

## Standard Summary Project Fiche for the Transition Facility

### 1. Basic Information

**1.1. CRIS Number: : 2006/018-118-01-03**

**Twinning Contract: LV/2006/IB/JH/03**

**1.2. Title: Improvement of Circulating, Processing and Safekeeping of Immigration Case Files**

1.3. Sector: Justice and Home Affairs

1.4. Location: Latvia

Office of Citizenship and Migration Affairs (OCMA)  
Ministry of Interior

### 2. Objectives

2.1. Overall Objective

Security of personal data during circulation of immigration case files.

2.2. Project Purpose

To provide efficient protection of personal data and other immigration records in the process of circulating, processing and storing them at the Office of Citizenship and Migration Affairs.

2.3. Justification

- Reference to Section 24 of the Monitoring Report of the European Commission for the year 2003;
- Law on Freedom of Information;
- Law on Personal Data Protection.

### 3. Description

3.1. Background and justification:

The legislation acts in force in the Republic of Latvia (Law on Freedom of Information and Law on Personal Data Protection) provide restricted access to individuals' personal data and protect it.

Conclusions of Section 24 of the Monitoring Report of the European Commission for 2003 state that Latvia partially meets the requirements and commitments in the field of data protection. It is stressed in section 24 of the Report that data protection is considered one of the priorities in strengthening administrative capacity, thus it is necessary to continue improving infrastructure, staff selection and training.

The aforementioned National Program "The Development and Improvement of Infrastructural Base for Electronic Management" aims at improving current national information systems and developing new ones by integrating them within the united national information system, stimulating development of e-offices and advancing the work of national offices.

In September 2004 a new computerized system of Population Register and accounting of Migration - Common Migration Information System (CMIS) - was put into practice. This System foresees accumulating, processing and storing the information on the Population Register, on work permits, residence permits, invitations, banned entries and asylum seekers, as well as on the immigration cases related to the above. Within the framework of European Regional Assistance Fund's (ERDF) National Program Project "Digitalization of Population Accounting and Migration Process Documentation" a unified digital archive with CMIS is being developed for storing documentation on the migration process of Latvian residents and foreign nationals.

However, the above mentioned project comprises only part of the cases of the Office of Citizenship and Migration Affairs (OCMA) (as at January 2005 the total number of cases was approx. 168 500). CMIS does not include the cases related to identifying or changing the legal status, issuing return [decisions](#), doing background checks on the individuals to be naturalized, all of whom comprise a considerable number of cases of the OCMA (approx. 99 000 cases - approx. 4 027 000 pages).

Archived documents on immigration cases should be accessible to all structural units of the OCMA for taking respective decisions (also, in order to avoid situations when one and the same document has been required from a person several times), as well as to other state institutions for getting information. In order to obtain the information, transfer of documents from one storage facility to another must be ensured. However, sufficient data security is not provided when transferring documents from one location to another, or when keeping them in separate storage facilities in structural units of the OCMA.

In order to ensure the proper usage of immigration case files, taking into account the different levels of access to files, it is necessary to improve security of personal data by elaboration and application of a respective Action Plan. It is also necessary to increase the capacity of the OCMA personnel by providing training on the terms and procedures to be observed in the everyday work in order to ensure security of personal data in the process of circulating, processing and storing the immigration case files.

In addition, it is also necessary to evaluate the legislative acts in this field and propose/draft amendments, if necessary. Consequently, it is vital that the personnel of the OCMA have acquired professional skills to work with immigration case files meeting the data protection requirements (technical and legal).

Therefore, it is necessary to improve personal data digitalisation started within the framework of the ERDF National Program Project "Digitalization of Population Accounting and Migration Process Documentation", to provide protection of personal data even for persons, whose information is not included in the Population Register. Law enforcement and State security institutions need information about people whose status is being checked and/or application is being processed. This information is needed in a short period of time and it should be as extensive as possible.

