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European Union

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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 **Denmark** 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 Denmark 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 Denmark 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 Denmark 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)2900.
- (2) The Danish national SIRENE Bureau is a real centre of expertise that closely cooperates with other central and local services and authorities within the country. Clear guidelines and instructions on the use of SIS are developed and made available to the users.

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 use SIS systematically in the course of security checks, the prohibition to issue alerts for the purpose of refusing entry or stay in respect of persons holding nationality of one of the EU Member States and the obligation to display all information available in a SIS to users, priority should be given to implementing recommendations 1, 2 and 3.
- (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 Denmark should

1. ensure that end-users from the police districts use the POLKON application, which offers an integrated search of national databases and the SIS, as their primary search tool for checking persons or objects so that a check in a national police database on any person or object always also includes a check in the SIS;
2. implement a procedure preventing the issuance of alerts on refusal of entry in respect of persons holding a nationality of one of the EU Member States;
3. further develop the POLKON application so that photographs that have been uploaded into SIS as .pdf files can also be opened by the users;
4. strengthen the business continuity of the national system by setting up a back-up network connection to the central system and an operational back-up site;

5. ensure that sufficient staff resources are made available in the SIRENE Bureau in order to cope with the increasing workload;
6. consider using mobile devices for searching the SIS;
7. consider connecting the national Automated Number Plate Recognition (ANPR) system to the SIS;
8. further develop the POLKON application in order to:
 - a) make sure that warning markers are displayed on the first screen that provides the initial list of results;
 - b) make indications of misused identity appear more prominently on the users' screen, and;
 - c) make sure that the list of search results presents the SIS hits above the Interpol hits;
9. ensure that regular and ongoing training on the SIS is provided to police and border police officers;
10. make a continuous effort to increase police users' familiarity with the POLKON functionalities and with the SIS procedures;
11. ensure that a transliteration table is made available for users;
12. implement a multi-category search for objects in the POLKON application;
13. develop within the national system the tools for producing detailed statistics on the use of the SIS in the country;
14. ensure greater use of certain new object alert categories such as containers and vehicle registration documents;

15. develop a procedure ensuring that stolen or lost documents belonging to foreign nationals are also entered in the SIS;
16. provide the customs authorities with direct access to the SIS for the purposes of carrying out checks on objects or persons during customs controls.

Done at Brussels,

For the Council
The President
