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From: General Secretariat of the Council

To: Delegations

No. prev. doc.: 6197/16

Subject: Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2015 evaluation of the application of the Schengen acquis in the field of police cooperation by Belgium

Delegations will find in the Annex the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2015 evaluation of the application of the Schengen acquis in the field of police cooperation by Belgium, adopted by the Council at its 3451st meeting held on 29 February 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 in the field of police cooperation by Belgium

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 Recommendation is to recommend to Belgium 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) 7502].
- (2) Belgium has a well-functioning system of international police cooperation, supported by clear workflows and strong links between the different elements of organisation, as well as a very robust network of information exchange. A particular strong point is the model for the 'choice of communication channel', which gives clear guidance to the staff in international police cooperation.

¹ OJ L 295, 6.11.2013, p. 27.

- (3) It is important to remedy each of the deficiencies identified within the shortest possible timeframe. Therefore no indication of priority for implementation of the recommendations should be given.
- (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 a possible implementation of the indications for possible further improvements identified in the evaluation report and provide this to the Commission,

HEREBY RECOMMENDS:

Belgium should:

1. continue its efforts regarding the connections of Police and Customs Cooperation Centres (PCCCs) to the Single Point of Contact (SPOC) via SIENA;
2. continue its efforts to giving wide access to international databases for searches on persons and objects to the local police on a need-to-know basis, and in the same line extending the use of mobile terminals and granting access through them to national police databases;
3. finalise full operational implementation of the Swedish Framework Decision ²;
4. exploit, while following the example of the plans within the BENELUX Treaty, where a working group is working on a more practical and integrated framework for hot pursuits, the possibilities of an enhanced bilateral agreement with France to improve the effectiveness of hot pursuits with this country;

² Council Framework Decision 2006/960/JHA of 18 December 2006

5. improve, while the revision of the entire Belgian IT system is an opportunity to create the basis for a more systematic approach to statistics, the collection of statistics on cross-border operations (in particular on hot pursuits) carried out at all borders.

Done at Brussels,

For the Council
The President
