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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	10 October 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2019) 7131 final
Subject:	COMMISSION RECOMMENDATION of 8.10.2019 establishing a common "Practical Handbook for Border Guards" to be used by Member States' competent authorities when carrying out the border control of persons and replacing Commission Recommendation C(2006) 5186 of 6 November 2006

Delegations will find attached document C(2019) 7131 final.

Encl.: C(2019) 7131 final



EUROPEAN
COMMISSION

Brussels, 8.10.2019
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COMMISSION RECOMMENDATION

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establishing a common "Practical Handbook for Border Guards" to be used by Member States' competent authorities when carrying out the border control of persons and replacing Commission Recommendation C(2006) 5186 of 6 November 2006

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Commission Recommendation C(2006) 5186 of 6 November 2006 established a "Practical Handbook for Border Guards (Schengen Handbook)" containing common guidelines, best practices and recommendations on border control in order to ensure that Union rules on border control established in the Schengen Borders Code are implemented in a uniform way by all national authorities competent for carrying out border control tasks.
- (2) The Commission committed itself to ensuring regular updates of the Schengen Handbook. It did so by Commission Recommendations C(2008)2976, C(2009)7376, C(2010)5559, C(2011)3918, C(2012)9330 and C(2015)3894. In order to ensure its optimal use by all relevant authorities, the Commission makes the Practical Handbook available to Member States in electronic form, together with any other available factual information needed to perform border guard duties, such as lists of border crossing points and specimen of travel documents.
- (3) The Schengen Handbook should be adjusted to the changes of Regulation (EU) 2016/399 of the European Parliament and of the Council¹. In particular it should be adjusted to reflect the introduction of the systematic checks against relevant databases for all persons, including EU citizens by Regulation (EU) 2017/458².
- (4) The Schengen Handbook should reflect the situation of Schengen States not yet fully applying the Schengen acquis.

¹ Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, 23.3.2016, p.1.

² Regulation (EU) 2017/458 of the European Parliament and of the Council of 15 March 2017 amending Regulation (EU) 2016/399 as regards the reinforcement of checks against relevant databases at external borders, OJ L 74, 18.3.2017, p. 1.

- (5) The Schengen Handbook should take into account intra-EU mobility of Intra Corporate Transferees (ICTs) in accordance with Directive 2014/66/EU³.
- (6) The Schengen Handbook should reflect the completion of the VIS rollout since the end February 2016.
- (7) Following the adoption of the Communication on the protection of children in migration of 12 April 2017⁴, the Schengen Handbook should reflect child-adequate treatment in accordance with the principle of the 'best interest' of the child during border procedures.
- (8) The Schengen Handbook should take into account lessons learned from the Schengen Evaluation mechanism.
- (9) Those adaptations require a considerable number of changes. The title of the Handbook should also be adapted to avoid confusion with other Schengen-acquis-related handbooks. For those reasons the Recommendation of 6 November 2006 and the annexed Practical Handbook for Border Guards should be replaced with the present Recommendation and the annexed Practical Handbook for Border Guards.

HEREBY RECOMMENDS:

1. In order to enhance the uniform implementation of Community rules on border control, Member States should instruct their national authorities competent for carrying out border control on persons to use the annexed Practical Handbook for Border Guards as the main tool when performing their border control tasks.
2. Member States are also encouraged to use the annexed Practical Handbook for Border Guards for the purpose of training the personnel to be affected to border control duties.
3. This Recommendation replaces Recommendation C(2006)5186 final of 6 November 2006 and its Annex.

Done at Brussels, 8.10.2019

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

³ Directive (EU) 2014/66 of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer OJ L 157, 27.5.2014, p. 1–22.

⁴ Communication from the Commission to the European Parliament and the Council: The protection of children in migration COM (2017) 211 final of 12.4.2017.

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For the Secretary-General,

Jordi AYET PUIGARNAU
Director of the Registry
EUROPEAN COMMISSION