


| Basic information  |                     |
|--|---------------------|
| <b>2007/0806(CNS)</b><br>CNS - Consultation procedure<br>Decision  | Procedure completed |
| Schengen: application of the provisions relating to the Schengen Information System SIS in the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic<br><br><b>Subject</b><br><br>7.10.02 Schengen area, Schengen acquis<br>7.10.04 External borders crossing and controls, visas |                     |

| Key players                   |   |                        |                  |
|-------------------------------|---|------------------------|------------------|
| European Parliament           | <b>Committee responsible</b>  | <b>Rapporteur</b>      | <b>Appointed</b> |
|                               | <div style="border: 1px solid red; display: inline-block; padding: 2px;">LIBE</div> Civil Liberties, Justice and Home Affairs | COELHO Carlos (PPE-DE) | 08/05/2007       |
| Council of the European Union | <b>Council configuration</b>  | <b>Meetings</b>        | <b>Date</b>      |
|                               | Justice and Home Affairs (JHA)  | 2807                   | 2007-06-12       |
| European Commission           | <b>Commission DG</b>  | <b>Commissioner</b>    |                  |
|                               | Justice and Consumers   | FRATTINI Franco        |                  |

| Key events |   |   |                         |
|------------|---|---|-------------------------|
| Date       | Event   | Reference   | Summary                 |
| 02/05/2007 | Legislative proposal published                                  | <a href="#">09032/2007</a>  | <a href="#">Summary</a> |
| 10/05/2007 | Committee referral announced in Parliament                      |   |                         |
| 21/05/2007 | Vote in committee   |   | <a href="#">Summary</a> |
| 23/05/2007 | Committee report tabled for plenary, 1st reading/single reading | <a href="#">A6-0204/2007</a>  |                         |
| 07/06/2007 | Decision by Parliament  | <a href="#">T6-0221/2007</a>  | <a href="#">Summary</a> |
| 07/06/2007 | Results of vote in Parliament                                   |  |                         |
| 12/06/2007 | Act adopted by Council after consultation of Parliament         |   |                         |
| 12/06/2007 | End of procedure in Parliament                                  |   |                         |
| 07/07/2007 | Final act published in Official Journal                         |   |                         |

| Technical information      |   |
|----------------------------|---|
| Procedure reference        | 2007/0806(CNS)                              |
| Procedure type             | CNS - Consultation procedure                |
| Procedure subtype          | Legislation                                 |
| Legislative instrument     | Decision                                    |
| Legal basis                | 2003 Act of Accession (10 countries) T 3-p2 |
| Stage reached in procedure | Procedure completed                         |
| Committee dossier          | LIBE/6/49317                                |

| Documentation gateway   |                            |                              |                         |                         |
|---|----------------------------|------------------------------|-------------------------|-------------------------|
| <b>European Parliament</b>                                      |                            |                              |                         |                         |
| Document type   | Committee                  | Reference                    | Date                    | Summary                 |
| Committee draft report  |                            | <a href="#">PE388.589</a>    | 16/05/2007              |                         |
| Committee report tabled for plenary, 1st reading/single reading |                            | <a href="#">A6-0204/2007</a> | 23/05/2007              |                         |
| Text adopted by Parliament, 1st reading/single reading          |                            | <a href="#">T6-0221/2007</a> | 07/06/2007              | <a href="#">Summary</a> |
| <b>Council of the EU</b>  |                            |                              |                         |                         |
| Document type   | Reference                  | Date                         | Summary                 |                         |
| Legislative proposal  | <a href="#">09032/2007</a> | 02/05/2007                   | <a href="#">Summary</a> |                         |

| Additional information |                         |      |
|------------------------|-------------------------|------|
| Source                 | Document                | Date |
| European Commission    | <a href="#">EUR-Lex</a> |      |

| Final act   |
|---|
| <a href="#">Decision 2007/0471</a><br><a href="#">OJ L 179 07.07.2007, p. 0046</a> <span style="float: right;"><a href="#">Summary</a></span> |

## Schengen: application of the provisions relating to the Schengen Information System SIS in the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic

2007/0806(CNS) - 12/06/2007 - Final act

PURPOSE: setting the date on which the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic may apply some of the Schengen *acquis communautaire*.

