


# Fiche de procédure

| Basic information  |                                |                     |
|--|--------------------------------|---------------------|
| INI - Own-initiative procedure   | <a href="#">2003/2180(INI)</a> | Procedure completed |
| The second generation Schengen information System SIS II   |                                |                     |
| Subject<br>7.10.02 Schengen area, Schengen acquis<br>7.10.04 External borders crossing and controls, visas |                                |                     |

| Key players         |  |            |            |
|---------------------|--|------------|------------|
| European Parliament | Committee responsible  | Rapporteur | Appointed  |
|                     | <a href="#">LIBE</a> Citizens' Freedoms and Rights, Justice and Home Affairs<br><br>PPE-DE <a href="#">COELHO Carlos</a> |            | 23/04/2003 |

| Key events |  |   |         |
|------------|--|---|---------|
| 14/05/2003 | Non-legislative basic document published   | <a href="#">B5-0268/2003</a>  |         |
| 22/09/2003 | Committee referral announced in Parliament |   |         |
| 04/11/2003 | Vote in committee                          |   | Summary |
| 04/11/2003 | Committee report tabled for plenary        | <a href="#">A5-0398/2003</a>  |         |
| 19/11/2003 | Debate in Parliament                       |  |         |
| 20/11/2003 | Decision by Parliament                     | <a href="#">T5-0509/2003</a>  | Summary |
| 20/11/2003 | End of procedure in Parliament             |   |         |

| Technical information      |                                |
|----------------------------|--------------------------------|
| Procedure reference        | 2003/2180(INI)                 |
| Procedure type             | INI - Own-initiative procedure |
| Legal basis                | Rules of Procedure EP 134o-p3  |
| Stage reached in procedure | Procedure completed            |
| Committee dossier          | LIBE/5/20107                   |

| Documentation gateway              |  |                               |            |    |         |
|------------------------------------|--|-------------------------------|------------|----|---------|
| Document attached to the procedure |  | <a href="#">SEC(2003)0206</a> | 18/02/2003 | EC | Summary |
| Non-legislative basic document     |  | <a href="#">B5-0268/2003</a>  | 14/05/2003 | EP |         |

|   |  |  |            |    |         |
|---|--|--|------------|----|---------|
| Committee report tabled for plenary, single reading |  | <a href="#">A5-0398/2003</a>   | 04/11/2003 | EP |         |
| Text adopted by Parliament, single reading          |  | <a href="#">T5-0509/2003</a><br>OJ C 087 07.04.2004, p.<br>0407-0466 E | 20/11/2003 | EP | Summary |

## The second generation Schengen information System SIS II

This is a first progress report concerning the development of SIS II. It aims at providing a description of work carried out by the Commission's services during 2002 and to outline the next steps: 1) The report discusses the technical strategic requirements for SIS II, on which the SIS II Committee voted a favourable opinion. The main requirements are: - the system must have an ability to be scaled or extended; - it must also have the ability to implement changes easily; - a more homogenous system, especially concerning national interfaces, will have a positive impact on testing, data quality and data integrity/security; - reliability, including concepts such as availability, security and performance; 2) A number of national constraints need to be addressed: - if there is a period of unavailability of data due to the migration from SIS to SIS II, this should be as short as possible; - financial investments must be carefully evaluated. The solution proposed should not imply unrealistic costs, but Member States should be ready to make the necessary investments on the national side. On the basis of the outcome of the feasibility study, the Commission will carry out a sound evaluation of the financial needs at EC level. The exact boundaries of responsibility between the national and EC budgets still need to be decided. Financial costs will also vary depending on the choice of architecture and on the type of national interface to be delivered; - certain data cannot be used by states implementing part only of the acquis. One of the major constraints of the project is the necessity of reconciling different national views respecting the technical architecture for SIS II. Most Member States favour a solution taking into account the latest technological developments and are willing to plan modifications at national level for allowing the building up of a flexible information system which is easy to change. Some Member States are more reluctant to accept such fundamental national modifications, notable given their financial constraints, and may prefer to keep their present systems (currently named N.SIS) with minor modifications at the expense of other strategic requirements. The selection of the technical architecture for SIS II will have to receive the favourable opinion of the SIS II Committee in early 2003. To allow for this, the national constraints have been taken into account all along the first steps of the study through informal consultations, committee meetings and seminars. Member States must remain committed to this project, which is crucial in view of enlargement and better control over external borders. The political commitment should now be translated into the readiness to undergo inevitable necessary national modifications. At the Council and European Parliament level, clear political and financial support is needed, so that further integration of new users and functions, especially in the light of 11/09/01, would not require implementation timeframes that are too long.?

## The second generation Schengen information System SIS II

The committee adopted the own-initiative report by Carlos COELHO (EPP-ED, P) on the second-generation Schengen Information System (SIS II). In its introductory remarks, it pointed out that the Schengen Information System (SIS) was originally created as a compensatory measure to allow for the free movement of persons but that over the years it had come to be used for police information purposes in a broad sense. However, no clear legal framework about the principles governing police cooperation had yet been laid down, nor had a clear border protection policy been established. MEPs also noted that the SIS was the largest database in Europe and that all proposed changes to it would have data protection implications. They added that the development of SIS II was now estimated to cost far more than originally planned but that financing for this was not decided on by codecision. The committee made a series of recommendations to the Council on SIS II: - a public debate should be encouraged about the nature of the SIS and the political objectives to be achieved; - a new SIS should be developed in a more transparent and democratic manner which should avoid, for example, forwarding legislative proposals to Parliament only after a political agreement had been reached in Council; - a detailed study should be undertaken into the feasibility of merging existing or future databases (SIS, Europol, Eurodac, the proposed Visa Information System (VIS), etc.) in order to optimise resources and avoid overlapping; - any extension of the SIS should be accompanied by the highest standards of data protection and particular attention should be paid to the human rights implications and dangers inherent in the inclusion of biometric data; - the Joint Supervisory Authority (JSA) should be closely involved in the development of SIS II and should be given more funding and staff for this purpose; - citizens should be better informed about the SIS, including their right to access and rectify their individual data, and they should be given a right of appeal at European level to the Ombudsman and/or the Data Protection Supervisor; - the legislative proposal for the development of the Visa Information System (VIS) should provide for codecision to ensure that Parliament is fully involved; - Parliament should be kept regularly informed about the VIS and the development of SIS II. ?

## The second generation Schengen information System SIS II

The European Parliament adopted a resolution based on the own-initiative report drafted by Carlos COELHO (EPP-ED, P) on the Schengen Information System. (Please see the summary dated 04/11/03.) The resolution was adopted by 354 votes in favour, 56 against and 28 abstentions. Parliament also recommended that: - each proposal for granting full or partial access to new authorities be thoroughly examined as regards the specific purpose for which those authorities need to access the SIS, which data they will be allowed to access, and how the access should take place (directly or indirectly). Special attention should be given to the position of private parties (e.g. in the case of vehicle registration); - the Council should ensure that the strategic management of the SIS and other large-scale IT-systems be entrusted to a European agency steered by a management board composed of representatives of the European institutions and Member States, and financed entirely from the EU budget and therefore subject to control by the European Parliament; - the Council should also decide as soon as possible on a definitive location for the central part of SIS II; - no task connected with running the SIS should be assigned to a private company.?