



Council of the  
European Union

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Eingelangt am 04/10/19

Brussels, 2 October 2019  
(OR. en)

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**Interinstitutional Files:**

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**COVER NOTE**

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From: Mission of Switzerland to the European Union  
date of receipt: 25 September 2019  
To: General Secretariat of the Council

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No. prev. doc.: PE-CONS 35/18, PE-CONS 36/18

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Subject: Schengen Information System (SIS)  
– Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of **border checks**, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1987/2006  
– Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of **police cooperation** and judicial cooperation in criminal matters, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1986/2006, Council Decision 2007/533/JHA and Commission Decision 2010/261/EU  
– Notification from Switzerland

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Delegations will find attached the notification from Switzerland regarding the application of the two abovementioned Regulations, as from 28 December 2019 until the date of notification about the fulfilment of its constitutional requirements.



Director-General  
Ms. Christine Roger  
General Secretariat of the Council of the  
European Union  
Directorate General – Justice and Home  
Affaires  
Rue de la Loi 175  
B-1048 Brussels

Our reference: 796.0-00-let  
Phone: 32 2 286 13 19  
Fax: 32 2 230 45 09  
Nathalie.Lacras@eda.admin.ch  
Brussels, 24 September 2019

Dear Madam,

On 20 November 2018, the General Secretariat of the Council of the European Union notified Switzerland the adoption of the following acts in accordance with Article 7, paragraph 2 a, first sentence of the agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (hereinafter referred to as "association agreement") signed in Luxembourg on 26 October 2004:

*Regulation (EU) 2018/1861 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006*

*Regulation (EU) 2018/1862 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 and Decision 2010/261/EU*

Switzerland notified on 20 December 2018 its readiness to accept, subject to the fulfilment of its constitutional requirements, the content of both aforementioned acts and to implement it in its internal legal order (796.0-00-SD-213b/2018, 796.0-00-SD-213c/2018).

The respective internal procedure is ongoing. In accordance with the declaration by Switzerland on Article 7, paragraph 2 b of the association agreement, Switzerland will inform the General Secretariat of the Council of the European Union without delay about the completion of every stage of the internal procedure.

With the present letter, Switzerland would like to inform the General Secretariat of the Council of the European Union that, as from 28 December 2019 until the date of notification about the fulfilment of its constitutional requirements, Switzerland will apply the two abovementioned regulations, in accordance with Article 7, paragraph 2 b of the association agreement, on a provisional basis, as far as Article 63, point (9) of Regulation (EU) 2018/1861 and Article 77, points (7) and (8) of Regulation (EU) 2018/1862 are concerned.

A copy of the present letter is addressed to the European Commission, General Secretariat, SG.A.3, Brussels.

Sincerely yours,

Head of Mission  
p.o.



Stephan Lauper  
Minister