

Wednesday 24 October 2007

P6\_TA(2007)0465

### **Communication Infrastructure for the Schengen Information System environment (regulation) \***

**European Parliament legislative resolution of 24 October 2007 on the proposal for a Council regulation on the installation, operation and management of a Communication Infrastructure for the Schengen Information System (SIS) environment (COM(2007)0311 — C6-0216/2007 — 2007/0108(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal (COM(2007)0311),
- having regard to Article 66 of the EC Treaty,
- having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0216/2007),
- having regard to Rule 51 of its Rules of Procedure,
- having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A6-0358/2007),

1. Approves the Commission proposal as amended;
2. Considers that the indicative financial reference amount indicated in the Commission proposal must be compatible with the ceiling of heading 3a of the Multiannual Financial Framework (MFF) and points out that the annual amount will be decided within the annual budgetary procedure in accordance with the provisions of point 38 of the Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management of 17 May 2006 <sup>(1)</sup>;
3. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
4. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
5. Calls on the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
6. Instructs its President to forward its position to the Council and the Commission.

<sup>(1)</sup> OJ C 139, 14.6.2006, p. 1.

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 1

*Recital 7*

(7) The SISNET Agreement also provides networking and associated security services for VISION, a network supporting visa consultation procedures between central authorities of Member States according to Article 17(2) of the Schengen Convention, **but it** is out of the scope of this proposal since the Council, in accordance with Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications, is the body competent for implementing the amendments necessary for migrating VISION to another communication infrastructure.

(7) The SISNET Agreement also provides networking and associated security services for VISION, a network supporting visa consultation procedures between central authorities of Member States according to Article 17(2) of the Schengen Convention. **In actual fact, VISION is in principle** out of the scope of this proposal since the Council, in accordance with Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications, is the body competent for implementing the amendments necessary for migrating VISION to another communication infrastructure. **Notwithstanding Regulation (EC) No 789/2001 and in order to preserve the coherence and consistency of SIS1+, the Commission should integrate VISION into the new communication network s-Testa and exercise implementing powers.**

## Amendment 9

*Article 1, paragraph 5*

5. The costs of installing, operating and managing the Communication Infrastructure shall be borne by the general budget of the European Union.

5. The costs of installing, operating and managing the Communication Infrastructure shall be borne by the general budget of the European Union. **Each Member State shall be responsible for bearing the costs incurred by the national database and the costs of its connection to the SIS or s-Testa communication infrastructure.**

## Amendment 2

*Article 1, paragraph 5a (new)*

**5a. The SIS was set up under Title IV of the Schengen Convention. However, following the integration of the Schengen acquis into the Treaties and the allocation of its legal basis, any modification will require a new legal instrument which will have to be adopted in accordance with Article 67(2), indent 2, of the EC Treaty.**

## Amendment 3

*Article 3, paragraph 3*

3. The Council shall coordinate Member States' test activities and validate the test results and keep the Commission informed.

3. The Council shall coordinate Member States' test activities and validate the test results, **keeping the Commission and the European Parliament** informed.

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TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS  
BY PARLIAMENT

Amendment 10

Article 5, paragraph 1a (new)

**1a. The contract referred to in paragraph 1 shall comply with the provisions of Articles 88 to 107 of Regulation (EC, Euratom) No 1605/2002.**

Amendment 4

Article 5, paragraph 2

2. The costs incurred by the bodies referred to in paragraph 1 for the execution of the tasks referred to in paragraph 1 shall be borne by the general budget of the European Union.

2. The costs incurred by the bodies referred to in paragraph 1 for the execution of the tasks referred to in paragraph 1 shall be borne by the general budget of the European Union, **in accordance with Regulation (EC, Euratom) No 1605/2002 as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006.**

Amendment 5

Article 5, paragraph 2a (new)

**2a. The Commission shall inform the European Parliament and the Council of the terms of the contract referred to in paragraph 1 and which national body is the contractor.**

Amendment 6

Article 5a (new)

**Article 5a**

**Security**

**The Commission shall adopt the necessary measures (including the adoption of a security plan) relating to the Communication Infrastructure.**

Amendment 11

Article 7, paragraph 2

2. The remainder of the budget established by Council Decision 2000/265/EC, at the date set in accordance with Article 4(1) shall be refunded to the Member states. The amounts to be repaid shall be calculated on the basis of the contributions from the Member States as laid down in Article 26 of Council Decision 2000/265/EC.

2. The remainder of the budget established by Council Decision 2000/265/EC at the date set in accordance with Article 4(1) shall be **used by the Commission to develop the Communication Infrastructure.**

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENTAmendment 7  
*Article 9, paragraph 2*

2. **The application of this Regulation is subject to** notification of the Deputy Secretary-General of the Council to the Commission that no agreement or contract has been concluded for the provision of networking and security services for the exchange of data referred to in Article 1(1) pursuant to Council Decision 2007/149/EC and Council Decision 2000/265/EC.

2. **This Regulation shall be applicable as from the date of its publication and after** notification of the Deputy Secretary-General of the Council to the Commission that no agreement or contract has been concluded for the provision of networking and security services for the exchange of data referred to in Article 1(1) pursuant to Council Decision 2007/149/EC and Council Decision 2000/265/EC.

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**Mutual assistance and cooperation between customs administrations \***

**European Parliament legislative resolution of 24 October 2007 on the recommendation for a Council decision concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations (COM(2007)0216 — C6-0170/2007 — 2007/0073(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission recommendation to the Council (COM(2007)0216),
  - having regard to Article 3(4) of the Act of Accession of Bulgaria and Romania, pursuant to which the Council consulted Parliament (C6-0170/2007),
  - recalling the efforts of consecutive Bulgarian and Romanian governments to meet the respective benchmarks provided for the activation of the simplified accession procedure,
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on the Internal Market and Consumer Protection (A6-0352/2007),
1. Approves the Commission recommendation;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to amend the Commission recommendation substantially;
  4. Instructs its President to forward its position to the Council and the Commission and to the Governments of Bulgaria and Romania.