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From: General Secretariat of the Council

On: 7 December 2017

To: Delegations

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Subject: Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of **Iceland** on the application of the Schengen acquis in the field of the **Schengen Information System**

Delegations will find in the annex the Council Implementing Decision setting out a recommendation addressing the deficiencies identified in the 2017 evaluation of Iceland on the application of the Schengen acquis in the field of the Schengen Information System, adopted by the Council at its meeting held on 7 December 2017.

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 2017 evaluation of Iceland on the application of the Schengen acquis in the field of the Schengen Information System

THE COUNCIL 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 setting out a recommendation is to recommend to Iceland remedial actions to address deficiencies identified during the Schengen evaluation in the field of the Schengen Information System (SIS) 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(2017)5137.
- (2) The Icelandic SIRENE workflow system (SIRA) is very user-friendly, well-automated and efficient. The established post-hit reporting forms that include clearly indicated mandatory fields are available on the Icelandic police website (LIND) and are accessible to all end-users. A test environment of the SIS application is available to the SIRENE staff for training purposes.

¹ OJ L 295, 6.11.2013, p. 27.

- (3) In light of the importance of complying with the Schengen acquis, in particular with the obligation to provide the services responsible for issuing vehicle registration certificates in the Member States with access to the SIS in accordance with the Regulation 1986/2006², adopt the security plan in accordance with Article 10 of the SIS II Regulation³ and SIS II Decision⁴, to ensure the equivalence of results of searches in the national copy via the national Loke application with CS-SIS in accordance with Article 9(2) of the SIS II legal instruments, priority should be given to implementing recommendations 1, 2, 3 and 4.
- (4) This decision setting out a recommendation 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 shall, pursuant to Article 16, paragraph 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 this to the Commission and the Council,

HEREBY RECOMMENDS:

that Iceland should

1. ensure that all relevant authorities have access to the SIS;
2. adopt the security plan required under Article 10 of the SIS II Regulation and Decision which reflects all the security requirements listed therein;

² Regulation (EC) No 1986/2006 of the European Parliament and of the Council of 20 December 2006 regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates (OJ L 381, 28.12.2006, p. 1).

³ Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 381, 28.12.2006, p. 4).

⁴ Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 205, 7.8.2007, p. 63).

3. ensure that all end-users systematically consult the SIS by integrating the SIS and national queries in the Loke search application;
4. further develop the national Loke application :
 - to enable access to all categories of SIS alerts via this application;
 - to enable it to display photographs, links, the misused identity extension, and a modified version of the ‘action to be taken’ when a flag is added to the alert;
 - by implementing the ‘any name’ search functionality;
 - by ensuring that person-related remarks are highlighted and that the warning marker ‘violent’ is displayed on the first screen;
5. ensure that the ‘reason for the request’ and the ‘action to be taken’ are displayed in the same window in the Loke application;
6. improve the response time and availability of the Loke application;
7. ensure that the police authorities systematically provide information on lost/stolen foreign documents to the SIRENE Bureau and SIS alerts on such document are issued consistently;
8. ensure that the Immigration Directorate has access to Article 38 alerts on documents and is able to systematically verify if the presented document has been reported as lost, stolen or invalidated;
9. establish an automated or a comprehensive manual procedure for deletion of supplementary information in the SIRENE Bureau;

10. provide the customs authorities with direct access to the SIS for the purposes of carrying out checks on objects or persons during customs controls;
11. provide regular follow-up training to end-users on SIS procedures;
12. ensure better business continuity of the Icelandic national system (N.SIS) for end-users, including by establishing a back-up site and a second network connection to Testa-NG;
13. further develop the national SIS application by highlighting the person-related remarks and implementing the ‘any number’ search functionality;⁵
14. ensure that the display of links in the national SIS application is more -user-friendly and-that the display of the misused identity extension clearly outlines who is the subject of an alert and who is a victim of misused identity, and that the type of offence is not shown in the screen where data relating to the person whose identity has been misused is displayed;⁶
15. further develop the mobile devices used to perform searches in national databases and ensure that searches can also be performed in the SIS.

Done at Brussels,

For the Council

The President

⁵ Recommendations old (16) and old (18) were merged.

⁶ Recommendations old (17) and old (19) were merged.