



The system of EU situational pictures showing the current state of the Schengen area

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Abstract

Aim: The aim of the study is to review the new system of common situational pictures and risk analyses, in line with the ambitions of the EU to strengthen the governance of the Schengen area, and to explore and introduce the different indicators related to these situational pictures.

Methodology: Through document and content analysis, the author examined the theoretical and legal background and regulatory context. The author also identified synergies between the functioning of the JHA forums of the Council of the EU and the content of the situation pictures.

Findings: The Commission's Schengen 2022 report was found to have facilitated the EU Council's dialogue on justice and home affairs policy and the monitoring of the Schengen acquis. The subsequent Schengen Barometer and the Barometer Plus tools, launched in March 2023, will effectively identify vulnerabilities and risks and help coordinate the EU response. In addition, from 2024, the three-tier structure of the Schengen Scoreboard will provide details on the different dimensions of the functioning of the Schengen area, including the state of external and internal borders, as well as internal security.

Value: No comprehensive research has previously been carried out that has dealt with the situational pictures of the Schengen area in a complex way. This study is the first to present the existence and functioning of these situation maps, allowing a detailed analysis of aspects not previously explored.

Keywords: Schengen, Schengen area, border management, risk analysis

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Introduction

As of 1 January 2022, France took over the rotating presidency of the Council of the European Union at a very turbulent time (Omnes, 2022) with the global health crisis still unfolding and the Russian-Ukrainian conflict still very much on the rise. In the justice and home affairs formation, the French Presidency has identified priorities to be achieved in order to achieve a more sovereign Europe by strengthening the Schengen area, protecting Europe's borders (...), building a stronger Europe capable of action in the field of security and defence ([URL1](#)). The Presidency's programme has highlighted the need to strengthen the Council's political leadership in the reform of the Schengen area, in line with the French Presidency's vision.

The French Presidency's ideas were successful, as there was already a fundamental need to improve the governance and surveillance of the Schengen area, and the creation of the Schengen Council¹ 'that would meet regularly in order to detect and address potential problems' (De Somer, 2019) seemed a natural step – and was widely supported. In fact, by then the challenges had reached such a level that Schengen could not be ignored, and the French leadership wished to respond.

Later on, the structure of the Schengen Council's agenda was also proposed, setting out the mandatory points of discussion of the formation as follows:

- An examination of the state of play in the Schengen area on the basis of a 'Schengen barometer' which would be set up by the Commission and would provide ministers with a comprehensive picture of the state of play in the Schengen area and the Schengen evaluations;
- Discussion of systemic difficulties faced by Member States, such as difficulties identified in the Schengen evaluations;
- Identifying responses to crises in the Schengen area;
- On the basis of a report from the Commission and a more detailed scoreboard, ministers will carry out an in-depth review of Schengen on an annual basis.

The 'state of Schengen' report

In 2022, in the context of the strengthening of the Schengen governance structure and the Schengen reforms, the Commission adopted a report ([URL2](#)) on

¹ In 2022, EU interior ministers agreed to establish a new 'Schengen Council' that will oversee controls at the external borders of, and migration within, the Schengen Area

the state of play of the Schengen area. The aim of the first of the reports on the state of play in the Schengen area was to identify the key elements of the new governance model for the Schengen area, to take stock of the implementation of the Schengen Strategy ([URL3](#)) as a whole and of its individual elements, and to set out the priorities for the Schengen area for 2022-2023. The document also addresses the Commission's legal obligations to report on the situation of the absence of internal border controls, the results of the Schengen evaluations and the state of implementation of the recommendations.

This report was also an attempt to create a model: it was the first report to present a current state of play on the Schengen area as a first step in the annual Schengen cycle, thus helping to set priorities for the coming year. It stated that the Schengen situation report should serve as a basis for enhanced political dialogue, monitoring and implementation of the Schengen acquis.

The report also identified the need to reform of the Schengen evaluation system as an important and ambitious objective: *“the reformed Schengen evaluation and monitoring mechanism will bring about an even more robust monitoring system speeding up the entire process especially when serious deficiencies are identified, for which a specific fast-track procedure is provided for.”* ([URL2](#)).

The report lists priority actions to be addressed at national and European level for the period 2022-2023, including:

- implementing a new IT architecture and interoperability for border management;
- making full use of the tools for cross-border co-operation;
- ensuring systematic controls at external borders;
- ensuring that Frontex realises the full potential of its mandate;
- lifting all prolonged internal border controls, and;
- adopt the revised Schengen Borders Code.

