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OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
Subject:	COUNCIL IMPLEMENTING DECISION setting out recommendations for remedial actions aimed at addressing the serious deficiencies related to information exchange and border management identified in the 2026 Schengen evaluation of Belgium, in accordance with Council Regulation (EU) 2022/922

Delegations will find in annex the Council Implementing Decision setting out recommendations for remedial actions aimed at addressing the serious deficiencies related to information exchange and border management identified in the 2026 Schengen evaluation of Belgium in accordance with Council Regulation (EU) 2022/922, adopted as an "A item" by the Council (Employment, Social Policy, Health and Consumer Affairs) on Monday 19 October 2026.

In line with Article 22(4) of Council Regulation (EU) No 2022/922 of 9 June 2022, this Recommendation will be forwarded to the European Parliament and national parliaments.

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ANNEX

COUNCIL IMPLEMENTING DECISION

setting out recommendations for remedial actions aimed at addressing the serious deficiencies related to information exchange and border management identified in the 2026 Schengen evaluation of Belgium, in accordance with Council Regulation (EU) 2022/922

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*, and repealing Regulation (EU) No 1053/2013[1], and in particular Article 22(4) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) In accordance with Article 4(1), point (b), of Regulation (EU) 2022/922, as well as the multiannual evaluation programme 2023-2029[2] and the 2026 annual evaluation programme[3], a periodic Schengen evaluation of Belgium was conducted by an evaluation team composed of Commission representatives and Member State experts, supported by observers from Frontex, Europol, eu-LISA, the European Union Agency for Fundamental Rights and the European Data Protection Supervisor. That evaluation verified Belgium's implementation of the Schengen *acquis* in the fields of border management, return, visa, police cooperation, large-scale IT systems (the Schengen Information System) and related data protection and fundamental rights standards.

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1 OJ L 160, 15.6.2022, p. 1, ELI: http://data.europa.eu/eli/reg/2022/922/oj.
2 C(2023) 57.
3 C(2025) 4810.

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(2) During that evaluation, two serious deficiencies were identified in the application of certain provisions of the Schengen *acquis* concerning information exchange and the quality of border checks which risk to have a significant negative impact on the functioning of the area without internal border control. The Council was informed thereof on 3 July 2026.

(3) The draft report was shared with the Belgian authorities on 10 July 2026 and their comments were received on 22 July 2026. A drafting meeting took place on 28 July 2026. On 25 September 2026, by its Implementing Decision C(2026) 7070, the Commission adopted the report identifying those serious deficiencies.

(4) Recommendations for remedial actions should be set out and Belgium should immediately take remedial actions to address the identified serious deficiencies. Considering the nature of the findings, their persistency, and the need to swiftly address them, all recommendations are given the same level of priority.

(5) Pursuant to Article 22(6) of Regulation (EU) 2022/922, within one month of the adoption of this Decision, Belgium is to establish an action plan to implement all recommendations and to remedy the serious deficiencies identified in the evaluation report and to provide that action plan to the Commission and to the Council. Belgium should report to the Commission and the Council on the implementation of its action plan every three months from the date of notice of receipt of the review of the adequacy of the action plan by the Commission and until the Commission considers that all recommendations are fully implemented.

(6) In accordance with Article 22(7) of Regulation (EU) 2022/922, a revisit by the team to verify the progress made in implementing the recommendations is to take place no later than one year from the date of the evaluation activity,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium shall implement the following recommendations in order to remedy the serious deficiencies as well as other non-compliances and areas of improvement which are linked to them, as identified in the 2026 evaluation report:

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1. urgently develop and deploy a single electronic case management system ('CMS') for the Belgian Single Point of Contact ('SPOC'), fulfilling the requirements of Article 16 of Directive (EU) 2023/977 of the European Parliament and of the Council[4], in particular recording incoming and outgoing requests and provisions of information, cross-checking incoming requests, ensuring adequate and rapid follow-up to respect the time limits set out in Article 5 of that Directive, ensure interoperability with the Secure Information Exchange Network Application (SIENA), the production of statistics, and appropriate safeguards and procedures to guarantee that personal data are retained only for as long as necessary and proportionate and are deleted once no longer required. Pending the deployment of the CMS, Belgium should adjust the human resources strategy and ensure that sufficient human and financial resources are allocated to manage the current workload and support the phased implementation of the new CMS functionalities.

