



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 29 November 2013  
(OR. en)**

**16299/13**

**SIRIS 95  
COMIX 613**

### **OUTCOME OF PROCEEDINGS**

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

On: 31 October 2013

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Subject: Summary of discussions

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

The revised agenda was adopted as set out in CM 4391/1/13, with the inclusion of the following subjects under item 12 (Any other business):

- Temporary reintroduction of border checks at the internal borders with Poland in the context of the Climate Conference;
- SIRENE Address Book.

## 2. Report by the Presidency

The Working Party took note of the report by the Presidency on the relevant matters dealt with at the following meetings:

- Terrorism Working Party on 9 October 2013 (see 14712/13, item 5, pp. 3-4);
- Working Party for Schengen Matters (Schengen Evaluation) on 17 October 2013 (see 15351/13, item 5.3, p. 4, and item 6(a), p. 5).

In this context the Presidency recalled that four SIS/SIRENE evaluations had been carried out since the last meeting on 15 July 2013: SI and MT; CZ and SK. The Presidency expressed its thanks to Mr Van der Meij who had agreed to be the leading expert in CZ and SK on behalf of the Presidency.

The Presidency also informed the meeting of the adoption on 7 October 2013 by:

- the Council of the Regulation establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen<sup>1</sup>, and
- the European Parliament and the Council of the Regulation amending Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances<sup>2</sup>.

The Regulations would enter into force on 26 November 2013.

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<sup>1</sup> See Regulation (EU) No 1053/2013 of 7 October 2013, OJ L 295, 6.11.2013, p. 27.

<sup>2</sup> See Regulation (EU) No 1051/2013 of 7 October 2013, OJ L 295, 6.11.2013, p. 1.

**3. Multiannual table of authorised C.SIS installation expenditure – second quarter of 2013**

FR presented the multiannual table of authorised C.SIS installation expenditure – second quarter of 2013, as set out in 12783/13. The Working Party approved the table. It would be forwarded to COREPER and the Council for adoption (see 15822/13).

**4. Dismantling of C.SIS**

The Presidency recalled the last discussions on this subject at the meeting of the Working Party for Schengen Matters (SIS-TECH) held on 12 June 2013 (see 11472/13, item 4(b), pp. 2-3).

FR presented 15527/13 in which the Working Party was requested to approve expenditure of EUR 38 225.53 for dismantling C.SIS 1+ equipment without keeping C.SIS logs. FR presented orally the grounds for such expenditure and approach.

FR underlined that there was no legal obligation for keeping logs at central level and that there was a need to vacate the premises of C.SIS 1+ for the eu-LISA in order to allow it to accommodate EURODAC equipment, inter alia, by the end of November 2013, as agreed between FR with eu-LISA. Furthermore, maintaining C.SIS 1+ at operational level purely for accessing the logs would cost around EUR 500 000.00 and would involve organising a call for tender procedure, which would last up to six months.

The Council Legal Service (CLS) recalled the principle of ex-post control of access to SIS data, which was inherent in the system.

eu-LISA confirmed its interest in having the premises empty as soon as possible and noted that the French proposal set out in 15527/13 did not mention any time frame. It shared the concens expressed by CLS.

It was then agreed that FR would submit in the coming days a revised version of the document (see 15527/1/13 REV 1) containing a justification for the proposal. The delegations would also send in comments by 8 November 2013 on the French proposal for dismantling the C.SIS 1+.

## 5. **SISNET**

### a) **SISNET accounts for 2012**

The General Secretariat of the Council (GSC) presented the SISNET accounts for 2012, including the report of the Court of Auditors, as set out in 12752/13. The Working Party agreed to this document. It would be forwarded to COREPER and the Council for approval (see 15832/13) with a view to giving the Secretary-General a discharge in respect of the implementation of the SISNET budget for 2012.

### b) **SISNET contract with OBS: release of the bank guarantee**

GSC presented 13715/13 SIRIS 82 COMIX 505. The Working Party agreed to release the bank guarantee.

### c) **2014 SISNET draft budget**

GSC presented the draft SISNET budget for 2014 as set out in 15175/13 SIRIS 86 VISA 2012 COMIX 568. The Working Party agreed to this budget. It would be forwarded to COREPER and the Council for approval (see 15871/13).

