1.2.7.2. Implementing the Schengen Information System SIS II

The Schengen Information System (SIS) is a system which enables the authorised bodies of the Member States to obtain information about certain categories of persons and items. Therefore, besides its importance for legal and political cooperation between Member States, it is also an essential tool for ensuring that border control operates properly. The current SIS, which is also used by the Netherlands, is set up for a limited number of countries and uses technology which is now outdated. It was therefore decided to develop a second-generation SIS (SIS II). A transitional version – SISone4all – is currently operational to which the Member States acceded in 2004 are connected.

The responsibility for the policy and the funding is with the Ministry of Justice. The Immigration Policy Department (DVB), the Law Enforcement Department (DRC) and the National Anti-terrorism Coordinator are responsible for the policy. The Administration of Justice and Law Enforcement Policy Instruments Department (DIRR) is responsible for the funding. The implementation (including the development of SIS II) is the responsibility of the Minister of the Interior and Kingdom Relations.

The Netherlands is preparing for the implementation of SIS II at European level. Tests are currently being carried out at EU level. SIS II is likely to come on stream in 2009. This system will provide optimum support for the recording of meticulous individual references. Besides common rules concerning the design, funding and responsibilities of SIS II, there are specific regulations implementing the policy on the movement of persons and cooperation between aliens' and criminal law.

1.2.7.3. Schengen Borders Code

The coming into effect of the Schengen Borders Code has now resulted in the amendment of

parts of the Aliens Act 2000 and the secondary legislation based on this. National provisions for the enforcement of the Schengen Borders Code have been amended. This has led to the harmonisation of the regulations governing border surveillance and controls on individuals. The handbook and training methods of KMar and the ZHP have been adjusted for the purpose of implementing the Schengen Borders Code.

1.3. Total allocated national resources

	KMar	ZHP	BZ	Total
2006	131.5	14.4	91.2	237.1
2007	123.8	17.5	72.8	214.1
2008	124.3	19.4	78.3	222.0

x 1 million Euros

The above table contains a list in the first column of the financial resources allocated by the Ministry of Justice to KMar for the enforcement of the aliens' legislation.

A distinction may be made in the figures between border surveillance and other alien-related tasks.

Funding relates to the following tasks amongst others (border authorities):

- carrying out border control, including carrying out controls on persons and issuing temporary documents, issuing visas at the border;
- carrying out mobile national immigration control (MTV) and port-related aliens supervision (HVT);
- carrying out joint surveillance border patrols (ZHP/KMar and Customs);
- document research at asylum centres and removing or deporting refused or illegal aliens;
- Investigating incidents related to people trafficking based on their duties under the Aliens Act and project-based criminal investigations into people trafficking arising from or relating to border surveillance and/or the MTV and/or the HVT.

For the Seaport Police service this includes the funding of border control operations. As these cannot always be separated from the policing duties and combined operations sometimes take place, this is an estimate (column 2).

As far as funding from the Ministry of Foreign Affairs is concerned, this involves tasks relating to the implementation of the aliens policy (column 3). This involves tasks related to the visa policy in particular.

2. ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE

2.1. Requirements in the Member State based on the base line situation

In the coming years, the Netherlands will be faced with the challenge of organising border control (particularly at Schiphol and the major maritime crossing points) in such a way as to ensure security and to counter illegal migration and, on the other hand, to provide space for the increasing mobility of predominantly bona fide travellers. This requires adherence to EU security measures among others. This therefore leads to the fast handling of an increasing number of travellers whereby bona fide travellers are assisted as much as possible and at the same time, people posing a potential threat from the point of view of security and illegal migration are prevented from entering. The dilemma between growing mobility and the increasing number of security measures require reorganisation of the border control management process at airports and seaports in the Netherlands. The Netherlands Government is facing slightly different challenges regarding the coastline, smaller airports and small harbours. The flows of passengers and crews have not in principle been streamlined there.

2.1.1. External air borders

There are a number of points for improvement with the passenger process at Schiphol. Passengers must sometimes wait for long periods because the various control services still have too much of their own work to do and there is insufficient coordination between the services. Therefore, the cooperation between the responsible services and the harmonisation of processes for carrying out tasks need to be improved in future.

Furthermore, there is currently no structural exchange of findings from controls and information on risks regarding passengers between the responsible border control authorities. This makes it difficult to distinguish between the bona fide passenger who should not be held up unnecessarily and the mala fide passenger who should be stopped.

2.1.2. Maritime external borders

There are several bottlenecks in the control of maritime external borders. Border control processes in the ports of Rotterdam require constant optimisation to keep pace with an increasing volume of movements of goods and persons and the major expansion of the port area. It is apparent that at present the right information for optimum risk and information control is not always available in time. Cooperation between the border authorities and other private and public parties within the port can also be optimised and structured.

As has already been mentioned, there is also room for improvement of border control outside the crossing points in the smaller ports and airports and along the coast to give a clearer insight into existing flows of persons.

2.1.3. Consular missions etc.

There is also room for improvement in other aspects of the border control management process. This applies in particular to information exchange, support for processes by automated systems and cooperation between public and private parties. For instance, the introduction of two new information systems into the visa process is resulting in bottlenecks. Especially since part of the visa process is outsourced to various embassies. Modifications of consular areas should ensure that the expected rush of applicants and the expected extra processing time can be processed efficiently and effectively when translated into the operations within these departments. Counters also need to be adapted for the necessary equipment. Due to the sharp rise in the number of visa applications, bottlenecks may occur in staffing, despite measures already taken and to be taken in future.

Cooperation and information exchange between KMar and IND liaison officers can also be intensified. More agreements were made on this last year.

As was stated in the previous section, the Netherlands has made significant progress on several points in recent years. Development is geared to a more effective and efficient process for the control of persons whereby as much use as possible is made of automatic inspections/checks and risk-based action centring on prior received passenger data and risk analyses prepared on this and which offer various types of border crossing for various types of travellers. The Netherlands Government will have to take further measures in coming years to streamline and complete this border control management process. The Netherlands will also have to take measures to promote cooperation and information exchange between the services responsible for border control.

The ambition that the Netherlands Government wishes to propagate and realise in the coming years can be expressed as follows:

Creating a more effective and efficient border control management process whereby as much use as possible is made of automatic surveillance and risk-based action centred on prior received information (on passengers and goods) and risk analyses and profiles prepared on this and which offer various types of border crossing for various types of travellers. Depending on the location, various methods and degrees of control will take place and the controls will be carried out integrally - coordinated and combined - where possible. This requires a good balance between mobility and security.

