

Second generation Schengen Information System (SIS II): extending the deadline for the completion of SIS II

2006/0126(CNS) - 12/07/2006 - Legislative proposal

PURPOSE : to amend Decision 2001/886/JHA in order to extend the deadline for the development of the Schengen Information System (SIS II) until 31 December 2007 and to allow for the allocation of the necessary budget.

PROPOSED ACT : Council Decision.

CONTENT : together with Regulation 2424/2001/EC of 6 December 2001 on the development of the second generation Schengen Information System (SIS II) (refer to CNS/2006/0125), Decision 2001/886/JHA constitutes the required legislative basis to allow for the inclusion in the budget of the Union of the necessary financial appropriations for the development of SIS II and the execution of that part of the budget. Decision 2001/886/JHA and Regulation 2424/2001/EC both expire on 31 December 2006.

The development of the SIS II will take longer than initially foreseen requiring the availability of financial appropriations beyond 31 December 2006. Therefore, it is necessary to extend the period of validity of Decision 2001/886/JHA so that the Commission can implement the budget in 2007 in order to complete the project for the development of the SIS II including the establishment of the communication infrastructure.

Several factors explain the need to extend by one year the initial mandate given by the Council to the Commission, such as, a temporary suspension of works following an injunction ordered by the Court of First Instance (T-447/04), which was subsequently removed, on the public procurement procedure for the development of SIS II; the STesta communications infrastructure funded under the IDABC programme, which will not be operational as planned during the initial testing phase; the lack of preparedness and uncertainty regarding the sites for the development, and the complexity of the project itself also had a negative impact on the planning.

Furthermore, without prejudice to the Commission's responsibility for the development of the SIS II, the central unit of the SIS II shall be located in Strasbourg (France) and the back-up central unit in Sankt Johann in Pongau (Austria) during the development of the system. France and Austria shall provide the appropriate infrastructure and means to host the central unit and the back-up central unit of SIS II respectively during the development of the system. The national authority providing for the infrastructure and means may receive a Community grant for the preparation and maintenance of the site or for providing other services necessary for hosting the SIS II during its development.

Lastly, the extension of the mandate and the completion of the SIS II development in 2007 will require some additional financial resources that are already foreseen in the Preliminary Draft Budget 2007.

For further information concerning the financial implications of this measure, please refer to the financial statement.