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#### COVER NOTE

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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Delegations will find attached document COM(2024) 173 final.

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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN  
ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE  
REGIONS**

**State of Schengen report 2024**

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE  
EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE  
AND THE COMMITTEE OF THE REGIONS  
STATE OF SCHENGEN REPORT 2024**

*In 2023, the Schengen area without controls at internal borders (the “Schengen area”) continued to show resilience in the face of a changing geopolitical landscape, although it remains exposed to interconnected challenges. The 2024 State of Schengen report takes stock of the important developments that have taken place over the last year providing a comprehensive overview of the state of the Schengen area. It reflects the major initiatives within the current Commission’s mandate to strengthen the Schengen framework.*

*Building on Schengen evaluation and monitoring activities carried out in 2023, the report also identifies priority areas requiring political and operational impetus and highlights areas where improved application of the Schengen rules is needed. Almost 40 years after the signature of the Schengen Agreement, a high level of cooperation across borders remains as relevant as ever, to allow the Schengen area to continue contributing to the EU’s economic competitiveness and make life easier and more secure for citizens and businesses.*

*This Report<sup>1</sup>, initiating the 2024-2025 Schengen cycle, serves as the basis for political decision-making and follow-up at both European and national levels. To facilitate the implementation of the priority actions for the Schengen area, alongside this Report the Commission has put forward a proposal for a Council Recommendation for the Schengen area and invites the Council to adopt it during the upcoming Schengen Council meeting in June 2024.*

*In particular, the agreements reached on the legislative framework, the historic steps taken to complete the Schengen area and the consolidation of Schengen governance are the building blocks to move away from a constant state of crisis towards preparedness, resilience, and collective responses, marking a turning point in our joint efforts to manage Schengen.*

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<sup>1</sup> The 2024 State of Schengen report addresses Commission’s legal obligation to provide reporting pursuant to Article 25 of Council Regulation 2022/922 and to Article 33 of the Schengen Borders Code.

## 1. DELIVERING ON OUR COMMITMENTS FOR A STRONGER SCHENGEN AREA

After nearly four decades of cooperation, Schengen has evolved into the world's largest free travel area. By establishing an area without internal border controls with a shared external border, EU Member States have ambitiously agreed to take **joint responsibility** in a construct where one's actions extend beyond national interests and impact all Schengen members.

### *Reinforced legal framework*

The succession of recent crises has highlighted the importance of strengthening the resilience of the Schengen area. It became ever more evident that a well-functioning Schengen area requires a reinforced common legal framework to de-escalate the sense of persistent crisis and to move away from unilateral and uncoordinated actions, stemming primarily from a lack of effective common tools. Delivering on our commitment to a strong and future-proof Schengen, the agreements on new legislation during the second Schengen cycle open a new chapter in Schengen's history to preserve its integrity.

The political agreement on the revised **Schengen Borders Code** will protect a cornerstone of the Schengen area: the absence of controls at the internal borders. The additional safeguards and new measures, including the transfer procedure to mitigate secondary movements, should make it possible for Member States to effectively address their security and migration concerns through reinforced cross-border cooperation, building on the Commission's 2023 Recommendation<sup>2</sup> on Schengen cooperation. The new rules will also boost EU coordination, ensure predictability, and improve the toolbox available to effectively respond to challenges at the EU external borders, notably in cases of threats to public health<sup>3</sup> and in situations where migrants are instrumentalised for political purposes.

Furthermore, progress was made to secure the external air borders while also facilitating swifter air travel with the political agreement on two Regulations to enhance the use of **Advance Passenger Information** (API). For the first time, law enforcement authorities will be able to obtain this information for selected intra-EU flights.

In addition, the reaching of a political agreement on the **Pact on Migration and Asylum** in December 2023 was a major breakthrough that will also significantly support and strengthen the well-functioning of the Schengen area. In particular, the new Screening Regulation, once adopted, will provide for uniform rules to strengthen the external borders and to increase security within the Schengen area in a manner that ensures full compliance with fundamental rights. The Pact will also make asylum and return procedures more effective and thereby limit unauthorised secondary movements within the Schengen area.

As regards the exchange of information between law enforcement authorities, **the Directive on**

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<sup>2</sup> C(2023) 8139 final.

<sup>3</sup> For instance, as compared to the COVID-19 pandemic, the Council is empowered to impose EU-wide temporary travel restrictions in cases of widespread threats to public health, while enabling derogations from entry restrictions for certain categories of person considered to exercise essential travel.

**information exchange between law enforcement authorities**<sup>4</sup> adopted in May 2023, and the **Prüm II Regulation**<sup>5</sup> on automated search and exchange of data for police cooperation, adopted in February 2024, close information gaps and boost prevention, detection, and investigation of crime.

Furthermore, stronger rules to support the area of freedom, justice, and security are now in place to combat two key forms of cross-border crime. Firstly, the **amended Anti-trafficking Directive**<sup>6</sup> will introduce stronger tools for law enforcement and judicial authorities to investigate and prosecute new forms of exploitation and to protect victims of trafficking in human beings. The new legislation ensures better coordination between anti-trafficking and asylum authorities. Secondly, the agreement reached on the update of the rules on **firearms trafficking at import and export**<sup>7</sup> will contribute to diminish the risk of embargo circumvention in the export of firearms for civilian use and to enhance controls on the import of such firearms from third countries.

Finally, it is still necessary to advance with negotiations on the legislative proposals to fight **migrant smuggling**<sup>8</sup>. The current decades-old legislation does not provide the right tools to combat this ever-evolving crime and it is necessary to strengthen cooperation at EU level and with Member States. This includes the proposed regulation on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings, and on enhancing Europol's support to preventing and combating such crimes<sup>9</sup>.

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<sup>4</sup> Directive (EU) 2023/977 of the European Parliament and of the Council of 10 May 2023 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA (OJ L 134, 22.5.2023, p. 1).

<sup>5</sup> Regulation (EU) 2024/982 of the European Parliament and of the Council of 13 March 2024 on the automated search and exchange of data for police cooperation, and amending Council Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, (EU) No 2019/817 and (EU) 2019/818 of the European Parliament and of the Council (the Prüm II Regulation) (OJ L, 2024/982, 5.4.2024).

<sup>6</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1–11).

<sup>7</sup> Proposal for a Regulation of the European Parliament and of the Council on import, export and transit measures for firearms, their essential components and ammunition, implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast) (COM(2022) 480 final).

<sup>8</sup> COM (2023) 754 and COM (2023) 755.

<sup>9</sup> COM (2023) 754.

## **Towards a timely implementation of the reinforced framework**

The updated legal framework underpinning the functioning of the Schengen area shows a strong Union delivering for its citizens. Following the formal adoption of the legislative package, the implementation thereof will be crucial to sustain a strong Schengen in the years to come. The Commission will closely coordinate and monitor this phase. It is our collective responsibility to ensure a swift, coherent, and consistent implementation, in particular:

### *At the external borders*

- To ensure the effective implementation of the **Screening Regulation** it will be necessary for each Member State to start the process of allocating resources and capabilities including setting up an independent monitoring mechanism.

### *Internal measures*

- Following the adoption of the amendments to the **Schengen Borders Code**, Member States, in close cooperation with the Schengen Coordinator, will work with a regional approach to put in place the new measures at the internal borders' regions, including the operational arrangements for using the transfer procedure and enhanced police cooperation, with a view to phasing out long-lasting internal border controls.
- By the end of the year, all Member States will need to ensure that the designated **Single Point of Contact**, which is the central entity responsible for coordinating and facilitating the exchange of information under the Directive on information exchange between law enforcement authorities, is operational and composed of staff from the relevant law enforcement authorities, operating under a single electronic case management system.
- In line with the revised **Anti-trafficking Directive**, Member States need to amend national criminal law and formalise their referral mechanisms as a first step towards the establishment of a European Referral Mechanism to combat human trafficking.

## ***Completion of the Schengen area***

During the second Schengen cycle, **Croatia** joined the Schengen area. Over the last year, Croatia welcomed around two million more tourists than in 2022<sup>10</sup>, boosting its national economy, as tourism accounts for 20% of Croatia's gross domestic product (GDP). Croatia's admission to the Schengen area has also facilitated the strengthening of regional cooperation with neighbouring Hungary, Italy and Slovenia. Between December 2023 and February 2024, Croatia underwent its first periodic Schengen evaluation, which revealed the increased operational work that has been undertaken to address secondary movements and cross-border criminal activities, with a significant increase in joint patrols at the border with Slovenia<sup>11</sup>.

<sup>10</sup> Croatian National Tourist Board: "CROATIA VISITED BY 20.6 MILLION TOURISTS IN 2023," Press Release, 03.01.2024: <https://www.htz.hr/en-GB/press/press-releases/croatia-visited-206-million-tourists-2023>.

<sup>11</sup> In 2023, joint patrols between Croatia and Slovenia increased from 437 in 2022 to 864.

However, the diversion of migration flows in the Western Balkan route, and the increased irregular arrivals at its border with Bosnia and Herzegovina, calls for reinforced efforts to thwart smuggling networks and to further strengthen border surveillance activities.

Marking a milestone of the 2023-2024 Schengen cycle, the Council took a long-awaited decision<sup>12</sup> on the Schengen admission of **Bulgaria and Romania** in December 2023. This is the result of Bulgaria and Romania's continuous contribution to a fully functioning Schengen area, as demonstrated on numerous occasions<sup>13</sup>. Since 31 March 2024, Bulgaria and Romania became new members of the Schengen area fully applying the Schengen *acquis*. In a first phase, the controls at the internal air and sea borders were lifted.

