


# Procedure file

Basic information		
CNS - Consultation procedure Decision	<a href="#">2004/0029(CNS)</a>	Procedure completed
Visa information system VIS: establishment, information exchange between Member States		
Amended by <a href="#">2017/0351(COD)</a> Amended by <a href="#">2018/0152A(COD)</a>		
Subject 7.10.04 External borders crossing and controls, visas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Citizens' Freedoms and Rights, Justice and Home Affairs		17/03/2004
		PPE-DE <a href="#">COELHO Carlos</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets		09/03/2004
		PPE-DE <a href="#">NARANJO ESCOBAR Juan Andrés</a>	
Council of the European Union			
European Commission	Commission DG <a href="#">Justice and Consumers</a>	Commissioner	

Key events			
11/02/2004	Legislative proposal published	<a href="#">COM(2004)0099</a>	Summary
25/02/2004	Committee referral announced in Parliament		
06/04/2004	Vote in committee		
05/04/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0262/2004</a>	
20/04/2004	Results of vote in Parliament		
22/04/2004	Decision by Parliament	<a href="#">T5-0352/2004</a>	Summary
08/06/2004	Act adopted by Council after consultation of Parliament		
08/06/2004	End of procedure in Parliament		
15/06/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2004/0029(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Decision
	Amended by <a href="#">2017/0351(COD)</a> Amended by <a href="#">2018/0152A(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 066
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/20744

### Documentation gateway

Legislative proposal		<a href="#">COM(2004)0099</a>	12/02/2004	EC	Summary
Committee draft report		PE339.634	31/03/2004	EP	
Committee opinion	<b>BUDG</b>	PE338.100/DEF	05/04/2004	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0262/2004</a>	06/04/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0352/2004</a> <a href="#">OJ C 104 30.04.2004, p. 0742-0945 E</a>	22/04/2004	EP	Summary
Follow-up document		<a href="#">SEC(2005)0339</a>	04/03/2005	EC	Summary
Follow-up document		<a href="#">SEC(2006)0610</a>	10/05/2006	EC	Summary
Follow-up document		<a href="#">SEC(2007)0833</a>	14/06/2007	EC	Summary
Follow-up document		<a href="#">COM(2008)0714</a>	10/11/2008	EC	Summary
Follow-up document		<a href="#">COM(2009)0473</a>	15/09/2009	EC	Summary
Follow-up document		<a href="#">COM(2010)0588</a>	22/10/2010	EC	Summary
Follow-up document		<a href="#">COM(2011)0346</a>	14/06/2011	EC	Summary
Follow-up document		<a href="#">COM(2012)0376</a>	11/07/2012	EC	Summary
Follow-up document		<a href="#">COM(2013)0232</a>	25/04/2013	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Decision 2004/512</a> <a href="#">OJ L 213 15.06.2004, p. 0005-0007</a> Summary
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## Visa information system VIS: establishment, information exchange between Member States

**PURPOSE** : to allow the development of the VIS to take place by means of Community financing as of 2004. **PROPOSED ACT** : Council Decision. **CONTENT** : The development and establishment of the Visa Information System (VIS), which is defined by the Council as a system for the exchange of visa data between Member States, requires the elaboration of a comprehensive legal framework. Since a political orientation by the Council is still required for basic elements of the VIS, a fully-fledged proposal for a legal instrument concerning the establishment of the VIS will be presented at a later stage. Such a further legal instrument will define in particular the system and its operation, including the categories of data to be entered into the system, the purposes for which they are to be entered and the criteria for their entry, the rules concerning the content of VIS records, the rights of access for authorities to enter, update and consult the data and rules on the protection of personal data and its control. Ahead of that further legal instrument, this first proposal gives to the Commission the mandate to prepare the technical development of VIS and to provide the required legislative basis to allow for the inclusion in the Community budget of the

