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From:	Hellenic delegation
To:	Working Party for Schengen Matters (Schengen Evaluation) - Mixed Committee (EU-Iceland/Norway/Switzerland/Liechtenstein)
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Subject:	Schengen evaluation of Greece - 2nd Follow-up report on the implementation of the Action Plan on addressing the "serious" deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of management of the external borders

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Delegations will find enclosed the "2nd Follow-up report on the implementation of the Action plan on addressing the "serious" deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of management of the external borders by Greece" as provided for in article 16(3) of the SEM Regulation (EU) No 1053/2013.

**Introduction**

The purpose of this document is to provide a “2<sup>nd</sup> Follow-up Report on the implementation of the Action plan on addressing deficiencies identified in the unannounced 2015 evaluation on the application of the Schengen acquis in the field of management of the external borders by Greece”, in accordance with the provisions of Article 16 of SEM Reg. (EU) 1053/2013 <sup>1</sup>. This report is submitted three months after the first report.

In sum, since the evaluation of November 2015, Greece has made every possible effort to address all the deficiencies identified in its external borders in the best possible way and provided additional information and clarifications to the European Commission and the Member States. Regarding the continued and long term actions, including the new national integrated maritime surveillance system, risk analysis, training, reinforcement of personnel and IT infrastructure Greece has ensured a monitoring framework, including training, review of statistics and targeted interventions <sup>2</sup>.

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<sup>1</sup> In the framework of the SEM Regulation 1053/2013 an unannounced evaluation visit took place at land and sea external borders of Greece, 10-13 November 2015. The evaluation Report, adopted by the Commission on 2 February 2016, concluded that there were “serious deficiencies” in the carrying out of external border control by Greece. Recommendations for remedial action were adopted by the Council on 12 February 2016. As the Evaluation Report found serious deficiencies, the Commission in addition adopted on 24 February 2016 an implementing decision setting out a Recommendation on specific measures to be taken by Greece.

Following the Action Plan presented by the Greek authorities on 12 March 2016 to remedy deficiencies identified in the 2015 evaluation of the application of the Schengen acquis in the field of management of the external borders<sup>1</sup> and the additional elements and clarifications provided to the Commission's assessment of the adequacy of the Action Plan on 12 April 2016, Greece presented its final Report on the implementation of its Action Plan, in accordance with the provisions of article 16(4) of the SEM Regulation 1053/2013 on the 29 April 2016.

Since 12 March 2016, Greece, firmly committed to contributing to the strengthening of the internal security of the EU, provides monthly reports on the Commission's Recommendation Article 19b (1) SBC on specific measures to be taken by the Hellenic Republic following the evaluation report and Council Recommendation related to Article 15 of Regulation (EU) 1053/2013, of 2 February 2016. Any new issue raised by the Commission during this process, is addressed by Greece as a matter of priority.

<sup>2</sup> Recommendations consider registration procedure 3, 5, 6, 7, 8, 9, 10, 11, 40, 41 and 42; sea border surveillance 12, 13 and 14, risk analyses 15, 16 and 17, international cooperation 18; border checks procedures 22, 23, 25, 26, 27 and 28; human resources and training 19 and 43; and infrastructure and equipment 34, 47 and 48. EL should take appropriate measures to ensure that at all external borders of Greece, external border control is carried out and brought in line with the Schengen Acquis in order not to jeopardise the functioning of the Schengen area according to recommendation 50.

Despite Greece's stated disagreement with the assessment of the evaluation report, all issues identified in it have been dealt with as a matter of priority and urgency, with a view to ensuring, on our part, the integrity and continued functioning of the Schengen area. It should be noted that, since the evaluation visit on 10-13 November 2015, the situation on the ground has changed significantly. The unilateral closure of borders along the Western Balkan Route and the EU-Turkey joint statement have created additional responsibilities for Greece, which unavoidably also affect the implementation of the Action Plan. As a result, complementary actions have been taken in the context of the evaluation process, impacts and risks are assessed on a daily basis and solutions are provided by the Greek authorities in close cooperation with the EU Institutions and Agencies, with the contribution of Member States. Efforts will continue in this vein.

Finally, although the migration flows have been decreased at the Greek-Turkish borders in comparison to last year, situation remains fragile and there is an immense need adequate human resources and equipment to remain at the external borders, to ensure the sustainability of the border management system. Greece, mainly due to its geographical position and the specificities of its external sea borders, will continue to be affected more than any other member state from an unprecedented migratory and refugee crisis. The assistance offered should not be considered as an indication of dependence of Greece to the Institutions, Agencies and Member States but as a demonstration of genuine solidarity and collective action for the benefit of EU.

