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From:	General Secretariat of the Council
On:	8 July 2019
To:	Delegations
No. prev. doc.:	10388/19
Subject:	Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2018 evaluation of the Republic of **Estonia** on the application of the Schengen acquis in the field of **police cooperation**

Delegations will find in the annex the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2018 evaluation of the Republic of Estonia on the application of the Schengen *acquis* in the field of police cooperation, adopted by the Council at its meeting held on 8 July 2019.

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 2018 evaluation of the Republic of Estonia 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 Schengen[1], 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 Estonia remedial actions to address deficiencies identified during the Schengen evaluation in the field of police cooperation carried out in 2018. 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(2019) 780.

(2) In light of the importance of complying with the Schengen acquis, priority should be given to implementing recommendations 1 to 9 and 11 below.

[1] OJ L 295, 6.11.2013, p. 27.

(3) 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(1) of Regulation (EU) No 1053/2013, provide the Commission and the Council with an action plan to address the recommendations containing indications for possible further improvements and a description of actions where required,

HEREBY RECOMMENDS:

that Estonia should:

1. streamline the functioning of the Single Point of Contact (SPOC) so as to develop its capacity to manage the increasing number of requests and corresponding tasks;

2. improve the electronic Case Management System to ensure sufficient automation in the SPOC daily work and ensure that data from SIENA is integrated in the Case Management System;

3. improve the tracking of deadlines set for the replies to incoming international requests;

4. review its current bilateral agreement with Latvia so as to address identified implementation issues;

5. develop and update its trainings, both at basic and continuous level, on the Schengen acquis and on the use of EU and international tools such as SIENA, EIS, SIS and INTERPOL. Dedicated training for the SPOC staff should be given priority;

6. streamline national processes developed to implement the Swedish Framework Decision[1] so as to ensure its full use. Consequently, end-users should receive adequate training;

[1] Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union.

7. implement transliteration and fuzzy logic into the national applications linked to EU and International databases;

8. implement INTERPOL MIND solution in order to avoid manual insertion of the data into INTERPOL databases;

9. further extend the use of SIENA and of the EIS throughout the relevant law enforcement agencies along with corresponding training of end-users;

10. develop practical national guidelines (listing for instance practical examples) regarding the choice of international police cooperation channels;

11. implement the Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (the VIS Decision);

12. consider formalised procedures to ensure timely checks on biometric data outside working hours;

13. consider using a data loader so as to improve its contribution to the EIS;

14. develop an interactive and user-friendly e-learning solution on international police cooperation based on practical situations and cases.

Done at Brussels,

For the Council
The President