



**VALSTS ROBEŽSARDZES KOLEDŽA  
RĒZEKNES TEHNOLOĢIJU AKADEMĪJA**

VI starptautiskā zinātniski praktiskā konference

# **ROBEŽU DROŠĪBA UN PĀRVALDĪBA**

IEKŠĒJĀS DROŠĪBAS UN CIVILĀS AIZSARDZĪBAS ZINĀTŅU ŽURNĀLS

**STATE BORDER GUARD COLLEGE  
REZEKNE ACADEMY OF TECHNOLOGIES**

VI<sup>th</sup> International scientific and practical conference

# **BORDER SECURITY AND MANAGEMENT**

JOURNAL OF INTERNAL SECURITY AND CIVIL DEFENCE SCIENCES

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## Foreword

The State Border Guard College in collaboration with Rezekne Academy of Technologies has established a good and long-standing tradition of organising conferences. The aim of this conference is to provide the platform for researchers to share their knowledge and ideas on recent trends in the area of Border Security and Management.

VI<sup>th</sup> International scientific and practical conference BORDER SECURITY AND MANAGEMENT this year is organised in a new format. We have invited scientists from different countries, such as Latvia, Lithuania, Spain, Poland and Italy to be part of the Scientific organizing committee of the conference. Latvian and foreign scientists, academic staff, as well as the State Border Guard officials participate in the conference and present their research.

The role of the Border Guard as well as its development today has gained special attention. The problems related to border security are topical at both Latvian and European level. Therefore, it is important to analyze and seek common solutions to urgent issues related to Future challenges and opportunities of immigration, Integrated Border Management, Cooperation in the field of border security and management, Information Technologies in border security and management, Shaping border guard education, Ethical issues and psychological aspects in border management.

The summarized studies reflect problems and issues related to the Border Guard work organization and management. The authors' proposed approaches and ideas are an essential contribution to the future solutions, at the same time assuring that the border security and management is an important research subject.

The research papers may be useful for professionals who are interested in the areas of border security and management.

The editorial board hopes that International scientific and practical conference BORDER SECURITY AND MANAGEMENT and Journal of Internal security and civil defence sciences: Border security and management will become more recognizable with every year and will make a significant contribution in the development of the area. The editorial board expresses greatest appreciation to the authors of papers, the peer reviewers and the cooperation partners for their contribution to the Journal.

**Dr.oec. Iluta Arbidāne**  
Chief editor of the journal

# USE OF MODERN EDUCATIONAL TECHNOLOGIES IN THE FIELD OF MILITARY EDUCATION. DISTANCE LEARNING - PROBLEMS AND DECISION

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**Abstract.** *The article describes the main development directions of distance learning in the military education, shows the difference between distance learning and traditional one. The conclusion is that the distance learning can be considered as an independent form of education, because it has key differences, which cannot be implemented in the traditional form. Nevertheless, it cannot replace traditional learning completely that military training has.*

**Keywords:** *distance learning, military education, information technologies, electronic teaching materials.*

## Introduction

Relevance of the research.

One of the creations of the new Armed Forces of the Republic of Belarus image are military professionals –educated, highly qualified specialists who have a good command of several adjusted military qualifications.

This level of military leaders training has based on the basic education, regular retraining and advanced training courses.

The use of innovative existing technologies and optimization could significantly reduce efforts and costs of retraining and advanced training courses of military leaders and specialists of different levels.

The features of the realization of the distance learning technologies has identified as the subject of the study in the military activity conditions.

The practical importance of the study is in developing of recommendations and suggestions on the implementation of the distance learning technologies for professional retraining and advanced training courses of military leaders and specialists in additional educational programs in the everyday activity conditions in higher military educational institutions.

One of the methods to increase the efficiency of the educational process in modern conditions by increased requirements for the quality of training is distance learning. In the system of military education of the Republic of Belarus, much attention has been given improving the ability of students to work independently on the command, Staff and other positions

in the interests of Government bodies for the military security and the defense of the State.

Introducing information technologies impact on teaching methods and quality and functioning of methodological literature.

Another use of information technologies is the development and enforcement of innovation multimedia programs, virtual lectures and libraries, tests and auxiliary educational materials, as well distance learning.

Active use of computer programs allow military personnel more clearly and accurately treat the object of study.

One of the most progressive forms of innovation is the use of training systems as the effective participation in any process. This can include various simulators for driving different military equipment, training devices for shooting any weapon, imitation of the automated work places of various information systems.

All of these methods allow you to eliminate the possibility of improper management with weapons and military equipment and any accident. In the short term, it is planned to unite all innovative forms of learning under the common platform DL system.

Distance learning is widely developed in the West. However, it begins gaining in popularity only now in our country.

Distance education is an opportunity to study individually, regardless the time and place, the opportunity of life-wide learning. There is growth in the number of students in the world, enrolled in the DE technologies, as well as universities using this form of education in the learning process. There is also an increasing number of international educational institutions.

### **Informatization of military education**

A key indicator of training effectiveness of any educational technology (as in educational system as a whole) is a degree of interactivity. Due to the fact that during distance education a student`s contact with a teacher is limited, there have to be more possibilities for the interactive e-educational materials. The software LMS institution should support high interactivity.

The share of e-learning technologies in the system of military education may come closer to one-half the academic period for studying of specific disciplines of the course, although this statement requires some research.

Military education strategy is to use the achievements in education and new information technologies for the modernization of teaching and militant training.

Nowadays some activities are carried out to integrate distributed educational resources with private information networks to unify the highly intellectually teachers, experts in subject military areas as well as traditional teaching to support ongoing training on a "student - Educational Center" scheme.

When teaching the military-technical and special disciplines the domination of the distance learning method is deleted, as a number of practical skills required to have the trainee can be obtained only by working on real weapons and military equipment.

No any virtual simulation of practical actions results cannot fully replace the field training and live-fire artillery exercises. Therefore, e-training of future specialists in such disciplines is seen only in the basic theory of the subject. Along with electronic textbooks and different learning systems, it is advisable to use situational interactive computer programs and exercise equipment for practical training of students.

Modern information technology education are not excluding alternative to traditional education, but rather should be integrated into the existing education system. It is also clear that the use of distance learning significantly expands the possibilities in the military education (retraining) the military personnel.

In this regard, we can talk about the use of combined forms of education in which the traditional classroom training combined with the use of distance learning technologies.

### **Distance learning in Belarus**

Ministry of Education of the Republic of Belarus developed the Concept of Informatization of the Education System in the Republic of Belarus for the period up to 2020, which defines the main goals and objectives of education informatization, building a unified educational space throughout the country, shows the main ways to improve the quality of educational services (Concept,2015).

Establishment of a national information environment education system will allow information interaction of all stakeholders of the education system and the formation of a national system of electronic educational resources (The program activities, 2011).

Possibility of DL correspondence enshrined in the Code of the Republic of Belarus on Education. Many universities use DL technologies. Today, 19 out of 59 higher educational institutions, in Belarus, offer training in remote form.

Based on the accumulated experience, we can say that the introduction of electronic DL requires three essential components:

1. Technical - availability of the necessary infrastructure and software (software platform).
2. Teaching - availability of educational content (lectures, guidelines, etc.).
3. Organizational and methodical - availability of training plans and programs of work techniques with students in distance format etc.

### **Technical Component**

Today, every university has regularly updated PC park, as a rule, connected to the corporate local area network and with access to Internet. This raises the question of choosing a platform or an online DL technology.

In 2013, an analysis of platforms used for distance learning was conducted. 10 leading systems in the field of DL allocated were: Twitter, Google Drive / Docs, YouTube, Google Search, PowerPoint, Evernote, Dropbox, WordPress, Facebook, Google + / Hangouts.

This list does not include a platform specially designed for DL. Social networks are used in training more actively than "internal" systems, that is explained by the simplicity and convenience of free communication between teacher and students. But the learning process is not only the communication but the process and the organization of learning activities of students with tracking time schedule, independent work, which results are assessed and taken into account when putting the final grade. And the above-platform leaders are not suitable for the organization of educational process in high school.

Distance learning in the university system should include:

1. Tools for creating e-learning courses.
2. Training courses management tools.
3. Learning management tools.

**Tools for creating e-learning courses** - is a software platform or part, allowing you to create DL courses that can meet certain standards, for example, SCORM.

**Training courses management tools** - allow to demonstrate an e-course to students.

**Learning management tools** - allow the teacher to interact with students and receive feedback: to control training activities, performance, evaluate the performance of tasks.

All these listed funds are integrated into the learning management system content, implemented in the form of software and hardware platforms of DL systems.

## Training Component

In distance learning, the following types of electronic publications (classification) are used:

**Software** - service of general purpose; for control and measuring the level of knowledge and skills; Electronic training devices; for mathematical modeling and simulation; for remote access to laboratory equipment or virtual laboratories.

**Training systems** - automated; expert training systems; intelligent tutoring systems; information and referral system.

**Automation of professional activity** - industrial software and training analog.

**Electronic publications** - textbooks, teaching materials, etc.

It should be noted that the DL course as opposed to "static" electronic textbook has feedback mechanisms, is constantly changed and evolved. If not, that is, not to interact with the students, do not check the job, not to answer the students' questions, etc., e-course will turn into an electronic textbook, and in 2-3 years it will lose its significance.

Currently, all high schools form the electronic repository of teaching materials on disciplines designed in the form of electronic teaching materials (ETM), with regulated structure and content. Availability of ETM is necessary condition, without which DL is impossible.

### Preparation of teaching and program documentation

Over the last 5 years in accordance with the Strategic Development Plan for 2011-2016 in the Border Institute there has been settled a number of tasks necessary for the implementation of distance learning:

1. There is a corporate educational portal of the University «ips-portal.by» with authorized employees access to the information resources of the Institute.
2. Allocated to registered users e-mail address and Internet traffic.
3. Developed electronic educational-methodical complexes (ETM), covering 70% of subjects studied at Institute.
4. Systematic work on ETM transformation into interactive online courses that are placed on the educational portal of the Institute, which is a learning process and content management system constructed on the basis of Moodle software platform, its interactive elements and resources.

Moodle - is a courses management system (Course Management System - CMS) with open source software, also known as a Learning Management System (Learning Management System - LMS) or a Virtual Learning Environment (Virtual Learning Environments - VLE). It has

become very popular among educators around the world (in the previously mentioned ranking in DL systems, ranks 11th) as a means to create dynamic web sites for students and centralized aims to present students with educational content. (Brezgunova, 2010)

Among the advantages of Moodle system are the following:

**international recognition** - the system is widespread in the world, It is used in 223 countries, 95 languages interface;

**simplicity** - easy and intuitive e-learning format display, content and all settings can be edited directly in the system interface, without third-party software;

**scalability** - mobile system, low system requirements, no licensing restrictions, performance limited only by the hardware resources.

In 2016, the University Council took a decision on the transition to the training employees in part-time DL.

In accordance with this decision the Action Plan for starting training in remote form has been prepared. That includes the following activities:

1. To study the experience of universities of the Republic of Belarus, and some of the leading Russian and European universities.
2. To develop a Regulation on DL.
3. To develop a training plan for employees.
4. To conduct training courses "Preparing the remote e-learning courses in the LMS Moodle and their use in training" to improve skills of work with DL systems.

## **Conclusions and suggestions**

Fast development of computer, telecommunications and network technologies blurs the distinction between a training and available systems, leads to a more holistic concept of military training and education. As computers become more sophisticated, they applied not only for training and education, but also for implementation and support combat missions.

Thus, almost all universities of the Republic of Belarus are actively implementing this concept, developing their infrastructure, creating an electronic repository and implementing an DL technology. But, when it is necessary to highlight some of the problems associated with the introduction of distance learning:

1. Lack of regulatory law regulations at the national level-documents regulating the organization of educational process, preparation of curricula, standards of time for distance learning. Universities independently develop the necessary local regulations on the basis of the existing instruments of the Ministry of Education of Belarus, regulating the organization and

teaching and planning documents for distance learning, adapting them to distance learning.

2. Absence of unique requirements to the educational process in the remote form - whether all curriculum subjects should be taught in distance format, if "no", then what the proportion, is what the requirements for technical and methodological support of distance learning and others are.

3. The lack of methodological and pedagogical recommendations developed for organization of educational process in a remote form, for example, to conduct lectures, practical and laboratory studies, the organization of the course design, etc.

More specifically on the existing system of military education includes the following weaknesses and omissions. Miss: centralized management of the entire DL system; centralized procedure of standardization for all the DL systems; standards for course developers and teachers; lack of information and communications environment; standardized data storage for all DL system.

However, it is clear that the introduction into the educational process of professional retraining of the military personnel with the use of distance learning technologies allows not only achieve greater efficiency of any educational process, and improve the quality of subsequent self-study students' pre and in-service training, which is very important in the military affairs.

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# POSSIBILITIES OF IMPROVEMENT THE PREPAREDNESS OF OFFICERS OF THE BORDER CONTROL AND IMMIGRATION CONTROL STRUCTURAL UNITS OF THE STATE BORDER GUARD FOR SCHENGEN EVALUATION ON-SITE VISITS

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**Abstract.** *The aim of the research is evaluation of the present situation in Latvia concerning the preparedness of officers of the border control and immigration control structural units of the State Border Guard for Schengen evaluation on-site visits, examination of its legal regulation and practical aspects. In the research the scientific information about the Schengen evaluation historical development is summarised, its principles and mechanisms are reviewed, as well as its significance in the state border security is defined. The topicality of the theme is defined by the fact that in Latvia the regular Schengen acquis application evaluation started in July 2012 and it completed in May 2013. In practice the Member States' evaluations are implemented on the basis of multiannual and annual evaluation programme. The next planned evaluation is foreseen in 2018. The new evaluation mechanism gave the possibility of organisation of unannounced evaluation on-site visits aiming at getting clearer picture of the present situation and working out recommendations for further actions to remedy any deficiencies in the external border control. It is obvious that the largest responsibility in Schengen acquis application enters the scope of competences of the institutions subordinate to the Ministry of the Interior, namely, the State Police and the State Border Guard. The issues of the research indicate how important and necessary is the complex approach to ensuring of Schengen evaluation on-site visits – both announced and unannounced – implementing the integrated border management in the general context of the European Union and contributing to the common state security in the European Union. In the research it was concluded that the State Border Guard implements a range of actions in accordance with its competence in the field in question, thus ensuring realisation of requirements on the corresponding level.*

**Keywords:** *Schengen acquis, evaluation, unannounced on-site visits, training, preparedness.*

## Introduction

In order to ensure efficient, consistent and transparent application of the Schengen *acquis*, as well as to verify its implementation, the evaluation and monitoring mechanism was established, which at the same time

enables to maintain a high level of mutual trust between the Member States. The evaluation mechanism includes all aspects of the Schengen *acquis*, including management of external borders, visa policy, operation of the Schengen Information System, data protection, judicial cooperation, as well as absence of border control at the internal borders and cooperation of the institutions responsible for Schengen *acquis* application.

With the purpose to prevent criminal offences and to strengthen state internal security, SBG continue intensive work in introduction of standards defined by the EU and Schengen *acquis* related to work capacity of its structural units, particularly – officers' competence both in fulfilling everyday duties and in professional education. Therefore the given research reviews and evaluates the legal basis regulating the previously mentioned evaluations, their practical organisation in the Member States, and preparedness of the State Border Guard's officers to receive representatives of the on-site team.

The aim of the research is to examine the legal basis and practical issues of the evaluation mechanism, State Border Guard's border control and immigration control's structural units' preparedness aspects regarding the Schengen evaluations, as well as to define activities for its improvement.

Tasks of the research include review and analysis of laws and regulations, by means of a questionnaire – the evaluation of the preparedness of officers working in the State Border Guard in the field of border control and immigration control, summarisation, analysis and evaluation of the results, bringing proposals on the topic of the research.

The method of the theoretical research is selection, review and analysis of the scientific (legal) literature; for designing the theoretical part of the thesis selection, review and analysis of laws, rules and documents regulating the State Border Guard's activity were done; data processing mathematically statistical method was used for visual representation of the results (tables, diagrams); the historical method was applied for study of the legal regulation development in the historical context.

Hypothesis of the research: the obstructing factor for preparedness of the State Border Guard's border control and immigration control structural units for evaluation visits is officers' insufficient knowledge about the scope of activities of the evaluation commission and in the fields to be evaluated.

Novelty of the research: the research may be used for official service needs, implementing practical training for officers of the structural units of the State Border Guard's border control and immigration control and for preparation for the evaluation on-site visits.

## Historical development of the Schengen evaluation mechanism

In accordance with Regulation (EC) No 562/2006 of the European Parliament and of the Council (after 12 April 2016 – No 399/2016), which established a Community Code on the rules governing the movement of persons across borders, border control is in the interest not only of the Member States at whose external borders it is carried out, but of all Member States, which have abolished internal border control. Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations.

The Schengen Agreement defined **internal borders**, which are the Parties' common land borders, exclusively for their internal flights and regular internal ferry connection or to the Parties' territories, not calling at any ports situated outside the territory of the Member States, and defined the **external borders**, which are the Member States' land and sea borders, as well as airports and ports, provided that they are not internal borders.

In 1986 the Single European Act was signed with the objective to establish the internal market in Europe defining that the internal market comprises "**an area without internal borders**", in which the free movement of goods, persons, services and capital, i.e. the movement of four freedoms is ensured. On 7 February 1992 the Maastricht Treaty was signed, which established the EU and the EU citizenship institution, which vested rights in any of its citizen to circulate, receive education, work and travel to any EU country. However, only in 1999 the EU leaders agreed upon some specific activities to develop the EU as a common freedom, security and justice area, granting the fundamental rights to EU citizens and fair treatment of third country nationals who reside legally in EU (Gaveika A., 2014).

It is necessary to observe that in the beginning the EU political activity in the process of Europe integration was focused on the economic aspect of the circulation freedom and free labour force mobility, without highlighting the significance of internal and external border control. Since the middle of the 20<sup>th</sup> century the legal basis of free people movement has been included in many EU primary and secondary regulations, but only the Schengen Agreement and the Convention implementing the Schengen Agreement started affecting the concept of external and internal borders, touching the basis of the concept of the state border – the state border regime in its main part, regulating border crossing by persons.

When the right of any EU citizen for free movement through the entire EU area, the cross border mobility has significantly increased, thus the necessity of abolition of the persons' border control at the internal borders

has become more topical. In 1997 the Member States signed the Amsterdam Treaty, which foresaw to remove the remaining obstacles to free circulation and to ensure security in the Member States' area: "to achieve balanced and sustainable development, in particular through the creation of an area without internal frontiers".

The Amsterdam Treaty contains the idea of *Schengen acquis communautaire* (French: accumulated Schengen legislation), which should be adopted by each Member State. In 1999 the European Council defined the concept of the Schengen *acquis* as the Schengen Agreement, the Convention, accession treaties, decisions and declarations of the Schengen Executive Committee, decisions of the Central Group.

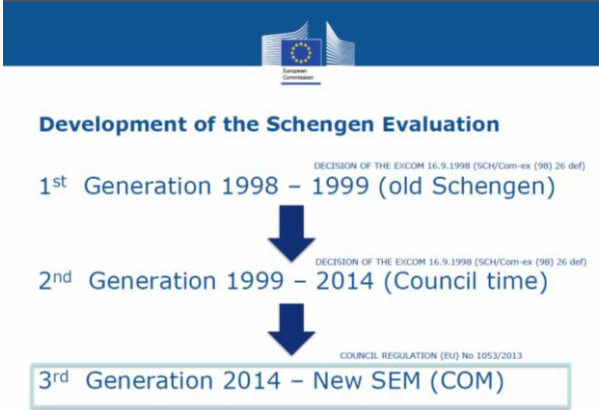
According to the State Border Integrated Management Concept of the Latvian Republic for 2013 to 2018, the State Border Guard together with other public institutions (institutions subordinate to the Ministry of the Interior – State Police, Security Police, Office of Citizenship and Migration Affairs; institutions subordinate to the Ministry of Finance – State Revenue Service, State joint-stock company "State Real Estate"; the Food and Veterinary Service, as well as the Ministry of Foreign Affairs and the Ministry of Defence) develop, implement and coordinate the state policy in the field of state border security and the issues related to the control of meeting the requirements to foreigners' entry, residence, departure and transit, implementing the EU five level state border integrated management model. Thus application of Schengen *acquis* in the state security processes realised by the State Border Guard of the Latvian Republic is directed to its complete application increasing Schengen's evaluation essence in all related processes.

The Standing Committee on the evaluation and implementation of Schengen was established in 1998 by the Decision of the Executive Committee (16 September 1998) setting up the Standing Committee on the evaluation and implementation of Schengen (*SCH/Com-ex (98) 26 def.*). Its purpose was, firstly, to verify that all necessary conditions have been met by the candidate state for implementation of the Convention implementing the Schengen Agreement, and secondly, to ensure appropriate application of the Schengen *acquis* in the states, which are already realising the Convention, especially highlighting problems and proposing solutions.

During the years of EU existence it became necessary to improve the evaluation processes and as a result the *Council Regulation (EU) No 1053/2013 (7 October 2013) establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen* was accepted creating a new evaluation system. The European Parliament, the

Council and the Commission emphasise that the new evaluation system is an EU mechanism, it will concern all Schengen *acquis* aspects and it will involve experts of the Member States, Commission and relevant EU agencies.

The layout scheme of the legal basis development of the Schengen evaluation is shown in Figure 1.



**Fig.1. The layout scheme of development of the Schengen evaluation** (Niemenkari A., 2013).

When the new regulation came in force, the European Parliament, the Council and the Commission expressed satisfaction about the regulation on creation of the evaluation and monitoring mechanism to verify application of the Schengen *acquis*. The mentioned institutions believe that the new mechanisms is an adequate solution to the call of the European Council in its Conclusions of 24 June 2011 for an enhancement of the cooperation and the mutual trust between the Member States in the Schengen area and for an effective and reliable monitoring and evaluation system in order to ensure the enforcement of common rules and the strengthening, adaptation and extension of the criteria based on the EU *acquis*, while recalling that Europe’s external borders must be effectively and consistently managed, on the basis of common responsibility, solidarity and increased practical cooperation.

It is important to note the increased role of the new mechanism in comparison with the previous regulation – the European Commission as an independent executive institution of the European Union was authorized to verify and supervise the evaluation reports (Holzhacker R., Luif P., 2014). Furthermore, in order to make the evaluation mechanism more efficient, some aspects of its implementation are conferred to the Commission, and some duties – to the Council. The Commission is authorised to prepare and plan the process of evaluation and accept evaluation reports. In order to strengthen mutual trust between the Member States, to ensure their better

coordination at Union level and to reinforce peer pressure amongst them, the implementing power to adopt the recommendations for remedial action aimed at addressing any deficiencies identified in the evaluation reports, are conferred on the Council.

One more novelty deserves attention in the evaluation methods – taking into account that the evaluation mechanism should set up transparent, efficient and clear rules on the method to be applied for the evaluation, the use of highly qualified experts for on-site visits and the follow-up to the findings of the evaluation, in particular, the method of *unannounced on-site visits* should be used, especially with regard to border control and visas.

It is possible to conclude that the innovation defined high preparedness standards for institutions of the Member States, which are responsible for border control and immigration control, in particular being aware of the fact that evaluation and monitoring mechanisms are directed to covering all Schengen *acquis* aspects – both the efficiency of border controls at external borders and the absence of border controls at internal borders.

The conclusion can be drawn that recognizing the Schengen free circulation area as a unique achievement, more attention is paid to its protection. New regulations help to prevent and to abolish unnecessary obstacles for free movement, at the same time struggling for a harmonised, clear and transparent action. The European Commission in cooperation with all Member States' qualified experts, is conferred the principal role in monitoring of these processes. Thus Schengen *acquis* will be appropriately observed.

### **Evaluation of the State Border Guard's officers' preparedness for evaluation on-site visits**

Nowadays the external borders of the European Union are strongly protected; however free circulation of goods and persons is an important phenomenon of EU, and its significance is growing in development of various globalisation forms and ways. The present frontiers between the EU countries exist not for preservation of trade, production or services, but to help to implement specific regulations and standards related to people or goods border crossing. Therefore the State Border Guard's structural units' competences are very important determining the implementation of the border control according to the Schengen *acquis* requirements, which is also acknowledged by the State Border Guard.

After summarising the competence of the structural units of border control, border supervision and immigration control, it is possible to

conclude that the realisation of the Schengen *acquis* is an integral part of the everyday duties in ensuring the state security. Therefore in order to ensure the state border control, officers of these structural units must possess extensive theoretical knowledge and practical skills in Schengen *acquis*, which would guarantee achievement of the definite goals.

The regulations, which constitute the Schengen external border *acquis*, which is based in the primary *acquis*, included into the EU Law system by the Amsterdam Treaty, make part of various activities. They can be divided into approximately five categories (Neville, D., 2015): Schengen Borders Code, Internal Security Fund – border and visas, Schengen Information System, Visa Information System and *Eurodac* system, and finally actions, which are directed to operational cooperation in border management; the keystone of this cooperation is the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex).

Taking into account the defined fields, it is possible to determine the principle directions of the evaluation on-site teams, i.e. relevant spheres to be evaluated with regard to officers' knowledge, skills and competences. In order to evaluate officers' opinion about the preparedness of the State Border Guard's border control and immigration control for Schengen evaluation on-site visits, including unannounced on-site visits at the internal borders, a questionnaire was drafted on the basis of the standard questions included into the Schengen evaluation questionnaire, dividing it into several parts.

37 officers-volunteers of structural units of the State Border Guard's border control and immigration control took part in the survey. In order to define if there is a difference in officers' opinions with practical experience, the respondents were asked to answer the question: "Have you ever been involved in the Schengen evaluation (in Latvia)?" The results show that 40.5% gave a positive answer to this question, thus indicating that in addition to theoretical knowledge the officers have also practical experience in the sphere. But 59.5% of the respondents did not take part in the evaluation.

In order to ensure the high level of preparedness in the investigated field, officers of the State Border Guard should possess knowledge about the nature of the evaluation – goals, objectives and mechanism. In order to clarify the situation, the respondents were asked the question: "Do you know about the Schengen evaluation commission goals, objectives, mechanisms?" According to the results, 24.3% gave the positive answer, but 75.7% indicated that they only partly know about the evaluation commission's goals, objectives and mechanisms or know nothing about it, which can be classified as a negative answer.

In relation to preparedness for the real Schengen evaluation, the questionnaire contained the question: “Do you know the spheres to be checked by the Schengen evaluation commission?” 43.2% of the survey participants replied that they know it, but 56.8% answered that they do not know the spheres to be evaluated or partly know about them.

Analysing the results, it is possible to confirm the assumption about the necessity of additional training for the State Border Guard’s officers in this sphere. In order to confirm or deny the assumption, the respondents were asked the appropriate question; 54% confirmed the necessity of additional courses, but 46% indicated that additional training is not necessary.

The questionnaire included also **self-rating** – evaluation of own knowledge and competences (from 1 to 5 points) – in the areas of evaluation:

- knowledge about the Schengen *acquis*;
- knowledge about the integrated border management model;
- knowledge about CIRAM (common integrated risk analysis model);
- knowledge about databases used in the border control and immigration control;
- knowledge about organisation of cooperation at your structural unit.

Analysing the replies, it is seen that the higher rating received the question about the ability to use databases applied at the state border protection (4.16 points of 5) and about organisation of cooperation principles at the structural unit (4.24 points of 5). Lower rating concerned knowledge about the Schengen *acquis* requirements (3.35 point of 5), knowledge about the integrated border management model (3.05 points of 5), and finally – knowledge about the risk analysis system (2.92 points of 5).

Comparing the respondents’ answers according to the characteristic – possession of practical experience in previous evaluations – it is possible to draw the conclusion that within the framework of the common tendencies, the officers who already took part in the evaluations, evaluate their knowledge and skills higher than the officers without such experience.

Taking into account scientists’ opinion about training processes – with development of employees’ competences, the work results, quality, efficiency are growing, and on the basis of the main components of the study system (defining, identifying the need; defining theoretical and practical goals; programme planning; choice of the external or internal supervisor; realisation process; evaluation of the results; corrections), the author suggests the several stage mechanism for increasing the preparedness of the State Border Guard’s structural units’ officers.



## Conclusions and suggestions

After the analysis of the legal regulation and practical aspects of the Schengen evaluation, after reviewing aspects of preparedness of the State Border Guard's border control and immigration control structural units' officers for Schengen evaluation on-site visits, the following conclusions can be made:

1. The principal documents regulating the Schengen evaluation process is the European Parliament and the Council's Regulation (EU) No 1053/2013 (7 October 2013) establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen and the General guidelines for practical organisation of unannounced on-site visits at internal borders;
2. In accordance with the new mechanism the European Parliament's role was strengthened – information is provided during the entire process, including the information about the evaluation programme, Frontex risk analyses, Member States' replies to questionnaires, evaluations reports, follow-up, recommendations, action plan to remedy any deficiencies and its implementation;
3. With appearance of the new regulation, the Schengen *acquis* concept was defined in the evaluation mechanism – the recommending nature of the Schengen Catalogue changed into mandatory for application, and it must be taken into account by institutions performing evaluation at the external and internal borders;
4. The State Border Guard has implemented a range of activities to ensure preparedness for evaluation on-site visits – defining local communication on the central and regional level in case of unannounced on-site visits; the specification of the national contact point; delegating officers to the European Commission's and Frontex organised experts' trainings, etc.

The following suggestions should be realised to improve the preparedness of the State Border Guard's border control and immigration control structural units' officers for Schengen evaluation on-site visits:

1. In order to prepare qualitative, uniform replies to the questionnaire of the regular evaluation in Latvia in 2018, as well as to ensure the joint approach in summarisation of statistical data, the management of the State Border Guard should consider

- the possibility of creating a short-term work group comprising State Border Guard's officers who took part in the Schengen experts' training courses;
2. In order to observe the equality principle and the joint standardised approach understanding for the State Border Guard's border control and immigration control structural units' officers, who in their turn increase the efficiency of evaluation visits, the State Border Guard College should consider the possibility of drafting a training course, including research into the Schengen evaluation legal instruments, as well as on the basis of the results obtained in the practical research.
  3. The senior officers of the Administrative Board of the Central Board of the State Border Guard should delegate to the Schengen evaluation courses those officers who are appointed as responsible persons for local communication and who have not taken part in the relevant training.

