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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft Regulation of the European Parliament and of the Council on the use of the Schengen Information System for the return of illegally staying third-country nationals
(first reading)
- Adoption of the legislative act
- Statements

Statement by the Council (on synergies between SIS and other information systems)

The Council considers that making the best use of data already available in relevant information systems at European level for the purposes of the Schengen Information System could facilitate the work of the Member States' competent authorities and reduce administrative burden.

Synergies between the Schengen Information System and the future Entry/Exit System, for instance, would facilitate and speed up the exchange of information in the event of hits, in particular, but not limited to, return alerts in SIS concerning third-country nationals crossing the external borders of a Member State: automated hit reporting mechanism between these systems could have significant benefits.

The Council therefore invites the European Commission to explore as soon as possible synergies between the Schengen Information System and other relevant EU information systems in the area of justice and home affairs, in particular Eurodac and the future Entry/Exit System, further to the synergies currently discussed in the context of interoperability.

Statement by Belgium

Belgium welcomes the confirmation of the political agreement that has been found on the three instruments regarding SIS. The Schengen Information System of the third generation will improve the functioning of the system and will contribute to enhancing the internal security in the Member States.

The ambitious goals and the new functionalities of the SIS need to be implemented in the Member States. This will result in a considerable amount of preparatory work. Specifically in the case of the SIS-return regulation, this means for Belgium that it should be prepared to enter approximately 35.000 return decisions in the Schengen Information System each year. As this is a totally new functionality, Belgium, would have preferred to have more time to implement this new obligation. It also regrets the current provisions on the entry into operations, whereby the COM will have to set a date after three years of entry into force of the regulations, when the underlying conditions are fulfilled. If those conditions are not fulfilled within the three years' deadline, COM will need to present a legislative proposal to amend this provision. Belgium believes that a more flexible solution to deviate from the intended start of operations if the conditions are not fulfilled on time, would have been preferable, taking into account also the experiences and lessons learned with the entry into operations of previous IT-Systems in the field of asylum and migration (in particular SIS II).