

Enlargement, Kaliningrad: specific Facilitated Transit Document (FTD), Facilitated Rail Transit Document (FRTD), Common Consular Instructions and Common Manual

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This document represents the Commission's report on the Facilitated Transit Document/Facilitated Rail Transit Document (FTD/FRTD) system, as required by Article 13 of Regulation 693/2003/EC. The report is based on replies from the Russian Federation and Lithuania to a questionnaire established by the Commission services, which also undertook an in-site examination of the FTD/FRTD scheme in March 2006.

Regulation 693/2003/EC sets out the basic principles for the functioning of the FTD/FRTD scheme and the practical details have been established by a bilateral agreement on the procedure of issuance of FRTDs between the Russian Federation and Lithuania and Regulation N361, adopted by the Russian Federation.

To recall, the FTD is issued to Russian citizens travelling frequently by land from Kaliningrad region to the mainland and vice versa. It allows for multiple-entry transit and can be valid for up to several years. The price of the FTD is fixed at 5 EUR. The FRTD has been created for rail passengers and is valid exclusively for direct transit between Kaliningrad and the Russian mainland for a single return transit (entry-return). The issuing procedure is facilitated and it is given for free. A Russian citizen wishing to travel by train with an international passport should receive an FRTD affixed in his passport. The bearer of Russian internal passports would however receive an FRTD affixed on a separate sheet as set out in Regulation 333/2002/EC. From 1.1.2005 Russian nationals are required to have an international passport to which the FRTD sticker can be affixed. Bearers of an FRTD would not alight in Lithuania and the duration for each transit would be limited in time to 6 hours per transit.

The most popular means of transport from Kaliningrad to mainland Russia and back is train (70%) followed by car (20%) and plane (10%). On average 1.5 million persons travel annually to/from Kaliningrad using all means of transport, a vast number considering that the population of the Oblast is around one million. The FTDs are mainly used by Russian nationals from mainland Russia. The majority of the Kaliningrad Russian citizens travel with FRTDs. However, it is more convenient for them to obtain a Lithuanian visa that grants the possibility not only to travel in transit but also to visit

Lithuania. The procedures to obtain these visas and the FTD are very similar but the FTD has a EUR 5 fee while the Lithuanian visas for the Kaliningrad residents are free of charge. This explains why the number of Lithuanian visas issued to the Kaliningrad residents is two-three times higher than the FTDs. On the other hand, the requirement introduced in April 2005 to have compulsory health insurance in order to receive a Lithuanian visa (this is not required for obtaining an FTD) will also contribute to an increase in the demand for FTDs.

The Commission feels that the system runs smoothly and that no major problems occurred. It was noticed that the FRTDs are not affixed in the Russian passport but always on a separate sheet. With this procedure the FRTD can be thrown away and requested again several times, without filling up the passport. However a disadvantage is that frequent travelling, where an FTD would be more appropriate, is less identifiable.

This may happen frequently as the FRTD is easier to obtain (at the station) and it is free of charge whereas the FTD is for multiple trips and should be applied for at the consular office at a cost of 5 EUR. It also explains why the number of issued FTDs is so low.

The Lithuanian and Russian sides have acknowledged the good functioning of the facilitated transit regime. No major problems were noticed, and there were so no delays in delivering FRTDs and FTDs.

However, Russia has said that, since the coming into force of the facilitated transit regime, it has noticed a passenger drop of about 30 %, which leads to a loss of 122 million Roubles for the national train company. Neither Lithuanian nor Russian authorities have clearly defined the reasons for this reported decrease in the number of passengers travelling by trains.

Conclusions: the Commission is pleased that 3 years after its entry into force the facilitated transit system is running smoothly and both partners are satisfied with the implementation. Whilst minor issues could be improved, they mainly relate to bilateral arrangements between Lithuania and Russia. The FTD/FRTD system seems also to fulfil the requirements of the Schengen acquis as no illegal immigration under this scheme has been noted.

Therefore the Commission sees no need to change the system. In a long term perspective, the facilitated transit regime would depend on the future development of visa policy arrangements between EU and Russia. The Commission will continue to support the transit scheme financially by the External Borders Fund.

Two points remain to be further examined. However they do not affect the efficiency of the FTD/FRTD scheme as a tool to manage the Kaliningrad transit.

(1) the FRTD is affixed on a separate form and not as required by Regulation 693/2003/EC in the passport of the person travelling. As a consequence it cannot be identified whether the FRTD is used for a single return trips or frequent trips. The correct application would also enhance the requests for FTDs as they can be obtained for multiple trips at the costs of EUR 5.

(2) the question of shortening border control formalities could be discussed further on a bilateral basis if Lithuanian, Russian and Byelorussian authorities are interested. This would be possible without reopening the discussion on the transit scheme or changes to the Regulation. Two possibilities appear feasible:

- to have one stop rather than two stops (one on each side of the border). Border authorities of both countries would carry out their controls simultaneously, or
- to provide for an arrangement where both sides carry out their controls while the train is travelling.