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 **Slovenia** on the application of the Schengen acquis in the field of **Schengen Information System**

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 Slovenia on the application of the Schengen acquis in the field of Schengen Information System[1].

[1] Available in all official languages of the European Union on the Council public register, doc. 9770/20

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2019 evaluation of Slovenia on the application of the Schengen *acquis* in the field of 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) The purpose of this Decision is to recommend to Slovenia remedial actions to address deficiencies identified during the Schengen evaluation in the field of the Schengen Information System (SIS) 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)12.

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

(2) The on-site team considered the mandatory training on SIS for all police officers, attendance to whose courses is monitored for all police officers; the integration of SIS checks in the procedure for registering a vehicle and for annual vehicle technical checks; the high automation in the implementation of the Advance Passenger Information (API); and the possibility of displaying a transliteration virtual keyboard in the application LISK when entering data, as best practice.

(3) In light of the importance of complying with the Schengen *acquis*, in particular the obligation to display all information included in the alerts, ensure access to alerts on objects to customs and ensure proper implementation of the access rights to consulates issuing visa, priority should be given to implementing recommendations 1, 6, 13, 15, 21 and 23.

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

Customs

1. ensure that Custom authorities can broaden the possibility of querying the SIS with non-standard VIN and industrial equipment;

2. ensure that Customs authorities use the SIS systematically;

3. ensure that Customs officers are aware about their empowerments in using SIS;

Links

4. ensure that knowledge about how to create links is well established and the procedure for linking is clear; ensure that the presence of links in the alerts is easily visible for the end users;

Vehicles

5. ensure that vehicle photographs can be opened by the end user, not only by SIRENE Bureau;

Documents

6. enable access to consulates issuing visas to alerts on objects related to issued documents;

7. re-assess the procedure to seize stolen documents with an alert in SIS to avoid that the complexity of the judicial procedure prevent end-users from seizing them;

N.SIS and Security

8. ensure that the N.SIS office is able to produce specific statistics for SIS;

9. consider moving the primary data centre to a more suitable environment and ensure it is equipped with an automated fire extinguisher system and two separate electrical power providers;

10. ensure compliance with Article 10(c) of Regulation 2006/1987 and Decision 2007/533, preventing removable media devices into end-users workstations and expanding the privacy screen installation to all border guard booths;

11. ensure the continuity of the access to N.SIS;

12. enhance the testing procedure of the N.SIS when changes to the system have to be introduced;

Fingerprints

13. ensure that SIRENE officers have direct access to the fingerprints in the forensic database; and establish a procedure to ensure that fingerprints and pictures are systematically uploaded in SIS when available;

Article 36 alerts

14. consider facilitating the process for issuing Article 36 alerts on persons and objects for discreet checks;

Applications

15. ensure that warning markers are shown to end-users using mobile devices;

16. ensure that the limitations for querying either into the first name field or the surname field follow the Interface Control Document standards;

17. ensure that misused identity extension is clearly displayed in the LISK application;

18. ensure that, person related remarks are highlighted in all applications;

19. ensure that warning remarks are shown the first screen in the police application;

20. enhance SIS search possibilities with only document number in the police application;

Migration authorities

21. establish a procedure for Migration authorities that allow the check of documents in SIS during the process of issuing resident permit;

22. ensure training on SIS for Migration authorities;

23. enhance Migration authorities access to Article 24 alerts on refusal of entry or stay;

24. ensure that Migration officers are able to access the documentation on the use of SIS;

Training

25. ensure that users are trained on the use and purpose of misused identity extension in SIS;

26. ensure that users are trained on the use and purpose of discreet checks with immediate action;

27. ensure that police and border guards have sufficient knowledge about the use and meaning of links.

Done at Brussels,

For the Council
The President