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# **EFFECT OF COOPERATION WITH THE EUROPEAN AGENCY FOR THE MANAGEMENT OF OPERATIONAL COOPERATION AT THE EXTERNAL BORDERS OF THE MEMBER STATES OF THE EUROPEAN UNION (FRONTEX) ON THE FACILITATION OF TRAINING PROCESS OF THE LATVIAN STATE BORDER GUARD OFFICERS**

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**Abstract.** *The research focuses on major cooperation directions established between the State Border Guard of Latvia and the European Agency FRONTEX. It deals with the legal regulation of SBG and FRONTEX cooperation, depicts and analyses SBG and FRONTEX cooperation in the field of training as well as explores the main pillars of SBG and FRONTEX cooperation development perspectives. The aim of the research is to investigate how SBG cooperation with the Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) influences the increase of SBG officers' capacity regarded in carrying out their functions. The main tasks that were brought up are as follows: to investigate the legal regulation of SBG and FRONTEX cooperation as well as to analyse the main directions of SBG and FRONTEX cooperation in the training process of the officers, finally, to study perspectives of SBG and FRONTEX cooperation development aiming at officers' capacity building. The key methods employed in the framework of this research are: descriptive method, analysis and synthesis, clustering, graphical method.*

**Keywords:** *cooperation, training, the State Border Guard of Latvia, capacity of border guard officers*

## **Introduction**

Under conditions of tighter global integration the European Union (hereinafter – EU) jointly and in cooperation with strategical partners is solving issues related to illegal immigration from third countries, prevention of organised crime and terrorism, thus increasing the area of stability and safety at the external borders of EU. Based on the integrated management principle, some attempts were made to standardize border crossing procedures and to establish common requirements in training officials of border guard units. Thus the basis was built for creation of a new

agency – the Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union – Frontex (European Parliament and Council Regulation (EC) No 2007/2004). State border guard in fulfilling its functions is cooperating with various international organisations, including Frontex. Within the framework of the cooperation meetings and seminars are organised, common operations are implemented with participation of specialists from several countries etc. The State Border Guard of Latvia actively participates in Frontex activities. There are no studies of Frontex cooperation influence on SBG functioning. It is necessary to note that in foreign research considerable attention is paid to Frontex agency and its activities. Issues of management of joint operations of Frontex were studied by R. Cortinovis (2015) and S. Leonard (2009). In Frontex research, attention is mainly paid to problems of refugees and asylum seekers, for instance, Frontex cooperation with the EU Agency for Fundamental Rights and the European Asylum Support Office was studied by L. Klostermann (2015), but G. Camperi (2015) investigated the role of Frontex in protection of the Mediterranean Sea border, in issues related to human rights of refugees and asylum seekers. Analysing the studies, it is necessary to conclude that in Latvia there is no research into the influence of Frontex cooperation on SBG functioning. At the moment Latvia has become involved into the latest Frontex product – European Joint Master’s programme. Frontex agency has launched European Joint Master’s in Strategic Border Management in September 2015. This master study programme is truly unique by its nature due to various reasons, where the leading expertise is drawn from across the European Union (EU), valuing cooperation between operational and academic approaches and encouraging peer-learning. It is new experience, which will contribute significantly to increase of the potential of human resources in the future and, namely, the State Border Guard officers.

The aim of the research is to investigate how SBG cooperation with the Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) influences the increase of SBG officers’ capacity regarded in carrying out their functions. Tasks that were brought up to achieve the aim are:

- to investigate the legal regulation of SBG and FRONTEX cooperation;
- to analyse the main directions of SBG and FRONTEX cooperation in the training process of the officers;
- to study perspectives of SBG and FRONTEX cooperation development aiming at officers’ capacity building.

Hypothesis is: SBG cooperation with FRONTEX has contributed to SBG officers’ capacity increase. The key methods employed in the framework of

this research are: descriptive method, analysis and synthesis, clustering, graphical method.

### **Legal regulation of SBG and FRONTEX cooperation**

The Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union was established by the Council Regulation (EC) 2007/2004/ (26.10.2004, OJ L 349/25.11.2004). The aforementioned document defines the main tasks of FRONTEX, which were supplemented, when the latest Amendment became operative in 12.12.2011. It is necessary to observe that the following tasks are included:

- assist Member States on training of national border guards, including establishment of common training standards;
- follow up on the development of research relevant for the control and surveillance of external borders.

After analysis of FRONTEX general reports it is possible to conclude that FRONTEX started cooperation in the field of training in 2005. In 2006 – 2007, in total 97 training activities, meetings and operation seminars were organised, including border guards' training activities and "training of trainees", with the total number of participants 1,341. In 2013 the Training Unit organised 205 activities with participation of 3,253 attendees (training experts, participants, etc.). In total, three training programmes were realised. In accordance with the first programme, the sectoral qualification network for border guarding was launched and common basic curricula integration, as well as the joint Master's study programme development, was continued. The second programme relates to border guards' further education and specialisation and the Training Unit developed the Manual of fundamental rights, which is designed for border guards. Introduction training courses were organised for border guard units of Europe and a new debriefing concept was worked out to ensure that all guest officers participating in the Agency's coordinated joint operations have received adequate training prior their deployment. In relation to cooperation networks and IT issues the Training Unit introduced new administrative tools for registration of activities on-line, for joint usage of documents and planning. New e-training components are being developed, which will ensure the possibility to provide training in a modern and workable way. The Research and Development Unit realised 8 projects (including the European Border Surveillance System), carrying on with development of best practice guidelines with regard to automated border control solutions, border control at the land border crossing, introduction of the Visa information system in the Member States. In order to improve capabilities in the detection of document forgery several activities were organised with

the purpose to evaluate both the performance of the equipment and specialists' work efficiency. In 2013 the Research and Development Unit initiated activities for boosting the Member States' awareness of new developments in the field of surveillance through sensors, platforms and advanced system solutions while also facilitating the installation (trial) of new technologies for border surveillance in Member States in the context of the Agency's coordinated joint operations. Frontex also established an end-user driven advisory group on border security research. This group prepared a report on border security problems, as well as defined research topics for the mid- and long-term perspectives with the goal of contributing to the European Commission research activities, which will be organised and financed according to the new EU research funding framework "Horizon 2020".

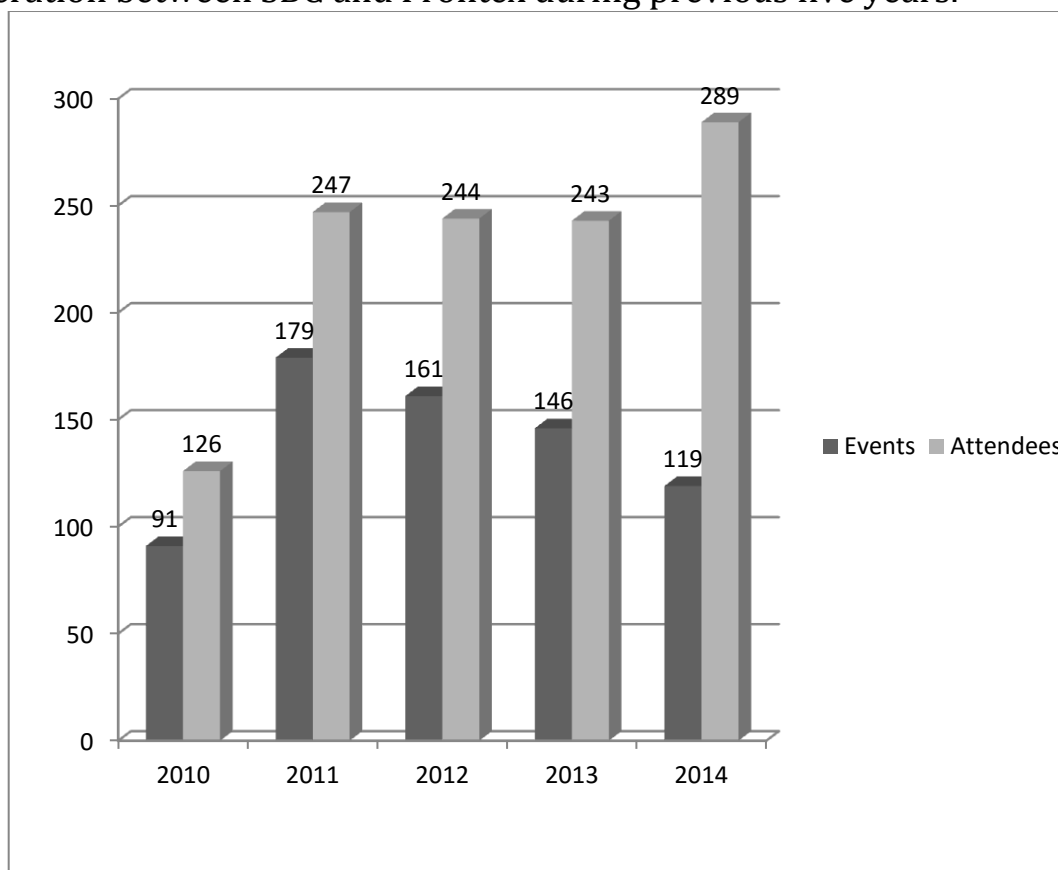
One of the Frontex priorities for 2015 is development of operational abilities directed to the European research programmes (Horizon 2020), as well as improvement of border guard capacity with special trainings, including training on fundamental rights. It enables to conclude that establishment of FRONTEX was a natural necessity. Now FRONTEX coordinates cooperation between the Member States in the field of management of external borders, providing assistance to the Member States in organisation of border guard trainings and research development. The integrated management of the state border is impossible without cooperation of the State Border Guard and Frontex in all levels.

Cooperation between the State Border Guard and Frontex is organised on the basis of the Council Regulation (EC) No 2007/2004 of October 26, 2004, which established the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union and the Regulation (EC) No 863/2007 of the European Parliament and of the Council of July 11, 2007 establishing a mechanism for the creation of rapid border intervention teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers, as well as a range of legal acts of the Republic of Latvia and internal legal documents of the State Border Guard. The cooperation is organised in two main directions: operational cooperation and development cooperation. Basic directions of the development cooperation are:

- Participation in research and innovation projects
- Participation in development conferences and training
- Participation in training and studies.

## SBG and FRONTEX cooperation in the field of training

SBG officers actively participate in Frontex activities – meetings, seminars and trainings. According to the SBG data (fig. 1) in 2014 the number of SBG officers who had participated in Frontex organised activities doubled in comparison with 2010. It affirms the development of cooperation between SBG and Frontex during previous five years.



**Fig.1. SBG officers' participation in other Frontex activities in 2010 – 2014** (Source: SBG annual report 2014)

SBG and FRONTEX cooperation in officers' training is organised in various ways:

- Joint mobility and exchange programmes;
- Consular training;
- Seconded guest officer;
- Professional qualification improvement;
- Development of training materials.

The most topical training direction is EBGT unit expert training. The trainings are organised according to the necessary profiles. The internal Regulation of the State Border Guard No 15 "Rules of selection of candidates for participation in the European border guard pools of the



European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, for recruitment procedures for national expert and short-term national expert posts of, as well as for participation in joint activities, pilot projects and trainings” of December 19, 2013 regulate the procedure of selection of officers for participation in Frontex pools. In accordance with the rules, a candidate is a border guard or an employee who has applied for participation in Frontex pools, recruitment procedures for national expert and short-term national expert positions, as well as for participation in joint events, pilot projects and training. The national expert is a border guard or an employee who is sent on mission in Frontex, but the short-term national expert is a border guard, who is sent on mission to Frontex for six month period with the purpose to take part in a joint Frontex event and pilot project.

### **Joint mobility and exchange programmes**

Personnel’s training as one of the main personnel development functions is becoming more and more significant in the personnel management practice. Successful organisation of staff training, defining employees’ real training needs and wishes is one of the motivation tools.

Development of structural units of SBG is warranted by qualified employees. It is necessary to take into account that personnel of every structural unit need different training and methods. The process of evaluation and selection of appropriate training and more efficient methods is a complicated and time-consuming process. In order to successfully organise the personnel training it is necessary to choose the correct training type, to organise, coordinate and control the process. The process of determination of the training needs is influenced by the analysis of annual personnel evaluation, discussions with the employees and the results of these discussions.

Professional training is a definite system, a sequence of logically ordered stages, having the single purpose – to prepare people for better function performing. In Latvia such training is provided by the State Border Guard College.

Development and introduction of the Common Core Curriculum (CCC) in 2008 and its updating in 2012 became a significant achievement in the field of standardization and harmonisation, and in 2010 the teachers’ mobility project was launched. In 2013 the pilot project “Students’ exchange” was worked out and implemented with the aim to promote CCC application and ensure sustainability, facilitating international cooperation mutual understanding, team work and cooperation between future border

guards. It is necessary to note that such projects are important for border guard trainers from various European educational institutions. It is a possibility to know other countries' experience, exchange with best practice examples. Participation as an observer in Frontex joint operations and "Focal Points" events is an opportunity to face specific work-related situations, circumstances and environment with the regard to crime prevention and fight, feeling direct membership in the European Community.

### **Education curricula**

SBG of Latvia is interested in improvement of professional qualification of its personnel. Officers' capacity building is facilitated by cooperation with FRONTEX. Frontex agency together with experts representing the Member States and different organisations and institutions has developed various products, including the basis for all kinds of training for border guard officers – Sectorial Qualifications Framework for Border Guarding. It shall be stressed that it is one of the key concepts that has been introduced by the Agency. Frontex helps to harmonise border guard education and different kinds of training at the EU level, thus enhancing each country's national capacity and reaching comparability of national training systems.

SBGC and Rezekne Academy of Technologies have been involved in various FRONTEX Agency projects. One of them is noteworthy not only for Latvia but also for Europe - "European Joint Master's in Strategic Border Management" (EJMSBM) aimed at development of the Joint Degree Study programme (EQF Level 7). The aim of the project is to adopt best experience during joint studies of border guards of Europe, to learn in the context of the operational activity, to develop the European border guard culture at the higher level, thus highlighting the European dimension in border guards' work. It is planned that after mastering the EJMSBM the graduate will acquire the European Master's degree of border security and cooperation. The programme was launched in September 2015.

The springboard of this strong cooperation between the SBG and Rezekne Academy of Technologies was the idea to create the opportunity for border guards to continue their professional education. For example, the study direction and the incorporated second level professional higher education bachelor's study programme "Border Guarding" was established in accordance with the State Border Guard and RHEI agreement of 26.10.2010, its amendment of 29.01.2011 and its annex No 1 of 29.03.2011, as well as in cooperation with the State Border Guard and the State Border Guard College as the extension for studies after the first level professional higher education (college) with qualification acquired – junior officer of the

State Border Guard. Organising studies in the field of the internal security and civil defence Rezekne Academy of Technologies is realising the order of the State Border Guard of Latvia. SBG of Latvia is interested in capacity building of border guards in order to ensure the employees competitiveness in the EU area. The study programme is created as an extension of the first level higher education programme of the SBGC in cooperation with the State Border Guard and other foreign universities and institutions:

- in cooperation with universities with similar study programmes (Mykolas Romeris University (Lithuania), Estonian Academy of Security Sciences (Estonia) and other partners within the framework of Frontex project;

As the next stage in building border guard capacity, it is necessary to observe that estimating the necessity to ensure the united approach in understanding the European Union integrated border management strategy, requiring common criteria for senior management officers in border guard education institutions in the entire European Union, in 2011 Frontex started the project “Joint Master’s Study Programme” with the purpose to develop and realise the joint master’s study programme of the European level in the border guard field. The aim of the joint study programme is to ensure border guards with common understanding of challenges in the sphere of border guarding at the higher level, as well as to develop the European border guard culture. Frontex invited five EU countries to implement the programme: Latvia, Estonia, Spain, Lithuania and the Netherlands.

The consortium of the European universities was established consisting of the Estonian Academy of Security Sciences, Rezekne Academy of Technologies (Latvia), the Netherlands Defence Academy, Salamanca University (Spain), the State University of Further Education (Spain) and Mykolas Romeris University (Lithuania).

The study programme that was worked out is innovative and unique by its nature as it is the first joint study programme, which is the largest one not only in Latvia, but also in Europe, in terms of the number of Member States involved with high quality end product, which was created using many experts’ and partner institutions’ technical basis, knowledge and experience. Furthermore, it is the first consortium of universities of Europe that was established, where all participants are equal members in sharing responsibility, implementing the programme and ensuring its quality. This study programme covers the existing gap in border guards’ education and is therefore important for addressing existing border guard training needs for mid- and high level management.

The development of the study programme was supported by the Ministry of Interior and the State Border Guard of Latvia, acknowledging its significance for preparation of specialists necessary not only for Latvia's, but the entire Europe security. Latvia has gone a long way to be able to implement this study programme and remain a worthwhile member of the Consortium.

It is necessary to conclude that Latvia's participation in realisation of the study programme "European Joint Master's in Strategic Border Management" will ensure Latvian higher education system's recognition in the European Union, will contribute to its significance in issues of EU border security senior specialists, as well as it will develop training personnel. In addition, there will be more possibilities to improve and develop the technical basis of the educational institutions involved in it, using available European Union's funding.

### **Conclusions and suggestions**

1. Researching the Frontex Agency regulation, it can be concluded that Frontex has been established as a fixed asset of the EU's common external border policy with the aim to create an integrated management to ensure a uniform level of border checks and border surveillance, it has an important role in the integrated border management system. It is also an important driving force of required training and education at the EU level.
2. Basic directions of the development cooperation between the SBG and Frontex agency are: participation in research and innovation projects, participation in development conferences and training, participation in training and studies.
3. SBG officers actively participate in Frontex activities – meetings, seminars and trainings. According to the SBG data in 2014 the number of SBG officers who had participated in Frontex organised activities doubled in comparison with 2010. It affirms the development of cooperation between SBG and Frontex during previous five years.
4. SBG and FRONTEX cooperation in officers' training is organised in various ways:
  - Joint mobility and exchange programmes;
  - Consular training;
  - Seconded guest officer;
  - Professional qualification improvement;
  - Development of training materials.

5. Finally, joint mobility, exchange programmes and education curricula strengthen the national training needs with clear integrated European dimension, thus facilitating capacity building of SBG officers, setting also targets for future cooperation and development perspectives.

It shall be stressed that the established cooperation mostly exists at the institutional level, facilitating the training of specialists and bringing together experts from across Europe. It would be even more beneficial if there were more opportunities to grow and develop for a larger audience, i.e. Frontex could organise professional qualification improvement courses on the latest trends and topical issue arising in the field of border guarding for academics, and students, thus spreading the knowledge and not limiting to a restricted number of attendees.

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# THE IMPORTANCE OF STATE BORDER GUARDS' MORAL VALUES WITHIN THE CONTEXT OF CONTEMPORARY MIGRATION CHALLENGES

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**Abstract.** *Modern human being lives in a constantly changing global world where one strives to save fundamental priorities of own value system. With regard to rapidly changing geopolitical conditions in the world and migrant crises in the European Union a question of tolerance becomes more and more relevant in a society. The aim of the paper is – by highlighting tolerance position in human value system and its importance in today's world to assess future State Border Guard Service officers' level of tolerance and to make suggestions for its deeper education. Research results indicate certain tendencies. Firstly, subjective self - evaluation of respondents tolerance significantly differs from the objective tolerance level which was revealed in the research. The data obtained point out typical respondents' overvaluing of their own tolerance level. Secondly, respondents showed a big influence of mass media and social networks. Contemporary migrant crises and its descriptions in different mass media are acknowledged by respondents as factors diminishing, not increasing tolerance. Thirdly, research results make us claim that present tolerance level of our respondents, including future SBGS officers, is poor and should be encouraged.*

*Suggestions: general University politics, lectures attitude of mind and their behaviour play important role in tolerance growth; more attention should be paid to gaining multicultural competencies, fostering authentic thinking and developing empathy to other people.*

**Keywords:** *infidel, liberal education, migration, people belonging to other nations and religions, tolerance, value system.*

## Introduction

Modern human being lives in a constantly changing global world where, according to outstanding researchers of globalization, social, political and economic activity crosses the borders of different countries, political powers and economical units become more and more dependent on each other as well as they are affected by outside their borders happening conflicts, changes and processes (Held, et. al., 2002: 39). While economic and political state limits are disappearing Western citizen strives to save fundamental priorities of his value system - democracy, freedom, and human rights as an unquestionable good. However, a wish to use ones' accepted world order model in a global world meets bigger and bigger challenges. Contemporary political and military conflicts demonstrate openly what everyone knows and understands theoretically, i.e. the world is not homogeneous from the perspective of economics, politics or religion.

Moreover, it applies different values and takes different priorities. Different cultural traditions stimulate different ways of understanding the world and human's place in it, giving an individual sense to life.

At the moment we are observing in Europe a massive wave of war refugees and seekers of a better life adjoining them. Appropriate solutions to a present situation are being searched by the leaders of the EU state members. Citizens of different states show ambiguous perspectives and responsibilities of their countries. However, it is evident that European Union, its value system, institutions and citizens have confronted with an unexperienced phenomenon when processes happening in one region make impact on a wider and wider society outside its borders. Despite the fact that migration is a natural and inevitable outcome of a modern and rapidly globalizing process, present flows of illegal migrants and war refugees coming to the EU challenge the world order model which is accepted in Western culture. New migrants bring their culture, value system, political and religious beliefs. Thus, while making solutions and proceeding to concrete practical actions inside the EU, it should be taken into account that Western world order model is not the only one, the world is diverse and it is necessary to take into account cultural, religious differences and related value systems, traditions.

Migrant crises in the European Union sets new goals not only to the EU state leaders, but to the officers directly confronting massive and hardly manageable flows of illegal migrants. According to rapidly changing geopolitical conditions officers of Lithuanian State Border Guard Service have to be ready to solve analogical problems and react to unpredictable situations immediately, where professional qualifications as well as personal qualities are of high importance.

Every year approximately thirty officers of State Border Guard Service graduate from Mykolas Romeris University where students acquire new skills and knowledge of law, profession and general education consequently contributing to future officers' professional and personal growth. It should be noted that liberal education is extremely crucial to officer's personal growth as it helps to react adequately to different cultural traditions, ethical values and political beliefs. No less important than knowledge of other nations' traditions, religion and values appears officer's personal attitude and value system. In the present paper I will concentrate on one of the values – tolerance, which becomes more and more relevant with so far unseen migrant flows having distinct religious beliefs, value systems, cultural and social traditions.

The aim of the paper is – by highlighting tolerance position in human value system and its importance in today's world to assess future State



Border Guard Service officers' level of tolerance and to make suggestions for their deeper knowledge of humanities.

### **Role of tolerance in a contemporary global world**

The term 'tolerance' (translated from Greek means ability to survive, endure) is applied in a wide variety of contexts such as medicine, linguistics, technical subjects, state management, human relations. While talking about social relations this term shows respect to the other person's right to be 'different'. The Treaty of Lisbon defines fundamental EU constitutional principles and explains tolerance as one of the values which serve as a bases for member state politics and getting together. A question of tolerance and its limits in a society becomes more and more actual because of such late years events as migrant crises in Europe, different EU state members' attitude towards their role and possibilities. A clear interface of different cultures and their acknowledged values throws down a serious challenge to a modern human being – to learn to cross the limits of 'I' and accept 'a different I'.

Tolerance is a necessary factor of any kind of relations. It requires people to coexist peacefully with other who have different values or beliefs. It is impossible to claim respect towards one's personality, attitudes and beliefs without similar duty. In this case tolerance is closely connected to freedom. Being an expression of freedom tolerance is not a question of an inner freedom as it is an acknowledgement of freedom to other humans, its protection from restrictions and persecutions' (Plečkaitis, 1998: 101). A possibility of everyone's freedom is always connected to other people's freedom. It is the only way to be free. If there were no control over freedom, if freedom had no bounds, freedom would destroy itself.

Tolerance obliges appreciate other people positively without any previous superstitions, accept other's right to have different opinions and beliefs and rule one's life. In other words, tolerance demands to respect other people right to make their decisions. Not showing tolerance to one or another group of people, their attitude and beliefs we encroach on their freedom. Surely, this does not mean we have to approve something we consider wrong, thus, we have to be able to listen carefully to the arguments, i.e. be able to hear and to accept the other.

After taking tolerance as an essential principle of human relations a person realizes still an open unanswered question - is it necessary to tolerate everything all the time? Is it obligatory to tolerate incompetence, ignorance or even simple-mindedness trying to make significant decisions, related not only to one person but simultaneously influencing the others? Can violence or war propaganda be tolerated? What about national and

religious hatred and the like? Modern society comes up with different religious, political, social, cultural tolerance/intolerance manifestations. The best known example of intolerance comes up from one of the largest religions of Islam, where some followers take their religion as an undeniable absolute truth, the consequences of which have led to the biggest today's threat - terrorism. Religious intolerance stimulates war and political conflicts, human deaths. Famous philosopher John Locke in '*A Letter concerning Toleration*' which was written in the XVII century stated clearly that religion connected with politics becomes a destructive power.

Present situation in the Near East makes us understand that no confession having its individual way of God's word interpretation can take it as the only possible manner to read God's word. As human beings we have no right to the final interpretation of Revelations. The Second Vatican Council resolutions consolidate religious liberty (*Dignitatis Humanae*) which allows worshipping God according to ones cognition. Releasing these resolutions Catholicism has refused any claims to absoluteness and acknowledges tolerance to otherwise-minded believers or non-believers. However, any doubts in intolerant faith and especially criticism are considered to be an offence, which consequently leads to punishment. This incongruity shows up in today's events threatening human freedom, security and identity. It is a significant complex issue requiring a more extensive analyses than this article can make. Still there is a narrower closely related aspect asking how terror acts in the name of Islam and intolerance to believers of other confessions affect our tolerance towards the 'others' and the 'different ones'. Others' intolerance to our value system should not be responded automatically with the same intolerance. This way we would take path towards total religious, national, political etc. confrontation, leading nowhere.

On the other hand, tolerance must have certain limits as limitless tolerance stands for an idea impossible to justify (Legutko, 2006). Each person is responsible for what he/she tolerates or not. However, human behavior is affected by society which usually sets its own standards, formulates various stereotypes, specific thinking patterns and makes people think and act the way the others think and act. This is much easier as it demands less responsibility. Thus, there is a danger inside such attitude. The more established similar thinking and attitude stereotypes in a society, the more intolerant to the 'others' society becomes, no matter if these are national, sexual or religious differences. The majority of modern Western world societies is protected from intolerance by democracy and its institutions legitimizing variety of attitudes and beliefs, free self-expression. Despite this fact quite an ambiguous but significant question raises – does democratic society, being tolerant to the others, have to tolerate the ones

who are not tolerant towards itself and its separate citizens? Does tolerance mean a must tolerate everything and everybody? To my mind no, as in that particular case it would not be able to defend from its opposite – intolerance. Recent well known events in Germany and Sweden, tightening EU immigration politics signify that tolerance towards ‘the others’ is not something taken for granted. On the contrary, tolerance is closely related to ‘others’ behavior, respect towards basic values of a receptive country signifying their identity. Therefore we come back to the question of limits of tolerance.

### **Analysis of tolerance limits**

Trying to find out how modern young people including future officials of State Border Guard Service are ready to tolerate ‘different others’ a short survey was carried out. The aim of this survey – to determine future officers’ level of tolerance towards people belonging to other nations and religions. The tasks are: 1) to identify respondents’ opinion about their own and Lithuanian tolerance and its revelation during the survey, 2) to estimate what factors stimulate or lessen their level of tolerance towards people belonging to other nations and religions. A questionnaire prepared by ourselves was used to get students’ subjective evaluations, analyses of which would reveal basic points of the problem, make its quantitative analysis, define significant factors and their relations.

45 people participated in this survey. 25 of the participants were future officers of State Border Guard Service (first and third year students) and 20 participants were students of other professions (not officers). 9 female and 36 male respondents were interviewed. Average age of the participants was 20,6. Such a small number of respondents is connected with a number of students in this particular programme. The results of this research do not strive to make broad generalizations, thus, they try to indicate tendencies which should be taken into consideration in the process of education of future officers of State Border Guard Service.

In result analysis the following methods were used: rational reconstruction of literature sources, logical and quantitative analyses as well as method of result’s generalization.

The results indicate certain tendencies of respondents’ attitudes. According to subjective ones’ evaluation respondents defined their tolerance towards ‘the others’ as tolerant enough (this was indicated by 75 – 80 %). However, Lithuania is not that tolerant (less than one third of young people indicated that). Almost half of the respondents (48,9 %) agree that it is necessary to encourage Lithuanian citizens’ tolerance, 22,2 % of respondents disagree with the statement and 28,9 % neither agree nor disagree. In spite of considering themselves as tolerant people, respondents are unwilling to meet significant numbers of coming migrants to Lithuania. Dominating choices were 0 or 1 % to

5 % of total country population. Less than one fourth of respondents would agree migrants to make 10% (or even more) of population.

The following numbers reflect the answers about the influence of present migrant flow to respondents’ level of tolerance: 80 % of students – non officers responded negatively while only 40 % of future officers chose this option. The following question analyzed how students’ tolerance towards people belonging to other nations and religions is affected by mass media, social networks, respondents’ friends and relatives.

Table 1 shows the results. The survey indicates that, in respondents’ opinion, mass media as much as social networks minimize tolerance towards migrants flowing the EU. Mass media influence on declining tolerance was pointed out by 72 % of future officers and 45% of other students, while social networks influence 80 % and 65 % respectively. However, a positive influence of these means was mentioned by 0 % to 10 % respectively.

**Table 1 Factors influencing tolerance** (Source: own elaboration)

Impact factors on tolerance	Future officers (%)	Other students (non officers) (%)	Total: (%)
Mass media:			
positive influence	8	10	8.9
negative influence	72	45	60
no impact	20	45	31.1
Social networks:			
positive influence	4	0	2.2
negative influence	80	65	73.3
no impact	16	35	24.4
Family and friends:			
positive influence	8	10	8.9
negative influence	16	25	20
no impact	76	65	71.1

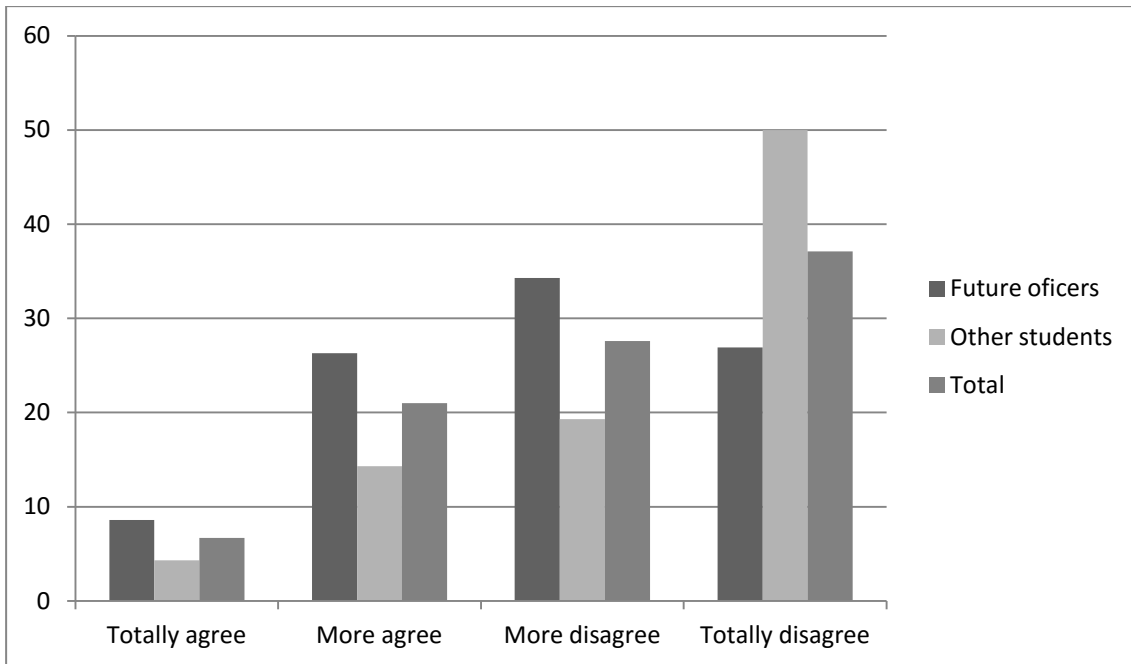
Thus, the data reveal that external factors have more influence on tolerance of future officers. A significant close relationships (family and friends) effect was acknowledged by approximately one third of respondents (20 % of which indicate decrease and 8,9 % - increase). 71 % of students think that family and friends have no impact on their tolerance level. When asked to show the hierarchy of meaningful factors by themselves (starting with the most significant factors influencing

respondents' tolerance towards foreigners and infidels to the least significant) students presented different sequences. Mass media and social networks were mentioned as the most significant by students of other professions, whereas close relationships are of high importance for first year SBGS students. Senior SBGS students value and listen to official state officials opinion. But it is evident that mass media and social networks are factors of the highest importance. Unfortunately, this influence does not stimulate its users' tolerance. Social networks influence is of emotional character and reflects a variety of dominating moods in a society, which does not mean it has a less significant effect. Mass media on the contrary shapes public opinion, value system, sets behaviour and attitude standards, thus, its objectivity and professionalism are of high importance. Thus, journalists should be very attentive and present facts and their interpretations responsibly, give strong arguments to stand their positions and evaluations.

