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**SCH-EVAL 4**  
**ENFOPOL 14**  
**COMIX 31**

### **OUTCOME OF PROCEEDINGS**

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From: General Secretariat of the Council  
On: 15 January 2016  
To: Delegations

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No. prev. doc.: 15533/15  
No. Cion doc.: COM(2015) 475 final

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Subject: Schengen evaluation of Austria - Council Recommendation on addressing the deficiencies identified in the 2015 evaluation of the application of the Schengen acquis in the field of police cooperation

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Delegations will find in the annex the Council Recommendation on addressing the deficiencies identified in the 2015 evaluation of the application of the Schengen acquis in the field of police cooperation by Austria, adopted by the Council at its 3442nd meeting held on 15 January 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 and national Parliaments.

**RECOMMENDATION**

**on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of police cooperation by Austria**

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 <sup>1</sup>, 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 Austria remedial actions to address deficiencies identified during the Schengen evaluation in the field of police cooperation carried out in 2015. 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(2015) 6340.
- (2) Austria is currently updating most of the bilateral and multilateral agreements for police cooperation with its neighbouring countries. The agreements will further specify and improve the practical framework of a wide range of cross-border measures under the Schengen acquis, such as hot pursuit, cross-border surveillance, etc. This can be regarded as good example.

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<sup>1</sup> OJ L 295, 6.11.2013, p. 27.

- (3) In the light of the importance of information sharing for international police cooperation priority should be given to implement recommendations aiming at improving the use of common databases as well as streamlining and consolidating internal and external communication channels.
- (4) This Recommendation should be transmitted to the European Parliament and to the parliaments of the Member States. Within three months of its adoption, the evaluated Members shall, pursuant to Article 16 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:

Austria should:

1. consider, in line with reflections currently taking place, measures suited to improve data sharing with Europol, in particular setting up an automated data loader to the Europol Information System (EIS) and further enhancing the use of SIENA as facilitator of data sharing with Europol;
2. amend national instructions in the light of the EU SPOC guidelines adopted in June 2014<sup>2</sup> on when to use which communication channel for cross-border requests;
3. consider the use of secure communication channels by Police Cooperation Centres (PCCs), if required, in agreement with the respective cooperation partners;
4. consider organizing, in the light of the newly signed bilateral and multilateral police cooperation agreements, joint training/exercises with neighbouring countries on the modalities of cooperation offered by the new legal instruments in agreement with the respective cooperation partners;

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<sup>2</sup> Council doc. 10492/14 of 13 June 2014.

5. consider, with a view to the different case management systems used within the Austrian police forces, the development of interoperable case management systems without any media breaks within the police forces, while maintaining different functionalities where appropriate, and taking into account the universal message format (UMF), which is being developed at Union level in order to facilitate the future interoperability with European partners;

6. implement, in the light of the ongoing Austrian project to evaluate the processes and coordination between the different 24/7 services for international cooperation and determine pros and cons of an 'integrated office', the results of this project, taking into account the EU SPOC guidelines adopted in June 2014 <sup>3</sup>.

Done at Brussels,

*For the Council*

*The President*

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<sup>3</sup> Council doc. 10492/14 of 13 June 2014.