LEGISLATIVE ACT: Council Decision 2007/471/EC on the application of the provisions of the Schengen *acquis* relating to the Schengen Information System in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic

BACKGROUND: the Act of Accession, which bestows membership on the new EU Member States, specifies, in Article 3 (2) that the new Member States may only apply certain provisions relating to the Schengen *acquis* on condition that the Member States concerned fulfil certain criteria. The exact Schengen provisions to which Article 3 (2) apply are set out in Annex to the Council Decisions and include, amongst others, the installation and functioning of Sisnet; the SIRENE Manual; the introduction of new functions for SIS in the fight against terrorism, and the gradual abolition of checks at common borders as regards SIS for issuing registration certificates for vehicles.

CONTENT: the purpose of this Council Decision, therefore, is to allow the countries listed above to apply the Schengen body of law as listed in Annex I and following Council verification that each of these countries can ensure a satisfactory level of data protection.

Real SIS data will be transferred to the Member States concerned as of 7 July 2007 and as from 1 September 2007 the countries concerned will be able to enter data onto the SIS as well as using SIS data.

A separate Council Decision will be taken at a later date for the lifting of checks at internal borders. Until such time certain restrictions on the use of SIS will remain.

ENTRY INTO FORCE: 7 July 2007.

## **Schengen: application of the provisions relating to the Schengen Information System SIS in the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic**

2007/0806(CNS) - 07/06/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Carlos **COELHO** (EPP-ED, PT) approving the draft Council decision on the application of the provisions of the Schengen *acquis* relating to the Schengen Information System in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.

## **Schengen: application of the provisions relating to the Schengen Information System SIS in the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic**

2007/0806(CNS) - 02/05/2007 - Legislative proposal

PURPOSE: to set a date from which some of the Schengen *acquis* may apply in the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic.

PROPOSED ACT: Council Decision.

BACKGROUND: the Act of Accession, which bestows membership on the new EU Member States, specifies, in Article 3 (2) that the new Member States may only apply certain provisions relating to the Schengen *acquis* on condition that the Member States concerned fulfil certain criteria. The exact Schengen provisions to which Article 3 (2) apply are set out in Annex to the proposed Council Decisions and include, amongst others, the installation and functioning of Sisnet; the SIRENE Manual; the introduction of new functions for SIS, in the fight against terrorism, and the gradual abolition of checks at common borders as regards SIS for issuing registration certificates for vehicles.

In order to ensure that the new EU Member States fulfil all the necessary requirements, a full questionnaire was forwarded to the Member States and their replies recorded. Their replies were then verified and evaluated. Visits were also made to all of the Member States concerned in accordance with the applicable Schengen evaluation procedures.

In December 2006, the Council came to the conclusion that the following countries had fulfilled the necessary criteria: the Czech Republic, Latvia, Lithuania, Hungary, Malta, Poland and Slovenia. For the remaining countries (i.e. Estonia and the Slovak Republic) the Council still has to make its conclusions known.

CONTENT: the purpose of this proposal, therefore, is to apply those Schengen provisions, as set out in Annex to the proposal, to the new EU Member States. Upon entry into force of the proposed Decision, real SIS data will be transferred to the Member States concerned (EU-27 with the exception of the United Kingdom, Ireland, Cyprus, Romania and Bulgaria). Further, the new Member States will be able to enter data onto the SIS.

Until the date of the lifting of checks at internal borders with the new Member States, they will not be obliged to refuse entry to their territory or to expel nationals of third States for whom an SIS alert has been issued by another Member States for the purposes of refusing entry. They will also be obliged to refrain from entering data covered by the provisions of Article 96 of the Schengen Agreement.

A separate Council Decision should be taken setting a date for the lifting of checks at internal borders. Certain restrictions on the use of the SIS should be imposed pending the date set in that Decision.