



Brussels, 7 April 2021  
(OR. en)

7580/21

SCH-EVAL 44  
DATAPROTECT 87  
ENFOPOL 119  
FRONT 125  
MIGR 61  
SIRIS 35  
VISA 69  
COMIX 190

#### 'I' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee (Part 2)

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No. prev. doc.: 7579/21

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Subject: Draft Council conclusions on the functioning of the Schengen evaluation and monitoring mechanism (Council Regulation (EU) No 1053/2013)  
- Decision to use the written procedure for the adoption

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1. The current Schengen evaluation and monitoring mechanism (SEMM) was established by Council Regulation (EU) No 1053/2013<sup>1</sup>. The first five-year evaluation cycle under the current mechanism ended in December 2019. In accordance with article 22 of that Regulation, the Commission submitted a Report to the Council and the European Parliament on the Functioning of the Schengen Evaluation and Monitoring Mechanism<sup>2</sup>. The Report was discussed by the members of the Working Party for Schengen Matters (Evaluation) at their informal VTC meetings on 15 December 2020 and 3 February 2021. Furthermore, in its Work Programme 2021 'A Union of vitality in a world of fragility', the Commission announced an 'Amendment of the Regulation establishing the Schengen Evaluation Mechanism'<sup>3</sup>.

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<sup>1</sup> JO L 295 of 6.11.2013, p. 27.

<sup>2</sup> Doc. 13378/20 + ADD 1.

<sup>3</sup> Doc. 12115/20 + ADD 1.

2. On this basis, the Portuguese Presidency proposed draft Council conclusions as a means to raise awareness on the importance of an efficient Schengen evaluation and monitoring mechanism for the functioning of the Schengen area and to invite the Commission to take due account of the views of the Member States in the announced amendment of the Regulation.
3. The Working Party for Schengen Matters (Evaluation), including the Mixed Committee partners Norway, Iceland, Switzerland and Liechtenstein, agreed on the draft Council conclusions on the functioning of the Schengen evaluation and monitoring mechanism (Council Regulation (EU) No 1053/2013) on 31 March 2021.
4. The Permanent Representatives Committee is therefore asked:
  - to recommend that the Council adopt the draft Council conclusions, as set out in 7579/21;
  - to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430, that the Council uses the written procedure for its adoption.

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