necessary appropriations for the technical development of VIS and the execution of that part of the budget. Furthermore the Commission will be assisted by the SIS II committee in accordance with the management procedures. It is appropriate to use that existing Committee in particular in view of synergies between the VIS and SIS II as well as of the general concern to rationalise the number of committees. The main points of the proposal are as follows: -a system for the exchange of visa data between Member States, to be known as "the Visa Information System" (VIS) will be established. The VIS will allow entry and up-dating of visa data and the consultation of the data electronically by authorised national authorities, which will be defined in the second legal instrument. -the VIS will be based on a centralised architecture. It will consist of a "Central Visa Information System" (CS-VIS), an interface in each Member State ("National Interface" - NI-VIS), which will provide the connection to the relevant central national authority of the respective Member State, and the communication infrastructure between the Central Visa Information System and the National Interfaces. - the Commission will develop the VIS as defined. The national infrastructures beyond the National Interfaces will be developed by the Member States. - the measures necessary for the development of VIS will be taken in accordance with the management procedure set out in Council Decision 1999/468/EC; -the measures are described in the draft decision. They include the design of the physical architecture of the system including its communication network; technical aspects of the use of the system, including the confidentiality, transmission, storage and deletion of information; technical aspects of the testing and deployment of the system; and technical aspects of the migration, integration and support. FINANCIAL IMPLICATIONS : Budget lines and headings: 18.08.03 Visa Information System Total allocation for action: EUR 30 million for commitment until 2006. Period of application: Undetermined duration: 2004-2006: Development costs 2007-2009 and subsequent years: Exploitation costs The amounts foreseen for the period 2004-2006 are compatible with the programming under the existing financial perspectives. The amounts related to 2007-2009 and subsequent years are indicative and subject to the programming under the new financial perspectives. Total staff: 8 Overall financial impact of human resources: EUR 734 000 - total expenditure for twelve months. Other administrative expenditure deriving from the action (meetings etc): EUR 881 000 total expenditure for twelve months. In 2004 only a quarter will be spend, with complete yearly expenditure from 2005 until 2009. The total impact on staff and administrative expenditure is therefore EUR 1 615 000. The duration being at least 5,25 years, the overall total amount on staff and administration is EUR 8 478 750.?

## Visa information system VIS: establishment, information exchange between Member States

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The European Parliament adopted the report by Carlos COELHO (EPP-ED, P) on the creation of a Visa Information System (VIS) which recommends that this proposal should be withdrawn. The proposal was referred back to the Citizens' Rights Committee. The European Parliament calls on the Commission to submit a new proposal. The Commission stated that it plans to table a proposal later in 2004 on the content of the VIS and Parliament will have power of co-decision in it. The Commission states that the financing for VIS needs to be sorted now in order for it to be eligible for funding from the 2004 EU budget. The Parliament disagrees, insisting that the two issues, funding and content, cannot be divorced.?

## Visa information system VIS: establishment, information exchange between Member States

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PURPOSE : to establish a system for the exchange of visa data between Member States, referred to as 'the Visa Information System' (VIS).

LEGISLATIVE ACT : Council Decision 2004/512/EC establishing the Visa Information System (VIS)

CONTENT : This Regulation establishes the VIS, a system for the exchange of visa data between Member States, which will enable authorized national authorities to enter and update visa data and to consult these data electronically.

The Visa Information System will be based on a centralised architecture and consist of a central information system (CS-VIS), an interface in each Member State (NI-VIS) which will provide the connection to the relevant central national authority of the respective Member State, and the communication infrastructure between the Central Visa Information System and the National Interfaces.

The Central Visa Information System, the National Interface in each Member State, and the communication infrastructure between the Central Visa Information System and the National Interfaces will be developed by the Commission. The national infrastructures will be adapted and/or developed by the Member States.

The committee assisting the Commission will meet, as necessary, in two distinct formations depending on the agenda.

The Commission will submit a yearly progress report to the European Parliament and the Council concerning the development of the Central Visa Information System, the National Interface in each Member State, and the communication infrastructure between the Central Visa Information System and the National Interfaces, and for the first time by the end of the year after signing the contract for the development of the VIS.

ENTRY INTO FORCE : 05.07.2004.