This survey analyzed migrants (foreign economic migrants, war refugees, Muslims) acceptance (tolerance) in the context of some social deviation groups (gypsies, sexual minorities, homeless and ex-prisoners). Tolerance level could be evaluated as follows: 1) totally agree; 2) more agree than disagree; 3) more disagree than agree; 4) totally disagree; 5) I am indifferent to this issue. Respondents' answers let us identify which groups mentioned above are tolerated more and the ones tolerated less. Proportion of the first two choices and the third and fourth options enables us to determine tolerance level. According to the data obtained all participants of the survey indicated Muslims as the least tolerated group, then ex-prisoners and gypsies. Foreign economic migrants (who are not considered to be Muslims) and homeless appear to be tolerated most by all respondents. Different respondent group results are alike and their tolerance level towards different groups is very close. To sum up, the scale starting with the most tolerated group to the least tolerated one is as follows:

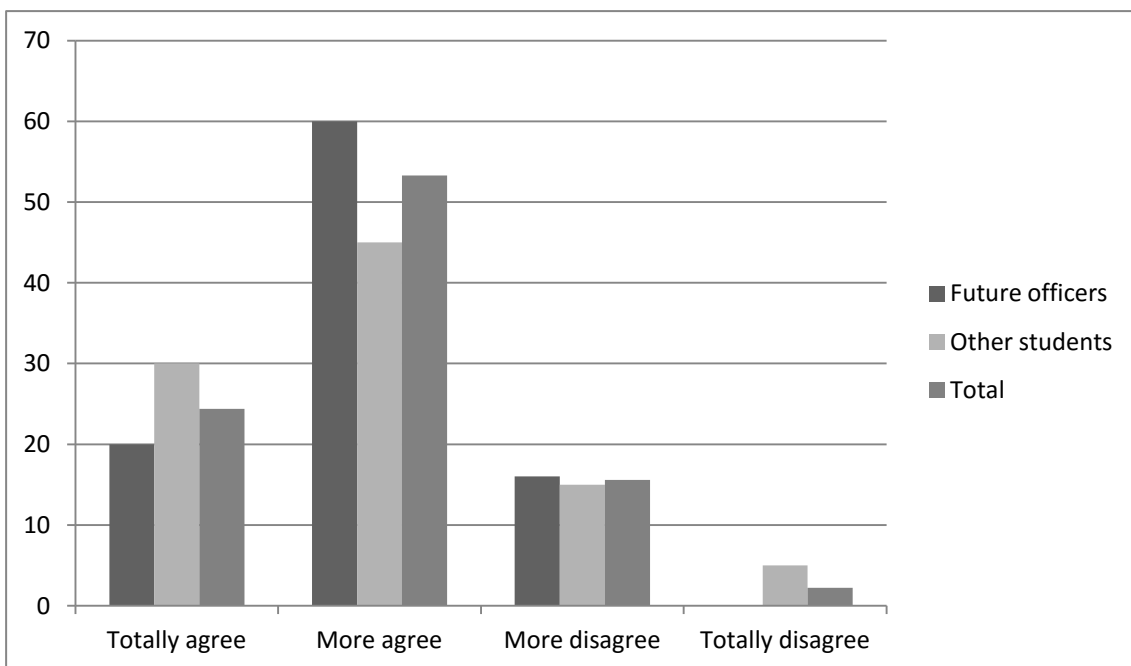
- 1) foreign migrants (economic migrants);
- 2) homeless;
- 3) war refugees;
- 4) sexual minorities;
- 5-6) gypsies and ex-prisoners;
- 7) Muslims.

Result analyses enables to determine respondents' tolerance level. In officers' group intolerant choices (No.3; No.4) dominate tolerant ones (No.1; No.2) twice. In other students group quantity of choices differs almost four times. These students are less tolerant than officers.



**Fig. 1 Tolerance level** (Source: own elaboration)

After making comparison of these results with respondents' opinion on their own tolerance level towards 'the others' we notice a significant gap. Respondents tend to consider themselves much more tolerant than the research showed. In other words, they overvalue their tolerance level, which consequently leads to doubt respondents' objectivity towards valuating their tolerance level.



**Fig. 2 Self-tolerance evaluation** (Source: own elaboration)

This survey reveals the interesting tendencies which could be a subject matter of further study.

## Conclusion and suggestions

Research results indicate certain tendencies. Firstly, subjective self - evaluation of respondents tolerance significantly differs from the objective tolerance level which was revealed in the research. The data obtained point out typical respondents' overvaluing of their own tolerance level. Secondly, respondents showed a big influence of mass media and social networks. Contemporary migrant crises and its descriptions in different medias are acknowledged by respondents as factors diminishing, not increasing tolerance. Thirdly, research results make us claim that present tolerance level of our respondents, including future SBGS officers, is poor and should be encouraged.

Acknowledging tolerance as one of key elements of the value system contributing to personality growth it is necessary to be mindful of future SBGS officers' liberal education. General University politics, lecturers attitude of mind and their behaviour play important role in tolerance growth. However, more attention should be paid to: gaining multicultural competencies, fostering authentic thinking skills which protect from public stereotypes, developing empathy to other people. Liberal education is extremely crucial in developing such personality characteristics as respect to others and responsibility for ones actions.

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# COMMUNITY POLICING IN BORDER COMMUNITIES

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**Abstract.** *Community orientated policing is widely held as the relatively new and interesting philosophy for Latvian policing. For the fifteen years the community policing movement has been gaining momentum acquiring the support of politicians, reformers, and the society. Unfortunately there are problems that continually plague the philosophy of community policing. Some of the largest obstacles that police organizations face with the community policing program are the initial implementation and understanding of community policing, the ability to change and adapt to the new format of policing, and the acceptance.*

*As part reform programs, State police of Latvia seek to introduce community policing. There is no clear or consistent definition of what constitutes a community policing programme. However, most community policing initiatives aim to improve relations between the police and residents, engage community members or civic organizations in evaluation of police services, and expand information sharing. Community policing control activities are not always linked to police reform initiatives; sometimes the two activities occur simultaneously in isolation on each other. There have been more increasing attempts to link or find synergies between control initiatives and realised programs, especially (community-based) weapons collection programs and disarmament and demobilization projects. Policing reform has been a rather neglected area of security sector reform that has been addressed on an ad hoc basis. Some analysts see the need to reduce the number of firearms in circulation as a way to improve public security, and thus training in the management of safeguarding police stockpiles, keeping accurate inventories of weapons and appropriate weapons handling need to be reinforced.*

*Public safety cannot be taken for granted. It can only be achieved not only through the professionalism of our finest, but through successful collaboration with their neighboring counterparts as well. They all deserve our respect and gratitude, and not calumny and frivolous criticisms.*

**Key words:** *community policing, border communities, rights, society, police functions, safety.*

## Introduction

Community policing includes many aspects. It is important to attain high quality of work and provide opportunities for every institution to contribute in fighting against many crimes in border area and border communities and more important to better employ the provided measures for prevention. This will contribute towards the increase of the efficiency to combat crime, decreasing crime and corruption, increasing legal certainty and the public's confidence in the administration of justice and, consequently, improving the conditions for attracting foreign investments. This will increase the quality of police work and duties so as the police



would be in a position to perform through appropriate practice of the police functions: preventive, reactive and repressive, which should only be used in preventive purposes better maintenance of public peace and order and re-establishment of violated public peace and order will also have cross border impact especially during the international sport and other public events with high risk.

The aim of the article is to reflect problems of reducing the level of insecurity and improving safety in a community as one of the primary objectives of community policing.

The tasks:

- 1) to analyse problems of cross-border crime situation;
- 2) to reflect security measures;
- 3) to research cooperation between police and community.

However, citizens will only be willing to hand over illicit firearms in their possession if they perceive an improvement in the public safety and security and if they have a certain degree of trust in the police and other law enforcement agencies. Community policing is regarded by many donors as a gateway to help build confidence and improve the relationship between local law enforcement officials and the community.

Community policing control activities are not always linked to police reform initiatives; sometimes the two activities occur simultaneously in isolation on each other. There have been more increasing attempts to link or find synergies between control initiatives and realised programs, especially (community-based) weapons collection programs and disarmament and demobilization projects. Policing reform has been a rather neglected area of security sector reform that has been addressed on an ad hoc basis. Some analysts see the need to reduce the number of firearms in circulation as a way to improve public security, and thus training in the management of safeguarding police stockpiles, keeping accurate inventories of weapons and appropriate weapons handling need to be reinforced.

### **Characterization of border area community and community policing problems**

While some view the success of the European Union politics as an example of the potential positive impact of private citizens at the border, others remain concerned that such activities verge on vigilantism. Concerns also remain that these volunteers are assuming significant safety and liability risks. However, it is not unheard of for private citizens to assist in vital government functions. In border communities, citizen's arrest laws exist, allowing an ordinary person to make an arrest if he or she has

personally witnessed a felony. While citizen's arrest laws vary from state to state, what is important is their significance: European laws recognize that ordinary citizens can help the government enforce the law. Using citizens at the border can produce a multitude of benefits, as demonstrated by the success of the European Union border's politics. Citizens can protect property from crime, deter drug sales, and act as additional community policing in border communities-allowing law enforcement and Border Patrol guards the leeway to focus on intercepting drug shipments and catching potential offenders. Critics of citizen involvement at the border are rightfully concerned with the safety and liability ramifications of these activities. A volunteer attempting to apprehend a trespasser on his or her property could be harmed without proper training and guidance. Minimizing these concerns requires a certain level of organization and accountability, which can be achieved through accreditation, official standards, and practical employment concepts consistent with volunteer service. The best way would be to encourage states to organize State Defense Forces, volunteer organizations dedicated to assisting the federal government in a number of activities, including border control. These forces report to and are funded by state governments, are governed by state law, and report to the governor. Such an organization allows State Defense Forces to use state military resources, such as armories and training sites, while requiring states to provide training and other resources to volunteers. Encourage private-sector investment in border infrastructure. The best means by which to tackle border infrastructure problems is through investment by the private sector. Not only would this save government resources, it would allow the private sector to use its knowledge and creativity to design border infrastructure that is commerce-friendly without jeopardizing security or sovereignty. The government can encourage the private sector to take these steps in a number of ways, for example, by expanding the protections of the increasing crime level by safety documentst which includes liability protection for private-sector entities investing in and marketing new technologies that increase border's community safety.

We need allow flexibility with homeland security grants. More robust community policing should be a key component of a smart border strategy. Community policing is a "collaboration between the police and the community that identifies and solves problems" in a proactive manner. It helps to deter the types of crime at the border, not to enforce federal immigration laws. Deterring this criminal activity will in turn make the federal government's challenge of policing the border more manageable. European Union should allow states and cities participating in join law to use funds from homeland security grants to provide community policing at

the border, including overtime for state and local law enforcement agents assisting in federal immigration enforcement investigations.

An effective border strategy cannot focus exclusively on land borders. As land borders become more secure, drug smugglers and human traffickers will quickly look to sea options. Maritime security efforts must be enhanced in conjunction with land security. The Coast Guard acts as the law enforcement for the high seas, however, it lacks the resources and capacities to do its job as effectively as it could.

### **Cross-border crime and police work**

In a world where all crime is local, cross-border criminal mobility and cross-border crimes would be limited to a fairly small corridor around the borders between countries. The limited action radius of offenders would prevent them from committing crimes farther than a few kilometers beyond the border into a neighboring country. In a world where all crime is perpetrated by itinerant offenders who face few mobility restrictions, borders would not have any effect on where offenders travel to, or on where cross-border crimes are perpetrated. The world we live in is probably situated somewhere in between these two extremes, but we do not precisely know where. This lack of knowledge could hopefully be decreased by systematic empirical research on criminal mobility and cross-border crime.

Most empirical work on the mobility of offenders supports a sedentary offender model. According to this model, offenders restrict their criminal activities to their local environment, i.e., to the area around their place of residence. Even 'commuters' (Canter and Larkin, 1993), offenders that commit crimes away from their home environment, usually do not travel very far. Empirical studies of the home-crime distance (sometimes referred to as 'journey-to-crime' studies) have demonstrated time and again that this distance is generally short (e.g., Wiles and Costello, 2000; Snook, 2004; Levine and Lee, 2013). Furthermore, the journey to crime is subject to distance decay, i.e., the frequency of crimes decreases with the distance from home. The implication of these findings is that offenders who commit multiple crimes will generally commit these crimes within fairly limited geographical boundaries. The findings on distance decay and short home-crime distances have been criticized as being methodological artifacts of the tendency of most researchers to analyze police records from a 3 single city or region, which results in biased findings because such records generally underestimate crimes that local offenders commit outside the city or region, and certainly do not reveal any crimes committed abroad (Polišenská, 2008; Van Daele, 2008; Van Daele et al., 2012; Vandeviver, 2013). The

nomadic offender model describes the behavior of offenders who have no long-term fixed residence, who travel and perpetrate crime in groups, who commit mainly nonviolent property crimes at high rates and in multiple countries, and who travel frequently in groups over long distances. The term “mobile banditry” was adopted by the Council of the European Union (5 November 2010) to describe the activities of such groups. Recent empirical work in Belgium (Van Daele and Vander Beken, 2010; Van Daele et al., 2012) and in The Netherlands (Siegel, 2014) describes the activities of offender groups that originate from Eastern and Central Europe in terms of this nomadic offender model. In fact, the nomadic model has not been applied outside Europe and outside the context of mobility of criminals from East- and Central-Europe to West-Europe. Note that the main criminal activities attributed to these nomadic offender groups are quite different from the activities attributed to traditional ‘organized crime groups’ that specialize in illegal cross-border trafficking of goods and people (Kleemans and de Poot, 2008). Cross-border crime is a global problem that needs to be addressed, and in the European Union, for example, this problem is seen as being so serious that the Parliament has been asked to priorities relations with all member countries by continuing to support fighting of transnational crime through capacity building while improving citizen security. It is also stated that European Union has to face a complex matrix of national security concerns and crimes ranging from drugs, human trafficking and problems of homicide and violent crime in the ungoverned space. All member countries reports that in addressing border issues the governments needs front-burner policies that will deal with a growing diversity of interests in that region and the current resource constraints. The policies should identify key strategic priorities in strengthening ties with other countries, seek to promote changes in third countries, and should help fight organized crime. Crime level has created strong tensions within villages and with other neighbouring villages, where people no longer welcome visitors because of fear that the visitors may be spying or are thieves themselves. People are also afraid to share their issues of concern in case they anger fellow villagers who might invite offenders. This has created serious mistrust among villagers. The relationship between neighbouring villages has also soured as they may perceive each other as crimes leading to movement between villages becoming difficult. This has created hostility and led to fights over grazing sites and trespassing.

In some areas, erecting fences is the best way to tackle the illegal-entry problem. But the cost makes it important to use fencing only in areas with a low "melting point." The melting point is the time it takes for an individual to cross the border and "melt" into a landscape unnoticed. In urban border communities, spending money on physical barriers makes sense because

individuals can easily cross the border and sneak quickly into the urban landscape (for example, one can hide in a building or steal a car and drive away).

The main barrier to overcome was the overall public perception of the police service as a merely suppressive power under the control of the State. Crime was seen as an exclusive governmental issue.

We need to remember that the content of the policies that the criminal policy is meant to support is not clear or has overriding political importance. Usually criminal policies in the economic sphere are meant to help secure support for governmental regulatory policies of economic activities. Main policies that are not clearly defined have a negative impact on law enforcement since it is not clear what is protected or why, e.g. highly differentiated import levies. Similarly, if the main policies are very political in nature, e.g. certain subsidies programmes to companies to stimulate economic activity in a certain direction, the policy makers want the positive effects to be visible, not the possible abuses. This situation may be recognized by declarations of officials such as 'the amount of fraud involved is only marginal compared to the advantages of the policies executed'. Though unclarity of the policy or its highly political nature are quite dissimilar, the bottom line is the same: policy makers do not want the main policies to be disturbed by criminal policies nor by information about the things that go wrong. - Either the criminal policy or the responsibilities for that policy are unclear. If a policy has no clear objectives, information does not help much. Similarly if it is not clear who is responsible for those objectives, a criminal policy is not easily made operational or put into action. If the criminal policy or the policy responsibility is not clear, knowledge to improve the policies is neither used nor sought. Comments that may betray this somewhat unclear situation are the following: "we are still shaping our criminal policy", "there are a number of committees at work and we want to wait for their reports", "we are dependent on another department so we cannot act on our own". The criminal policy is of a minimalist kind. When the criminal justice system is meant to do no more than react in a minimalist manner in those cases that come to light, the need for information or the use of it is minimal as well. Take for example a simple retributive system that simply hands down a sanction that is proportional to guilt or damage in the individual case. In such a context it is immaterial whether there are more criminal cases to be discovered, or whether alternative approaches may produce better effects. All that matters is a formally appropriate response. Apart from confirming or not whether this is the case, information has little to add to the shaping or evaluating of such a policy. Key comments that cut off further investigation are of the type of community policing success or bad luck.

Even though we may know reasonably accurately the number of terrorist attacks, it may be hard to be sure how many of them involve cross-border liaison, and the amount of terrorist-related activity - extortion, narco-terrorism, fraud - certainly is unknown. In the case of burglary, robbery, vice, white-collar crime, and even (before 1990) frauds against the European Community, cross-border crimes simply merge into the general (and often unilluminating) statistics of recorded crime. This does not mean that nothing can be said about these phenomena. It means that transnational crime cannot be presented and tabulated in the same way as can crimes occurring within the borders of the individual European states. Indeed, even if we were to tabulate data on cross-border crime, much of it would be highly speculative and not amenable to the sort of household surveys that produced the European victimization data. Drug enforcement authorities, for example, have an interest in maximizing public concern about a problem by focusing on “new” drug epidemics; and those who wish to do something about fraud and money-laundering may be tempted to generate large figures to “demonstrate” the scale of the problem. There is an almost total absence of any available or even readily collectable systematic data from policing agencies on cross-border crime, particularly where information is sought on which countries are involved. However competent their work is on an individual case level, very little appears to be known even by specialist squads about patterns of criminal trading overseas. It is no accident that the best and most systematic data in this article come from my exploratory analysis of private sector information on credit card fraud, for these firms have developed hard data on patterns of victimization in order to try to cut down on their commercial losses. Criminal policy never flows automatically out of empirical data or even from intelligence analysis: there is always a political dimension to it. However, without knowing more about the dynamics of international criminal enterprise, it is hard for policy makers to forecast sensibly what the optimal practical European response to it should be, even if there were consensus about whether cannabis should be controlled or rates harmonized. Policy-making inevitably is based on shifting empirical sands of information about how much crime there is and how it is being organized, but it might be helpful if we knew whether the foundations of our knowledge were dry and stable or were quicksand.

## **Conclusions**

Despite the fact that legal cooperation between the four places needs further strengthening, their respective police forces have been quick to benefit from information gleaned from one another. For instance, in more

countries than ever before mainland police have been setting up auxiliary police along the community policing model. Also there has been further valuable input from the printed word. The police in many mainland cities have been writing articles for their various police journals to share their ideas on crime control, investigation methods and skills, evidence collection and the possible adaptation of effective foreign policing techniques. It could even be suggested that the modernization of mainland police has become a silent revolution that contributes immensely to the regional success in controlling cross-border crime.

Supporters of state and local participation in border security emphasize that European Union needs to do more to integrate state and local governments into the planning and execution of border strategy because these governments are much more familiar with the on-the-ground realities at the border and bring valuable knowledge of local culture, customs, geography, politics, and threats to the community. Local governments enforce housing violations and police departments recover stolen cars, often cutting off smuggling and drug-trade avenues. Others argue that since state and locals often end up footing the bill for illegal immigrants, these governments should have an opportunity to engage in decision making at the border.

As can be seen, public safety cannot be taken for granted. It can only be achieved not only through the professionalism of our finest, but through successful collaboration with their neighboring counterparts as well. They all deserve our respect and gratitude, and not calumny and frivolous criticisms.

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# ASYLUM LAW REGULATION AND CURRENT EVENTS OF ITS APPLICATION IN LATVIA

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**Abstract.** *The development of the regulatory framework of Latvia's Asylum and external border is determined by international regulatory framework, the EU's regulatory framework and influence of Latvian bilateral relationship as well as the need to balance the free movement of persons which is essential part of human rights in order to ensure the legislation in relation to Latvian external border regime within international and national legal framework. This is evidenced as a problematic issue in regulatory framework, law practices and border control both in Latvia and other EU countries. It is necessary to explore international, EU and national legal framework within the EU's external borders functioning in Latvia by detecting problems in the EU's Asylum determination in the context of border regime and border control regulatory framework, by exploring legislation, legal concepts, incompleteness of terminology and eventually to develop suggestions for improving laws and regulations. The primary method is Analytical method - the analysis of international, EU, the Schengen Acquis and the national regulatory framework and administrative practice.*

**Keywords:** *Asylum, regulatory framework, external borders, Schengen Acquis, border regime*

## Introduction

The threat of illegal immigration in Latvia in comparison to other EU Member States is increasing. Taking into account the level of socio-economic development, small territory, population quantity, geographic location of Latvia among the Baltic States it is important to avoid mistakes in immigration control process as happened in the biggest European countries.

Major threats of illegal immigration are on the Latvian - Russian and Latvian - Belarusian border. Russia as a transit country is used not only for the citizens of East and Central Asia, but even for citizens of Africa. In contrast, Belarus as a transit country is used for illegal immigrants mostly from Ukraine, Moldova, Caucasus, Central Asian and Eastern countries. Illegal immigration risk direction is also "Riga" airport, where the annual flow of persons is increasing rapidly (Public reports of the State Border Guard, year 2010 - 2015).

The aim and objectives of the research are to explore international, EU and national legal framework.

Objectives of the research:

- to study legal framework in the European Union region;



- to summarize topical problematic issues of Asylum cases in legal practice of Latvian Administrative courts;
- to detect problems and to provide recommendations and solutions to improve Asylum regulatory framework.

Research period 2015 – 2016. Research methods:

- monographic or descriptive method - describing the internal and external regulatory framework application trends, issues, and current events;
- analytical method - the analysis of international, EU, the Schengen Acquis and the national regulatory framework in Asylum Law (external and internal regulations), jurisprudence, administrative practice of the Public institutions and operational performance indicators.

Hypothesis envisages further strengthening of Latvia's status, as a law-bound and secure state, in the European Union is impossible through implementing improvement and upgrade of the European Union and national legal framework in the sphere of Asylum Law, as well as fulfilling harmonization of basic legal definitions and terminology of the regulatory framework, accomplishing standardisation of judicial practice according to the unified internationally recognized legal principles of Asylum Law in regulatory framework.

## **I Tendencies of development of Asylum Law**

In the beginning of the 20<sup>th</sup> century the refugees' problem became a burning issue to the entire humankind, and guided by the issues of humanity many states started to take responsibility on refugees' protection and their support. After resolution of the United Nations General Assembly (*UNGA*) in 1951 there was established United Nations High Commissioner for Refugees Office (also known as Agency) (*UNHCR*) and the Articles of this Agency were passed, but on June 28 of 1951 there was adopted a Convention on refugees status, that has particularized and unified Asylum international regulatory framework, thus it became the principal regulatory act in the sphere of Asylum, on which legal basis Asylum Law as amended (previous revisions were in 2002 and in 2009) came into effect in Latvia on the 19<sup>th</sup> January of 2016. Frequent revision of the Law evidences on dynamic development of Asylum Law in the beginning of the 21<sup>st</sup> century.

In the beginning of application of Geneva Convention refugees' problem was considered as a temporary issue, because there were hopes for the end of the consequences of the World War II. However the events in diverse regions of the globe made to reorganize a temporary mechanism into a constant instrument. Therefore by virtue of the New-York Protocol Geneva Convention was applicable to all the persons, which can be persecuted due to the reasons as regulated by the mentioned convention

without any restrictions. This regulatory framework form a legal basis of refugees' international protection, because it includes 144 out of 193 countries of the United Nations system, except most states of Southeast Asia, some states of the Near East, states of North Africa and USA that joins only to the New-York Protocol (UNHCR, 2016). This is an obvious evidence of the global nature of Asylum problem and inertness of the United Nations system.

Nowadays one of the most essential disadvantages of Geneva Convention is to be acknowledged, unlike regional instruments of international law, for instance, European Convention on Human Rights and Fundamental Freedoms (ECHRFF), Geneva Convention does not envisage establishing of any specialized international court institutions, arbitration courts or other duly effective international institutions, that would be competent to decide on interpretation of Asylum regulatory framework and would solve the current migration crisis at least partially.

In 1967 the United Nations General Assembly (*UNGA*) in the Declaration on territorial asylum broadened interpretation of non-refoulement principle, which is quite an old principal of international Customary Law. Its essence can be described as interdict for the country to expel any person against his/her will to the state, where his/her life or freedom could be endangered. However this principle is not applicable to the refugee, "which can be reasonable considered as dangerous to the security of this country, where s/he is located, or if s/he is acknowledged as guilty in committing particularly serious crime, which might threaten to the state's public safety". Moreover "the state can decide, to who it can provide asylum". At first it might seem there is a collision between the frameworks. Therefore there is need to return to the definition of a 'refugee status', where each wording is of importance in considering of each particular case.

*"Well reasoned fears of victimization"*- the fundamental phrase in the definition of the refugee's status, which emphasizes the essential motif of asylum search – general concept of fears. Fears as subjective concept are to be related to a person, who asks to acknowledge him/her as a refugee. When deciding on a status of a refugee, first of all it is necessary to evaluate the statements of the applicant, not the expressed evaluation of situation in the state of applicant's origin. Element of fears, which is a psychic and subjective condition, is described with wording *"well reasoned"*. This means that a refugee's status is not defined only by a person's psychic state, but this mental state is to be reasoned by the objective situation. That's why the definition's wording *"well reasoned fears"*, has both subjective and objective elements, and, when deciding, whether there exist *"well reasoned fears"*, both elements are to be taken into account.

An applicant's fears can be considered as well reasoned, if s/he can quite persuasively prove, that further accommodation in his/her place of origin has become intolerable due to the reasons as specified in the definition, or could be intolerable due to the same reasons, if s/he would return there. 'Victimization' according to Geneva Convention are interpreted as threats to life or freedom, taking into consideration belonging to certain race, religion, nationality, political views or a social group, as well as other severe human rights' violations for the same reasons (Geneva Convention, Article 33.). In this case 'victimization' should be differentiated from 'discrimination', that is unfavourable attitude toward a person on the part of public or state, which can be equalled to victimization only if the methods and approaches could seriously threaten this person. According to the author discrimination causes considerably less threat person's life or freedom, but more related to a person's duties in any society, with restrictions of relevant rights and freedoms. Most likely 'discrimination' should be perceived as a different attitude in equal social and legal circumstances, that cannot be a satisfactory argument when considering a request in asylum, as far as it does not reveal an obvious and immediate threat to life and freedoms.

'Victimization' shall be distinguished from punishment for a regular law violation – these persons are not refugees, as far as refugee is the victim of unjust (or a potential victim), but not a person, who tries to escape a trial. When a person is illegally leaves his/her place of origin, where a grave penalty is stipulated for such infringement of law, this person can be reasonably acknowledged as a refugee, if it would be possible to prove, that such a residence beyond the state borders is related to the arguments as specified in Article 1 A (2) of Geneva Convention. Other persons, who voluntarily leave their homeland due to the reasons unspecified in the definition of a 'refugee', in order to move to another place for the sake of changes, in quest of adventure, due to some personal reasons, are considered as economic migrants, because they have moved only due to economic reasons or personal benefits.

The European Union (EU) competences, including asylum and refugees sphere, were broadened in the Treaty of Amsterdam of 1997, under this treaty the legislative functions regarding to asylum, refugees, as well as migration and accommodation of citizens of third countries were delivered to the Union. As a basis of primary legal powers, a new Article 73.k, which later reorganized, into Article 63 of the European Community Treaty (ECT), was added. The legislative functions were delivered to the Union on stipulation as specified in Par. 1 Article 63 of the European Community Treaty (ECT), that acts adopted by the Union's legislative bodies in the sphere of asylum shall correspond to Geneva Convention and to the

Protocol of refugees status of January 31, 1967, as well as other relevant treaties. European Convention on Human Rights and Fundamental Freedoms (ECHRFF) is also referred to the “*other relevant treaties*”. What is more Par. 1 Article 63 of the European Community Treaty (ECT) unambiguously sets forward that powers to settle Asylum Law include only definition of compulsory standards. Based on these primary legal powers, the EU legislative bodies adopted several directives, specifying compulsory standards, regarding the aspects of asylum systems in diverse countries. Part 7 of Schengen Implementation Convention envisages responsibility on considering requests about asylum, as well as tries to standardize and unify Asylum Law ensuring, by virtue of Geneva Convention and Dublin Convention, on which basis asylum standards, as included into most directives, of Schengen Implementation Convention are fulfilled.

Directive 2001/55 was adopted at first. This directive envisages compulsory standards so that in case of mass inflow the refugees could get temporary protection. Owing to other three directives almost in all member-states were introduced unified compulsory standards for asylum seekers hosting (*Hosting directive*), for third countries citizens or non-citizens’ qualifying as refugees or persons who need international protection (*Qualification directive*), and refugee status conferring or annulment for certain proceeding of the member-states (*Proceeding directive*).

It is appropriate to agree to M.Baldwin-Edwards’ opinion, that in spite of various legislative acts, the tendency of malicious use of Asylum Law is increasing rapidly not only in the states of the Mediterranean region affected by migration crisis, like Greece (Baldwin-Edwards, 2006), but also states unattractive to asylum seekers like Latvia, which is at the moment is mostly used for trials of illegal transit (Djačkova et.al., 2011). This is the evidence of necessity of further thoroughly elaborated development of Schengen Acquis (Guild, Harlow, 2002), what will be partially accomplished through Directive 2008/115EC (*Deportation directive*) and with further suggestions of the EU Parliament in improving the standards of asylum procedure, therefore achieving the more peculiar framework of the main parts of the EU external borders regime – solving the board crossing problem regarding to asylum requesting procedure.

According to the primary rights requirements proceeding from Par.1 Article 63 of the European Community Treaty (ECT) and stipulating that adopted on this basis secondary legislative acts shall comply with Geneva Convention, Directive 2001/55, the statements of preambles of Qualification directive and Proceeding directive there is an unambiguous reference to conclusion made on the special meeting of the European Council in Tampere, that the total being established European asylum

system shall be based fully and absolutely application of Geneva Convention. The statements of preambles of these directives is emphasized, that these shall respect the acknowledged by Charta fundamental rights and principles, and the member-states shall use and apply international legislative instruments in relation with the persons whom these directives refer to. Therefore Hosting, Qualification and Proceeding directives include essential compulsory standards referring to the asylum seekers and considering of their requests. Moreover Paragraph 2 Article 24 of Hosting directive unambiguously stipulates that necessary assets are to be allocated to the member-states in order to achieve the specified compulsory standards for asylum seekers hosting. Likely Article 36 of Qualification directive says that the member-state shall ensure the respective institutions and organizations' employees with necessary training.

