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From:	General Secretariat of the Council
On:	19 October 2021
To:	Delegations
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Subject:	Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2020 evaluation of Austria on the application of the Schengen acquis in the field of police cooperation

Delegations will find enclosed the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2020 evaluation of Austria on the application of the Schengen acquis in the field of police cooperation, adopted by the Council at its meeting held on 19 October 2021.

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.

RECOMMENDATION

on addressing the deficiencies identified in the 2020 evaluation of Austria 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 Austria remedial actions to address the deficiencies identified during the Schengen evaluation in the field of police cooperation carried out in 2020. 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(2021) 2600.

¹ OJ L 295, 6.11.2013, p. 27.

- (2) Austria established an efficient centralised statistical and analysis system to monitor the crime trends throughout its territory. It regularly updates its bilateral agreements, expanding the possibilities therein well beyond the Schengen Convention's standard provisions on police cooperation. The Austrian-led investigative platform 'Joint Operational Office' is a hub for successful international police cooperation in the fight against trafficking in human beings and facilitation of irregular immigration. These practices are considered as point of particular interest.
- (3) In light of the importance of complying with the Schengen *acquis*, priority should be given to implementing the recommendations 1 to 2 below.
- (4) This Decision should be transmitted to the European Parliament and to the national Parliaments of the Member States. Within three months of its adoption, Austria should, pursuant to Article 16 (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 that action plan to the Commission and the Council.

RECOMMENDS:

that Austria should

Single Point of Contact

1. further develop the Austrian Single Point of Contact by integrating the different international channels into one office, supported by a single case management system;

Case management systems

2. provide a more effective 'fuzzy logic' functionality in national querying systems connected to EU and international databases;

Information exchange and international databases

3. set-up an automated data loader to Europol's Information System;
4. ensure the automation of the integration of data received from Europol's Secure Information Exchange Network Application into the Austrian main case management systems (*Systeme zum Protokollieren, Anzeigen und Dokumentieren* and *Integrated Kriminalpolizeiliche Datenanwendung*);
5. ensure interconnectivity between the various decentralised case management systems used by the police cooperation centres and the regional police directorates, and further interconnect them with the central case management system with a view to improving the case management workflow within the Austrian police forces;

Cross-border operational cooperation

6. improve or extend the radio coverage of its police radio communications network in the border regions with Italy and Slovenia, in particular for the timely transmission of information for the purposes of cross-border surveillance and 'hot pursuit';

Human resources and training

7. develop and systematically update continuous training (including on-line solutions) on the Schengen *acquis* and on the use of Union and other international law enforcement cooperation tools as well as increase the awareness about possibilities to report unethical behaviour. Priority should be given to the dedicated training for the staff working in the field of international cooperation.

Done at Brussels,

For the Council

The President
