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Subject: Schengen evaluation of NORWAY
- Draft Council conclusions

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

RESTREINT UE



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NOTE

from : the Presidency
to: the Schengen evaluation Working Party
Subject : Schengen evaluation of NORWAY
- Draft Council conclusions

1. The correct application by Norway of the Schengen acquis has been evaluated in accordance with the decision of the Executive Committee of 16 September 1998 (cf. SCH/Com-ex (98) 26 def.) and the note on the continuation of the work on Schengen evaluation and implementation, action programme and timetable, which was approved by the Council on 2 December 2004 (doc. 15275/04 SCHEVAL 70 COMIX 718). The evaluation of Norway took place in connection with the evaluation of the four other Member states of the Nordic Passport Union, Denmark, Finland, Iceland and Sweden.

2. An extensive questionnaire was completed and visits were paid to sea, air and land borders, to consulates, to SIS and SIRENE offices, to police stations and to the staff of the data protection authority.

The following comments and recommendations should be read in conjunction with the individual reports of the inspection teams in order to get a full picture of the assessment.

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3. Norway is on the whole applying the Schengen acquis in a very satisfactory manner. At some stages of the evaluations of the Nordic countries, practices were detected that could even be considered a best practice of the application of the Schengen acquis. **Those best practices were found in relation to the SIS and to Police cooperation.**

However, on some other issues, Norway should correct weaknesses and make improvements to the implementation of the acquis.

4. In the field of surveillance of the Norwegian sea borders the function of supervision and instruction by the Ministry responsible for border management, implementation of risk analysis as well as data flow management should be strengthened and streamlined. It is also important to guarantee an appropriate level of professionalism and training of the personnel responsible for these tasks. To that end it is recommended that the police should assume a more active role in this field.

5. Border controls at airports were generally favourably assessed, since the infrastructure is largely in place and only some loopholes were detected. The national border security plan, which will be established before April 2006 will be an important tool as regards border management.

6. The European Union promotes for its landborders a system that meets the highest standards of security and professionalism. SCH-Eval noted that Norway uses trained professionals for the border checks, but that conscripts are involved in border surveillance who do not have the same level of professionalism and training.

The operational effect was deemed sufficient in light of the current situation, which is demonstrated by low illegal migration-related figures. Nevertheless, in the long-term the possibility of an increase of illegal migration cannot be excluded. Norway is therefore invited to continue developing its border control, inter alia by improving material and human resources, as well as the linguistic skills of the personnel and by further developing border surveillance **towards the highest Schengen standards.**

7. The handling of visa applications in both evaluated consulates was considered satisfactory and recommendations to Norway are limited to the local infrastructure and the accreditation system for co-operation with travel agencies (St. Petersburg).

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8. The Norwegian law enforcement authorities have adopted a very good, intelligence-led policing approach, of which international police cooperation is an integral and integrated part. The main recommendation concerns a better use of the Schengen instruments with a view to assisting in carrying out threat assessments and helping to prioritise resources in a more effective manner.

9. The level of Data Protection in Norway was considered to be impressive. It has been suggested to **review** the procedures concerning the possibility to appeal to the supervisory authority or to another independent body.

10. The support and professionalism relating to the use of the SIS at national level was appreciated. However, a similar awareness and knowledge was not always discerned at local level, thus leading experts to recommend a more consistent support to training efforts.

11. Norway is invited to inform the Council in writing, in the course of the next semester, on the follow-up it intends to give to these recommendations and those contained in the reports. In the framework of the evaluation of the application of the Schengen acquis, the Council might consider the need to carry out a follow-up visit. Such a visit would be limited to what is absolutely essential in respect of the areas to be visited, the duration and composition of the visiting committee.