Basic information

2003/0808(CNS) CNS - Consultation procedure Decision	Procedure completed
Schengen: Sirene manual, decision on procedures for amending. Initiative Greece Repealed by 2005/0103(CNS) **Subject** 7.10.02 Schengen area, Schengen acquis	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	COELHO Carlos (PPE-DE)	23/04/2003

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Justice and Home Affairs (JHA)	2561	2004-02-19

Key events

Date	Event	Reference	Summary
24/03/2003	Legislative proposal published	07180/2003	Summary
10/04/2003	Committee referral announced in Parliament		
01/09/2003	Vote in committee		Summary
01/09/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0288/2003	
23/09/2003	Decision by Parliament	T5-0391/2003	Summary
19/02/2004	Act adopted by Council after consultation of Parliament		
19/02/2004	End of procedure in Parliament		
02/03/2004	Final act published in Official Journal		

Technical information

Procedure reference	2003/0808(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision

Amendments and repeals	Repealed by 2005/0103(CNS)
Legal basis	Treaty on European Union (after Amsterdam) M 039-p1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/19432

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0288/2003	01/09/2003	
Text adopted by Parliament, 1st reading/single reading		T5-0391/2003 OJ C 077 26.03.2004, p. 0020-0052 E	23/09/2003	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	07180/2003 OJ C 082 05.04.2003, p. 0025-0026	24/03/2003	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EU	Implementing legislative act	32006D0758 OJ L 317 16.11.2006, p. 0041-0080	22/09/2006	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2004/0201
OJ L 064 02.03.2004, p. 0045-0047 Summary

Schengen: Sirene manual, decision on procedures for amending. Initiative Greece

2003/0808(CNS) - 19/02/2004 - Final act

PURPOSE : to amend the SIRENE Manual as regards the implementation of the Schengen Information System (SIS). LEGISLATIVE ACT : Council Decision 2004/201/JHA on procedures for amending the Sirene Manual. CONTENT : the Council adopted this Decision on the procedures for amending the SIENE manual. Pursuant to the provisions of the Schengen Convention, the national sections of the Member States cannot exchange SIS data directly between themselves; they may only exchange data via the technical support function in Strasbourg. However, it is appropriate for certain supplementary information required for implementing certain provisions of the Schengen Convention correctly to be exchanged bilaterally or multilaterally. It is necessary to establish a procedure for amending the Sirene Manual in accordance with the relevant provisions of the various Treaties. The legislative basis consists of 2 parts : 1) this Decision based on Articles 30(1)(a) and (b), 31(a) and (b) and 34 (2) (c) of the Treaty on European Union; 2) a Council Regulation based on Article 66 of the Treaty establishing the European Community (refer to CNS/2003/0807). The reason for this is that, as set out in Article 92 of the Schengen Convention, the SIS is to enable the authorities designated by the Member States, by means of an automated search procedure, to have access to alerts on persons and property for the purposes of border checks and other police and customs checks carried out within the country in accordance with national law, as well as for the purposes of issuing visas, residence permits and the administration of legislation on aliens in the context of the application of the provisions of the Schengen acquis relating to the movement of persons. The exchange of supplementary information required for the implementing of the provisions of the Schengen Convention carried out by the Sirene offices of each Member State, also serves these purposes, as well as assisting with police co-operation generally. It is stressed that although the legislative basis consists of 2 separate instruments, this does not affect the principle that the SIS constitutes and should continue to constitute, one single, integrated, information system and that the Sirene offices should continue to carry out their task in an integrated manner. This Decision sets out procedures for the taking of measures necessary for its implementation which mirror the relevant provisions in the proposed Regulation so as to ensure that there will be one single implementing process for the amendment of the Siren Manual as a whole. Lastly, territorial provisions are also provided concerning the participation of Iceland, Norway and the United Kingdom. ENTRY INTO FORCE : 3 March 2004.

Schengen: Sirene manual, decision on procedures for amending. Initiative Greece

2003/0808(CNS) - 22/09/2006 - Implementing legislative act

LEGISLATIVE ACT: Commission Decision 2006/758/EC on amending the Sirene Manual.

CONTENT: the Sirene Manual is a set of instructions to operators in the Sirene offices of each Member State which describes in detail the rules and procedures governing the exchange of supplementary information required for the implementation of certain provisions of the Convention of 1990 implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (the Schengen Convention).