**6. Report of Heads of SIRENE**

The Presidency presented a detailed oral report on the Conference of Heads of SIRENE which took place in Vilnius on 16 and 17 October 2013.

The Working Party focused in particular on the implementation of future new functionalities for SIS II.

**7. Third-country nationals: list of alerts**

The Presidency informed the Working Party that, on the basis of the contributions received from the Member States and in cooperation with COM and EEAS, it had started to draft Council Conclusions on the implementation of EU restrictive measures as regards SIS II alerts on third-country nationals (see 15754/1/13 REV 1). This draft would be submitted to the JHA Counsellors on 19 November 2013 and subsequently to COREPER and the Council in December 2013.

COM welcomed the initiative of the Presidency aimed at setting up a structure to make the follow-up of such SIS alerts more efficient.

**8. Report on the application of Article 102A of CISA**

**a) for the year 2012**

GSC presented the draft report on the implementation of Article 102A of the Convention Implementing the Schengen Agreement (CISA) during the year 2012, as set out in 11911/2/13 REV 2 SIRIS 70 SCHENGEN 27 ENFOPOL 218 COMIX 426 + COR 1. The Working Party adopted the report. It would be endorsed by COREPER and Council (see 15872/13) and subsequently submitted to the European Parliament in accordance with Article 102A(4) of (CISA).

**b) for the year 2013**

GSC informed the meeting that not enough contributions had been received from the Member States, and it had not therefore been possible to produce a report.

COM recalled that, under the new SIS II legal framework, there were clear enhanced obligations incumbent upon COM and eu-LISA as regards transparency and reporting on the functioning of the SIS II, which involved the provision of statistics by the Member States.

The Presidency set a new deadline of 22 November 2013 for those Member States which still had to provide GSC with the necessary information and statistics for drafting the report on the implementation of Article 102A CISA from 1 January to 8 April 2013.

**9. Hits statistics of 2013 (1 January 2013 to 8 April 2013)**

As not enough input had been received from the Member States to complete the statistical tables regarding the period from 1 January 2013 to 8 April 2013, the Presidency set a new deadline for Member States to send in any missing contributions: 22 November 2013.

**10. Biannual assessment of the SIRCOP (SIRene COntact Persons) network**

– **first half-year 2013**

The Presidency presented 14244/1/13 REV 1 SIRIS 84 ENFOPOL 307 COMIX 523. GSC recalled that these assessments were carried out in accordance with an agreement from 2010 endorsed by COREPER (see 18210/10).

The Working Party approved 14244/1/13 REV 1.

## **11. Foreign fighters and returnees from a counter-terrorism perspective**

The Presidency presented 15480/13 SIRIS 87 COTER 140 ENFOPOL 336 COMIX 575. Taking into account the additional contributions received from the delegations, a revised version of this document would be issued (see 15480/2/13 REV 2).

After some discussion, the Working Party agreed to a set of measures to be forwarded to COSI and subsequently to COREPER and the Council. They are set out in 15563/13 SIRIS 89 COTER 141 ENFOPOL 340 COMIX 577, which constitutes the response to the mandate given to the Working Party by Council on 7 and 8 June 2013<sup>3</sup>. DE entered a scrutiny reservation vis-à-vis the document. EL expressed some concerns as regards suggestions which imply a modification of the legal basis.

## **12. Any other business**

- PL informed that a temporary reintroduction of border checks at the internal borders with Poland would be implemented in relation to the Warsaw Climate Conference, between 8 and 22 November 2013.
- CZ informed that an updated version of the SIRENE Address Book would shortly be disseminated via s-TESTA. The next update would take place in early 2014.
- GSC informed the meeting that the map included in the SIRENE logo had been updated following Croatia's accession to the EU on 1 July 2013. The logo can be downloaded from [http://www.consilium.europa.eu/media/1418294/web-logo\\_sirene\\_2013.png](http://www.consilium.europa.eu/media/1418294/web-logo_sirene_2013.png). Delegations which needed a logo with more resolution for professional uses could contact the GSC for further information.

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<sup>3</sup> See item 13 in 9946/13, p. 13.

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

Agenda item	Number of document approved
3	12783/13
5(a)	12752/13
5(b)	13715/13
5(c)	15175/13
8(a)	11911/2/13 REV 2
10	14244/1/13 REV 1
11	15563/13

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