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From: General Secretariat of the Council

On: 16 July 2020

To: Delegations

No. prev. doc.: 9087/20

Subject: Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of the Republic of **Poland** on the application of the Schengen acquis in the field of **police cooperation**

Delegations will find enclosed the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2019 evaluation of the Republic of Poland on the application of the Schengen acquis in the field of police cooperation, adopted by written procedure on 16 July 2020.

In line with Article 15(3) of Council Regulation (EU) No 1053/2013 of 7 October 2013, this Recommendation will be forwarded to the European Parliament and national Parliaments.

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2019 evaluation of the Republic of Poland on the application of the Schengen acquis in the field of police cooperation

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 Schengen¹, and in particular Article 15 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The purpose of this Decision is to recommend to Poland remedial actions to address deficiencies identified during the Schengen evaluation in the field of police cooperation carried out in 2019. 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(2020) 900.
- (2) In light of the importance of complying with the Schengen *acquis*, in particular the requirements for both swift information retrieval and exchange and a level playing field as regarding the cross-border operational framework, priority should be given to implementing recommendations 1, 2 and 3 below.

¹ OJ L 295, 6.11.2013, p. 27.

- (3) This Decision should be transmitted to the European Parliament and to the parliaments of the Member States. Within six months of its adoption, the evaluated Member State should, pursuant to Article 16(8) of Regulation (EU) No 1053/2013, establish an action plan listing all recommendations to remedy any deficiencies identified in the evaluation report and provide that action plan to the Commission and the Council,

HEREBY RECOMMENDS:

that Poland should:

1. Raise awareness about the availability and functionalities of EU/international databases by providing more in-depth continuous training to all police officers on international police cooperation and the use of international databases (including user-friendly e-learning platforms).
2. Improve transliteration and fuzzy logic searches as well as user-friendliness of the single search interfaces (SPP and SWD).
3. Provide clear and unambiguous instructions regarding actions to be taken following hits in the EU/international databases.
4. Deploy the workflow system of the Single Point of Contact (SPOC) to the Police and Customs Cooperation Centres (PCCCs), Polish liaison officers and to the Contact Officers for international police cooperation in the regions.
5. Adopt clear guidelines for services dealing with international police cooperation on the choice of the communication channel for international police cooperation such as SIS/SIRENE, Interpol, SIENA, Police and Customs Cooperation Centres (PCCC), liaison officers.

6. Develop an inclusive risk assessment strategy if possible with the input from all law enforcement authorities with a view to create strategic products in order to identify criminal threats, risks and support tactical planning at a local, regional and national level as well to support international cooperation.
7. Deploy SIENA to the National Revenue Administration.
8. Roll out SIENA Basic Protection Level to the Police and Customs Cooperation Centres (PCCCs) as soon as this version is made available.
9. Promote the use of Interpol online translation tool.
10. Improve the workflow system for the automation of search of data inserted into it from incoming requests in the national databases.
11. Develop a control and monitoring mechanism in the Single Point of Contact (SPOC) workflow system.
12. Integrate the Interpol's Stolen and Lost Travel Documents (SLTD) database into the single search interfaces (SPP and SWD).
13. Grant Police liaison officers direct access to national police databases.
14. Raise awareness of the potential of the Swedish Framework Decision.
15. Raise awareness about the access for law enforcement purposes to biometric data in Visa Information System (VIS)¹.
16. Initiate discussions with the Czech Republic in order to extend the scope of the bilateral police cooperation agreement to the cross-border surveillance.

¹ In line with the Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (the VIS Decision).

17. Evaluate the added value of the Police and Customs Cooperation Centres (PCCCs) on the Lithuania, Slovakia and Czech Republic borders in light of their limited workload.
18. Enhance the use and role of the Contact Officers for international police cooperation at the regional level for a more comprehensive involvement and promotion of police cooperation, i.e. via training and use of international tools on the regional level.
19. Develop specific training for Single Point of Contact (SPOC) / Police and Customs Cooperation Centres (PCCC) staff and for the liaison officers.
20. Create structured and user-friendly national police intranet including relevant information on international police cooperation.

Done at Brussels,

For the Council

The President