To strengthen the protection of the **external borders** as Schengen States, both Member States have agreed with the European Border and Coast Guard Agency ("Frontex") to increase the presence of the Standing Corps. Over the last months, the Agency has started working on tripling the deployment of Standing Corps officers at the Bulgarian-Turkish border and has also increased its presence at the Bulgarian and Romanian borders with Serbia. Reinforced cooperation under the **Cooperation Frameworks**<sup>14</sup> launched in March 2024 is already yielding positive results and the new specific funding action of EUR 85 million launched by the Commission will also enhance capabilities at the external borders. To prepare for the future lifting of controls at the internal land borders, police cooperation in the region has been reinforced through the establishment of a **regional cooperation initiative** following the whole-of-route approach, which also includes Austria, Greece, Hungary, and Slovakia. Based on joint risk analyses, the objective is to establish a joint annual planning mechanism setting out concrete activities. The Schengen Coordinator will continue to support this initiative, which is coordinated on a rotating basis by the involved Member States. The Commission will continue to provide all necessary support to the Presidency of the Council to ensure that a decision to lift controls at internal land borders can be taken in 2024.

Swift exchange of information is a cornerstone of Schengen integration, especially for those Member States that are not yet applying the Schengen *acquis* in full. Given its geographic position, the connection of **Cyprus** to the Schengen Information System in July 2023 has significantly strengthened security in Europe<sup>15</sup>. As of February 2024, Cyprus had over 12 000 active alerts in the system and the Cypriot authorities performed around 21 million searches, resulting in the identification of security threats, which also helped to locate around 30 missing persons. The Schengen evaluation carried out in 2023 revealed that the system is well

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<sup>12</sup> Council Decision (EU) 2024/210 of 30 December 2023 on the full application of the provisions of the Schengen *acquis* in the Republic of Bulgaria and Romania.

<sup>13</sup> In November 2023, the Commission coordinated a complementary and voluntary fact-finding mission, in agreement with Bulgaria. This complementary fact-finding provided recent and additional information on Bulgaria's implementation of the Schengen *acquis*, taking into account the results of the two previous missions. Council document 16090/23.

<sup>14</sup> "Bulgaria and Romania strengthen cooperation on border and migration management," March 2024, available at [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_24\\_1283](https://ec.europa.eu/commission/presscorner/detail/en/ip_24_1283).

<sup>15</sup> Since Cyprus connected to the Schengen Information System, around 20 wanted persons were arrested based on a European Arrest Warrant, of which approximately three quarters have already been surrendered to the inserting Member State.

integrated in border, migration, and law enforcement processes in Cyprus, although further efforts are needed to fully exploit all available functionalities. Important steps have also been taken regarding the Schengen admission of **Ireland** with regards to the parts of the Schengen *acquis* it requested to take part in, including police cooperation, the Schengen Information System, judicial cooperation in criminal matters, drugs cooperation and Article 26 of the Schengen Convention. The Schengen evaluation of the remaining *acquis* Ireland has requested to take part in<sup>16</sup> will be finalised in the second half of 2024.

### Completing the Schengen area

A wide and united Schengen area is a driving force for stability and prosperity across the continent. Completing the Schengen area has been a key priority for this Commission. The first enlargement in over a decade with Croatia – and the decision taken in 2023 on the lifting of controls at the internal air and sea borders with Bulgaria and Romania are a testament to this commitment.

**Next steps:**

- It is now necessary for the Council to take a final decision and establish an appropriate date for the lifting of checks at the **internal land borders with Bulgaria and Romania**.
- Once the ongoing Schengen evaluation confirms **Ireland**'s readiness to implement the parts of the *acquis* it has requested to take part in, the Council will be in the position to take a unanimous decision.
- Following the Schengen evaluations of **Cyprus** in all policy areas, the Commission is monitoring the progress made in the implementation of the recommendations and will, in this respect, conduct the necessary verification visits. In parallel the Commission

<sup>16</sup> Judicial cooperation in criminal matters, drugs cooperation and Article 26 of the Schengen Convention, which sets out the obligations of carriers transporting third-country nationals that are refused entry.



will continue to work with the Cypriot authorities on its further integration in the Schengen area, taking into consideration its special circumstances.

## 2. TOWARDS AN INTEGRATED SCHENGEN GOVERNANCE FRAMEWORK

As emphasised by President von der Leyen in her 2023 State of the Union Address, common challenges require unity of action<sup>17</sup>. In recent years, the Schengen area has consistently proven that it can provide a high level of protection through a coordinated European approach. In 2023, the **Schengen Council** evolved into a platform to coordinate a joint response to common challenges that impact Schengen members and the Schengen area as a whole.

### *EU level political coordination with reinforced tools*

In line with the priorities established by the Schengen Council in June 2023, the **Schengen Cycle** tools have been reinforced to enhance the timely identification of risks and shortcomings that impact the stability of Schengen and fostering a higher level of implementation. These joint efforts have resulted in a **strengthened mandate** of the Schengen Council, setting the stage for more effective common responses.

In particular, the **Schengen Barometer+**, which has increasingly integrated the results of Schengen evaluations, has more effectively identified issues requiring joint response. For instance, the exposure of the abuse of the asylum system by visa-free nationals supported the revision of the Visa Suspension Mechanism and the insights on the challenges on returns contributed to the ongoing reflection on how to increase the effectiveness of sustainable returns through the promotion of a European approach. Similarly, the results of the first thematic evaluation on drug trafficking and the identification of serious shortcomings in carrying out border control have put forward concrete remedial actions.

### **Addressing the gaps in the EU situational picture**

The **Schengen Barometer+** has contributed to the development of the EU's situational picture by bringing together data and intelligence available at the EU level. However, the **available data are still incomplete and fragmented** due to low data quality and underdeveloped comprehensive analysis at the national and EU levels.

In the 2024-2025 Schengen cycle, the Commission will continue to work towards more complete and qualitative data and analysis in close cooperation with the Justice and Home Agencies and Member States. It is necessary to draw the missing links between related data, the lack of which hinders the decision-making abilities of borders, migration, and security authorities and constitutes a security gap. Furthermore, the Commission calls on the Agencies to strengthen **joint analyses** on cross-cutting issues, building on a stronger exchange of information between them and including all relevant information.

The **reinforced large-scale IT systems**, together with the new systems and the interoperability tools will be essential to address these challenges. Their timely

<sup>17</sup> State of the Union address, 13 September 2023.

implementation is a priority. In the same vein, it is necessary to accelerate the work for the implementation of the Central Repository for Reporting and Statistics, which will allow the automatic generation of cross-system statistical data and analytical reporting.

### *National governance*

A sustainable multi-layer Schengen governance relies on **robust national structures within Member States** guaranteeing a high level of coordination of all relevant actors and effectively contributing to a seamless interplay between the national and EU levels to ensure a consistent implementation of the Schengen architecture.

At national level, Schengen evaluations in 2023 highlighted diverging coordinating structures, strategies, and administrative capacities to put Schengen requirements into practice. While some Member States have established Schengen governance coordination structures and practices, several others still lack a centralised coordinating entity. Furthermore, a unified risk analysis model<sup>18</sup> is not applied to all relevant domains. These shortcomings prevent Member States from establishing a holistic national situational picture limiting their understanding of the overall existing and emerging needs. The current situational picture also fails to recognise the interconnections between various issues such as cross-border crime and border management. In several Member States, these issues are treated separately, which limits border procedures to solely migration management.

Weak national governance structures hamper the effective implementation of **strategic tools and processes**, in particular national capability development and contingency planning. It also hinders the effective alignment of national and European strategies impacting the ability to act on European priorities at national level. Finally, fragmentation prevents Member States from benefitting and following up on EU initiatives within the Schengen Council.

Following the adoption of the multiannual strategic policy for European Integrated Border Management by the Commission in March 2023, Frontex revised the technical and operational strategy and provided training and technical support to Member States for the revision of their national strategies. The Commission will soon review the updated strategies put forward by Member States considering the results of the thematic evaluation on European Integrated Border Management carried out in 2019. A similar approach is needed in the area of internal security as recent Schengen evaluations have revealed that the national internal security strategies are not always aligned to EU priorities and internal security-related strategies.

Reinforced national governance will pave the way for a higher level of implementation of the Schengen rules through increased ownership and coordination. Any legislation is only as good as its effective implementation and the Schengen evaluation and monitoring mechanism is a key safeguard in this regard. To bridge the gap between the operational and political levels, in 2023, the Commission carried out **new comprehensive Schengen evaluations** resulting in single-country reports. In line with the new strategic reports, which reflect the synergies between all Schengen policy areas, the Commission together with Member States established

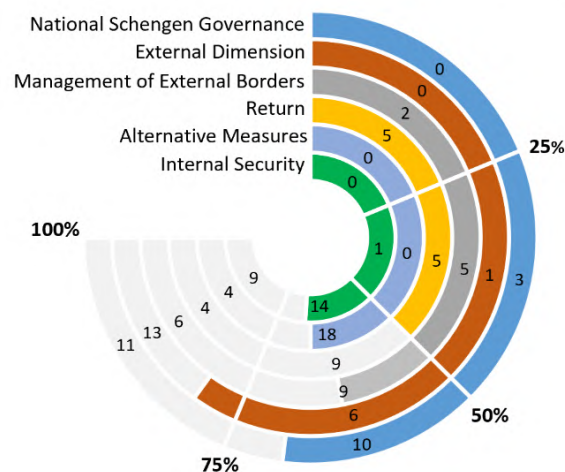
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<sup>18</sup> In line with the Common Integrated Risk Analysis Model (CIRAM).

a common and objective methodology for the **Schengen Scoreboard** in 2023. The Schengen Scoreboard visualises the level of implementation of recommendations resulting from Schengen evaluations. It measures the progress made in the follow-up phase to Schengen evaluations. By providing this holistic and integrated overview<sup>19</sup>, it allows for the identification of implementation gaps in which Member States need to concentrate their efforts.

The **2024 individual Schengen Scoreboards** revealed that, overall, Member States have taken effective measures to implement remedial actions to address the recommendations stemming from Schengen evaluations, although their implementation is slow. On average, the degree of implementation falls between 48% and 80%, with most Member States scoring above 50%. Progress varies between the six different areas that are measured in the Scoreboard. In some areas, such as internal security and police cooperation, Member States have a similar level of implementation, indicating similar challenges in the application of the Schengen rules, with most of them being in the 50-75% range. However, in other areas, notably management of the external borders and return, the implementation of remedial actions varies between Member States and, in many cases, important deficiencies remain unaddressed (see **Annex 1**).

