



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 May 2013

9567/13

**SIRIS 57
COMIX 286**

OUTCOME OF PROCEEDINGS

of: Working Party for Schengen Matters (SIS/SIRENE/Mixed Committee EU-Iceland/Norway and Switzerland/Liechtenstein)

on: 17 April 2013

Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 2312/1/13 REV 1, with the addition of a new item 4 (c).

2. Report by the Presidency

The Presidency reported on the relevant subjects discussed at the meeting of the Working Party for Schengen Matters ("SIS-TECH") on 6 March 2013.

The Presidency also reported the decision taken at the JHA Council meeting on 8 and 9 March 2013 setting the date of entry into application of Decision 2007/533/JHA and Regulation (EC) No 1987/2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) as 9 April 2013, as well as Coreper's adoption on 10 April 2013 of the management report on the implementation of the C.SIS installation and operation budget for 2011. Furthermore, the Presidency informed the Working Party of the entry into application on 27 March 2013 of Commission Implementing Decision 2013/115/EU on the Sirene Manual and other implementing measures for the second generation Schengen Information System (SIS II).

The Council Legal Service was given the floor to provide an overview of the future activities of the Working Party for Schengen Matters after Title IV of CISA was repealed following the entry into application of the SIS II legal base. It was clarified that the Working Party for Schengen Matters would continue to exist and that the configuration of its meetings would depend on the items to be included on the agenda.

3. Financial aspects

(a) Multiannual table of authorised C.SIS installation expenditure – first quarter of 2012

The Working Party took note of 11968/1/12 REV 1 SIRIS 54 COMIX 413. A deadline for reactions from Member States was set for 10 May 2013. The adoption of this document is foreseen to take place on the forthcoming meeting of the Working Party for Schengen Matters (SIS/SIRENE) on 28 May 2013.

(b) Multiannual table of authorised C.SIS installation expenditure – second quarter of 2012

The Working Party took note of 11969/1/12 REV 1 SIRIS 55 COMIX 414. A deadline for reactions from Member States was set for 10 May 2013. The adoption of this document is foreseen to take place on the forthcoming meeting of the Working Party for Schengen Matters (SIS/SIRENE) on 28 May 2013.

(c) Multiannual table of authorised C.SIS installation expenditure – third quarter of 2012

The Working Party took note of 8047/13 SIRIS 43 COMIX 220. A deadline for reactions from Member States was set for 10 May 2013. The adoption of this document is foreseen to take place on the forthcoming meeting of the Working Party for Schengen Matters (SIS/SIRENE) on 28 May 2013.

(d) Multiannual table of authorised C.SIS installation expenditure – fourth quarter of 2012

The Working Party took note of 8116/13 SIRIS 47 COMIX 228. A deadline for reactions from Member States was set for 10 May 2013. The adoption of this document is foreseen to take place on the forthcoming meeting of the Working Party for Schengen Matters (SIS/SIRENE) on 28 May 2013.

(e) Multiannual table of authorised C.SIS installation expenditure – situation as at 31 December 2012

The Working Party took note of 8117/13 SIRIS 48 COMIX 229. A deadline for reactions from Member States was set for 10 May 2013. The adoption of this document is foreseen to take place on the forthcoming meeting of the Working Party for Schengen Matters (SIS/SIRENE) on 28 May 2013.

(f) Technical assistance – Forecasts for February to April 2013

The Working Party adopted 6098/1/13 REV 1 SIS-TECH 23 COMIX 69. The budgetary forecast for C.SIS technical assistance for February to April 2013, in the amount of EUR 95 644.12 was approved and would be charged to the budget estimate for C.SIS installation and operation for 2013¹.

4. SISNET

(a) SISNET Contract: proposed friendly settlement with OBS

The GSC presented 8111/13 SIS-TECH 43 SIRIS 50 COMIX 227 EU RESTRICTED. The Working Party took note of the proposed commercial settlement with OBS. The proposed way forward in a settlement with OBS would be deemed approved and the GSC should act accordingly if no reaction is received from Member States by 10 May 2013.

