



Council of the  
European Union

**Brussels, 18 March 2016  
(OR. en)**

**6658/16**

**SIRIS 30  
COMIX 161**

## **OUTCOME OF PROCEEDINGS**

---

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

On: 16 February 2016

---

Subject: Summary of discussions

---

### **1. Adoption of the Agenda**

The agenda, as set out in CM 1359/1/16 REV 1, was adopted with the addition of four items under AOB.

### **2. Report by the Presidency**

The presidency reported on the relevant issues addressed at different meetings, amongst others:

- the Frontiers Working Party on 8, 19, and 28/29 January 2016 at which the Presidency started working on the first reading of the relevant proposals of the Borders Package presented by the Commission on 15 December 2015. Priority was given to the examination of the proposal for the amendment of the Schengen Borders Code and the proposal for the creation of a European Border and Coast Guard.

- the Working Party for Schengen Matters (Evaluation), on 2 February 2016, at which the draft Council recommendation addressing **Austria's** deficiencies identified in the 2015 Schengen evaluation in the field of the Schengen Information System (5597/16) was approved. The Working Party also heard a presentation and held a discussion on the proposal for a Council recommendation addressing the deficiencies of **Belgium and Germany** identified in the 2015 Schengen evaluation in the field of the SIS (5037/16 and 5595/16).

The meeting also heard a presentation and debated the proposal for a Council recommendation addressing the serious deficiencies identified in the 2015 Schengen evaluation in the field of **management of the external borders** by **Greece** (5615/16).

- the meetings of COREPER and the Council of 9 December and 16 December 2015 respectively at which the SISNET accounts 2014 (14771/15) and the 2016 SISNET Draft Budget (VISION) (14772/15) were adopted.
- the informal meeting of the Justice and Home Affairs Ministers on 25 and 26 January 2016 at which cooperation in the area of migration was discussed.
- the meeting of COREPER on 10 February 2016 and the ECOFIN Council on 12 February 2016 at which the proposal for a Council Recommendation on addressing the serious deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of management of the external borders by Greece (5809/16) was adopted.

### **3. Foreign Terrorist Fighters and SIS/SIRENE Cooperation: preparation of the meeting of the SIS/SIRENE and the Terrorism Working Party meeting on 8 March 2016**

On the basis of 5722/16, the GSC took the floor to present a preliminary analysis of the responses received from Member States to the questionnaire on lessons learnt and the use of SIS in the fight against foreign terrorists.

In the context of this exercise it is possible to conclude that Member States have made an effort to implement the recommendations agreed by the WP in December 2014 as set out in 14523/14. Member States also mentioned that end users are increasingly aware of the Foreign Terrorist Fighters (FTF) phenomenon, leading to the emergence of a European approach in relation to these topics. Consequently, use of the SIS has increased and is yielding good operational results. The increase in communication between Member States on these matters via institutional cooperation channels was also mentioned.

There is still work to be done, however, that should lead to harmonisation of the use of Article 36 alerts; the use of the code 'immediate action'; the indication of terrorism as a reason for the action; and harmonisation of the content of the forms used for exchange of information between the SIRENE Bureaux.

In their responses to the questionnaire set out in 14523/14, Member States also indicated measures to resolve some of the bottlenecks impeding the use of SIS in the fight against foreign terrorist fighters, which included, amongst others, the need to establish the concept of Foreign Terrorist Fighter on the basis of a list of activities and behaviors; harmonization of the criteria for the usage of the 'immediate action' code; increased training for end users; and the alteration of the compatibility rules between alerts, set out in the SIRENE Manual.

Following the presentation made by the GSC, delegations had a brief exchange of views on the issue.

The Presidency concluded by informing the WP that the conclusions of the exercise would be presented at the meeting of the Terrorism Working Party on 8 March 2016, and invited delegations to participate in this meeting in order to provide the necessary expertise in the field of SIS/SIRENE.

The Presidency also requested that those Member States that had not yet responded to the questionnaire send in their replies by 23 February 2016 to [sis.sirene@consilium.europa.eu](mailto:sis.sirene@consilium.europa.eu).

#### **4. Information from the European Commission on the evaluation of the Schengen Information System (SIS)**

The WP took note of the COM's presentation of the state of play with regards the overall SIS II evaluation report, which will be presented by April 2016, and the SIS legislative proposals, to be presented by the end of 2016.