Taking into account the stated above, it is legally ensured that attitude of the member-state, which shall follow the compulsory standards of Hosting, Qualification and Proceeding directives, toward asylum seekers and the principle of considering asylum seekers' requests are to be fulfilled according to the requirements of Charta, Geneva Convention, and European Convention for the Protection of Human Rights and Fundamental Freedoms.

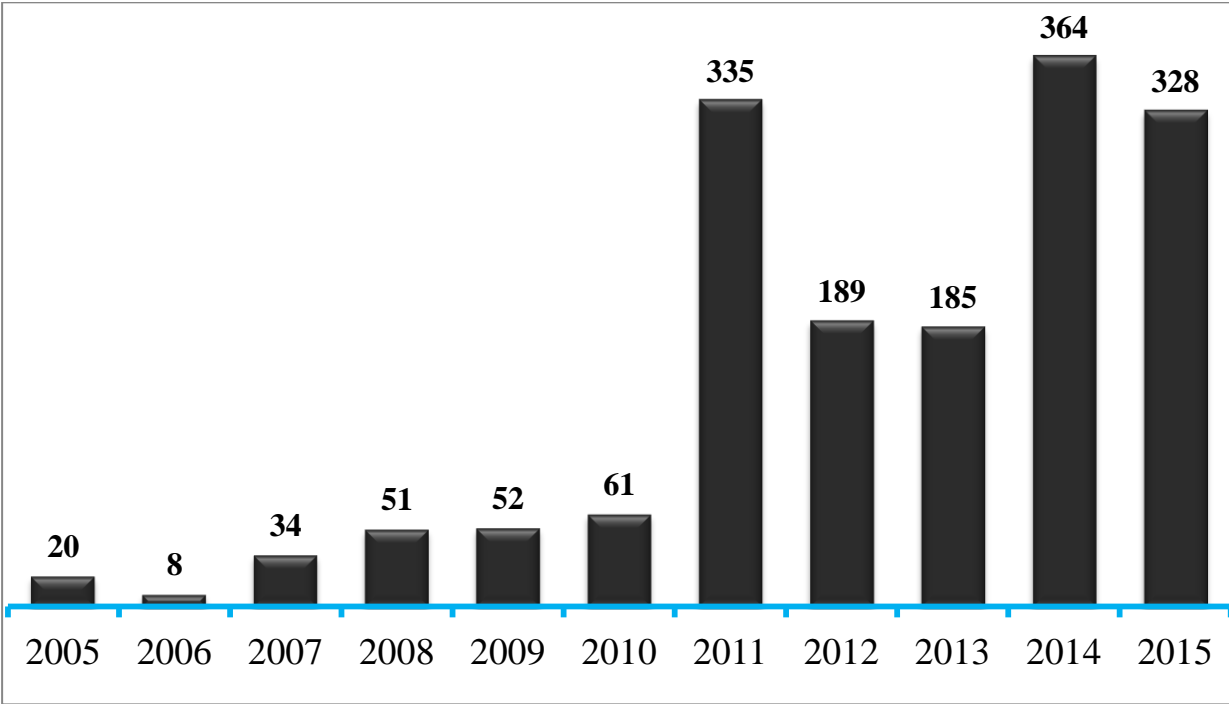
## **II Current events of Asylum Law application**

Statistics evidences that within the period from 1998 to July 30, 2015, in Latvia from the total amount of registered asylum seekers (1621 persons) a status of refugee was adjudged to 65 persons and an alternative status was adjudged to 137 persons. The main tendency of recent years – the number of asylum seekers has considerably increased (*In 2011 – 335 persons, in 2012 – 189 persons, in 2013 – 185 persons, in 2014 – 364 persons*).

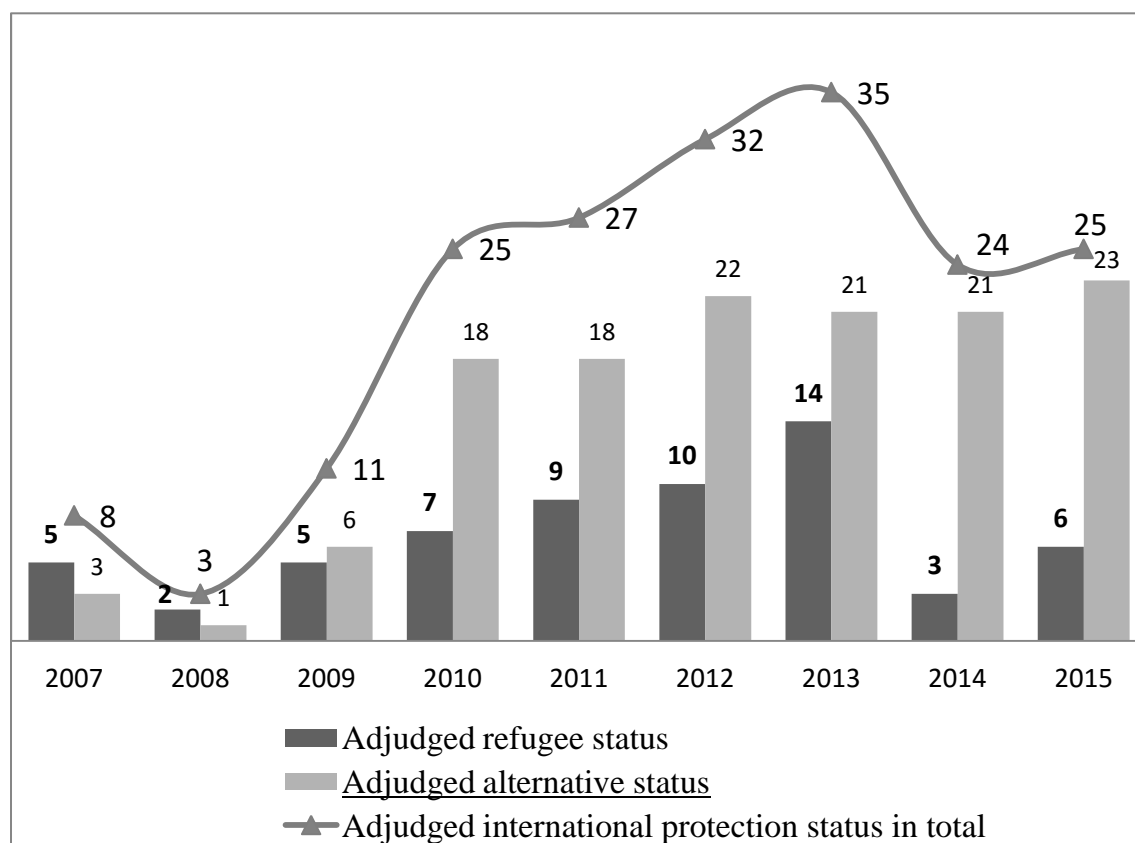
According to the data of Latvia's Court information system, there are accessible anonymous court decisions of the Administrative Court (Riga Court House), the Administrative District Court and the Supreme Court. 30 court decision have been analyzed, 27 of which – decisions of the Administrative Court (Riga Court House), 2 – decisions of the Administrative District Court, 1 – decision of the Administrative Cases Department of the Senate of the Supreme court. In these cases were applied both verbal and written processes; in the Administrative Court the cases are considered by one (sitting alone) and three judges (collegially). Mostly the statistic data evidence that suits in asylum cases on refugee status conferring are dismissed. For instance, in 2012 out of 189 persons who asked for asylum, i.e. asylum seekers, a refugee status was conferred only in 10 cases. From 2012 in Administrative court out of 55 considered suits on

refugee status conferring were sustained only 4 suits, in 16 cases the suits were left without consideration, and in 35 cases the suits were dismissed.

Judicial power bodies (Administrative courts, District Courts) like law-enforcement institutions (State Border Guard, Citizenship and Migration Affairs Authority) act according to the same legislative instruments that are effective by Laws (*Administrative Proceeding law, Immigration Law*) in a particular period. If it was refused to provide a status of a refugee or an alternative status, such a person becomes an illegal immigrant. In this case could be unreasoned threat of victimization, if the court refused to confer a refugee status due to plausibility of data submitted by the asylum seeker (Fig.1.,2).



**Fig. 1. Number of applications of asylum seekers in Latvia**  
(Source: Trofimovs, 2016).



**Fig. 2. Adjudged international protection status in Latvia** (Source: Trofimovs, 2016).

### Conclusions and suggestions

1. Secondary rights requirements on attitude to asylum seekers and asylum requests considering, supervening from Hosting, Qualification Directives and Dublin II Regulation, from the aspect of their aims, legal provisions, only partially comply with the provisions of Charta, Geneva Convention and European Convention for the Protection of Human Rights and Fundamental Freedoms.
2. Enormously voluminous and unsatisfactory harmonized regulatory framework negatively reflects in application of practical proceedings in activity of respective institutions, when decisions are to be taken quickly and correctly in the periods of escalation of migration crisis. Situation is aggravated by European Union institutions' inertness in legal and practical deciding of migration crisis, because the current migration crisis has deeper roots than its escalation in 2014/2015 – "Record number of over 1.2 million first time asylum seekers registered in 2015".
3. In spite of embrasive asylum international and EU regulatory framework, malicious use of Asylum Law on the EU external border in Latvia is still progressing. In 2015 there were received 328 asylum seekers' requests, a refugee status was adjudged to 6 persons. From 1998 up to 2015 in Latvia international protection asked 1768 asylum

seekers (in 2014 - 364, what is the highest number of all the years). A refugee status was adjudged to 71 persons in total, an alternative status to 148 persons, what evidences also on the problem of malicious use of asylum procedure.

4. Malicious use of asylum procedure is mostly related to persons trials to use the asylum procedure in order to continue a transit way to economically more developed countries, to escape responsibility on state border illegal crossing, forged documents use or contraband, what is verified by court practice, for instance, European Court of Human Rights considered a case "*Longa Yonkeu versus Latvia*", when the mentioned person, crossing the Lithuanian border, was arrested on suspicion of forged documents use, was convicted, but later requested an asylum, reasoning it with the fears from Cameroon power authorities.
5. Principal problems of application of Asylum Law in Latvia are as follows:
  - a) a tendency of increase of the number of asylum seekers for recent years;
  - b) court expenses for considering asylum suits (most part of asylum seekers' suits are dismissed at the level of Administrative courts);
  - c) ensuring the asylum seekers with legal assistance;
  - d) ensuring effective communication with the asylum seekers, incl. problem of availability of interpreters;
  - e) availability of opportunities for asylum seekers and their effective realisation in administrative courts and contesting the decisions of the administrative courts;
  - f) difficulties in checking of the information submitted by the asylum seekers (*plausibility*).

It should be concluded that asylum seekers' hosting shall become the responsibility of all the member-states of Convention, it shall not be the problem of solely member-states of the European Union.

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# IMPLEMENTATION OF THE INFORMATION SYSTEM OF PRELIMINARY NOTIFICATION ABOUT PASSENGERS AT RAILWAY AND AIR CHECKPOINTS

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**Abstract.** *The aim of the study is to analyze the process of implementing and putting into practice the Information System of Preliminary Notification about Passengers at Railway and Air checkpoints into the activity of the Border Guard Service of the Republic of Belarus. The main tasks of the study are as follows:*

*to analyze the practical methods of operating of the Information System during the border control's procedures at railway and air checkpoints;*

*to estimate the functional practice of the Information System at railway and air checkpoints of Belarus.*

*The study under consideration is fundamentally based on the dialectical-philosophical method alongside with general scientific and specific scientific methods.*

*Background of the System's implementing, achieved results and directions for further development*

**Key words:** *border control, information systems, automation, interaction, cooperation, notification.*

## Introduction

Scientific new approach and a theoretical significance of the study under consideration is about effecting a theoretical research of fundamentals of implementing the Information System of Preliminary Notification about Passengers at Railway and Air Checkpoints into the activity of the Border Guard Service of the Republic of Belarus.

The study under consideration was carried over the period of 2015-2016.

The aim of the study is to analyze the process of implementing and putting into practice the Information System of Preliminary Notification about Passengers at Railway and Air checkpoints into the activity of the Border Guard Service of the Republic of Belarus, hereinafter called as **«Information System»**.

The main tasks of the study are as follows:

to analyze the practical methods of operating of the **«Information System»** during the border control's procedures at railway and air checkpoints;

to estimate the functional practice of the **«Information System»** at railway and air checkpoints of Belarus.

The study under consideration is fundamentally based on the dialectical-philosophical method alongside with general scientific and specific scientific methods.

The hypothesis of the study under consideration lies in the assumption that the analysis of the practical results of implementing the **«Information System»** must give a clear idea about expediency and forthcoming perspectives of development of this activity.

### **Background and Purposes of Implementing the Information System of Preliminary Notification about Passengers**

Well, as you know nowadays, the activity of the State Border Guard Service of the Republic of Belarus is attended by a number of factors affecting directly the quality of the State border control specifically and ensurance of national security in general.

These factors are the following:

growing danger of world terrorism;

a year-by-year increasing number of people and transport vehicles crossing the State border, alongside with an increasing volume of freight traffic;

instability of military and political situation in neighboring country Ukraine;

local war conflicts in the Middle East;

improvement of tactical actions and enhancement of various tricks used by illegal border-crossing-trespassers.

In view of the foregoing, what I'd like to emphasize, is that we need to implement the main goal set before the Belarusian State Border Guard authorities and also before the Border Guard Service of another states - that is to provide the best conditions for minimizing state national security's threat.

One of the most effective ways to reach this goal is the Information System's technology providing preliminary notification about passengers, which I intend to highlight in more detail in this study.

Over the years there has always existed a permanent key tendency with the Belarusian State Border Guard Service to improve and enhance its methods and techniques in order to improve national security system. Implementation of the **«Information System»** is considered to be one of the most perspective way to collect all necessary data before a passenger arrives at the checkpoint of the country of his destination.

Preliminary information could be used by the Border Guard Service with a purpose to minimize the time necessary for fulfilling some

formalities and planned distribution of resources. It also could be used for the control's optimization and for adequate and open predictable actions.

Technology of preliminary notification provides electronic transmission of preliminary information to the state's authorized information centers and its further usage by the Border Control officials in the control procedures with regard to the individuals crossing the border.

The main purpose of the «**Information System**» implementation is to minimize the threats for the State's border security and to facilitate the border capacity.

The main tasks set before the «**Information System**» are:

1. Automation of border control procedures with regard to individuals crossing border at checkpoints.
2. Increase of border checkpoints' capacity and reduction of time spent for enquiries' handling.
3. Early identification of the persons whose entry to the Republic of Belarus is forbidden or undesirable long before a real arrival of a transport vehicle on the territory of the country.

With the help of the information interaction technology the Border Guard officials are capable to facilitate exercising of the following targets:

to get full and true information necessary for legal border crossing;  
to reduce a time period of the checkpoint's formalities allotted per an individual;

to create conditions promoting open and predictable actions of the Border Control officials;

to increase management efficiency and operational effectiveness of the relevant decisions made by Border Guard officials in respect to individuals under check, and to improve this check accordingly;

to make a due planning of control operations and to arrange effective distribution of labour resources.

In addition to the above-mentioned, the «**Information System**» makes it feasible:

to automate border control procedures fulfilled during check-and-control formalities in respect to individuals crossing border by railway, or any other way;

to effect all necessary actions in the frame of a risk-management system;

to make reports and statistics.

In connection with this, we have carefully analyzed our foreign partners' experience in implementing similar systems. Some positive points were found quite acceptable.

The Law of the Republic of Belarus «About the State Border of the Republic of Belarus» in the updated version adopted in the year of 2015,

hereinafter called as «**The Law**» has become an accelerating factor for implementing the «**Information System**».

«**The Law**» entrusts a number of duties on legal entities and individual entrepreneurs who effect international transportation.

Thus, under the article 45 of «**The Law**» legal entities and individual entrepreneurs who effect international transportation of passengers by air to Belarus, as a country of final destination, or transit Belarus, are bound to submit personal data of planes' passengers alongside with another information related to passengers transportation, to the information systems of Ministry of Transport and Communication of the Republic of Belarus. The contents of the information are specified by the above Ministry.

Legal entities effecting international transportation of passengers by railway public vehicles are also bound to submit personal data of passengers who use railway transport, alongside with information related to passengers' transportation, to the information systems of the Ministry of Transport and Communication of the Republic of Belarus. The contents of the information are specified by the above Ministry.

The Ministry of Transport and Communication, in its turn, shall provide information about passengers' personal data for the Border Guard Service and other State authorities who effect operational-investigative activity. The order of this procedure shall be specified and agreed upon by the above Ministry.

The next step was creation of the interdepartmental legislative framework regulating interaction of the sides on the issue of passengers' data's transfer alongside with establishing some channels for data's transfer and systems of their handling.

### **Preliminary Results of the “Information System” Operation**

From the very first days of the “Information System” operation, it has become evident that the new system has started giving some conspicuous results. The number of persons who were refused to enter Republic of Belarus directly at checkpoints has considerably decreased. The prior Information about the categories of the persons planning to cross border, considerably helped to make a correct and qualitative distribution of the Border Control subdivisions' officials during the border crossing formalities with individuals and transport vehicles. National carriers have actively joined this process, because they have been interested in reducing the number of persons who are expected to refuse crossing the border.

At present the «**Information System**» at railway checkpoints is presented as the automated information subsystem «Border Guard Control - Preliminary Railway Notification».

A carrier effecting international transportation of passengers by railway public vehicles (Belarusian Railway) submits the passengers' personal data in the adopted form to the Border Guard Service. The data are transmitted via approved electronic channels.

The «**Information System**» at air checkpoints is presented as the automated information subsystem «Border Guard Control - Preliminary Avia Notification».

Development and implementation of the automated information system of personal data of railway and air passengers is designed for:

- transmitting to Belarus the railway and air passengers' personal data by international carriers (passengers arriving in Belarus and leaving Belarus);

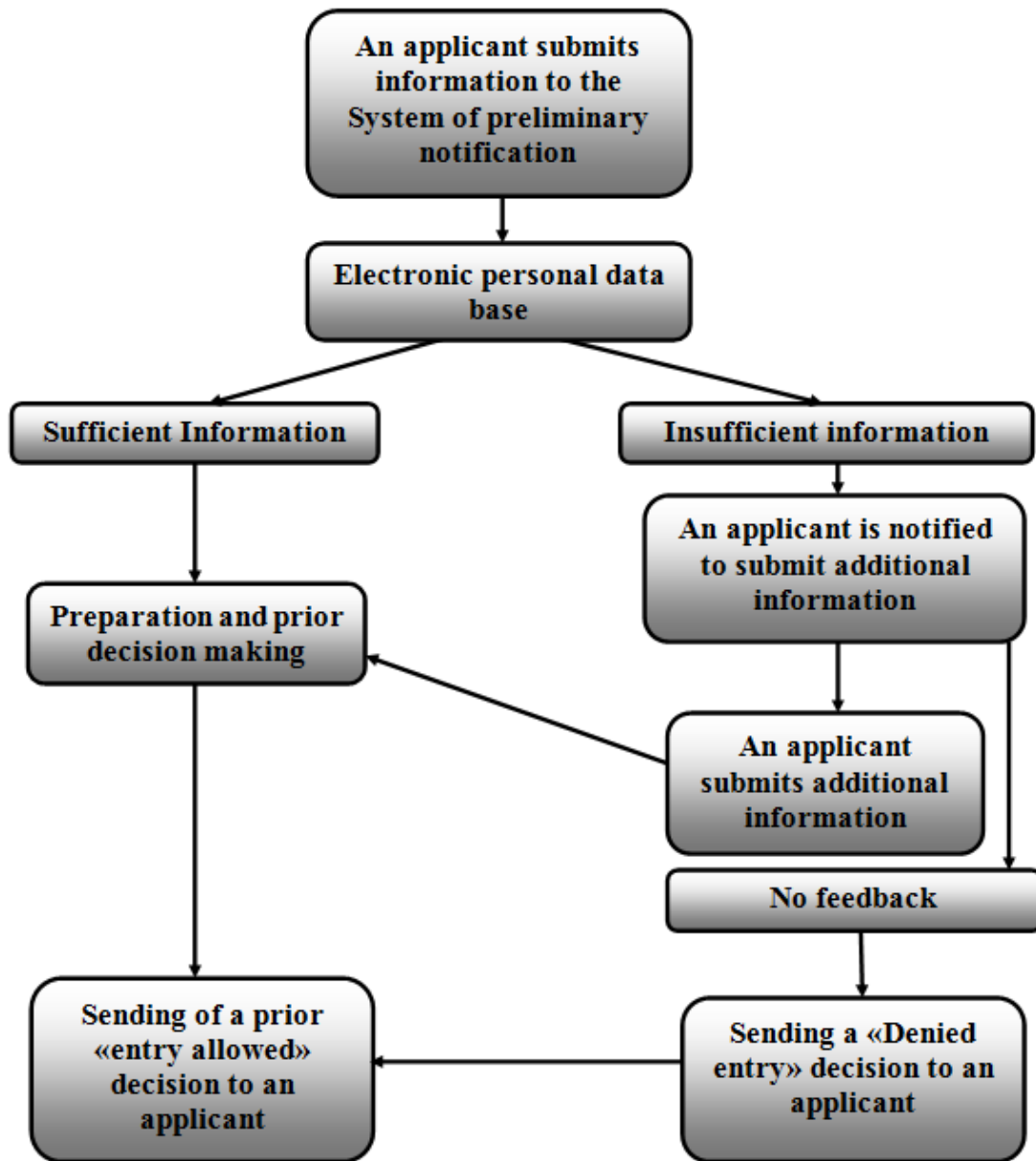
- submitting of passengers' personal data to the Border Guard Service and to other State bodies fulfilling operational-investigative activity;

- giving to carriers information about the passengers who are expected to be refused entering Belarus.

The process of making decision about a passenger permit to cross the State border of the Republic of Belarus is effected automatically, that effectively assists to handle passengers' data in a very short period of time. It also helps to retrieve the missing information in order to make a prior decision about a person's border crossing with the following notification about the decision.

The scheme of succeeding logical actions leading to the final decision about a passenger's border crossing looks like that (figure 1).

As an example, we can say that the implemented «**Information System**», only at the one checkpoint «National Airport Minsk» over the year of 2015, helped to prevent beforehand the border crossing of 1200 persons whose entry on the territory of Belarus was forbidden or undesirable.



**Fig. 1. Structural-logical sequence of actions leading to decision-making about a passenger's border crossing (author drawn)**

### **Conclusions and suggestions**

A study under consideration gives a thorough overview of some evident advantage of the implemented «**Information System**».

It helps to reduce the time of the Border Control formalities. It also assists to the Border Control officials of different subdivisions to undertake definite actions with a purpose to minimize risks during the Border Control formalities.



Alongside with some positive aspects, the study under consideration also highlights new directions of further improvement of the implemented **«Information System»**. Priority comes to the further improvement of the legislative framework, regulating this activity. Cooperation with international carriers who fulfil international railway and air transportation to Belarus with a purpose to standardize transmitted information about passengers.

The next step is to improve technical facilities of the **«Information System»**, and finally, to elaborate some perspective ways of obtaining information from carriers who fulfil international car transportation, and also from the individuals who cross border by private vehicles or on foot.

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# THE IMPACT OF BORDERLESS AREA ON THE POLICE INTERNATIONAL COOPERATION

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**Abstract.** *In 2007 after signing the Treaty of Lisbon cooperation among police and other competent law enforcement offices became the official European policy, although the denial of inner borders started already in 1985. Since that time it is radically changed the legal basis of police cooperation.*

*In spite of the fact that the denial of inner borders has started police cooperation, now due to terroristic acts taking place directly in European Union discussions on resumption of borders happen more often.*

*The aim of this article is to start the discussion why interstate police cooperation is still ineffective. The task of this article is to pay the attention to those normative and legal acts in different levels makes cross-border cooperation difficult, not simple and easy. A legal act comes into force but there is no a competent official who is ready to apply it. Thus the fulfilment of all formal demands takes place while the practical realisation lags far behind. While the European Union develops secure, free and legal environment widens several criminal authority powers, it still does not work on gaining the expected result. There is a small number of articles and publications on law offices cooperation tools as it is a very specific field.*

*The author comes to the conclusion that without examining new tools there is no possibility to apply them correctly and effectively. Police departments' different understanding and law enforcement offices' traditional work methods embarrass the application of new and effective cooperation tools.*

**Key words:** *police, cooperation, cross-border law enforcement cooperation*

## Introduction

It is initiated and partially started several legislative and interior initiatives in the European Union (hereafter the EU) in short time period. Since the signing of the Treaty of Lisbon the EU intensively strengthens the police cross-border cooperation. Ambitious decisions are made integrating home affairs into the EU policy. The problem comes from fast-growing volume of norms that makes cooperation much complicated. An ordinary officer always pays attention to the national law which systematically lacks novelties while the legislation has priority in executing EU demands not ensuring the intended new norms result. Thereby a new cooperation tool accepted in the EU level and theoretically included into national rights has not practical implementation.

Already 11 years Latvia is a full-rights EU member, since 2007 has joined the Schengen border-free zone. All this expanding cooperation became a new challenge for police services.

If the current law enforcement cross-border cooperation was largely based on bilateral and multilateral treaties and conventions which included issues in extraditions or criminal justice assistance than now the biggest part of novelties are implemented by the European Union decisions. The traditional ways of cooperation have been changed by historical and geopolitical processes. Such operations as cross-border hot pursuit, surveillance, joint patrolling, controlled deliveries and special tests showed up.

### **Modernisation of the cross-border cooperation**

The modernisation and strengthening of cross-border cooperation is maintained by development of regulatory framework. This is a time-consuming and very complicated process as there all partners' interests might be coordinated. During the last several years a number of regulatory frameworks on police work have appeared. For example, there exist 386 documents that include a phrase "fight against crime", 354 documents under the key words "the EU law enforcement institutions cooperation in crime matters", 340 documents on "freedom, security and justice" aspects, 425 on "information transferring" [1] in the Eur-lex data basis Latvian version. There is nationaldata base in Latvia likumi.lv where are 42000 documents under the key word "police". It is interesting that "the police law" [10] has only one regulation the content of which applies to cross-border cooperation. Unfortunately, that number of documents found does not mean a qualitative result although it proves its topicality. Police cooperation issues are specific, and there are small amount of scientists and teaching staff who are interested in these documents deep research analysing its quality and utility.

To unify opinions of Member States is the most complicated part in regulatory framework development process. For example, the discussion about necessity to register passengers data [9] started already after September 11, 2001 terroristic acts in the USA. Consensus on this issue still not gained, however, the Treaty of Lisbon says that "The Union shall offer its citizens an area of freedom, security and justice without internal frontiers in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime" [8]. Just only after this year tragic events in Paris the EU member states came back to the issue of registration of all passengers' data as soon as possible. It

follows that law enforcement does not have enough information on suspicious persons' mobility. In any case neither legal resource, not human resources are needed for proactive moves.

A completely different is a situation providing significant crime data and public order. The best example here is the Prüm Convention) [7] initially signed among several states. Firstly the convention conditions were appraised among some member countries and only after successful application other countries expressed a will to join the Prüm Convention. The legal aspect of joining is determined by the Treaty on European Union (article 280.c) [2]. In the result the initiative of some countries developed by data exchange practical users became the binding treaty to all EU member states determined by its own decisions.

Such data as fingerprints, DNA profiles and vehicle registration documents sharing and comparison has improved cooperation and expanded criminals' search resources. In general, it is necessary data for police to help quickly identify persons, traces or find out necessary information.

Legislative regulations that have been accepted during closer cooperation process are binding only for participating states. This leads to different cooperation methods among EU member states and criminals finding out these weaknesses use it in they own interests. Interstate cooperation tools must be implemented in all member states simultaneously thus improving situation.

In Latvia EU regulations in legislative and home affairs field are adopted by, for example, supplementing or modifying the Criminal Law or its articles. For example, the EU Council's decision Nr.2002/584/TI [3] dated June 13, 2002 on EAW surrender procedures between member states and decision 2002/465/TI [4] dated June 13, 2002 on joint investigation teams introduced significant amendments to the Criminal Law Part C. If comparing EAW arrest application and common investigation teams' development frequency it is obvious that understanding is different. One tool is used and applied quite often and successfully, another is still denied.

Another police interstate cooperation issue is that Member States are stipulated by bilateral agreements thus forming different cooperation opportunities.

Powers and functions of responsible institutions are determined by the Cabinet of Minister in our country, sometimes by the law. For example, after the EU Council's decision 2006/960/TI [5] dated December 18, 2006 on the European Union Member States' law enforcement information and intelligence exchange simplification regulation, often mentioned as "the Swedish initiative", Latvia on March 12, 2009 passed the Prevention, detection and investigation information exchange law.

In turn, the European Parliament and Council Directive EU [6] dated October 25, 2011 stimulating cross-border information exchange on road safety related traffic offenses was introduced in Latvia by the regulation of the Cabinet of Ministers No 15 about cross-border information exchange on road safety related traffic offenses. It means that different legal acts follow every initiative.

Along with developing interior policy and regulations the EU establishes agencies and institutions (Europol, Eurojust, Frontex, etc.) where the main task is to give support to responsible institutions of member states in fight against serious and organised crime. EU law enforcement agencies do not have independent investigative capabilities. These institutions develop and work independently and no one determines its inter-institutional responsibilities. The inter-institutional cooperation improves only over time through cooperation agreements.

By accepting such borderless cooperation ways when a country's responsible agencies have rights to work on the territory of another country, states share their own sovereignty. That is the main reason why such a long time period the legal tools actually were not used. Currently, the EU member states police services have an opportunity to give borderless support participating in common operations and mass events, patrolling, examining documents and ID's, identifying persons and controlling traffic. A member state after demand of other member state may make a decision to send its staff to support. The Schengen zone countries accepted the cross-border pursuit, cross-border surveillance, etc. operations. Thus, a member state police has a legal basis to be situated in another country, and if member states have agreed on it, police officers have the right to use special means, including weapons. Such actions are regulated and are prior at police trainings, but the author considers that a number of such operations in practice is still small. There are not enough knowledge, correct national legal acts, initiative and corresponding practice.

In general, the police interstate cooperation is complicated as it includes actions to maintain public order, collecting, processing, analysing and storing information, data exchanging for joint investigation, cross-border operations, staff training, revealing crimes, evaluating investigation methods, etc. Before developing new tools the existed might be improved to increase effectiveness. Cooperation obstacles should be diluted, but trust is to be strengthened by mutual communication. The cooperation among the EU agencies might be improved thus increasing its investment by practical tasks execution. New technological tasks might be solved to make better routine work.

## Conclusions and recommendations

The abolition of the border control is the main reason to strengthen and modernise law enforcement institutions' cooperation.

The introduction of the EU acts is made by member states responsible institutions according to the determined order within a state. Thus police, border control, customs and other institutions do the main task to reach the aim – fight against crime. As basis of acting is not only national laws but also the EU regulations it is important that all related institutions interpret and use them professionally alike. It means that trainings must be common.

Police has a big public resonance and therefore the law must be readable and understandable in order to turn off the dual treatment of. Increase of legal regulation volume and cross-border cooperation in Latvia has not affected article No 8 of the Police law that mentions police interstate cooperation. Exactly this legal act is the basis of police work in Latvia and it would be very useful to include novelties on cross-border cooperation in it. Police officers should not be obliged to acquire dozens of different legal force regulatory acts.