### Overall State of Implementation



*Aggregated Schengen Scoreboard: average scores per key dimension of the Schengen system<sup>20</sup>*

<sup>19</sup> The results of the first and second cycles of Schengen evaluations are scattered through over two hundred reports resulting in more than 5 000 recommendations.

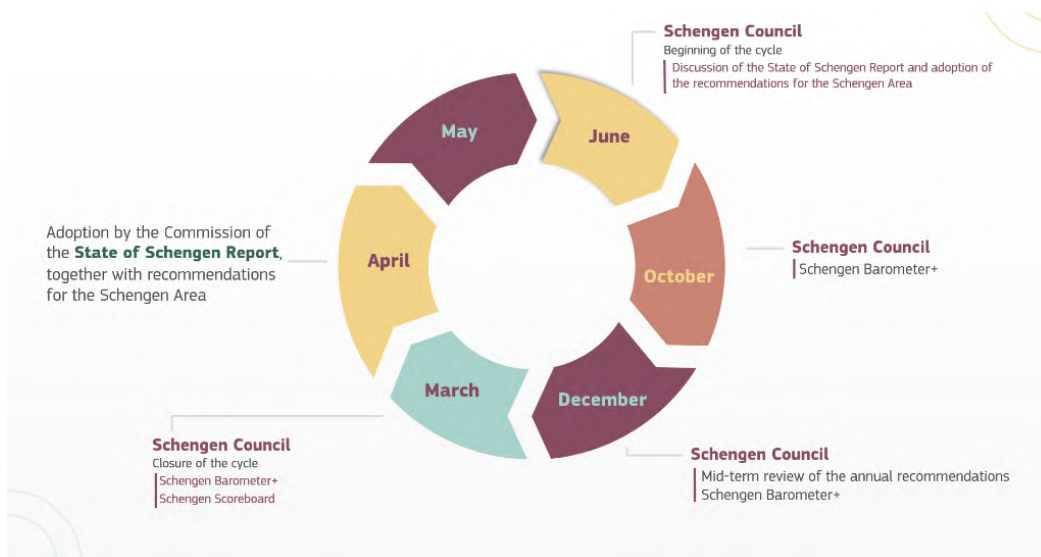
<sup>20</sup> The aggregated Schengen Scoreboard scores and visualises for all Schengen Member States the overall implementation of recommendations stemming from Schengen evaluations. In line with the methodology agreed with the Member States in December 2023, it is structured into six policy dimensions, each addressing key aspects for the effective functioning of the Schengen area: National Schengen Governance, the external dimension, the management of the external borders, returns, alternative measures to internal border controls, and internal security. Based on the individual Schengen Scoreboards that assign Member States scores on the level of implementation of the recommendations, the visualisation illustrates the average score per dimension across all Member States (represented by coloured bars) and shows how Member States' scores are distributed within each dimension across quartiles (indicated by the number of Member States in each quartile). For instance, the dimension "Internal Security" attains an overall score of 68%. Within this dimension, 9 Member States achieve scores of 75% or higher, 14 fall between 50% and 74%, and one Member State registers a score between 25% and 49%.

Under the Schengen evaluation and monitoring mechanism’s new approach, the **Schengen Coordinator** has been following up with Member States to support the implementation of the Schengen priorities, as visualised in the Schengen Scoreboard. This contributes to reinforcing national governance, as shown by recent visits to Lithuania, Finland, Latvia, and Iceland.

### Schengen cycle 2024-2025

During the 2024-2025 Schengen cycle, efforts should focus on ensuring a solid preparation of the Schengen Councils through reinforced working methods. The first Work Programme of the Schengen Council established by the Belgian Presidency is an important step towards a more stable Schengen cycle. The cross-cutting issues stemming from the Schengen evaluation mechanism as identified in the new Schengen evaluation country reports need to be better integrated into the preparation of and follow-up to the Council meetings.

Building on the progress made in 2023 to consolidate Schengen governance, this framework needs to be reinforced to improve the setting and follow-up of the common priorities for the Schengen area through increased political ownership of all Member States and responsibility at EU level. To achieve this objective, the 2024 State of Schengen report is accompanied by a **Proposal for a Council Recommendation for the Schengen area** for the 2024-2025 Schengen cycle. This structured framework will support Member States complementing their individual efforts with coordinated and common action through the Schengen Council and will also facilitate a close monitoring of the progress made to ensure a high level of implementation of the Schengen rules. This will maximise the Schengen cycle’s capacity to bring change through both individual and collective actions.



#### Next steps:

- Adoption by the Council of the Commission proposal for a Council Recommendation for the 2024-2025 and effective monitoring of its implementation.
- Timely follow-up to the results of the 2024 Schengen Scoreboards with the support of the Schengen Coordinator.
- Solid preparation and follow-up of the Schengen Councils through reinforced working methods and optimisation of the Schengen Cycle tools.

- Given the crucial role of the Justice and Home Affairs Agencies in implementing Schengen cycle priorities, the Schengen Council should step up its political guidance for operational actions in supporting Member States with Schengen priority implementation and ensuring the necessary synergies.

To support the implementation of the priorities for the Schengen area, and considering the proposals submitted by Member States during the consultation process, one of the following **thematic evaluations** could be carried out in 2025:

1. Assessment of processes and tools supporting **common situational awareness** for borders, migration, and security based on enhanced information management, for a more resilient Schengen area.
2. Identification of common solutions to overcome the risks associated with **identity and document fraud**.
3. Capabilities and processes to address **security risks** associated with irregular migration, with a particular focus on migrant smuggling and terrorist infiltration.

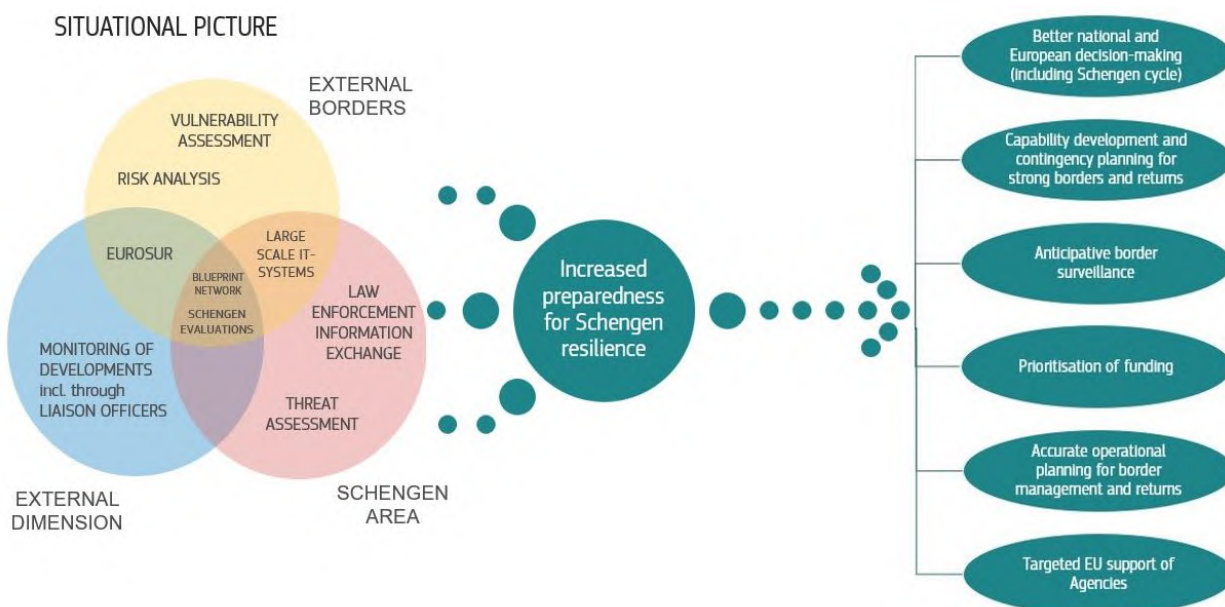
### 3. ENHANCING OUR PREPAREDNESS FOR RESILIENT EXTERNAL BORDERS

**Irregular migration** continued to be a common challenge in 2023, though the number of irregular border crossings is only at one-fifth of the 2015 levels. While a significant decrease was observed on the Western Balkan route, sea arrivals were particularly high in Italy, the Canary Islands and the Greek islands. Tensions in the immediate neighbourhood and beyond coupled with the effects of social, economic and climate instability will likely increase migration pressure to the Schengen area. Russia's ongoing war of aggression against Ukraine has forced millions to seek refuge in Europe further straining the capacities in Member States. At the Eastern land border, the instrumentalisation of migrants orchestrated by Russia has been observed once again. Instrumentalisation of migrants and other hybrid threats, including the risk of disrupting the resilience of critical cross-border infrastructure may further impact Member States' capacity to uphold the Schengen area.

Furthermore, there is a pressing concern regarding **cross-border crime** and criminal networks continuing to exploit the Member States' external borders for human trafficking and migrant smuggling activities.

International cooperation in the context of global security threats is more important than ever. With migrant smuggling causing high loss of life at sea and increasing numbers of unauthorised entry to and unauthorised movements within the Schengen area linked to smuggling, the Commission launched a **Global Alliance to Counter Migrant Smuggling** in November 2023. The aim is to open up a new era of international cooperation, focusing on prevention of and response to migrant smuggling and offering alternatives to irregular migration as a deterrent to migrant smuggling.

Against this background, the European Council in 2023 has repeatedly<sup>21</sup> highlighted that a comprehensive and coordinated approach to EU preparedness and crisis response is a major political priority. This is essential for a functioning Schengen area. The Schengen area’s situational picture builds on intelligence gathered from a variety of sources at the external borders, from third countries and inside the Schengen area. It is necessary to optimise the provision and exchange of information, to conduct thorough and solid risk analysis and to adapt the operational responses in a timely manner. This will enhance the preparedness of the Schengen area to effectively manage common challenges, making it more resilient, including via a better connection between the strategic and operational dimensions.



