



Brussels, 19 June 2017  
(OR. en)

9591/17

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**Interinstitutional Files:**

2016/0407 (COD)  
2016/0408 (COD)  
2016/0409 (COD)

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**SCHENGEN 28**  
**SIRIS 92**  
**COMIX 380**

## **OUTCOME OF PROCEEDINGS**

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

On: 15 and 16 May 2017

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Subject: Summary of discussions

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### **1. Adoption of the agenda**

The agenda as set out in [CM 2698/17](#) was adopted.

### **2. Proposal for a Regulation of the European Parliament and of the Council on use of the Schengen Information System for the return of illegally staying third-country nationals**

#### **– First examination of Articles 5 onwards**

The Working Party (WP) held a first discussion on Articles 5 to 14 of the proposal as set out in [15812/16](#), which completed the first examination of this instrument. Articles 1 to 4 had been discussed at the WP meeting on 6 and 7 March 2017.

The Presidency asked the delegations to submit their comments in writing, by 31 May 2017, to [schengenacquis@consilium.europa.eu](mailto:schengenacquis@consilium.europa.eu) and [schengenacquis.mhas@gov.mt](mailto:schengenacquis.mhas@gov.mt).

The outcome of this discussion is reflected in the Presidency draft compromise text as set out in 9592/17, which also took into consideration the written comments received from the delegations after the meeting.

General scrutiny reservations on this instrument are pending from AT, BE, BG, CZ, DE, DK, EL, FI, HU, IT, LT, NL, PL, PT, SE, SI, SK and UK. Parliamentary reservations are pending from DE, PL, SE and UK. Reservations on specific provisions are indicated in the footnotes to 9592/17.

The Council Legal Service (CLS) said it was examining the possibility of inserting the provisions on return-related alerts in the proposals on border checks (15813/16) and police and judicial cooperation (15814/16). The CLS would deliver an Opinion before the summer break.

**3. Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1987/2006**

– **First examination of Articles 33 to 45**

The WP held a first discussion on Articles 33 to 45 of the proposal as set out in 15813/16, which completed the first examination of this instrument. Articles 1 to 12 had been discussed at the WP meeting on 16 January 2017; Articles 13 to 19, 30 to 32B, and 40 to 58 at the meeting on 8 February 2017.

The Presidency asked the delegations to submit their comments in writing, by 31 May 2017, to schengenacquis@consilium.europa.eu and schengenacquis.mhas@gov.mt.

The outcome of this discussion is reflected in the Presidency draft compromise text as set out in 9593/17, which also took into consideration the written comments received from the delegations after the meeting.

General scrutiny reservations on this instrument are pending from AT, BG, CZ, DE, FI, HU, IT, LT, NL, PL, PT and SE. Parliamentary reservations are pending from DE and PL. Reservations on specific provisions are indicated in the footnotes to 9593/17.

#### **4. Proposal for a Regulation of the European Parliament and of the Council on use of the Schengen Information System for the return of illegally staying third-country nationals**

##### **– Discussion of the draft compromise version of Articles 1 to 4**

The WP started the second round of discussions on Articles 1 to 4 on the basis of the Presidency draft compromise text as set out in 8108/17.

The Presidency asked the delegations to submit their comments in writing, by 31 May 2017, to [schengenacquis@consilium.europa.eu](mailto:schengenacquis@consilium.europa.eu) and [schengenacquis.mhas@gov.mt](mailto:schengenacquis.mhas@gov.mt).

The outcome of this discussion will be reflected also in the Presidency draft compromise text as set out in document 9592/17, which also took into consideration the written comments received from the delegations after the meeting.

General scrutiny reservations on this instrument are pending from AT, BE, BG, CZ, DE, DK, EL, FI, HU, IT, LT, NL, PL, PT, SE, SI, SK and UK. Parliamentary reservations are pending from DE, PL, SE and UK. Reservations on specific provisions are indicated in the footnotes to 9592/17.

#### **5. Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1987/2006**

##### **– Possible discussion of the draft compromise version of Articles 1 to 32B and 46 to 58**

The WP started the second round of discussions on Articles 1 to 32B and 46 to 58 on the basis of the Presidency draft compromise text as set out in 8109/17.

The Presidency asked the delegations to submit their comments in writing, by 31 May 2017, to schengenacquis@consilium.europa.eu and schengenacquis.mhas@gov.mt.

The outcome of this discussion will be reflected also in the Presidency draft compromise text as set out in 9593/17, which also took into consideration the written comments received from the delegations after the meeting.

General scrutiny reservations on this instrument are pending from AT, BG, CZ, DE, FI, HU, IT, LT, NL, PL, PT and SE. Parliamentary reservations are pending from DE and PL.

Reservations on specific provisions are indicated in the footnotes to 9593/17.

**6. AOB**

None.

**7. Confirmation by the Working Party for Schengen Matters (Acquis) of the decisions prepared in the Mixed Committee**

The WP confirmed the outcome of the discussions in the Mixed Committee.

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