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 2018 evaluation of Finland 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 2018 evaluation of Finland 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. 7283/19

ANNEX

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2018 evaluation of Finland 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[2], 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 Finland remedial actions to address deficiencies identified during the Schengen evaluation in the field of police cooperation 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) 6180.

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

(2) In light of the importance of complying with the Schengen *acquis*, in particular the requirements for both swift information retrieval and exchange and a level playing field as regarding the cross-border operational framework, priority should be given to implementing recommendations 1, 2 and 3 below.

(3) This Decision should be transmitted to the European Parliament and to the parliaments of the Member States. Within six months of its adoption, the evaluated Member State should, pursuant to Article 16(8) 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 Finland should:

1. Develop a coherent and unique interface for access to various police databases including EU/international databases;

2. Provide compulsory training on a regular basis on the use of existing police databases to all police staff using them, including on how to search foreign names or vehicle data in existing national systems;

3. Provide for clear information about action to take following a hit in EU/international databases;

4. Raise awareness on how to use international police cooperation tools by providing compulsory continuous training for all the relevant staff, starting with operation centre staff, investigators;

5. Provide for an effective "fuzzy logic" functionality in national systems connected to EU/international databases;

6. Adopt comprehensive guidelines/instructions on use of channels of communication for international police cooperation;

7. Develop the standardised procedures for police officers, including the Single Point of Contact (SPOC) staff, on the use of databases and raise awareness about the potential of EU/international databases;

8. Establish a single case management system for the Single Point of Contact (SPOC);

9. Improve the user-friendliness of the police intranet by offering short and concise information on international police cooperation matters, e.g. in FAQ format;

10. Establish instructions on actions to follow in case of cross-border surveillance operations;

11. Establish instructions on actions to follow in case of cross-border pursuit;

12. Establish instructions on law enforcement access to the Visa Information System (VIS) in line with the Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (the VIS Decision);

13. Raise awareness about the Regulation (EU) No 603/2013 as regards access of the competent authorities to the EURODAC database for law enforcement purposes;

14. Evaluate the need to update the existing Police Cooperation Agreement with Estonia in light of the current needs.

Done at Brussels,

For the Council
The President