In the report, the Commission stresses the importance of launching a multi-annual strategic policy cycle to achieve the objectives of integrated border management in Europe. This policy cycle is defined in the EBCG 2.0 Regulation, which contains the following key provisions, namely that *“the effective implementation of European integrated border management by the European Border and Coast Guard should be ensured by means of a multiannual strategic policy cycle. The multiannual cycle should set out an integrated, unified and continuous process for providing strategic guidelines to all the relevant actors at Union level and at national level in the area of border management and return so that those actors are able to implement European integrated border management in a coherent manner. It should also address all relevant interactions of*

the European Border and Coast Guard with the Commission and other Union institutions, bodies, offices and agencies, and co-operation with other relevant partners, including third countries and third parties as appropriate” (URL4).

Other objectives include the implementation of systematic border controls, the practical interoperability of the EU information system, and the future appropriate use of the Schengen evaluation mechanism, which is highly relevant for research.

At the Justice and Home Affairs Council of 9 June 2022, Member States were in general agreement with the content of the Commission’s report and the objectives set out in it (URL5) and strategic work continued at expert level. Member states supported the agenda proposed by the presidency for the first Schengen cycle, generally welcoming also the discussions planned in the relevant working groups in the presence of the relevant EU agencies on the measures identified and their implementation.

The following year, on 16 May 2023, the Commission published its second State of the Schengen area report, which analysed in detail the developments and challenges in the Schengen area. This report also marked the launch of the second annual Schengen Cycle, which included both policy-making and technical monitoring at European and national level. In addition to assessing the results of the previous annual cycle, the second report also set out the timing for the next Schengen cycle (2023-2024). The report placed particular emphasis on lessons learned from the past period and areas for further improvement. In total, five main orientations have been identified, including strengthening Schengen governance for effective implementation, the importance of enlarging the Schengen area, the development of a strong and unified Schengen area, and making full use of the Schengen potential to create a secure area of free movement. In addition, the report specifically highlights measures relating to the external dimension, in particular to address illegal migration and security risks. The Commission document underlined that it will serve as preparatory material for the Schengen Council meeting on 8 June 2023, which will be a meeting of Schengen ministers to ensure strategic coordination of home affairs policies, promote the conditions for a well-functioning area of freedom, security and justice and provide operational guidance (URL2).

As an innovative element, the compendium of best practices identified in the framework of the Schengen evaluation and monitoring mechanism, annexed to the Commission’s second report on the state of Schengen in 2023, has been included in the background documentation to facilitate Schengen governance, as described above. The compendium includes good practices and innovative solutions from Member States on different aspects of the Schengen acquis,

including border control, return, visa policy, law enforcement, data protection and the use of EU IT systems, most notably identified by the evaluation teams during the implementation of the first Schengen multi-annual evaluation programmes for Member States (2015-2019). The collection of best practices provides insights into innovative strategies, tools and measures to support Member State authorities in implementing the Schengen acquis and help them to further develop proven approaches and techniques when presenting new proposals and initiatives.

The collection has provided a good basis for the Council Working Party on Schengen to continue to support and encourage Member States to share their experiences, exchange knowledge and best practices.

The compendium of best practises is not intended to replace or replicate the best practices contained in the various applicable Commission or Council recommendations or manuals, but to add new elements. It is important to note that it is explanatory and not legally binding, and is therefore not normative (nor is the report which constitutes the main text).

Schengen barometer and indicators

As with the annual Schengen reports, the European Commission has been preparing a comprehensive situation assessment document, called the Schengen barometer, before each Schengen Council meeting since March 2022. This overview document aims to provide a comprehensive situational picture of the factors affecting the stability of the Schengen area, using the latest EU agency analytical data and building on this, it seeks to identify recent developments and threats to the Schengen area.

Since the creation of the Schengen Council in 2022, the Schengen Barometer has evolved. In March 2023, the Commission produced an improved set of situation indicators (Schengen Barometer+). Building on past achievements, the renewed documentation contributes to the accurate identification of vulnerabilities, risks and operational gaps that require a timely and coordinated EU response. The priority areas identified will allow the Schengen Council to enhance policy coordination and approve actions in the form of operational co-operation.

