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NOTE

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| 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 Poland on the application of the Schengen acquis in the field of management of the external border (Warsaw Chopin Airport) |

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 Poland on the application of the Schengen acquis in the field of management of the external border (Warsaw Chopin Airport)¹.

¹ Available in all official languages of the European Union on the Council public register, doc. [11184/18](#)

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2017 evaluation of Poland on the application of the Schengen acquis in the field of management of the external border (Warsaw Chopin Airport)

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 Poland remedial actions to address the deficiencies identified during the Schengen evaluation in the field of management of the external border (Warsaw Chopin Airport) 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)1160.

² OJ L 295, 6.11.2013, p. 27.

- (2) It is important to remedy each of the deficiencies identified with the least possible delay. Therefore no indication of priority for implementation of the recommendations should be given.
- (3) This Decision should be transmitted to the European Parliament and to the parliaments of the Member States. Within six months of its adoption, Poland should, pursuant to Article 16(8) of Regulation (EU) No 1053/2013, provide the Commission with an assessment of the (possible) improvements and with a description of required actions,

RECOMMENDS:

that Poland should

1. further develop inter-agency cooperation at the airport by establishing regular exchange of information and risk analysis products between the main three national authorities involved in countering cross-border crime to guarantee a full situational awareness and an efficient response capacity; ensure a systematic exchange of relevant risk profiles between the three authorities to support the border control functions; integrate relevant information from the National Police and the Customs in the risk analysis products generated at the airport and at the regional border guard station;
2. consider an increase in the number of staff to decrease the waiting time for passengers for border checks, and identify the needs and appropriate solutions to urgently provide for a sufficient number of trained border guards to perform border control in the airport;
3. increase the number of trained staff in the risk analysis team to ensure a permanent coverage of risk analysis tasks;

4. improve the practical implementation of border checks procedures by verifying entry conditions of all third country nationals (also those travelling onwards to other Member States) to be in line with Article 8(3)(a) of the Schengen Borders Code;
5. equip all first line booths with the necessary devices for document checks and increase the use of the available equipment for detection of forged documents to perform border checks properly in accordance with the Schengen Catalogue;
6. fully apply Directive 2004/82 by receiving API data from all the flights coming from non-Schengen destinations;
7. enlarge and re-organise border control in the arrival area at the '100' level in order to optimise the management of the passenger flow in front of the booths; ensure that the number of control booths will increase according to the expected development of passenger flows, and carry out the foreseen plans of using e-systems.

Done at Brussels,

For the Council

The President