With this ambition, the Netherlands aligns itself with the strategic guidelines for the development of the EU external borders: more integrated border management of checks and border surveillance activities, better connections between land and sea services, patrols and regular controls and continued development of risk and information control.

This requires the following:

- investment in the creation of optimum links between information systems for border controls, with personal data being supplemented by information from technical systems and other information and used to gather information at the earliest possible stage;

- commitment to the continued development of an integrated high-quality border control programme and streamlining of procedures with optimum cooperation between public and private services and close harmonisation, including internationally;
- Aiming for efficient, i.e. risk and information-based enforcement, whereby bona fide travellers are facilitated and illegal migration is combated at the earliest possible stage.

2.2. The operational objectives of the Member State to fulfil its requirements

The operational objectives whereby the Netherlands intends to fulfil the requirements are listed below. The objectives are grouped into various target areas for which measures and intervention have been adopted.

2.2.1. Policy and organisation, improvement of control process

A well thought-out control framework, clear translation of policy into execution and an optimum control process are achieved by:

1. Helping to develop an entry and exit system
2. Streamlining the controls by the responsible services at Schiphol
3. Continuing with initiatives in the area of automatic border crossing
4. Review of control processes for maritime border surveillance
5. Developing technically assisted control programmes for pleasure trips, fishing and the coastline
6. Making arrangements for information exchange, technical assistance and joint deployment in the port of Rotterdam
7. Linking data from camera surveillance, patrols and border controls in the port of Rotterdam
8. Executing the implementation plan for EU VIS
9. Fitting border crossing points with verification equipment
10. Adapting counters and separating passenger flows
11. Carrying out an impact assessment into the consequences of EU VIS for the process of controls on individuals

Notes on the objectives of the control process (objectives 1 to 11):

In a European context, initiatives are being exploited and are aimed at more effective and more efficient organisation of the checks on persons on the external Schengen borders. The Netherlands intends to work out these initiatives, such as an entry and exit system, in more detail. The results of the Commission's feasibility study regarding an entry and exit system are under consideration by the Netherlands Government. The steps the Government takes in this context depend among other things on the results of the Commission's research. Besides this, work is also being carried out on reassessing the controls on individuals at Schiphol and adapting and modernising the counters. As far as European initiatives are concerned - implementation of EU VIS and use of passenger data - a programme plan has been set out to support the development and continued modification of automatic border crossing.

The initial results of a strengths/weaknesses analysis carried out in the spring of 2008 reveal the need for a reassessment of maritime border surveillance.

The results and recommendations of this analysis form the basis for concrete plans for improving border control in small (air)ports, particularly for pleasure trips, fishing and minor civil aviation. Alongside the implementation of the land-sea concept¹¹, this reassessment also involves the modification of the infrastructure (camera surveillance) and (continued) development of new technologies. The implementation of a recording system in small ports deserves a mention here.

In the port of Rotterdam, the arrangements between public and private parties for the optimisation of enforcement and border control are being tested and developed further, particularly in the areas of information exchange, technical assistance (cameras) and joint deployment (patrols). As at Schiphol, there are also plans to adapt and modernise the counters and checkpoints in the port of Rotterdam. This will improve security at the crossing point and the fluidity of passenger flows.

As far as the visa process is concerned, the Netherlands intends to facilitate the smooth implementation of EU VIS. For the implementation of VIS in the Netherlands, the central facilities in the Netherlands need to be modified and equipment needs to be procured for the services involved. The arrival of the EU VIS offers the possibility of organising the process for the control of persons at the border in such a way that people from third countries requiring visas cross the border via separate counters and are subject to extensive controls. The setting up of separate counters and queues for travellers subject to visa requirements will, for example, relieve the process for the control of some individuals, e.g. EU citizens, and the border crossing process can be accelerated for some of the travellers.

Since little is still known of the level at which the EU VIS can influence operational aspects of the control of individuals on the border, an impact assessment is planned. This will enable the consequences of introducing the EU VIS on the process for the control of individuals to be mapped out. Technical specifications for the use of VIS by various services in the Netherlands will also have to be developed. During the first quarter of 2009 preparations will be made for implementation and users will be trained so that the posts can begin recording biometrics as part of the visa process and supplying data to EU VIS in line with the EU schedule.

The implementation of VIS means that activities will have to be carried out to adapt the aforementioned new national visa information system (NVIS) of the Ministry of Foreign Affairs. By making structural alterations to several visa-issuing posts, a safe, modern and customer-friendly working environment will be created. Activities ensuring that visa applications can be made in digital form also help to create a customer-friendly visa process.

2.2.2. Information position and information exchange

Timely exchange of information between the services involved in border control and timely

¹¹ The land-sea concept involves information-based multidisciplinary and integrated cooperation within KMar and between KMar and other services, with both maritime and land units. This is based on operational intervention in three successive zones.

exchange of information with the Netherlands representations abroad and liaison officers can be achieved by:

12. Setting up an information house
13. Investigating the possibility of a joint border operations centre
14. Modifying the existing SIS to SIS II
15. Improving the information position about transport sectors
16. Investing in optimum coordination of joint border patrols
17. Improving the information position of the Coast Guard for border control
18. Keeping pace with developments under EuroSur

Notes on the objectives related to the information position (objectives 12 to 18):

The timely exchange of information between the relevant border authorities and the services and liaison officers abroad requires a well-organised "information house". An information house includes the organisational elements, people and processes between which the information must flow and the systems and ICT infrastructure that should make this technically possible. It must be established in more detail which data, possibly linked to biometric features, should be registered and via which system the respective information should be distributed. Where possible, existing or new systems of the relevant services are linked. The new Innovative Border Management project office will perform the necessary activities to set up this "information house" in the next few years. Other countries will also be investigated which already have experience of this way of working, such as the UK with its Joint Border Operation Centre.

As far as information is concerned, a major contribution also has to be made to adapting the existing alert system for the implementation of SIS II.

For the more effective and efficient implementation of border controls, the risks and threats of the various transport sectors crossing the border have to be taken into account. The information position varies greatly depending on the location and the transport sector. The information position has improved recently due to the joint patrols by KMar, ZHP and Customs. It is the Government's concern that these patrols are also carried out effectively and efficiently in the future. This not only involves establishing and monitoring the desired level of control and enforcement, but the aim is also to invest in optimum coordination and risk and information basis for the patrols.

