Slovensko predsedstvo EU 2008
Slovenian Presidency of the EU 2008
La Présidence slovène de l'UE 2008

INFORMAL JHA COUNCIL ON 25/26 JANUARY 2008

SCHENGEN INFORMATION SYSTEM II

1. Progress report

In an impressive display of cooperation under the Portuguese Presidency, Member States succeeded in the enlarging the Schengen zone, through the implementation of the SISone4All project which enabled the connection to the SIS.

Whilst congratulations are clearly in order, SIS II must remain the priority for the Council. SIS II will benefit from new technologies and will provide added functionalities such as biometrics, the linking of alerts and the storing of European Arrest Warrants, whilst increasing transparency and safeguards in terms of individual rights and protection in instances of misused identity. This system must be brought into operation as quickly as possible.

As the Commission reported at the most recent Council meeting, good progress is being made on the development of SIS II. The Central SIS II is now installed in France and Austria and the tests without national systems have been completed. The communication infrastructure is installed and tested in all Member States.

However, the margins built into the project schedule have now been exhausted which could have consequences on realisation of SIS II in the existing schedule. In parallel, learning from their experiences during the SISone4All project, Member States' experts have highlighted that

the planned test period is probably too short. Also, the one-shot migration scenario as originally envisaged could pose unacceptable risks without additional contingency measures, especially because the success of SISone4All now requires the migration of 24 Member States instead of the 15 as was previously planned.

In collaboration with Member States' experts, the Commission carried out an assessment of the impact of a new migration scenario for bringing SIS II into operation. At the end of December 2007, following intensive discussions, the experts agreed the broad outline of a progressive migration scenario which could reduce the risks linked with migration.

SIS II is a sensitive IT system which links the authorities of 28 countries (30 in the foreseeable future) and fulfils their heightened internal security requirements. This might entail a possible need for additional tests. It is of the utmost importance that sufficient time and resources are dedicated to ensuring its effectiveness and reliability at the most demanding levels of operation.

A consequence of these issues is that bringing SIS II into operation in December 2008 on the basis of the actual scenario entails significant risk.

Issues for discussion:
- The Commission is invited to present the general situation regarding the development of the system and the risks of migration.
- Do delegations agree to opt for a progressive migration ensuring high security and stability of the system and reducing unnecessary risks?

2. Schedule

It is necessary to agree a schedule for the start of operations for SIS II. This schedule should ensure the start-up of SIS II and its new functionalities as well as the well-orchestrated move of SIS to SIS II, whilst guaranteeing the ongoing effective functioning of SISone4All until the start of operations for SIS II.

If Member States agree with the presented plan to reduce risks, the Commission will be requested to present a SIS II development schedule to the February Council, so that the Council will be in a position to anticipate the start of operation of SIS II that should be realised at the very latest in September 2009.

This schedule must guarantee that by the end of 2008 the central elements of SIS II - its communication network and the interface with national systems – will function and will have been tested by the Commission and the Member States.

Progressive migration implies that the Commission will put forward the legal instruments necessary to underpin the SIS II activities foreseen for 2009.

Issues for discussion:
Do delegations agree with the proposed schedule that would take into account the progressive migration scenario?

3. Follow-up of the SIS II project

A simple re-scheduling exercise will not guarantee the completion of SIS II. In order to succeed, the Presidency believes it is imperative to apply a monitoring mechanism to SIS II at political and expert level, the methods which contributed to the success of SISone4All. The elements of this mechanism are as follows.

The Presidency, the incoming Presidency and the Commission will work in close partnership to monitor the preparation of the SIS II in 2008. The priority status of SIS II should be reflected through the full engagement of all stakeholders. Whilst respecting the responsibilities of the institutions and Member States involved, it is necessary to jointly desire the success of the project and to support each other, emulating that collaborative spirit which so characterised the SISone4All project. Mutual information between all stakeholders on the status of development of the system at central as well at national level is of major importance.

France has an additional responsibility, which requires a particular effort in order to guarantee, on the one hand, the effective functioning of SISone4All and on the other, to provide logistical management for SIS II from the start of preparatory testing for migration.

The Commission will continue to closely cooperate with the Member States, in particular in the testing phase and will report regularly to the Council. The Commission will facilitate transparent communication and the intensive collaboration needed among all stakeholders at this important stage of the project with the aim of smooth migration and a successful completion of SIS II.

A group of Member States, the "Friends of SIS II", will be established at ministerial level, to ensure the required level of involvement in testing, in line with the schedule. This group will be chaired by the Presidency and shall comprise 6-8 Member States, well ahead in their national preparations and thereby ready to actively participate in the tests being put in place by the Commission. Essentially, due to the state of their national preparedness, these Member States will be best placed to contribute constructively to these test phases. The Commission will participate in the work of the group.

Each minister "Friend of SIS II" will nominate one expert to the group of Friends of SIS II at the expert level. This group will be led by the Presidency and will be tasked to follow the preparation of Member States for the final migration. On the invitation by the Presidency, members of the group will visit Member States to discuss the status of the project.

Communication must be improved between the technical and political levels. A closer follow-up of progress within the project, at the ministerial level, is therefore required. To this end, at each Council and CATS, a report will be made to Ministers by both the Presidency and the Commission respectively, addressing the development at the Member-State level and of SIS II central elements.

Issues for discussion:
Do delegations agree with the presented monitoring mechanism?