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REV 1

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

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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

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 proposal¹.

¹ 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 day².

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 justice³, at its meeting on 11 October 2018, together with the Annex⁴ 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 Regulation⁵ 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.⁶

² 11805/18 + ADD 1

³ 12042/18

⁴ 12367/18

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

⁶ UK abstains.