Investment in information exchange, linking systems and communication facilitate joint patrols (see below).

The new-style Coast Guard will also have been further developed in the area of border control for the maritime border in the coming period. The resources available to the Coast Guard will be expanded in order to improve information management. It is and remains a challenge for the Netherlands Government to find other more intelligent types of surveillance in territorial waters.

This will surely be based on the experience gained from EuroSur. The improved information position due to radar systems and patrols promotes the further development of integrated European border surveillance.

2.2.3. Risk analysis

More targeted control of passengers makes border control more effective and more efficient. The following objectives promote this:

19. Optimising the contribution of liaison officers to risk analysis
20. Increasing the number of risk and information-based controls
21. Improving technical support of the risk and information basis
22. Continuing to develop the Maritime Comprehensive Expandable Information System (ZUIS)
23. Qualitative improvement of risk basis for pleasure trips and fishing

Notes on the risk analysis objectives (objectives 19 to 23):

The control of the increasing number of travellers will have to be organised in the future in such a way that mala fide travellers from a security and/or illegal migration point of view must be prevented from travelling to or through the Netherlands. Liaisons are an important factor here. The government takes measures to promote optimum risk analysis.

Activities that further cooperation between liaison officers deserve support, such as the ILO back offices of IND and KMar. Initiatives are being developed for ensuring that information exchange and the exchange of risk signals between the various services are improved. Close cooperation and information exchange between the services and the ILOs abroad are essential in the cooperation of the Netherlands with other foreign partners. Initiatives in this area deserve support. Various forms of cooperation between the various liaison officers, trends and other information about illegal migration are important. Besides the exchange of best practices, support for the tasks by technical resources and ICT is needed. The information that can be requested based on the API and PNR Directives can be used at this stage. This information can be entered in different degrees. A far-reaching form is “interactive API” whereby the individual in the country of departure is already informed of whether he/she may travel to the Netherlands. Undesirables can thus be kept out of the country. This targeted form of border surveillance involves a new way of control during operations. Various methods and degrees of control, automatic surveillance and new technologies, such as applying biometrics at border crossings and security scans enable more intelligent implementation of border control.

The same applies to the development of the risk analysis system of ZUIS from a system for the port of Rotterdam into a national maritime border surveillance system. This not only greatly boosts the information position with regard to border control in Dutch ports, but also enables biometric tools to be used for maritime border crossings. This improves the information position of the relevant services, ZHP and KMar. Automated risk analysis is not yet possible for pleasure trips and fishing. This puts pressure on information-based controls on the spot. By combining these and coordinating them where possible, a qualitative improvement is achieved.

2.2.4. Operational cooperation at national and international level

Both the new control method and acquiring the necessary information are only possible with

structural and intensive cooperation with the organisations involved with border surveillance and/or aliens. The processes must be coordinated with one another and information must be exchanged. The following objectives are distinguished here:

- 24. Closer integration of controls: better coordination and combination where possible
- 25. Investigation of the desirability of joint information centre patrols
- 26. Stepping up operational cooperation between (inter)national services
- 27. Strengthening operational cooperation at Frontex and EU level
- 28. Promoting capacity building by training and exchange of best practices

Notes on operational cooperation (objectives 24 to 28):

The services responsible, KMar, ZHP and Customs, should strive to integrate controls as much as possible so as to create a high-quality, clear process. With regard to the implementation of the Integrated surveillance of external borders (GTB), it is desirable to look into the possibility of a joint information centre.

The Government supports the closer integration of the various types of controls of individuals and goods. New forms of operational cooperation (including at EU level) are encouraged. Legal and administrative bottlenecks will be tackled where necessary. The various executive organisations involved must achieve the optimum outcome from their cooperation. Setting up coordination centres promotes mutual operational harmonisation and cooperation with other member states at Frontex level in the area of maritime border surveillance. The possibility of establishing a joint border operations centre is being studied.

The previously mentioned cooperation between private and public parties at airports and in major ports is essential. Initiatives such as practical cooperation projects including in the area of operational cooperation between the customs authority and KMar at Schiphol and the customs authority and ZHP in the port of Rotterdam are supported. The further development of the control room for ports and the maritime border is an important requirement for this and should be supported.

Cooperation between EU Member States and with Frontex and third countries including countries coming under the European Neighbourhood Policy are very important for effective and efficient integrated external border management. This also fits in with the concentric approach by the Netherlands to border management.

Increasing capacity, training and joint actions for the purpose of border control and combating people trafficking and illegal immigration are important instruments. The Netherlands will in the coming period also be setting up projects and activities in the field of border surveillance to promote cooperation with third countries. The Netherlands will also be actively contributing to the operations and activities of Frontex. This supposes continuous effort in the area of training, performance of joint operations and exchange of best practices.

This will require activities to connect the various (Internet) systems to each other. Within FADO there are various levels at which information can be exchanged. This can mean that information is shared with the public sector. An Internet system can be developed to reach this target group. At a higher level, information can also be shared with officials responsible for border surveillance and the supervision of aliens. For this, it is necessary for the room in

which the FADO system is located to fulfil certain security requirements. Activities that facilitate this, such as modifying the buildings of the relevant services, may be financed from the fund. The Netherlands also has the Edison System. This system is similar to FADO. In this system, security features of documents are also recorded at various levels. At the highest level, the features of counterfeit and forged documents are also recorded. By using these systems, knowledge of documents can be increased, so that crossing borders with counterfeit and forged documents can be combated.

2.2.5. Legislation and regulations

Several objectives are connected to the implementation of legislation and regulations. It should be pointed out here that priority will be given to the implementation of European legislation and regulations. Although no national action (such as a law) is actually required to bring a regulation such as the Schengen Borders Code into effect for a Member State, there are various grounds for a change in the law and secondary legislation based on this being required. These objectives are:

- 29. Timely implementation of EU legislation
- 30. Overview of setting up system for capturing passenger data
- 31. Carrying out an impact assessment on passenger data

Notes on the objectives related to legislation and regulations (objectives 29 to 31):

Implementation in national legislation is not confined to the need to issue instructions for the implementation and enforcement of EU legislation and regulations. The Government will have to carry out the necessary activities in order to ensure that the implemented European regulations are carried out correctly. The implementation programmes for the carriers directive and the application of national legislation and regulations to the Schengen Borders Code have demonstrated the extent of these programmes.

