Council of the European Union

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**NOTE**

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| 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 the Czech Republic on the application of the Schengen acquis in the field of management of the external border |

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 the Czech Republic on the application of the Schengen acquis in the field of management of the external border[1].

[1] Available in all official languages of the European Union on the Council public register, doc. 15008/19

Council Implementing Decision setting out a

**RECOMMENDATION**

**on addressing the deficiencies identified in the 2019 evaluation of the Czech republic on the application of the Schengen acquis in the field of management of the external border**

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 Czech Republic remedial actions to address the deficiencies identified during the Schengen evaluation in the field of external border management 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(2019) 4050.

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

(2) Real-time analysis of the Advance Passenger Information using the OBZOR IT system and subsequent dissemination of the relevant results to police officers in the first line has a clear added value for the border checks. The OBZOR system also performs an inquiry of the Visa Information System (VIS) in cases where a passenger's nationality would require them to carry a visa. The inclusion of the VIS check is a good practice, as this way the alien police is able to put more attention in advance, on arriving passengers who are registered in the VIS. Furthermore, the existence of a legal base (act), regulating the establishment of the border crossing points, the provisions for supervision of the security preconditions, and the organisation and functioning of the border crossing points at international airports is considered as a very good legal tool to ensure proper infrastructure in compliance with the Schengen requirements, at all Czech airports.

(3) In light of the importance of complying with the Schengen acquis, in particular the IBM, use of API-data, risk analyses and the number of staff, priority should be given to implementing recommendations: 1 to 7, 9 and 21.

(4) This Decision should be transmitted to the European Parliament and to the parliaments of the Member States. Within three months of its adoption, Czech Republic 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,

RECOMMENDS:

that the Czech Republic should

**Integrated border management strategy**

1. finalise and implement the national integrated border management strategy for the Czech Republic in order to comply fully with the requirements of Article 4 of Regulation (EU) 2016/1624;

**Human resources and professionalism**

2. introduce specific managerial training and ensure that English language training is obligatory for the officers whose current knowledge is hindering their performance in the first and second line;

**Risk Analysis**

3. structurally address the identified vulnerability of the risk analysis function at regional level;

4. ensure that all airlines submit Advance passenger information in advance in order to perform all inquiries prior to the arrival;

5. increase the number of officers that have successfully completed Common Inegrated Risk Analysis Model 2.0 training at all border crossing points;

**National Coordination Centre/Eurosur**

6. increase the number of staff working at the National Coordination Centre to ensure a 24/7 operation of the centre;

**Border checks – Horizontal issues**

7. bring the visa fee for visas issued at the border for Russian citizens in line with Article 6 of the Visa Facilitation Agreement between the European Union and the Russian Federation (OJ L129, 17.05.2007, p.27);

**Border crossing point Prague Airport**

8. intensify interagency cooperation by organising joint operations and common risk analysis or by sharing risk analysis products;

9. further increase the number of staff dealing with border checks at Prague Airport to deal with future developments and to ensure the continuous quality of border checks and training possibilities;

10. improve the level of English and Russian language knowledge of staff performing first- and second-line checks by increasing language training;

11. install a communication system (e.g. loudspeaker and microphone) in the control booths to ensure proper communication between police officers and passengers;

12. ensure that the signposting at Terminal 2 is in line with Article 10 and Annex III of the Schengen Borders Code;

13. ensure that the check of entry conditions is consistently performed according to the Schengen Borders Code;

14. ensure that the brochure to inform third-country nationals who are subject to a thorough second-line check about the purpose and procedures for second-line checks is available in all the official languages of the European Union in accordance with Article 8(5) of the Schengen Border Code;

**BCP Brno airport**

15. improve the level of English language knowledge of police officers dealing with the first- and second-line checks by increasing language trainings;

16. ensure sufficient knowledge of the annexes of the Schengen Borders Code and Schengen Handbook for all officers performing border checks;

**BCP Karlovy Vary Airport**

17. improve the level of foreign language knowledge of police officers dealing with the second-line checks by increasing language trainings;

18. ensure more thorough verification of the existence of the means of subsistence and of hotel reservations, tickets or invitations in accordance with the Schengen Borders Code;

19. ensure that the seated position of the police officers in the booths allows for a proper observation and profiling of the passengers;

20. install a communication system (e.g. loudspeaker and microphone) in the control booths or remove part of the front glass in order to ensure proper communication between police officers and passengers;

21. take the necessary measures to prevent unauthorised persons entering and leaving the reserved areas (the apron), and bring the infrastructure in line with Annex VI, point 2.1.3. of the Schengen Borders Code.

Done at Brussels,

*For the Council*
*The President*