



Council of the  
European Union

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Eingelangt am 14/01/19

Brussels, 14 January 2019  
(OR. en)

15833/18

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**Interinstitutional File:**  
**2018/0316(NLE)**

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DAPIX 400  
DATAPROTECT 283  
ENFOPOL 647  
EUROJUST 180  
FRONT 473  
VISA 344  
EURODAC 45  
ASILE 90  
SIRIS 195  
SCHENGEN 66  
CSCI 184  
SAP 38  
JAI 1339

#### 'I/A' ITEM NOTE

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

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Subject: Draft Council Decision on the conclusion of the Arrangement with the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein on the participation by those States in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

– Request for the consent of the European Parliament

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On 3 September 2018, the Commission issued its Proposal for a Council Decision on the conclusion of the Arrangement with the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein on the participation by those States in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, as well as an Annex to that proposal<sup>1</sup>.

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<sup>1</sup> 11804/18 + ADD 1.

The group of JHA Counsellors (eu-LISA) examined the proposal at its meeting on 10 September 2018, together with the Commission proposal for a Council Decision on the signing of the above Arrangement and its Annex, issued on the same day<sup>2</sup>.

The Council adopted the Council Decision on the signing, on behalf of the Union, of the Arrangement between the European Union, of the one part, and the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the participation by those States in the European Agency for the operational management of large scale IT systems in the area of freedom, security and justice<sup>3</sup>, at its meeting on 11 October 2018, together with the Annex<sup>4</sup> to that Decision.

The Parties signed the Arrangement on 8 November 2018 in Brussels. In accordance with the provisions of the Treaty, the consent of the European Parliament is required before the Council adopts the Decision on the conclusion of the Arrangement.

Although the group of JHA Counsellors had examined the draft Decision at its meeting on 10 September 2018, its wording had to be adapted subsequently in the light of the adoption of the new eu-LISA Regulation<sup>5</sup> which occurred in the meantime. Also, the wording concerning the situation of Ireland in recital (5) has to remain in square brackets, pending a notification by Ireland that it wishes to take part in Regulation (EU) No 2018/1726 in accordance with Article 4 of Protocol No 21, annexed to the Treaties.

The group of JHA Counsellors endorsed the adapted text in an informal silence procedure which expired on Friday 21 December 2018, 14:00, with no remarks having been made by the delegations.

In the light of the above, COREPER/Council is invited to decide to forward the draft Council Decision, as set out in 15832/18, to the European Parliament for consent.

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<sup>2</sup> 11805/18 + ADD 1

<sup>3</sup> 12042/18

<sup>4</sup> 12367/18

<sup>5</sup> Regulation (EU) No 2018/1726, OJ L 295, 21.11.2018, p. 99–137