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SCHENGEN 39
SIRIS 114
COMIX 487

OUTCOME OF PROCEEDINGS

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

On: 19 June 2017

Subject: Summary of discussions

1. Adoption of the agenda

The agenda as set out in CM 3068/17 was adopted.

2. EDPS Opinion 7/2017 on the new legal basis of the Schengen Information System

The Presidency briefly presented the Opinion of the EDPS as set out in 9412/17.

After a short debate, the Member States were invited to send in any comments in writing to schengenacquis@consilium.europa.eu by 30 June 2017. The Commission (COM) underlined that the new features of the SIS were accompanied by adequate data protection safeguards. COM would reply to the EDPS in writing in due course.

3. SIS legislative package

The Chair briefly reported on the outcome of the relevant discussions during the conference of the Heads of SIRENE which took place in Malta from 14 to 16 June 2017 and the meeting of the Council (Justice and Home Affairs) which took place in Luxembourg on 8 and 9 June 2017 (see 10136/17, p. 12).

- (a) **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 police cooperation and judicial cooperation in criminal matters, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1986/2006, Council Decision 2007/533/JHA and Commission Decision 2010/261/EU**

The Working Party (WP) discussed Articles 1 to 36 of the Presidency compromise text for this proposal, as set out in 9594/17.

The Presidency asked the delegations to submit their comments in writing, by 30 June 2017, to schengenacquis@consilium.europa.eu and schengenacquis.mhas@gov.mt.

The outcome of this discussion would be reflected in a revised version of the proposal (see 9594/1/17 REV 1, to be issued), which would also take into consideration the written comments received from the delegations.

As Article 32 (preventive alerts) would not be discussed at the next meeting, it was agreed that in the meantime delegations would carry out the necessary internal consultations with the other authorities involved.

LT had lifted its general scrutiny reservation on this proposal. General scrutiny reservations were still pending from AT, BG, CZ, DE, FI, HU, IT, NL, PL, PT, SE, SI and UK. DE and PL had lifted their parliamentary reservations. A parliamentary reservation was still pending from UK. Reservations on specific provisions were indicated in the footnotes to 10883/17 (on Article 36) and 9594/1/17 REV 1 (to be issued).

- (b) **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**

This item was not dealt with owing to lack of time.

- (c) **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**

This item was not dealt with owing to lack of time.

4. Presentation of the incoming Estonian Presidency

EE briefly presented the incoming Presidency's team, outlined its programme and announced the dates for the next WP meetings.

5. AOB

None.

6. 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.
