MANAGEMENT BOARD DECISION 35/2018
of 6 November 2018

setting out the necessary measure to be taken by the Member State concerned and the time limit within which such measure is to be implemented

THE MANAGEMENT BOARD

Having regard to the European Border and Coast Guard Regulation (hereinafter ‘the Regulation’)
1, and in particular Article 62(2)(c) thereof,

Whereas:

(1) The aim of the vulnerability assessment is, *inter alia*, for the Agency to assess the capacity and readiness of Member States to face upcoming challenges.

(2) When necessary the Executive Director, in consultation with the Member State concerned, makes a recommendation setting out the necessary measures to be taken by the Member State concerned and the time limit within which such measures are to be implemented. The Executive Director invites the Member States concerned to take the necessary measures.

(3) The Executive Director bases the measures to be recommended to the Member States concerned on the results of the vulnerability assessment, taking into account the Agency’s risk analysis, the comments of the Member State concerned and the results of the Schengen evaluation mechanism.

(4) The measures should be aimed at eliminating the vulnerabilities identified in the assessment in order for Member States to increase their readiness to face upcoming challenges by enhancing or improving their capabilities, technical equipment, systems, resources and contingency plans.

(5) On 13 July 2017, based on the vulnerability assessment (i.e. the Baseline Assessment 2017), the Executive Director issued a recommendation with necessary measures to be implemented by the Member State concerned. The time limit for implementation of the necessary measure referred to in the Annex to this Decision was 31 December 2017.

(6) That measure was not implemented by the Member State concerned within the time limit.

(7) Where a Member State does not implement the necessary measures of the recommendation within the time limit, the Executive Director refers the matter to the Management Board and notifies the Commission.

(8) The Management Board then adopts a decision on a proposal of the Executive Director setting out the necessary measures to be taken by the Member State concerned and the time limit within which such measures are to be implemented.

(9) The decision of the Management Board is binding on the Member State concerned.

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HAS DECIDED AS FOLLOWS:

Article 1
Adoption

The Annex to this Decision setting out the necessary measure to be taken by the Member State concerned and the time limit within which such measure is to be implemented, as referred to in Article 13(8) of the Regulation, is hereby adopted.

Article 2
Entry into Force

This Decision enters into force on the day following its adoption.

Done in Vienna, 6 November 2018

For the Management Board

[signed]

Marko Gašperlin
Chairperson

ANNEX - The necessary measure and the time limit for its implementation