¹ See 5344/13 SIRIS 5 COMIX 27

(b) SISNET Contract: Network reduction to VISION SAPs

The Working Party agreed to consider 8318/13 SIS- SIRIS 51 TECH 45 VISA 80 COMIX 235, adopted after its approval by the Working Party for Schengen Matters (SIS-TECH) on 18 April 2013.² Following the adoption of this document, the SAP cancellations would become effective and the icons for the obsolete SAPs would be removed from the network monitoring system.

(c) SISNET Accountancy: Reimbursement of last budget outturn

The Working Party adopted 8429/13 SIRIS 52 COMIX 239. The GSC would proceed with the proposed suggestion and would apply to possible reimbursements the same scale that had been applied for the last contribution to the SISNET budget.

5. SIS II

(a) State of play following the switchover of 9 April 2013

The Working Party received a brief update from the Commission focusing on the SIS II switchover on 9 April 2013, governance under the new SIS II framework and measures envisaged, namely, to hold regular SIS/VIS Committee meetings (SIRENE formation) at intervals of two months (next meetings were scheduled to take place on 29 May and 5 July 2013).

On the basis of DS 1297/13, the Presidency gave the Working Party an overview of the SIRENE Bureaux switchover for SIS II.

PL informed the Working Party that the technical problems preventing the correct exchange of SIRENE forms by the PL SIRENE Bureaux had been resolved since 15 April 2013.

(b) Result of the additional informal Forms Test between SIRENE Bureaux

The Working Party took note of 7605/13 SIRIS 35 SIS-TECH 40 COMIX 178 on the successful outcome of the additional informal Forms Test between SIRENE Bureaux. The Presidency thanked all the MS involved for their efforts to achieve a positive result.

² At the Working Party for Schengen Matters (SIS-TECH) meeting on 18 April Member States agreed to provide information about which SAPs should be cancelled by 25 April 2013.

(c) Result of informal SIRENE mailbox testing between SIRENE Bureaux

The Working Party took note of 7944/13 SIRIS 40 SIS-TECH 42 COMIX 212 and of the successful outcome of the informal SIRENE mailbox testing between SIRENE Bureaux. The Presidency thanked all the MS involved for their efforts to achieve a positive result.

6. SIS II/VIS Interconnectivity

The Chair of the Management Board of eu-LISA, Mr Mathias Taube, presented the letter sent by the eu-LISA to the General Secretariat of the Council, as set out in DS 1296/13³, concerning SIS/VIS interconnectivity in the context of SIS II.

The Working Party exchanged views on the issue and agreed that the discussion should be continued in the SIS/VIS Committee.

7. DEBS – Proposed amendment of DEBS 1.3.1 for Schengen IDs with LP and VD alert categories

The Working Party took note of DS 1307/13. A deadline for reply by Member States was set for 24 April 2013. The Working Party agreed to inform the SIS/VIS Committee of the result of the query made by the Presidency and the preferred option for the Member States in order to allow the DEBS to be updated and the SIRENE II Manual amended.

8. Report on the application of Article 102A of CISA for 2011

The Working Party approved 9217/1/12 REV 1 SIRIS 26 SCHENGEN 28 ENFOPOL 122 COMIX 271. The report would be submitted to Coreper and Council with a view to being forwarded to the European Parliament in accordance with Article 102 A (4) of CISA.

9. Report of the JSA on the survey concerning the use of Article 95 alerts in the Schengen Information System

Mr Peter Michael from the Joint Supervisory Authority presented the report on the survey concerning the use of Article 95 alerts in the Schengen Information System, as set out in 8088/13 SIRIS 46 COMIX 225. The Working Party took note of the conclusions and recommendations.

³ See 8263/13 SIRIS 49 SIS-TECH 44 VISA 82 COMIX 234.

