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From: General Secretariat of the Council
On: 12 July 2016
To: Delegations

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Subject: Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis by Poland in the field of management of the external land border with Ukraine

Delegations will find in the Annex the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis by Poland in the field of management of the external land border with Ukraine, adopted by the Council at its 3480th meeting held on 12 July 2016.

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 2015 evaluation on the application of the Schengen acquis by Poland in the field of management of the external land border with Ukraine

THE COUNCIL 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 Recommendation is to recommend to Poland remedial actions to address deficiencies identified during the Schengen evaluation in the field of management of the external land border with Ukraine carried out in 2015. Following the evaluation, a report covering the findings and assessments and listing best practices and deficiencies identified during the evaluation was adopted by Commission Implementing Decision C(2016)5102.
- (2) Bilateral cooperation between Poland and Ukraine at regional and local level is very well organised.

¹ OJ L 295, 6.11.2013, p. 27.

- (3) In light of the importance of complying with the Schengen *acquis*, priority should be given to implementing recommendations 1 and 2 below.
- (4) This Recommendation 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 shall, pursuant to Article 16(8) of Regulation (EU) No 1053/2013, provide its assessment on the possible implementation of the indications for possible further improvements identified in the evaluation report and provide this to the Commission,

HEREBY RECOMMENDS

that Poland should:

Situational awareness and risk analysis

1. improve the coordination system between mobile patrols and control centres by ensuring real-time information about the position of the mobile patrols (e.g. via a GPS function compatible with the TETRA system);
2. further raise awareness about the phenomenon of foreign fighters at all levels of the border guard service by producing specific material and a specific risk-analysis product on foreign terrorist fighters (risk profile);

Medyka Border Guard Post

Infrastructure

3. ensure the proper functioning of the security barriers next to the control booths in the pedestrian terminal and ensure that no unauthorised access into these control booths is possible;

4. improve the layout of the control booths in both the pedestrian terminal and the car terminal, in order to prevent unauthorised persons from observing the computer screens of the border guards;

Korczowa Border Guard Post

Border check procedures

5. ensure that the second-line border guard officer's responsibility to verify the authenticity of documents takes precedence over his or her other responsibilities (such as maintenance of public order) in order to avoid situations where the second-line document officer is not available to assist the first-line officers.

Done at Brussels,

For the Council

The President
