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From:	General Secretariat of the Council
On:	20 December 2018
To:	Delegations
No. prev. doc.:	14671/18; 14928/18
Subject:	Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2018 evaluation of the Swiss Confederation on the application of the Schengen <i>acquis</i> in the field of police cooperation

Delegations will find in the annex the Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2018 evaluation of the Swiss Confederation on the application of the Schengen *acquis* in the field of police cooperation, adopted by the Council at its meeting held on 20 December 2018.

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 2018 evaluation of the Swiss Confederation 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 Schengen¹, 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 Switzerland remedial actions to address deficiencies identified during the Schengen evaluation in the field of police cooperation carried out in 2018. 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) 4150.
- (2) In light of the importance of complying 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 implementing recommendations 1, 2 and 3 below,

¹ OJ L 295, 6.11.2013, p. 27.

- (3) This Decision should be transmitted to the European Parliament and to the parliaments of the Member States. Within six months of its adoption, the evaluated Member State should, pursuant to Article 16(8) 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 Switzerland should:

1. evaluate the structure of the International Police Cooperation Directorate (IPC) in light of creating a single point of contact dealing with all channels of international police communication;
2. provide for interoperability between workflow systems of EU/SIRENE Unit and Operational Centre/Special Situations Unit or, alternatively, for a common case management system;
3. provide the IPC staff with a single query interface allowing to consult relevant databases (i.e. ORMA, SIRENE-IT, SuissePol-Index and RIPOL) without necessarily modifying the existing access rights (hit/no-hit access);
4. improve access to Interpol databases other than SLTD and SMV and I-24/7, i.e. provide direct connection to all law enforcement authorities;
5. after security risk assessment, deploy to police officers on patrol mobile equipment (i.e. smartphone, tablet, laptop) with access to relevant databases, while ensuring security of access to these databases;
6. encourage and monitor the continuous training on international police cooperation for all police officers at all levels;

7. expand the curriculum related to the international police cooperation provided to newly recruited police officers during the initial training;
8. promote and fully implement law enforcement access to the Visa Information System (VIS) by allowing searches with biometric data;
9. explore the possibility together with France to amend the bilateral police cooperation agreement in order to lift operational obstacles to ensure effective use of cross-border operations;
10. consider revising the national legislation implementing the Council Framework Decision 2006/960/JHA in order to facilitate the exchange of information under this Decision.

Done at Brussels,

For the Council

The President
