



## Commission discusses draft Schengen Evaluation Report on Greece

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The College of Commissioners has today, in view of the findings and their significance, taken note and discussed a draft Schengen Evaluation Report on Greece. [The Schengen evaluation mechanism](#), established in October 2013, provides for the verification of the application of the Schengen rules through monitoring visits to a given Member State by Commission-led teams with experts from Member States and Frontex. The draft Schengen evaluation report for Greece, drawn up jointly by Member States experts and Commission representatives, will now be sent to the Schengen Evaluation Committee which will give its opinion. The report will then be adopted by the Commission by means of an implementing act.

Migration and Home Affairs Commissioner **Dimitris Avramopoulos** said: *"If we want to maintain our internal area of free movement, we must better manage our external borders. This means that we will only save Schengen by applying Schengen. The Commission continuously monitors the implementation of the Schengen rules in all Schengen Member States. The draft Schengen evaluation report on Greece looks at the management of the external border during an evaluation visit of Member States and Commission experts in Greece in November. The report shows that there are serious deficiencies in the management of the external border in Greece. We know that in the meantime Greece has started undertaking efforts towards rectifying and complying with the Schengen rules. Substantial improvements are needed to ensure the proper reception, registration, relocation or return of migrants in order to bring Schengen functioning back to normal, without internal border controls. This is our ultimate common goal."*

The draft report – which is not public – is based on unannounced site visits to the Greek-Turkish land border and to Chios and Samos conducted from 10 to 13 November 2015. The report looks at the presence of police and coast guard personnel on the inspected sites, the efficiency of the identification and registration process, sea border surveillance and cooperation with neighbouring countries. Whilst acknowledging that the Greek authorities are under pressure, the report notably finds that there is no effective identification and registration of irregular migrants and that fingerprints are not being systematically entered into the system and travel documents are not being systematically checked for the authenticity or against crucial security databases, such as SIS, Interpol and national databases. On this basis, the draft report concludes that Greece is seriously neglecting its obligations and that there are serious deficiencies in the carrying out of external border controls that must be overcome and dealt with by the Greek authorities.

### Schengen Evaluation Mechanism

Schengen evaluations are carried out in Member States based on a multi-annual and an annual evaluation programme. Such visits can be announced or unannounced.

Following each visit, a report is drawn up identifying any shortcomings and making recommendations for remedial action, with a deadline for their implementation. The recommendations are submitted by the Commission to the Council for adoption. As a follow-up, the Member State in question is required to submit an action plan setting out how it intends to remedy the weaknesses identified. Member States can be assisted in fulfilling the recommendations via practical and/or financial measures from the Commission, Frontex or other EU bodies.

The [Eighth bi-annual report on the functioning of the Schengen area](#) of 15 December 2015 already announced that, depending on the results of the Schengen evaluations in Greece, specific measures as referred to in Article 19a and 26 of the [Schengen Borders Code](#) may be recommended.

### Procedures addressing exceptional circumstances

If a Schengen Evaluation Report concludes that the evaluated Member State is *"seriously neglecting its obligations under the Schengen rules"* and if there are *"serious deficiencies in the carrying out of external border control"*, the Commission can propose recommendations, to be adopted by the Council, for remedial action to address any deficiencies identified during the evaluation. In order to ensure

compliance with these recommendations, the Commission may, under Article 19a of the Schengen Borders Code, recommend that the evaluated Member State take certain specific measures, which may include the deployment of European border guard teams or the submission of a strategic plan setting out how the Member State will deploy its own personnel and equipment to address the concerns. The Commission's proposals must be adopted by a Committee of the Member States, acting by qualified majority. The evaluated Member State then has three months to complete the remedial actions.

Where, after three months, serious deficiencies persist and the measures taken have not proved sufficient to ensure the adequate remedy of these deficiencies, the Commission may trigger the application of the procedure provided for in Article 26 of the Schengen Borders Code.

Under Article 26 of the Schengen Borders Code, if the measures under Article 19a have not been effective, the Council may, based on a proposal from Commission, recommend that one or more Member States reintroduce border controls at all or at specific parts of their internal borders as a matter of last resort, to protect the common interest of the Schengen area. The Council recommendation needs to be adopted by qualified majority.

Under Article 26, and in the exceptional circumstances described above, controls can be reintroduced for a period of up to six months. This measure can be prolonged for additional six month periods up to a maximum duration of two years.

### **For More Information**

[The Schengen Border Code](#)

[Eight biannual report on the functioning of the Schengen area](#) (15 December 2015)

[The Schengen Evaluation and Monitoring Mechanism](#)

[Directorate-General for Home Affairs website](#)

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