It must be admitted that crime tendencies affect all counties, however each country has own features. As well law enforcement institutions are not similar neither by functions not by tasks in different countries. These features must be taken into account while organising borderless operations. It is not excluded that one legal instrument is well-practiced in a particular region, but at another does not fit at all. Thus a discussion between legislator and legal instrument adopter should take place before a legal act coming into the force. Consequently after a certain time period it is necessary to evaluate the use of legal tool, find out its weaknesses and mistakes in order to cancel them in the future.

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# PRACTICAL ASPECTS OF COOPERATION BETWEEN THE STATE BORDER GUARD OF LATVIA AND FEDERAL SECURITY SERVICE BORDER GUARD SERVICE OF RUSSIAN FEDERATION

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**Abstract.** *One of the main State Border Guard priorities is to maintain and develop the state border guarding system, according to the European Union external borders requirements, by fulfilling the conditions of the Schengen acquis. Schengen acquis provides that international cooperation in the field of border security can have multilateral, bilateral and local dimensions. In this context, an agreements concluded with bordering countries on cooperation in the field of border management is an effective tool to strengthen border security (EU Schengen Catalogue, 2002). In research as methodology are used scientific literature in the field of international law, treaties and agreements, the law of the Republic of Latvia, the State border guard of the internal regulations and the State border guard of unpublished materials. The Republic of Latvia and the Russian Federation cooperate in the field of development and implementation of coherent measures for the border control. Cooperation with RF is executed based on treaties and agreements concluded, as well, maintaining contacts between competent representatives of both countries at various management levels. The extensive cooperation between neighbouring countries on maintenance of security at the border results in the elucidation of the incidents occurring at the state border and other relevant issues, at the same time providing stability and security at the common border.*

**Keywords:** *cooperation, liaison officers, plenipotentiary border representatives, training, integrated border management*

## Introduction

Integrated border management (IBM) is essential for the maintenance of security and its mechanism need to be strengthened. Latvia, as EU Member State, has an obligation, must and possibility to strengthen its state borders based on the IBM concept and, thus, contributes to the internal security. In accordance with the IBM concept, international cooperation is the one of the key pillars and should be implemented at national, regional and local levels. Therefore, well-developed cooperation with neighbouring countries plays an important role in ensuring border security and a common EU internal security.

The research aim is to explore the State Border Guard of Latvia and the competent authorities of the Russian Federation the field of State border



security cooperation in the legal framework and the practical aspects, as well as provide opportunities for innovation. Hypothesis – the Latvian State border guard and the competent authorities of the Russian Federation in the field of cooperation in the border is one factor delaying the implementation of the cooperation agreement adopted by the above inconsistencies in accounts receivable. Research design are used in scientific literature in the field of international law, international treaties and agreements, the law of the Republic of Latvia, the State border guard of the internal regulations and the State border guard of unpublished materials.

The novelty – this research may be used for official purposes of the implementation of the practical cooperation with officials of the State Border Guard, the competent authorities of the Russian Federation in the field of border control, as well as by training the competent officials of the State Border Guard.

### **Practical aspects of cooperation**

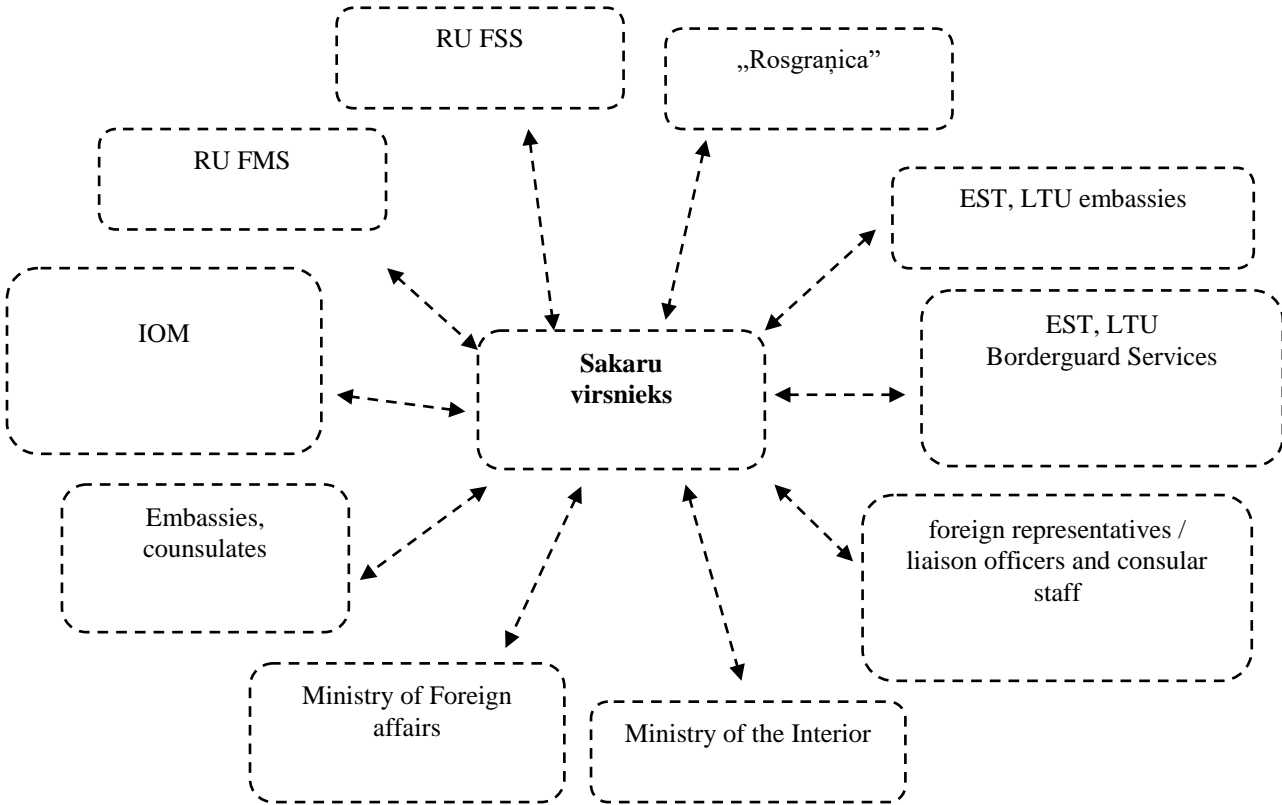
In the course of cooperation on border matters with the competent authorities of the Russian Federation (the Federal Security Service (FSS) and the Federal Migration Service (FMS)), the State Border Guard should acknowledge threats and risks, as being neighbouring country with the Russian Federation, and the country's internal as well as external processes. In recent years, several factors influenced illegal migration tendencies (to and via) Latvia, such as: the civil war in Syria, unstable political situation in the South Caucasus (Georgia), political and economical situation in the North Caucasus region of the Russian Federation, RU liberal visa policy towards the countries of origin of irregular migrants (Vietnam, North Africa and the Middle East), massive visa issuance for study or tourism purposes (without cross-checking reasons for issuing visas with the actual circumstances) to the nationals of afore mentioned countries.

To ensure the border security, the Article 8 of the State Border Law of the Republic of Latvia (adopted on 12 November 2009), lays down a set of measures aimed at preventing possible threats for border control, guaranteeing safe and stable check performance and ensuring border checks and border surveillance infrastructure functioning. The above mentioned comprises activities abroad of a consular officials and a specialized attaches (**liaison officers**) of the Ministry of Interior, **international cooperation** of a public administration structures, **plenipotentiary border representative** cooperation, mutual coordinated activities, on a daily basis, on the state border and within the country, among the competent authorities and law enforcement authorities. Two

documents serve as a basis for the cooperation in the field of security assuring among the competent authorities of the Republic of Latvia and the Russian Federation: *Agreement between the Government of the Republic of Latvia and the Government of the Russian Federation on cooperation in Border Protection matters* (26 February 1996) and *the Latvian Government and the Government of the Russian Federation Agreement on Plenipotentiary Border Representatives* (14 December 1994).

In the frame of the EU project "*Immigration Liaison Officer Point of the Republic of Latvia, the Republic of Lithuania, and the Republic of Estonia in Russia*", implementing the *Memorandum of Understanding signed between the Latvian State Border Guard, Estonian Border Guard Board, Lithuanian State Border Guard Service on Liaison Officer Point activity in Russia*, from February 2010 to 31 May 2011 in the Russian Federation (Moscow) the **State Border Guard liaison officer** was deployed, from 1 January 2013 a liaison officer activity in Russia was reinstated.

Liaison officer cooperates and communicates with the number of institutions and organizations (see Fig. 1).



**Fig.1. Liaison officer partners** (author drawn)

The most efficient method in the work of a liaison is the exchange of information: at regular meetings, by telephone contacts, e-mails and direct meetings with representatives of the Russian authorities', as well as information sharing about counterfeit and fraudulently obtained

documents, individuals posing risks of illegal migration and illegal migration trends. Having regard to the Schengen *acquis* and, in particular, in the field of information exchange, a joint liaison officer network has been established, which includes the following network partners:

1. Common Foreign Liaison Officer Community (FLOC) in Moscow - representatives of police, customs, immigration and border guard services (approximately 68 representatives from the EU countries, Norway, Switzerland, USA, Canada, Australia, Korea, Israel, India, Iran, Japan and Serbia). Usually, joint meetings are held once a month (if need to be, than more than once a month) in order to identify the actual problems, that can be prevented by sharing experiences, exchanging information and so on.
2. Moscow Immigrant Control Alliance (MICA) - network of immigration liaison officers and document advisers. An important advantage is the fact that in this network participates representatives not only from the EU Member States, but also from the United States, Canada, New Zealand and Australian (in total 15 officers from 11 countries).
3. Anti-Fraud Group (AVG) - consular staff and immigration liaison officers of the EU/ Schengen countries as well as from the US, Canada, Australia, New Zealand, Korea and Japan.
4. The customs attaché in Moscow club - acting customs officers, providing cooperation in customs matters (with the participation of Latvian customs attaché in Russia).

So vast network facilitates information sharing on counterfeit and stolen documents, counterfeiting techniques and persons, who create risks of illegal migration, their travel routes with the State Border Guard, as well as Lithuanian and Estonian border guard services, the State Border Guard liaison officers in Belarus and Georgia and the Estonian Liaison Officers in Ukraine and Moldova.

On the basis of *the Agreement between the Government of the Republic of Latvia and the Government of the Russian Federation on cooperation in Border Protection matters (26 February 1996)* and perceiving that illegal migration poses a threat to public and national security, economic stability and elevates criminogenic situation, a Latvian Republic - Russia Federation Border Working Group has been established.

Analysing the practical organization of cooperation, the author would like to highlight that the Border Working Group reached a substantial agreements in the field of implementation of the border surveillance measures and increasing their effectiveness in the context of cooperation, as well as in the field of risk analysis.

At the Border Working Group meeting, held on 6 December 2012, among SBG Ludza and Viļaka board units and FSS Border Guard Service of the Pskov Region was agreed on *methodology on cooperation* that provides the harmonization of warden shifts at the “green” border in the course of implementation of active phases of joint operations. During the above-mentioned meeting was approved SBG Ludza and Viļaka board units and FSS Border Guard Service of the Pskov Region *methodology of information exchange* that provides sharing of tactical alerts. In addition, it should be noted, that the Border Working Group has also approved *a joint document verification methodology*, thus preventing the entry of individuals to the neighbouring country with forged documents.

Having regard to the effectiveness of the practical application of the afore mentioned methodologies, the author puts forward a proposal for the future cooperation with neighbouring country and to consider to examine the possibility about information exchange on transportable goods that are prohibited to be imported. For example, about undeclared excise goods transported from RF to Latvia hidden in vehicles. The exchange of information can be implemented in everyday cooperation process - when the parties have information that some individuals are going to transport undeclared excise goods in a hidden way to the neighbouring country or by sharing a tactical warning - if a new trend was observed, for example, when self-made hiding places in a rail transport revealed.

An effective tool in forming the practical cooperation is an economic, scientific - technical, humanitarian and cultural operational Intergovernmental Commission, which was established in accordance with the agreement of 13 October 2006. In the framework of the Intergovernmental Commission a working groups are established, which are responsible for the development of practical cooperation and issues affecting the security of the state border areas, thus ensuring a functional bilateral cooperation.

Border crossing Working Group activities are focused on a joint proposal elaboration for the development of border-crossing point's throughput capacity and simplify control formalities, as well as promoting the cooperation between the institutions involved. A topical issue for the Border crossing points Working Group has been “Single green corridor” project introduction feasibility at a border crossing point “Grebneva-Ubilinka”. It is essential to continue the constructive dialogue on matters related to border crossing points in order to avoid unilateral decisions or uncoordinated actions.

Transport Working Group activity is to maintain cross-border cooperation on trade facilitation, with the aim of developing the state border crossing transport network connections. One of the most pressing

issues is study on how to reduce the passenger train "Riga-Moscow" journey time. The author considers it useful that SBG officials are taking part in the Transport Working Group and that that allows actively address the issue of an international agreement project with the Russian Federation on rail passengers' data and customs information exchange negotiation, respecting personal data protection provisions.

The globalization of the world economic, the development of relations among countries and the risks associated with the destabilization of the political situation, requires continuous improvement of the management of migration flows and its adaptation to labour market needs, as well as to the social and economic situations in the countries of destination. That is why migration (including illegal) is an important integral part of the EU and RU cooperation within the Common Space of Freedom, Security and Justice. In 2006, FRONTEX Agency launched cooperation with the Russian Federation FSS Border Guard Service when the Working Arrangement was signed. Such cooperation format served as the basis for cross-border crime prevention, exchange of information, joint training and implementation of **joint operations** (Good Will 2009, Baltics 2011). In the course of implementation of the joint operations at the EU's external border with RU, according to the author, the main illegal migration routes and methods should be taken into account. As the main routes of illegal migration, originating and transiting via RF, the following can be mentioned:

1. Russian Federation → EU / Schengen countries;
2. Syria → Russian Federation → EU / Schengen countries;
3. Egypt → Russian Federation → EU / Schengen countries;
4. Vietnam → Russian Federation → EU / Schengen countries;
5. Vietnam → Russian Federation → Republic of Belarus → EU / Schengen countries.

Evaluating the quality of the cooperation with EU Member States in the field of border security, also RU FSS representatives stressed the importance of implementation of the joint operations with all EU countries neighbouring with RF - Finland, Norway, Latvia, Lithuania, Estonia and Poland.

SBG together with the RF FSS Border Guard Service of the Pskov Region annually organize and implement *joint operation* "Kordon" that aims to evaluate the potential cross-border risks and to draft a joint risk assessment at border crossing points on the state border, as well as to define the future directions for the cooperation. The fact that, in spite of the FRONTEX Agency is not organizing joint operations similar to "Baltics 2012" at the time being, the joint operation "Kordon" was implemented in 2013-2015 involving SBG and RF FSS Border Service of the Pskov Region forces and funds and functioned as a permanent tool for mutual operational

cooperation. The authors would like to note that during the implementation of active phases of the joint operations, the presence of party's *observers* at road and railway-crossing point foresees, justified by plenipotentiary border representative mechanism. In order to increase the overall effectiveness of joint operations, it would be necessary to define legitimately the competence of experts-observers, defining their duties and rights at the FRONTEX Agency and RF FSS level.

SBG *practical* cooperation on border matters with RF, primarily, is based on the **Plenipotentiary Border Representative** tool. Over the years, the role and involvement of Plenipotentiary Border Representative in processes related to border security has grown and become stronger. Undoubtedly, the Latvian initiative to cooperate constructively with RF as equal partners have contributed to this issue. Subsequently, as well as in the light of the structural changes, the role of RF Plenipotentiary Border Representative Apparatus has increased in various related processes.

Based on the Plenipotentiary Border Representative working plan for the following calendar year, it is foreseen to organize *experience-sharing secessions* for the both side officials on annual bases. Noteworthy is the practice of organising an experience sharing sessions on the local level, where SBS Main Board Expertise Unit official are taking part and performing training for RF officials on the detection of fraudsters.

One of the illegal state border crossing problems that clearly lays in the competence of Plenipotentiary Border Delegate is readmission. Problems that are faced during the execution of the faster readmission procedure are judged negatively, thus it can be concluded that the faster implementation of readmission with Russia is a topical issue and problem exists on the Russian side.

It should be noted, that the SBG Heads order document provides a wide range of officials, who, according to the service needs, have the right to exchange information with the Russian side - a part of these officials have been appointed as the Plenipotentiary Border Representative assistants. These officials' everyday duty is to collaborate with the representatives of FSS Border Guard Service and from their competence and abilities are depending the outcome of the border incident evolvement process. Taking into account the current situation and the issue under consideration in the context of the state border security, the author believes that there is a need to draft a professional development study program, aimed at regular Plenipotentiary Border Representative assistants training, thus increasing the level of professionalism and allowing qualitatively to carry out official duties in cooperation with neighbouring Border forces representatives. Possible training topic overview given in table 1.

The authors suggested training topics provide not only advancing of professional skills, but also personal traits development, as well as suggest the possibility of logical argument in Latvian side's view, subject to national security interests.

**Table 1. Plenipotentiary Border Representative Assistant's training topics (authors drafted)**

No.	Topic
1.	<p><i>Latvian Republic Plenipotentiary Border Representative legal frame:</i></p> <p><b>1.1.</b> The Latvian Government and the Government of the Russian Federation Agreement on Border Representatives. (14 December 1994);</p> <p><b>1.2 .</b> Agreement between the Government of the Republic of Latvia and the Government of the Russian Federation on cooperation in Border Protection matters (26 February 1996);</p> <p><b>1.3.</b> Latvian Ministry of Internal Affairs and the State Border of the Russian Federation Federal Border Service Cooperation Plan (16 August 2011);</p> <p><b>1.4.</b> The Government of Latvian Republic and the Government of the Russian Federation Government Protocol of 25 May 2006 Agreement between the European Community and the Russian Federation on readmission implementation.</p>
2.	<p><i>Description of the Russian Federation border control competent authorities:</i></p> <p><b>2.1.</b> FSS, FMS structure</p> <p><b>2.2.</b> FSS, FMS competence</p> <p><b>2.3.</b> other cooperation format (working group) description</p>
3.	<p><i>National security issues, and possible risks of contact time:</i> (<i>Sub-themes are defined in agreement with the responsible authority</i>)</p>
4.	<p><i>In practical cooperation used behaviour models:</i></p> <p><b>4.1.</b> Basics of public speaking (in Russian);</p> <p><b>4.2.</b> Recognition of psychological influence methods;</p> <p><b>4.3.</b> interpersonal diplomacy;</p> <p><b>4.4.</b> Behavior in conflict situations.</p>

Towards achieving the objectives of the training, it would be helpful to invite relevant experts in different fields (for example, the Security Police representatives). As well, the development of personal character, it would be useful to examine the possibility to use a variety of psychological training techniques (role-playing, business games). In general, the Plenipotentiary Border Representative apparatus is recognized as a stable functioning mechanism for cooperation.

### **Conclusions and suggestions**

It can be concluded, that the State Border Guard has accumulated considerable experience in coordinating cooperation with the Russian

Federation competent authorities in the field of border control. Positive practice is regularly collected, analysed and presented to the regional units, successively, the negative aspects and issues are solved by improving the legislative framework, advancing the qualification of personnel, as well as continuing negotiations with the Russian Federation partners at all possible levels.

Negatively assessed the fact that, despite the law regulated procedure, the practical cooperation among the officials of the State Border Guard and the Russian Federation competent authorities is impaired by not fulfilment of the previously reached agreements, ignoring of approved operational provisions, inconsistency in contact maintaining, when the contact phones or e-mails are not reachable, as well as inefficient cooperation depending on the world-wide political situation.

Latvian Republic and the Russian Federation cooperation of the border control can be considered a well-organized, develop areas of cooperation, the issues raised are dealt with properly, respecting the other party's point of view, however, consistently adhering to the existing regulatory basis and subject to its national interests. The issues discussed at work shows the importance and necessity of multilateral cooperation of neighbouring countries in the implementation of the integrated border management of the overall context of European Union.

The following would be convenient to improve cooperation among the officials of the **State Border Guard** and Russian Federation competent authorities:

1. After the completion of demarcation there is a need to continue to put forward and to conclude an agreement on Latvian - Russian State border regime, thus revising and updating the area of responsibility of the Plenipotentiary Border Representative.
2. In order to prevent the illegal movement of excise goods across the state border, the **Border Working Group** should reach an agreement with RU FSS officials regarding improvements in cooperation between border crossing points – to inform in-time counterparts about excise goods that are prohibited to import and specifying the list of information that is detectable as agreement.
3. In the framework of Border Working Group, in cooperation with RU FSS Border Guard Service Pskov region, it would be necessary to address the issue of including the officials from FMD Pskov region in it.
4. SBG representatives acting in the economic, scientific - technical, humanitarian and cultural operational Intergovernmental Commission **Transport Working Group** should continue to put



- forward the agreement on passenger data share who are travelling on passenger trains.
5. SBG representatives acting in the economic, scientific - technical, humanitarian and cultural operational Intergovernmental Commission **Border Crossing Point Working Group** should achieve RU FSS Border Guard Service of the Pskov Region representative involvement in this working group in order to address matters in accordance with the level of competence.
  6. SBG Main Board **Service Organization Department** needs to arrange systematization of the information gathered by the liaison officer regarding illegal migration and to examine the possibility to include information about individuals posing risks of illegal migration and whose purpose of entry, probably, do not coincide with the visa' application, insertion in the Border Guard electronic information system (operational database).
  7. In order to increase effectiveness of cooperation of Plenipotentiary Border Representative Assistants, as well as for the SBG officer's image building, in cooperation with the neighbouring country representatives, **the State Border Guard College** in collaboration with the Plenipotentiary Border Representative should draft professional development program.
  8. To put forward and define legitimately the competence of experts-observers, defining their duties and rights at the FRONTEX Agency and RF FSS level.

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# DO YOU FEEL A LOT OF STRESS AT THE BORDER TODAY?

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**Abstract.** *In my border inspection staffs stress research I tried to establish how the border inspection staff experienced stress and how to cope with stress in different ways. My research was set out to identify coping mechanisms at their disposal and the ones the staff has found effective in reducing stress at the border inspection work.*

*The data consisted of the results obtained in previous studies, and relevant theories, as well as on the results of the survey carried out on border inspection staff. Also, I used my own experiences for the benefit of my findings. The survey was carried out for three different border crossing points in Finland, the land border at Vaalimaa, sea border with the South Harbour and in air traffic at Helsinki- Vantaa airport.*

*The results of this research consisted of comparisons questionnaire response to investigated background variables and how the respondents' answered about the intensity of the stress and their opinion what survey claims. For these facts, and individuals experiencing about the stress, was based on indicators that could allow cross-tabulation application towards to my research objectives.*

*My research queries can be reused and applied in a wide variety of workplace stress research. The potential effects of today's refugee flows for stress are well known.*

*How is this pressure experienced at the border? Does it cause stress reaction and how is it dealt with? These questions have not been answered here or elsewhere. One research in the United States in 2012 investigated the effects of the border guards' emotional abilities on their lives. In Finland the Border Guard participates as the End User in EU's BODEGA research project which through research aims to find more effectiveness for personnel's human factors together with developed border control infrastructure.*

*My research and these above-mentioned researches are aimed at developing preventive methods for border security staff to maintain stress and develop supervision of work. My research focused on experiencing and coping with stress in border inspection work and the results are applicable in the border inspection work even today.*

**Keywords:** *Stress, resistance to pressure, burnout, coping, border inspection*

## Introduction

Border inspection staff stress research examined how the border control personnel experience stress and ways to cope with it in different ways. The research surveyed the available and effective means to reduce stress in the border control work. Stress is usually understood as a worker having an overwhelming workload which is thought to have an effect on his performance. Stress can also have positive effects in order to improve performance.

According to research various shortcomings in the working environment and poor working conditions are the most common causes of stress. These stress-inducing factors are the ones the workers list most often because they are tangible, visible, and present in the daily work. The most significant causes of stress in the working environment are the volume of work, noise, cold, windy, heat, concourse, different lengths of shifts, workspace overcrowding, etc. The list could go on forever. Occupational health and safety organization jointly set up by the employer and the trade unions focuses on correcting these deficiencies. Management organizations carry out annual inspections and visitations on the workplace, giving suggestions on how to improve job satisfaction and support coping at work. This study does not focus on these deficiencies in the workplace but rather on how the individual employee experiences stress and the ways in which individuals' best cope with stress in their own opinion.

### **Research methods and issues, respondents**

The research looked at previous studies and papers for the background part of the theory of social psychology and behavioral sciences, as well as related literature. The study focused on the theories of stress and pressure in the previous investigations and the factors influencing stress tolerance. These background theories were considered and compared to the practice by means of a survey research on how the border check personnel experience stress and how they cope with it.

At my research I saw the problem, how they cope the stress the best? How a border inspection personnel experience stress? How does the border inspection personnel experience stress? What are the ways the border inspection personnel use to deal with stress and to prevent stress? At the beginning of the query border inspection staff expressed their stress level. The poll was used to survey the coping mechanisms of the border check personnel and to find out how they use these means to manage stress. With the survey meter it was possible to work out the best ways to prevent stress.

Another key problem was the factors which cause deterioration or decreasing of stress tolerance? How well do individuals recognize these symptoms of lower stress tolerance in general terms?

These research problems were limited to the border inspection personnel because they carry out the same standards border tasks in the selected border crossing points. The survey was carried out for three different border crossing points in Finland, the land border at Vaalimaa, sea border with the South Harbor and in air traffic at Helsinki- Vantaa airport.

In my research I did not find significant results about age, sexual, background or station.

To answer these research questions a quantitative research approach and quantitative survey as research method were chosen.

### **Stress theories of research**

Stress and tolerance of the stress are very closely related to each other and, in many cases, these are described in almost the same way. Resilience keeps the person's mental and physical state at balance and thus stress does not catch one by surprise. Stress is an abnormal situation to which the body has to respond. Stress is caused by psychological and psychosocial loads as well as an excessive long term physical strain. Stress can be described as a disturbance in the internal balance when the individual has received too much psychological or physical stimulus. The amount of stimulus has caused deviation from the normal balance to an alarming state which causes symptoms in accordance with stress. The short-term stress reaction does not harm the body but it is useful in terms of daily operations. Becoming alert sharpens the senses and the brain as well as enhances physical performance capacity.(Soinila 2003, 213-215)

Physiological stress is a persistent dynamic state or process that is generated from the adjustment efforts to change the intensity of the environment varying from under-or overload.(Sinivuo 1990, 5) A person becomes stressed physiologically for a variety of reasons. Regular and normal way of life keeps physiological stress in balance. Regular sleeping habits, eating habits and meal-times and normal stimulus during the time awake maintain the physiological balance. An individual should be able to regulate hormonal stress through his own actions and through the experiences of the individual's own behavior control.

The employees will be able to identify a number of work-related psychological stress factors. The amount of information needed at work has increased and diversified. One has to perform the tasks more efficiently and with higher quality in the same time frame as in the past. These raised standards apply to a number of different professions today. Bullying and mobbing have been raised almost daily to the forefront if it happens or is suspected of some teams. Bullying-induced stress is one factor causing mental stress in the workplace. It would make a study on its own.

Psychoneurologyendocrine stress is a combination of physiological and psychological stress theories.(Sinivuo 1990, 7) In this model, the individual reacts on psychological level to physical stress factors. In this case a person is stressed both physiologically and psychologically. For example, an employee who hasn't slept well may have a tantrum over

something trivial and it is the co-workers who suffer. Stressed colleagues will get part of the cries. Fatigue is at physiological level and behavior is at the psychological level and it is the result of a physiological level. As well as co-workers it can be the customers feeling the consequences.

Coping-stress theory explains an individual's way of solving stress situations. The individual is trying to cope with stress in accordance with their own thinking. For instance a stressed individual can reduce their workload when nearing the limits of their tolerance and thus avoid exceeding the stress level they are able to withstand. This behaviour is goal and purpose-oriented. People aim at flexibly using their resources according to the requirements set by the situation.(Sinivuo 1989, 35-36)

In my research I dealt with the concept of aggression only as a mental level activity. Aggressive behavior is expressed as anger or hatred towards someone else. Border guards as well as the customers during border check may display psychologically aggressive behavior. Psychologically aggressive behavior increases the degree of stress in almost all individuals present.

Long-term stress can develop into burnout and this can happen so that the employee does not notice it. Medical investigation comes later, when employee feels very tired and worker is diagnosed to be depressed. (Soinila 2003, 224)

### **Experiencing and managing stress**

Each individual feels stress in their own level compared to others. The stress response becomes problematic if this reaction is very intense, prolonged or frequently repeated in a short time span. In general people tend to regulate and balance their own reaction levels in everyday life. There are three explanations complementary to each other related to stress management that will be discussed next. In all of them the individuality of the human at psychological and physiological levels is included. (Ellonen ym. 1997, 215-216)

Usually stress tolerance is explained as a stance towards the requirements of the environment. The demands of adapting to the environment can be defined at the level of the individual also as a good survival and the ability to manage the situation. Some see many new opportunities and directions when faced with troubles. The others see difficulties in all possible situations and therefore do not dare enter new situations. (Ellonen ym. 1997, 215-216)

The second explanation describes the stress management optimization through relax and reset situations. Some people are naturally well prepared

to cope with the difficulties through relaxation and resetting of the past situation. (Ellonen ym. 1997, 215-216)

The third explanation is based on the individual's good survival and situation management skills. The appropriate management of the requirements of the task is selecting the appropriate action. If the situation cannot be changed it has to be accepted as it is at the moment. The individuals are genetically and characteristically different. Individuals grow up and develop individually. (Ellonen ym. 1997, 215-216)

Maintaining physical condition is the most essential of the stress management techniques. All the stress management techniques can be based on a good individual physical condition. If the individual's physical condition is at a low level, his unique opportunities for the acquisition of social skills and social support network will become more difficult. (Ellonen ym. 1997, 216)

Learning stress management must relate to everyday life. The purpose of stress management is to learn to use stress management techniques as applied to each individual's own life and to get him to take advantage of these techniques on a regular basis and to take measures to control his workload. (Ellonen ym. 1997, 216)

### **Conclusions and suggestions**

With the research survey and the various statements I wanted to map opinions and awareness of the importance of good physical condition in coping at work. Based on the results the border inspection staff is aware of the importance of good physical condition at psychological as well as physical level.

In the survey the respondents had to choose up to three of the best stress coping mechanisms they use. The response options were sleeping, recreational activities, reading, reflection, bathing-sauna, chatting, smoking, coffee break, sports activities, music, fishing, hunting, functional exercise, or other means, which they were asked to specify. In addition the means used were classified into the following main categories: resting, relaxation and doing.

Based on the results the most frequently used methods were physical exercise, sleeping and the recreational activities. The proportion of these specified stress management mechanisms of all the answers was more than 10% which clearly indicates the availability of these instruments compared to the other means. The discuss is also used often to cope with stress. Discussions can also be debriefing-discussions to deal with unpleasant situations. What is positive about the research results is that smoking is not common stress-coping mechanism.

When looking at the main categories the most widely used means of coping with stress were the ones classified under categories of doing and sleeping.

My research from the year 2006 is still timely. Work-related stress and its management is an ongoing process and its development and maintaining the balance belongs to everyone. The most efficiently stress management can be handled by the worker himself and the leaders must enable it.

