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NOTE

to:	the Working Party for Schengen Matters (Schengen evaluation)
Subject :	Schengen Evaluation of NORWAY - Draft Council conclusions

1. The correct application by Norway of the Schengen acquis was evaluated in 2011 and 2012 in accordance with the decision of the Executive Committee of 16 September 1998 (cf. SCH/Com-ex (98) 26 def.), the Council Conclusions on future monitoring of the correct application of the Schengen acquis in participating states (doc. 8460/2/08 REV 2 SCHEVAL 20 COMIX 305), the Schengen Evaluation Programme 2008-2013 (doc. 6949/3/08 REV 3) and the Overview of programmes, participants and technical details - evaluations 2011 (doc. 5031/11 and subsequent REVs) and 2012 (doc. 5090/12 and subsequent REVs).

2. An extensive questionnaire was completed and evaluation visits were paid to the data protection authority, police stations, sea-, air- and land borders and consulates. A visit to the SIS/SIRENE-bureaus will be conducted at a later stage. These evaluation visits resulted in a series of exhaustive reports containing comments and recommendations, the most important of which are outlined below. In order to get a full picture of the assessment, these conclusions should be read in conjunction with the individual reports of the inspection teams (see list in annex).

3. Since the last evaluation of Norway in 2005, considerable progress was made leaving the experts and the working party for Schengen Matters (Schengen Evaluation) with a largely favorable impression. Many of the recommendations made in the past have been fulfilled in the meantime and the Schengen acquis is applied in an overall satisfactory manner.

4. The Schengen **data protection** environment in Norway was found to be in compliance with the Schengen Acquis. Particularly appreciated were the adoption of international standards for security of the N.SIS, the commitment of the DPA to the task of supervising the SIS and the quality and commitment of the DPA in the field of information security in general. Recommendations for further improvements were made regarding statistics on applications for access, deletion and rectification, the recording of all transmissions of personal data in the national section of the SIS, the introduction of proper procedures for the safe deletion of data upon expiry, the regular carrying out of checks of the logs in order to verify correct use of the SIS and inspections at consulates.

5. **Police cooperation** in the framework of Schengen was overall assessed positive. The recommendations of the previous evaluation were found to be implemented and considerable progress was achieved through the newly established system INDICIA (established to prevent, investigate and detect crime and distribute information at all levels). Appreciated were also the very good language skills among the staff, the transparent online platform KO:DE and its easy accessibility to it and how the Schengen Acquis has been integrated in the general police training system. Recommendations were made concerning more systematic reporting to the central authorities on cross-border operations and international information exchange in general and increased training in this matter. As officers had to check in 3-4 data bases during a single search, a more user-friendly solution was finally also recommended.

6. Border control at **airports** was found to be carried out generally in compliance with the Schengen acquis. Border management in Norway follows in general the concept of Integrated Border Management. The recommendations of the previous visit were found properly implemented, the level of knowledge of the Schengen Acquis was found to be satisfactory in the main and the police officers and border guards performed their duties professionally. Also the level of equipment available was considered sufficient. As regards staffing, although considered sufficient in general, a revision was recommended in order to evaluate, if an increase (not only at peak times) would not further contribute to the level of performance.

Also a general training-plan to ensure a high and even level of performance should be developed. Recommendations were further made concerning risk analysis, where the quality of the information available was found to be high, yet a centralized organisational and functional structure was considered useful. As regards the airport of Oslo-Gardermoen minor recommendations were made concerning the infrastructure and the performance of border checks, briefings to be held and the implementation of APIS. Concerning Moss airport Rygge the level of performance was acknowledged, yet it was recommended to increase the staffing-level, as this would also contribute to risk-analysis and participation in training-courses. Recommendations were finally made concerning infrastructure, the performance of border checks, a needed increase in equipment in 2nd line and again the implementation of APIS.

