

## ANNEX

### SIRENE Manual and other implementing measures<sup>(1)</sup>

#### 7. ALERTS FOR DISCREET AND SPECIFIC CHECKS (ARTICLE 36 OF THE SIS II DECISION)

The following steps shall be considered:

- entering an alert,
- check for multiple alerts,
- misused identity,
- entering an alias,
- information exchange when issuing alerts at the request of authorities responsible for State security,
- adding a flag;
- the exchange of information after a hit.

##### 7.1. Entering an alert

At the request of the competent authority, data on persons and objects (vehicles, boats, aircrafts and containers) may be entered in the SIS II for the purpose of discreet checks and specific checks.

A specific check is a thorough check of the persons, vehicles, boats, and aircrafts, whereas a discreet check shall be carried out without jeopardising its discreet nature.

Such alerts may be entered for the purpose of prosecuting criminal offences and for the prevention of threats to public security in cases specified in Article 36(2) of the SIS II Decision.

Alerts for discreet and specific checks may also be issued at the request of the authorities responsible for national security in accordance with Article 36(3) of the SIS II Decision.

In accordance with Article 37(4) of the SIS II Decision, if execution of specific checks is not authorised under the law of a Member State, they shall automatically be replaced, in that Member State, by discreet checks.

In accordance with Article 23(2) of the SIS II Decision, photographs and fingerprints of the person shall be added to the alert when available.

##### 7.2. Multiple alerts

See general procedure in Section 2.2.

Compatibility of alerts for checks

Alerts on persons for discreet or specific checks are not compatible with alerts for arrest, alerts for refusal of entry, alerts on missing persons or alerts for a judicial procedure.

Alerts on objects for discreet or specific checks are not compatible with other categories of alerts.

Alerts for discreet checks are not compatible with alerts for specific checks.

##### 7.3. Misused identity

See general procedure in Section 2.11.1.

##### 7.4. Entering an alias

See general procedure in Section 2.11.2.

7.5. Informing other Member States when issuing alerts requested by authorities responsible for national security (Article 36(3) of the Decision)

When entering an alert at the request of an authority responsible for national security, the SIRENE Bureau of the issuing Member State shall inform all the other SIRENE Bureaux about it by using an **M form**. The form shall contain the name of the authority requesting entry of the alert and its contact details.

The confidentiality of certain information shall be safeguarded in accordance with the national law, including keeping contact between the SIRENE Bureaux separate from any contact between the services responsible for national security.

7.6. Adding a flag

See general procedure in Section 2.6.

There is no alternative action to be taken for alerts for discreet or specific checks.

In addition, if the State security service in the executing Member State decides that the alert requires a validity flag, they shall contact their national SIRENE Bureau and inform it that the required action to be taken cannot be carried out. The SIRENE Bureau shall then request a flag by sending an **F form** to the SIRENE Bureau of the issuing Member State. It shall not be necessary to explain the reasons for the flag.

7.7. The exchange of information after a hit

See general procedure in Section 2.3.

In addition the following rules shall apply:

when a hit occurs on an alert issued pursuant to Article 36(3) of the SIS II Decision, the SIRENE Bureau of the executing Member State shall inform the SIRENE Bureau of the issuing Member State of the results (for either discreet or specific check) via the **G form**. At the same time the SIRENE Bureau of the executing Member State shall inform its own competent service responsible for national security.

- (1) This text is identical to the text in the Annex to Commission Decision 2008/333/EC (see page 4 of this Official Journal).