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SCH-EVAL 4
SIRIS 2
COMIX 7

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
On:	8 January 2019
To:	Delegations
No. prev. doc.:	15202/18
Subject:	Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2018 evaluation of **Switzerland** 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 on addressing the deficiencies identified in the 2018 evaluation of Switzerland on the application of the Schengen *acquis* in the field of the Schengen Information System, adopted by the Council at its meeting held on 8 January 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.

ANNEX

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2018 evaluation of Switzerland on the application of the Schengen acquis in the field of the Schengen Information System

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 Switzerland remedial actions to address the deficiencies identified during the Schengen evaluation in the field of the Schengen Information System 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(2018)5500.

(2) The Swiss SIRENE Bureau delivers a very high quality of services; searches in the Schengen Information System in the context of police checks are carried out through user-friendly and intuitive search applications.

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

(3) In light of the importance of complying with the Schengen acquis, in particular concerning authorities having access rights, priority should be given to implementing recommendation 1. It is important to remedy this deficiency with the least possible delay.

(4) This Decision should be transmitted to the European Parliament and to the parliaments of the Member States. Within three months of its adoption, Switzerland should, pursuant to Article 16 (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 that action plan to the Commission and the Council,

HEREBY RECOMMENDS:

that Switzerland should

1. ensure that the access rights of the State Secretariat for Migration and the cantonal immigration authorities and the staff of the embassies and consulates abroad dealing with Schengen visas are in line with the provisions of Article 27(3) of Regulation No 1987/2006[2];

2. further develop the MACS application to enable the "any name" search functionality and to clearly indicate information about "suspicion of clone";

3. further develop the RIPOL and the MACS applications so that when a person/object is circulated both in the SIS and Interpol database, the SIS alert is shown first in the list of results;

4. further develop the national hit-reporting form so that fields may be automatically populated from the alert;

[2] Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 381, 28.12.2006, p. 4).

5. harmonise the password policy for all SIS user authorities;

6. consider revising the policy at some cantonal police forces to enable them to introduce alerts on persons for discreet or specific checks and to carry out specific checks;

7. revise the way how searches are performed through the EneXs application in order to avoid multiple hit results on same alerts;

8. consider connecting the ANPR systems to SIS;

9. develop a common approach to training for police at cantonal level and further develop the training on SIS for the immigration authorities;

10. further strengthen the use of the linking functionality;

11. grant the road traffic licencing departments of the cantons access to alerts on vehicle registration certificates in accordance with Article 1(1)(c) of Regulation 1986/2006[3].

Done at Brussels,

For the Council
The President

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[3] Regulation (EC) No 1986/2006 of the European Parliament and of the Council of 20 December 2006 regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates (OJ L 381, 28.12.2006, p. 1).