*Key factors influencing the EU’s situational picture and its impact on European and national processes*

### ***External dimension of the EU’s intelligence picture: from reaction to prevention***

Equipping the EU to deal with the ever-changing global landscape requires constant vigilance and adaptation. The resilience and preparedness of the Schengen area relies on an intelligence picture based on an in-depth understanding of global developments, threats, and emerging challenges in third countries. The European and national **liaison officers** deployed in third countries play a key role in providing up to date information of developments and emerging challenges. They gather, analyse, and exchange information and inform Member States’ national and collective decision-making on border management, immigration, and security matters. Schengen evaluations in 2023, however, showed that some Member States are not using the intelligence support of officers deployed by other Member States in an efficient way, thereby missing crucial information. At the same time, priority countries relevant at EU-level are not effectively covered, and the mandates of national liaison officers differ widely, ranging from generic to specialised. Furthermore, the methodology of collecting information is

<sup>21</sup> Special meeting of the European Council (9 February 2023), European Council meeting (23 March 2023), European Council meeting (29 and 30 June 2023), European Council meeting (26 and 27 October 2023), and European Council meeting (14 and 15 December 2023).

fragmented and the local networks are not fully exploited, creating gaps in the EU's intelligence picture<sup>22</sup>. There is also a limited exchange of information on transversal issues between officers deployed for border and migration and those for security.

To address these shortcomings, deployments of European and national liaison officers to priority third countries need to be closely coordinated to ensure the timely identification of risks in these countries. To unlock their full potential, liaison officers should be deployed strategically, by mapping and optimising locations, mandates, and reporting requirements. This will maximise their value, support EU priorities and prevent overlaps. Moreover, the existing networks of liaison officers need to be reinforced under the umbrella of the EU delegations in priority third countries to ensure an integrated analysis followed by an operational response. This will allow to close gaps, enhance the political steer, and pool the dispersed strategic and operational awareness for more effective border management, immigration, and security actions. Liaison officers and staff deployed in third countries also contribute to preventing irregular migration and security risks through their operational activities.



*Presence of EU liaison officers in third countries<sup>23</sup>*

<sup>22</sup> Around 20% of national liaison officers are registered on the common platform for information sharing.

<sup>23</sup> Currently, there are 11 European Migration Liaison Officers (EMLOs) in 11 third countries; 9 European Return Liaison Officers (EURLOs) cover 13 third countries, and the Immigration Liaison Officers (ILO) Network, consisting of almost 472 liaison officers, are deployed in more than 100 countries. Frontex Liaison Officers (FLOs) deployments in third countries cover a total of 15 countries. Europol has one guest officer in Moldova. The EUAA only has staff in long-term missions, i.e., in the Western Balkans, but it foresees a liaison officer in Egypt. Eurojust hosts 11 Liaison Prosecutors from third countries.

**Frontex** has deployed liaison officers<sup>24</sup> and the Union has signed a number of Status Agreements<sup>25</sup> with third countries allowing Frontex operational activities on their territories with executive powers. These agreements have also resulted in the deployment of standing corps officers and the provision of technical and operational assistance at the border between third countries. Over the last year, the Agency has reinforced its support of border control activities through a new generation of status agreements with Albania, Moldova, Montenegro, and North Macedonia, which include fundamental rights safeguards. New agreements should also be agreed promptly with Serbia and Bosnia and Herzegovina. The Agency has also signed several working arrangements<sup>26</sup> with third country authorities to support capacity building activities. However, it is necessary to fully exploit this operational support, particularly to ensure that the necessary status agreements and working arrangements are concluded with key countries of origin or transit of migration towards the EU, as highlighted in the evaluation of the European and Border Coast Guard Regulation<sup>27</sup>. During the 2024-2025 Schengen cycle, it is necessary to enhance synergies with other EU efforts in the relevant third countries and to create the conditions for these countries to engage in these agreements and arrangements.

Together with a reinforced and more strategic European presence in third countries, the EU's common **visa policy** is a key instrument for Union's engagement with partner countries, playing an important role in addressing security and irregular migration risks, in addition to facilitating travel. In particular, the Visa Suspension Mechanism allows for the monitoring of areas where the Union may face risks due to abuse of visa-free regimes. These include the high proportion of asylum applications lodged by nationals from visa-free third countries<sup>28</sup>, which pose a significant burden on national asylum and return systems, as well as the risks associated with investor citizenship schemes and the lack of alignment between the EU visa policy and the visa policy of certain third countries. To address these risks, the Commission presented a **proposal to revise the Visa Suspension Mechanism**<sup>29</sup>. It provides for new grounds to suspend visa-free regimes as well as more flexible thresholds to trigger the suspension mechanism. The negotiation of the proposal is ongoing. The Commission welcomes the general approach adopted by the Council and calls on the co-legislators to swiftly advance on this key file. In parallel, the Commission will continue to report on visa-free third countries in relation to migratory and security challenges.

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<sup>24</sup> In Türkiye - based in Ankara, Western Balkans - Belgrade (based in Belgrade, covering Serbia, Bosnia and Herzegovina and Montenegro) and Tirana (based in Tirana, covering Albania, North Macedonia, and Kosovo\*), West Africa - Niger (based in Niamey) and Senegal (based in Dakar covering The Gambia and Mauritania), Eastern Partnership - based temporarily in Chisinau covering Moldova, Ukraine, Georgia, Armenia, and Azerbaijan).

<sup>25</sup> Albania, Moldova, Montenegro, North Macedonia, Serbia.

<sup>26</sup> Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canada, Cape Verde, Georgia, Kosovo, Moldova, Montenegro, Nigeria, North Macedonia, Russia, Serbia, Türkiye, Ukraine, United Kingdom, United States of America and Russia and Belarus (the two latter are on hold).

<sup>27</sup> Report from the Commission to the European Parliament and the Council on the evaluation of Regulation (EU) 2019/1896 on the European Border and Coast Guard, including a review of the Standing Corps (COM(2024) 75 final).

<sup>28</sup> Between 2015 and September 2023, more than one million asylum applications have been submitted by visa-free nationals, constituting 17% of the overall asylum applications. In 2023, 23% of the asylum applications were lodged by visa-free nationals.

<sup>29</sup> COM(2023) 642 final.



### *Effective control of the external borders*

The resilience of the Schengen area is based on a robust **border surveillance** system. Schengen evaluations carried out in 2023 to the Baltic states and Finland revealed an improved level of capabilities, in particular for **land border surveillance**. Finland, for example, has taken important steps since its last evaluation in 2018 to improve its border surveillance capabilities. This strengthening now urgently needs to be completed to respond to threats and challenges triggered by the obligation to manage one of the longest sections of the Schengen external land borders. The admission of Croatia to the Schengen area also requires reinforced surveillance activities to address emerging migratory challenges at the border with Bosnia Herzegovina. Concerning surveillance and detection capacities at the **EU sea borders**, the majority of Member States have surveillance activities and systems in place. There are, however, still deficiencies in some Member States due to the lack of integrated surveillance systems coupled with insufficient governance, coordination, and cooperation, along with the persisting incomplete situational awareness and poor risk analysis. These shortcomings diminish the response capabilities of national authorities and the Agencies at the EU sea borders.

The EU has intensified its **operational and financial support** for border management for Member States to reinforce their capabilities<sup>30</sup> including by purchasing surveillance aircrafts, patrol vessels, and vehicles with thermal imaging cameras, as well as implementing technological solutions such as **unmanned aerial vehicles**<sup>31</sup>.

At the EU external borders, Schengen evaluations also showed an enhanced use of **EUROSUR**, the central framework for the exchange of information and operational cooperation within the European Border and Coast Guard. It is used for detecting, preventing, and combating irregular immigration and cross-border crime, contributing to protecting and saving the lives of migrants attempting to cross the external borders. National Coordination Centres have gained a more prominent role at national and EU levels, resulting in the efficient and harmonised management of EU external borders. While the quality and volume of the information exchange in EUROSUR have increased in recent years, the national and European situational pictures are still fragmented. It is therefore important that Member States integrate their operational results and risk analyses into EUROSUR and that they fully utilise the processing and analysis of information on cross-border crime. Furthermore, in the pre-frontier area, the collection and exchange of strategic information with Frontex, between Member States, and, where relevant, with partner countries, needs to be strengthened. This includes efforts by the EU to assist

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<sup>30</sup> For instance, Lithuania received an additional EUR 24 million to minimise illegal entries from Russia and Belarus. Furthermore, an additional EUR 80 million was made available to reinforce border control along the Western Balkan route. This complements the EUR 55.8 million allocated in 2023 to reinforce border control capabilities in Bulgaria and Romania. Considerable funding has also been made available to enhance the electronic surveillance systems at external land borders (EUR 141.2 million) in Bulgaria, Croatia, Greece, Lithuania, and Hungary. EU funding was also made available to purchase equipment and put them at the Agency's disposal for its border surveillance capacities.

<sup>31</sup> In 2023, six Member States were awarded the use of unmanned aerial vehicles for surveillance under the BMVI Specific Action and put at the disposal of Frontex. This equipment will be accessible to the Agency for a duration of up to four months per year and it includes six hybrid Vertical Take-off and Landing Remotely Piloted Aircrafts, three Systems comprising three Vertical Take-off and Landing Remotely Piloted Aircraft, two Counter Unmanned Aerial Systems and two Tethered Surveillance Systems.

partners in third countries in the development of national coordination centres with a EUROSUR component.

**Frontex** actively supports Member States' border management and return activities, ensuring full respect of all fundamental rights obligations. Overall, there are currently 22 operational activities ongoing, including Joint Operations in Italy, Spain, Greece, Bulgaria and Romania and the Eastern land border. More than 2 000 standing corps are deployed at Member States' external borders. The standing corps is building up gradually until 2027 to become an even more reliable and permanent support for Member States. Taking into account the shared responsibility to protect the EU's external borders, all Member States should contribute to the standing corps, in line with their obligations. At the same time, Member States need to ensure an effective response to the Agency's calls for staff to be deployed. This should take the current dynamic environment within Member States and across the Schengen area into account and the need for specialised profiles to address existing gaps. It is also necessary to take remedial actions to overcome challenges that hinder the Standing Corps' ability to fully support Member States, as revealed by Schengen evaluations. The Agency will take further steps to ensure that the Standing Corps better corresponds to operational needs, including by enhancing the training on profiles that are the most in demand, in line with the Action Plan resulting from the evaluation of the **European Border and Coast Guard (EBCG) Regulation**<sup>32</sup>.