## Visa information system VIS: establishment, information exchange between Member States

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The Visa Information System will be a system for the exchange of visa data between Member States and thus primarily an instrument to support the common visa policy. It will also facilitate checks at the external borders and within the Member States, the application of the Dublin Regulation determining the Member State responsible for examining an asylum application, and the identification and return of illegal immigrants. The VIS shall be composed of a European central database, which will be connected to the national systems to enable consulates and other competent authorities of the Member States to enter and consult data on visa applications and the decisions taken thereon.

On 8 June 2004, the Council adopted a first legal instrument for the legal framework of the VIS , Council Decision 2004/512/EC establishing the Visa Information System (VIS). This instrument constitutes the required legal basis to allow for the inclusion in the budget of the European Communities of the necessary appropriations for the development of VIS and the execution of that part of the budget. It also defines the architecture of the VIS and gives the Commission the mandate to develop the VIS on the technical level, assisted by the SIS II committee, whereas the national systems shall be adapted and/or developed by the Member States.

Article 6 of the Council Decision states that the Commission will submit an annual progress report to the Council and the European Parliament

concerning the development of the Visa Information System by the end of every year, and for the first time by the end of 2004. This first Report aims at providing a description of the work carried out by Commission services during 2004 and to outline the next steps. The main activities carried out in 2004 included:

- the adoption of a proposal for a second legal instrument ? a Regulation of the EP and of the Council concerning the VIS and the exchange of data between Member States on short-stay visas;
- an Extended Impact Assessment on the VIS was carried out within the Commission services most concerned and presented to the EP and the Council as an Annex to the above-mentioned proposal.
- Financial activities: the legislative financial statement that accompanied the first legal instrument foresees a total of 30 million EUR for commitment up to 2006, for the development of step 1 of the VIS - processing of alphanumeric data and photographs.
- Commission project organisation ? a VIS Project Management Board was set up to involve interested Commission services on a regular basis and in a structured way on the progress of the VIS project.
- Contract for the technical design, development and deployment of SIS II and VIS was awarded.
- The SIS II Committee adopted the Commission services? proposal to create SIS and VIS working groups in which technical discussions on proposed draft implementing measures will take place.
- A risk analysis log is updated on a regular basis and discussed within the Project Management Board and the SIS II Committee.
- A SIS II/VIS connectivity study was commissioned in April 2004.
- Subject to a favourable opinion of the SIS II Committee, the s-TESTA network could be used for the VIS communication infrastructure.
- A call for tender was launched for the selection of a contractor to assist the Commission with the acceptance procedure and in-depth quality checks of SIS II/VIS project deliverables.
- National preparations in the Member States need to be monitored and coordinated by Commission services (formal meetings of the SIS II Committee, informal Member States Expert Meetings, etc.).

## Visa information system VIS: establishment, information exchange between Member States

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This is a progress report on work carried out by the Commission in 2005 on the development of the Visa Information System (VIS). It is the second report presented by the Commission in accordance with Article 6 of Council Decision 2004/512/EC on the development of the VIS.

Progress during the period under review:

- In 2005, the VIS project was in phase 1 of its establishment. Phase 1 refers to the ?detailed design? of the VIS , in which all documents needed from a technical point of view, must be delivered.
- The VIS will be situated in Strasbourg. During 2005 two significant outstanding technical difficulties remained regarding site preparations. They were the capacity of the air conditioning system and power supply to the site. The Commission hopes that, by the beginning of 2006, the problems identified will have been resolved.
- The s-Testa network has been identified as the best choice for developing the VIS network. A call for tender has been issued. The timing for the contract for services will not be possible due to difficulties in the award procedure.
- A new reporting mechanism has been devised whereby Member States now provide monthly updates on progress in their national projects within the SIS II Committee framework. In 2005 good progress was made by the Member States. The final, Commission assessment, on the sate of play is: eleven of the participating Member States will be ready on time. Of those eleven, seven will have little time to spare; four Member States will be in time for most of the key targets; four Member States will be able to meet half of the key targets; two Member States cannot meet the majority of the targets sets and four Member States will be unable to meet any of the key targets.
- The migration and integration plans were being finalised in 2005. It is hoped that they will be fully integrated some time in early 2006.

