

Second generation Schengen Information System (SIS II): establishment, operation and use

2005/0106(COD) - 05/10/2006

The Presidency informed the Council of the vote that took place at the LIBE Committee (civil liberties and Justice and Home Affairs) of the European Parliament on 5 October 2006 regarding the legislative package on SIS II. The LIBE Committee adopted these texts with the exception of the addition of the words "or the entry of data in the SIS II" at the end of Article 17(1)(b) of the Regulation (**COD/2005/0106**) and of Article 37(1)(b) of the Decision (**CNS/2005/0103**).

The texts as adopted by the LIBE Committee shall be submitted to the second Plenary session of the European Parliament in October 2006.

The Council confirmed its position on this legislative package as agreed by Coreper and gave a mandate to the Finnish Presidency to continue negotiations with the European Parliament with a view to reaching an agreement at first reading.

The Council adopted conclusions on SIS I+ and SIS II.

As regards **SIS II**, the Council :

- § considers that the revised implementation schedule for the SIS II (contained in Commission staff working document 12379/06) seems to be feasible and realistic. According to the revised schedule, the SIS II would be operational for the Member States currently participating in the SIS 1+ by June 2008, allowing the integration of the Member States not yet participating in the SIS 1+;
- § confirms the revised schedule, and at the same time instructs the relevant Council working groups and Commission bodies to do their utmost to have the SIS II operational at the earliest possible opportunity. - reaffirms that the development of the SIS II remains the **absolute priority**;
- § agrees to prolong the Commission mandate to develop the SIS II beyond **31 December 2006** and also to clarify the mandate so as to make it clear that the technical integration of the new Member States into the SIS II is included in the mandate;
- § agrees to set up an informal Task Force, consisting of experts seconded by interested Member States, to assist the work of the Council, in co-operation with the Commission, on the management and coordination of the SIS II project, including the state of preparedness of all Member States. The Council invites all the stakeholders in the SIS II project to cooperate fully with the Task Force and the Presidency and the Commission are invited to agree on the practical arrangements for the Task Force as soon as possible.

Concerning the **SIS 1+**, the Council welcomes the Portuguese proposal, which could make it possible to integrate the new Member States in the SIS1+, and agrees with the elements contained in document 12583/06. The relevant working groups are invited to work out all the outstanding technical, financial, legal, organisational and management aspects of the proposal forwarded by Portugal, so as to be in a position to take a final decision at its meeting in December on whether or not to proceed with the integration of the new Schengen States into the SIS 1+.

As regards the lifting of **internal border controls**, the Council invites, on the basis of the outcome of discussions on having an operational Schengen Information System in place in all Member States as soon as possible, the competent working groups to prepare a feasible and realistic global planning for the **lifting of the controls at the internal land, sea and air borders**, taking into account also the results of the Schengen evaluations required for permitting the putting into effect of the entire Schengen acquis for the Member States concerned. On the basis of this work, the Council intends to decide in **December 2006** on the date or dates for the lifting of those controls and to inform the European Council.