With this report Greece wishes to reiterate its will to close this evaluation procedure and to ensure that it will work devoted to the continuity and the integrity of the Schengen area.

**2nd Follow-up report on the implementation of the Action plan on addressing the “serious” deficiencies identified in the 2015 evaluation on the application of the Schengen Acquis in the field of management of the external borders by Greece**

*(STATE OF PLAY 15.11.2016)*

	<u>Recommendation</u>	<u>Actions taken by EL</u>	<u>Time-frame</u>	<u>Res. Authority</u>
<u>Registration</u>	Rec. 3. HP staffing for registration	3. Adequate number of officers seconded and future needs assessment completed in cooperation with FRONTEX. Currently, 20 HP officers out of the total 247 that have been deployed at the islands in the frame of EPN Poseidon Sea 2016 JO, work as registration officers, supporting the activities of the HP at those islands as additional staff to the current staff working on the islands. Taking into account the decrease of the numbers of migrants and refugees at the islands after the EU-TUR Joint Statement, the 20 HP additional officers are considered to be enough for supporting registration activities. If though situation changes, this number will be increased according to the pragmatic needs.	<b>Completed.</b> <b>State of play</b>	<b>HP/Borders Protection Division</b>  <b>FRONTEX</b>
	Rec. 4 facilities for accommodation during the registration process (including for vulnerable persons);	4. Current maximum accommodation capacity is 8.274 persons in islands and 69.218 places totally in Greece. Facilities for vulnerable persons at the <u>annexed table</u> .	<b>Completed</b> <b>State of play</b>	<b>Hellenic Army, HP, Reception and Identification Service</b>
<u>Risk analysis</u>	Rec. 15 Risk analysis system at local level	15. HP&HCG Risk Analysis in central level is ready. Risk Analysis in national level incorporating data from other authorities (HGC, Armed Forces, Customs, Civil Protection etc.) is being prepared by NCC. The first draft is prepared.  Risk Analysis in local level exists in Evros region.  The aim of HP is to have a Risk Analysis based on CIRAM 2.0. at local level at the islands by the end of 2017.  HCG has appointed since the beginning of 2016 intelligence officers at local level with experience in carrying out risk analysis. Risk analysis reports are	<b>In progress</b>  <b>(local R.A. by end 2017)</b>  <b>State of play</b>	<b>HP/HCG/NCC</b>

		<p>already produced at local level on a monthly basis. They are used for the purposes of local enhancing situational awareness, shared and submitted to the central level which monitors the performance of the local intelligence officers and guides their systematic efforts.</p> <p>Greek authorities will work systematically to fully implement this Recommendation by the end of 2017 and in the framework of the new Action Plan (evaluation April 2016).</p>		
Rec. 16 nominate and train the necessary personnel at local level for carrying out risk analysis activities;	<p>16. HP: It wasn't possible for HP to organize a training course in cooperation with FRONTEX (June 2016). For this reason a programme in national level with Greek academics started in September 2016.</p> <p>In October 2016, the training of totally 26 police officers took place on "Risk Analysis- Strategic Analysis". Police officers from both central (National Coordination Center for Border Control and Migration/NCC, Border Protection Division/HPHQs) and local level (Police Directorates of Alexandroupolis, Orestiada, Pella, Kilkis, Florina, Kastoria, Ioannina, Thesprotia, Chios, Samos, Lesvos, Dodekanese B', Heraklion, Lasithion, Chania) participated in this training. This training is co-funded by resources coming from the Internal Security Fund (Borders and Visa sector), in the frame of the activity named: "Training of police personnel in external integrated border management issues", which is designed to be implemented in annual basis, till 2021.</p> <p>HCG has officially requested Frontex for the organization of a risk analysis workshop to be addressed for the local intelligence officers, since 11 March 2016. However and in the meanwhile Frontex launched a procedure for the elaboration of a CIRAM training tool. HCG experts have been selected by Frontex and are actively involved in the respective working group.</p> <p>Upon the conclusion of this task, HCG will systematically nominate its candidates for their participation at all respective training courses to be initiated by Frontex.</p>	<p><b>In progress</b> <b>(end 2016)</b></p> <p><b>State of play</b></p>	<p><b>HCG/ IMSB,</b> <b>HP/Borders</b> <b>Protection</b> <b>Division</b></p> <p><b>FRONTEX</b></p>	
Rec. 17 familiarise the first line border guards with the	<p>17. Since the evaluation instructions and extensive training on foreign terrorist fighters and counter terrorism are taking place both by HP and HCG. The HP HQs constantly monitors the implementation of the</p>	<p><b>Completed</b></p>	<p><b>HCG/ IMSB,</b> <b>HP/Borders</b></p>	