2. ensure a timely and adequate management of Schengen Information System (SIS) alerts on return and on refusal of entry and stay.

3. ensure the timely exchange and handling of supplementary information within the Immigration Office.

4. implement all types of dactyloscopic searches in the Automated Fingerprint Identification System, including latent searches, and ensure the roll-out to all relevant authorities.

5. implement all search functionalities in all police query applications, ensuring automatic search of the SIS and Interpol databases, and establish clear rules concerning alert creation in case of multiple names.

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4 Directive (EU) 2023/977 of the European Parliament and of the Council of 10 May 2023 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA (OJ L 134, 22.5.2023, p. 1, ELI: http://data.europa.eu/eli/dir/2023/977/oj).

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6. implement the necessary technical changes in the applications in use by the Police, in order to ensure the display of all data of the SIS alerts;

7 urgently improve the quality of border checks to bring it in compliance with Article 8 of Regulation (EU) 2016/399 of the European Parliament and of the Council[5], suspend the relaxation of border checks on entry and notify the Commission when relaxations are implemented in accordance with Article 8(2) and (3) and Article 9(1), (2) and (4) of that Regulation.

8 urgently ensure a correct use of the Entry/Exit System automated calculator and implement it in the BorderTask application, in accordance with Article 6(1), points (a), (b), (c) and (g), Article 11(2) and (3) and Article 22 of Regulation (EU) 2017/2226 of the European Parliament and of the Council[6].

9 implement the necessary technical changes in the BorderTask application to ensure that all mandatory data are clearly displayed and available to end-users and implement procedures and training not to jeopardise the discreet nature of checks.

10 establish a specific human resource strategy related to border management tasks, both at strategic level and per border crossing point, that is applicable to all categories of staff.

11 increase the number of staff to perform border checks at the air borders, including staff for document examination, and make full use of Frontex deployment at the most affected border crossing points as intermediate solution.

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5 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, ELI: http://data.europa.eu/eli/reg/2016/399/oj).

6 Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20, ELI: http://data.europa.eu/eli/reg/2017/2226/oj).

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12 urgently establish a mandatory refresher or continuous training system to support the specialised and properly trained officers working at the border crossing points, and ensure that the police officers participate in these training programs, including on the use of the Entry/Exit System; ensure that border guards in the first line have sufficient skills to perform document examinations.

13 ensure that the Advance Passenger Information (API) data is checked against all relevant databases, including Interpol databases and systematically used for border checks procedures and risk analysis; and ensure an effective and digital provision of information on alerts and supplementary information following API checks from the Passenger Information Unit to the airport police.

14 ensure that all the necessary measures, including the imposition of fines, are taken to oblige the air carriers to transmit API for the purpose of carrying out checks on persons at the external borders, as required by Articles 3 and 4 of Council Directive 2004/82/EC[7].

15 ensure the compliance of the risk analysis with Article 29(1) and (7) of Regulation (EU) 2019/1896 of the European Parliament and of the Council[8] by:

(a) systematically producing and continuously updating risk profiles and indicators for border control, as well as thematic products, ensuring that knowledge of risk profiles and other risk analysis products is disseminated to all relevant stakeholders, in particular to first- and second-line control officers;

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7 Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data (OJ L 261, 6.8.2004, p. 24, ELI: http://data.europa.eu/eli/dir/2004/82/oj).

8 Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/1896/oj).

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(b) establishing a comprehensive risk analysis system by issuing an appropriate formal methodology defining the catalogue of risk analysis products, the frequency of their preparation, deadlines, responsibilities, target recipients, as well as a two-way information flow mechanism between the central and local levels;

(c) establishing risk analysis capacity in each airport by designating and training staff and implementing an internal risk analysis training system that is systematic and periodic (for example delivered at least one day every six months, with an extended introductory training provided at the initial stage).

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels,

For the Council

The President

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