



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 17 January 2013

5472/13

**JAI 34
COMIX 30**

OUTCOME OF PROCEEDINGS

from : the Mixed Committee at Ministerial level
on : 6 December 2012
Subject : Outcome of proceedings of the meeting of the Mixed Committee at Ministerial level on 6 December 2012

1. SIS II

- **State of play**

The Commission gave an overview of the state of play. Regarding the situation in FI, the Commission explained that an alternative solution had been proposed to FI that could avoid a delay of the entry into operations. FI confirmed the information and stated that a decision on the issue would be taken in the near future.

2. Schengen governance

- **The situation in the Schengen area**

Second biannual report from the Commission to the European Parliament and the Council on the functioning of the Schengen area (1 May - 31 October 2012)

- **Presentation and orientation debate**

16423/12 JAI 809 SCHENGEN 71 COMIX 647

The Commission presented its second biannual report which was followed by an exchange of views during which the Council expressed its general satisfaction concerning Schengen cooperation. The Council also took note of the clarifications provided by the Presidency and the Commission on the

issue of the flanking measures undertaken by Romania and Bulgaria, including in particular the view expressed by the Presidency that, on the basis of the report it had made in October, the progress made by these two countries on the implementation of the flanking measures to date was such as to enable it to regard the process as now completed.

3. Obstacles related to effective information exchange

- Report by the Presidency

16697/12 JAI 837 CATS 80 DAPIX 148 ENFOPOL 388 ENFOCUSTOM 130
COMIX 663

Ministers took note of the outcome of the discussion held in CATS on obstacles related to effective information exchange. The Presidency invited Member States to ensure the implementation of the relevant legislation.

4. Proposal for a Directive of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data [First reading]

- State of play

The Council was briefly informed by the Presidency on the state of play of the discussions at the technical level on the draft Directive.

5. Any other business

- Information from the Presidency on current legislative proposals

The Presidency informed on the state of play regarding the following legislative proposals:

- the draft instruments on Schengen governance;
 - the draft Regulation amending Regulation 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement;
 - the draft Regulation setting up EUROSUR;
 - the JHA related proposals under the Multiannual Financial Framework 2014-2020;
 - the draft Regulation amending the Schengen Borders Code (technical amendments).
- Presentation by Ireland of the programme of the incoming Presidency (January-June 2013)**

The incoming Irish Presidency presented its priorities for its forthcoming Presidency in the Home Affairs sector