Results expected in December and January 2006:

- The development of the central system should have made significant progress and be nearing completion. Site preparations should be finished and the technical infrastructure installed. The contract for network services should be finalised in early 2006 and the required network connections should be at a more advanced stage. Member States should have made important progress on their respective national projects and be in the final stages of developing their national systems.

Conclusion:

2005 was marked by progress toward the completion of phase 1 deliverables and improved information exchange on the status of national preparations, issues and risks. Over the next reporting period the VIS project should shift one gear higher towards the development and deployment phases. A number of risks have, however, been identified which, should they materialise lead to delays.

## Visa information system VIS: establishment, information exchange between Member States

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This is a progress report on work carried out by the Commission in 2006 on the development of the Visa Information System (VIS). It is the third such report presented by the Commission to the Council and the European Parliament in accordance with Article 6 of Council Decision No 2004/512/EC on the development of the VIS.

Progress during the period under review:

- 2006 saw the conclusion of Phase 1 ?Detailed Design? of the VIS project and the beginning of Phase 2 ?Development, Testing and Deployment?.
- The ?Bio-metric Matching System? (BMS) call for tender was completed and a contract awarded to a consortium led by Accenture and SAGEM.

- It was not possible, in 2006, to complete development of the central system due to ongoing negotiations in the co-decision procedure on the VIS Regulation.
- The main development contractor produced the following: An Interface Control Document (ICD) which describes how Member States can connect to, and use, the VIS; three security deliverables (protection Profile, Security Plan and Risk Analysis); version 2.3 of the Training, helpdesk and Support Plan; the Migration and Integration Plan; and Detailed Specifications (DTS), that describe the technical and functional details of the central system.
- Various technical difficulties have prevented the Central Unit in Strasbourg from opening on time, which in turn has prevented VIS from becoming fully operational. Problems relate mostly to the air conditioning system and to an insufficiency in the power supply to the site. The installation of the VIS Central Unit is now expected to take place in late 2007. Works on the site in St Johan in Austria for hosting the Back-up Central Unit (BCU) were completed in November and covered the computer room adaptation for SIS II. The VIS BCU should be installed at around the same time as the Central Unit in Strasbourg in 2007.
- A contract for a wide area communications network between the National Interface in each Member State and the Central VIS was awarded in mid-2006 and signed in September. The specific contract is foreseen for mid-2007, with testing of the network being made by the third quarter. The s-Testra delay introduced a minimum nine-month delay into the VIS project.
- National progress varies between the Member States, with some being more advanced in their projects than others. A new reporting template on progress has been devised for the Member States with new target dates for key milestones. By the end of 2006 nearly two-third of the information that Member States need to report had not been forwarded to the Commission. Most of the Member States, however, report that they could be ready to meet the new target dates.
- Both the Belgian and the French administrations have begun work on rolling-out BIODEV, the purpose of which is to capture, store and verify bio-metric data from visa applicants. Initial findings on BIODEV were presented to the Member States in the course of 2006. Additional findings are to be announced in mid-2007.
- The project is currently within the original budget forecast. Budget commitment appropriations for VIS for the next reporting period, amounts to EUR 32 million, of which payment appropriations will be EUR 20 million.
- In 2006, five one-day combined National Project Manager and Working Group meetings; four one-day National Project Managers meetings and six one-day Working Group meetings were held. In addition, a seminar on VIS was held in July to present a project overview to future Schengen Member States: Switzerland, Romania and Bulgaria.

#### Conclusions:

- 2006 was marked by steady progress toward the successful completion of the design phase. Member State/EU communication remained excellent and relationships were strengthened within the working group meetings.
- In 2007, priority will be given to the central project and progress toward the development and deployment phases.
- The delay which has materialised (thanks in large part to the failure to adopt the VIS Regulation on time) will require a rescheduling of the entire project.