Within the framework of the ERDF National Program Project "Digitalization of Population Accounting and Migration Process Documentation" a specialized document archives processing system would be procured that later can be upgraded by customizing the necessary software and securing new licences.

All issues related to the implementation of the project were discussed in cooperation with the State Data Inspectorate.

### 3.2. Related activities

- European Regional Development Fund (ERDF) programme “Development and Improvement of Infrastructure Base for Electronic Management”. Within the framework of the aforementioned programme the project “Digitalization of Population Accounting and Migration Process Documentation” (project No.VPD1/ERDF/CFLA/04/NP/1.3.1./000013) was elaborated. The aim of the project is the establishment of the Unified digital documentation archive on the registration of the migration processes of the residents of Latvia and foreigners, where the receipt, processing, application and usage of the information on the individuals, as envisaged in the legislation, will be provided both in a paper form, and electronically. In its framework it is envisaged to develop the establishment of the information system of the documentation digitalization of the Population Registration and processing of the electronic documentation, as well the introduction and integration of a central module of that system.
- Phare 2002 Twinning Project No.LV/2002/IB/OT-01 “Data State Inspection”. The basic purpose of the Phare project is to elaborate the amendments to normative acts so that Latvian legislation would comply with the requirements of the Directive 95/46/EK, and in order to strengthen the capacity of inspection employees.

### 3.3. Results:

#### Twining:

- Evaluated legislative acts in the field of immigration and data protection and, if necessary, amendments drafted;
- Drafted Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files;
- Trained OCMA personnel involved in creating the electronic platform for handling immigration case files;
- Increased knowledge of OCMA personnel about the technical requirements for ensuring security of personal data in the process of circulating, processing and storing the immigration case files.

### 3.4. Activities

#### Twining:

- to organize examination of the existing security measures for protecting personal data in the process of circulating, processing and storing of immigration case files;
- to organize exchange visit to gain experience on processing, circulating and storing of immigration case files, 5 people for four days;
- to organize exchange visit to gain experience for technical personnel of OCMA regarding the technical requirements (the terms and procedures to be observed) for developing the electronic archive for immigration case files, 5 people for four days;

- to organize training for the technical personnel of OCMA regarding the necessary software and other technical requirements (the terms and procedures to be observed) for developing the electronic archive for immigration case files;
- to organize expert consultations and training of personnel;
- to draft an Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files;
- to organize seminars for personnel on processing of immigration case files and on personal data security in circulating, processing and storing of immigration case files;
- to evaluate legislative acts in the field of immigration and data protection and, if necessary, amendments drafted

Means:

Project Leader:

- at least five-years experience in the field of data protection and processing of immigration case files (high ranking official);
- experience of design and implementation of training programmes;
- experience in planning and organizational development;
- University degree;
- Fluency in English.

Resident Twinning adviser (RTA) - 12 months (overall coordination of the project):

- Public servant with at least 5-year experience in the field of migration;
- knowledge and practical experience on the EU legislation related to personal data protection;
- knowledge on the development of electronic archives and personal data protection in circulating, processing and storing of immigration case files;
- experience in the elaboration of strategic documents, planning and organisational development;
- experience in the project management;
- experience in training of personnel;
- Fluency in English.

Short-term expertise (STE) - 5 months

- Public servants/mandated staff with at least 5-year experience in the field of development for electronic archives (for immigration case files) and programming;
- experience in the elaboration of an Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files;
- knowledge on personal data protection in development of electronic archives (for immigration case files);
- Fluency in English.

### 3.5. Lessons learned

- The previous experience gained during implementation of *Phare* projects in the area of home affairs has shown that the project “ownership” needs to be increased – there has to be strong involvement of the beneficiary and responsible institutions in the management of the project activities and overall co-ordination and monitoring of the project. Therefore, on the basis of the previous experience and the recommendations expressed in the JMC meetings, coordination and monitoring will be specifically fostered through the Steering committee that will be established shortly after the adoption of the TF programme for 2006 thus ensuring continuous monitoring of the implementation of the project throughout its lifetime.
- In addition, following recommendations expressed during Interim Evaluation, more thorough analysis of risks and implementation time schedule will take place during the project implementation phase.
- In accordance with the recommendations expressed during Interim Evaluation all the necessary actions will be taken in order to ensure optimization of the project cycle by shortening preparation phase of the project thus leaving more time for actual implementation of the project.

