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From:	General Secretariat of the Council
On:	18 November 2022
To:	Delegations
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Subject:	Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2021 evaluation of **Greece** on the application of the Schengen *acquis* in the field of **police cooperation**

Delegations will find enclosed the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2021 evaluation of Greece on the application of the Schengen *acquis* in the field of police cooperation, adopted by the Council at its meeting held on 18 November 2022.

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 2021 evaluation of Greece 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) 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[1], and in particular Article 31(3) thereof,

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[2], and in particular Article 15(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) A Schengen evaluation in the field of police cooperation was carried out in respect of Greece in November 2021. 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(2022) 2600.

1 *OJ L 160, 15.6.2022, p. 1–27*
2 OJ L 295, 6.11.2013, p. 27.

(2) Article 31 (3) of 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 foresees that for evaluations carried out before 1 February 2023, the adoption of evaluation reports and recommendations shall be carried out in accordance with Regulation (EU) No 1053/2013 and in particular Article 15 thereof.

(3) As points of particular interest, at operational level, Greece has assigned four Coast Guard officer and two Customs official to the International Police Cooperation Division to foster international information exchange. Greece also made available Interpol translation tool to all police officers via police intranet. The police officers have the ability to access support materials (manuals, practical information, documentation etc.) relating to international police cooperation directly from a menu and folder structure visible directly on the police intranet.

(4) Recommendations should be made on remedial actions to be taken by Greece in order to address deficiencies identified as part of evaluation. In light of the importance of complying with the Schengen *acquis*, in particular the organisation and functioning of the Single Point of Contact, the case management system, information management and the use of databases, the use of the Visa Information System for law enforcement purposes and cross-border operational police cooperation, priority should be given to implementing recommendation(s) **(4), (5), (6), (12) and (13)** below,

(5) This Decision should be transmitted to the European Parliament and to the national Parliaments of the Member States. Within two months of its adoption, Greece should, pursuant to Article 21(1) of Council Regulation (EU) 2022/922, establish an action plan to implement all recommendations and to remedy the deficiencies identified in the evaluation report and provide that action plan to the Commission and the Council.

RECOMMENDS:

that Greece should:

Risk assessment strategy, risk analysis and other analytical products

1. ensure efficient distribution of the strategic and analytical products across all law enforcement authorities at national, regional and local and establish a clear strategy for the setting up and dissemination of such products;

Bi-/multilateral agreements

2. regularly review the bi-/multilateral agreements on police cooperation to allow for updates taking into account the evolution of risks, threats and modern means to counter them;

3. review the bilateral agreement on police cooperation with Italy with the aim to increase its operational effectiveness by including the possibility to perform special forms of cross-border police cooperation;

Single Point of Contact

4. restructure the International Police Cooperation Division to allow the development of a Single Point of Contact in accordance with the requirements of the specific Guidelines by integrating the different international channels into one office, supported by a single case management system and written instructions (listing for instance practical examples) regarding the choice of international police cooperation communication channels;

Case management systems

5. urgently improve the case management system by increasing the automation of information processing (including the integration of Europol's Secure Information Exchange Network Application (SIENA); urgently make available the case management system to the Police and Customs Cooperation Centres;

Information management and databases

6. urgently revise the national procedures to ensure lawful access to the Visa Information System (VIS), including searches of biometric data, for law enforcement purposes in line with the Council Decision 2008/633/JHA;

7. improve the national search application (POL) on desktop and mobile devices in order to carry out single searches for objects and individuals, whilst also ensuring that checks into the Schengen Information System and into Interpol databases are mandatory; limit the number of mandatory fields necessary to run a query;

8. ensure search access to Europol's Information System to investigative units and improve the automated data loader feeding information into the Europol's Information System;

9. extend direct access to Europol's Secure Information Exchange Network Application (SIENA) to all competent authorities making use of the full capacity of this tool and ensure the 24/7 monitoring at the Single Point of Contact;

10. develop a technical solution in order to provide police officers with computerized access to registers of establishments providing accommodation for short-term stay of third-country nationals in Greece should the need arise;

11. provide direct on-line access to the relevant national databases for the Greek liaison officers seconded abroad;

Cross-border operational cooperation

12. increase the use of the cross-border surveillance and collect statistics on cases for which this tool is used; establish a registration system for cross-border operations (Art 40 of the Convention for the Implementation of Schengen Agreement) that allows for compiling reliable national statistics for those operations;

13. ensure legal framework and efficient implementation of joint operations, such as joint patrols on the national territory with representatives of other Member States for specific law enforcement purposes;

14. increase the number and frequency of joint patrols between Greece and Bulgaria and develop the operational scope when using this tool of police cooperation;

15. extend the tasks of the Police and Customs Cooperation Centre of Promachonas to develop the cooperation in this specific border area and ensure that the centre regularly receives adequate risk analysis/threat assessment products from the local, regional and national levels;

16. establish a standardise secured radio communication system at the border between Greece and Bulgaria to facilitate direct contact between the law enforcement authorities of the two countries;

Human resources and training

17. improve the strategic planning of human resources in the Hellenic Police to allow for efficient and effective deployment of staff for each function;

18. re-assess and improve the infrastructure of the police services (furniture, buildings, office spaces and communication infrastructure) in Syntagma, Omonia, Pagkrati, Toumba police stations;

19. provide more in-depth compulsory continuous training tailored to the different task descriptions for all relevant staff on the use of international police databases and cooperation tools (such as Article 40 of the Convention for the Implementation of Schengen Agreement, the Swedish Framework Decision and law enforcement access to the Visa Information System). Staff members of the Single Point of Contact should be given priority;

20. develop a user friendly intranet site for the Hellenic Police, including issues related to international police cooperation to continue to disseminate information and to support and promote the tools of international law enforcement cooperation;

21. define specific learning objectives for each element of the International Liaison eLearning Programme to include interactivity where feasible and implement a system to monitor eLearning completion rates; include online knowledge checks to ensure that officers attain the required level of knowledge; implement a mandatory requirement in specialist sections for existing officers and new entrants involved in international police cooperation to complete the eLearning Programme in relation to international police cooperation.

Done at Brussels,

For the Council
The President