

Schengen Evaluations

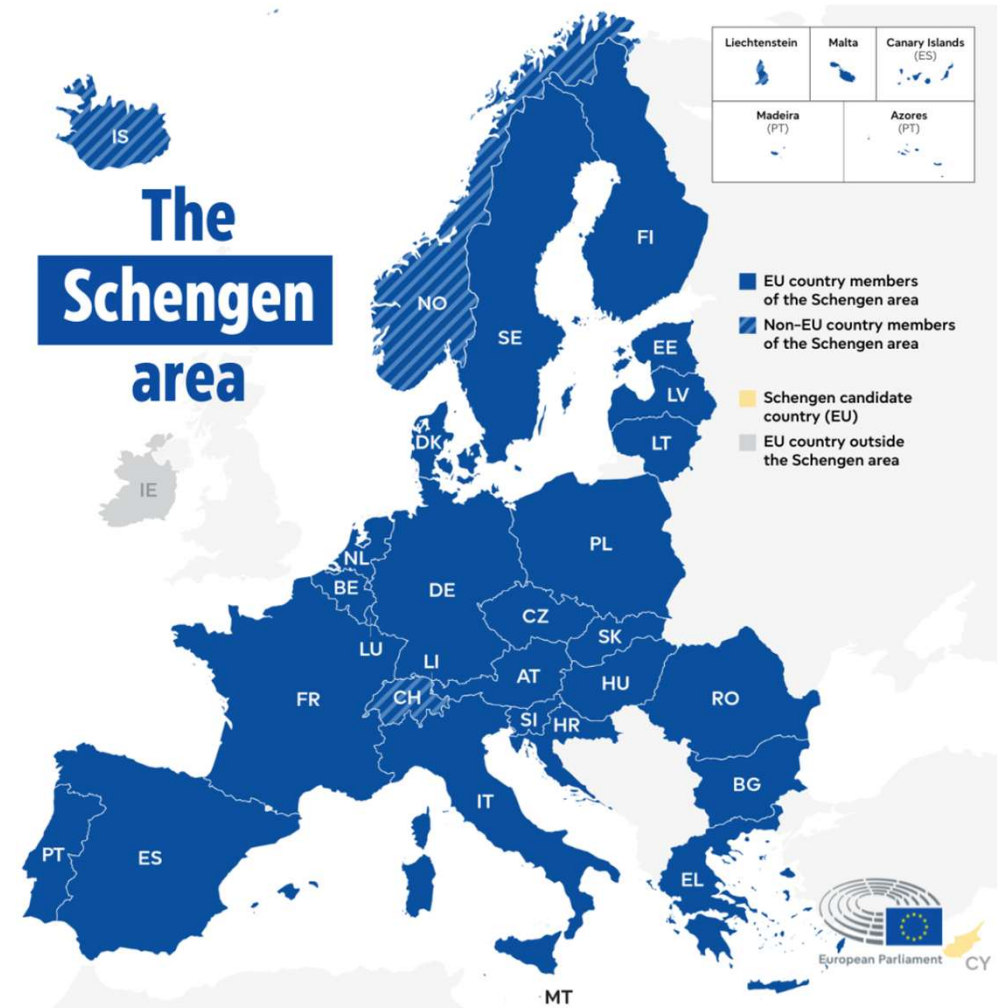
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Abolished internal
border controls between
Schengen States



Common rules on the management of **external borders**

Common **visa policy**

Mechanisms enabling **law enforcement** authorities to collaborate across borders to enhance security and combat transnational crime.

Strengthen **legal cooperation** across member states.

Common **databases** facilitating information sharing on security threats, border controls, visa applications, and law enforcement cooperation

Rules on the **documents** needed for movement within the Schengen area.

Common rules on the **return** of migrants with no right to stay in the Schengen area

Schengen Governance

Schengen Governance



- All Schengen States are expected to implement the Schengen framework individually to the highest standards, in the interest of all Schengen States, and recognise the implementation of common rules by other States

Schengen Evaluation and Monitoring Mechanism

- **Periodic evaluations:** Regular assessments to ensure ongoing compliance.
- **Unannounced evaluations:** Conducted with or without prior notice to assess real-time application of the Schengen acquis.
- **Thematic evaluations:** Focus on specific policy areas or legislative changes across multiple countries, or common challenges.
- **Revisits and verification visits:** Carried out to ensure that recommended actions have been implemented effectively.

How are evaluations carried out?



On-site visit, supported by a questionnaire



Team of experts from Member States



Coordinated by the European Commission



Observers from relevant EU Agencies (Frontex, Europol, eu-LISA, and the Fundamental Rights Agency)

What the evaluators look into?



Correct application of laws and regulations



Application in practice



Knowledge of staff



Use of technology



Well-functioning of the authorities

What happens after the evaluation?

- Visit from the Schengen Coordinator (European Commission)
- **Evaluation report**
 - Identify deficiencies
 - Highlight best practices
- **Recommendations**
- In case of **serious deficiency**, increased scrutiny will be required.


Addressing serious deficiency



- The Commission will immediately inform European Parliament and the Council.
- Accelerated procedures - two weeks for the submission of the action plan.
- Member State must take immediate action to address them. This includes mobilising all necessary operational and financial resources.
- Revisit takes place within a year.
- If related to external border management:
 - a deployment of European border guard teams
 - Frontex may organise and coordinate rapid border interventions and deploy the standing corps
 - Border control at internal borders may be reintroduced

Action Plan

- Member States have to submit an action plan in two months

**KOEL - SCHEVAL Monitoring Tool**
Knowledge Online on European Legislation - Schengen Evaluations Monitoring Tool

ADMINISTRATION

Home / Countries / Malta

Name	Policy area	Type	Evaluation year	Start
<input type="text"/>	<input type="text"/>	Select item...	y. <input type="text"/>	y. <input type="text"/>
MT/24/THM	Thematic 2024 return	Thematic	2024	
MT/21/DP	Data protection	Periodic	2021	
MT/22/VIS	Common visa policy	Periodic	2022	
MT/21/PCO	Police cooperation	Periodic	2021	
MT/21/SIS	Schengen Information System	Periodic	2021	
MT/21/RET	Return	Periodic	2021	
MT/21/MEB	The management of the external borders	Periodic	2021	

Action Plan

- ✓ Identify remedial actions
- ✓ Responsible entity
- ✓ Funding
- ✓ Planned date
- ✓ Status
- ✓ Supporting documents (if required)

**EU commission will
review the adequacy
of Action Plans.**

**Other Member States
may also comment**

**Member States are to
send timely follow-up
on the progress.**

(every 6 months)



Synergies with EU funds

- Schengen Standard Questionnaire
- While drawing up the action plans, the evaluated Member States should fully take into consideration the funding possibilities provided by the Union and make the best use of those resources.

Recital 26 of the SEMM Regulation (EU) 2022/922

- National programmes –
 - Member State should adequately address the matter by using the resources under its programme to implement Schengen evaluation recommendations
- Before assessing the programme, the CION would also look into information available as a result of Schengen evaluations.

Recital 22 of the BMVI Regulation (EU) 2021/1148 and recital 21 of the ISF Regulation (EU) 2021/1149

Article 16 (3) of the BMVI Regulation (EU) 2021/1148 and Article 16(3) of the ISF Regulation (EU) 2021/1149

Thank you