The API Directive (2004/82/EC) was implemented into Dutch law in August 2007. Technical provisions will need to be made before it will actually be possible to receive the requested passenger data. For setting up a system for acquiring passenger data, an inventory must first be prepared of the Government-wide need for passenger data particularly from the point of view of combating terrorism and criminality. During this research, the conditions for setting up a Government wide system will also be mapped out. The results of the “impact assessment” will be involved in further proposals regarding the reorganisation of the process for the control of individuals at the border. The current legislation and regulations in the field of security and border controls at airports are strict. The Government must endeavour to limit as far as possible the infringement experienced by passengers into their personal lives.

3. STRATEGY FOR ACHIEVING THE OBJECTIVES

The Netherlands had opted to include all priorities contained in the Strategic Guidelines for the period of 2007-2013 in the Multiannual Programme, as they all contain elements that are in keeping with the priorities of the Dutch policy for border patrols, border controls and visas. These priorities are discussed further below. Examples are given of actions which may fall under each priority, based on the specific requirements of the Netherlands and the objectives of the Dutch policy on repatriation.

The Netherlands has also opted to adopt the specific priorities from the Strategic Guidelines for the period of 2007-2013 in its priorities. This means that projects based on specific priorities may qualify for a maximum contribution of 75% from the European External Borders Fund. This is set out in more detail in the relevant annual programmes. There follows a summary for each priority of the activities planned by the Netherlands for the period of 2007-2013 with regard to the European External Borders Fund.

3.1 Priority 1

Support for the further gradual establishment of the common integrated border management system as regards checks on persons at and the surveillance of the external borders

This priority involves the following types of action in particular:

a) Streamlining control processes and optimising the infrastructure at crossing points and installing technical assistance systems.

Explanatory notes

Investment in major border crossing points in the Netherlands, such as Schiphol and the seaport in Rotterdam, as well as locations along the coastline and at minor (air)ports such as Hook of Holland, come under this priority. This is relevant to objective 4-7 as defined in chapter 2, for example. Actions resulting in the improvement of border crossing points at external borders and promoting passenger flows and security at external borders also qualify for funding: modernising counters at crossing points, setting up automatic border crossings and self-service posts at the various border crossing points in the Netherlands. These activities facilitate objectives 1-3 and 9-10 of chapter 2. Projects which promote security, such as camera surveillance (objective 7 of chapter 2) are also financed under this priority. These activities also facilitate objective 23: qualitative improvement of risk basis for pleasure trips and fishing.

Relevant goals (targets)

- Improving the separation of passenger flows
- Increased facilitation of bona fide travellers

- Reduction of pressure of controls for passengers
- Increased flow of passengers
- Increased efficiency of controls
- Increased security at border crossing points

Objective: to streamline control processes

Examples of actions

- Streamline checks by relevant services at Schiphol
- Review control processes for maritime border control

Relevant indicators

- Number of control moments at border crossing
- Number of initiatives for automatic border crossing
- Review of control process for maritime border control

Objective: to optimise the infrastructure of crossing points

Examples of actions

- Adapting counters and separating passenger flows
- Equipping border crossing points with verification equipment
- investment in locations along the coastline and in minor (air)ports
- investment at major border crossing points of Schiphol airport and the port of Rotterdam
- modernisation of counters at border crossing points

Relevant indicators

- Number of border crossing points with camera surveillance
- Number of surveillance cameras acquired
- Number of technically assisted systems acquired

Objective: to install technically assisted systems

Examples of actions

- Development of technically assisted control systems for pleasure trips, fishing and coastline
- setting up automatic border crossings and self-service posts
- Camera surveillance of (maritime) crossing points

Relevant indicators

- Number of crossing points with separate passenger flows
- Average duration of border controls

- b) The creation of linkable and where possible integrated recording systems for entries and exits for the various transport sectors¹² whereby bona fide passenger flows are facilitated as far as possible, for example through trusted travellers programmes and automatic border crossing, where mobility and customer-friendliness are balanced against security and prevention of illegal migration.**

¹² cruises, pleasure trips, minor civil aviation, ferries, freight and fishing

Explanatory notes

This priority covers pilot projects, conferences and workshops for the development of registered travellers' programmes. National activities for the development of a European entry and exit system arising from the statements of the Commission concerning future integrated border management also qualify for funding. This supports objective 1-3 from chapter 2 and also helps to improve the information position and develop an information house (objectives 15 and 12) and to improve the coordination of joint activities of the relevant services (objectives 16-18).

Relevant goals (targets)

- To improve the information position of the relevant services regarding passenger entry and exit
- To improve the information position for the various transport sectors
- To increase the efficiency of the management of the processes
- To improve and structure the information exchange between services for the integrated implementation of border control
- To increase the number of registered and facilitated passengers with regard to border control
- To increase knowledge of the development and implementation of recording systems

Objective: linkable and integrated recording systems

Examples of actions

- Continuing initiatives for automatic border crossing and self-service facilities
- Creation of bespoke recording systems
- National activities relating to the EU entry and exit system
- Improving the information position concerning transport sectors
- Improving the information position of the coast guard for border control
- Pilot projects, conferences and workshops

for the development of registered travellers programmes

Relevant indicators

- Number of (developed) trusted travellers programmes
- number of border crossings under trusted travellers programmes
- number of bespoke recording systems created
- number of recording systems linked
- number of relevant chain partners connected
- number of transport sectors for which the information position is improved.
- improved information position for Coast Guard

- c) **The establishment of an information house so that information relating to border surveillance is shared by the relevant services at an early stage in the interests of more information-based and more coordinated and where possible more combined intervention in the area of border surveillance.**

Explanatory notes

The new innovative border management project office will work on establishing an information house over the next few years: objective 12 of chapter 2. The purpose of the information house is link the existing or new systems of the various services such as Customs, ZHP, KMar and the NCTB to each other - where possible and desirable. The aim is to deliver information to the various services more rapidly so that more information-based controls can take place on the external borders. This promotes the achievement of objectives 15 and 16 (information position for transport sectors and coordination of joint activities) and objectives 20 and 21 (increasing the number of risk and information-based controls and improving technical assistance for risk and information basis). These activities also facilitate coordination and cooperation between the services (objectives 24 and 26).

