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 **Sweden** on the application of the Schengen acquis in the field of **management of the external borders**

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 Sweden on the application of the Schengen acquis in the field of management of the external borders[1].

[1] Available in all official languages of the European Union on the Council public register, doc. 6753/21

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2019 evaluation of Sweden on the application of the Schengen acquis in the field of management of the external borders

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 Sweden remedial actions to address the deficiencies identified during the Schengen evaluation in the field of management of the external border 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) 1890.

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

(2) The main conclusion of the on-site team is that Sweden has implemented a substantial number of recommendations and that there are no longer serious deficiencies in the Swedish external border management. However, implementation of some core recommendations for ensuring coherence in the national Integrated Border Management concept, command and control function within the police organisation, unified training system, human resources policy, risk analyses functions, quality control mechanism is slow or has not started yet. Despite the visible progress made, mainly at the air borders, the improvement is still urgently needed on these issues.

(3) In light of the importance of complying with the Schengen acquis, priority should be given to implementing recommendations 1, 2, 3 and 5.

(4) This Decision should be transmitted to the European Parliament and to the Parliaments of the Member States. Within three months of its adoption, Sweden 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:

Sweden should

Integrated Border Management Concept

1. establish a clear governance for the implementation of the European Integrated Border Management, including by appointing and empowering a national authority to coordinate the implementation of the European Integrated Border Management, and finalise the national strategy;

2. ensure clear coordination, command and control functions, including a clear chain of command within the Swedish Police between the national, regional and local level for the implementation of the European Integrated Border Management;

3. conclude a specific contingency plans for border management at national, regional and local levels, involving all relevant national authorities; establish thresholds to adapt the operational support, include the possibility to integrate the support by specific mechanisms set up at EU level and test the plans periodically;

Human resources

4. ensure a sufficient number of trained staff at the Port of Stockholm to increase the number of physical border checks on cargo vessels, cruise ships and other categories of sea traffic in accordance with Articles 15 and 16 of the Schengen Borders Code;

5. ensure a sufficient number of trained staff for the National, regional and local coordination centres to be able to efficiently design and implement the national risk analysis system and the Eurosur system in accordance with the Article 15 and 16 of the Schengen Borders Code;

Horizontal issues

6. further develop the Police database by implementing an extract function in order to have an automatic collection and aggregation of the number of incidents and to decrease the workload currently caused by the need to manually collect this information;

7. establish standardised procedures in relation to the reporting and information exchange in case of detection of fraudulent documents;

8. ensure that Advance Passenger Information (API) from all airlines is received by the Border Police and introduce the practice of imposing fines on the carriers in cases where API data is not provided or incomplete;

9. further improve the registration of visas and refusals of entry issued per border crossing point and make full use of those data for risk analysis purposes.

Done at Brussels,

For the Council
The President