## Visa information system VIS: establishment, information exchange between Member States

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This is fourth progress report on the work carried out by the Commission in 2007 (January ? December 2007) on the development of the Visa Information System (VIS) in accordance with Article 6 of Council Decision No. 2004/512/EC establishing the Visa Information System (VIS). This decision provides that the Commission, assisted by the SIS II Committee, is responsible for developing the VIS, whereas the national systems shall be adapted and/or developed by the Member States.

To recall, the VIS Project is divided into three phases:

- Phase 1 (Detailed Design): this phase has delivered all the documents necessary to fully describe the VIS from a technical perspective.
- Phase 2 (Development, Testing and Deployment): this phase will develop and deploy the system.
- Phase 3 (Migration and Integration): during this phase Member States will connect their national systems to the VIS central database.

Legal framework for the VIS: in June 2007, political agreement was achieved between the European Parliament and the Council on the "VIS legislative package", consisting of the [Regulation](#) concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) and a third pillar Council [Decision](#). The regulation and decision constitute a single legislative package.

The VIS Regulation defines the purpose and functionalities of the VIS and the responsibilities for this system. It also establishes conditions and procedures for the exchange of data between Member States on applications for short-stay visas and on the decisions taken in relation thereto. The data to be processed in the VIS shall include alphanumeric data, photographs and fingerprints of the visa applicant, in order to ensure reliable verification and identification.

The VIS Decision concerns access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences.

The break-through achieved by the political agreement on the legal framework for the VIS provided the clarity needed to allow re-scheduling to go ahead.

Main progress made throughout 2007:

Rescheduling the VIS: the original VIS schedule indicated that the VIS would go live in March 2007, but with only 6 Member States, each connecting to at least one consulate, without biometrics. This was based on the assumption that the legal framework for the VIS would be adopted in the summer of 2006. The revised schedule was presented in September 2007, which into account all requirements of the legal basis. It states that the Central VIS is due to be ready for operations by the end of May 2009.

Development of the Central System: the target was to have the central system developed and tested by the end of 2006. This was not possible due to the fact that political agreement had not yet been reached at that time on the VIS Regulation. At the start of 2007, there was no clear indication of the likely timing for adoption. Pending the political agreement on the VIS Regulation, reached subsequently, in June 2007, the Commission services decided to pursue a pro-active approach, continuing development of the VIS on the basis of the current proposal.

Development of the Biometric Matching System: the original VIS development schedule specified that the inclusion of the biometric components of the system (the Biometric Matching System - BMS) would only take place after the implementation of the alphanumeric part of the system. However, on 24 February 2005, the JHA Council requested that the VIS become operational with biometric functionalities from the onset. Preparations for subsequent testing (including tools) are in progress. There will be various phases of tests both at central level and in collaboration with the Member States.

Network: the scope of the VIS project includes the provision of a wide area communications network (WAN) between the National Interface in each Member State and the Central VIS to allow the national and central systems to communicate. This network satisfies requirements for availability, security, geographical coverage and service level. The contract for the s-TESTA network was awarded in 2006 to a consortium comprising OBS (Orange Business Services) and HP (Hewlett-Packard). At the end of 2007, after agreement of the revised global schedule for VIS, the Commission services revised the scheduling of network delivery. The network contractor agreed to install the network for all Member States by 30 June 2008. The adoption of a Commission decision laying down the architecture and requirements of the National Interfaces and of the communication infrastructure between the Central VIS and the National Interfaces is scheduled for 2008.

Budget: commitment appropriations in the 2007 general budget amounted to EUR 32 million. The main components of expenditure during 2007 were site preparation, the network, preparation of biometrics (additional features), security audit, external assistance for project management, audit and evaluation, running costs for the development phase, studies and changes to the VIS (due to developments with the legal texts). 73.35% of the total VIS appropriations had been committed and 69.30% of payment appropriations had been paid by the end of the reporting period. The delay in agreement on the legal framework triggered a delay with certain commitments. These developments also subsequently impacted on the implementation of certain payment appropriations in 2007. Commitment appropriations of EUR 20 million have been secured for the next reporting period.

