Basic information

2017/0011(NLE) NLE - Non-legislative enactments	Procedure completed
Schengen Information System (SIS): application of the provisions of the Schengen acquis in Croatia **Subject** 7.10.02 Schengen area, Schengen acquis 7.10.04 External borders crossing and controls, visas **Geographical area** Croatia	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	LIBE Civil Liberties, Justice and Home Affairs	MELO Nuno (PPE)	09/03/2017
Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Economic and Financial Affairs ECOFIN	3646	2018-11-06

Key events

Date	Event	Reference	Summary
18/01/2017	Legislative proposal published	COM(2017)0017	Summary
13/02/2017	Committee referral announced in Parliament		
23/03/2017	Vote in committee		
24/03/2017	Committee report tabled for plenary, 1st reading/single reading	A8-0073/2017	Summary
05/04/2017	Decision by Parliament	T8-0106/2017	Summary
05/04/2017	Results of vote in Parliament		
26/04/2017	Final act published in Official Journal		
06/11/2018	Act adopted by Council after consultation of Parliament		
06/11/2018	End of procedure in Parliament		

Technical information

Procedure reference	2017/0011(NLE)

Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Legal basis	Treaty of Accession of Croatia (2012) J 3-p4
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/09091

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE601.125	09/03/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0073/2017	24/03/2017	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0106/2017	05/04/2017	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2017)0017	18/01/2017	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2017/0733
OJ L 108 26.04.2017, p. 0031

Schengen Information System (SIS): application of the provisions of the Schengen acquis in Croatia

2017/0011(NLE) - 24/03/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Nuno MELO (EPP, PT) on the proposal for a Council decision on the application of the provisions of the Schengen acquis in the area of the Schengen Information System in Croatia.

The committee called on the European Parliament to approve, as presented, the Commission proposal.

Members recalled that in line with Article 4(2) of Croatia's Act of Accession to the European Union certain provisions of the Schengen acquis are already applicable in Croatia from the date of accession, while other provisions only apply pursuant to a Council Decision to that effect after verification

that the necessary conditions for the application of all parts of that acquis have been met. This verification is done in accordance with the relevant Schengen evaluation procedures.

This draft decision concerning the application of the provisions relating to the Schengen Information System (SIS) in Croatia is a very first step towards lifting checks at the EU internal borders to Croatia.

Schengen Information System (SIS): application of the provisions of the Schengen acquis in Croatia

2017/0011(NLE) - 18/01/2017 - Legislative proposal

PURPOSE: to provide for the application of the provisions of the Schengen acquis in the area of the Schengen Information System (SIS) in Croatia.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: in line with Croatia's Act of Accession to the European Union, certain provisions of the Schengen *acquis* are already applicable in Croatia from the date of accession, while other provisions only apply pursuant to a Council Decision to that effect after verification that the necessary conditions for the application of all parts of that *acquis* have been met.

This verification is done in accordance with the relevant Schengen evaluation procedures.

Council Regulation (EU) No 1053/2013, establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*, provides for these Schengen evaluation procedures. In line with the Regulation, the Commission has established a multiannual evaluation programme 2014 - 2019 and an annual evaluation programme for 2016 providing for the evaluation of Croatia.

The Schengen evaluation in the area of the SIS can only take place when the SIS has been put into operation in Croatia. Therefore, it is required that the Council adopts a Decision on **putting into effect the provisions of the Schengen acquis in the area of SIS in Croatia**.

The Council is only able to take such a Decision after Croatia has made the necessary technical and legal arrangements, including some relating to data protection, to process SIS data and exchange supplementary information.

Accordingly, a Schengen evaluation to verify the level of data protection in Croatia was carried out in February 2016.

Following the positive opinion of the Schengen Committee on 6 October 2016, and the statement by the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) that the Croatian national system (N.SIS) is ready to integrate into the SIS, **it is therefore now possible for the Council to set the date from which the Schengen *acquis* in the area of the SIS shall apply in Croatia**.

This is the aim of this proposal.

CONTENT: with this proposed Decision, a date shall be set by the Council for the provisions of the Schengen *acquis* in the area of the Schengen Information System ('SIS'), as referred to in the Annex to this Decision, to be applied in Croatia.

Until checks at internal borders with Croatia are lifted, Croatia:

- shall not be obliged to refuse entry into or stay on its territory to third-country nationals for whom an alert has been issued by another Member State for the purposes of refusing entry or stay in accordance with Regulation (EC) No 1987/2006;
- shall refrain from entering into the SIS alerts and additional information as well as from exchanging supplementary information on third-country nationals for the purposes of refusing entry or stay in accordance with Regulation (EC) No 1987/2006.

Schengen Information System (SIS): application of the provisions of the Schengen acquis in Croatia

2017/0011(NLE) - 05/04/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 620 votes to 64, with 10 abstentions, a legislative resolution on the proposal for a Council decision on the application of the provisions of the Schengen acquis in the area of the Schengen Information System in the Republic of Croatia.

In line with its Committee on Civil Liberties, Justice and Home Affairs, Parliament **approved**, without amendment, the Commission proposal.