**Table 1. Stress coping** (Pursiainen 2006, 62)

RESTING			Total	Vaalimaa /	South Harbour	Helsinki-Vantaa
1	sleeping	15,8 %	21	9	3	9
2	recreational activities	13,5 %	18	7	3	8
RELAXATION						
3	reading	3,0 %	4	0	1	3
4	reflection	3,0 %	4	1	1	2
5	bathing - sauna	4,5 %	6	4	0	2
6	chatting	9,8 %	13	4	3	6
7	smoking	0,8 %	1	1	0	0
8	coffee break	1,5 %	2	1	0	1
DOING						
9	sports activities	25,6 %	34	12	6	16
10	music	6,0 %	8	1	4	3
11	fishing	0,8 %	1	0	0	1
12	hunting	3,8 %	5	5	0	0
13	functional exercise	6,0 %	8	3	2	3
14	other means, what?	6,0 %	8	1	4	3
			133	49	27	57

It would be a good idea to lecture on stress and stress management at the border inspection staff training events. Maintaining the capacity for work is an integral part in coping at work. The theme of the training could be stress management and developing stress tolerance, as the development of stress tolerance and management of stress are almost the same thing as coping at work. It would be essential to get the staff thinking about how important stress management and maintenance are in daily life. There are no shortcuts in stress management but there are many different ways in which it can be developed. Education can be used to highlight high-quality exercise and physical performance. They play a key role in the development



and maintenance of stress resistance. We have to remember not to overload our bodies too much physically.

Future technology at border crossing points sets new challenges to border check. 'BODEGA', a 3-year project coordinated by the VTT Technical Research Centre will examine how to enhance the use of technology and personnel at border crossing points. Increased technology changes the border check personnel's work and adds a new kind of strain. Studying these factors related to the more efficient use of personnel is one of the objectives of the project. BODEGA also wants to promote well-being so the efficiency of the staff and increasing the technology would be implemented without any side effects.

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# THE CHALLENGES OF MIGRATION AND CRITICAL ISSUES

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**Abstract.** *This article presents a framework of issues of Migration. Migration is a highly charged and contested issue in most destination States. The analysis of current trends in migration leads to the conclusion that this issue will increase in the near future. It means that more people will decide to change their place of living, and every country will become a source or final destination of migration. Migration processes taking place within state borders. Control of national borders is seen as an essential aspect of the sovereign State. States adopt increasingly restrictive rules, same times fuelled by popular hostility to immigrants. The main task, by using content analysis method is to show, that law enforcement officials: the police officials, border officials must constantly monitor the migration process in the context of globalization, analyse the findings and adapt their daily work.*

**Keywords:** *law and migration processes, border guard, human rights, globalization.*

## Introduction

International migrations accompanied humankind from the past, therefore in the different periods of time the issue had a variable intensity.

Immigration to Europe, in one form or another, is a reality and will continue to be so in the future. There are different reasons why people move to the EU. Some come for studies or research, some come for work and some to join their families already living in the EU. Simultaneously, an increasing number of global crises, both man-made and natural, have prompted people to leave their country of origin.

One of the downsides of immigration is that it sometimes happens irregularly. People might arrive legally on a short-stay visa and then overstay. Some might enter and stay in an EU Member State without authorization, sometimes against their will. Human trafficking networks and smugglers can easily exploit undocumented persons. The black labor market also attracts irregular immigration. Irregular immigration in all its forms must be tackled to protect the most vulnerable and to maintain public confidence in immigration policies. In an EU of 28 Member States, where passport controls have been abolished and where people can move freely, migration cannot be managed by one country alone. It is essential that EU Member States cooperate to better manage migration". (Europe 2020: Europe's growth strategy. 2013, Brussels).

The aim of this article is to conduct the theoretical analysis of migration dynamic in the context of globalization, overview of the critical issues related to the migration process, and suggests additional tools to improve the performance of law enforcement common activity.

Methodology of the Research: in order to answer the problem of the subject, the article used to study the methods analogy, analytical, systematic methods, critical, analyses of scientific literature, systematic analysis, statistical analysis, comparative, source content analysis, meta-analysis. The basic method – the study the scientific references, it is a collection of data from the scientific references, International and EU law, official data of IOM, Eurostat, FRONTEX and etc.

### **Migration in the Context of Globalization**

The “Migration to Europe is a longstanding phenomenon”. To seize the opportunities and confront the challenges engendered by this kind of international mobility, the European Union is developing a common approach to migration. Likewise, the EU has developed a common European asylum system to protect those seeking refuge in Europe from persecution or risk of serious harm in their home country. Work in these policy areas also involves closer dialogue and cooperation with non-EU countries.

Globalization, together with more accessible means of transport, has significantly improved the opportunities for mobility.

Globalization is the process of international integration arising from the interchange of world views, products, ideas and other aspects of culture. At the same time the phenomenon of globalization, associated to the freedom of people and goods movement, led to the establishment of priorities for safety, including the need to produce policies, able to unite all the concerns inherent to that phenomena. In this context, we are experiencing one of the deepest pits of modernizing society, materialized through a gradual transformation of our lives that, even the most prepared only have a small glimpse portion. It's not enough to point out that we live in an age of change. It is essential to understand their different dimensions and fit them to the level of effects produced in different human activities and especially to be able to prepare timely responses to different scenarios of evolution, since the systemic character of the time we live in, highly boosted by globalization in different areas brings a very diverse set of alternatives of action against an also diverse scenario of occurrences. (Marenin, Akgul, 2010).

We live in a world of uncertainties in which the probability of risk raises social security concerns to one of this social in a time of profound transition and makes this dynamic produce a very deep impact on the life and behaviour of citizens. The challenge that arises here is clear and is aligned with the nuclear challenge of modern societies that implies to transform our time an era of launching progress, knowing immediately that

progress has always been and will be powered by change and prosperity results from the feeling that each one has objective conditions to materialize a large majority of its more realistic expectations thus giving meaning to the development of societies.

We are naturally the generation of change that is distinguished from the others because it faces and breaks out higher levels of relational complexity in producing changes emphasized by the very cumulative dynamics they contain. We live in a world where self-interest is increasingly dependent on the confluence of collective interests, situation that will produce a constant social concern (real or perceived). (Seniutienė, Oliveira, Goncales, 2013).

The biggest challenge for the knowledge society is to learn to face instability, insecurity and political and social risks arising from them. (Seniutienė, Oliveira, Goncales, 2014/2015).

### **Migration in the aspect of security from the border guard perspective**

“Migration is a human phenomenon. It is not a problem, nor is it a criminal activity. It is as old humanity. Our ancestors moved in search of food and water, hunting and grazing lands and also out of sheer curiosity. Populations movements in history have been both forced and voluntary as people moved in search of opportunity and also in search of protection. Wars and environmental disasters compelled people to move, as did poverty, lack of economic prospects, settlement in colonial territories, and the desire to unite with family members abroad.” (FRONTEX, 2013).

“Immigration to Europe, in one form or another, is a reality and will continue to be so in the future. Globalization, together with more accessible means of transport, has significantly improved the opportunities for mobility. There are different reasons why people move to the EU. Some come for studies or research, some come for work and some to join their families already living in the EU. Simultaneously, an increasing number of global crises, both man-made and natural, have prompted people to leave their country of origin. Of the approximately 500 million people living in the EU, around 20 million are citizens of non-EU countries.” (Eurostat, 2013).

“A total of 3.4 million people immigrated to one of the EU-28 Member States during 2013, while at least 2.8 million emigrants were reported to have left an EU Member State. These total figures do not represent the migration flows to/from the EU as a whole, since they also include flows between different EU Member States. Among these 3.4 million immigrants during 2013 there were an estimated 1.4 million citizens of non-member countries, 1.2 million people with citizenship of a different EU Member State from the one to which they immigrated, around 830 thousand people who migrated to an EU Member State of which they had the citizenship (for example returning

nationals or nationals born abroad), and around 6.1 thousand stateless people. During 2013, there were an estimated 1.7 million immigrants to the EU-28 from non-member countries. In addition, 1.7 million people previously residing in one EU Member State migrated to another Member State. “

“Migration is considered to be one of the defining global issues of the early 21<sup>st</sup> century, as more and more people are on the move today than at any other point in human history.

Migrants constituted 3,1 % of the world’s population in 2012”. In other words, one out of every 33 persons in the world today is a migrant (whereas in 2000, one out of every 35 persons was a migrant). Migration is now more widely distributed across more countries. Today, the top 10 countries of destination receive a smaller share of all migrants than at 2000. (FRONTEX, 2013).

Global population growth differs between developed and developing countries. Demographic changes affect international migration in two ways: rapid population growth combined with economic difficulties push people to move out of their habitat, and a declining and ageing population pressures countries to accept migrants.

Sustained low fertility in developed countries produces a rapidly ageing population. The ‘smaller and older’ population projected for developed countries over the next 50 years may enhance possibilities for greater mobility of people, in part as the demand for care workers increases.

Migration is difficult to manage without a policy structure established to guide managers. Yet even countries that do have a coherent migration policy backed by legislation often experience serious difficulties in managing migration.

The large-scale movements have not ceased, and irregular migration has become one of the major issues of our time. Migrant smuggling now matches drug trafficking as a major source of income for organised crime. Trafficking in human beings is a significant worldwide concern. Migration has moved up the scale of important issues facing the countries of the developed world to the top of the policy agenda of the G8 countries.

With today’s transportation and telecommunications, more people are able to move. The poor and disadvantaged can now watch live the wide disparity between their standard of living and that of the richer people in the world. They need to provide for their families and understandably seek work to escape poverty. The demand for lower skilled labour is high in many developed countries, which creates pull factors for migrants. (WORLD MIGRATION REPORT, 2015).

When people cross their country’s border, they might not know it yet, but the world no longer sees them as it did before. They have a special label or status now: they are migrants. And because of this, they will often find

themselves in an inferior position to those around them, who hold the passport of the country in which they live.

Whatever the circumstances in which they travel, those who become migrants typically move in a new, unfamiliar, and less secure world. Whether they have entered with an authorisation or they are undocumented, migrants will generally find their rights diminished in comparison with the citizens of their country of residence. The degree to which those rights are violated, and the degree to which migrants are excluded from legal protection or redress, varies widely from jurisdiction to jurisdiction. A “legal” migrant may face workplace violence or sub-standard working conditions and a lack of labour rights protection and be fearful of claiming legal protection because a supervisor threatens dismissal and subsequent loss of a work permit. A refugee may become caught in the complex, long, and often arbitrary maze of a refugee qualification procedure, during which rights are curtailed and the applicant is suspended in a legal limbo without identity. Most vulnerable will be the undocumented migrant. People finding themselves in this situation, while having a nominal entitlement to their human rights, effectively lack, because of their fear of being identified and deported, any opportunity to vindicate those rights, or to access the remedies which should protect them. They risk exposure to economic or physical exploitation, to destitution, and to summary return to their country of origin, where some may face danger to their safety or even to their life. (Migration and International Human Rights Law (2011)).

There is, as will be described, a multitude of reasons to migrate. For irregular migrants however, who enter a country in an undocumented fashion or stay there after expiration of a permit, an almost constant factor is that the motivation not to be sent back to their country of origin is so strong that they are prepared to accept many hardships and denials of rights. Whether someone migrates to escape war, famine, persecution, natural catastrophes, economic depression, or just to find a better chance for a better life, the person often finds the insecurity, restrictions and sometimes destitution of their situation in the country of destination preferable to that at home. Many have no choice but to leave. Those with some limited choice are prepared to risk losing their rights, for a fighting chance of thereafter gaining them. This is the human condition that migration policies and laws struggle with, manage and sometimes exploit. (GMG, 2011).

National political debates on migration or migrants can be a flashpoint for political and social anxieties about security, national identity, social change and economic uncertainty. These political battles are also manifested in national law, which sets the framework within which migrants’ human rights are threatened. States adopt increasingly restrictive rules, often fuelled by popular hostility to immigrants. Such policies and laws, restricting legal

migration, often have the effect of increasing the proportion of undocumented migrants, whose vulnerability to exploitation and abuse is acute. There are therefore essential interests at stake for both the individual and the State.

*Human rights*, as they are guaranteed in both national and international law, have an essential role in protecting migrants caught up in these powerful forces. The Global Migration Group recently recalled that the “fundamental rights of all persons, regardless of their migration status, include: the right to life, liberty and security of the person and to be free from arbitrary arrest or detention, and the right to seek and enjoy asylum from persecution; the right to be free from discrimination based on race, sex, language, religion, national or social origin, or other status; the right to be protected from abuse and exploitation, to be free from slavery, and from involuntary servitude, and to be free from torture and from cruel, inhuman or degrading treatment or punishment; the right to a fair trial and to legal redress; the right to protection of economic, social and cultural rights, including the right to health, an adequate standard of living, social security, adequate housing, education, and just and favorable conditions of work; and other human rights as guaranteed by the international human rights instruments to which the State is party and by customary international law.” (Migration and International Human Rights Law (2011)).

These rights are human rights to which all persons, without exception, are entitled. Persons do not acquire them because they are citizens, workers, or on the basis of a particular status. No-one may be deprived of their human rights because they have entered or remained in a country in contravention of the domestic immigration rules, just as no-one may be deprived of them because they look like or are “foreigners”, children, women, or do not speak the local language. This principle, the universality of human rights, is a particularly valuable one for migrants. (Migration and International Human Rights Law (2011)).

The reality, however, is that rights are illusory if there is no way to claim their implementation. A national legal system that can provide effective access to justice and remedies for violations of human rights is therefore essential. The whole apparatus of legal standards, lawyers, judges, prosecutors, legal practitioners and activists must operate effectively to provide migrants with legal remedies for violations of their human rights.

Migrants generally – and undocumented migrants especially – do not have easy, if any, access to an effective legal remedy for redressing human rights violations. Most of the time, national legislation will not provide them with a remedy, or will create many obstacles to its access, such as the threat of an automatic expulsion or deportation once the migrant contacts the authorities. In this world, migrants have rights, but no or little way to make use of them or ask for their respect. They are legally voiceless. (GMG, 2011).

International law – and, in particular, international human rights law and international refugee law – may provide an, albeit incomplete, answer to the problem. States’ legal systems are becoming increasingly open to the influence of international law. In many countries it is now possible to invoke, in one way or another, international law in domestic courts in order to claim the respect and implementation of human rights, including for migrants. Even in countries where that is not possible, or when the international human rights law claim has failed in the national system, if the country is a party to an international or regional human rights treaty, it is often possible to challenge the State at the international level for its failure to do so. International law can be a powerful tool for change: either for the actual situation of the individual migrant, through redress in domestic courts, or for the advancement of policy or laws that can ameliorate migrants’ situation, through claims before international mechanisms. (Migration and International Human Rights Law (2011)).

Border officials have the positive responsibility to process every migrant going through a crossing or entry point. This task requires the border guard to be able to communicate effectively with a wide variety of people, to be familiar with the legal framework involved in this task, and to know the type of assistance people may require and be entitled to and how to proceed. Under international law, border guards have the duty to recognise and respond in a protection-sensitive and rights-based approach to persons who present themselves at the border and who may wish and / or need to seek international protection. In addition, border officials have the responsibility to identify persons with other protection needs (i.e. trafficked persons) and take immediate action in that regard. To this end, it is essential that they build links with national referral institutions, that they know their mandates well and that they have their coordinates at hand”. (FRONTEX, 2013).

## **Conclusions**

European countries have been engaged in the creation of common policies on justice and home affairs, pressed by the need for intergovernmental coordination in fighting organized crime, irregular migration, full exploitation of legal migration channels, drug traffic, human traffic, minor’s sexual exploitation, child pornography, terrorism, gun’s traffic, economic and cybercrime, among others. However, despite a clear commitment by all Member States to move towards common standards in these areas, European countries still have different approaches to cultural and immigration issues, mainly due to national laws.

European countries are faced with the pressure of increased levels of immigration, which are unlikely to diminish in the near future. To be able to



continue offering protection to those people fleeing armed conflict in the future as well, European countries have to take joint action.

Migration is a human phenomenon. It is not a problem, nor is it a criminal activity. However, there is a direct relationship between immigration and insecurity. Crime has no ethnic, national, cultural or religious origin. However, freedom of movement also benefit crime, imposing compensatory measures in terms of safety, i.e., external border control and police and judicial cooperation. Safety is a condition of Freedom, is a basic right for every citizen.

What the future will bring as regards law enforcement authorities' cooperation is difficult to predict. Given that globalization is more likely to increase overall in many areas rather than decrease, there is every reason to assume that the globalization of law enforcement authorities' cooperation will also continue. This will in the first instance involve the expansion and refinement of the existing types of cooperation. This is because the EU Treaty's offers opportunities to organize law enforcement authorities' cooperation not only from a more operation point of view than at present but also to make it mandatory for the Member States.

For lawyers, judges, public officials, human rights defenders, or for migrants themselves, to better understand the international human rights of migrants and the means to claim their respect or implementation at the national and international levels need to have common Guide.

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# TOPICALITIES AND PROBLEMS OF IMPLEMENTING FORESEEN MEASURES AND PROPOSALS IN THE INTEGRATED BORDER MANAGEMENT CONCEPT OF THE REPUBLIC OF LATVIA FOR 2013-2018

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**Abstract.** *The concept is a document that is taken every 10 years on average, and which provides the direction in which the authority will operate. The integrated border management concept of the Republic of Latvia in the strict sense refers to the Latvian State Border, but due to the fact that the state border security also participates in the implementation of other law enforcement institutions such as the National police, the Customs, the Food and veterinary service, this document explicitly bound by them. Near state border operating all of the above bodies, each in their field and direction, but generally it refers to the state security. There is a separate document that provides for the development of the State border guard in action, and is the integrated border management concept, which is also a development document, but refers to the State border guard and several institutions operating in the border area. This concept contains different types of measures, each of which is an important element of the Latvian State border security. This article is intended to acquaint the implementation concept and how it is executed at the beginning of 2016, i.e. the implementation of the concept of the middle way. Article tasks are to compare the previous concept with currently implemented; analyse the measures that shall be implemented, as well as the reasons for non-implementation and consider possible solutions. The article will be used in the description, comparison, analysis methods. In conclusion, the author wants to find the answer to a question or concept helps the body grow, or however it is a formal document.*

**Keywords:** *concept, integrated border management, progress, security, state border*

## Introduction

After 2014 the concept remained very actual in Latvia, because security and geopolitical situation in Europe has introduced its adjustments. Currently the concept is implemented in a fast pace, even the other direction is implemented outside the concept, but refers to the activities of the national border guard and border security, such as the National Guard and State police rearmament according to NATO standards; radio replacement; officials of the Ministry of Interior Department of special ranks pay from January 1, 2016; service form replacement etc.

The article is from the period 2003 through to 2016.

This article is intended to acquaint the implementation concept and how it is executed at the beginning of 2016, i.e. the implementation of the concept of the middle way.

Article tasks are to compare the previous concept with currently implemented; analyse the measures that shall be implemented, as well as the reasons for non-implementation and consider possible solutions.

In the article will be used description, comparison and analysis methods.

Hypothesis of article: 1) shifting more financial resources, national border security concept will be executed faster than expected; 2) concept approval means the absence of development.

In 2013 the Latvian Government approved the document, which largely determines the expected steps in the development of the Latvian State border [The integrated border management concept of the state border of the Republic of Latvia for 2013-2018; 2013].

Having regard to the December 2013 existing geopolitical and security situation in Latvia and Europe, assessing the current and foreseeable situation in the Latvian State border integrated management and to address the issues and respond to the challenges and threats to the security of the State border, the Government offered three variants of solution [The integrated border management concept of the state border of the Republic of Latvia for 2013-2018; 2013.; 2.point]:

- 1) develop integrated border management according to available resources and the means to maintain the capacity of participating institutions in the existing functions, as well as international commitments;
- 2) invest integrated border management institutions involved in capacity building and to make existing functions (down stage to develop the solution too (1. variation of action, making substantial investments in integrated border management and intensely moving towards higher standards of border security and integrated border management. Its implementation is possible, if the future is scheduled or assigned additional financial resources. Version 2 provides the direction for the development of, for example, to make the border crossing point and “green” technical means for border surveillance and information systems and the modernisation of the full restore; several of the vessels of the national border guard ordering needs, etc.);
- 3) defer integrated border management issues addressed (not see challenges).

It is clear that the question of the suspension, taking into account the difficult situation of European security space, when the necessary urgent measures to improve the situation, is not acceptable. The Latvian State

border security coordination Council coordinated the conception and implementation of measures supported option 1 variant [The Council of Latvian state border security coordination, 2 May, 2012. – Session protocol No 1, 2.§].

The Cabinet of Ministers of the Republic of Latvia supported the integrated management concept for 2013-2018 version 1 of the solution.

The Interior Ministry has identified the responsible institution in the implementation of the concept, but the Ministry of Finance, Ministry of Agriculture, Ministry of Foreign Affairs, the Ministry of Defence, Ministry of Transportation, Ministry of Justice, the Ministry of health and the Ministry protection of the environment and regional development are responsible institutions too in the implementation of the concept.

Outside concept Government determined that further work in relation to the State border of Latvia and Russia the existing border crossing points (in particular Vientuli border crossing point) planned to continue on the basis of other documents [The Cabinet of ministers, 13 Mart, 2012. – Session protocol No 14 25.§.]. It also refers to the border crossing point “Silene” and “Paternieki” of existing infrastructure development (modernisation).

Modern dynamic development of the company by providing a national border security and control, while the objectives are being implemented internal and external state security. Border security is national security. Persons crossing the state border and cargo flow must be managed by identifying risk travellers and goods. To control the cross-border flow of complex processes from a security point of view, is being implemented in Latvia State border security policy that requires an integrated approach [November 12, 2009. “The State border of the Republic of Latvia Law” – the Latvian journal - 2009. – No 189].

Concept development and approval of the successor to clearly define the policy instruments of the European Union, increasing the use of modern technologies, new challenges to the security of the state border, a potential threats to the internal security of the country and an integrated approach to border management.

Border crossing of persons, goods and vehicles flow poses a threat that need to be identified and eliminated, aware of the challenge for the state and law enforcement's ability to mobilize resources, coordinated use of the vertical and horizontal collaboration tools to manage large amounts of information and to share data effectively while maintaining high standards of respect for fundamental rights [November 27, 1997. “The Border guard law” - Journal of Latvia - 1998. - No 329/330]. Response to identified threats, i.e., terrorism, third-country nationals in illegal transfer, cross-border crime in many forms, corruption, serious crimes, economic risks, as

well as public health, animal and plant health threats etc. requires an integrated approach to border security.

The concept can be implemented in five levels, earlier there were four levels:

- **1<sup>st</sup> level** – (border checks and border surveillance) and customs surveillance and control, including the associated risk analysis and criminal intelligence [The Schengen borders code];
- **2<sup>nd</sup> level** – cross-border crime detection and investigation (coordinated by acting all competent law enforcement authorities);
- **3<sup>rd</sup> level** – access control model (measures in third countries, cooperation with neighbouring countries; border control and customs control; control measures in the area of free movement, including the return);
- **4<sup>th</sup> level** – interinstitutional cooperation in border management and international cooperation;
- **5<sup>th</sup> level** – national border management integrated coordination, development of legislation, human resources management and anti-corruption measures.

Current concept of the structure can be broken down to specific areas (in brackets will be specified in the implementation of the actions):

1. **amending regulations and the development and adoption** (partially completed):
  - the Latvian-Lithuanian and Latvian-Estonian agreement projects preparation for the continuation of the state border and border plenipotentiaries activity (process, the draft Treaty is drawn up, but not the financial resources allocation, it is directed to the front);
  - the Latvian-Russian Treaty on the State border regime (draft contract drawn up and will be directed to the ratification by the State of Latvia and Russia when border demarcation will be completed, probably in 2016-2017);
  - the amendment Act to the asylum for the National Guard to the right to certain legal and actual conditions at the border crossing point to take the examination of an asylum application in the accelerated procedure (not met);
  - interdepartmental agreement between national environmental Radiation safety service centre and the Border Guard for radiometric control of cooperation (in the process);
  - conclusion of agreements on Interdepartmental cooperation on the Latvian State border security issues between the

- Border Guard, State police, the State revenue service and the Food and veterinary service (completed in April, 2016);
  - interdepartmental agreement between national border guards and emergency medical service for the exchange of information and cooperation in public health case management (in the process);
  - amendment to the Latvian State border security coordination Council Charter, specifying the tasks of the Council, with reference to integrated into Latvian border management strategy for 2003-2007, including the composition of the Council and also in the national environmental services Centre of radiation safety manager (run, a new Charter adopted in 2014);
  - amendment to the Cabinet of Ministers of 5 May 2010 instruction No 5 “The order in which the national regulatory authorities shall cooperate in border security issues”, specifying the authorities and involving the national environmental services Centre of radiation safety in the state border security (executed, adopted amendments in 2015);
  - conclusion of Treaty with Russia on border crossing points (in the process);
  - amendments to the legislation, including the carrier's obligations and rights in connection with the carriage of a person to Latvia without valid travel documents (not met);
  - international consideration of the draft of the agreement with Russia on rail passengers' data and the exchange of customs information (not met);
  - in time the Interior Ministry system and prison administration with a special service officer grade in the course of the service transition provisions of the law to which the national border guard post of Inspector may hold a person not well position requirements education (at least level 3 professional qualifications) (not met);
  - the State Border Guard of the internal normative act on the issue of the order in which the employee has reported irregularities, as well as in the conduct of employees, finding the corrupting action (executed).
2. **development facilities** (partially completed):
- Automated border control system of gate installation at the airport “Riga” (not met);
  - aircraft park at the scheduled (intended for launch in 2016);
  - the "green border" sensor system development (not met);

- the State border guard of the CCTV system and the technical means (partially completed);
  - the State border guard of the mobility improvement by replacing old vehicles with new (completed in 2015);
  - small class 2 unmanned aerial vehicle for the acquisition of the national border guards (designed to run 2017);
  - the construction of border crossing points (2016 January put into the post “Vientuli” on the state border of Latvia and Russia);
  - the modernisation of border crossing infrastructure and maintenance, increasing the number of employees (not met);
  - detained foreigners for a new accommodation centre, reconstruction (2016-2017, the intended to reconstruct the Centre “Mucenieki”, near Riga);
  - sea border sensors development system (SafeSeaNet, GMDSS) (in the process);
  - radio system modernization, introduction of appropriate, (digital) voice radio contact with integrated data transmission (2014-2015 to run).
3. **the new technical features and equipment, IT support** (partially completed because the concept involved in implementing institutions to support data exchange between national border security tasks):
- to provide the border crossing points with the biometric visa checks, using technical tools, software and connectivity of the Visa information system (in the process);
  - National initial passenger information system development, ensuring better functioning of the carrier and the national border guard data processing format compatibility (in the process);
  - to provide the national Entry/Exit system with tying the SIS II (executed);
  - new border control information system (REIS-Entry/Exit system) (intended to ensure its functioning from 2017);
  - implementation of the Visa information system of border inspection posts (executed on March 2014);
  - REIS national public key infrastructure connecting and through it, the international civil aviation organization public key directory (process);
  - National European border surveillance system (EUROSUR) (3rd round) (in the process);



- package deployment for automated exchange of information with the DNA profiles, dactyloscopic data and vehicle registration data between the Member States of the European Union law enforcement authorities (not met);
  - the Declaration of foreign tourist registration and processing system of information building, ensuring the article 45 of the Schengen Convention requirements (in the process);
  - vehicles and containers in automatic identification system linking with the axle weight of customs control points, providing the Latvian law enforcement connections, through the association with the analogy systems in Lithuania and Estonia (in the process);
  - the State revenue service customs officials access to the SIS II, in order to facilitate the detection of stolen vehicles export Customs procedures design time (in the process);
  - departing goods vehicle registration introduction to the frontier of “Terehova” border crossing point (executed).
4. **training** (partially completed): to develop proposals for a unified (district) training system for law enforcement and service dogs handlers national border guard College, centralizing the Interior Ministry authorities and State institutions of learning in this area.
5. **working group** (not met):
- the Latvian State border security coordination Council decision the State border, the State revenue service, the State police and the Food and veterinary service's risk analysis expert permanent working groups (not met);
  - the Border Guard involvement in obtaining financial compensation and appropriate in the work of the Committee in connection with the implementation of the agreement between the European Commission and the cigarette manufacturing companies “Philip Morris International” and “Japan Tobacco International” (not met);
- the Commission of ethics of the State Border Guard (not met).
6. **obligations** (partially completed):
- the Latvian and the Russian State border demarcation (launched in 2009, scheduled for completion in 2016);
  - interdepartmental agreement enforcement between State Border Guard and National armed forces for maritime security system data exchange (partially completed);
  - the Bureau of prevention and combating of corruption recommendation for 2011 and the Cabinet accepted the task

of corruption risks in the implementation of the Border Guard (executed).

7. **activities of the Institute** (executed):
  - the national border guard liaison officer afloat in Belarus, Georgia and Russia (executed);
  - the State revenue service specialized in customs matters in Russia the continuation of actions (executed).
8. **other measures** (partially completed): provide the number of border guards to “green” density limits depending on the existing risk factors.

If compare this concept with 2007-2013, the concept of emphasis was put on several facilities. Similarly, the number of positions was not implemented due to the lack of financial resources and so on new concept carried over.

### **Conclusions and suggestions**

For the moment the measures included in the concept largely have been partially met. Given that the concept will be in effect until 2018, and the fact that the external land border security is a priority of the Government of Latvia, one might expect that the remaining measures will be met in full and within the time limits set.

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# PERSPECTIVES ON DEVELOPING E-LEARNING AT THE STATE BORDER GUARD COLLEGE OF THE REPUBLIC OF LATVIA

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**Abstract.** *The authors of this article describe the development process of e-learning system at the State Border Guard College, depict theoretical and practical concepts, peculiarities of e-course's development. Suggestions and proposals on e-course development and improvement based on the experience gained during e-learning course development and administration supported by survey results are given in the conclusion of this article in order to facilitate the improvement of e-learning systems in other law enforcement agencies.*

**Keywords:** *Development of e-learning, e-course design, interaction, peculiarities, perspectives.*

## Introduction

Implementation of E-learning in the State Border Guard College (hereinafter – the College) has been one of the priorities over the last decade. The variations of using e-environment and the phenomenon of introducing e-learning as an innovative approach to border guards' learning has developed very rapidly, hence it is important to analyze and share the best practices of e-learning approaches and models currently implemented at the College. In order to find research based suggestions in the ways of improving e-learning system for border guards the authors of this report have analyzed several scientific researches, inquired border guards from Latvia to receive feedback which would facilitate the development of e-learning system in the future.

Research period: 2008 – 2016

Aim and tasks of the paper: To analyze the e-learning process at the College and provide suggestions for improvement of the e-learning system in future perspective based on research findings.

Research methods: Meta-analysis, experimental and descriptive-quantitative methods have been used during research period.

Hypothesis: Development and implementation of well-structured and goal oriented e-learning courses for border guards require in-depth understanding on e-course design and implementation, hence more efforts from trainer's perspective are needed in comparison to traditional studies.

Taking into account the experience accumulated over time both in system development, administration and implementation of e-courses, the authors of this report shall reflect on theoretical and practical aspects of e-learning as well as share the best practices and suggestions on the ways to improve e-learning system for law enforcement agencies.

### **The development of e-learning system at the State Border Guard College and guidelines in e-course development**

In order to promote access and facilitate the learning process in College since 2008, for training purposes Distance Education Information System (in Latvian - TIS) of border guards is used. All information is available on a course management system MOODLE (Modular Object-Oriented Dynamic Learning Environment) which is intended for management and implementation of e-learning courses (About Moodle, [https://docs.moodle.org/30/en/About\\_Moodle](https://docs.moodle.org/30/en/About_Moodle)). Moodle system of the College includes electronic text documents, presentations, video, audio materials and electronic tests in order to facilitate the learning process. When the platform was developed learners had the opportunity to use resources only from the intranet and there was no opportunity for access from public networks. Since the beginning of 2015, the system is also available on public networks, such option was achieved by purchasing new server specially intended for the development of e-learning. In addition new computers were installed and better WI-FI coverage was provided hence learners of the College could fully take advantage of e-environment (Mārtiņš Spridzāns, Jans Pavlovičs, 2015, page 203).