10. SIRCOP evaluation - Second half-year of 2012

In accordance with point 9 of the annex to 18210/10 SIRIS 183 ENFOPOL 377 COMIX 841, the Presidency presented 7954/13 SIRIS 41 ENFOPOL 94 COMIX 213. The Working Party endorsed the assessment of the SIRCOP network for the second half of 2012.

11. Training issues

(a) Update on 2013 SIRENE training programme

The Working Party took note of the report by the Presidency on the CEPOL 2013 SIRENE training programme.

(b) Fact sheet 17 - Validity of documents listed in the SIS

The Working Party adopted 7987/13 SIRIS 42 COMIX 214 and agreed to upload Fact Sheet 17 on the SIRENE Platform.

(c) Fact sheet 18 - Exploiting IT solutions in order to optimise the exchange of information

After some discussion the Working Party concluded that a revised version of 6743/13 SIRIS 24 COMIX 114 should be issued to incorporate the contribution of Malta and other amendments following the entry into application of the legal base of SIS II on 9 March 2013. The Working Party also agreed to forward the Fact Sheet to the SIS/VIS Committee (SIRENE formation), which would revise it further.

12. Third-country nationals: lists of alerts

The Working Party adopted 5800/12 SIRIS 10 PESC 103 RELEX 80 JAI 57 COMIX 45 RESTREINT UE and agreed to forward it to the Working Party on Foreign Relations Counsellors (RELEX) to take note of the conclusions and recommendations made and consider the issue further.

13. SIS/SIRENE Council Website

After an exchange of views, the Working Party agreed on 8447/13 SIRIS 53 SCHENGEN 9 COMIX 240 with an amendment to the text consisting of adding a reference to "police" under "(header 2) Schengen Information System - SIS". The Working Party also agreed that the competent departments of the Council Secretariat (DG F 1B, DG D Coordination Cell and DG D 1C) would update the relevant page of www.sirene.europa.eu.

14. Consultation procedure in accordance with Article 25 of CISA when issuing an alert in the SIS for the purpose of refusing entry

SI presented 8485/13 SIRIS 54 COMIX 244. A deadline for comments from Member States was set for 10 May 2013. The issue would be discussed further at the forthcoming meeting of the Working Party for Schengen Matters (SIS/SIRENE) on 28 May 2013.

15. Use of SISNET mail for police cooperation purposes

The Working Party exchanged views on the use by the SIRENE Bureaux of the SISNET mail for exchange of information for police cooperation purposes on the basis of Articles 39, 40, 41, 46 and 47 of CISA.

The General Secretariat of the Council reminded the Working Party that as of 30 June 2013 the SISNET Mail would cease to exist due to termination of the contract.

The Working Party agreed with the proposal made by the Presidency to continue to discuss possible decisions on this issue at the Working Party on Information Exchange and Data Protection (DAPIX).

16. Any other business

The Presidency provided information to the Working Party concerning organisational aspects of the Heads of SIRENE meeting, due to take place in Dublin on 18 and 19 June 2013.

17. Confirmation by the Working Party for Schengen Matters (SIS/SIRENE) of the decisions prepared in the Mixed Committee

The Mixed Committee was informed of the decisions taken by the Working Party.

Agenda item	Documents adopted
3 (f)	6098/1/13 REV 1 SIS-TECH 23 COMIX 69
4 (b)	8318/13 SIS- SIRIS 51 TECH 45 VISA 80 COMIX 235
4 (c)	8429/13 SIRIS 52 COMIX 239
8	9217/1/12 REV 1 SIRIS 26 SCHENGEN 28 ENFOPOL 122 COMIX 271
11(b)	7987/13 SIRIS 42 COMIX 214
12	5800/12 SIRIS 10 PESC 103 RELEX 80 JAI 57 COMIX 45 RESTREINT UE
13	8447/13 SIRIS 53 SCHENGEN 9 COMIX 240