Relevant goals (targets)

- To improve the information position of the relevant services regarding passenger entry and exit
- To improve and structure the information exchange between services for the integrated implementation of border control to increase the number of facilitated passengers with regard to border control
- To improve operational cooperation between the relevant services
- To increase the number of coordinated and combined controls
- To acquire information regarding deployment of capacity for border control at an early stage
- To increase knowledge of the development and implementation of information systems

Objective: to create an information house

Examples of actions

- Creation of an information house
- Overview of setting up system for capturing passenger data
- Carrying out an impact assessment of passenger data

Relevant indicators

- number of linked information systems
- number of chain partners whose information systems are linked within the information house
- number of workshops and conferences about the development and implementation of information systems

Objective: to create a control room for maritime border surveillance for the Seaport Police

Examples of actions

- Improving the incident room
- Creating a control room
- Linking the control room and the Port Expertise Centre
- Linking the control room to the national coordination centre

Relevant indicators

- number of technical systems connected to the control room
- operational control room established for maritime border for Seaport Police
- number of information-based physical border controls managed by the control room
- number of workshops and conferences on risk analysis and risk basis

3.2 Priority 2

Support for the development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European Patrol Network at the southern maritime borders of the EU Member States

- a) The modification and (continued) development of automated risk analysis systems and control rooms so that risks of illegal immigration and threats to security are made clear at an early stage and in an effective manner.**

Explanatory notes

By investing in joint risk analysis, better coordination of joint surveillance activities can be achieved (objective 16 of chapter 2). In this way the Netherlands is taking advantage of its involvement in the development of EuroSUR (objective 18 of chapter 2) concerning the establishment of national coordination centres, the development of joint tools (and technical systems) for border surveillance and the creation of a network of surveillance and information systems for the EU maritime external borders. The activities also facilitate the expansion of risk basis (objectives 20 and 21) and the achievement of objective 22 (continued development of the ZUIS system).

Relevant goals (targets)

- To improve operational cooperation between the relevant services
- To obtain information for risk analysis at an early stage
- To increase knowledge of the development and implementation of information systems
- To promote the desired level of safety, order and peace in the port of Rotterdam and on the European external border
- To improve the control function for efficient and effective deployment of the available capacity to carry out physical border controls
- To deploy technical systems (such as ANPR and camera surveillance) for direction
- To improve risk analysis for the various transport sectors and for the various target groups of passengers
- To improve and structure risk analysis by the border authorities
- To increase the number of facilitated passengers with regard to border surveillance

Objective: to create automated risk analysis systems

Examples of actions

- Creation of risk analysis systems
- Optimisation of contribution of liaison officers to risk analysis

- Continued development of Comprehensive Expandable Shipping Information System (ZUIS)
- Improvement of technical support for risk and information basis
- Improvement of risk basis for pleasure trips and fishing
- Implementation of Land-Sea concept (surveillance of small ports) KMar

Relevant indicators

- number of modified risk analysis systems
- number of contributions by ILO officers to risk analyses
- continued development of ZUIS system
- number of joint risk analyses
- number of border controls for pleasure trips and fishing based on risk analysis

b) Establishment of coordination, information and expertise centres and reinforcement of existing initiatives for information-based intervention of services in the Netherlands and at EU (Frontex) level. A specific action involved in this is the establishment of an operational control room for the Seaport Police for integrated maritime border surveillance.

Explanatory notes

The funding of coordination and information centres comes under this priority: coordination centres which coordinate the activities of the national authorities responsible for border surveillance along the coast, small harbours and airports. This facilitates the achievement of objectives 24 and 25 of chapter 2. The centres are responsible for information exchange with other centres of excellence in the Netherlands and the coordination centres in the other Member States. The setting up and future adaptation of these national coordination centres will also be financed from the Fund. An example of this is the Seaport Police's control room for ports/maritime border surveillance. The procurement of material should ensure that the coordination centres are able to operate optimally, effectively and efficiently.

Such funding enables the Coast Guard's existing radar systems to be developed further. This is in line with both objective 17 (to improve the information position of the Coast Guard) and objective 18 (EuroSUR). New radar systems can also be procured. The improved information position achieved by the procurement or development facilitates cooperation between the Member States (objective 27 of chapter 2), including the southern Member States, and the development of an integrated European patrol system. The activities support the exchange of experience and promote capacity building (objective 28 of chapter 2) within the services.

Relevant goals (targets)

- To step up the coordination of border surveillance, especially border patrols
- To step up the exchange of expertise between services
- To step up the exchange of best practices
- To improve the exchange of (operational) information with other Member States and at Frontex level

- To increase the potential for coordinated intervention with other Member States and at Frontex level
- To step up coordination of border surveillance, especially in the area of border patrols
- To strengthen the information position of the Coast Guard coordination centre with regard to border surveillance
- To step up the exchange of expertise between land and sea services
- To improve the exchange of information between land and sea services and with other Member States and at Frontex level

Objective: to set up coordination, information and expertise centres

Examples of actions

- Setting up coordination centres: maritime and air borders
- To improve expertise centres: airports, ports and documents
- Investigation of the desirability of joint information centre patrols
- Strengthening operational cooperation at Frontex and EU level
- Keeping pace with developments under EuroSUR
- To promote capacity building: training and exchange of best practices
- Integration of controls: improving coordination and combining where necessary
- Joint border patrols based on information
- To improve the radar system for the coast

Relevant indicators

- number of coordination, information and expertise centres for border surveillance
- number of information-based controls or controls coordinated by centres
- number of coordinated or information-based activities at EU/Frontex level
- improved radar system

This sub-priority is in keeping with the specific priority as contained in the strategic guidelines. The correspondence to this specific priority means that the RA may consider increasing the European Community's contribution to the (co-)funding of these projects to 75%. The other priorities can qualify for a maximum of 50% funding.

3.3. Priority 3

Support for the issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents, by enhancing the activities organised by the consular and other services and other services of the Member States in third countries

- a) **Installing or improving the infrastructure of visa-issuing posts for efficient and secure issue of visas, including posts at which the Netherlands represents other Schengen Member States.**

Explanatory notes

Investments in Dutch posts abroad. Activities which result in structural alterations to several visa-issuing posts, including posts at which the Netherlands also represents one

or more other Schengen countries. This promotes the achievement of objective 8 of chapter 2, the implementation of the EU VIS implementation plan.