In the beginning of 2014 a concept of e-learning was approved in the College and teachers were acquainted with Moodle system and the development of e-courses. Prior development of courses all teachers were introduced to e-environment peculiarities both in theory and in practice on the best practice in structuring the information and test development. The authors agree with the findings of Tor Atle Hjeltnes and Borje Hansson from Mod Sweden University in their report "Cost effectiveness and cost efficiency in e-learning" within the EU project "Quality, Interoperability and standards in e-learning" that teachers have little knowledge about how students learn and therefore there is no sound strategy for how to create good courses. Swedish researchers emphasize the fact that susceptible teachers use trial and error hope they will get it right sooner or later. The same non-pedagogy is used when they are supposed to transfer classroom courses into e-learning courses. This is often an even bigger challenge if they have little experience with new e-learning environments themselves (Tor Atle Hjeltnes and Borje Hansson, 2005, page 22).

The authors agree that most of the teachers of the College (about 80%) based on research results have no clear understanding on e-learning peculiarities. To help teachers of the College in development of e-learning courses the authors of this paper suggest to use research based findings in the guide for designing and developing e-learning courses by Beatrice Ghirardini, Instructional Designer, FAO, developed in 2011. The purpose of this guide is to provide detailed guidance on designing and developing an e-learning course for trainers and instructional designers who are new to e-learning design. In introduction of the guide it is mentioned that developing e-learning is more expensive than preparing classroom materials and training the trainers, especially if multimedia or highly interactive methods are used. However, delivery costs for e-learning (including costs of web servers and technical support) are considerably lower than those for classroom facilities, instructor time, participants' travel and job time lost to attend classroom sessions. (Beatrice Ghirardini, 2011, page 10).

Beatrice Ghirardini concludes that E-learning is a good option when

- ✓ there is a significant amount of content to be delivered to a large number of learners and learners come from geographically dispersed locations;
- ✓ learners have limited mobility and limited daily time to devote to learning;
- ✓ learners do not have effective listening and reading skills;
- ✓ learners have at least basic computer and Internet skills;
- ✓ learners are required to develop homogeneous background knowledge on the topic;
- ✓ learners are highly motivated to learn and appreciate proceeding at their own pace;
- ✓ training aims to build cognitive skills rather than psychomotor skills;
- ✓ the course addresses long-term rather than short-term training needs;
- ✓ there is a need to collect and track data. (Beatrice Ghirardini, 2011, page 12)

The findings of Beatrice Ghirardini emphasize that good design and planning are crucial parts for every type of training programme, are even more important for e-learning projects. In traditional training, the largest effort is in the delivery of training sessions, while in e-learning, it is in the design and development of structured materials which must be self-contained and able to be used multiple times without making ongoing adjustments.

According to the guide for designing and developing e-learning courses by Beatrice Ghirardini there are five stages in the ADDIE model (Analysis, Design, Development, Implementation, Evaluation) process of that model are described below:

1. **Analysis** - needs analysis should be conducted at the start of any development effort to determine whether training is required to fill a gap in professional knowledge and skills and e-learning is the best solution to deliver the training. Target audience analysis is another crucial step. The design and delivery of e-learning will be influenced by key characteristics of the learners (e.g. their previous knowledge and skills, geographical provenience, learning context and access to technology). Analysis also is needed to determine the course content. Task analysis identifies the job tasks that learners should learn or improve and the knowledge and skills that need to be developed or reinforced. This type of analysis is mainly used in courses designed to build specific job-related skills. Topic analysis is carried out to identify and classify the course content. This is typical of those courses that are primarily designed to provide information.
2. **Design** - the design stage encompasses the following activities:
  - 2.1. Formulating a set of learning objectives required to achieve the general, high-level course objective;
  - 2.2. Defining the order in which the objectives should be achieved (sequencing);
  - 2.3. Selecting instructional, media, evaluation and delivery strategies.

The outcome of the design stage is a blueprint that will be used as a reference to develop the course. The blueprint illustrates the curriculum structure (e.g. its organization in courses, units, lessons, activities); the learning objectives associated with each unit; and the delivery methods and formats (e.g. interactive self-paced materials, synchronous and/or asynchronous collaborative activities) to deliver each unit.

3. **Development** - in this stage, the e-learning content is actually produced. The content can vary considerably, depending on the available resources. For example, e-learning content may consist of only simpler materials (i.e. those with little or no interactivity or multimedia, such as structured PDF documents) which can be combined with other materials (e.g. audio or video files), assignments and tests.

The development of multimedia interactive content is comprised of three main steps:

- 3.1. Content development: writing or collecting all the required knowledge and information;
- 3.2. Storyboard development: integrating instructional methods (all the pedagogical elements needed to support the learning process) and media elements. This is done by developing the storyboard, a document that describes all the components of the final interactive products, including images, text, interactions and assessment tests;
- 3.3. Courseware development: developing media and interactive components, producing the course in different formats for CD-ROM and Web delivery and integrating the content elements into a learning platform that learners can access.
4. **Implementation** - at this stage the course is delivered to learners. The courseware is installed on a server and made accessible for learners. In facilitated and instructor-led courses, this stage also includes managing and facilitating learners' activities.
5. **Evaluation** - an e-learning project can be evaluated for specific evaluation purposes. You may want to evaluate learners' reactions, the achievement of learning objectives, the transfer of job-related knowledge and skills, and the impact of the project on the organization.

(Beatrice Ghirardini, 2011, page 21, 22)

The authors of this paper have developed e-learning courses themselves and have come to conclusion that building efficient e-learning course is a very time consuming process. The teacher must have good knowledge in test building, hence the authors suggest to use the analysis of test building from the guide for designing and developing e-learning courses by Beatrice Ghirardini, see below:

**Table 1. Advantages and disadvantages of tests in e-learning** (Beatrice Ghirardini, 2011, page 87)

Type of question	Advantages	Disadvantages
<b>True or False</b>	Easy to create Can differentiate feedback for each option.	Learners have a 50 percent chance of selecting the right option. The answer is not created by the learner.
<b>Multiple choice</b>	Very flexible (can be used for several purposes) Can differentiate feedback for each option.	Difficult to create (you have to develop credible wrong options and write different feedback for each of them). The answer is not created by the learner.
<b>Multiple</b>	Very flexible (can be used	Quite difficult to create (you have to

<b>responses</b>	for several purposes).	develop credible wrong options) The answer is not created by the learner.
<b>Matching</b>	Quite easy to create.	Risk of being too easy for learners. The answer is not created by the learner
<b>Ordering</b>	Quite easy to create.	The answer is not created by the learner.
<b>Fill-in the blanks</b>	Easy to create.	Rarely appropriate Difficult to measure.
<b>Short answer/short essay</b>	The answer is created by the learner.	Very difficult to measure.

When building tests in Moodle system the authors suggest as a preferable approach in course design would be teachers' interaction with IT specialists who might present and explain the capabilities of Moodle system, especially in test building variations. Despite the fact that test building in Moodle for specific types of tests is rather complicated it is advisable to be done by the teacher who has both the clear vision of pedagogical outcomes and IT perspectives rather than IT specialist who has no clear understanding what would be the possible outcome and the test being developed and how it might influence the learning process. In addition experience shows that when e-course is implemented usually after feedback (students of the College have to fill in questionnaires after each qualification course) students note which tests or questions must be improved or amended as appropriate, in this case it would be better that the teacher himself/herself would analyze the feedback and would have skills to amend and improve the test or specific question.

Currently all materials which are transferred to Moodle are initially accepted as valid by the council of specific teachers of the College, however the authors agree that more added value on test validity is received after students' feedback from several courses, it is ongoing process since after each of e-courses implemented there is always some areas to be improved within the e-course. Currently the following courses have been developed in the Moodle platform of the College:

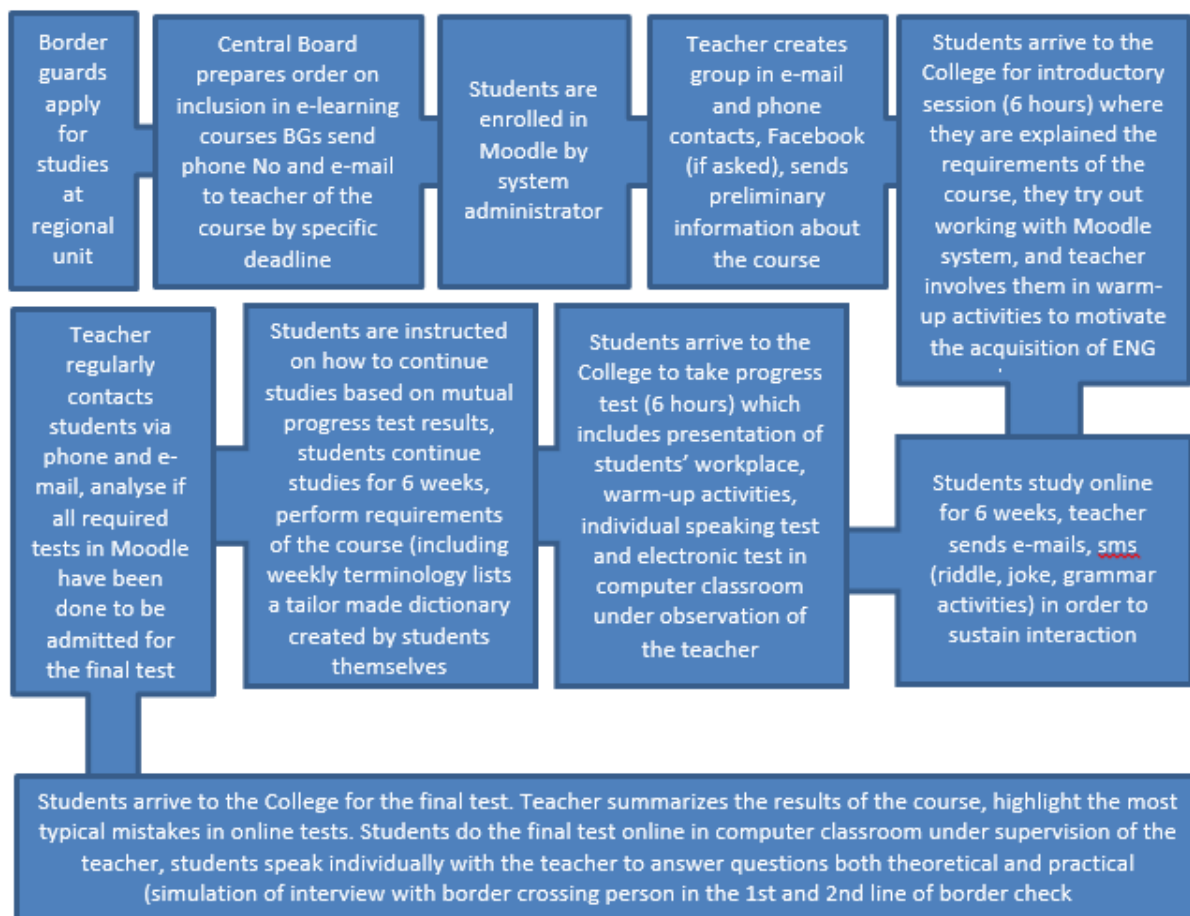
1. Specialized English language terminology (13 weeks)
2. Administrative documentation (5 weeks)
3. Radiometric control (4 weeks)
4. Personnel management (3 weeks)

The concept of e-learning system foresees gradual transformation of specific qualification courses in e-environment. For this purpose teachers of the College will have to analyze whether the courses they are running in



traditional classroom might be transferred in e-environment. The key issues in this field concern gradual decrease of teachers' workload, the balance between theory and practical studies e.g. several courses are rather difficult to be adapted to e-learning, additionally the issue of confidentiality of the information opened for public has to be carefully analyzed.

Since Specialized English language terminology e-course has been successfully implemented since 2011 and other e-courses have been implemented for a short period of time the authors would like to share the model of e-learning as best practice accumulated over years which could be taken as a sample for the development of similar e-courses. It must be noted that the current model has been introduced on the basis of ongoing feedback analysis where the graduates of e-course had the opportunity to summarize their opinion and provide suggestions on improving the e-course.



**Fig.1. Specialized English language terminology e-course model implemented at the College** (source: compiled by the author)

Feedback surveys of the above mentioned e-course showed that students are accustomed to the traditional training and emphasized the lack traditional face to face interaction with the teacher. Scientists also stress

that the foreign language learning in the context of the e - environment is very suitable for the vocabulary and theoretical knowledge acquisition, while listening and speaking skills are rather unsuitable without any direct contact with the teacher. (Laura Alonso Díaz and Florentino Blázquez Entonado, 2009, page 339).

In order to overcome the lack of face to face interaction in English e-course more time has been invested in telephone conversations, however the authors admit it is rather complicated approach since border guards have to work day and night shifts and eventually it is rather complicated to plan telephone conversations. Currently in English e-courses it is required to have a telephone conversation at least once in two weeks. Having less workload for running traditional classes the percentage of telephone conversations should be increased to compensate the lack of face to face interaction.

### **Results of the survey for border guards and teachers who have participated in e-courses at the College**

In order to receive feedback and analyse possible areas to be improved in the future concerning e-learning at the College the authors have performed the survey both for learners of e-courses as well as for teachers of the College. Since English e-learning course has been implemented in the College for several years, the authors have inquired graduates' attitude to e-learning in general but not only targeted to language acquisition as such. The results of the survey indicate key facts worth to be considered and taken into account when developing and implementing e-courses both from teachers and administration perspective.

In total 92 border guards were inquired via electronic questionnaire. The responses show that 95.3% border guards agree that they have improved their qualification in e-learning courses implemented at the College, however 48.8% agree that they would rather prefer traditional learning in comparison to e-learning mode. In total 78% respondents stated as the biggest advantage of e-learning to be the option when they can study at their own pace, as the biggest disadvantage is mentioned the lack of face to face interaction 67.1% of border guards. One of the crucial aspects in successful completion of an e-course is learners' motivation. When responding to the question on their motivation to study and what would enhance their motivation 48.9 % of border guards indicated the fact that administration of the State Border Guard should foresee particular motivators e.g. rewards for successful participation in e-courses e.g. a day off etc. to compensate their private time (apart from fixed working hours)

invested in studies. Obviously results of questionnaire show only positive attitude towards e-learning as such except the answer to question what qualification course would be more credible to you traditional or e-learning as an employer the 87.5% of border guards were in favour of traditional studies, hence highlighting a stereotypical disbelief in efficiency of such type of learning. When answering the question on the possible models of e-learning 77.8% respondents mentioned the need for face to face interaction as integral part in every e-course to be implemented.

The second questionnaire was provided to teachers of the College all together 16 teachers were inquired to provide feedback on e-learning. Biggest part of teachers confirm that e-learning is a useful way to improve qualification raising system (60%) however 80% of them mention that they lack in-depth knowledge in e-learning course development. About 53.3% interpret the development of e-learning course as a burden that would require a lot of time while the course is being developed on the contrary 46.7% interpret e-learning as a challenge that might be worthwhile in the future. To the question what kind of support is required from administration of the College 46.7% of the teachers responded that they would need more time allocated directly to the development of e-courses.

### **Conclusions and suggestions**

Based on research results and experience gained during implementation of e-courses at the College the authors have come to the following conclusions and suggestions.

1. Teachers and students are still used to traditional classes. To develop a goal oriented e-course teachers must have an in-depth understanding of e-environment both from IT and pedagogical perspective;
2. When developing and running an e-course teachers should use ADDIE model (Analysis, Design, Development, Implementation, Evaluation) as described in page 3-5 of this report as well as the model of e-courses at the College described in Table 2;
3. Before implementation of e-learning potential users must have basic information about the e-learning system (requirements of the course, registration and using of Moodle system). For this purpose it is advisable to develop either a brochure on e-learning requirements for specific course or to have an induction session where the teacher explains the system and expectations e-learning.

4. When developing e-learning course it is important to structure content the information in the way it is easy to navigate, find answers, receive instant feedback e.g. knowledge check exercises (self –study principle);
5. To compensate the lack of face to face interaction with the teacher as typical to traditional classes there must be compensatory measures introduced during e- course (wherever possible e-mail, sms, video or telephone conversations etc.), in addition teachers work load must be adapted to the needs of e-course e.g. to compensate the work invested e.g. during weekends (usually border guards have shift work and teachers are involved in interaction post their working time).
6. It is crucial to analyse progress and feedback after each e-course i.e. teachers must investigate feedback from graduates, to inquire positive and negative aspects and eventually improve the e-course for future users.
7. Border guards’ training institutions might develop joint e-learning courses on the basis of partnership projects e.g. the State Border Guard College of the Republic of Latvia, Border Guard Training Centre of the Republic of Poland in Kętrzyn, Border Guard School at the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania and Estonian Academy of Security Sciences Police and Border Guard College have developed the English and Russian terminology training tool for border guards working at road border crossing points within the framework of Erasmus+ Programme’s Project “Strategic partnership for the development of English language training tool for border guards (No. 2014-1-LV01-KA202-000487)”. This training tool and materials developed by project participants will be available in Project partners’ national Moodle platforms. The training tool includes vocabulary and phrases in English, Russian and national languages, learners will be able to hear pronunciation in target languages, audio and video materials followed by exercises will be available for both classroom and e-course implementation. The authors encourage to use the sample of the above mentioned project and initiate similar partnership projects between several countries in order to develop e-courses.

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# PROFESSIONAL TRAINING OF THE STATE BORDER GUARD OFFICIALS OF THE REPUBLIC OF LATVIA: ESSENTIALS, CHALLENGES AND POSSIBLE SOLUTIONS

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**Abstract.** *Topicality of the Paper is determined by the dynamic and considerable changes that influence the fulfilment of the State Border Guard professional activities which in turn impose additional requirements to the professional training of border guards. The quality of the State Border Guard work reflects in its implemented functions that also results from the proficiency and professionalism of the personnel. The aim of this Paper is to analyse the current system of border guards' professional training, regulatory aspects as well as gathered statistical data regarding the issues of presented topics. Authors of the Paper bring forward several suggestions that in future could satisfy the central demands in the field of border guards' professional education and could be successfully implemented in the Basic concepts of the State Border Guard's personnel training.*

**Keywords:** *State Border Guard officials, professional training, enrollment requirements, Basic concepts of State Border Guard's personnel training.*

## Introduction

Professional, qualified and motivated personnel plays a crucial role and builds the system and the reputation of any institution at national and international levels. Professional development of personnel is considered to be one of the most important and the most significant investments in the organization's long-term perspective. Service in institutions of the system of the Ministry of the Interior envisages a long-term professional development, where educational institutions which provide the opportunity to receive professional education as well as necessary professional qualification take a *special niche*.

Topicality of the Paper is determined by the dynamic and considerable changes that influence the fulfilment of the State Border Guard professional activities which in turn impose additional requirements to the professional training of border guards. The quality of the State Border Guard (hereinafter - the SBG) work reflects in its implemented functions that also results from the proficiency and professionalism of the personnel.

In order to ensure the reflection of occurred changes and successful implementation of introduced requirements in border guards' professional training, the aim of this Paper is to analyse the current system of border guards' professional training, regulatory aspects as well as gathered

statistics (for the period 2011 - 2016) regarding the issues of presented topics. Authors of the Paper draw attention to the Basic concepts of Border Guards personnel training bringing forward several suggestions that in future could satisfy the central demands in the field of border guards' professional education and complement the existing Basic concepts.

To come up with practical suggestions authors of the Paper used general theoretical methods - study and analysis of the appropriate methodological sources concerning the theme of the paper and data processing and statistical method - descriptive statistics.

### **The system of border guards professional training**

The modern information and knowledge century lays down high professional criteria and standards where increases the role of professional education.

Lieģeniece D. points out that currently the social partners, education policy-makers and society in general appraise the role of professional education institutions and actively express their views. The society determines the demanding requirements regarding the activities of professional education institutions and hence the considerable importance is devoted to the objective and comprehensive evaluation of the quality of activities carried out by these institutions. (Lieģeniece, 2002)

Since the quality of education is one of the most important elements in service quality assurance, it is important that every official is motivated to continue his professional education and development throughout his career. (Latvijas Republikas Iekšlietu ministrijas 30.09.2013. rīkojums Nr. 1-12/2209)

After Latvia has joined the European Union (hereinafter- the EU), requirements of border guards' qualification became more demanding. In order to ensure the implementation of functions applied to Latvia as a member state of the EU, by ensuring the inviolability of the state border, prevention of the migration as well as guarding the external border of the EU according to the requirements of the EU and the Schengen Agreement, border guards have to be appropriately educated, highly qualified and able to apply professional knowledge and skills.

Authors of the Paper draw attention to the fact that the professional training of the SBG personnel is ensured in compliance with regulatory framework of the EU and the Republic of Latvia – the Constitution of Latvia, the Bologna Declaration, the Latvian Law on Institutions of Higher Education, Vocational Education Law, corresponding laws and regulations of the Cabinet of Ministers, and the Ministry of Education, as well as in line with a special regulatory framework - the Schengen Convention, the Border Guard Law, Immigration Law, the Basic concepts of SBG's personnel

training (hereinafter- the Basic concepts), the EU Schengen Catalogue and *Regulation 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders* (hereinafter- *Schengen Borders Code*). In addition to above mentioned, the training of the SBG personnel is implemented referring to professional standards.

Organization and implementation of the SBG professional development is determined by the Basic concepts approved by the SBG Order No.236 of 14 March 2006 "On Basic Concepts of the State Border Guard's Personnel Training". The aim of this document is to form an integrated, qualitative and effective SBG personnel professional training system which within the incorporation into the joint Latvia's and European Union's education system would ensure the formation of *well trained personnel and would facilitate its development. The specific aim of this document is to promote the improvement of border guards' proficiency ensuring the acquisition of up-to-date knowledge and skills by implementing the SBG study programmes, specialization and refresher courses.* (Latvijas Republikas Valsts robežsardzes pavēle Nr.236, 2006.14.03.)

To achieve general and specific aims the following tasks in the Basic Concepts were brought forward:

1. To provide border guards` with an opportunity to receive professional education;
2. To educate and train a definite specialization border guards;
3. To increase and improve the proficiency of border guards.

The essence of professional training concept is to provide border guards with the opportunity to receive professional education and to develop work-related knowledge and skills by following the principle of accessibility (equal opportunities to obtain education), principle of conformity (the needs and development tendencies of the SBG are taken into consideration), life-long learning principle (possibility to study during the whole period of service), determination principle (the planning of border guards education and training is carried out by reviewing previous results and setting development priorities and principle of succession (before the acquisition of new knowledge assess factual).

Professional training of border guards comprises the following stages:

1. the course of professional training (complementary course) – gives insight into the structure of the SBG, service management and fundamental principles of professional activities;
2. professional education – provides border guards with theoretical knowledge and practical skills to perform their duties in certain positions as well as to plan and manage own work and the work of subordinated personnel;



3. specialization – ensures the training of border guards in the SBG required profiles e.g. dog handling, immigration, document examination, aviation etc.;
4. qualification improvement/ professional development courses – provide an opportunity to improve appropriate and systematic professional knowledge and practical skills required in service.

The next stage of our Paper is the confirmation of theory where the authors provide the detailed description and analysis of the stages above.

The initial selection of candidates for service within the SBG and for studies in the State Border Guard College (hereinafter-SBGC) at Professional further education study programme „Border Guarding” takes place in the SBG Territorial boards.

Into service can be accepted Latvian citizen who is from 18 to 30 years of age, has at least a general secondary education, who complies with the mandatory requirements regarding health condition, physical fitness, and psychological characteristics.

In order to assess the suitability for service candidate has to pass physical fitness test, foreign language proficiency test and interview. Based on the results of the selection, person is accepted into service and appointed to the position of the SBG inspector's assistant (for a probationary period), during which the official acquires the course of professional training.

According to the Basic standards which are in force, the length of professional training course implemented by the SBG is two months. One month is envisaged for studies in the SBGC and one month for the training practice in the SBG Territorial board. Due to a number of reasons the second phase of this course - one month of practice in Territorial board is not implementing. At the end of the course cadets have to take examinations, where the results of examinations are considered within taking the final decision regarding the enrolment on the Professional further education study programme „Border Guarding”.

Within the second stage border guards can obtain the necessary qualification to carry out service duties.

In the general overview of pedagogical theories and resources the term- qualification is defined as a special skill or type of experience or knowledge that meet the requirements of a certain sector, specialty or profession and makes someone suitable to do a particular activity or job at the definite degree required for a certain job. (Pedagoģijas terminu skaidrojošā vārdnīca, 2000)

This stage may include the acquisition of professional (studies in the SBGC within the Professional further education study programme „Border

Guarding”) and higher professional education (studies in the SBGC and *Rezekne Academy of Technologies*).

The European Agency of operative co-operation Administration at the external borders of the European Union member states (hereinafter – Agency) developed and approved The Common Core Curriculum that represents the first standardised set of skills and knowledge criteria for basic-level border guard training in the EU. The manual aims to raise awareness and ensure a harmonised training of all EU border guards in respecting fundamental rights, aspiring to ever-higher standards of professionalism as part of an EU border guard culture. (Common Core Curriculum for EU Border Guard Basic Training, 2012)

Considering the importance and peculiarities of border guards` profession as well as the requirements set for training and education of specialists, authors would like to draw attention to the role of the Common Core Curricula which is emphasized in one of the fundamental documents - the Schengen Borders Code. It stipulates that all EU Member States have to ensure that the border guards are specialised and properly trained professionals where for training on the rules for border control and on fundamental right, the common training standards as established and further developed by the Agency shall be taken into account. (Regulation 2016/399 of the European Parliament and of the Council)

The Common Core Curriculum requirements were successfully integrated in the Professional further education study programme „Border Guarding” and are consistent with the principles of the European Qualifications Framework for Lifelong Learning at levels 4 and 5 (it means the transition from the basic to the middle-level officer training). The content of the study Programme is designed in accordance with the requirements of the EU and Agency set for the education of border guards thus ensuring the observation of common quality standards.

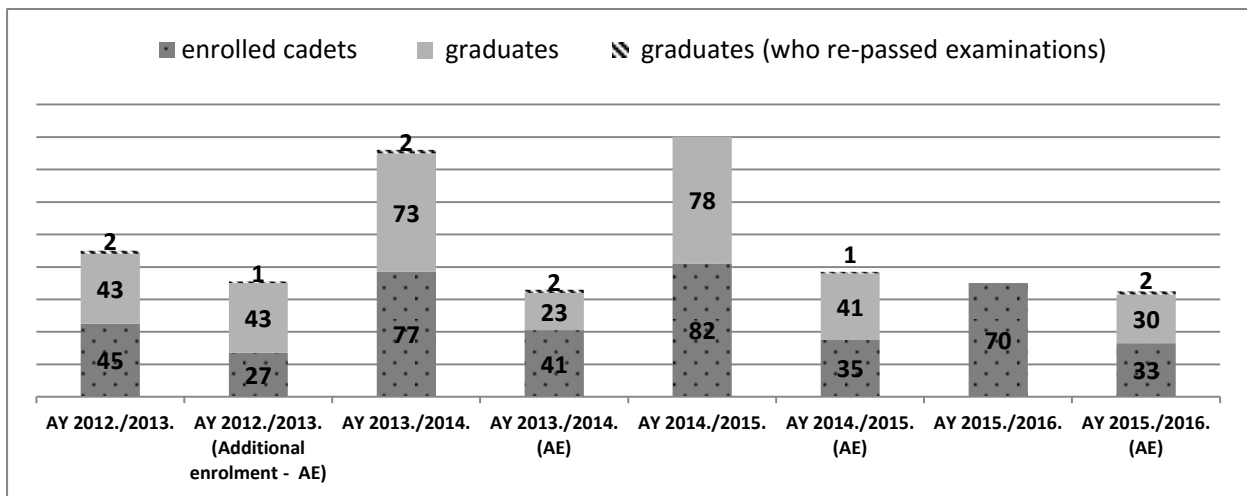
After receiving the professional secondary education, where the length of studies is one year, border guards obtain the qualification – SBG inspectors (3rd level professional qualification) and are sent to join the service in the structural units of the SBG or the SBGC.

Every year around 100 – 130 border guards take up studies at Professional further education study programme „Border Guarding”. Enrolment procedure is organized twice a year – the basic enrolment is in September and the additional- in March.

Since 2012 the SBGC enrolled 410 students for studies on Professional further education study programme „Border Guarding”, and 341 border guards graduated the SBGC.

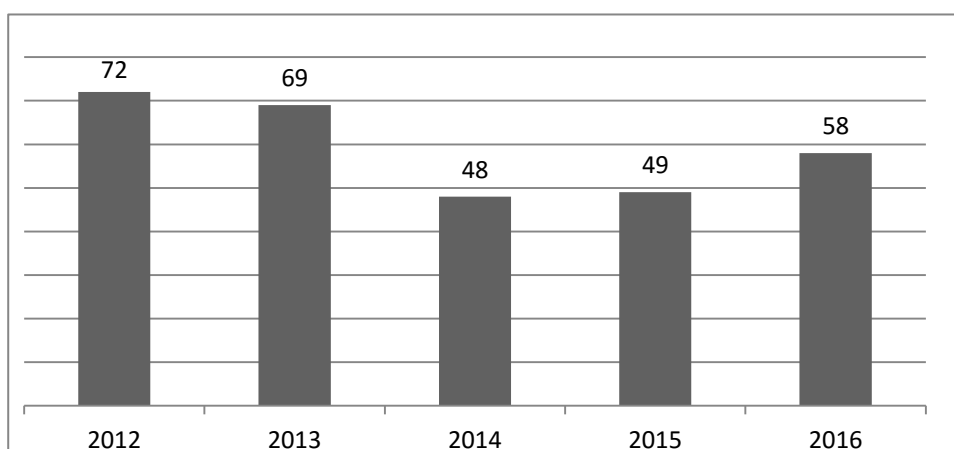
As shown in Fig. 1 in September, 2015 70 cadets were enrolled on

Professional further education study programme „Border Guarding” (four groups of cadets), while in March 2016 33 cadets took up their studies (2 groups of cadets). At the present moment 103 cadets acquire Professional further education study programme „Border Guarding”.



**Fig.1. The number of enrolled and graduated cadets (Professional further education study programme „Border Guarding”)**

The SBG officials, who do not have the necessary qualification for their current position, but who during their professional activities have acquired job-related competencies, knowledge and practical skills, since 2012 in compliance with Delegation agreement on the assessment of outside formal education acquired professional competence may pass the professional qualification exam in order to obtain qualification- the SBG inspector. Examination process is the same as it is carried for cadets completing the Professional further education study programme „Border Guarding”. Since November 2012 296 SBG officials gained professional qualification -SBG inspector.

