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**SCHENGEN 46
SIRIS 133
COMIX 555**

OUTCOME OF PROCEEDINGS

From: Working Party for Schengen Matters (Acquis) - Mixed Committee (EU-Iceland, Norway and Switzerland, Liechtenstein)

On: 26 July 2017

Subject: Summary of discussions

1. Adoption of the agenda

The agenda as set out in CM 3642/17 was adopted, with the inclusion of the following two items under AOB (see item 3 below):

- Recent SIS unavailability incidents;
- Batch searches.

The item on SIS unavailability incidents was discussed before item 2.

2. Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1986/2006, Council Decision 2007/533/JHA and Commission Decision 2010/261/EU

On the basis of a revised draft compromise text submitted by the Presidency, as set out in 9594/1/17 REV 1, the Working Party (WP) held a third round of discussions on the following articles of the proposal: Articles 3, 4, 9, 10, 12, 15, 16, 18, 20 to 23, 25, 26, 32, 33, 36 to 44, 45A to 49B and 51. The discussion was interrupted after Article 51, due to lack of time. The articles under Article 52 which are not mentioned had been already agreed by the WP in previous meetings. During this meeting, the WP reached an agreement on Articles 9, 10, 16, 18, 22 (now 41A), 23, 47, 49, 49A and 49B.

The outcome of the discussions will be reflected in a revised version of the proposal (9594/2/17 REV 2, to be issued). That version will also take into account the written comments which the Presidency asked the delegations to send to schengenacquis@consilium.europa.eu and schacquis@list.politsei.ee by 16 August 2017. Delegations were also invited to comment on Articles 51A, 52, 53, 56, 57, 59, 62, 64 to 66, 71, 72 and 75, which have not yet been agreed by the WP.

General scrutiny reservations are still pending from AT, BG, CZ, DE, FI, HU, IT, NL, PL, PT, SE, SI and UK. A parliamentary reservation is still pending from UK. Reservations on specific provisions will be indicated in the footnotes in 9594/2/17 REV 2 (to be issued).

3. AOB

– **SIS unavailability incidents**

In light of recent incidents leading to the temporary unavailability of SIS, the Presidency stressed that once the necessary clarifications had been obtained in the appropriate forums, reflection would be needed on ways to prevent such incidents in the future. The Presidency also invited the delegations to consider whether the escalation procedures should be improved. The WP should in any event take into consideration that possible solutions or improvements could have an impact on the legislative package currently being examined by it.

– **Batch searches**

ES had requested to exchange some views on this subject, but this did not happen due to lack of time.

4. Confirmation by the Working Party for Schengen Matters (Acquis) of the decisions prepared in the Mixed Committee

The WP confirmed the outcome of the discussions in the Mixed Committee.
