



**COUNCIL OF
THE EUROPEAN UNION**

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ADDENDUM TO "I" ITEM NOTE

from: General Secretariat
to: Coreper

No. prev. doc.: 11463/12 FRONT 102 CODEC 1685 COMIX 388
No. Cion prop.: 7661/11 FRONT 31 CODEC 404 COMIX 158

Subject: Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) and the Convention implementing the Schengen Agreement
- Approval of the final compromise text with a view to an agreement at first reading

The Slovenian delegation has indicated that Slovenia intends to enter the following declaration in the minutes of the Council meeting at which the Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) and the Convention implementing the Schengen Agreement will be adopted:

"The Republic of Slovenia expresses its commitment to comprehensive implementation of the proposed changes of the Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) and the Convention implementing the Schengen Agreement (2011/0051 (COD)). However, at the same time it wishes to point out possible consequences of the changes to Article 21, paragraph d, of the Schengen Borders Code and Article 22 of the Convention.

The existing obligation for third-country nationals to register their presence to the competent authorities of a Member State presents a crucial connection between a third country national and a Member State. The amendment of the Articles mentioned above transforms this obligation into a possibility for a Member State to regulate this issue in its national legislation. We believe that non-harmonised rules in Member States could have an unfavourable effect on the management of migration flows and consequently on the level of internal security in Member States and in the Union."