	common foreign terrorist fighters risk indicators	instructions through unexpected evaluation visits of HQ officers to the BCPs and regular reports of the BCPs to the HQ. There is constant communication regarding the issue locally and in central level. The efforts will be continued.	<b>State of play</b>	<b>Protection Division</b>
<b><u>International cooperation</u></b>	Rec. 18 Cooperation with the Turkish border control authorities at local level	18. The next HCG-TCG Aegean Regional Commanders meeting will be held in December 2016 in Greece. Greek local authorities have been active to support the efforts of the HCG and HP that delivered results. Efforts will continue.	<b>Completed</b>  <b>State of play</b>	<b>HCG/IMSB</b>
<b><u>Human resources and training</u></b>	Rec. 19 increase training at the local level especially on forged and falsified documents, risk analysis and updated legislation;	19. HP: In the framework of the implementation of the co-funded activity: "Trainings of police personnel on border management issues" (ISF), a series of trainings took place for the staff working at BCPs and BCUs across the country. The trainings were focused on relevant topics such as forgery/falsification of travel and other documents. In addition, the training of staff coming from central and local services on risk analysis and strategic analysis was successfully completed. <u>In total, 86 HP officers followed these training courses. It is programmed that each year 241 police officers will be trained, among others, on forged and falsified documents.</u>  HCG : a training programme was offered to 24 HCG members already and in the future Frontex cancelled "Training on advanced skills for detection of falsified documents". Frontex will set Greece as a priority for roadshows training in detecting forged & falsified documents in 2017.	<b>In progress</b>  <b>State of Play</b>  <b>(Continuing action until 2022)</b>	<b>HP/Criminal Investigations Division</b>  <b>HP/Borders Protection Division</b>   <b>HCG</b>
	Rec. 20 provide language training	20. The training on linguistic skills in English and Turkish language of the police personnel (in the frame of the co-funded activity of the Internal Security Fund), will be implemented in January 2017. Due to the tight time frame as well as the amount of workload for the implementation of the activity (hiring teaching staff, etc), it was not possible that the training would start within 2016. In addition, one (01) HCG officer will receive language training in Arabic from Nov 2016 till Jul 2017 at Foreign Language Training Center of Hellenic Army.	<b>In progress</b>  <b>(Continuing action until 2022)</b>	<b>HP/Borders Protection Division</b> <b>HCG</b>

	Rec. 21 train more border guards on second line check	21. Training offered in cooperation with FRONTEX. <sup>3</sup>  Following Rec.19, 40 HP officers out of the 86 who participated in the trainings on border management issues, come from second line check posts.	<b>Completed</b>  <b>State of Play</b>	<b>HP/Borders Protection Division</b>
<b><u>Border checks procedures</u></b>	Rec. 22 border checks in line with the COM recommendation on EU citizens coming from risk areas	22. Renewed orders <sup>4</sup> were sent to all BCPs <sup>6</sup> The HP HQs constantly monitors the implementation of the instructions through unexpected evaluation visits of HQ officers to the BCPs and regular reports of the BCPs to the HQ.	<b>Completed</b>  <b>State of Play</b>	<b>HP/Borders Protection Division</b>
	Rec. 23 intensify the use of relevant document analysis tools/efficient document fraud detection;	23. Special services in GPD exist, software and training. HP has sent instructions for more intensive checks <sup>6</sup> The HP HQs constantly monitors the implementation of the instructions through unexpected evaluation visits of HQ officers to the BCPs and regular reports of the BCPs to the HQ.	<b>Completed</b>  <b>State of Play</b>	<b>HP/Borders Protection Division</b>
	Rec. 26 perform checks on cruise ships based on crew & passenger list	26. Renewed orders were set to all BCPs <sup>6</sup> The HP HQs constantly monitors the implementation of the instructions through unexpected evaluation visits of HQ officers to the BCPs and regular reports of the BCPs to the HQ.	<b>Completed</b>  <b>State of Play</b>	<b>HP/Borders Prot. Division</b>
	Rec. 28 border checks to TCNs in line with Article 7 of the SBC/ purpose of stay and means of subsistence (Chios)	28. Renewed orders were sent to all BCPs <sup>6</sup> The HP HQs constantly monitors the implementation of the instructions through unexpected evaluation visits of HQ officers to the BCPs and regular reports of the BCPs to the HQ.	<b>Completed</b>  <b>State of Play</b>	<b>HP/Borders Protection Division</b>

<sup>3</sup> A pool of experienced HP Officers is established to evaluate the implementation of the Schengen Acquis in the field of the external borders. Their task will be training of border guards all over the external borders and the monitoring of the observation of the instructions sent by the HP HQ related to the recommendations of the Council and the proper implementation of the Schengen Acquis in general.