Moreover, by 2027, both the European and national components of the European Border and Coast Guard are required to complete the shift from traditional resource-based planning to capability-driven planning. On 26 March 2024, the Frontex Management Board adopted the **Capability Roadmap** for the European Border and Coast Guard. It brings together the capability development plans of Member States and the multiannual planning of the Agency's resources to optimise long-term investment for external border management and returns. Member States need to ensure the implementation of the national capability development plans, which will need to be regularly updated to enable medium- and long-term planning of capabilities. Over EUR 201 million<sup>33</sup> was made available to Member States' operational capacities in 2023 for this goal.

### ***Contingency planning***

Over the last year, the EU and Member States have focused on establishing and updating contingency plans to address possible crises at the **external borders**. Taking into account the evolving geostrategic environment, several Member States, notably Estonia, Finland, Lithuania and Romania, have carried out simulation exercises to assess the existing procedures and capacities to respond timely and effectively to situational changes at the external borders. These exercises revealed that the existing contingency plans are fit to address unforeseen crises and they allowed Member States to update those plans, as relevant.

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<sup>32</sup> Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1).

<sup>33</sup> BMVI Specific Action on Frontex equipment (Equipment for EBCG national components, purchased under BMVI and put at the disposal of Frontex to increase its operational capacity, in accordance with Article 64(14) of the Regulation (EU) 2019/1896).

Schengen evaluations conducted in 2023 confirmed that all Member States have established national contingency plans for border management, although there are still deficiencies due to limited interagency cooperation resulting in an incomplete picture of national capabilities. Member States also need to harmonise the thresholds for the activation of different levels of contingency planning and integrate European support more coherently.

Together with ensuring adequate responses at the external borders, **a comprehensive approach to migration** also requires solid contingency planning to prevent the build-up of migratory pressure. Since the 2015/2016 migration crisis, the EU is now better prepared to address sudden increases in migratory flows. The Commission is in close cooperation with Member States that are vulnerable to increased arrivals and have reinforced contingency measures. For example, a contingency plan is being established in **Italy** with the support of EUAA and Frontex to provide for rapid decongestion of disembarkation points and increased resilience of the reception system<sup>34</sup>. On the Atlantic route, the reception system in **Spain** has regularly been placed under pressure in recent years, more recently with the increase of irregular arrivals by sea to the Canary Islands. In this context, within the EUAA operational plan, there are ongoing efforts to design and implement a national framework for preparedness and response to emergencies in Spain. The Commission is also working closely with Cyprus and the EUAA to develop a contingency plan to cope with increased sea arrivals.

The requirements stemming from the Pact on Migration and Asylum, notably on screening and crisis response, together with the ongoing revision of the national integrated border management strategies, offer a unique opportunity for Member States to develop national contingency plans covering key processes, namely border management, migration and return, that are fit to address current and emerging challenges.

### ***Building a common EU system for returns***

Enhancing the effective and swift return of third-country nationals who do not fulfil or who no longer fulfil the conditions of entry to the Schengen area, particularly those who are considered a threat to public security, was a priority of the 2023-2024 Schengen cycle<sup>35</sup>. At the Schengen Councils in October and December 2023<sup>36</sup>, Ministers called for European operational solutions using common tools and increasing EU coordination.

Against this background, over the last year, the focus has shifted to joint efforts at the EU level prioritising measures with regards to key third countries. To ensure complementarity of action and a holistic approach, the **EU Return Coordinator** with the support of the High-Level Network for Return developed a **Return Roadmap** with targeted actions. While the number of effective returns remains low, the joint initiatives are already yielding positive results, evidenced by a rise in effective returns over the past year. In 2023, nearly 100 000 third-country nationals were effectively returned, representing an increase of 15%, compared to the same period in 2022, including a 120% increase in voluntary returns via Frontex support.

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<sup>34</sup> EUR 14.3 million in emergency assistance from the AMIF thematic facility was awarded to the International Organization for Migration to assist Italy with the transfer of migrants from Lampedusa.

<sup>35</sup> 9534/2/23 REV 2.

<sup>36</sup> 15925/23.

Schengen evaluation and monitoring activities carried out in 2023 revealed that obstacles remain, which hinder the enforcement of return decisions. First, there is a need to implement a strategic approach to **resource allocation and planning** based on current and expected needs. Member States need to ensure proactive integrated planning, with a view to determining and updating national priorities and allocation of resources in light of migration and asylum trends and also in line with EU initiatives. In this context, in 2024, Frontex initiated planning meetings<sup>37</sup> for coordinated EU actions on identification and documentation, return counselling, and return operations. All Member States need to fully integrate Frontex' return tools<sup>38</sup> in their national systems.

A strategic approach is also required to both voluntary and forced returns, ensuring complementarity of action and a preference for voluntary returns. Over the last year, the Commission, Member States and Frontex have made significant progress in implementing the **EU strategy on voluntary return and reintegration**<sup>39</sup>. To ensure the sustainability of these measures, all Member States need to establish their own national capabilities for return counselling<sup>40</sup>, which are a core element of national integrated planning. At the same time, mitigating the risk of **absconding** and secondary movements is an essential part of an effective return system and requires effective prioritisation and adequate resources. In 2023, Member States began to utilise more advanced alternative measures to detention, including case management systems. In case detention needs to be imposed in line with EU law, sufficient accommodation capacity and adequate conditions need to be ensured. In 2023, best practices were identified in Lithuania and Croatia regarding detention conditions, although detention facilities in some Member States are still inadequate. The Commission is in close and regular contact with Member States' authorities concerning these issues, including through Schengen evaluation follow-up activities.

Second, Member States need to improve **cooperation and communication among national authorities**. Where this is lacking, it hampers the issuance of return decisions and their follow-up. In many cases, the lack of dedicated IT tools to support the cooperation between authorities widens communication gaps. The Pact on Migration and Asylum, notably the new Screening Regulation and the return border procedures will establish stronger connections between activities at the external borders and the asylum procedure. The Asylum Procedure Regulation will also close the gap between the asylum and return process and hence enhance the functioning of the return system and consequently the functioning of the Schengen area by ensuring that a negative asylum decision is issued with a return decision.

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<sup>37</sup> Two meetings with regards to Bangladesh and Pakistan have already taken place and additional meetings will take place in April 2024.

<sup>38</sup> Frontex carried out around 40 000 returns in 2023 (an increase of 58% compared to 2022). However, only five Member States accounted for almost three quarters of the commercial flights supported by the Agency.

<sup>39</sup> In 2023, Member States have offered return and reintegration support to over 97 000 people from 34 third countries via the Frontex Joint Reintegration Services.

<sup>40</sup> EU funding and Frontex support have played a key role in developing national return counselling structures.

Cooperation at national level needs to go hand in hand with **enhanced coordination at EU level**. In 2023, the Commission and Member States redoubled their efforts to fully exploit all available options to foster more mutual recognition of return decisions. This was based on the Commission’s Recommendation of March 2023<sup>41</sup> and facilitated by the new return alerts in the Schengen Information System. The Commission is working to identify optimal situations to apply this possibility, including also as part of the targeted actions outlined in the Return Roadmap. In particular, it holds meetings with Member States at expert level to discuss the importance of including all information – including biometric data – in return alerts, the use of the SIS return alerts for the purpose of identification, assessing the risk of absconding, facilitating mutual recognition and identifying returnees posing a risk of absconding. To be able to use the new alerts to their full potential, it is necessary to take steps to ensure that a return decision can be shared between Member States following an alert on return in the Schengen Information System.

Together with strengthened efforts to address internal obstacles to implement returns, improving readmission cooperation has been a key priority over the last few years. The monitoring of **readmission cooperation**<sup>42</sup> of visa-required third countries has helped to introduce measures to improve readmission cooperation. It also increased opportunities to strengthen discussions on readmission with third countries, including by opening new channels of communication where no targeted engagement had taken place previously. The Commission is currently preparing its fifth assessment report on readmission cooperation based on Article 25a of the Visa Code, covering readmission cooperation with 34 third countries.

The common response to today’s challenges, however, is constrained by an **outdated legal return framework** established in 2008, with negotiations on the recast of the Return Directive yet to be concluded. The Commission will take steps to **assess and evaluate the key gaps** and weaknesses of the current legislative framework and on this basis will consider the way forward. The objective is to continue building on the common EU system for returns, complement new Pact legislation and equip the Union and its Member States with effective return tools and facilitate a harmonisation of national return procedures. The Commission will also build on the results of the ongoing **thematic evaluation** for an effective EU system for returns, which will identify common solutions, taking into account related challenges.

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<sup>41</sup> Commission Recommendation of 16.3.2023 on mutual recognition of return decisions and expediting returns when implementing Directive 2008/115/EC of the European Parliament and of the Council (C(2023) 1763 final).

<sup>42</sup> Article 25a of the Visa Code.

## **Priority actions to strengthen preparedness and the EU external borders**

### **1. Measures for the external dimension of Schengen**

- Closely coordinate the deployment of **European and national liaison officers** by mapping and optimising deployment locations, mandates, and reporting requirements.
- Maximise the use of **liaison officers' intelligence** under the umbrella of the EU delegation to ensure an integrated analysis and operational response.
- Maximise **Frontex' operational support** in third countries by concluding agreements with key countries.
- Swiftly advance on the revision of the **Visa Suspension Mechanism**.

