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SCH-EVAL 19
COMIX 482

DECLASSIFICATION

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Subject: Replies from Belgium to the questionnaire put forward to the Benelux countries with a view to the evaluation of the application of the Schengen acquis
- Answers to the additional questions and further requests for clarification by the German delegation (document 12401/02 SCH-EVAL 21 COMIX 537)

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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ADDENDUM TO THE NOTE

from :	the Belgian delegation
to :	the Working Party on Schengen Evaluation
Subject :	Replies from Belgium to the questionnaire put forward to the Benelux countries with a view to the evaluation of the application of the Schengen acquis - Answers to the additional questions and further requests for clarification by the German delegation (document 12401/02 SCH-EVAL 21 COMIX 537)

Supplementary question on SIS

Answer

Belgian magistrates possess de facto the same powers as the judicial police officers. Moreover, they also supervise and control the whole police machinery. The fact that they have access to the same databases as policemen is justified by these two arguments.

In practice, Belgian magistrates have never had a real access to the police databases but negotiations are in progress to set up the required connections. It must be repeated that In Belgium, the computerised system automatically consults both databases (national + SIS) when a query is made, which means that when the magistrates will have access to the Belgian databases, they will have automatically access to the SIS.

RESTREINT UE

Firearms and ammunition

Re question 106

The reply contains much statistical information on reports from and to other Member States on the basis of Directive 91/477/EEC with no distinction made between incoming and outgoing reports.

Question: Does the present system for recording statistics in Belgium allow such a distinction to be made (if so, please provide particulars), or is such a possibility envisaged in the future?

Answer to question 106

1. Statistics from the police service RCA (Central Register of Arms) for 2001.

Following figures represent the number of treated messages.

One message may concern one or more arms or ammunition.

Number of messages concerning the import from :

Luxembourg : 386

Germany : 427

The Netherlands : 235

Spain : 38

Finland : 22

Denmark : 1

Number of messages concerning the export to :

France : 233

The Netherlands : 159

Luxembourg : 38

Germany : 33

United Kingdom : 3

Greece : 1

Countries outside the European Community : 31
