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## OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	6205/16
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 management of the external border 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 management of the external border 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 management of the external border 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 <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 Belgium remedial actions to address deficiencies identified during the Schengen evaluation in the field of the management of the external borders 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(2016) 23].
- (2) Belgium has a well-established training system for foreign languages. Border guards are encouraged to follow job relevant language training through reimbursement of costs and compensation of hours. Border guards take this opportunity to improve their language skills. This increases their professionalism.

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

- (3) In light of the importance to comply with the Schengen acquis, in particular the allocation of sufficient resources, training, checking procedures of person on entry, priority should be given to implement recommendations 1,6,7,9,12,13,21,25,27 and 28 below.
- (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 Member State 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:

Belgium should

### **Integrated Border management**

#### ***Integrated Border Management Strategy***

1. define the national IBM Concept and prepare the national IBM strategy based on EU IBM concept. This strategy should be supported by concrete multiannual action plan;

#### ***Risk analysis***

2. develop this missing national strategic risk analysis in line with the CIRAM. The strategic level risk analysis should pay special attention to assess the capacity and vulnerabilities of the whole border control system;
3. increase the capacity to conduct risk analysis at the national level by additional and specially trained analysts and by developing training in strategic analysis for the personnel responsible for performing activities related to risk analysis at national, regional and local level. More focus should also be put on the deployment of sufficient trained human resources in all level of the organisation to harmonise the information collected and increase the quality of work;

4. further develop the already implemented "Aqua task" system to allow proper analysis of the collected data on strategic level;

### ***Inter-agency cooperation***

5. improve the cooperation between the analyst working in the Directorate of Operations of Administrative Police (DAO/MIG) and the analyst/s working in the Immigration Office in order to achieve more comprehensive national risk analysis;
6. implement actions mentioned in the national framework agreement for interagency cooperation and develop functional and unified cooperation structures for operational cooperation, organise regular cooperation meetings at regional and local level for the exchange of information and joint actions;

### ***Human resources and training***

7. implement development plans related to general and refreshment training system for border guards. Increase capacity to detect false and fraudulent documents by establishing national training system for document experts;
8. organise secondary training on border management at the national level for middle and high management responsible for border management in Belgium;
9. allocate supplementary human and/or technical resources for the performance of border checks at ports and Zaventem airport to ensure a continuous quality of border checks, increase gate checks, and introduce the possibility of local training as well as optimize the working conditions of the current staff;

### **National Coordination Centre (NCC Eurosur)**

10. improve the current functionalities of the National Coordination Centre by including the situational picture from Belgium coast and the sub-layer on own assets;

### ***Border checks***

11. review the current procedure for decision making in cases of refusal of entry to allow the decision to be taken directly and in time at border crossing points;
12. implement an API system for the collection of passenger data into the national environment in order to enhance to situational awareness at all airports and to further combat irregular migration as well as the phenomena of foreign fighters;
13. intensify consultations of databases for containing alerts on documents and persons in case of persons enjoying the right of free movement under Union law based on risk profiles;

### **Brussels Airport (Zaventem)**

#### ***Risk analysis***

14. improve the quality of the risk analysis products by ensuring that the information provided from the central level is tailored according to the specific needs at the operational or tactical level;

#### ***Border checks procedures***

15. request in advance the general declarations comprising inter alia the flight plan and information on the passengers' identity, prior to the arrival, for private flights from third countries according to the provisions of Annex 6, point 2.3.1 of the Schengen Borders Code;

#### ***Training***

16. develop the current continuous local training system within the working schedule by increasing the number of regular training sessions and ensure that all border guards attend. Fully integrate all existing information sources on the annexes to the handbooks of the Schengen Borders Code and of the Visa Code into the local continuous training system;

### ***Infrastructure and equipment***

17. ensure a full separation of Schengen and Non-Schengen area in the T-Terminal by extending the separation up to the ceiling in the area not visible for the border guards, for example by installing a metal net above the glass wall;
18. guarantee the protection of the information on the screen either by changing the position of monitor or securing the side glass wall of control booth;
19. allocate space for second line facilities near the first line check in the T zone;
20. ensure a continuous updating process of the software for the document readers available for the first line checks;
21. connect the local visa issuance system to the national system to upload data on visas issued at the border;
22. ensure the security of the blank visa sticker by keeping all blank visa stickers in the locked metal box available;