### **2. Measures for the management of external borders of Schengen**

- Establish or update the **integrated border surveillance systems** coupled with increased capabilities, improved inter-agency cooperation, and solid risk analyses.
- Integrate operational results and risk analyses into **EUROSUR** and strengthen the information exchange on irregular migration and cross-border crime with Frontex, and, where relevant, partner countries.
- Step up Frontex's effectiveness by implementing the measures identified in the **European Border and Coast Guard Regulation evaluation**.
- Ensure the update and effective implementation of the **national capability plans** in line with the European Border and Coast Guard Capability Roadmap.
- Adopt and update comprehensive **contingency plans** for borders, migration and return, ensuring harmonised thresholds for the activation of different levels of contingency planning and integrating European support coherently.

### **3. Measures for a Common EU Return System**

- Establish **strategic integrated plans** for resource allocation and planning based on current and expected needs considering migration and asylum trends, taking also into account Frontex planning activities.
- Actively engage in the targeted actions established under the **EU Return Roadmap**, by also leading specific actions and supporting Member States.
- Fully incorporate **Frontex's return tools** into the national return system, including the RECAMAS model, the Frontex Application for Return, Reintegration Assistance and Return Specialist deployments.
- Establish solid and sustainable national capabilities for **return counselling** in line with the EU Strategy on voluntary return and reintegration.
- Improve **cooperation and communication** among national authorities, in particular between asylum and return authorities, and between security and return authorities.
- Take steps to ensure that a **return decision**, or relevant parts thereof, can be shared upon a Member State request for supplementary information following an alert on return in the SIS to reinforce cooperation on returns among Member States.

#### 4. A WELCOMING SCHENGEN AREA FOR A COMPETITIVE UNION

Over the last year, the Schengen area has continued to significantly improve the daily lives of its citizens, their way of working and doing business, as well as facilitating travel and interactions. Schengen is home to some of the world's most popular tourist destinations. Every year, millions of travellers enter the Schengen area, making it the **most visited destination worldwide**. In 2023, a strong and positive trend was observed, with many destinations having exceeded the levels of tourist arrivals seen in 2019. Today, more than 1.4 billion people from around 61 countries can benefit from visa-free travel to the Schengen area and over half a billion crossings of the external borders were recorded in 2023, reaching 92% of pre-pandemic 2019 levels. Tourism contributes close to 10% of the EU's GDP and provides jobs to about 22.6 million people<sup>43</sup>. This upward trend is set to grow in the years to come and it is estimated that air travel to Europe will surpass pre-pandemic levels by 5% in 2024<sup>44</sup>. Guaranteeing smooth and secure travel to the Schengen area is therefore essential to the competitiveness of the Union, and especially salient at a time when the EU is facing strong global competition. According to the **2023 Eurobarometer on citizenship and democracy**, around 90% of citizens cherish the freedom to travel within the EU, with 89% agreeing that it benefits them personally and 83% that it benefits the economy. The **2024 Eurobarometer on Schengen** shows that 80% of businesses overwhelmingly agree that the Schengen area offers an attractive environment for their business, leading to over three-quarters of businesses primarily engaging in activities within the Schengen area. The positive impact of Schengen in the EU's economy is highly valued by businesses: 81% of businesses consider the Schengen area as one of the EU's main achievements.

##### *Modernisation of the external dimension of Schengen: towards digital Schengen visas*

Schengen visa issuance has steadily increased since 2020. Almost 10.4 million applications were lodged in 2023 and more than 8.4 million visas were issued. The demand has shifted in 2023, marked by a rise in applications in India, Türkiye and Northern Africa and a significant reduction in applications from Russia<sup>45</sup>.

Efforts are ongoing to reduce **persistent long delays** in granting appointments and processing visa applications, a trend confirmed by Schengen evaluations carried out in 2023. The reinforcement of staff<sup>46</sup> in consulates with the support of EU funding should allow Member States to improve the speed and quality of visa processing. Furthermore, the Commission has launched a pilot project to establish a single waiting list for all Member States in a single

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<sup>43</sup> It constitutes more than 6 % of total EU employment.

<sup>44</sup> IATA, "Air Passenger Market Analysis", December 2023, available at <https://www-prod.iata.org/en/iata-repository/publications/economic-reports/airline-revenue-to-surpass-pre-pandemic-levels-in-2023/>

<sup>45</sup> On 9 September 2022, the Council agreed to fully suspend the EU's Visa Facilitation Agreement with Russia. On 30 September 2022, the Commission presented guidelines to Member States on visa procedures as well as on border controls for Russian citizens at the EU's external borders. [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_5903](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_5903)

<sup>46</sup> As of December 2023, 16 staff were already deployed to consulates in third countries with financial support provided under the Border Management and Visa Instrument (BMVI). The number is expected to increase over the next years, with the target of 1 527 staff deployed to consulates by 2029.

location, which would reduce the risk of visa shopping by eliminating the possibility to pick and choose consulates.

In November 2023, the Regulation on the **digitalisation of visa procedures**<sup>47</sup> was adopted. Once implemented, the new rules will make it possible to submit visa applications through an online platform leaving behind burdensome procedures predominantly reliant on paperwork. The Commission, eu-LISA<sup>48</sup>, and Member States have already started the implementation, which together with the full implementation of the renewed Visa Information System<sup>49</sup>, will enable a swifter visa issuance procedure for both travellers and authorities.

Equally important to improve the efficiency of visa processes is to ensure quality examination of visa applications. Schengen evaluations in 2023 showed that the overall **examination of visa applications** is solid and that processes are in place to ensure a quality decision-making of visa applications in most of the visited locations. However, in some consulates, visa processing still needs to be improved by streamlining the cooperation with external service providers and workflows at the consulates, and by making better use of available IT tools. The Commission and Member State experts carried out **unannounced visits** to the consulates of Germany, Poland and Spain and their respective external service providers in Mumbai in 2024, taking into account that India is one of the largest visa-obliged third countries, representing a large share of applications lodged. While all three Member States generally comply with the Schengen *acquis*, they all face challenges with their external service providers, particularly related to the overall management of personal data and national visa-processing IT systems.

### ***Contributing to Europe's digital future with secure digital border solutions***

Developing digital solutions to strengthen border control can allow the Schengen area to position itself as a global leader in facilitating seamless and secure travel. Investments in research and innovation, including under Horizon Europe, allow us to explore and build European solutions for digital travel systems in the decades to come. In 2024, the Commission will propose a regulation on **the digitalisation of travel documents and facilitation of travel**, providing for smoother and more secure border crossing while streamlining travel processes. The voluntary use of digital travel documents will benefit both travellers – in terms of faster border controls – and border authorities, by enabling them to make the necessary checks before the person arrives at the physical border. It will, moreover, support the implementation of the Entry/Exit System by allowing non-European travellers to pre-enrol data ahead of travel, reducing bottlenecks and the amount of time spent at the border upon arrival.

The upcoming launches of the Entry/Exit System (EES) and the European Travel Information and Authorisation System (ETIAS) are important building blocks in setting up the **world's most technologically advanced and interoperable** border, immigration, and security

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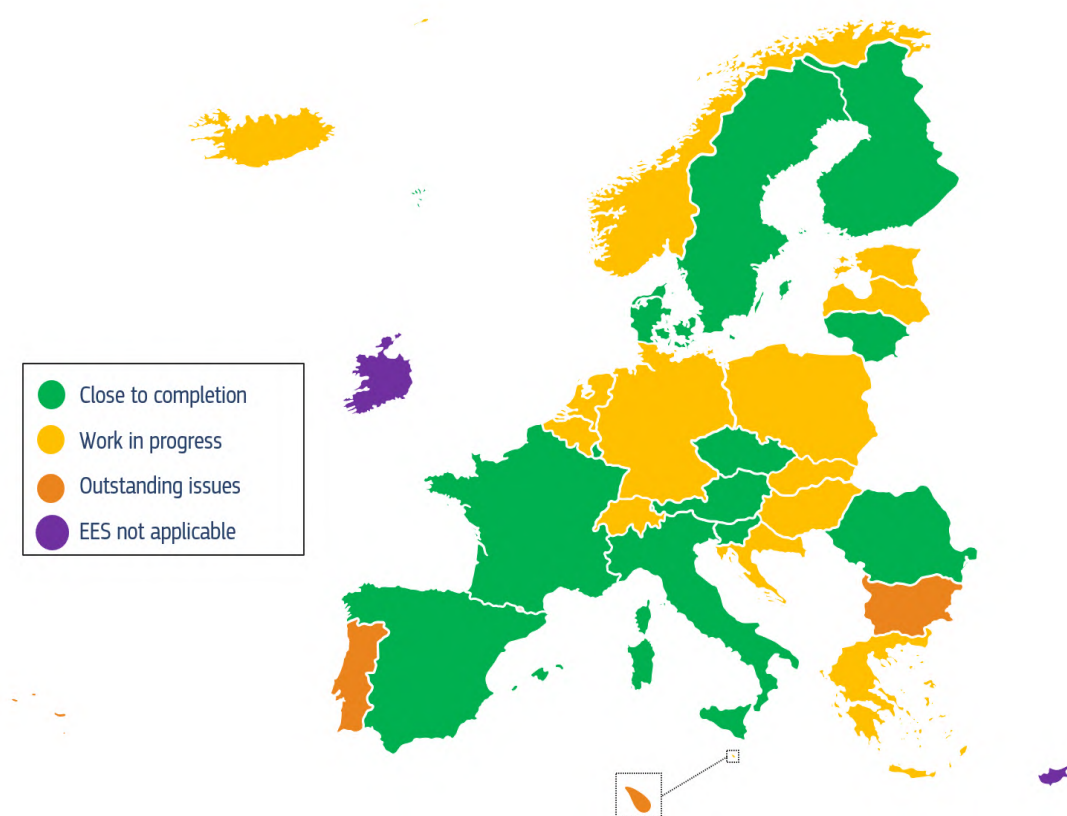
<sup>47</sup> Regulation (EU) 2023/2667 of 22 November 2023 amending Regulations (EC) No 767/2008, (EC) No 810/2009 and (EU) 2017/2226 of the European Parliament and of the Council, Council Regulations (EC) No 693/2003 and (EC) No 694/2003 and Convention implementing the Schengen Agreement, as regards the digitalisation of the visa procedure, OJ L 7.12.2023, 1-43.