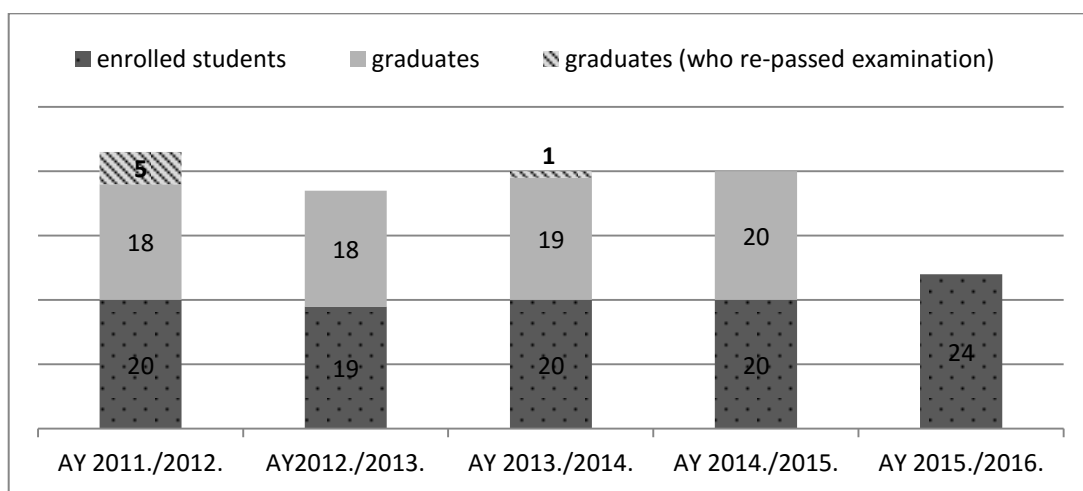


**Fig. 2. The number of officials who obtained Professional qualification**

According to the Basic concepts SBG officials after the definite period of service experience may apply for studies in the SBGC in the programme – 1<sup>st</sup> level professional higher education study programme “Border Guarding” (2 years in full time studies or 2,5 years in part-time studies) .

Taking into consideration the admission requirements for full time studies, applicants must have 3<sup>rd</sup> professional qualification level (qualification – State Border Guard inspector) and must not be older than 35.

Analysing the number of students enrolled in the last five years it can be concluded that on average 20-24 SBG officials are enrolled for full time studies on the 1st level professional higher education study programme "Border Guarding". Since 2011 the SBG enrolled 103 full-time students (see. Figure 3).



**Fig. 3. The number of enrolled and graduated full-time students**

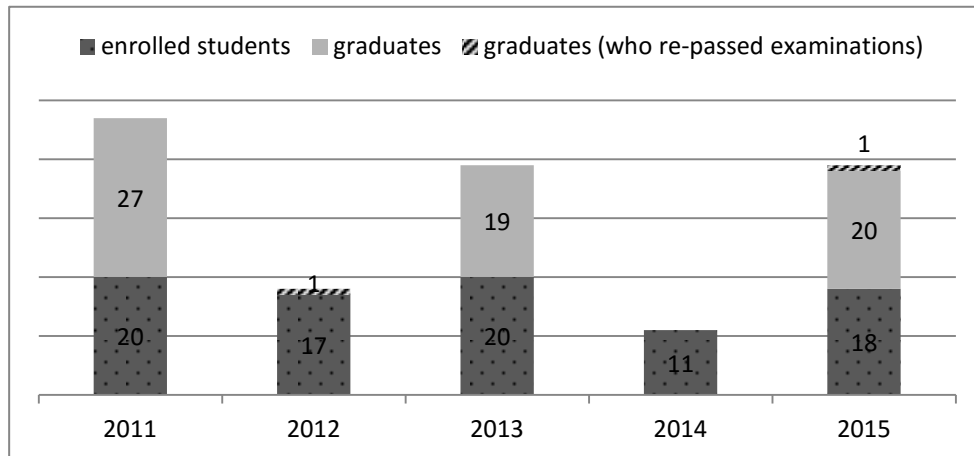
As can be seen from Fig.3 that in the period from 2011 to the first quarter of 2016 81 full-time students successfully acquired the abovementioned programme and obtained the qualification "State Border Guard junior officer".

In accordance with the SBGC Decision No.15 of 29 October, 2015 for part-time studies SBG officials can apply if they:

- have secondary or higher education and serve in the SBG in positions of first lieutenant, captain, major or lieutenant colonel having more than one year professional experience and are not older than 42 until the 31<sup>st</sup> December of the year of admission;
- serve in the SBG in positions of first sergeant or warrant officer and have at least 4 years professional experience and are not younger than 32 and older than 42 until the 31<sup>st</sup> December of the year of admission. (Valsts Robežsardzes koledžas 2015.gada 29.oktobra lēmums Nr. 15)

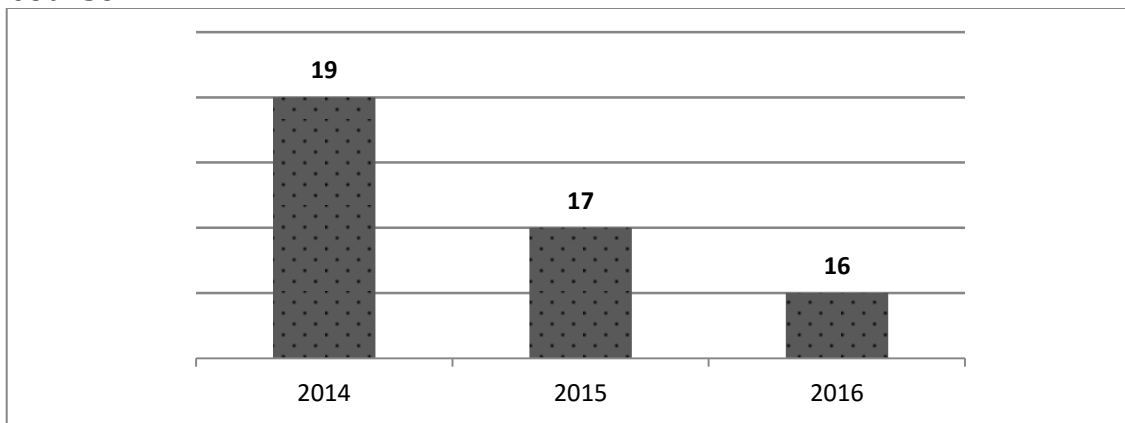
Figure 4 shows that since 2011 the SBG enrolled 86 part-time students, 68 of them got the diploma of the SBG 1st level professional higher

education.



**Fig.4. The number of enrolled and graduated part-time students**

The graduates of the College, who have acquired the 1<sup>st</sup> level professional higher education study programme “Border Guarding”, have the opportunity to continue studies in the 2<sup>nd</sup> level professional higher education bachelor study programme “Border Guarding” implemented in Rezekne Academy of Technologies. The programme was developed taking into consideration profession standards. The duration of full-time studies - 2 years, part time studies - 2,5 years. Programme graduates get professional bachelor's degree in Border Guarding and the qualification - the SBG senior officer. Figure 5 clearly shows that since 2011 52 SBG officers have completed this study course.



**Fig. 5. The number of 2<sup>nd</sup> level professional higher education bachelor study programme “Border Guarding” graduates**

Authors of the Paper would like to point out that only the particular educational programmes – for professional secondary education and the 1st level professional higher education studies are defined in the existing Basic Concepts. With relation to the border guards, who have already acquired the 1st level

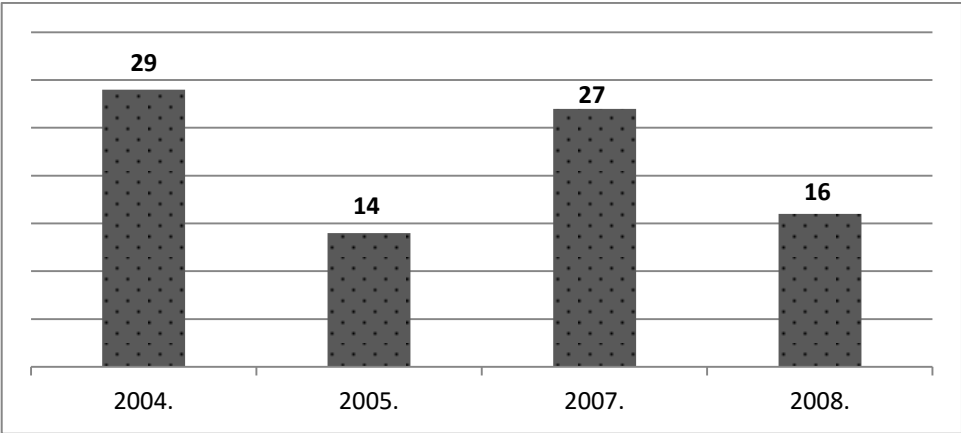
professional higher education study programme, it is mentioned that they have the possibility to continue their studies in other higher education institutions and obtain the second level professional higher education, which makes it possible to stand as a candidate for the SBG senior officer position in the SBG structural units or the SBGC.

In turn the SBG personnel policy framework lays down the specific requirements with regard to the necessary levels and areas of education, which gives the right to take positions of officers and instructors in the SBG system institution. In fact, all border guards ensure the border control and immigration control functions as well as they have the requirement to receive the professional education in Border Guard specialization. Such a situation, when the requirements are not clearly reflected in the legislative base, may lead to misunderstandings in the process of planning the SBG personnel training and career growth.

The Ministry of Education and Science in accordance with the decision of the Licensing Commission of Higher Education Study Programmes in 2015 granted the licence which allows to implement the European Joint Master’s programme “Strategic Border Management”.

This programme aims to promote interoperability and the highest standards in cooperation and at EU borders and the harmonisation of learning and professional standards in formal academic and disciplinary structures, providing a stimulating and innovative environment for teaching, learning and research. The first group of mid to high level border guard managers will receive their degrees in June 2017. ([FRONTEX-launches-new-master-s-programme](#))

Continuing the analysis authors refer to Basic concepts where persons with higher education (e.g. computer specialists, accountants, teachers, engineers etc.) have the opportunity to complete the pre-service stage which includes 1 month complementary course.



**Fig. 6. The number of officials who have completed complementary course**

After completion of complementary course an official taking into consideration position or necessity to develop proficiency, knowledge and skills may participate in different courses and seminars, as well as continue studies taking Master's and Doctoral degree.

Figure 6 shows that in the last 8 years complementary course was not implemented, thus the authors provide statistical data for the period from 2004 to 2008. During this period, 86 SBG officials completed complementary course programme.

Within the third stage the SBG officials whose service duties require specific knowledge and skills, are offered to take up courses in different specializations carried at the SBGC, other educational institutions or SBG Territorial boards.

In the frameworks of the fourth stage – qualification improvement– the SBG officials improve their knowledge, skills and abilities which are necessary to fulfil service duties effectively.

Introduction of new border guarding methods and techniques, border control tools and engineering equipment lead to the current changes in laws and regulations where border guards are requested to improve their professional knowledge and skills regularly. Border guards have to improve their professional qualification and attend corresponding courses at least once in 5 years.

The SBG qualification improvement courses are developed and implemented by the SBGC. The Central board participates in the development and assessment of curriculum of qualification improvement and specialization courses, but the SBG Territorial boards are involved in the development, assessment and implementation of qualification improvement and specialization courses.

In carrying out their service duties border guard have to deal with many and varied problem situations. In order to provide an opportunity to acquire knowledge and skills necessary for a competent and operative solution to work related problem situations, the SBG officials are offered to sign up for qualification improvement courses, which are mostly organized by the SBGC.

Qualification improvement courses are developed, organized and implemented mainly in the following specializations: dog handling, foreign language acquisition, immigration, document analysis.

In order to ensure the SBG officials' qualification improvement, several qualification programmes were developed. The implementation of these programmes are realized taking into account the requirements set by the SBG Territorial boards and according to the SBG Central Board's assessment of the need to realize particular qualification courses.

Authors of the Paper would like to point out that the SBGC implements different qualification courses even though there are several qualification courses which are carried out annually or several times a year, there are courses, which in recent years have not been implemented due to the loss of content relevance and conformity with the realities and needs of the employer.

In 2015 1,759 officials improved their proficiency by acquiring qualification improvement programmes implemented by the SBGC. Among them were 156 officers of the State Revenue Service and the National Armed Forces (in 2014 – 2060 officials, including 140 officers of the State Police, the State Revenue Service and the National Armed Forces).

### **Conclusions and suggestions**

Based on the analysis of statistical data and the stages of border guards` professional training laid down in the SBG Basic concepts, the authors of the Paper come up with a number of recommendations aiming to improve the existing *deficiencies* in the SBG Basic concepts and the SBG officials` professional training mechanisms.

In accordance with the SBG Order No.105 of February 2, 2015 "On establishing the working group", the working group with the primary aim to develop border guards professional development system that shall correspond to actual situation and comply to modern requirements, as well as determine border guards` career growth prospects was set up. (Valsts robežsardzes 2015.gada 02.februāra pavēle Nr.105) Taking into account that this study concentrates on the SBG personnel professional training and is based on actual statistics, the authors put forward several suggestions that could be taken into consideration by the above working group in order to perfect the SBG Basic concepts.

- 1) The SBG Basic concepts stipulate that the length of professional training course implemented by the SBG is two months. One month is envisaged for studies in the SBGC and one month for the training practice in the SBG Territorial board. Due to a number of reasons the practical implementation of such a model has limited usefulness, the second phase of this course - one month of practice in Territorial board is not implemented. Based on the above, the authors propose to exclude from the SBG Basic concepts the requirement regarding one month training practice in the SBG Territorial board, thus keeping only one month training in the SBGC.
- 2) Pursuant to the Basic concepts, persons having a higher education who want to join the service in the SBG and get the officer position of



a narrow specialization (e.g. computer specialists, accountants, teachers, engineers etc.) have to complete 1 month complementary course. Based on the fact that this program was carried out for the last time in 2008, that could be explained with internal reorganizations accomplished in the SBG system, where during the several years, the positions of officers carrying out supporting functions are converted to civilian posts, the authors suggest to appraise the topicality of this programme and the necessity to be a part of the SBG officials professional training system.

- 3) The SBG Basic concepts specify that all SBG officials who have duties related to the implementation of the core functions of the SBG (border control and immigration control), once every 5 years must complete corresponding professional development courses. However in the "Officials` of the Ministry of Interior with special service ranks Professional education development concept for 2014 -2017" is mentioned that so far the SBG does not succeed in creating comprehensive SBG officials` professional development system. (Latvijas Republikas Iekšlietu ministrijas 30.09.2013. rīkojums Nr. 1-12/2209)  
Based on the above, in order to solve the issue related to the officials` professional development sequence and control, as well as the SBG officials professional development, planning and control mechanism has to be improved. To complement the existing mechanism, authors of the Paper suggest to develop for every border guard position/job category standardized professional development and training plan. This plan would include the information on the required professional training and development courses, its fields and realization frequency during the whole service period. The SBG Central Boards` Personnel Board and the SBG Territorial boards` competent officials have to be assigned a duty to be responsible for the development and implementation of this mechanism.
- 4) Taking into account that there are developed and defined by the Cabinet of Ministers Regulation No. 461 adopted on 18 May 2010 "Regulations Regarding the Classification of Occupations, Basic Tasks Corresponding to the Occupation, Basic Qualification Requirements and Procedures for the Use and Updating of the Classification of Occupations" the SBG senior officer`s profession standard and the SBG has already started implementation of the 2<sup>nd</sup> level professional higher education bachelor study programme "Border Guarding", authors of the Paper suggest to complement the SBG Basic concepts with the entry that the 2<sup>nd</sup> level professional higher education can be received at a higher educational institution the SBG has concluded an agreement.

- 5) Recognizing the topicality in the future to ensure uniform standards and criteria for competence as well as in order to promote within the EU uniform improvement of professional abilities and skills of a person in strategic border management, Rezekne Technology Academy since 2015 implements the European Joint Master's programme "Strategic Border Management" separate modules, the authors propose to complement the SBG Basic concepts with the fact that the SBG officials have the opportunity to acquire Joint Master's programme "Strategic Border Management" and reflect this fact as well in the scheme of the SBG personnel professional training.
- 6) In order to create the common policy and ensure the consistent observation of the principle of compliance (considering the SBG needs and development tendencies), the authors of the Paper propose to consider the possibility to lay down in the SBG Basic concepts in addition to the level of acquired education, the name of professional education programme, the acquisition of which is approved and recognized as an appropriate for meeting the requirements set down for the corresponding positions in the SBG system.

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# TOWARDS A SYSTEMATISED ENGLISH LANGUAGE TRAINING FOR BORDER GUARDS

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**Abstract.** *Ability to communicate in English is one of the prior competences border guards are required to have in order to ensure qualitative border control and border checks on the state border. Being aware of the importance of knowledge of English for border guards in fulfilment service duties on regular basis the State Border Guard of Latvia tried and tries to find optimal solutions for organising English language training for its staff. The present paper is a summary of the results of research carried out with the aim to work out suggestions on the measures to be taken in order to provide the SBG officials with the possibility to acquire and maintain English language knowledge and skills required for qualitative fulfilment of service duties. In the course of the research the assessment of border guards' level of knowledge of English and analysis of English language courses provided by the SBG to border guards was carried out.*

**Key words:** *border guards, professional terminology in English, standardisation, improvement, requirements.*

## Introduction

Latvia's membership in the European Union (the EU) since 2004 and Schengen area since 2007 set a number of new tasks to the officials of the State Border Guard (SBG) – ensuring border control on the EU external border, participation in international joint operations, trainings, experience exchange events, meetings and informative events, which resulted in broadening the range of professional skills and competences SBG officials are required to have in order to fulfil the set tasks successfully. More and more often Latvian border guards are faced with situations when they have to be able to communicate with foreign travellers and colleagues. English as an international language gradually became the main medium of communication for border guards who have to fulfil their service duties in international environment. Thus the importance of the knowledge of English and professional terminology in English in particular increased considerably during the last years.

The conclusion - “although the overall improvement border guards' level of English knowledge and availability of online English language training materials were observed not all border guards were able to communicate effectively in English” - made by the Schengen evaluation commission on the results of the evaluation of the quality of the sea and air border control carried out in Latvia in 2013 (State Border Guard, 2013), made it obvious that the SBG had to find solutions for improvement of

border guards' level of English knowledge, providing border guards with the opportunity to acquire knowledge and skills necessary for successful communication with foreign travellers and colleagues.

The present paper summarizes the results of the research carried out from 2013-2015 with the aim to work out suggestions on the measures to be taken in order to provide the SBG officials with the possibility to acquire and maintain English language knowledge and skills required for qualitative fulfilment of service duties.

Since border guards are taught to use the English language knowledge and skills in a specific environment, that is for communication with persons who cross the border and colleagues from foreign countries, the research was based on the findings in the field of teaching English known as English for specific purposes, summarized namely in works of Paltridge and Starfield, Dudley-Evans and St.John, and Borszéli.

### **English language training for the SBG officials: the present situation**

In order to achieve the aim of the research - to work out suggestions on the measures to be taken in order to provide the SBG officials with the possibility to acquire and maintain English language knowledge and skills required for qualitative fulfilment of service duties – the following activities were carried out in the course of the research:

1. Assessment of border guards' level of knowledge of English (November- December 2013);
2. Analysis of English language courses provided by the SBG to border guards (2014-2015).

Following the Schengen evaluation commission's recommendation regarding the level of border guards' English knowledge the SBG delegated the State Border Guard College (SBGC) with the task to assess the English language knowledge of the SBG officials involved in border control, immigration control and criminal investigation activities.

*Assessment of border guards' level of knowledge of English* was carried out by means of a test. The test was prepared with assumption that the English language competence in its context was comprised of knowledge and ability to apply general English vocabulary, grammar structures and reading skill and the knowledge of basic border guards' professional terminology.

The test consisted of two parts: check of general English knowledge – Oxford Quick Placement Test and check of knowledge of border guards' professional terminology – task to translate 100 most commonly used border guard work related terms from Latvian into English.

Border guards' levels of general English knowledge were defined based on the results interpretation scale suggested by Oxford Quick Placement Test, which in its turn is based on ALTE (Association of Language testers of Europe) levels scale. The knowledge of border guards' specific terminology was assessed based on a 10-point grading system adopted in Latvia. The SBGC English language teachers were involved in the preparation and implementation of testing, the SBG territorial boards were responsible for defining and selecting border guards to be tested.

As a result, 1152 SBG officials from different SBG structural units participated in the test. One part of the officials who were tested often used English as a media of communication with travellers - these were border guards who served at border crossing points in Riga international airport or seaports, the other part of the tested SBG officials were border guards who served at border surveillance units and border crossing points on the EU external border with the Russian Federation and the Republic of Belarus and the use of English was not so important for them in carrying out service duties because the number of English speakers is relatively low on that part of the state border.

The results of the testing demonstrated that 55% of the officials who did the test had insufficient level of the knowledge of professional terminology in English (their performance in border guards' specific terminology check was evaluated as unsatisfactory) and 81% of the tested officials had a relatively low level of the knowledge of general English (beginner or elementary or A1-A2 according to Common European Framework of Reference for Languages of the Council of Europe in consideration of specific needs).

The results of the testing proved the observations made by the Schengen evaluation commission and conclusion that there was a need to find solutions for improvement of border guards' level of English knowledge.

*Analysis of English language courses provided by the SBG to border guards* was carried out with the aim to determine their benefits and weaknesses and identify the problem areas to be improved.

Being aware of the importance of English language knowledge in carrying out border control and border checks, the SBG as far as it was possible tried and still tries to organise English language courses for its staff. During the last decade border guards had an opportunity to attend a number of courses financed and implemented both by the SBG and within the frames of the EU financial support programmes.

The courses organised within the EU financial support programmes were implemented by private language schools and firms specialising on the organisation of language courses, unfortunately the information

regarding the content of the training programmes, training resources, teachers' professional background, duration of courses, etc. was not accessible during the research. Therefore only the English courses financed by the SBG itself and implemented by the SBGC, the only educational institution in Latvia providing vocational education and qualification improvement courses to the SBG officials, were analysed.

Being the 1<sup>st</sup> level higher professional education institution SBGC provides the SBG officials with the opportunity to improve their English language knowledge within border guards' professional English terminology subjects implemented in the frames of formal education programmes and two qualification improvement courses in border guards' professional English terminology.

The content of the English professional terminology subjects has been developed on the basis of the description of border guards' competence and recommendations regarding the content of English language training programmes included in Common Core Curriculum for EU Border Guard Basic Training (CCC) developed by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex). The CCC describes border guard's English competence and attitude towards the foreign language as follows: "A border guard is able to produce, understand and speak steadily and clearly, work-related phrases and dialogues in English concerning border checks and border surveillance situations. Border guard is aware that English language is important for daily tasks relating to border checks or border surveillance at air, land or sea borders. Border guard is prepared and ready to further improve their English skills. Border guard is able to use, in English, politely phrased greetings together with clearly and politely stated phrases related to basic border control. Border guard accepts the use of English in their daily work, when required" "(Common Core Curriculum, 2012).

It is also recommended that "border guards' English language proficiency is aimed level B1 level according to Common European Framework of Reference for Languages of the Council of Europe in consideration of specific needs" (Frontex Agency, 2012).

Thus all border guards who undergo border guards' basic preparation training have the opportunity to get basic knowledge of border guards' specific terminology.

The present research focused mainly on border guards' possibilities to further maintain the knowledge acquired within formal education programmes thus a deeper analysis of English language courses implemented as qualification improvement courses was carried out.

As it has been already mentioned the SBGC offers two qualification improvement courses in border guards' professional English terminology – intensive English professional terminology course “Carrying out border checks at seaport border crossing point” and “Professional English terminology e-learning”. The following aspects – topics covered within the courses, training materials, teachers' professional background, duration of courses, regularity and number of implemented courses, as well as the number of border guards who have been trained – were analysed. The information on the content of the courses, training and teachers' resources, duration and regularity of courses, as well as number of border guards trained is summarised in table 1.

**Table 1. English professional terminology courses implemented by the State Border Guard College**  
(Source: compiled by the author)

	<i>Course “Carrying out border checks at seaport border crossing point”</i>	<i>Course “Professional English terminology e-learning”</i>
<i>Topics covered</i>	1. Giving information about the service place. - Service tasks, duties - Service ranks - Infrastructure of a service place - Equipment 2. Interviewing persons who cross the border - Information in travel documents - Vessels documents 3. Border checks on vessels - Kinds of vessels, parts of vessels - Border check procedure 4. Non-standard and problem situations at border crossing point - Giving instructions Problems with documents - Refusal of entry - Imposing fines	1. Giving information about the service place - Service tasks, duties - Service ranks - Infrastructure of a service place - Equipment 2. Communication with persons who cross the border - Information in travels documents - Interviewing persons - Giving instructions, explanations - Imposing fines - Refusal of entry - Issuing visas 3. Professional terminology - Terminology in the EU and Schengen normative acts, terminology related to participation in joint operations
<i>Preliminary requirements</i>	Preliminary knowledge of English	A1 level
<i>Training materials</i>	Authentic materials (specimens of documents examined during	Training materials developed by the teachers of the State Border

	the border check on crews and vessels), teacher's developed materials	Guard College and Frontex experts with the focus on border guards' specific needs
<i>Duration</i>	2 weeks, 76 hours	13 weeks, 18 contact hours
<i>Form of training</i>	Traditional, face-to face in class training	E-learning combined with progress and final assessment in a form of traditional face-to face in class training
<i>Teachers' background</i>	Teachers with Border Guard background, border guards on service with more than 10 years of teaching experience	Teachers with Border Guard background, border guards on service with more than 10 years of teaching experience
<i>Regularity/ number of courses</i>	3 courses were organised in 2014 and 2015	5 courses have been organised in 2011-2015
<i>Number of border guards trained</i>	24	130

In the result of the analysis it was concluded that the English language courses offered by the SBGC are characterised as English for specific purposes courses (ESP). ESP according to Jeremy Day and Mark Krzanowski “involves teaching and learning the specific skills and language needed by particular learners for a particular purpose. The purpose in ESP is always a professional purpose – a set of skills that learners currently need in their work or will need in their professional careers”. (Day and Krzanowski, 2011, p.5). The topics covered during the courses are purely border guards specific, with a very small emphasis on general English.

The following benefits and weaknesses of the analysed courses were pointed out:

- Benefits:
  - SBG provides its staff with the opportunity to improve the knowledge of border guards' professional terminology in English;
  - experienced tutors with border guard background are involved in the development and implementation of the courses;
  - the content of courses and training materials being developed based on the border guards' specific needs, a wide range of authentic materials – specimens of documents, audio/video materials relevant to the topics are used;
  - the course “Professional English terminology e-learning” is implemented as an e-learning course combined with traditional classroom learning, which allows to the SBG to



save certain financial resources, which is required for the organisation of traditional face-to-face courses;

- Weaknesses:
  - the number and range of courses is very limited (only two);
  - the courses are not implemented on a regular basis;
  - due to limited financial resources, as well as training and accommodation facilities at the SBGC it is not possible to provide regular training to a big number of border guards, as a rule, when planning qualification improvement courses for a year priority is given to organisation of specific courses, e.g. document examination or use of border guard specific information data bases, etc.;
  - the existing courses do not provide the border guards with the possibility to continue their training and learning in the future. There is no any system of interrelated courses with succession from a lower level to a higher one, which is one of the preconditions for formation of consistent knowledge and skills, as one of the external factors, which affect the success of second language learning according to Krashen is “the time and the frequency available for the exposure to the target language” (Straková);
  - only one of the two courses – the course “Carrying out border checks at seaport border crossing point” - was developed with the focus on a specific sphere of border guards’ work, the e-learning course focuses on border guards’ professional terminology in general. As a result the needs of border guards working at land and airport border crossing points and in the Immigration service were not fully satisfied;
  - it was observed that occasionally border guards who did not meet the preliminary requirements for participation in a particular course were sent to the training;
  - not always border guards were motivated to participate in the course, especially in situations when their chiefs nominated them to the course or they did not use English in their everyday work.

### **Conclusions and suggestions**

To summarise the results of the research it was concluded that:

1. The average level of border guards’ English knowledge is comparatively low;

2. The SBG as an institution is aware of the importance to invest financial resources into professional improvement of its staff, as far as it is possible English language courses are organised both by the SBGC and in the frames of the EU financial support programmes;
3. The courses organised by the SBGC were developed based on the border guards' work specifics, the knowledge and skills focused within the courses generally meet border guards' needs;
4. The courses organised by the SBGC do not provide border guards with the possibility to continue language learning and constantly improve and maintain the acquired knowledge and skills, which could be one of the reasons why a big number of border guards demonstrated quite a low level of knowledge of general English and professional terminology during the testing done in 2013;
5. There is no strict system for the selection and nomination of participants for the courses, occasionally a part of border guards sent to the training did not need to use English in everyday work at all, e.g. officials working in border surveillance units. As a result the knowledge and skills they acquired during the courses faded over time and the finance for their training was spent inefficiently;
6. There is no any system of requirements regarding the level of foreign language knowledge obligatory for successful fulfilment of the service duties on the state border. It is important for an employee to be aware of the employer's requirements in relation to professional knowledge, skills and competence needed for taking a definite position. Knowing and being aware of the state of play regarding English language competence can be one of the reasons for higher motivation to improve the foreign language knowledge and competence. The importance of learner's motivation in foreign language learning has been stressed in numerous researches on the foreign language learning and acquisition. Gardner and MacIntyre define motivation "as the extent to which the individual works or strives to learn the language because of a desire to learn the language and the satisfaction experienced in this activity" (Ushida, 2005);
7. It is necessary to determine categories of border guards for whom it is obligatory to know English, which will allow to use available financial and training resources more rationally;
8. There is no data available on the impact of the training provided by the SBGC on the improvement of border guards' English competence and fulfilment of service duties.

The conclusions mentioned above are indicative of certain inefficiency of the existing approach of the SBG to the organisation and implementation of English language training for its personnel. One of the denouements for raising the border guards' English knowledge quality in author's opinion is the systematisation of the English language training process for border guards. Thus the following suggestions were put forward:

1. To systemise English language training within the SBG;
2. To determine the following categories of border guards for whom the knowledge of English and professional terminology in English is obligatory:
  - SBG officials involved in border control;
  - SBG officials involved in immigration control;
  - SBG officials who participate in international events (joint operations, training, working groups, etc.) organised by Frontex and other international institutions;
3. To define three levels of knowledge of professional terminology in English as follows:
  - 1<sup>st</sup> level of knowledge of professional terminology in English for the SBG junior inspectors and inspectors, corresponding to the level of knowledge acquired within the further professional education programme "Border guarding";
  - 2<sup>nd</sup> level of knowledge of professional terminology in English for the SBG junior officers, corresponding to the level of knowledge acquired within the 1<sup>st</sup> level higher professional education programme "Border guarding";
  - 3<sup>rd</sup> level of knowledge of professional terminology in English for the SBG senior officers and officials who participate in international events (joint operations, training, working groups, etc.) organised by Frontex and other international institutions, corresponding to the level of knowledge acquired within the 2<sup>nd</sup> level higher professional education bachelor programme "Border guarding";
4. To work out descriptors for each of the three levels of knowledge of professional terminology in English;
5. To establish a common register (data base) of SBG officials who are required to have the knowledge of professional terminology in English of a certain level, with the up to date information regarding type of training and examinations passed in order to make it possible to follow their progress in foreign language, to make the selecting and nominating candidates to language courses easier and more accurate. The personnel management system "Horizon" can be used for this purpose;

6. To determine that SBG provides training in professional terminology in English to border guards for whom knowledge of English and professional terminology in English is obligatory;
7. To determine the procedure for regular controls to be carried out with the purpose to verify if border guards for whom the knowledge of English and professional terminology in English is obligatory have the appropriate knowledge level;
8. To develop a system of courses of different levels and specialisation in border guards' professional terminology to open up the opportunities for border guards to receive continuous training and improve their knowledge of specific English;
9. To carry out a deeper research on the quality of training courses in professional terminology in English offered by the SBGC and their impact on border guards' level of knowledge and skills (analysis of course results, questionnaires for the participants of the courses, border guards' retesting in professional terminology in English).

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