## 4. Institutional Framework

The Project will be implemented in the following institutional framework:

The overall responsibility for the project lies with the OCMA of the Ministry of the Interior (MoI). OCMA is the main beneficiary. The main partner in the project is the Data State Inspection of the Ministry of Justice.

In order to ensure smooth implementation of the project, the Steering Committee will be established including representatives from aforementioned institutions as well as from SPO, NAC, NAO, PAO (Central Finance and Contracting Agency) and the Administrative Office for the Twinning projects. Representatives from other organizations taking part in the implementation phase, i.e., State Border Guard, the Consular Department of the Ministry of Foreign Affairs and State Archives will attend the Steering Committee. The Steering Committee will meet once a quarter during the preparation and implementation phase of the project.

Changes in the aforementioned institutional framework resulting from the project are not foreseen.

## 5. Detailed Budget

| MEUR | Transition Facility (TF) Support |                      |                  | Co-financing support   |                 |                                   | Total (TF plus co-financing) |
|------|----------------------------------|----------------------|------------------|------------------------|-----------------|-----------------------------------|------------------------------|
|      | Investment support               | Institution Building | Total TF (=I+IB) | National Public Funds* | Other Sources** | Total co-financing of the project |                              |
|      |                                  |                      |                  |                        |                 |                                   |                              |

|                     |  |            |            |  |  |  |            |
|---------------------|--|------------|------------|--|--|--|------------|
| Twinning Contract 1 |  | 0.3        | 0.3        |  |  |  | 0.3        |
| <b>Total</b>        |  | <b>0.3</b> | <b>0.3</b> |  |  |  | <b>0.3</b> |

\*contributions from National, Regional, Local, Municipal authorities, FIs loans to public entities, funds from public enterprises.

\*\*private funds, FIs loans to private entities.

*Contributions from the Latvian administration for effective implementation of the twinning/twinning light/TA may be further detailed in the twinning contract/Terms of references.*

*VAT does not constitute eligible expenditure except where it is genuinely and definitely borne by the final beneficiary. VAT which is considered recoverable, by whatever means, cannot be considered eligible, even if it is not actually recovered by the final beneficiary or individual recipient.*

## **6. Implementation Arrangements**

### 6.1. Implementing Agency

Implementing agency of the project will be the Central Finance and Contracting Agency of the Ministry of Finance (CFCA). CFCA will be responsible for the financial and administrative management of the project in accordance with the Extended Decentralized Implementation System (EDIS).

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The overall responsibility on technical implementation is under the Ministry of Interior:

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Latvian Project leader

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6.2. Twinning:

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Contact person for Twinning will be:

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6.3. Non-standard aspects

No non-standard aspects regarding the implementation of the project are foreseen. The project will be implemented through EDIS.

Ratio: if the project costs decrease for some reason during the implementation, the TF financing will also decrease proportionally.

6.4. Contracts

Contract I – Twinning Covenant: 300`000 EUR  
(Parallel in kind co-financing will be ensured as stated in the Twinning Contract);

**7. Implementation Schedule:**

|            | Call for proposals           | Start of project activity    | Project completion           |
|------------|------------------------------|------------------------------|------------------------------|
| Contract I | 4 <sup>th</sup> Quarter 2006 | 1 <sup>st</sup> Quarter 2007 | 4 <sup>th</sup> Quarter 2007 |

## 8. Sustainability

For the complete development of Improvement of Circulating, Processing and Safekeeping of Immigration Case files within the OCMA, it is foreseen to continue the activities in this field according to the Common Asylum and Migration Management Development Strategy. OCMA/MoI will provide the support to maintain the developed system and the necessary financial resources will be foreseen to be included in the budget of the OCMA.

