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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	13 June 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2018) 3658 final
Subject:	COMMISSION RECOMMENDATION of 11.6.2018 adding Appendices A and B to the Recommendation C(2006)5186 of 6 November 2006 establishing a common "Practical Handbook for Border Guards (Schengen Handbook)" to be used by Member States' competent authorities when carrying out the border control of persons

Delegations will find attached document C(2018) 3658 final.

Encl.: C(2018) 3658 final



Brussels, 11.6.2018
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COMMISSION RECOMMENDATION

of 11.6.2018

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

COMMISSION RECOMMENDATION

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

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 controls.
- (2) The Commission committed itself to ensuring regular updates of the Practical Handbook for Border Guards. It did so by Recommendations C(2008)2976, C(2009)7376, C(2010)5559, C(2011)3918, C(2012)9330 and C(2015) 3894 final.
- (3) The Schengen Handbook should incorporate two new appendices as required by the changes of Regulation (EU) 2016/399 of the European Parliament and of the Council¹ brought by Regulation (EU) No 2017/458 of the European Parliament and of the Council².
- (4) As referred to in Recital 12 of Regulation (EU) No 2017/458, a new appendix (Appendix A) should be added to the Schengen Handbook, laying out the notification procedure to be followed by Member States intending to carry out checks against relevant databases on a targeted basis regarding persons enjoying the right of free movement under Union law.
- (5) A second appendix (Appendix B) should be added to the Schengen Handbook to clarify the provisions of Article 8 of Regulation (EU) 2016/399 concerning temporary derogation to the systematic checks against relevant databases and in particular, aspects related to assessing the risk of carrying out checks on a targeted basis and to the follow-up of a notification of the intention to derogate.

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 077 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. 2)

- (6) Appendices A and B to the Practical Handbook for Border Guards have been developed by the Commission, in cooperation with the Member States and the European Border and Coast Guard Agency,

HEREBY RECOMMENDS:

1. The Appendices A and B, which are in the Annex to this Recommendation, should be added to Recommendation of 6 November 2006 (C(2006)5186 final).
2. Member States should transmit the amendments to the Practical Handbook for Border Guards, laid down in this Recommendation, to their national authorities competent for carrying out border controls on persons.

Done at Brussels, 11.6.2018

For the Commission
Dimitris AVRAMOPOULOS

Member of the Commission

