



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 May 2012

9937/12

**Interinstitutional File:
2012/0033 (NLE)**

**SIRIS 33
SCHENGEN 34
COMIX 297**

OUTCOME OF PROCEEDINGS

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

on: 11 May 2012

Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 2835/12.

2. Proposal for a Council Regulation on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (recast) - 9485/12 SIRIS 31 SCHENGEN 31 COMIX 284

The Commission presented the proposal as set out in 9485/12 SIRIS 31 SCHENGEN 31 COMIX 284, focusing on the background information and the objectives to be achieved with the Regulation proposal.

The Working Party proceeded with the examination of the text, article by article, and with an extended exchange of views that reflected the Member States and Commission positions.

The Presidency, on the basis of the exchange of views, concluded that:

- AT; CH; DE; EL; FI; FR; HU; IE; SE; UK had entered a general scrutiny reservation;
- the UK had also entered a parliamentary reservation on the proposal and a specific reservation on recital 36;
- IE had entered a scrutiny reservation on recital 38;
- the CLS had informed that it was still examining the proposal presented;
- the Commission would present, by 16 May 2012, a proposed amended wording for:
 - the provisions set out in Articles 2, 4, and 12 in order to clarify the definitions and the interim structure;
 - the provisions set out in Articles 15 and 16 in order to include references to the CISA; and
 - the recitals 6, 17, and 18 in order to clarify the text.
- the Commission would look into whether the associated countries are covered by Article 16(3).
- the Commission would further analyse Article 17 in close cooperation with the Commission Legal Service and inform the Working Party by 16 May 2012.

The Presidency invited the Member States to directly inform the Presidency or the GSC in writing of the lifting of their reservations.

On the basis of the outcome of discussions, taking into account the revised version of the text of the proposal and the lifting of the reservations, the Presidency intend to submit the revised proposal for a Regulation at the next CATS meeting, scheduled for 24 May 2012.

3. Any other business

None.
