Basic information

2007/0806(CNS) CNS - Consultation procedure 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 **Subject** 7.10.02 Schengen area, Schengen acquis 7.10.04 External borders crossing and controls, visas	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	LIBE Civil Liberties, Justice and Home Affairs	COELHO Carlos (PPE-DE)	08/05/2007
Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Justice and Home Affairs (JHA)	2807	2007-06-12
European Commission	**Commission DG**	**Commissioner**	
	Justice and Consumers	FRATTINI Franco	

Key events

Date	Event	Reference	Summary
02/05/2007	Legislative proposal published	09032/2007	Summary
10/05/2007	Committee referral announced in Parliament		
21/05/2007	Vote in committee		Summary
23/05/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0204/2007	
07/06/2007	Decision by Parliament	T6-0221/2007	Summary
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

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE388.589	16/05/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0204/2007	23/05/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0221/2007	07/06/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	09032/2007	02/05/2007	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2007/0471
OJ L 179 07.07.2007, p. 0046 Summary

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.