Relevant goals (targets)

- To increase the capacity to issue visas efficiently and securely
- To improve the coordination of the implementation of the visa policy
- To increase the analysis and assessment capacity
- To improve the management of flows of visa applications
- To improve accessibility for visa applicants
- To increase cooperation and coordination of the implementation of the visa policy
- To reduce the possibilities for visa shopping

Objective: to install or improve the infrastructure of visa-issuing posts

Examples of actions

- Adaptation of the infrastructure of visa-issuing posts
- Modernisation of counters

Relevant indicators

- number of visas issued
- number of rejected applications
- number of fraudulent applications identified
- number of counterfeit documents identified
- number of visas issued on behalf of other Member States
- number of visa-issuing posts whose infrastructure has been adapted

b) Developing the further digitisation of visa applications so that visas can be issued in an efficient and customer-friendly manner.

Explanatory Note

Further digitisation of visa applications can also be financed under this priority. This means that details for the visa application can be submitted via the Internet or agreements can be reached. Activities that enable visa applications to be made in digital form can be financed from the fund. The aim of this activity is to make the visa process more efficient and customer-friendly.

Relevant goals (targets)

- To increase the capacity to issue visas efficiently and securely
- To improve the coordination of the implementation of the visa policy
- To increase the analysis and assessment capacity
- To improve the management of flows of visa applications
- To improve accessibility for visa applicants

Objective: to digitise visa applications

Examples of actions

- developing a digital system for visa applications

Relevant indicators

- number of digital systems for handling visa applications
- number of applications assessed
- number of visas issued
- number of rejected applications
- number of fraudulent applications identified
- number of visas issued on behalf of other Member States

c) Improving the coordination and exchange of information between Immigration Liaison Officers (ILOs) and consequently to develop new implementation plans so as to facilitate the prevention of illegal migration at the earliest possible stage.

Explanatory notes

This may include investment in the ILO back office of the IND and KMar's back office. Conferences or workshops at which forms of cooperation between the various liaison officers, trends and other information about illegal migration are exchanged can also be funded.

Relevant goals (targets)

- To improve the coordination and information exchange between liaison officers and back offices and between liaison officers themselves
- To step up local consular cooperation between liaison officers
- To increase the capacity to identify risks of illegal migration flows at an earlier stage
- To develop best practices with regard to the prevention of illegal migration flows
- To increase coordinated implementation of the aliens and visa policy

Objective: to improve the ILO network and cooperation between ILOs

Examples of actions

- Investment in IND and KMar ILO back office
- Exchange of best practices
- Organising workshops or conferences

Relevant indicators

- Number of contacts between liaisons and back offices and between liaisons themselves
- Number of activities geared to local consular cooperation between liaisons

If projects fit into the specific priorities, it will be looked into whether the respective project can be granted a maximum of 75% financing from the fund, or whether the project qualifies for a maximum of 50% funding.

3.4 Priority 4

Support for the establishment of IT systems required for implementation of the Community legal instruments in the field of external borders and visas

- a) **Continued development of the national visa information system NVIS on which information or documents are entered digitally, the issue of visas is digitised and computerised, communication takes place with the recording system for the "Immigration Chain" in the Netherlands and financial accountability for issuing visas is supported. Linking visa authorities to this national system.**

Explanatory notes

The introduction of biometrics means that activities are required to adapt the Ministry of Foreign Affairs' national visa information system. These activities promote the achievement of objective 8 (implementation plan for EU VIS) and 11 (impact assessment for EU VIS) and objective 29 (timely implementation of EU legislation) of chapter 2.

Relevant goals (targets)

- To increase the capacity for efficient, clear, digitised issue of visas
- To improve the coordination of the implementation of the visa policy
- To speed up the issuing process
- To improve the identification of fraudulent applications
- To reduce the number of incorrectly issued visas
- To improve the financial management of the issue of visas by the visa authorities

Objectives: to implement EU VIS visa systems

Examples of actions

- Carrying out an impact assessment into the consequences of EU VIS for the process of controls on individuals
- implementing EU VIS at consular missions and border crossing points
- implementing NVIS

Relevant indicators

- successful completion of EU VIS implementation plan
- successful completion of implementation of NVIS
- all visa authorities connected to NVIS
- The installation of hardware and software for border control scanners, visa issue scanners, mobile surveillance scanners and photo-camera scanners.
- Installation and configuration of servers at the chain partners connected to VIS
- Completion of impact analysis for EU VIS
- Training staff to use the relevant equipment.
- The acquisition of 200 items of equipment for about 480 counters at the external checkpoints of the Netherlands.
- Acquisition of 480 units of finger scanners for the external checkpoints, etc.
- Development of multi-use software

- b) **Carrying out ex ante testing in the form of pilot projects for the implementation of Community legal instruments such as VIS and API in the course of which empirical data is shared and possible bottlenecks are clarified in good time.**

Explanatory notes

For the implementation of VIS in the Netherlands, the central facilities in the Netherlands need to be adapted and equipment needs to be acquired for the relevant services. Technical specifications will also have to be developed for the use of VIS by various services in the Netherlands (objectives 8 and 9 and 29-31 of chapter 2).

Relevant goals (targets)

- To increase the knowledge of the implementation of Community legal systems
- To improve the exchange of information about the implementation of Community legal systems
- To improve the timely identification of possible bottlenecks in implementation

Objective: to carry out ex ante testing

Examples of actions

- impact analysis for VIS

Relevant indicators

- Number of trial projects carried out
- Timely implementation of Community legal instruments

c) The coordinated implementation of SIS at KMar, ZHP and consular services so that control of passenger traffic is optimised by facilitating bona fide travellers and preventing risks of illegal migration and threats to the security of the Netherlands and Member States.

Explanatory notes

Also for the implementation of the SIS II programme, central facilities will have to be adapted in the Netherlands and equipment will have to be updated for the relevant services. Technical specifications will also have to be developed for the use of SIS by various services in the Netherlands. These activities promote the achievement of objectives 8, 9 and 10, as well as objective 21 (technical assistance for risk and information basis) and 22 (ZUIS).

Relevant goals (targets)

- To improve the coordination of the "alert policy"
- To improve the capacity to combat risks of illegal migration and threats to security at an early stage
- to prevent the criteria for deciding which Member State is responsible for considering the application from being circumvented
- to facilitate the combating of fraud

Objective: to implement SIS II

Examples of actions

- implementation of SIS II

Relevant indicators

- number of definite milestones achieved towards the implementation of SIS II

- number of tests carried out of communication between SIS II and the national system
- timely migration from SIS I to SIS II

d) The promotion of the implementation and use of the FADO and EDISON systems and continued development of these systems so that knowledge regarding (counterfeit) documents can be shared by a wide target group at various levels in a secure (digital) environment.