COM also informed the WP that the report to the European Parliament and the Council on the availability and readiness of technology to identify a person on the basis of fingerprints held in SIS II would be ready by the end of February 2016 (see 6720/16).

#### **5. Termination of the WAN/SCH+ Agreement (SISNET/VISION)**

In line with the approach presented in 5573/16, the WP agreed to notify the GSC in writing, by 20 March 2016, of any possible obstacle to terminating the WAN-SCH + agreement with OBS. In the absence of such notification the GSC would take the necessary measures with a view to terminating the indicated agreement on behalf of the Member States.

The WP agreed with the approach set out in 6118/16 and authorized the GSC to negotiate the financial part of an offer regarding the dismantling of the SISNET equipment at eu-LISA.

#### **6. Strengthening SIS and SIRENE Cooperation on Missing Persons**

Following the presentation by the Presidency of 5723/16, the WP held an exchange of views on the matter. Delegations agreed that this is a good initiative and stressed that there is still work to be done in this respect. The need to involve national experts to help harmonise the different situations of missing persons. Regarding the creation of a European platform of national police contact points for missing persons, delegations pointed out the need to coordinate the information held in other existing databases and networks.

COM expressed its support in principle to the creation of a European network, safeguarding the priority of SIRENE cooperation. It also stressed that the SIRENE Manual already provided clear guidelines for handling missing persons cases in the SIS, in particular for missing minors. As regards the possible creation of preventive alerts in the SIS in certain special situations it raises legal and practical issues, which need to be addressed.

The Presidency asked the delegations to send in comments in writing by 8 March 2016 to [sis.sirene@consilium.europa.eu](mailto:sis.sirene@consilium.europa.eu), on the basis of the questions set out in 5723/16, with a view to drafting a position paper aiming at continuing discussions on this matter.

## **7. Political escalation procedure in case of calamities with SIS**

The WP heard a presentation on the Integrated Political Crisis Response arrangements (IPCR) made by the GSC. The Presidency explained that its aim is to establish a possible connection between the escalation procedure for the SIS II, to be used in the event of a major problem affecting the system, and the IPCR, which would provide a political response involving the Presidency and the Council.

Delegations were invited to send any comments by 29 February 2016, to [sis.sirene@consilium.europa.eu](mailto:sis.sirene@consilium.europa.eu).

## **8. Coordination mechanism implementation EU and UN sanctions: state of play and further involvement SIS/SIRENE**

The Presidency informed delegations that a discussion on this issue would take place at the meeting of the Foreign Relations Counsellors, to be held on 25 of February 2016. The discussion would be based on a Presidency note proposing that the GSC be asked to assume a supporting role within the Coordination Mechanism.

## **9. SIRENE Core Tasks**

Building upon an initiative of the previous Luxembourg Presidency, the Presidency presented 5724/16 and requested that delegations reply to the questionnaire therein with the aim of determining which key issues require further follow-up, and determine measures in view of the revision of the SIS legal basis and accompanying SIRENE Manual.

Delegations were required to send in their replies by 1 April 2016, to [sis.sirene@consilium.europa.eu](mailto:sis.sirene@consilium.europa.eu).

## 10. AOB

- CZ took the floor to request a clarification regarding SIS statistics, in the context of the Council Conclusions of 6 April 2009. The GSC informed the meeting that, since the SIS II became operational in April 2013, eu-LISA is responsible for collecting SIS II statistical data. Currently, the Council is not under any legal obligation to collect or analyze such data.
- CZ requested information concerning the SIS and SIRENE website that was available on the Council internet page and can no longer be found . The GSC informed the meeting that, in the context of an internal exercise aimed at improving the Council website, the static information on issues such as SIS and SIRENE was eliminated. The base philosophy and technology of the website changed and now more news-oriented information is available to visitors.
- CZ requested that delegations send information to update the SIRENE Address Book.
- MT provided information about the CEPOL Course 49/2016 - 'Training for SIRENE operators', which will start on 7 March 2016 and finish on 11 March 2016.

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

The following documents were endorsed by the Working Party:

Agenda item	Document
4	5573/16 VISA 24 SIRIS 4 COMIX 48
	6118/16 SIRIS 14 VISA 36 COMIX 106