



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 June 2012

10982/12

**JAI 408
COMIX 369**

OUTCOME OF PROCEEDINGS

from: The Mixed Committee at the level of Senior Officials
on: 30 May 2012
Subject: Outcome of proceedings of the Mixed Committee at the level of Senior Officials
on 30 May 2012

- Schengen Governance
10319/12 SCHENGEN 39 SCH-EVAL 71 FRONT 81 COMIX 326 CODEC 1415

= The situation in the Schengen area
- Political debate based on report from the Commission
10472/12 JAI 367 SCHENGEN 41 COMIX 331

It was concluded that the Presidency note in doc. 10472/12 together with the Commission report in doc. 10223/12 would be submitted to the Mixed Committee at Ministerial level for the purpose of a political debate on the situation in the Schengen area.

= Schengen Borders Code:
Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) N° 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances
6161/3/12 REV 3 SCHENGEN 9 FRONT 15 SCH-EVAL 17 COMIX 83
CODEC 292
10319/12 SCHENGEN 39 SCH-EVAL 71 FRONT 81 COMIX 326 CODEC 1415

- = Schengen Evaluation Mechanism:
Amended proposal for a regulation of the European Parliament and of the Council on the establishment of an evaluation and monitoring mechanism to verify the application of the Schengen acquis
5754/5/12 REV 5 SCHENGEN 7 SCH-EVAL 15 FRONT 8 COMIX 50
CODEC 202
10319/12 SCHENGEN 39 SCH-EVAL 71 FRONT 81 COMIX 326 CODEC 1415

The outcome of the discussion is set out in doc. 10319/1/12 REV 1 SCHENGEN 39 SCH-EVAL 71 FRONT 81 COMIX 326 CODEC 1415, doc. 6161/4/12 REV 4 SCHENGEN 9 FRONT 15 SCH-EVAL 17 COMIX 83 CODEC 292 and doc. 5754/6/12 REV 6 SCHENGEN 7 SCH-EVAL 15 FRONT 8 COMIX 50 CODEC 202.

- SIS II
 - = State of play

The COM reported on developments and announced the successful completion of the second Milestone test. The COM, pursuant to common Article 8 (1) of Council Regulation (EC) No 1104/2008 and Council Decision 2008/839/JHA of 24 October 2008 on migration from the Schengen Information System (SIS1+) to the second generation Schengen Information System, declared that it considered the level of success of the SIS II tests related to the Central SIS II, the communication infrastructure and the interactions between Central SIS II and the national systems (N.SIS II) sufficient to begin the comprehensive test.

DE stated that in its view the second Milestone test did not fully meet the requirements as set out in the Council Conclusions of 5 June 2009 on the further direction of SIS II (doc 10708/09 JAI 360 SIRIS 82 CATS 64 COMIX 478)) and that accordingly it did not accept the outcome of the test. The COM, in reply, indicated that this was the result of the unavailability of one of the foreseen test tools.

FR disputed a statement made by the COM to the effect that the SFR test tool remained unavailable stating that the tool had been made available since 27 April when it had been validated by the SIS-Tech Working Party. The COM in response stated that further work was required on the SFR tool before it could be used as part of the comprehensive test and that the MS had asked support from COM.