## 9. Conditionality and sequencing

ERDF Project of National Programme project “Digitalization of Population Accounting and Migration Process Documentation” has been implemented.

### **ANNEXES TO PROJECT FICHE:**

1. Logical framework matrix in standard format;
2. Detailed implementation chart;
3. Contracting and disbursement schedule by quarter for the full duration of the programme (including disbursement period);
4. Detailed budget breakdown.

### ANNEX 1 Logical framework matrix in standard format

| LOGFRAME PLANNING MATRIX FOR Project: <b>Improvement of Circulating, Processing and Safekeeping of Immigration Case Files</b>   |  | Programme name and number   |   |
|---|--|---|---|
|   |  | Contracting period expires:   | Disbursement period expires:  |
|   |  | Total budget : <b>0.300MEUR</b>   | TF budget: <b>0.300MEUR</b>   |
| <b>Overall Objective</b><br>Security of personal data during circulation of immigration case files  | <b>Indicators of Achievement</b><br>- Improved security of personal data during circulating, processing and storing the immigration case files.  | <b>Sources of Information</b><br>- official reports on project implementation;<br>- Annual Report of the European Commission on the situation in the field of immigration and asylum. |   |
| <b>Project Purpose</b><br>To provide efficient protection of personal data and other immigration records in the process of circulating, processing and storing them at the Office of Citizenship and Migration Affairs.   | <b>Indicators of Achievement</b><br>- drafted Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files  | <b>Sources of Information</b><br>- OCMA Annual Public Reports;<br>- Annual Report of Data State Inspectorate;<br>- www.pmlp.gov.lv  | <b>Assumptions</b>  |
| <b>Results</b><br><u>Twinning:</u><br>- Increased knowledge of OCMA personnel about the technical requirements for ensuring security of personal data in the process of circulating, processing and storing the immigration case files;<br>- Trained OCMA personnel involved in creating the electronic platform for handling immigration | <b>Indicators of Achievement</b><br>- timely training seminars;<br>- number of individuals participating in trainings;<br>- number of individuals to be trained;<br>- drafting an Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files;<br>- amendments to legislative acts evaluated and submitted for approval by date. | <b>Sources of Information</b><br>- official reports on project implementation;<br>- Reports from trainers;<br>- Twinning quarter reports.   | <b>Assumptions</b><br>- human resources are available for the implementation of the project;<br>- personnel involved in the project implementation is sufficiently trained;<br>- Trainers are sufficiently skilled. |

|   |   |  |  |
|---|---|--|--|
| <p>case files;</p> <ul style="list-style-type: none"> <li>- Drafted Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files;</li> <li>- Evaluated legislative acts in the field of immigration and data protection and, if necessary, amendments drafted</li> </ul>   |   |  |  |
| <p><b>Activities</b><br/><u>Twinning:</u></p> <ul style="list-style-type: none"> <li>- to organize examination of the existing security measures for protecting personal data in the process of circulating, processing and storing of immigration case files (1<sup>st</sup> Quarter 2007);</li> <li>- to organize exchange visits to gain experience on processing, circulating and storing of immigration case files, 5 people for four days, (April 2007);</li> <li>- to organize exchange visits on legislative acts in the field of immigration and data protection, 5 people for four days, (June 2007);</li> <li>- to organize expert consultations and training of personnel (year 2007);</li> <li>- to draft an Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files (July,</li> </ul> | <p><b>Means</b></p> <ul style="list-style-type: none"> <li>- Twinning:</li> <li>- Resident Twinning adviser (RTA) - 12 months;</li> <li>- Short-term expertise (STE) - 5 months;</li> <li>- training courses;</li> <li>- number of training lessons for personnel.</li> </ul> |  | <p><b>Assumptions</b></p> <ul style="list-style-type: none"> <li>- National financing has been allocated.</li> </ul> |

|  |  |   |  |
|--|--|---|--|
| <p>August 2007);</p> <ul style="list-style-type: none"> <li>- to organize seminars for personnel on processing of immigration case files and on personal data security in circulating, processing and storing of immigration case files (4<sup>th</sup> Quarter 2007);</li> <li>- to evaluate legislative acts in the field of immigration and data protection and, if necessary, amendments drafted (November, December 2007).</li> </ul> |  |   |  |
|  |  | <p><b>Preconditions</b><br/> ERDF Project of National Programme project “Digitalization of Population Accounting and Migration Process Documentation” has been implemented.</p> |  |