This Decision states that for the purposes of matters falling within the scope of the EU Treaty, the Sirene Manual is replaced by the version in Annex 1 to this Decision. The Sirene Manual needed to be replaced for several reasons:

- the European arrest warrant (EAW) (see CNS/2001/0215) is the first concrete legal development in the field of criminal law implementing the principle of mutual recognition which abolishes formal extradition procedures between Member States in respect of persons who are fleeing from justice having been finally sentenced and speeds up extradition procedures in respect of persons suspected of having committed a crime. The European arrest warrant replaces all previous instruments concerning extradition between the Member States, including the provisions of Title III of the Schengen Convention concerning extradition. Most newly issued alerts pursuant to Article 95 of the Schengen Convention (persons wanted for arrest for extradition) will be accompanied by an EAW. The **specific checks and working procedures** necessary before each of these cases within and between the Sirene bureaux must be introduced and adapted in accordance with the requirements of the European arrest warrant;

- Council Decision 2005/211/JHA of 24 February 2005 concerning the introduction of some new functions for the Schengen Information System, including in the fight against terrorism (see CNS/2002/0813) introduced certain new functions with respect to the current version of the Schengen Information System (SIS), in particular as regards the provision of access to certain types of data entered into the SIS and the recording and transmissions of personal data. The working procedures within and between the Sirene bureaux should be adapted accordingly;

- the technical development of Sirpit (Sirene Picture Transfer) requires specific working procedures between the Sirene offices to enable them to exchange pictures and fingerprints electronically. These procedures are included in the revised version of the Sirene Manual;

- standards of working procedures, technical infrastructure, security and staff requirements of the Sirene offices have developed over time, but the Sirene Manual had not been amended since 1999. As a result, significant amendments were required, and given the extent of the necessary amendments to the provisions of the Sirene Manual, the text was replaced by a revised and up to date version.

This Decision constitutes the necessary basis for adopting the amendments of the Sirene Manual in respect of matters falling within the scope of the Treaty on European Union (EU Treaty). Commission Decision 2006/757/EC of 22 September 2006 on amending the Sirene Manual (see CNS/2003/0807) constitutes the necessary basis for adopting the amendments of the Sirene Manual in respect of matters falling within the scope of the Treaty establishing the European Community (EC Treaty). The fact that the basis necessary for adopting the revised Sirene Manual consists of two separate instruments does not affect the principle that the Manual constitutes one single Manual. Nevertheless, for the sake of clarity it should be reproduced in the Annexes to both Decisions.

Themes covered by the Manual:

- The Schengen information systems and national sirenes.
- General procedures;
- Alerts;
- Statistics (once a year the Sirene bureaux will provide hit statistics covering all the articles and the types of alerts).

The United Kingdom and Ireland are taking part in this Decision, in accordance with Article 5 of the Protocol integrating the Schengen acquis into the framework of the European Unionannexed to the EU Treaty and to the EC Treaty.

As regards Iceland, Norway and Switzerland, this Decision constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and these countries concerning the implementation, application and development of the Schengen acquis. The amendments shall therefore apply to them.

Schengen: Sirene manual, decision on procedures for amending. Initiative Greece

2003/0808(CNS) - 24/03/2003 - Legislative proposal

PURPOSE : to present a draft Council Decision on procedures for amending the Sirene manual. CONTENT : in the context of the Schengen Information System (SIS) and the exchange of data between the national sections of the Member States, the Sirene manual is a set of instructions to operators in the Sirene offices of each of the Member States which describes in detail the rules and procedures governing the bilateral or multilateral exchange of such supplementary information which is required for implementing certain provisions of the Schengen Convention correctly. It is necessary to establish a procedure for amending the Sirene Manual in accordance with the relevant provisions of the various Treaties. The legislative basis consists of 2 parts : 1) this Decision based on Articles 30(1)(a) and (b), 31(a) and (b) and 34 (2) (c) of the Treaty on European Union and 2) a Council Regulation based on Article 66 of the Treaty establishing the European Community (refer to CNS/2003/0807). The reason for this is that, as set out in Article 92 of the Schengen Convention, the SIS is to enable the authorities designated by the Member States, by means of an automated search procedure, to have access to alerts on persons and property for the purposes of border checks and other police and customs checks carried out within the country in accordance with national law, as well as for the purposes of issuing visas, residence permits and the administration of legislation on aliens in the context of the application of the provisions of the Schengen acquis relating to the movement of persons. The exchange of supplementary information required for the implementing of the provisions of the Schengen Convention carried out by the Sirene offices of each Member State, also serves these purposes, as well as assisting with police co-operation generally. It is stressed that although the legislative basis consists of 2 separate instruments, this does not affect the principle that the SIS constitutes and should continue to constitute, one single, integrated, information system and that the Sirene offices should continue to carry out their task in an integrated manner. The proposed Decision sets out procedures for the taking of measures necessary for its implementation which mirror the relevant provisions in the proposed Regulation so as to ensure that there will be one single implementing process for the amendment of the Siren Manual as a whole. Lastly, territorial provisions are also provided concerning the participation of Iceland, Norway and the United Kingdom.

Schengen: Sirene manual, decision on procedures for amending. Initiative Greece

2003/0808(CNS) - 23/09/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 369 votes in favour, 48 against and 39 abstentions a resolution on the two procedures for amending the Sirene Manual. (Please see also CNS/2003/0807.) The rapporteur was Carlos COELHO (EPP-ED, Portugal.) Concerning this Decision, Parliament deleted the Commission's provisions on comitology and stated that the Commission will be assisted by a Regulatory Committee, which will adopt its own rules of procedure. Certain parts of the manual may not be amended by committee. (Please refer to the previous document.) Parliament also inserted new recitals pointing out that the Sirene manual has stayed in the third pillar without a specific legal basis. This Decision constitutes also the decision on the legal basis of the manual.