**Council of the
European Union**

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OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
On:	27 January 2017
To:	Delegations
No. prev. doc.:	5230/17
Subject:	Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Italy on the application of the Schengen acquis in the field of the Schengen Information System

Delegations will find in the annex the Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Italy on the application of the Schengen acquis in the field of the Schengen Information System, adopted by the Council at its 3515th meeting held on 27 January 2017.

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 2016 evaluation of Italy on the application of the Schengen *acquis* in the field of the Schengen Information System

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 Schengen[1], and in particular Article 15 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1)   The purpose of this decision setting out a recommendation is to recommend to Italy remedial actions to address deficiencies identified during the Schengen evaluation in the field of the Schengen Information System carried out in 2016. 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(2016)6002].

(2)   The state-of-the-art N.SIS and its outstanding availability, an automatic InfoSIS pop-up screen giving the end-users additional information, electronic post-hit forms available to the end-users in the event of a hit at the border on refusal of entry alerts are to be considered as best practice.

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[1]   OJ L 295, 6.11.2013, p. 27.

(3) In light of the importance to comply with the Schengen *acquis*, in particular the obligation to answer the requests for the exchange of supplementary information within the time limits provided in the SIRENE Manual, the obligation to systematically carry out thorough checks on third-country nationals that include consultation of SIS on person and object alerts at the external border crossing points, to provide access to vehicle registration services to the SIS, to integrate queries in national systems and the SIS and to enter only one alert on the same person priority should be given to implementing recommendations 1 to5.

(4) This decision setting out a recommendation should be transmitted to the European Parliament and to the parliaments of the Member States. Within three months of its adoption, the evaluated Member State shall, pursuant to Article 16, paragraph 1 of Regulation (EU) No 1053/2013, establish an action plan to remedy the deficiencies identified in the evaluation report and provide this to the Commission and the Council,

HEREBY RECOMMENDS:

that Italy should

1. significantly increase the number of staff at the SIRENE Bureau to ensure**:**

    – the effective exchange of supplementary information in accordance with Article 7 of Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II) [2] and Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) [3], and

    – a reduction of the time of response on immigration issues**;**

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[2]   OJ L 205, 7.8.2007, p. 63.
[3]   OJ L 381, 28.12.2006, p. 4.

2.   review the procedures on checking third-country nationals at Leonardo da Vinci Airport in accordance with Article 8(3) of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) **4**;

3.   ensure that all relevant authorities have access to SIS;

4.   integrate SIS and national queries as well as queries for person and document alerts in the *Interrogazione di Sintesi* interface;

5.   ensure that no multiple refusal of entry alerts issued prior to 2013 are inserted in the SIS and implement the Central SIS alert incompatibility notification;

6.   ensure that the Italian authorities do not issue refusal of entry alerts and residence permits to the same third country national;

7.   design the control booths in Naples airport so that the screen of the border guard computers displaying SIS data can not be seen by unauthorised parties;

8.   establish a clear hit reporting procedure between the end-users and the SIRENE Bureau;

9.   provide accurate and reliable hit statistics in line with Appendix 6 of the SIRENE Manual;

10.   improve the procedure for discreet check alert (Article 36 of Decision 2007/533/JHA) at Leonardo da Vinci Airport and Naples Capodichino Airport;

11.   continue to increase the number of SIS checks by ensuring systematic consultation of SIS in the course of police checks;

12.   ensure that national alerts on missing persons are automatically introduced to the SIS;

13.   considerably shorten the switchover time between the primary and secondary N.SIS sites;

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4   OJ L 77, 23.3.2016, p. 1–52.

14. take the necessary measures to enhance the security of the back-up site;

15. intensify the training of *Sala Operative Internazionale* (SOI) operators on SIS matters;

16. review the technical capabilities of the passport readers at the airports;

17. provide the SIRENE Bureau with a sufficient number of access profiles to relevant national databases;

18. further develop the SIRENE workflow application so that several active windows can be opened when performing the tasks; also, a chronological summary of the case should be available;

19. further develop end-user applications and introduce a more user-friendly method for opening linked alerts; the training on link functionality should be intensified;

20. ensure effective monitoring of incoming messages from different channels to the SOI;

21. revise national procedures for inserting refusal of entry alerts (Article 24(2) of Regulation 1987/2006) on third-country nationals who are not present on the territory of the Member State;

22. review the alerts inserted by the Italian state security authorities for specific checks (Article 36(3) of Decision 2007/533/JHA) with regard to their categorisation and usage of the relevant indication of the type of offence;

23. further develop end-user applications and ensure that alerts on all new object categories can be searched via COPE and the *Interrogazione di sintesi* interface;

24. establish clear instructions for checking containers in the SIS including clarifying who is the relevant authority;

25.	establish a procedure for the systematic checking of incoming boats;

26.	take the necessary measures to enhance data security at Leonardo da Vinci Airport.

Done at Brussels,

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For the Council
The President

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