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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 Malta on the application of the Schengen acquis in the field of the Schengen Information System

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 Malta on 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. 9084/17

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2016 evaluation of Malta 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 ², 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 Malta remedial actions to address deficiencies identified during the Schengen evaluation in the field of the Schengen Information System (SIS) 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)750.
- (2) The implementation of a mechanism in the SIRENE Bureau to monitor rejected and confirmed hits in SIS is considered as best practice.

² OJ L 295, 6.11.2013, p. 27.

- (3) In light of the importance to comply with the Schengen acquis, in particular priority should be given to implementing the first two recommendations.
- (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 Malta should

1. ensure that photographs and links available in SIS are displayed in the border control application in the event of a hit;
2. ensure that the photograph of a victim of misused identity available in SIS is displayed in the misused identity extension of the border control and police search application;
3. consider revising the way the vehicle registration service, consulates and customs indirectly access SIS through the SIRENE Bureau with the aim of reducing the need for manual processing and thus avoiding the risk of errors;
4. modify the search application in order to ensure that the SIRENE Bureau contact number in the action to be taken on the end-user's screen is displayed in regard to all the alerts;
5. increase the use of fingerprints and photographs for alerts on persons;
6. promote a better use of discreet and specific checks alerts;

7. integrate the updates to the SIRENE Manual in the internal police circulars connected to the use of SIS.

Done at Brussels,

*For the Council
The President*
