



Council of the  
European Union

Brussels, 18 March 2020  
(OR. en)

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**Interinstitutional Files:**

2016/0407(COD)  
2016/0408(COD)  
2016/0409(COD)

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**COVER NOTE**

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From: Mission of Switzerland to the European Union  
date of receipt: 12 March 2020  
To: General Secretariat of the Council

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No. prev. doc.: PE-CONS 34/18, PE-CONS 35/18, PE-CONS 36/18

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Subject: Schengen Information System (SIS)

- Regulation of the European Parliament and of the Council on the use of the Schengen Information System (SIS) for the **return** of illegally staying third-country nationals
- 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**, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006
- 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 and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU

- Notification from Switzerland

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Delegations will find attached the notifications from Switzerland regarding the submission of the above-mentioned Regulations to the Swiss Parliament for approval.



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

IR 002701 2020  
12.03.2020

Mission of Switzerland to the European Union

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 2 288 13 19  
Fax: 32 2 230 45 09  
nathalie.lecras@eda.admin.ch  
Brussels, 11 March 2020

Dear Madam,

On 20 November 2018, the General Secretariat of the Council of the European Union notified Switzerland the adoption of the following act 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) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the return of illegally staying third-country nationals*

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

With the present letter, Switzerland would like to inform the General Secretariat of the Council of the European Union, in accordance with the declaration by Switzerland on Article 7, paragraph 2 b of the association agreement, that the federal act regarding the acceptance and implementation of the aforementioned development of the Schengen acquis has been submitted to the Swiss Parliament for approval.

Switzerland will inform the General Secretariat of the Council of the European Union without delay about the completion of each further stage of the internal procedure.

A copy of the present letter is addressed to the European Commission, General Secretariat, SG.B.2, Brussels.

Sincerely yours,

Head of Mission  
p.p.



Stephan Lauper  
Minister



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

IN 002703 2020  
12.03.2020

Mission of Switzerland to the European Union

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

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Phone: 32 2 286 13 19  
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Brussels, 11 March 2020

Dear Madam,

On 20 November 2018, the General Secretariat of the Council of the European Union notified Switzerland the adoption of the following act 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 of the European Parliament and of the Council of 28 November 2018 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*

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

With the present letter, Switzerland would like to inform the General Secretariat of the Council of the European Union, in accordance with the declaration by Switzerland on Article 7, paragraph 2 b of the association agreement, that the federal act regarding the acceptance and implementation of the aforementioned development of the Schengen acquis has been submitted to the Swiss Parliament for approval.

Switzerland will inform the General Secretariat of the Council of the European Union without delay about the completion of each further stage of the internal procedure.

In this context, Switzerland seizes the opportunity to recall that, as outlined in its letter of 24 September 2019, the exchange of notes of 20 December 2018 between Switzerland and the European Union regarding the acceptance of the regulation (EU) 2018/1861 is being applied on a provisional basis since 28 December 2019, as far as Article 63, point (9) of this regulation is concerned.

A copy of the present letter is addressed to the European Commission, General Secretariat, SG.B.2, Brussels.

Sincerely yours,

Head of Mission  
p.p.



Stephan Lauper  
Minister



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

IN 002700 2020  
12.03.2020

Mission of Switzerland to the European Union

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  
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Brussels, 11 March 2020

Dear Madam,

On 20 November 2018, the General Secretariat of the Council of the European Union notified Switzerland the adoption of the following act 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) 2018/1862 of the European Parliament and of the Council of 28 November 2018 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 Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission 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 the aforementioned act and to implement it in its internal legal order (796.0-00-SD-213c/2018).

With the present letter, Switzerland would like to inform the General Secretariat of the Council of the European Union, in accordance with the declaration by Switzerland on Article 7, paragraph 2 b of the association agreement, that the federal act regarding the acceptance and implementation of the aforementioned development of the Schengen acquis has been submitted to the Swiss Parliament for approval.

Switzerland will inform the General Secretariat of the Council of the European Union without delay about the completion of each further stage of the internal procedure.

In this context, Switzerland seizes the opportunity to recall that, as outlined in its letter of 24 September 2019, the exchange of notes of 20 December 2018 between Switzerland and the European Union regarding the acceptance of the regulation (EU) 2018/1862 is being applied on a provisional basis since 28 December 2019, as far as Article 77, points (7) and (8) of this regulation is concerned.

A copy of the present letter is addressed to the European Commission, General Secretariat, SG.B.2, Brussels.

Sincerely yours,

Head of Mission  
p.p.



Stephan Lauper  
Minister