<sup>48</sup> Once technical specifications of the platform and of the digital visa are set, eu-LISA will be able to start building the EU Visa application platform for an entry into operation planned in 2028.

<sup>49</sup> The revised Visa Information System is expected to be fully operational by autumn 2026.



management system. In 2023, efforts to ensure the entry into operation of the **Entry-Exit System** in the Autumn of 2024 were accelerated. Over the last year, the Commission has provided Bulgaria, Finland, France, Germany, Hungary, and Slovakia with an additional EUR 25.5 million for integrated solutions for the facilitation and automation of border crossing. While important progress has been made across the Schengen area, some Member States are still falling behind, notably regarding the effective equipment of border crossing points. The Commission calls on all Member States to **urgently accelerate preparations** to ensure the timely implementation of the system, as endorsed by the Justice and Home Affairs Council in October 2023.



*State of play of the border crossing points readiness for the start of operation of the EES*

In parallel, work is ongoing to ensure the start of **ETIAS** in the first half of 2025. The vast majority of the legal framework has been established<sup>50</sup>. Member States, eu-LISA and Frontex need to swiftly put in place the ETIAS Central and National Units to allow for improved identification of travellers. To date, 21 out of 30 Member States implementing ETIAS declare to be on track with the implementation of the project, while 9 Member States indicated that they are confronted with difficulties, although these do not affect the start of operations. Some Member States are still facing procurement or contractual issues, while three Member States are experiencing delays in financial resource allocation.

<sup>50</sup> 26 implementing and delegated acts have been adopted and three additional acts are in the final adoption procedure.

### *Digital border solutions embedded in thorough border checks*

The ongoing development and launch of digital border solutions provides an unparalleled opportunity to implement the world's most secure and advanced border management system. However, these developments need to go hand in hand with high quality and harmonised border check procedures. The quality of border checks at the external borders is a key priority of the Union. While large passenger flows bring enormous economic benefits to the Schengen area, it also puts an increasing strain on the resources required to guarantee high-quality external border management based on sound risk analyses.

Schengen evaluations still show strong divergencies in the quality of **border checks** at the EU external borders, highlighting particularly low levels in some Member States. This is due to limited resources, insufficient training, incomplete verification of entry conditions and limited use of detection equipment. Serious deficiencies were identified in one of the unannounced visits carried out in 2023<sup>51</sup>. While several Member States<sup>52</sup> have stepped up **systematic checks at external borders** against all relevant databases, the issue remains an important point of concern. The use of the fingerprint search functionality in the Schengen and Visa Information Systems<sup>53</sup> to check for security threats and detect identity fraud remains underutilised. Schengen evaluations revealed that there is a need to enhance the quality of border checks carried out by the Member States using automated border control solutions (ABC gates) to ensure that the verification of the entry conditions to the EU meets the security standards.

Furthermore, the sharing of **Advance Passenger Information** (API) allows border guards to pre-check travellers in the relevant databases before they arrive in the EU, contributing to their capacity to fight cross-border crime while reducing the waiting time for travellers to enter the Schengen area. While the 2023 Schengen evaluations showed an overall positive picture with an effective use of this data, the monitoring activities carried out last year revealed that there are still some Member States<sup>54</sup> that have not yet or have insufficiently implemented systems to collect and use Advance Passenger Information. The renewed framework will further strengthen its potential by automating data collection and facilitating the combination with Passenger Name Record (PNR) data to effectively identify high-risk travellers.

Considering the potential risk for the Schengen area, all Member States must **urgently improve border checks** by ensuring sufficient resources, appropriate training and effective implementation of border procedures for an adequate assessment of the entry conditions and timely detection of security risks, including by enhancing the use of biometric identification.

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<sup>51</sup> The relevant authorities are working in close cooperation with the Commission, through the Schengen Coordinator, to swiftly address the serious deficiencies.

<sup>52</sup> Serious deficiencies identified in Spain and Iceland in 2022 have been addressed.

<sup>53</sup> In 2023, the average share of checks in the Visa Information System at the external borders conducted using fingerprints was 48%. On the positive side, Belgium, Iceland, Latvia, Luxembourg, and the Netherlands met the 80% threshold.

<sup>54</sup> In particular, Belgium, France, Greece, Iceland and Latvia.

## 5. A SAFE AND SECURE SCHENGEN AREA IN AN EVOLVING GEOSTRATEGIC ENVIRONMENT

Despite the rise of organised crime globally, Europe is still one of the low criminality regions in the world according to the 2023 Global Organised Crime Index<sup>55</sup>. This is mainly the result of stable and robust anti-crime frameworks, with criminal organisations finding fewer opportunities to expand their operations within our borders. Although the Global Organised Crime Index 2023 identifies Europe as a global leader in resilience<sup>56</sup>, regional stability remains uncertain. In particular, the effects of the war in Ukraine, the Israeli-Hamas conflict, and the rise of violent political extremism in the EU's immediate neighbourhood have the potential to incite radicalisation in the EU. At the same time, **organised crime** networks are exploiting new opportunities to benefit from societies' increased interconnectedness.

### *Towards a coherent approach to fight drug trafficking*

Criminal groups are increasingly multi-national and poly-criminal. As observed in 2023, much of the violence associated with organised crime in Europe is related to the illicit drug trade, which attracts a significant number of criminals and generates substantial profits<sup>57</sup>.

The increasing diversity and complexity of EU drug markets presents new challenges, requiring a comprehensive European response. The recently concluded **thematic Schengen evaluation** on drug trafficking underlined that the EU and Member States only have a partial picture of the phenomenon since only a small percentage of drugs trafficked into the Schengen area are detected and seized. Detection must go hand in hand with the dismantling of criminal structures. Furthermore, integrated coordination and collaboration between law enforcement authorities are fundamental to ensuring a multidisciplinary approach to combatting drug trafficking at all levels. The Schengen *acquis* and existing tools designed to combat organised crime represent valuable resources for combatting drug trafficking. However, maximising their impact requires strengthening their current application.

In October 2023, the Commission adopted the **EU Roadmap to fight drug trafficking and organised crime**<sup>58</sup> putting forward measures, among others, to enhance the resilience of logistical hubs, which are often affected by trafficking operations, and to dismantle high-risk criminal networks. The implementation of the Roadmap is already ongoing with, for example, the launch of the European Ports Alliance. This public-private partnership brings all relevant stakeholders together, including the private sector, to form solutions to protect ports from drug trafficking and criminal infiltration. Together with the implementation of the identified best practices, these initiatives are valuable resources for combating drug trafficking.

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<sup>55</sup> Global Initiative Against Transnational Organized Crime: [Global-organized-crime-index-2023-web-compressed-compressed.pdf \(globalinitiative.net\)](#)

<sup>56</sup> The Index defines 'resilience' as the ability to withstand and disrupt organised criminal activity as a whole, rather than individual markets, through political, economic, legal and social measures. Overall score of 6.27, far above the global average of 4.81. Particularly high scores for 'international cooperation' (7.24), 'national policies and laws' (6.85) and 'territorial integrity' (6.48).

<sup>57</sup> According to Europol, the EU drug market is estimated to have a minimum retail value of EUR 31 billion.

<sup>58</sup> Communication from the Commission to the European Parliament and the Council on the EU roadmap to fight drug trafficking and organised crime.

These actions need to be complemented by **strong engagement with partners** worldwide to crack down on the main supply routes. In 2023, the Commission together with concerned Member States intensified the outreach in third countries, starting with Latin America. Based on the Memorandum of Understanding signed by the EU and Ecuador, a high-level political dialogue will be convened in spring 2024.

### ***From ad hoc measures to structured cross-border solutions to address common challenges***

Cross-border cooperation effectively strikes a balance between maintaining security for citizens and not disrupting cross-border movements<sup>59</sup>. Against this backdrop, the **reintroduction of internal border controls** have been a matter of specific concern to the Commission. In the 2023 State of Schengen Report, the Commission launched a consultation with all the Member States concerned by internal border controls to discuss the underlying reasons for the reintroduction of such controls and their impact. The consultations with the **Schengen Coordinator**<sup>60</sup> highlighted the non-systematic nature of the checks at the majority of the border sections and the overall increased cross-border cooperation. Drawing from the consultation, the Commission also adopted a new Recommendation (EU) 268/2024<sup>61</sup> which re-examines the recommendations adopted in previous years and complements them with lessons learnt in combatting serious threats to public policy or internal security.

In October 2023, following the increasing migratory pressure at the EU's external borders and the rise in terrorist threats across the Schengen area, some Member States reintroduced controls at new sections of the internal borders. Since then, the Schengen Coordinator has continued the close dialogue, both with the Member States concerned by the long-lasting internal border controls as well as the Member States concerned by the newer reintroductions of internal border controls, to support them in the implementation of the measures laid down in Recommendation (EU) 268/2024. This has allowed for important progress to be achieved at several border sections over the last months. Notably, all Member States which reintroduced internal border controls reported having significantly increased cross-border police cooperation with their neighbours, including joint patrols, as well as cooperation on readmission. At the Austrian-Hungarian border, discussions are taking place to initiate a Border Security Task Force, which would be based on a trilateral agreement between Hungary, Serbia and Austria and would allow for a higher level of cooperation in the fight against cross-border crime and border protection. Besides the regional cooperation initiative established between Austria, Bulgaria, Greece, Hungary, Romania and Slovakia following a whole-of-route approach, cross-border cooperation has also been significantly reinforced between Croatia, Slovenia, and Italy, following the signature of a Letter of Intent by the Chiefs of Police of the three Member States to further develop joint cooperation, including the reinforcement of bilateral joint patrols and the organisation of trilateral joint patrols at the Croatian border with Bosnia-Herzegovina.

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<sup>59</sup> The Schengen area has around 40 internal land border regions, which represent 40% of the Union's territory and close to 30% of the EU population.

<sup>60</sup> OJ L, 2024/268, 17.1.2024, p.1.

<sup>61</sup> Commission Recommendation (EU) 2024/268 of 23 November 2023 on cooperation between the Member States with regard to serious threats to internal security and public policy in the area without internal border controls, OJ L, 2024/268, 17.1.2024.

