



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 September 2007

12651/07

LIMITE

**SCH-EVAL 142
SIRIS 164
COMIX 765**

NOTE

from : Presidency
to: Coreper / Council (Mixed Committee)

Subject : Schengen implementation in the new Member States - interim report
(September 2007)
- SISone4ALL
- Evaluation process: progress and follow-up

I. SISone4ALL

1. The Presidency confirms the end of the technical part of the SISone4ALL project. As of 1 September 2007, all 9 Member States that participated were declared operational. This means that as of 1 September 2007 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 are able to use the Schengen Information System (SIS), under the conditions foreseen in Council Decision 2007/471/EC of 12 June 2007 (OJ L 179, 7.7.2007, p. 46). Some of the countries concerned have already announced hits in the system.
2. The next steps are the SIS evaluation missions in the countries concerned. They are to begin on 16/9/2007. These evaluations will be performed by three separate teams operating in parallel and simultaneously.
3. The introduction of the VISION application (VISA information on-line) has to be finished in the 9 countries concerned before the lifting of the controls at the internal borders.

II. Evaluation process: progress and follow-up

1. In order to allow the Council to decide on the full application of the Schengen acquis in the new Member States after all the requirements have been met (cf. Article 3(2) of the 2003 Act of Accession), the Working Party on Schengen Evaluation adopted a timetable for evaluations which it has been able to fully respect up to date, ensuring a smooth and coherent process.

2. Work on the evaluation of all non-SIS-related aspects (data protection, police cooperation, sea, land and air borders and visa-issuance) began in the first six months of 2006 and is now on the verge of being concluded. As mentioned in point I.2 the evaluation of SIS-related aspects is due to start on 16/9/2007.

3. In its conclusions of 4/5 December 2006¹, the Council described to what extent additional measures were necessary in the Member States concerned and in which cases such measures required a new evaluation in the course of follow-up visits.

3. a) Such additional measures have been and are regularly being presented by the evaluated Member States in the form of follow-up reports or "compendia" to the Working Party on Schengen Evaluation informing it of the measures taken to implement the recommendations and remedy the shortcomings identified during the evaluation process.

One of these shortcomings concerned the entry of Croatian residents into the territory of Hungary and Slovenia with an identity card only, as identified during the land-border missions in May 2006. Following discussions on a variety of ways to resolve this issue, the countries in question were able to find an acceptable solution in agreeing, jointly with Italy, on a regime to solve the outstanding problems in line with the Schengen acquis. The joint solution is based on a proposal worked out together with the Croatian authorities (see doc.12635/07 SCH-EVAL 141 FRONT 92 COMIX 764 RESTREINT).

¹ CY: 14518/2/06 REV 2 SCHEVAL 159 COMIX 877 RESTREINT
CZ: 14519/2/06 REV 2 SCHEVAL 160 COMIX 878 RESTREINT
EE: 14520/3/06 REV 3 SCHEVAL 161 COMIX 879 RESTREINT
HU: 14521/2/06 REV 2 SCHEVAL 162 COMIX 880 RESTREINT
LT: 14522/3/06 REV 3 SCHEVAL 163 COMIX 881 RESTREINT
LV: 14523/3/06 REV 3 SCHEVAL 164 COMIX 882 RESTREINT
MT: 14524/3/06 REV 3 SCHEVAL 165 COMIX 883 RESTREINT
PL: 14525/3/06 REV 3 SCHEVAL 166 COMIX 884 RESTREINT
SI: 14526/2/06 REV 2 SCHEVAL 167 COMIX 885 RESTREINT
SK: 14527/3/06 REV 3 SCHEVAL 168 COMIX 886 RESTREINT

3.b) All follow-up visits have in the meantime been carried out, except for one. Under Portuguese Presidency, follow-up visits were conducted on air borders in July (Slovenia, Czech Republic) and September (Latvia, Estonia, Lithuania, Poland, Slovakia), on visa issuance in August (Malta) and the last one, on sea- and air borders in Malta, will be conducted at the end of this month.

III. Conclusion

1. Thanks to the special effort made by all partners, it has been possible to take this work forward according to schedule. Assuming all conditions set out in this document are fulfilled, a Council Decision setting unconditional dates for the lifting of checks at internal borders - by the end of December 2007 for land and sea borders and by the end of March 2008 for air borders, shall be adopted by the JHA Council of 8-9 November.

.
2. Coreper/Council (Mixed Committee) is invited to take note of the progress made.
