




# Procedure file

Basic information	
NLE - Non-legislative enactments	2017/0011(NLE)
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
	 Civil Liberties, Justice and Home Affairs		09/03/2017
Council of the European Union	Council configuration	Meeting	Date
	<u>Economic and Financial Affairs ECOFIN</u>	<u>3646</u>	06/11/2018

Key events			
18/01/2017	Legislative proposal published	<u>COM(2017)0017</u>	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	<u>A8-0073/2017</u>	Summary
05/04/2017	Results of vote in Parliament		
05/04/2017	Decision by Parliament	<u>T8-0106/2017</u>	Summary
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
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/09091

### Documentation gateway

Legislative proposal	<a href="#">COM(2017)0017</a>	18/01/2017	EC	Summary
Committee draft report	<a href="#">PE601.125</a>	09/03/2017	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0073/2017</a>	24/03/2017	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T8-0106/2017</a>	05/04/2017	EP	Summary

### Final act

[Decision 2017/733](#)  
[OJ L 108 26.04.2017, p. 0031](#)

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

**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

---

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

---

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.