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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 2017 evaluation of Sweden on the application of the Schengen acquis in the field of police cooperation

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 2017 evaluation of Sweden on the application of the Schengen acquis in the field of police cooperation¹.

¹ Available in all official languages of the European Union on the Council public register, doc.

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2017 evaluation of Sweden on the application of the Schengen acquis in the field of police cooperation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning 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 Schengen², and in particular Article 15 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The purpose of this Decision is to recommend to Sweden remedial actions to address deficiencies identified during the Schengen evaluation in the field of police cooperation carried out in 2017. 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(2018)104.

² OJ L 295, 6.11.2013, p. 27.

- (2) Strong points of the Swedish police cooperation system are the Nordic Cooperation framework, in particular the liaison officer network, and the well-established Single Point of Contact (SPOC) and its working routines for international information exchange. Sweden has also developed good practice models building up a network of "International Case Officers" working in various police districts.
- (3) In light of the importance to comply with the Schengen acquis, in particular the requirements for both swift information retrieval and exchange and a level playing field as regarding the cross-border operational framework, priority should be given to implement recommendations 6, 8 and 9 below,
- (4) This Decision 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 should, pursuant to Article 16(1) of Regulation (EU) No 1053/2013, establish an action plan listing all recommendations to remedy any deficiencies identified in the evaluation report and provide that action plan to the Commission and the Council,

HEREBY RECOMMENDS:

that Sweden should:

1. consider enhancing the communication between relevant Swedish police regions on future cross-border cooperation;
2. better promote the police intranet among its police staff;
3. consider developing functionality to generate data and statistics from the case management system DAR;

4. consider promoting and improving consistent reporting of all international information exchanges by appropriate means and structures (e.g. PCCCs, ICOs, SIENA);
5. consider the implementation of a secure communication solution, such as SIENA, for LOs in conjunction with the Nordic partners;
6. develop a unified search tool to query all national and international databases;
7. fully exploit the possibilities of Regulation (EU) No 603/2013 as regards access of their competent authorities to the EURODAC database for law enforcement purposes;
8. swiftly implement Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (the VIS Decision);
9. improve basic education, training and awareness of police staff in relation to international police cooperation and search possibilities in international databases;
10. improve the collection of statistics on cross-border operations (in particular on hot pursuits and cross-border surveillance) carried out at all borders.

Done at Brussels,

For the Council

The President