While the 2022 Barometer document on the migration situation in the Schengen area, internal security and the situation at the Schengen external borders only contained general statistics and findings, the new Barometer+ provides the Schengen Council with much more detailed and comprehensive information, providing an up-to-date picture. The periodically updated document provides

a complex analysis of the situation in the Schengen area, with a special focus on migration and security implications and major developments along the routes. It also underlines the importance of EU co-operation with third countries to prevent irregular migration and security threats. The paper also addresses the security dimension, including migrant smuggling and drug trafficking. It analyses in detail the evolution of drug trafficking on the basis of annual Schengen evaluations. This will provide decision-makers with an accurate and comprehensive picture of the security situation and challenges in the Schengen area, allowing effective measures to be taken to preserve the integrity of the Schengen area.

From 2022 onwards, the Schengen Barometer+ has become a key tool in the Schengen governance cycle, guiding the coordination of Schengen issues and improving evidence-based policy-making in the Schengen Council. It provides an overview of recent developments and threats to the Schengen area, using the most up-to-date data. However, as with other documents presenting the state of play and updates, it is essential that the structure is constantly and dynamically updated (to keep it up to date) to take account of comments from Member States. In this process, the respective Presidencies of the EU Council play a key role, as they have the opportunity to promote important Member State interests in consultation with the Commission. This will help ensure that the Schengen Barometer+ serves the relations and decision-making processes between the EU and its Member States in the most up-to-date and appropriate way.

Schengen scoreboard

While the Schengen Barometer provides a snapshot of the Schengen area as a whole, the Commission has also created in 2022 a comprehensive document, the Schengen Scoreboard, which will be published annually and will present the situation of each Member State. The individual scoreboards will be based on the level of implementation of the corrective recommendations following the last Schengen evaluation carried out in the Member State concerned, i.e. the extent to which the Member State as a whole has remedied the shortcomings identified in the last Schengen evaluation.

In compiling the first individual Member State scoreboards, the Commission has followed a methodology based on which each Member State is colour-coded to indicate the current rate of implementation of corrections in each Schengen evaluation area.

To establish the colour codes, the Commission has assigned a scoring criterion according to the criteria generated by the Schengen evaluations. If there were

no findings for a particular criterion in the assessment, this was reflected in the scoreboard as the country having implemented the Schengen acquis for that criterion and receiving the maximum score for that criterion. If, on the other hand, the report contains a finding that has led to a recommendation to correct a deficiency and has not yet been implemented or has only been partially implemented, then a deduction is made according to the weight of the recommendation.

The scoring methods for the scoreboard were as follows:

- Satisfying (no open action points for this criterion): 3 points.
- Complies but needs improvement, indicating a non-priority recommendation for which the corresponding action point has not yet been implemented: 2 points.
- Complies, but needs improvement, showing a recommendation that should be treated as a priority and for which the corresponding action point has not yet been implemented: 1 point
- Not satisfactory, indicating a recommendation for which the corresponding action point has not yet been implemented: 0 points.

The scoreboards are published by the Commission once a year, and based on the above methodology, this was the case for all Member States, including Hungary, in 2022 and 2023. However, following the Schengen Council meeting in June 2023, the Commission, in close co-operation with Member States, launched a technical consultation process to develop a transparent, objective and common methodology for the new scoreboards to be published in the future, as following the publication of the 2022 and 2023 scoreboards, there was a growing demand from Member States for stronger political commitment and transparency, i.e. that the Commission should not “arbitrarily” produce the documentation according to a methodology of its own devising.

In this context, several workshops have been organised between November 2023 and January 2024 with the close involvement of Member States. The workshops took place immediately after the general meetings of the Schengen Committee.

The final methodology defined a three-tier structure for the Schengen Scoreboards to be published from 2024. The first is the dimensional level, which covers the overarching elements that ensure the proper functioning of the Schengen area, as well as measures in the Schengen neighbourhood, at the EU’s external borders and within the Schengen area. These are interlinked dimensions. Each of the dimensions covered by the Schengen Scoreboard is divided into a set of indicators, which constitute the second level. Each indicator is accompanied by additional criteria (level 3). The criteria may be accompanied by one or more Schengen recommendations. In total, six broad strategic areas are identified as dimensions:

- national Schengen governance;
- external dimension (e.g. activities in third countries);
- management of external borders;
- return of illegally staying third-country nationals from the Schengen area to their country of origin);
- situation at internal borders;
- internal security.

The distribution of the indicators and criteria assigned to these dimensions is illustrated visually in the area of ‘management of external borders’:

Figure 1
The Schengen Scoreboard architecture criteria for external border management to be applied from 2024.