Explanatory notes

Activities are required to link the various (Internet) systems to each other. Within FADO there are various levels at which information can be exchanged. The room in which the FADO system is installed must fulfil certain security requirements. Activities that facilitate this, such as modifying the buildings of the relevant services, may be financed from the fund. Activities that ensure that FADO and EDISON are developed further qualify for funding. This helps to improve the information position (objective 15), improves the risk and information basis (objective 21) and promotes capacity building by the services (objective 28 of section 2).

Relevant goals (targets)

- To increase knowledge for the identification of counterfeit documents
- To improve the exchange of information about (counterfeit) documents between Member States
- To improve the secure manner in which this knowledge is shared
- To improve the timely identification of counterfeit and forged documents

Objective: to improve the application of the FADO and EDISON systems

Examples of actions

- Improving the FADO system
- Improving the accessibility of the FADO system
- Improving the EDISON system
- Improving the availability of the EDISON system

Relevant indicators

- number of forgeries identified
- number of documents in FADO and EDISON
- number of connections made to FADO and EDISON
- number of border guards with access to FADO and EDISON
- number of seminars, training sessions and workshops on the use of digital systems to identify counterfeit documents

e) The development of a digital border information and registration counter where information can be shared with the border authorities prior to entry

Explanatory notes

The activities facilitate the development of the technically assisted control

programmes for pleasure trips, fishing and coastline (objective 5) and supports the improvement of the quality of the information and risk basis for pleasure trips and fishing (objective 23).

Relevant goals (targets)

- To improve the timely requesting and receipt of passenger details
- To improve services for bona fide travellers
- To improve access for passengers to information about border surveillance

Objective: to develop a digital recording and reporting system

Examples of actions

- creation of a digital recording system for pleasure trips

Relevant indicators

- number of pre-registered passengers
- number of visitors to website
- number of questions answered

The sub-priority in 3.4b is in line with the specific priority contained in the strategic guidelines. The correspondence to this specific priority means that the RA may consider increasing the European Community's contribution to the (co-)funding of these projects to 75%. The other sub-priorities can be funded at a maximum of 50%.

3.5. Priority 5

Support for effective and efficient application of relevant Community legal instruments in the field of external borders and visas, in particular the Schengen Borders Code and the European Code on visas

- a) Investing in training and modern equipment to improve information exchange and raise the level of knowledge of liaison officers of Community regulations on border surveillance. Training and organising activities for the optimum exchange of information and helping to raise the level of knowledge and reinforce integrated border management.**

Explanatory notes

The activities to be funded promote the achievement of objective 28 (raising the level of knowledge and exchange of best practices) and objectives 26 and 27, improving international cooperation with regard to integrated border management.

Relevant goals (targets)

- To increase knowledge of illegal migration and security
- To increase knowledge of Community legal systems
- To improve the exchange of information between liaisons
- To step up the integrated implementation of border management

Objective: to increase knowledge and share knowledge between ILOs

Examples of actions:

- increasing knowledge

Relevant indicators:

- Number of conferences, seminars and workshops
- Number of participating liaisons
- Acquisition of equipment at consular posts earmarked for liaisons
- Knowledge level of liaisons

b) Training and organising activities to increase the knowledge of border guards, particularly with regard to legal instruments, common standards and best practices and with regard to the information and risk basis.

Explanatory notes

New forms of cooperation such as rapid action teams may also apply to the fund. New forms of cooperation may initially be implemented in pilot projects. This enables experience to be acquired before deciding to apply this method systematically. Updating the knowledge of border guards is - including in this context - an important aspect. Sharing and making available digital manuals and documents is also a priority. The activities promote capacity building by the services (objective 28).

Objective: to increase the knowledge of and increase the sharing of knowledge between Border Guards

Examples of actions:

- increasing knowledge

Relevant goals

- To increase knowledge of Community legal systems
- Increasing knowledge of common standards and best practices
- Increasing knowledge of the risk and information basis
- Improving the exchange of information between border guards
- Improving the clear application of common standards
- Stepping up the integrated implementation of border management

Relevant indicators

- Number of conferences, seminars and workshops
- Number of participating border guards
- Number of (digitally) accessible manuals and best practices
- Level of knowledge of border guards

If projects fit into the specific priorities, it will be looked into whether the respective project can be granted a maximum of 75% financing from the fund, or whether the project qualifies for a maximum of 50% funding.

4. COMPATIBILITY WITH OTHER INSTRUMENTS

The assistance from the Fund for the purpose of the four priorities serves as an addition to the national and local actions in which the communities' priorities are included. This also fits in with the activities, policy lines and priorities of the European Union. There is the possibility for projects to be financed where the financial resources can also probably be found in the Frontex budget. In order to prevent projects from being subsidised from both funds, these projects will not be eligible for funding from the European External Border Fund.

In order to be sure that this measure is guaranteed, the Frontex work programme in which its annual activities are stated will be distributed to the committee members during the steering committee meeting. The steering committee, consisting of Members of the Ministry of Justice, the Directorate of Aliens Policy, the Staff Committee for the Coordination of Immigration, the Ministry of Foreign Affairs and the innovative border management project office, decides on projects financed by the fund. This steering group meets once a year to determine the list of selected projects to be notified to the Responsible Authority.

It should also be pointed out that the strategy set out under the above priorities is in line with and complements the relevant policy, legislation and regulations at national and Community level. The Responsible Authority and the strategic partners (section 5) continue to guarantee this agreement and its complementarity and together have the necessary skills to fulfil this role. The responsible body of the EBF will maintain close contact with the other departments with an insight into other relevant Community funds at national and regional level, so as to ensure the separation and complementarity between the EBF and other Community funds. The Ministry of Economic Affairs plays a coordinating role in the implementation of structural policy in the Netherlands. Projects will be harmonised with the Coordination Point for Structural Funds of the Ministry of Economic Affairs in order to avoid double funding.

The Responsible Authority also bears primary responsibility for the development and implementation of the policy on border surveillance in the Netherlands and ensures that this strategy is tested against this. Structural discussion and consultation with strategic partners in the field ensures compliance with policy and regulations and executive level.

The priorities set out in this document fit in with the improvements planned by the Netherlands Government in border surveillance policy, and the available resources will be deployed primarily for activities that have to be carried out under the implementation of European legislation and regulations or activities supplementing the measures already taken in this respect.

The available resources will also be deployed for innovative and/or supplementary activities of the authorised authorities and organisations in the field. In all cases the activities for which the resources of the EBF are used must fit in with the Multiannual Programme and the Annual Programme. The activities and measures deemed to qualify for a grant must obviously not conflict with Government policy.