### **Brussels South Charleroi Airport**

#### ***Risk analysis***

23. ensure the daily briefings performed at the beginning of every shift and update on the events in the last 24h or on any new phenomena, modus operandi relevant for the border control activity at the airport;

#### ***Border checks procedures***

24. request in advance the general declarations comprising inter alia the flight plan and information on the passengers' identity, prior to the arrival, for private flights from third countries according to the provisions of Annex 6, point 2.3.1 of the Schengen Borders Code;

25. instruct the border guards to intensify consultations of databases for containing alerts on documents and persons in case of persons enjoying the right of free movement under Union law traveling to/from risk areas based on risk profiles, to stamp properly and to carry out profiling of passengers during queuing before the booth more accurately;

### ***Human resources and training***

26. develop staffing plans in order to be prepared for the upcoming further increase of passenger flow and abandon the current temporary deployment of staff to ensure continuous level of professionalism at the airport;
27. implement a continuous local training system within the working schedule and provide regular training sessions and ensure that all border guards attend. Fully integrate all existing information sources on the annexes to the handbooks of the Schengen Borders Code and of the Visa Code into the local continuous training system;
28. ensure that only the officers who passed the basic border guard training are deployed to perform border checks in the first line;

### ***Infrastructure and equipment***

29. connect the local visa issuance system to the national system to upload data on visas issued at the border;
30. encourage border guards to follow language courses in a way reflecting the increased flow of third country nationals from risky destinations;
31. revise the existing system of registration stamps to ensure that the stamps are distributed it properly by shift manager and to guarantee that all stamps handed out are taken back;
32. relocate the video spectral comparator VISPEC 2 to the second line room at the arrival area;

## **Brussels railway station (Gare du Midi)**

### ***Border checks procedures***

33. improve the practical implementation of the border check procedures by providing the passengers submitted to the second line check, with the information form, according to Article 7(5) of the Schengen Borders Code;

### ***Infrastructure and equipment***

34. improve the IT and communication capacity of the equipment used for border checks to shorten the response time for queries in databases;
35. improve the quality of the equipment in the first line in order that all technical capabilities required by the Schengen Catalogue are met;
36. review the queuing system to ensure a proper profiling of passengers by the 1st line officers.
37. establish direct access to the perimeter surveillance CCTV cameras in the Federal Police premises and ensure that the staff allocated in the CCTV room to visualise the surveillance camera system rotates in time slots shorter than 8 hours;
38. reorganise the current flow of crew personnel to allow the border guards to have direct contact with the persons and documents when performing the border checks;

## **Zeebrugge**

### ***Infrastructure and equipment***

39. equip the first and second line according to Schengen standards as defined in Schengen Catalogue;



## ***Training***

40. ensure that all border guards deployed have received basic border guard training before being responsible for border checks in the first line. All border guards should also receive systematic refreshment training on how to handle basic databases and how to access to the relevant legislation, instruction and manuals. The number of specially trained border guards should be guaranteed in all conditions;

## ***Border checks procedures***

41. consider the implementation of automatic searches of crews and passengers lists against databases when implementing the national Single window;

## **Antwerp**

### ***Border checks procedures***

42. consider the implementation of automatic searches of crews and passengers lists against databases when implementing the national Single window;

## **Blankenberge and Nieuwpoort marinas**

43. ensure that all the pleasure crafts are checked in accordance with SBC;

## **Sea border surveillance**

44. establish a clear command and control mechanism over the relevant assets and patrols when carrying out border surveillance, in order to have immediate reaction capability in urgent cases;

45. increase the identification capacity. This can be done e.g. by using existing means more efficiently and/or developing integrated technical surveillance system including long range thermal vision cameras;
46. equip the patrol vessels with optoelectronic devices daylight/thermal suitable to be installed on board and integrated with the ship's systems.

Done at Brussels,

*For the Council  
The President*

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