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NOTE

From:	General Secretariat of the Council
To:	National Parliaments
Subject:	Council Implementing Decision setting out a recommendation addressing the deficiencies identified in the evaluation of Croatia in view of fulfilling the conditions necessary for the application of the Schengen acquis in the field of the Schengen Information

In accordance with Article 15(3) of Council Regulation 1053/2013 of 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, the Council hereby transmits to national Parliaments the Council Implementing Decision setting out a recommendation addressing the deficiencies identified in the evaluation of Croatia in view of fulfilling the conditions necessary for the application of the Schengen acquis in the field of the Schengen Information System¹.

¹ Available in all official languages of the European Union on the Council public register, doc. [11185/18](#)

Council Implementing Decision setting out a

RECOMMENDATION

addressing the deficiencies identified in the evaluation of Croatia in view of fulfilling the conditions necessary for the application of the Schengen acquis in the field of the Schengen Information System

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 1053/2013 of 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 Schengen², and in particular Article 1(1)(b) and 15(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

The purpose of this decision setting out a recommendation is to recommend to Croatia remedial actions to address the deficiencies identified during the Schengen evaluation of the conditions necessary for the application of the Schengen acquis in the field of the Schengen Information System (SIS) carried out in 2017. Following the evaluation, a report covering the findings and assessments, listing best practices and deficiencies identified during the evaluation was adopted by Commission Implementing Decision C(2018)1140.

² OJ L 295, 6.11.2013, p. 27.

The SIS end-user applications have quick response times, are user-friendly and contain automatically generated hit reporting forms enabling quick and efficient responses. The display of misused identity cases in the police application MUP is clear and enables end-users to easily distinguish the victim from the perpetrator. The SIRENE Bureau case management system contains a well-developed tool for automatic production of statistical reports. The SIRENE Bureau monitors through a dashboard the quality of data entered into SIS and plays a key role in the training of end-users.

In light of the importance of complying with the Schengen acquis, in particular with the obligation to ensure that a search in a national copy of the SIS produces a result equivalent to that of a search in the CS-SIS database and to adopt necessary security measures, priority should be given to implement measures 1, 2, 3, 4, 5 and 6 below.

This decision should be transmitted to the European Parliament and to the national parliaments.

Within three months of its adoption, Croatia should, pursuant to Article 16(1) of Regulation (EU) No 1053/2013, establish an action plan to remedy the deficiencies identified in the evaluation report and submit it to the Commission and the Council,

HEREBY RECOMMENDS:

that Croatia should

1. further develop the police end-user application MUP, namely to:
 - (a) ensure that it is possible to search for persons via only the surname and year of birth;
 - (b) ensure that it is possible to search for industrial equipment via only one mandatory search parameter;
 - (c) implement the 'any name' search functionality;
 - (d) ensure that it is possible to search for alerts on objects with punctuation marks;

- (e) ensure that it is possible to search for alerts on vehicles with non-standard VIN number;
- (f) ensure that linked alerts are always displayed to end-users; and
 - (g) display fingerprints and European Arrest Warrants (EAWs) or provide an indication as to the existence of such binary data;
- 2. further develop the border application NMBIS to display links;
- 3. ensure that fingerprints are uploaded in SIS in accordance with the quality standards related to the SIS AFIS;
- 4. insert alerts in SIS of all stolen vehicles, regardless of their age;
- 5. ensure that that all data stored in the national copy are identical to and consistent with the SIS central database;
- 6. prevent the use of private USB sticks in workstations at the Croatian N.SIS;
- 7. further develop the **SIRENE** case management system, namely to:
 - (a) link it to the N.SIS enabling speedier processes for case verification;
 - (b) ensure that all incoming A and M forms are automatically checked against the national databases;
 - (c) ensure that a new case is created within the workflow for all Croatian alerts on which a hit was achieved in another Member State as well as for all hits in Croatia on foreign alerts so that relevant forms can be easily located; and
 - (d) make it possible to send forms related to deleted alerts;

8. ensure that the SIRENE Bureau clears all existing backlogs in the creation of SIS alerts, particularly in relation to national alerts existing before the entry into operation of SIS concerning missing persons and persons subject to a European Arrest Warrant;
9. improve the process at the SIRENE Bureau for creating alerts for arrest by reducing the numerous manual steps currently required, in order to better guard against discrepancies and human error;
10. amend the current practice at the SIRENE Bureau whereby a case can ordinarily only be dealt with by a single SIRENE operator;
11. consider the greater use of mobile equipment and devices for searching SIS in the field;
12. further develop the border application NMBIS so that warning markers are displayed on the first screen containing the list of potential results;
13. further develop the police application MUP so that the contact details of the SIRENE Bureau are always displayed for all alerts, and to ensure that the list of potential results are ranked in a more accurate way to guard against misleading end-users;
14. provide end-users the possibility to create links between persons and objects for all alert types; and
15. amend the process at the borders whereby individuals subject to discreet check alerts for immediate reporting are held pending further instructions from the SIRENE Bureau, in order to ensure the discreet nature of the check is not compromised.

Done at Brussels,

*For the Council
The President*