Furthermore, Europol has increased its operational support to Member States to combat migrant smuggling. For instance, it has supported Bulgaria through a regional Operational Task Force (OTF) to strengthen investigations in cases of migrant smuggling.

Building on these positive developments, internal border controls were lifted at the Czech-Slovak border, the Slovak-Hungarian border, and the Polish-Slovak border, respectively as of January, February and March 2024. Similar progress is expected at the Italian-Slovenian and Slovenian-Croatian borders in the coming months.

Member States can continue to make use of pre-existing bilateral readmission agreements or arrangements to transfer a third-country national back to a neighbouring Member State, as provided for in Article 6(3) of the Return Directive. Recent case law of the Court of Justice of the European Union<sup>62</sup> confirms that the temporary reintroduction of controls at internal borders does not dispense Member States from the obligation to apply the rules and safeguards laid down in the Return Directive. However, that should not affect the use of bilateral readmission agreements or arrangements at the internal borders, instead of issuing a return decision, as this possibility is explicitly provided for under the Return Directive. The Schengen Coordinator will continue to discuss the implementation of bilateral readmission agreements and arrangements and promote cooperation between Member States' authorities on the effective use thereof. In the same vein, the Commission services will closely follow-up on the establishment of practical arrangements for the implementation of the transfer procedure<sup>63</sup> under the revised Schengen Borders Code.

The Schengen Coordinator will also continue supporting Member States in strengthening their cross-border cooperation to phase out the internal border controls, in particular at those borders that require additional joint measures, notably the French-Spanish border, the German-Austrian, and the German-Polish border. These controls divert crucial resources from external border management and have negative socio-economic consequences. Following the agreement on the revision of the Schengen Borders Code, Member States will have additional tools to address security and migration concerns using alternative measures, including the new transfer procedure and reinforced police cooperation.

Parallel efforts have been ongoing over the last year to ensure the full implementation of the measures envisaged in the 2022 **Council Recommendation on operational law enforcement cooperation**<sup>64</sup>. It offers solutions to overcome challenges in operational cooperation between law enforcement authorities of Member States. Four expert workshops took place, and the Commission launched a call for operational law enforcement cooperation projects to be funded under the **Internal Security Fund-Police** (EUR 9 million), in the framework of which six new projects involving 13 different Member States<sup>65</sup> have been funded already. The Commission

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<sup>62</sup> Case C-143/22.

<sup>63</sup> The transfer procedure is a new tool to address secondary movements within the Schengen area. It allows Member States to transfer illegally staying third-country nationals, apprehended in border regions within the framework of bilateral cooperation, to the Member State from where they directly came.

<sup>64</sup> Council Recommendation (EU) 2022/915 of 9 June 2022 on operational law enforcement cooperation: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022H0915>

<sup>65</sup> Poland, Czechia, Germany, Spain, France, Austria, Ireland, Luxembourg, Belgium, Lithuania, Latvia, Romania, and Bulgaria.

will report on the measures taken to ensure the full implementation of the Council Recommendation in the coming months and will continue its efforts to set up a permanent expert group on operational law enforcement cooperation, that will serve as a platform for Member States' law enforcement authorities to exchange best practices and challenges faced in cross-border cooperation.

Positive developments were observed in the 2023 Schengen evaluations towards **enhanced police cooperation**, particularly at the local level. Many Member States are now allowing authorities from neighbouring Member States involved in **joint operations** to carry out identity checks or to detain persons trying to avoid such checks. This is essential to prevent criminal networks from taking advantage of the absence of controls at the internal borders. However, Member States still need to ensure secure real-time communication that is operable across borders. Several projects are ongoing, particularly under the '**BroadNet project**', which will define the operational radio procedures of the future pan-European radio system.

Schengen evaluations also showed improvements in the functioning of **Police and Customs Cooperation Centres**, which are now more effectively supporting the coordination of joint patrols and the development of regional joint analyses. There is, however, room to further integrate this intelligence in risk assessments, by establishing more systematic procedures for exchange of information. The Secure Information Exchange Network Application (SIENA) needs to be urgently rolled out in several of these centres to enable closer cooperation and exchange of information with Europol.

Member States should adopt a more **strategic approach** to cross-border cooperation, by also connecting the intelligence and information at the external borders and within the Schengen area in one (national) situational picture, through reinforced cooperation and exchange of information between the Single Points of Contact, with the National Coordination Centres and Police and Customs Cooperation Centres through the Secure Information Exchange Network Application (SIENA). Existing cooperation initiatives need to be anchored in regional umbrellas. National strategies and processes concerning cross-border crime and related challenges, including secondary movements, need to be updated. These should include the new possibilities under the Schengen Borders Code and those under the Council Recommendation on operational law enforcement cooperation. In this context, the **update of bilateral agreements** on cross-border law enforcement cooperation plays a key role. The new BENELUX agreement on police cooperation between Belgium, Luxembourg and the Netherlands sets an example by enabling deeper regional cooperation<sup>66</sup>, including on hot pursuits and cross-border surveillance. Furthermore, in preparation for the full application of the Schengen *acquis* in Bulgaria and Romania, both Member States are updating their bilateral agreements with neighbouring Member States.

### ***Information exchange and data protection***

A safe Schengen area requires a steady flow of information between authorities in different Member States in full adherence to the EU's high data protection standards. The Entry/Exit

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<sup>66</sup> [https://www.benelux.int/files/3315/3234/9332/FichePolice\\_EN.pdf](https://www.benelux.int/files/3315/3234/9332/FichePolice_EN.pdf)

System and ETIAS coupled with the new Eurodac database provide the Union with more effective tools at the external borders, supporting identification, preventing secondary movements, and contributing to more effective procedures. With the **renewed Schengen Information System**, the internal security of the Schengen area has been strengthened by expanding the access to, uses of and data contained in the SIS. The launch in March 2023 was successfully implemented and integrated across numerous authorities in the Member States without operational or technical difficulties. Schengen evaluations confirmed that Member States are progressively using the new functionalities and inserting new alert categories into the system<sup>67</sup>, although there is still room for improvement to fully maximise the use of this data. Furthermore, some Member States do not consistently upload fingerprint data and there is also a persistent **lack of resources and insufficient capacity building** of Member States' SIRENE Bureaux, considerably hindering the overall information exchange between Member States. To safeguard a full exchange of information, all Member States need to establish a fully functional and adequately resourced Single Point of Contact (SPOC), as set out in the Directive on information exchange between law enforcement authorities, adopted in May 2023. As observed during Schengen evaluations, many SPOCs still do not use a **single case management system**. While more than half of Member States are well advanced in the legislative transposition of the Directive, implementation efforts should be stepped up.

All the while, Member States must ensure that the increased exchange of information, including of personal data, by law enforcement and judicial authorities is carried out in full respect of data protection requirements. The authorities managing and using large-scale IT systems must ensure that data protection requirements are respected in practice and that compliance is regularly monitored to detect vulnerabilities in the systems, including unlawful processing of personal data. Schengen evaluations in 2023 confirmed that this is still not the norm. Furthermore, data protection authorities are not always supervising the lawfulness of personal data processing in large-scale IT systems comprehensively and should intensify their work. Some data protection authorities still require additional financial and human resources.

Finally, the shift towards the **digital management of the Schengen area** requires strong and agile management of the systems. To this end, the Commission is carrying out an evaluation of the EU Agency for the Operational Management of Large-Scale IT Systems (eu-LISA), in line with Article 39 of the eu-LISA Regulation<sup>68</sup>.

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<sup>67</sup> Since 7 March 2023, there have been more than 430 000 alerts on return, more than 11 500 alerts on vulnerable persons, more than 900 alerts on persons and objects for inquiry checks and more than 45 alerts on unknown wanted persons inserted into SIS.

<sup>68</sup> Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011

### Priorities for a safe and more secure Schengen area

- Implement a **strategic approach** to cross-border cooperation aligning national and European priorities and connecting the intelligence at the external borders and within the Schengen area in one (national) situational picture, by also reinforcing the Single Points of Contact in line with Directive (EU) 2023/977.
- Establish the necessary **police cooperation** measures to address existing and emerging migration and security risks, in close cooperation with neighbouring Member States in the region, by fully implementing Council Recommendation (EU) 2022/915 on operational law enforcement cooperation and in line with Commission Recommendation (EU) 2024/268 on cooperation between the Member States.
- Fully utilise the **intelligence** available at all levels by completely rolling-out SIENA, including in the Police and Customs Cooperation Centres.
- Maximise the use of **SIS data** by utilising all new functionalities and by allocating resources and capacities to SIRENE Bureaux.
- Ensure that the increased exchange of information is conducted in full respect of the **data protection** requirements.
- Actively contribute to the **EU Roadmap to fight drug trafficking** and organised crime by also implementing the best practices identified in the thematic Schengen evaluation on combatting drug trafficking.

## 6. NEXT STEPS

This report shows that **critical legislative and operational developments** have been achieved to implement the priorities identified in the 2023 State of Schengen report. In particular, specific measures have been taken to consolidate and further reinforce the Schengen governance cycle, to further strengthen the EU external borders, to increase the effectiveness of the return system, enhance the internal security as well as better implementation of the EU visa policy. Important first steps have also been taken to complete the Schengen area with the adoption in December of the Council Decision to lift the controls at the internal air and sea borders of Bulgaria and Romania. The 2024 State of Schengen report identifies the remaining shortcomings related to the implementation of the 2023-2024 cycle as well as the emerging challenges for the Schengen area and priority actions for the 2024-2025 Schengen cycle.

In addition, to facilitate the implementation of these priorities, the Commission has also put forward a proposal for a **Council Recommendation for the 2024/2025 Schengen cycle** and invites the Council to adopt it during the upcoming Schengen Council meeting in June 2024<sup>69</sup>.

The elements put forward in this new Schengen cycle should form the basis for increased **political dialogue** at both national and European levels, including in both the European Parliament and the Council.

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<sup>69</sup> The priority boxes established throughout this report should be read complementary to the Proposal for a Council Recommendation and are intended to provide further context.