



Brussels, 7.10.2024
C(2024) 5801 final

COMMISSION IMPLEMENTING DECISION

of 7.10.2024

establishing the annual evaluation programme for 2025 in accordance with Article 13(1) of Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*

COMMISSION IMPLEMENTING DECISION

of 7.10.2024

establishing the annual evaluation programme for 2025 in accordance with Article 13(1) of Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*¹, and in particular Article 13(1) thereof,

Whereas:

- (1) The Commission should establish an annual evaluation programme for 2025 for the selected Member States as regards the application of the Schengen *acquis*, which should include a provisional time schedule for periodic evaluations, first-time evaluations and, where appropriate, thematic evaluations.
- (2) The order of the periodic evaluations of the Member States is set out in the Annex to Commission Implementing Decision C (2023) 57². In accordance with that Decision, Switzerland, Slovenia and Austria are to be evaluated in 2025 as regards their overall performance in the implementation of the Schengen *acquis*.
- (3) No first-time evaluations are currently expected for 2025. The evaluation and monitoring activities will continue to support the Schengen area's preparedness to current and future challenges in the context of the ongoing EU enlargement processes, by ensuring that cross-border and internal cooperation is sufficiently developed and the Schengen architecture is well established in Member States and relevant third countries.
- (4) Thematic evaluations are an important form of evaluation activities within the 7-year multiannual evaluation programme, complementing periodic, first-time and unannounced evaluations. Considering that a large number of Member States have signalled implementation challenges related to the entry into operation of the new IT systems, in particular the Entry-Exit System, and the implementation of revised legislation, it is appropriate to defer thematic evaluations to 2026.
- (5) The risk analyses submitted by the European Border and Coast Guard Agency, Europol and the European Union Agency for Fundamental Rights as well as the replies received from Member States to the standard questionnaire and the information

¹ OJ L160, 15.6.2022, p. 1-27.

² Annex to the Commission Implementing Decision C(2023) 57 establishing the multiannual evaluation programme 2023–2029 in accordance with Article 12(1) and 31(1) of the Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*, and repealing Regulation (EU) No 1053/2013.

gathered from third parties such as independent authorities, non-governmental organisations and international organisations, will be taken into account in the implementation of the annual programme, in accordance with Articles 7, 8, 9, 10, 11 and 14 of Regulation (EU) 2022/922.

- (6) Regulation (EU) 2022/922 does not require the determination in the annual evaluation programme of the sites to be visited. The detailed programme for each evaluation activity with exact sites and locations to be visited will be established by the Commission in close cooperation with the lead experts and the Member State concerned in accordance with that Regulation.
- (7) Given that Regulation (EU) 2022/922 builds upon the Schengen *acquis*, in accordance with Article 4 of Protocol No 22 on the position of Denmark³, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark notified the implementation of Regulation (EU) 2022/922 of 9 June 2022 in its national law. It is therefore bound under international law to implement this Decision.
- (8) Ireland is taking part in this Decision, in accordance with Article 5(1) of Protocol No 19 on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and Article 6(2) of Council Decision 2002/192/EC⁴.
- (9) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning their association with the implementation, application, and development of the Schengen *acquis*⁵ which fall within the area referred to in Article 1 of Council Decision 1999/437/EC⁶.
- (10) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application, and development of the Schengen *acquis*⁷, which fall within the area referred to in Article 1 of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC⁸.
- (11) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation

³ OJ C 326, 26.10.2012, p. 299–303.

⁴ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

⁵ OJ L 176, 10.7.1999, p. 36.

⁶ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁷ OJ L 53, 27.2.2008, p. 52.

⁸ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁹ which fall within the area referred to in Article 1 of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU¹⁰.

- (12) The measures provided for in this Decision are in accordance with the opinion of the Schengen Committee, established in accordance with Article 30 of Council Regulation (EU) 2022/922,

HAS ADOPTED THIS DECISION:

Article 1

The annual evaluation programme for 2025 is set out in the Annex.

Article 2

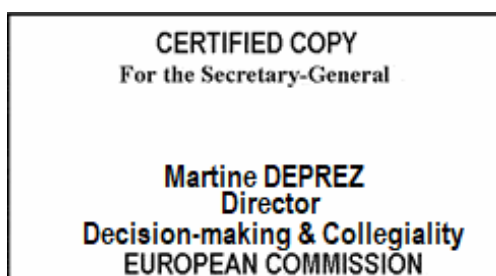
This Decision is addressed to the Member States.

Done at Brussels, 7.10.2024

For the Commission

Ylva JOHANSSON

Member of the Commission



⁹ OJ L 160, 18.6.2011, p. 21.

¹⁰ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).



Brussels, 7.10.2024
C(2024) 5801 final

ANNEX

ANNEX

to the

Commission Implementing Decision

establishing the annual evaluation programme for 2025 in accordance with Article 13(1) of Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*

2025 Schengen Evaluations

Provisional time schedule

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Periodic evaluation¹	CH		SI		AT							
First-time evaluation												
Thematic evaluation												

The exact scope defining policy areas covered in each evaluation activity will be established by the Commission and communicated to the Member State concerned as part of the preparatory process.

The detailed programme for each evaluation activity with exact sites and locations to be visited will be established by the Commission in close cooperation with the lead experts and in line with Article 19(2) of the Regulation (EU) No 2022/922.

¹ In accordance with the Multiannual Evaluation Programme 2023-2029 Commission Implementing Decision C(2023) 57.