<sup>4</sup> After sending renewed orders to Police Authorities, for each issue in this Action Plan, there were visits during March 2016 organized in sites of special interest in order to cross check the implementation. Additionally there is frequent monitor of the statistics. It was observed that police officers were aware of the notifications.

	Rec. 29 annul or revoke a visa in line with the visa code (Chios)	29. Renewed orders were sent to all BCPs <sup>6</sup> The HP HQs constantly monitors the implementation of the instructions through unexpected evaluation visits of HQ officers to the BCPs and regular reports of the BCPs to the HQ.	<b>Completed</b> <b>State of Play</b>	<b>HP/Borders Protection Division</b>
	Rec. 35 Observation of the passenger flow e.g. by installing a video surveillance system (CCTV) (port of Chios)	35. Technical requirements ready, the proposal is submitted and approved. Open tender call is in progress. CCTV camera system will be delivered the latest on May 2017. (to be updated –Chios Port Authority)	<b>In progress</b> <b>(deliv. May 2017)</b>	<b>HP/Borders Protection Division</b>  <b>Port Authority-Chios</b>
	Rec. 36 ensure that the recommendations 31 to 35 are taken into account when building the new passenger terminal in Samos.	36. It is already taken into account. It is at final stage. It will be delivered by the end of 2016.	<b>Completed</b> <b>State of Play</b>	<b>HCG/Division for Ports and Port Policy</b>
<b><u>Border check procedures</u></b>	<b><u>Police directorate Orestiada</u></b>  Rec. 37 situational awareness, role of Regional Coordination Centre, integrating functions currently covered by the Regional Control Centre and Nea Vyssa centre;	37. Two new local operation centers will be established one in Nea Vyssa and one in Didimotyho. Their situational picture will be shared with the Regional Coordination Center in Orestiada.  A request for the funding of the “Extension of the automated surveillance system of the riverside part of the GRC-TUR borders at Evros region and the interconnection of the Regional IBMMCs” activity, has been submitted to the European and Development Programs Division, which foresees the establishment of: a. four Regional IBMMCs (Didymoteicho, Tycherio, Feres, Soufli), b. a new regional center in Alexandroupolis and c. redevelopment of Regional IBMMC Orestiada.  The collection of operational picture coming from the surveillance system will take place in these IBMMCs.	<b>In progress</b> <b>(Operational end 2018)</b>	<b>HP/Borders Protection Division</b>



		The IBMMC of Nea Vyssa will remain fully operational, managing The necessary procedures required for the implementation of the above-mentioned top funding priority with a total budget of €15.000.000, approximately, have already begun since 15th of July 2016. It is noted that the tender procedure is estimated to be launched in the imminent future.		
	38. finalise the installation of GPS transmitters to the patrolling vehicles or units to enable the surveillance centre to monitor their location;	38. Currently this action is not assessed as priority. The specific measure will be assessed in the future, based on the progress of the ISF/B&V National Program rest actions' implementation.	<b>In progress</b> <b>(New assessment in (2018))</b>	<b>HP/Borders Protection Division</b>
	Rec. 48 improve traffic management and surveillance at the BCP	48. ISF funding request for the establishment of CCTVs at the premises of specified BCPs (Kastanies, Promachonas, Evzoni, Mertzani, Mavromati, Sagiada, Niki and Ormenio), has been submitted. More personnel is sent and CCTV cameras procurement will finish the latest by May 2017.	<b>Completed</b> <b>State of Play (CCTV end May 2017)</b>	<b>HP/Border Protection Division</b>
<b><u>International Cooperation</u></b>	Rec. 39 continue with the efforts for strengthening the cooperation with Bulgaria and Turkey and to participate actively in the future activities of the 'Trilateral Common Contact Center for police and customs cooperation';	39. It is ratified by the Hellenic Parliament and published to the National Gazette. Discussions are ongoing between the three parties regarding the personnel and the planning of the patrols.	<b>Completed</b> <b>State of Play</b>	<b>HP/International Police Cooperation Division</b>
<b><u>General issues</u></b>	<b><u>Sea Border surveillance</u></b>  Rec. 12 coastal surveillance system covering the whole sea border between Greece and Turkey	12. <b><u>National Integrated Maritime Surveillance System (NIMSS) :</u></b>  The Request for Information (RFI) has been launched on 03/11/2016 for 60 days during which official consultation with the Industry will take place. The technical specifications will be drafted till end of March 2017 and uploaded for comments on the eprocurement website. The technical specifications are expected to be finalized by mid-2017. The tender should be then published in early July 2017. According to the national legislation and the expected	<b>Completed in the framework of this Action Plan. It's long term action.</b>	<b>HCG</b>

