

Terrorism: new functions for the Schengen information System SIS II. Initiative Spain

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PURPOSE : to present a report on the development and installation phases of SIS II up to 2006.

CONTENT : through the intergovernmental cooperation put in place by the Schengen Convention, the Member States taking part have adopted measures removing controls on persons at internal frontiers and allowing free movement for people of any nationality, together with all the flanking measures considered necessary for lifting controls at internal frontiers. These included harmonised controls and surveillance at external borders, harmonised visa policy, various forms of police and judicial cooperation in criminal matters, and the Schengen Information System (SIS). The SIS is a joint information system that allows the competent authorities in the Member States, through an automatic query procedure, to obtain alerts regarding persons and property. Such alerts are especially useful when issuing visas, applying controls at external borders and conducting checks or other police and customs controls on home territory. The SIS, then, is a vital factor in the smooth running of the Schengen frontier-free area and indispensable both in applying the Schengen arrangements on the movement of persons and in ensuring police and judicial cooperation in criminal matters. The current SIS was designed to be able to cope with eighteen States¹ but the computer technology on which it was based is now outdated. The Schengen Member States take the view that extending the SIS to further countries would compromise the operational stability of the system and might even prove technically impossible. Before the Schengen acquis was incorporated into the EU framework, they had already reached the conclusion that a second generation SIS needed to be developed. It is imperative to develop SIS II and it must be completed on time, because the future Member States cannot be accommodated within the present SIS and must therefore be integrated in SIS II in order to be able to participate in the area without internal frontiers. The development of SIS II will also allow the system to be made more powerful by using more advanced technology and adding new functions where experience in running the frontier-free area has shown they are needed. Moreover, the Belgian Presidency and Sweden put forward two initiatives which the Council will shortly be adopting, one based on the first pillar and one on the third pillar. These will give the Commission, assisted by a committee, responsibility for developing SIS II and provide a legal basis for its financing. In taking on this task, however, the Commission would emphasise that it does not bear sole responsibility for the development of SIS II. Although the Commission is responsible for budget execution, the conditions for sound execution must also be in place. In this respect, the two arms of the budgetary authority (Council and Parliament) remain responsible for entering the necessary resources in the budget. The Commission's aim in this communication is to start preparing the ground now for the tasks that it will be responsible for from 2002 and to get discussion under way on the various aspects of developing SIS II, while at the same time endeavouring to ensure consistency and continuity in line with the preliminary work begun in the Council. The communication mainly covers the development and installation phases of SIS II up to 2006. As far as operational management of SIS II is concerned, it is not possible to do any more than sketch out the options at this stage. The choice of one option rather than another depends on decisions which will have to be taken later. This communication takes stock of the situation of preparatory work under way and proposes a scenario of the action to be undertaken. At present not every detail can be determined precisely. Consequently some technical options will depend on political decisions to be taken. But the overall scenario can already be defined and work begun. A study will be carried out in 2002, in preparation for the call for tenders which the Commission will have to launch for the installation of the system. This study will also inform the Commission's preparation of a detailed proposal on the management of SIS II which will have to be presented well before 2006 so that SIS II can start up without interruption. As regards the technical development of SIS II, the Commission wishes to emphasise that it will need the support and cooperation of the Member States and Parliament in the areas that concern them and in accordance with the procedures laid down. It will be essential in order not to compromise the sound development of the technical aspects of the project for the Council to reach the necessary consensus on the

political and legal questions linked to SIS II. Lastly, the Commission will see that Parliament is kept regularly informed of progress.