European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

2017/0145(COD) - 21/11/2018 - Final act

PURPOSE: to create an agency at European Union level responsible for the operational management and, where appropriate, the development of large-scale IT systems within the area of freedom, security and justice (extending the mandate of eu-LISA).

LEGISLATIVE ACT: Regulation (EU) 2018/1726 of the European Parliament and of the Council on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011.

CONTENT: this Regulation strengthens the mandate of the ‘eu-LISA’ Agency by giving the Agency an important role in the implementation of the new IT architecture in the field of justice and home affairs (JHA).

Missions

TheAgency established by this Regulation replaces and succeeds the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice as established by Regulation (EU) No 1077/2011.

It shall be responsible for:

- the operational management of the Schengen Information System (SIS), the Visa Information System (VIS) and Eurodac, as well as the preparation, development and/or operational management of the Entry /Exit System (EES), DubliNet and the European Travel Information and Authorisation System (ETIAS);

- implementing technical solutions to achieve interoperability, defined as the ability of information systems to exchange data and share information;

- providing assistance to Member States, at their request, for example support when extraordinary security or migration challenges or needs require it;

- playing a greater role in research relevant to the operational management of systems and in pilot projects of an experimental nature designed to test the feasibility of an action and its usefulness;

- providing support to the Commission services on technical issues relating to existing or new systems, where requested, in particular for the preparation of new proposals for large-scale IT systems to be managed by the Agency.

The Agency shall ensure a high level of data protection, in accordance with EU data protection law, including specific provisions for each large-scale IT system.

Legal status and location

The Agency shall be a body of the Union and shall have legal personality. It is based in Tallinn (Estonia). Development and operational management tasks shall be carried out at the technical site in Strasbourg (France). A backup site capable of operating a large-scale IT system in the event of a failure of such a system shall be installed in Sankt Johann im Pongau, Austria.

If there is a need to establish a second separate technical site, either in Strasbourg or Sankt Johann im Pongau or, where appropriate, in both locations, to host the systems, this request shall be justified on the basis of an impact assessment and an independent cost-benefit analysis.

Structure

The administrative and management structure of the Agency shall comprise: a Management Board; an Executive Director; Advisory Groups.

The Management Board shall appoint the Executive Director from a list of at least three candidates proposed by the Commission following an open and transparent selection procedure.

Before appointment, the candidates proposed by the Commission shall be invited to make a statement before the competent committee or committees of the European Parliament and answer questions from the committee members.

If the Management Board decides to appoint a candidate other than the one for which Parliament has expressed its preference, it shall inform Parliament and the Council in writing of the manner in which Parliament's opinion has been taken into account.

The Executive Director shall be assisted by a Deputy Executive Director appointed by the Management Board on a proposal from the Executive Director.

ENTRY INTO FORCE: as from 11.12.2018.