Council of the European Union

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SIRIS 9
SCHENGEN 1
FRONT 13
ENFOPOL 11
COPEN 11
MIGR 4
COMIX 25

COVER NOTE

From:	Mission of Switzerland to the European Union
date of receipt:	14 January 2019
To:	General Secretariat of the Council
No. prev. doc.:	PE-CONS 34/18, PE-CONS 35/18, PE-CONS 36/18
Subject:	Schengen Information System (SIS) − Proposal for a Regulation of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) for the **return** of illegally staying third-country nationals − 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 **border checks**, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1987/2006 − 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 - Notification from Switzerland

Delegations will find attached the notification from Switzerland regarding the abovementioned Regulations.

Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mission of Switzerland to the European Union

IM 000361 2019
14.01.2019

796.0-00-SD-213a/2018

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 20 November 2018, 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 acts:
>
> Regulation of the European Parliament and the Council on the use of the Schengen Information System for the return of illegally staying third-country nationals
>
> Council Document: PE-CONS 34/18
>
> [...]
>
> Date of adoption: 19 November 2018 »

In accordance with Article 7, paragraph 2a and 2b of the association agreement, the Mission of Switzerland herewith notifies the General Secretariat of the Council 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, and will implement it in its internal legal order.

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.

In accordance with Article 7, paragraph 3 of the association agreement, the notification of the Council dated 20 November 2018 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.

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

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.

A copy of the present note is addressed to the European Commission, General Secretariat, SG.A.3, 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.

Brussels, 20 December 2018



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

IN 000362 2019
14.01.2019

Mission of Switzerland to the European Union

796.0-00-SD-213b/2018

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 20 November 2018, 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 acts:
>
> [...]
>
> Regulation of the European Parliament and the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006
>
> [...]
>
> Council Document: PE-CONS 35/18
>
> Date of adoption: 19 November 2018 »

In accordance with Article 7, paragraph 2a and 2b of the association agreement, the Mission of Switzerland herewith notifies the General Secretariat of the Council 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, and will implement it in its internal legal order.

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

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.

In accordance with Article 7, paragraph 3 of the association agreement, the notification of the Council dated 20 November 2018 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, to be set by the European Commission in accordance with Article 66 paragraph 2 of the above-mentioned Regulation, on which the adapted Schengen Information System will start its operations, the exchange of notes of 28 March 2008 between Switzerland and the European Community regarding the acceptance of the Regulation (EC) No 1987/2006 of the European Parliament and the Council of 20 December 2006 on the establishment, operation and use of the SIS II shall be terminated.

A copy of the present note is addressed to the European Commission, General Secretariat, SG.A.3, 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.

Brussels, 20 December 2018



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

IH 000363 2019
14.01.2019

Mission of Switzerland to the European Union

796.0-00-SD-213c/2018

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 20 November 2018, 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:
>
> [...]
>
> Regulation of the European Parliament and 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 and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU
>
> Council Document: PE-CONS 36/18
>
> Date of adoption: 19 November 2018 »

In accordance with Article 7, paragraph 2a and 2b of the association agreement, the Mission of Switzerland herewith notifies the General Secretariat of the Council 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, and will implement it in its internal legal order.

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 D
Justice and Home Affairs
Brussels

In accordance with Article 7, paragraph 3 of the association agreement, the notification of the Council dated 20 November 2018 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, to be set by the European Commission in accordance with Article 79 paragraph 2 of the above-mentioned Regulation, on which the adapted Schengen Information System will start its operations, the following exchanges of notes shall be terminated:

- Exchange of notes of 28 March 2008 between Switzerland and the European Community regarding the acceptance of the Regulation (EC) No 1986/2006 of the European Parliament and the Council of 20 December 2006 regarding access to the SIS II by the services responsible for issuing vehicle registration certificates;
- Exchange of notes of 28 March 2008 between Switzerland and the European Union regarding the acceptance of the Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II).

A copy of the present note is addressed to the European Commission, General Secretariat, SG.A.3, 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.

Brussels, 20 December 2018

MISSION DE LA SUISSE AUPRÈS DE L'UNION EUROPÉENNE