7. Border control at **sea borders** was also found to be carried out in compliance with the Schengen acquis on the main. Yet, although threat level and migration pressure along the Norwegian Coast were considered low, more attention to risk analysis and border checks in general was recommended. Acknowledged were the already established Schengen-instructors, tasked to enhance the general knowledge of the Schengen Acquis on local level, the good language skills among the police officers and border guards, the new system "SSN Norway", an automated system for the checking of passenger- and crew-lists currently under development and the development of a TETRA-based communication system. Besides the creation of a special risk analysis unit within the Norwegian Coast Guard in order to take advantage of all surveillance and information-systems available, a general recommendation was made to adapt the current performance of border checks at the port of Stavanger and Bergen and to provide for adequate staffing and better infrastructure and equipment for border checks directly at both ports.

8. Border control at **land borders** was found to be carried out generally in compliance with the Schengen acquis. The results of the previous evaluation were found to be implemented and considerable improvements could be noted as regards the cooperation between the Police, the Norwegian Border Commissariat and the Border Guard Battalion of the Garrison of Sør-Varanger, where a special cooperation-agreement now clarifies the responsibility for border control and the tasks to be fulfilled by the different authorities involved. Also cooperation with the neighbouring Russian authorities was found to be well in place.

As an imbalance between border surveillance (where staffing and equipment was found to be modern, sufficient and adequate) and border checks (where the staff was found to be motivated and highly trained, but staffing and infrastructure were in general found to be no longer sufficient for the increased traffic) was observed, recommendations were made as regards infrastructure, procedures and staffing for border checks. In particular it was recommended to implement the foreseen temporary enlargement in infrastructure, to pursue an adequate definite solution, to adapt the staffing and also review the procedures in order to ensure that checks are done thoroughly and fluency of traffic is still adequately pursued. In this context it was also recommended to review the current rotation-system between Kirkenes Police Station and the BCP Storskog and to ascertain that a sufficient number of highly trained officers remain at the border in order to guarantee an even and high level of checks over a certain period of time. Furthermore, minor recommendations were made concerning the checking of vehicles and 2nd line checks of lorries.

9. As for **visa issuance**, experts carried out an evaluation of the visa sections of the Norwegian embassies in Kiev and Beijing. In both cases the Community Code on Visas was found to be applied in a very satisfactory manner. Experts were particularly appreciative of the online-application facility, which could be considered a best practice, the e-learning programme, the level of professionalism of the staff and the cooperation between the members of the staff involved in the decision-making process.

Experts were also appreciative of the procedures agreed among the Nordic consulates in Kiev as regards the accreditation of travel agencies and the further monitoring practice. In Kiev as well as in Beijing, it was recommended that more multiple-entry visas be issued for frequent travellers if the requirements are met, to have the DPA check the compliance of the practice of archiving data without any time-limit with the national data protection provisions, to improve the availability of information to the public and to make adaptations concerning the requested travel medical insurance. In Beijing, it was recommended to add all the information gathered and observations made concerning an application in the NORVIS to be available in case of future applications as well as when dealing with possible appeals. In Kiev, it was recommended, that the procedures for issuing LTV visa in case of non-recognition of travel documents by one or more Member States be reviewed and that the security in the back-office area be adjusted (or: adapted to the needs).

10. Norway is invited to continue to inform the Council in writing, in the course of the next semester, on the follow-up it intends to give to these recommendations and those contained in the reports.

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Schengen evaluation of NORWAY - REPORTS

Report on Data Protection

Doc. 16552/11 SCHEVAL 181 COMIX 701 RESTREINT

Report on Police Cooperation

Doc. 6663/12 SCHEVAL 22 ENFOPOL 37 COMIX 102 RESTREINT

Report on Air borders

Doc. 12356/11 SCHEVAL 110 FRONT 85 COMIX 419 RESTREINT

Report on Sea borders

Doc. 13812/11 SCHEVAL 141 FRONT 129 COMIX 532 RESTREINT

Report on Land borders

Doc. 16931/11 SCHEVAL 191 FRONT 160 COMIX 725 RESTREINT

Report on Visa

Doc. 12424/11 SCHEVAL 111 VISA 115 COMIX 421 RESTREINT (Beijing)

Doc. 12431/11 SCHEVAL 116 VISA COMIX RESTREINT (Kiev)

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