Dimension	Indicators	Criteria
Management of external borders	Situational awareness and foresight	<ul style="list-style-type: none"> • Situational awareness • Situational pictures • National Coordination Centre • EUROSUR coordination
	Risk analysis	<ul style="list-style-type: none"> • CIRAM application • Quality of risk analysis products
	Border surveillance	<ul style="list-style-type: none"> • Integrated system components • Reaction capability
	Border-control	<ul style="list-style-type: none"> • Carrying out first and second line checks • Carrying out systematic checks • Internal regulatory framework
	Safeguards	<ul style="list-style-type: none"> • Mechanism for handling complaints • Remedies

Note. The Author’s own edition.

According to the methodology, each criterion is scored according to the level of implementation of its corresponding findings by the Member State concerned. In order to effectively reflect the situation established following the evaluation activity and to adequately illustrate the improvements indicated in the monitoring phase, scores of 0, 5, 6, 8 and 10 may be assigned to each criterion. The highest outstanding deficiencies receive the lowest score on the scoring scale, as they relate to findings that do not comply with the legally binding provisions of the Schengen acquis.

Recommendations relating to findings in need of improvement are in the middle of the scoring scale. In addition, the level of priority established is taken into account. If no recommendation is issued for a particular criterion or if the deficiency has been fully addressed, it is given the maximum score: for example,

if there is no problem with the application of the CIRAM² model in the area of external border management in a given Member State (risk assessment indicator), this criterion is worth 10 points. If the Member State concerned has taken measures to ensure compliance with the legal requirements but still needs to improve, it is worth 5 points. If there is significant and objective progress but not yet maximum correction, it is worth 8 points.

Finally, to calculate the overall situation in the Member State, all points are averaged as indicators, from which the following rating per dimension is derived based on the percentage:

- 100% – Maximum performance;
- 80-99% – Advanced performance;
- 60-79% – Intermediate performance;
- 50-59% – Minimum expected level of performance;
- 0-49% – Severe deficiencies, performance below expected level.

Conclusions

The integration of these tools—particularly the Schengen Barometer, the Schengen Barometer+, and the Schengen Scoreboard into the Schengen Council’s decision-making processes has been highly impactful. The Barometer Plus has become crucial for providing timely and detailed assessments of vulnerabilities and risks within the Schengen Area, thereby facilitating informed decision-making and effective response strategies.

The Schengen Scoreboard has further enhanced transparency and accountability by offering an updated and detailed view of member states’ compliance with Schengen standards.

These advancements have actively influenced Schengen Council deliberations, ensuring that policy decisions are grounded in comprehensive, up-to-date information. The tools have not only improved the monitoring and evaluation of Schengen policies but also fostered a more coordinated approach to addressing emerging challenges in border management and internal security.

Further research is recommended to evaluate the effectiveness of these tools in achieving their intended outcomes. This research should focus on assessing how the insights provided by the Schengen Barometer, Schengen Barometer +, and Schengen Scoreboard translate into practical improvements in Schengen Area governance and policy implementation.

2 The objective of the Common Integrated Risk Analysis Model (CIRAM) is to provide a conceptual model to assist Frontex and EU and Schengen countries in the preparation of risk analyses.

In the future, it may also be worthwhile to explore the various issues arising from technology in the field of situational awareness. The implementation of new technologies, such as situational pictures, for the externalization of border control brings up several concerns. These concerns particularly relate to the automation of data collection and sharing, as well as the establishment of causality between the shared information and the resulting consequences (Aviat, 2024). Tracking this can therefore be of vital importance in science.

Additionally, studies should explore potential enhancements to these tools to better address evolving challenges and ensure that they continue to support effective decision-making within the Schengen framework.

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Online links in the article

- URL1: *Recovery, Strength and a Sense of Belonging. Programme for the French Presidency of the Council of the European Union*. https://presidence-francaise.consilium.europa.eu/media/qh4cg0qq/en_programme-pfue-v1-2.pdf
- URL2: *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 2022*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022DC0301>
- URL3: *Communication from the Commission to the European Parliament and the Council: 'A Strategy towards a fully functioning and resilient Schengen Area'*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0277>
- URL4: *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*. <https://eur-lex.europa.eu/eli/reg/2019/1896/oj>
- URL5: *Justice and Home Affairs Council, 9-10 June 2022*. <https://www.consilium.europa.eu/en/meetings/jha/2022/06/09-10/>

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