Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	National Parliaments
Subject:	Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Hungary on the application of the Schengen acquis in the field of police cooperation

In accordance with Article 15(3) of Council Regulation 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, the Council hereby transmits to national Parliaments the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2019 evaluation of Hungary on the application of the Schengen acquis in the field of police cooperation[1].

[1] Available in all official languages of the European Union on the Council public register, doc. 12168/20

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2019 evaluation of Hungary 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 Hungary remedial actions to address the deficiencies identified during the Schengen evaluation in the field of the police cooperation carried out in 2019. 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(2020) 950.

(2) In light of the importance of the necessary improvements to the application of police cooperation priority should be given to implementing recommendations 1 to 11 in this Decision.

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

(3) This Decision should be transmitted to the European Parliament and to the parliaments of the Member States. Within six months of its adoption, Hungary should, pursuant to Article 16(8) of Regulation (EU) No 1053/2013, provide the Commission with an assessment of the (possible) improvements and with a description of required actions,

RECOMMENDS:

that Hungary should:

1. consolidate the compiling of risk analyses and assessments both at regional and national levels and in a cross-border context with a view to develop more proactive law enforcement strategies (for example when planning cross-border operations, such as border patrols). The CIRAM[1] methodology could be applied to cross-border crimes in this regard;

2. strengthen the capacities of the International Operations Sub-unit of the Rapid Response and Special Police Services with a view to ensure the smooth and timely execution of cross-border operations, particularly cross-border surveillance;

3. further develop the Police Cooperation Centre Case Management System (CMS) module integrated into the national CMS ROBOCOP[2] with a view to allow communication with other Police Cooperation Centres and ILECC[3];

4. strengthen the ILECC's oversight over the PCCs activities through more extensive use of available technical solutions;

5. ensure the selection by default of relevant national, SIS[4] and INTERPOL databases during searches both on desktop and mobile devices;

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1 The Common Integrated Risk Analysis Model.
2 The *Rendőrség* centralised Case Management System.
3 International Law Enforcement Cooperation Centre - *Nemzetközi Bűnügyi Együttműködési Központ*.
4 Schengen Information System.

6. develop a single query tool to ensure the automated cross-matching of databases;

7. further develop the police IT[1] systems to cater for the "any names" search functionality both on desktop and mobile devices;

8. include both "action to be taken" and ILECC' contact information in case of a hit in INTERPOL databases;

9. develop manuals/guidelines available to SPOC[2] staff, including actions and procedures to be carried out with a view to facilitate the standardisation of existing practices (notably for newcomers);

10. improve training on international police cooperation related matters (including through user-friendly e-learning solutions);

11. provide additional language courses for police officers operating in touristic areas;

12. consider ensuring direct law enforcement access to alien hotel registers in line with Art. 45 CISA[3];

13. consider further IT development to ensure that structured information' requests to MONDOC[4] are automatically checked against all relevant databases;

14. pursue the project of inserting SIENA BPL[5] messages into MONDOC and ROBOCOP (including in the Police Cooperation Centre module of ROBOCOP);

15. explore possibilities to enhance the capacities for GPS[6] tracking of national patrol vehicles in the territory of (and in cooperation with) the neighbouring Schengen countries;

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1 Information Technology.
2 Single Point of Contact.
3 Convention Implementing the Schengen Agreement.
4 SPOC Case Management System.
5 Secure Information Exchange Network Application - Basic Protection Level.
6 Global Positioning System.

16. consider increasing the number of devices allowing mobile access to databases at disposal of police officers and ensure their efficient use (training);

17. increase awareness on the use of the EIS[1] and SIENA;

18. raise awareness on the benefit of the Framework Decision 2006/960/JHA of 18 December 2006[2];

19. raise awareness on the access to the Visa Information System for law enforcement purposes.

Done at Brussels,

For the Council
The President

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1 Europol Information System.

2 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.