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NOTE

From:	General Secretariat of the Council
To:	National Parliaments
Subject:	Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Luxembourg on the application of the Schengen acquis in the field of police cooperation

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 on addressing the deficiencies identified in the 2016 evaluation of Luxembourg on the application of the Schengen acquis in the field of police cooperation¹.

¹ Available in all official languages of the European Union on the Council public register, doc. 7737/17

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2016 evaluation of Luxembourg on the application of the Schengen acquis in the field of police cooperation

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 Schengen², 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 Luxembourg remedial actions to address deficiencies identified during the Schengen evaluation in the field of police cooperation 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(2017) 80].
- (2) 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,

² OJ L 295, 6.11.2013, p. 27.

HEREBY RECOMMENDS:

that Luxembourg should

1. strive, in cooperation with the neighbouring countries, to provide a modern and more coherent legal framework for cross-border law enforcement cooperation, and in this regard communicate, as a first step, a list of possible improvements to its neighbouring countries within a year.
2. consider setting up a forward-looking national risk analysis capacity.
3. continue, in cooperation with the partner countries, its efforts to implement SIENA at the PCCC Luxembourg.
4. continue its efforts on already on-going IT projects that would allow the simultaneous search of several police databases at once.
5. improve its usage of the Europol Information System (EIS).
6. establish, in the context of the on-going development of a "structured request form", clearly written guidelines for the users explaining the available communication channels (incl. the Benelux liaison officer network) and raise awareness about these guidelines to LU police officers.
7. swiftly implement the Swedish Framework Decision.
8. consider increasing the volume/coverage of basic police training on international cooperation tools and instruments.
9. consider changing its declaration to Art 41 CISA (hot pursuits), in particular with a view to lift the 10 km limit.

10. explore the possibilities together with the neighbouring countries to establish joint patrols on international trains.
11. consider organising trainings on cultural awareness for those police officers working in ethnically and culturally very diverse environments, such as the area around the Luxembourg City train station.

Done at Brussels,

For the Council

The President
