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From:	General Secretariat of the Council
On:	12 April 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 **Belgium** on the application of the Schengen acquis in the field of the **Schengen Information System**

Delegations will find enclosed the Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2021 evaluation of Belgium on the application of the Schengen acquis in the field of the Schengen Information System, adopted by the Council at its meeting held on 12 April 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 Belgium 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) A Schengen evaluation in the field of the Schengen Information System was carried out in respect of Belgium in June 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) 900.

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

(2) As part of the evaluation, the on-site team identified a number of best practices, in particular, the possibility for some end-users to create alerts on persons or objects considered particularly urgent that would benefit from prioritised treatment; the use of a specific application (known as AquaTask) allowing the Maritime Police to search the crew and the passenger lists against the Schengen Information System; and the process of distribution of mobile devices equipped to query in the Schengen Information System.

(3) Recommendations should be made on remedial actions to be taken by Belgium in order to address deficiencies identified as part of the evaluation. In light of the importance of complying with the Schengen *acquis*, in particular the rule of equivalence of results of searches between N.SIS and SIS II; the obligation for Member States to ensure the uninterrupted availability of SIS data to end-users; the obligation for the vehicle registration authorities to have access to data on vehicle registration documents and vehicle registration numbers in the Schengen Information System; and the obligation to keep records of the unique user identification number of the person performing SIS checks, priority should be given to implementing the recommendations number 8, 9, 10, 13 and 14.

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

SIS Automated Fingerprint Identification System (SIS-AFIS)

1. fully implement the SIS Automated Fingerprint Identification System country wide;

SIRENE Bureau

2. ensure timely and adequate support by the SIRENE Bureau (Front Office) to end-users following SIS hits;

Creation of alerts

3. enhance the data quality procedures in place to ensure that duplicated alerts on the same person are not entered in the system;

National applications

4. implement the multi-category search functionality in the National Schengen Information System (N.SIS) application thus enabling querying different categories of SIS alerts by a single search;

5. ensure that the N.SIS application automatically checks alerts for vehicles and industrial equipment when querying with the vehicle identification number (VIN);

6. emphasise the display of links between SIS alerts in the application used by the police for border control checks and police checks;

7. make the application used by the police for border control checks and police checks more user-friendly by displaying better all the relevant alert data for the end-users;

8. enhance the application used by the police for border control checks and police checks to ensure that:

   1) queries on persons with multiple first names retrieve the corresponding SIS alerts;

   2) the result from queries on alerts with first and last name with more than 30 characters in total, display the full names; and

   3) queries on alerts containing a hyphen retrieve the corresponding SIS alert;

9. correctly implement the new transliteration rules in all SIS-search applications not directly querying the Central System (C.SIS);

10. improve the availability of the N.SIS and of the full chain of national applications used for SIS queries, in particular at the Border Crossing Points;

Use of the Schengen Information System

11. enhance the automation of the SIS-related procedures in the Immigration Office in order to tackle the pending backlog and ensure a timely and adequate management of SIS alerts;

12. enhance the automation of the post SIS-hit procedures at the Vehicle Registration Service;

13. ensure that the Vehicle Registration Service has access to data on vehicle registration documents and vehicle registration numbers in the Schengen Information System;

14. ensure that the unique user identification number of the person performing SIS search is recorded;

Training

15. ensure that SIS training is properly organised to guarantee that all end-users across Belgium receive sufficient training on the use of the Schengen Information System and are able to adequately handle SIS alerts via the corresponding query applications.

Done at Brussels,

For the Council
The President