EU/EC/Switzerland/Liechtenstein agreement: protocol on the accession of Liechtenstein to the EC/Switzerland agreement on Switzerland's association with the implementation, application and development of the Schengen acquis

2006/0251(NLE) - 26/04/2010 - Amended legislative proposal for reconsultation

By this Decision, the European Parliament has been **once again consulted** on the proposal for a Council Decision on the conclusion on behalf of the European Union of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to 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, relating in particular to judicial cooperation in criminal matters and police cooperation.

To recall, on 27 February 2006, negotiations with Liechtenstein and Switzerland on the conclusion on the protocol were finalised. In accordance with Council Decisions 2008/261/EC and 2008/262/JHA, and subject to its conclusion at a later date, the Protocol was signed on behalf of the European Union on 28 February 2008.

As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.

It is therefore necessary to approve the protocol **on behalf of the European Union** on the basis of the new legal basis set out in the Treaty on the Functioning of the European Union (TFEU).

A new provision has been included stipulating that as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to "the European Community" in the Protocol as well as in the Agreement are, where appropriate, to be understood as to "the European Union".

New territorial provisions have also been laid down.

The European Parliament’s consent is also required.