



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 7 January 2014
(OR. en)**

17982/13

**SIRIS 107
COMIX 710**

OUTCOME OF PROCEEDINGS

From:	Working Party for Schengen Matters (SIS/SIRENE/Mixed Committee EU-Iceland/Norway and Switzerland/Liechtenstein)
On:	17 December 2013
Subject:	Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 5518/13, with the inclusion of two subjects under item 12 (any other business) (see below).

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: COSI on 20 November 2013; COREPER on 20 November 2013 and 4 December 2013; Council (JHA) on 5 and 6 December 2013; and Working Party for Schengen Matters (Evaluation) on 10 December 2013.

Following concerns expressed by some Member States about possible interference between the competences of the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) and those of the Working Party for Schengen Matters (Evaluation), the Council Legal Service (CLS), in line with the explanation it gave at the meeting of the Working Party for Schengen Matters (Evaluation) on 10 December 2013, clarified the sharing of competences in light of the pertinent provisions of Regulation of the European Parliament and of the Council on the establishment, operation and use of the second -generation Schengen Information System (SIS II)¹: recital (19), Article 10(1)(a) to (k), Article 10(2), Article 13, Article 16(1) and (2). From the perspective of SIS II end-to-end security, eu-LISA could legitimately send such questionnaires provided that Member States could choose whether or not to answer and that the conclusions of the questionnaire were not binding: they would only be recommendations. The CLS had also advised eu-LISA to add a disclaimer in further reports/recommendations to be adopted (see DS 2085/13).

The Presidency mentioned that on 5 December 2013 in Brussels eu-LISA and France had signed the seat agreement regarding the technical site of eu-LISA (the former C.SIS) in Strasbourg.

The Presidency also alluded to the SIS/SIRENE evaluations carried out in Estonia, Latvia and Lithuania from 3 to 15 November 2013, and in Hungary between 10 and 14 December 2013.

3. Management report on the implementation of the C.SIS installation and operation budget for 2012

FR presented the Management Report on the implementation of the C.SIS installation and operation budget for 2012, as set out in 12783/13 SIRIS 80 COMIX 465 + ADD 1. As this document was available in French only, it would be submitted to the Working Party for approval at the next meeting.

¹ Regulation (EC) No 1987/2006 of 20 December 2006, OJ L 381, 28.12.2006, p. 4.

4. **SISNET Contract: move of Schengen Access Point NO2**

The General Secretariat of the Council (GSC) presented 17220/13 SIRIS 103 COMIX 669. The Working Party approved it.

5. **Dismantling of C.SIS and keeping logs**

FR presented 15527/2/13 REV 2 SIRIS 88 SIS-TECH 60 COMIX 576. The meeting agreed this document with the inclusion of a new last but one paragraph and some other slight modifications. The agreed version, deemed as adopted by the Working Party, would be issued as 15527/3/13 REV 3 SIRIS 88 SIS-TECH 60 COMIX 576.

FR stated that the expenditure for dismantling the remaining log servers (see 15527/3/13 REV 3, p. 2, paragraph 5) could be estimated as costing between EUR 27 000 and 35 000.

6. **Report on the application of Article 102A of CISA for the year 2013**

As some contributions were still missing, the GSC asked the delegations to send in the missing contributions by 31 December 2013. After that date, a revised version of the report (see 14247/1/13 REV 1 SIRIS 85 SCHENGEN 34 ENFOPOL 308 COMIX 524) would be issued. On the other hand, CZ and MT noted that they had sent already some information which should also be taken into consideration in the REV 1.

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

There were still eight Member States which had not yet sent their data, or had not sent them in the appropriate Excel form. GSC asked those Member States to send in their data by 31 December 2013. GSC would contact the Member States concerned bilaterally. Document 14242/13 SIRIS 83 COMIX 522 containing the hit statistics from 1 January 2013 to 8 April 2013 would be issued in January 2014.

8. Information from the upcoming Greek Presidency

EL presented its team, programme and priorities, and gave indicative dates for the next meetings (see DS 2090/13).

9. Any other business

- CZ informed the meeting about considerable modifications in its national law regarding the EAW, to be implemented from 1 January 2014. These modifications would have a practical impact on some aspects of SIRENE cooperation, e.g. deadlines and procedures. If necessary, delegations could contact CZ bilaterally for further details or clarification.
- The meeting was informed that the UK delegate would be replaced by another colleague from January 2014.

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

Agenda item	Number of document approved
4	17220/13
5	15527/3/13 REV 3