



Council of the
European Union

Brussels, 18 August 2022
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**SCH-EVAL 101
SCHENGEN 80
DATAPROTECT 235
ENFOPOL 419
FRONT 301
IXIM 194
MIGR 232
SIRIS 76
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COMIX 385**

COVER NOTE

From:	Mission of Switzerland to the European Union
date of receipt:	17 August 2022
To:	General Secretariat of the Council
No. prev. doc.:	7609/22
Subject:	Council Regulation on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis, and repealing Regulation (EU) No 1053/2013 – notification from Switzerland

Delegations will find attached the notification from Switzerland regarding the above-mentioned Regulation.



E-MAIL

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17.08.2022

796.0-00-SD-367/2022

The Mission of Switzerland to the European Union presents its compliments to the General Secretariat of the Council of the European Union and herewith confirms receipt of the notification of the Council dated 16 June 2022 issued in accordance with Article 7, paragraph 2 a, first sentence of the agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (hereinafter referred to as « association agreement ») signed in Luxembourg on 26 October 2004. The content of the notification is as follows:

«In accordance with the first sentence of Article 7(2)(a) in conjunction with Article 14(1) of the Agreement associating Switzerland to the Schengen acquis, Switzerland is herewith notified of the adoption of the following act:

Council Regulation on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis, and repealing Regulation (EU) No 1053/2013

Council Document: 7609/22

Date of adoption: 9-10 June 2022»

In accordance with Article 7, paragraph 2 a and 2 b of the association agreement, the Mission of Switzerland to the European Union herewith notifies the General Secretariat of the Council of the European Union that Switzerland accepts, subject to the fulfilment of its constitutional requirements, the content of the enclosed appendix to the notification of the Council, which forms an integral part of this reply.

In accordance with Article 7, paragraph 2 b of the association agreement, Switzerland shall inform the General Secretariat of the Council of the European Union without delay about the fulfilment of its constitutional requirements.

General Secretariat of the Council of the European Union
Directorate general
Justice and Home Affairs
Brussels

In accordance with Article 7, paragraph 3 of the association agreement, the notification of the Council dated 16 June 2022 and this reply give rise to rights and obligations between Switzerland and the European Union and thus constitute an agreement between Switzerland and the European Union.

This agreement shall enter into force on the date of notification by Switzerland about the fulfilment of its constitutional requirements. It may be denounced in accordance with the provisions of Articles 7 and 17 of the association agreement.

As from the date of the entry into force of this agreement, the exchange of notes of 7 November 2013 between Switzerland and the European Union regarding the acceptance of the Regulation (EU) No 1053/2013 establishing an evaluation mechanism to verify the application of the Schengen acquis shall be terminated.

A copy of the present note is addressed to the European Commission, General Secretariat, SG.B.2, Brussels.

The Mission of Switzerland to the European Union avails itself of this opportunity to renew to the General Secretariat of the Council of the European Union the assurances of its highest consideration. A. P.

Brussels, 17 August 2022