		<p>recourses from the bidders, the tendering procedure will last about 1,5 year, so the contract is planned to be signed in the 4th term of 2018. The installation of the surveillance stations should then start progressively from the North-eastern Aegean region by the end of 2018 or early 2019. At the same time, works to adapt HCG Operations' Center will start within the HCG's HQs. The Command and Control of the system will be centrally based and as soon as each surveillance station is completed, it will be connected and transmit information to the HCG HQs (modular design). The whole system is expected to be fully deployed and operational by the end of 2019.</p> <p>Concerning the <u>procurement of patrol boats</u>, under the ISF National Programme (NP), 4 patrol boats were planned to be delivered within 2016 as a continuation of the relevant multiannual project under EBF 2012 and 2013 aiming to the procurement of 6 Coastal Patrol Boats. However, the contractor has bankrupted and is not able to fulfill its obligations under the contract signed. Alternative solutions are being explored in order to acquire as many equivalent boats as possible within the available budget. In any case, the reaction capability is already at a good level in the Eastern Aegean islands since boats from other HCG authorities are seconded on a rotating basis. Please note that in order to enhance significantly the reaction capacity with viable utilization of the operational assets a procurement of 10 new boats of over 20m would be needed which requires a budget of about 35 to 40 M €</p> <p>Finally, for what concerns the procurement of 2 Coastal Patrol Vessels over 30m and 1 TVV under ISF NP Specific Actions, the technical specifications have already been completed. The competent Delegated Authority issued the relevant Calls on 27/04/2016 and 08/07/2016 respectively. The foreseen procedures have been completed and the tenders are to be published by the end of 2016 once the re-adaptation of the technical specifications according to the new legal framework (Law 4412/2016 adapting EU Directive 2014/24 and 25) is completed. Deliveries are expected by mid-2020 and end of 2018 respectively. Here again, it is pointed out that the real operational need is of 2 additional CPVs (4 CPVs in total).</p>	<p><b>State of Play</b></p>	
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**Reception capacity for unaccompanied minors  
in Hotspots and other facilities run by RIS**

FACILITY	CAPACITY	REMARKS
<b>SAMOS RIC (Reception and Identification Center)</b>	56 PLACES	7 CONTAINERS
<b>KOS RIC</b>	48 PLACES	6 CONTAINERS
<b>CHIOS RIC</b>	90 PLACES	9 WINGS OF 3 ROOMS EACH. ONE ROOM FOR 3 PERSONS
<b>LESVOS RIC</b>	156 PLACES 76 PLACES	2 WINGS ACTIVE 3RD WING WHICH IS NOW BEING USED FOR ADMINISTRATION OFFICES
<b>LEROS OPEN ACCOMMODATION FACILITY FOR VULNERABLE PERSONS</b>	30 PLACES FOR UNACCOMPANIED MINORS	THIS FACILITY IS SEPARATE FROM THE RIC AND UAMs STAY THERE UNTIL THEY ARE REFERRED TO SPECIAL SHELTERS AFTER EKKA COORDINATION. RECREATIONAL TIME WITH THE SUPPORT OF NGOs AFTER THE ATTORNEY'S APPROVAL.
<b>DIAVATA OPEN TEMPORARY RECEPTION FACILITY</b>	DEDICATED SAFE ZONE FOR UAMs	OPERATIONAL 24/7 SUPPORT BY NGO ARSIS CARE TAKERS.
<b>ELAIONAS OPEN TEMPORARY RECEPTION FACILITY</b>	DEDICATED SAFE ZONE FOR UAMs/30 PLACES	UNDER CONSTRUCTION PROVISION FOR 24/7 SUPPORT AND CARE
<b>SHISTO OPEN TEMPORARY RECEPTION FACILITY</b>	DEDICATED SAFE ZONE FOR UAMs/30 PLACES	UNDER CONSTRUCTION PROVISION FOR 24/7 SUPPORT AND CARE

In all 5 Hotspots (in the islands) there are dedicated areas especially for unaccompanied minors, which host them separately from the rest population of the Reception and Identification Center. In Leros island there is a special separate facility (apart from the RIC) for this reason.

In all Hotspots, specially trained NGOs staff dedicated to child protection support the minors.