Brussels, 19 May 2010

9966/10

JAI 448
SIRIS 84
ENFOPOL 142
JUSTCIV 102
COMIX 376

"I/A" ITEM NOTE
from: General Secretariat of the Council
to: COREPER / Council
No. prev. doc. 9774/10 SIRIS 77 ENFOPOL 131 CATS 39 COMIX 362
7101/2/10 REV 2 SIRIS 30 COMIX 170
8270/10 SIRIS 56 COMIX 274
Subject: Council Conclusions on agreed practices for SIRENE Bureaux in cases of missing persons exposed to high risk

1. At its meetings on 10 March 2010 and 9 April 2010, the SIS/SIRENE Working Party discussed practices that should be followed by the SIRENE bureaux in cases of missing persons exposed to high risk (7101/10 SIRIS 30 COMIX 170).

2. At its meeting on 9 April 2010, the Presidency submitted to the SIS/SIRENE Working Party a Draft Council Conclusions on the agreed practices for SIRENE bureaux in cases of missing persons exposed to high risk, as set out in 8270/10 SIRIS 56 COMIX 274.
3. On the basis of the discussions, the Presidency submitted to the SIS/SIRENE Working Party, by means of a written procedure, a revised version of the referred practices (7101/2/10 REV 2 SIRIS 30 COMIX 170) and a draft Council Conclusions on agreed practices for SIRENE Bureaux in cases of missing persons exposed to high risks (9774/10 SIRIS 77 ENFOPOL 131 CATS 39 COMIX 362). Both documents were accepted by the SIS/SIRENE Working Party on 17 May 2010 and submitted to CATS on 18 May 2010. UK entered a reservation, which was lifted on 19 May 2010.

3. On this basis, COREPER is therefore invited to confirm the draft Council Conclusions as set out in the Annex and submit it to the Council (Justice and Home Affairs) on 3 and 4 June 2010 for adoption.
THE COUNCIL OF THE EUROPEAN UNION,

RECALLING that the Stockholm Programme has underlined that the area of freedom, security and justice must above all be a single area in which fundamental rights are protected, the EU and its Member States must provide a safe environment where differences are respected and the most vulnerable protected;

EMPHASISING the willingness to continue discussion on questions relating to the protection of minors and the need to use all available police resources and other tools in order to initiate the search for missing minors without detriment to their security;

SHARING, as reflected in the Council Conclusions of 28 November 2008, the view of the European Parliament and the Commission on the need to rely on a cross-border child alert mechanism to improve cooperation between Member States in dealing with the disappearance of minors;

CONSIDERING the work performed to date by the Council of the European Union as reflected in its conclusions of 28 November 2008 and 4 June 2009, and particularly in its call to:

- define the implementing arrangements at national level for cross-border alerts to be triggered quickly in the event of an abduction;
- enhance the use of SIS and SIRENE cooperation in the protection of children, especially as regards missing minors, using the recommendations and best practices already agreed;
- define and implement the necessary arrangements at national level to improve cooperation between the SIRENE and other competent national authorities involved in the search for missing minors and child care, in order to ensure the most effective protection of children;

1 14612/2/08 REV 2 CRIMORG 171 CATS 83.
ENDEAVOURING to ensure that the work on cross-border alerts for missing minors is extended to adults at risk who may also be entered in the SIS in accordance with Article 97 of the Schengen Convention;

EMPHASISING the distinctive role of the SIRENE bureaux in searches performed through the SIS and the need for any appropriate supplementary information to be disseminated without delay through SIRENE, using the relevant forms for the exchange of supplementary information;

WELCOMING the considerable effort made by the Member States and the European Commission in taking forward the protection of vulnerable people, not only covering missing minors, but also extending it to adults who may be at risk, and thus

INVITES THE MEMBER STATES:

To continue the work on the necessary measures at national level in order to improve cooperation between the SIRENE bureaux and other national competent authorities with an active role in the search for missing minors and adults at risk, including procedures which prevent delay in entering missing person alerts in the SIS, especially in cases where it is clear that borders may have been crossed, as a follow up to the already agreed recommendations;

To endeavour, without prejudice to the procedures set out in the SIRENE Manual, to apply an agreed practice between the SIRENE Bureaux for more structured exchange of supplementary information in the swiftest possible way, in cases of missing minors and adults at risk;

To include agreed practices in this regard in an updated catalogue of recommendations for the correct application of the Schengen acquis and best practices: section on the Schengen Information System;

---

2 6367/3/09 REV 3 CATS 37 SIRIS 24 ENFOPOL 33 FRONT 23 JUSTCIV 89 COMIX 140.
4 7101/2/10 REV 2 SIRIS 30 COMIX 170.
INVITES THE MEMBER STATES AND THE EUROPEAN COMMISSION:

Following the short-term initial consolidation and implementation of agreed practices, to return to this subject periodically and review these practices in order to ensure ongoing improvement in the safeguarding of vulnerable people.