



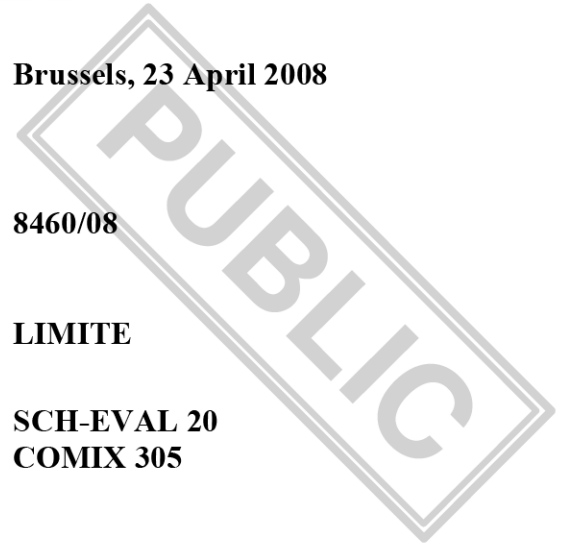
**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 April 2008

8460/08

LIMITE

**SCH-EVAL 20
COMIX 305**



NOTE

from : the Presidency
to: the Schengen Evaluation Working Party

Subject : Schengen evaluation - Draft Council Conclusions on future monitoring of the correct application of the Schengen acquis in participating States

The Council of the European Union:

- a) Respecting the Schengen Evaluation Working Party's mandate as laid down in SCH / ex-COM (98) 26 def. and (an evolution) striving towards a more integrated approach of Schengen evaluations;
- b) Welcoming the enlargement of the Schengen area to 24 Member States, resulting in a vast area reaching from the Atlantic ocean to the Baltic sea;
- c) Considering the new challenges in the field of security of the European space and the new threats linked to (the development of) increasing immigration pressure, organised crime and terrorism;
- d) Reaffirming the need to continue the evaluation of candidate states prior to their entry into the Schengen area and to render the Schengen Evaluation Working Party's working methods and activities more efficient as regards ensuring the correct implementation of the provisions of the Schengen acquis by the Member States;
- e) Respecting the objective of the Hague Programme related to the Schengen evaluation mechanism;

Adopts the following conclusions:

1. The evaluation of Schengen candidate countries shall continue according to the rules in force to ensure that they fulfill all necessary conditions prior to full application of the Schengen acquis to them
2. The evaluation of Member States' correct application of the Schengen acquis shall be organised by way of:
 - "classic" assessments on a country by country basis, starting with those Member States which have not been evaluated for a number of years and which require evaluation of all parts of the Schengen acquis;
 - supplementary thematic and/or regional evaluations involving several Member States or regions based on risk analyses (provided by relevant stakeholders e.g. FRONTEX, EUROPOL, Member States, Commission, etc.).
3. To this end, a 5-year programme of continued "classic" evaluations of Member States already applying the Schengen acquis, shall be adopted.
4. A supplementary regional and/or thematic evaluation schedule supported by and reflecting analyses of relevant stakeholders, can be adopted as part of the programme of each Presidency.
5. The Multi-Presidency Proposal for a Schengen Evaluation Programme (doc. 6949/2/08 REV 2 SCH-EVAL 11 COMIX 160) agreed by the Schengen Evaluation Working Party serves as the basis for planning the working party's evaluation activities in the next 5-year period.

Member States are invited to take note of these conclusions.