5. FRAMEWORK FOR THE IMPLEMENTATION OF THE STRATEGY

5.1. Publication of the programme

The Multiannual Programme is published on the following website of the Ministry of Justice: www.justitie.nl/europesemigratiefondsen.

General information about the European External Borders Fund is also displayed on this website and all relevant documents, including the Annual Programme, application forms, the strategic guidelines, etc., are available for downloading.

If a call is issued for grant applications this is placed in the Government Gazette. In the announcement of the call, reference will be made to the European External Borders Fund website. As soon as the opening date for the call for submission of grant applications is announced, an e-mail will be sent to interested parties referring to the website.

5.2. The chosen approach for the implementation of the partnership principle

1. The steering committee, consisting of Members of the Ministry of Justice, the Directorate of Aliens Policy, the Staff Committee for the Coordination of Immigration and the Ministry of Foreign Affairs, decides on projects financed by the Fund. The steering committee should meet once a year. The steering committee advises the Responsible Authority on projects which may be financed from the Fund (see also para. 4).

2. In establishing the partners, the Ministry of Justice also looked to the parties that are of great importance for the proper completion and implementation of border surveillance and the border control process in the Netherlands. The respective partners were approached on this basis. The partners are involved in the creation of the multiannual Programme, including its revision if applicable, drawing up Annual Programmes, assessments, etc. The partnership consists of organisations and departments of the central government involved in (parts of) the development and implementation of the national policy on border surveillance in the Netherlands.

The steering committee and the partners play different roles in the procedure relating to the Fund. The steering committee has an advisory role towards the Responsible Authority. The partners develop projects for inclusion in the Annual Programmes.

As has already been mentioned, certain tasks of the Ministry of Foreign Affairs, KMar and ZHP involve a de jure monopoly position of a government body. Specifically, when drawing up Annual Programmes in relation to the call, a request will be made to define certain actions. After consulting the steering committee of the EBF, the Responsible Authority will decide if these actions should be included in the Annual Programme.

As described above, if they wish, the members of the steering committee may also consult the

organisations in the field with which they are in contact within their policy area.

3. This Multiannual Programme is agreed with all members of the strategic partnership. The strategic partnership is led by the Responsible Authority. The partners played an active role in completing the Multiannual Programme. An information meeting was held in mid-2007. During this meeting the partners were first consulted about the issues, priorities and activities to be included in the Multiannual Programme. Intensive discussions then took place with the partners involved in implementing the border surveillance and visa policy regarding the drafting of the Multiannual Programme.

The respective partners in this process are:

The Ministry of Justice

Immigration Policy Department; responsible for the development and implementation of the border control policy

Immigration Coordination Department; responsible for coordinating "the immigration chain"

The Immigration and Naturalisation Service; the admission authority, also responsible for handling visa applications and examining appeals against refusals to grant entry.

The Ministry of Defence

The Royal Netherlands Marechaussee; the organisation responsible for border control. The organisation is responsible for checks at airports and at other ports.

The Ministry of the Interior

The Seaport Police; the organisation responsible for border control with regard to the port of Rotterdam.

The Ministry of Foreign Affairs; responsible for the development and implementation of the visa policy in the Netherlands.

The Ministry of Finance

Customs; the organisation responsible for border controls regarding goods.

6. INDICATIVE FINANCE PLAN

6.1 Community contributions

6.1.1.

Table

Multiannual Programme – Draft Financial Plan								
Table 1 - Community Contribution								
Member State: The Netherlands								
Fund: External Borders Fund								
(in 000'euros-current prices)	2007	2008	2009	2010	2011	2012	2013	Total
Priority 1:	587	712	1.753	2.584	3.320	4.604	6.488	20.048
Priority 2:	0	0	0	152	195	418	590	1.355
Priority 3:	0	0	0	152	195	418	590	1.355
Priority 4:	1.761	2.137	1.752	608	781	837	1.180	9.056
Priority 5:	0	0	0	152	195	418	590	1.355
Technical assistance	209	247	296	307	227	310	425	2.021
Total	2.557	3.096	3.801.	3.955	4.913	7.005	9.863	35.190

6.2 Overall financing plan

6.2.1. Table

Multiannual Programme – Draft Financial Plan								
Table 2 - Overall Financing Plan								
Member State: The Netherlands								
Fund: External Borders Fund								
(in 000'euros-current prices)	2007	2008	2009	2010	2011	2012	2013	Total
Community Contribution	2.557	3.096	3.801	3.955	4.913	7.005	9.863	35.190
Public co financing	1.174	1.424	3.504	3.648	4.686	6.694	9.439	30.569
Private co financing								
Total	3.731	4.520	7.305	7.603	9.599	13.699	19.302.	65.759
% Community Contribution	68,53%	68,49%	52,73%	52,71%	51,18%	51,14%	51,80%	53,51%

6.2.2. Comments on figures/trends

The Netherlands has opted in principle to allocate the resources from the EBF during 2007 to 2009 primarily to the implementation of European legislation and regulations, as in this case the implementation of EU VIS (priority 4).

From 2009 onwards the Netherlands will allocate the resources from the EBF primarily to activities related to the innovative border control project aimed at reviewing the border control management process in the Netherlands. Consequently, the 2009 and 2010 tranches will be allocated primarily to activities for the development of automatic border crossing at Schiphol, trusted traveller programmes and pilot projects for the development of an information house, as mentioned under priority 1.

When developing the Multiannual Programme, the first draft of which was submitted to the Commission in December 2007, an innovative border control project was not yet envisaged. For the period 2010-2013 the Netherlands had therefore foreseen to distribute the resources equally between the priorities. The distribution has been remade and more weight has been put on priority 1 given the cost related to the above-mentioned activities.

For 2011 till 2013 the Netherlands would also envisage allocating a significant part of the resources from the Fund to activities geared towards the further establishment of the integrated border management system, in particular by developing an entry and exit system. Cost related to such a system are covered in principle by priority 1. Political decisions will have to be taken regarding deployment and the carrying out of these activities and consequently not much information was provided in the description in chapter 3 regarding these activities.

The cofinancing percentages related to the allocations for 2007 and 2008 are the result of the intention to apply specific priorities (in particular those set out in priority 4).

In the light of the above, there has been a redistribution of the available resources.

(signature of the responsible person)

The Director of the Immigration Policy Department at the Ministry of Justice