## ANNEX 2 Detailed implementation chart

|   | 2007 |   |   |   |   |   |   |   |   |   |   |   |
|---|------|---|---|---|---|---|---|---|---|---|---|---|
|   | J    | F | M | A | M | J | J | A | S | O | N | D |
| <b>Institutional Building</b>   |      |   |   |   |   |   |   |   |   |   |   |   |
| <b>Twinning</b>   | x    | x | x | x | x | x | x | x | x | x | x | x |
| <b>Resident Twinning adviser (RTA)</b><br>12 m/m  | x    | x | x | x | x | x | x | x | x | x | x | x |
| Examination of the existing security measures for protecting personal data in the process of circulating, processing and storing of immigration case files    | x    | x | x |   |   |   |   |   |   |   |   |   |
| Exchange visits to gain experience on processing, circulating and storing of immigration case files (5 people for four days)                                  |      |   |   | x |   |   |   |   |   |   |   |   |
| Exchange visits to gain experience on legislative acts in the field of immigration and data protection,(5 people for four days)                               |      |   |   |   |   | x |   |   |   |   |   |   |
| Expert consultations and training of personnel  | x    | x | x | x | x | x | x | x | x | x | x | x |
| Evaluated legislative acts in the field of immigration and data protection and, if necessary, amendments drafted  |      |   |   |   |   |   |   |   |   |   | x | x |
| <b>Short term expertise (STE)</b><br>5 m/m  | x    | x |   |   |   |   |   |   |   | x | x | x |
| Seminars for personnel on processing of immigration case files and on personal data security in circulating, processing and storing of immigration case files |      |   |   |   |   |   |   |   |   | x | x | x |
| Drafting an Action Plan for ensuring security of personal data in circulating, processing and storing of immigration case files                               |      |   |   |   |   |   | x | x |   |   |   |   |

**ANNEX 3 Cumulative contracting and disbursement schedule (EUR)**

|  | 2007   |    |     |    | 2008   |    |     |    |
|--|--------|----|-----|----|--------|----|-----|----|
|  | I      | II | III | IV | I      | II | III | IV |
| <b>Contract I– Twinning Covenant *</b> |        |    |     |    |        |    |     |    |
| Contracted total:                      | 300000 |    |     |    |        |    |     |    |
| TF:                                    | 300000 |    |     |    |        |    |     |    |
| Disbursed total:                       | 240000 |    |     |    | 300000 |    |     |    |
| TF:                                    | 240000 |    |     |    | 300000 |    |     |    |

\* Parallel co-financing

**ANNEX 4 Indicative Detailed Budget Breakdown**

|  |   | <b>TF</b>             | <b>Support</b>          |                     |                |
|--|---|-----------------------|-------------------------|---------------------|----------------|
|  | Detailed budget   | Investment<br>Support | Institution<br>Building | Total TF<br>(=I+IB) | TOTAL          |
| <b>Contract I</b><br><i>Twining</i><br><i>Covenant</i> | RTA (12 m/m):<br>150 000<br>STE (5 m/m):<br>70 000<br>Training sessions<br>(7):<br>50 000<br>Traineeships:<br>20 000<br>Translation/<br>interpretation:<br>6 000<br>Audit costs:<br>4 000 |                       | 300 000                 | 300 000             | 300 000        |
| <b>Total</b>   | <b>300 000</b>  |                       | <b>300 000</b>          | <b>300 000</b>      | <b>300 000</b> |