Conclusion: the report concludes that 2007 was characterised by the political agreement on the legal framework which allowed the rescheduling of the project and clarification of the development work needed for incorporation of the BMS into the VIS. The political agreement on the legal framework in mid-2007 enabled good progress to be made with development, building on the pro-active work carried out in the first half of the year on the basis of the previous versions of the legal proposals.

At the end of the reporting period, the project remained fully on track with the revised schedule finalised in September 2007.

With regard to financial matters, certain commitments were suspended in the first half of the year, pending the political agreement on the legal framework in June 2007. From that time onwards, efforts were made to move ahead as efficiently and effectively as possible with financial implementation. This resulted in positive year end figures for both commitments and payments. Communication with Member States remained excellent and relationships were strengthened within the working group meetings.

## Visa information system VIS: establishment, information exchange between Member States

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This is a report on the work carried out by the Commission in 2008 on the development of the Visa Information System (VIS). It is the fifth progress report presented by the Commission in accordance with Article 6 of Council Decision 2004/512/EC establishing the Visa Information System (VIS).

Main progress made throughout 2008:

Legal framework for the VIS: in June 2007, political agreement was achieved between the European Parliament and the JHA Council on the "VIS legislative package. The legal instruments were only formally adopted in June 2008, after two parliamentary reservations were lifted. The instruments are as follows: [Regulation \(EC\) 767/2008](#) concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) and a third pillar [Council Decision 2008/633/JHA](#) on the access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences.

Rescheduling the VIS: according to the revised schedule agreed in September 2007, taking into account all technical changes to be made to the central system resulting from the adoption of the legal basis, the Central VIS was due to be ready for operations in June 2009. Work towards this deadline continued throughout the reporting period and this schedule was strictly followed and nearly all milestones were achieved in accordance with the agreed plan. During discussions with Member States experts in the VIS National Project Managers and at the Change Management Board, Member States submitted a number of requests for changes that would impact the development of the VIS and BMS and require an update of technical specifications. In November, the CMB recommended implementing these changes before the VIS becomes operational and the SIS II Committee agreed this approach. Since the changes would impact the development of the VIS by six months as assessed by the Main Development Contractor, the recommendations of the CMB and SIS II Committee were forwarded to the "Friends of VIS" group for discussion and orientation. In their first meeting in December, the group confirmed the Member States' unanimous desire to implement these changes before VIS begins operations. During their last meeting in 2008, the COREPER asked the Commission to prepare a detailed updated schedule for the VIS, which would include the above-mentioned changes and move the date of operations to the end of 2009.

Development of the Central System: development of several iterations of main deliverables and many testing deliverables continued throughout the reporting period.

Development of the Biometric Matching System (BMS): after political agreement was achieved between the Council and European Parliament on the VIS Regulation and the related Decision, the Main Development Contractor conducted an analysis of the system development work needed to ensure that VIS is fully compatible with the legal framework and that it can interface with the BMS. The suspension of the BMS contract was lifted on 1 April, after which the BMS environment was connected to VIS in order to carry out the Factory Acceptance Test (FAT). Software kits for biometric functionalities were also immediately delivered to Member States. During the year, Member States received software kits for use in their fingerprint capture devices and made use of the BMS web portal for their national biometric implementation. In

2008 several visits were made by a number of invited groups to the BMS Showcase/ Demonstrator which simulates the use of VIS at consular posts and at border-crossing points. Member States delegations, Members of the European Parliament and Commission Vice- President Barrot with members of his Cabinet were shown the practical aspects and workflow of biometric visa applications in a mock-up setting. Draft implementing measures laying down the technical specifications for the resolution and use of fingerprints for biometric identification and verification complementing the minimum specifications set by Commission Decision 2006/648/EC were prepared in 2008. They are due to be discussed in the SISVIS Committee in 2009.

Network: the VIS Central Unit and Backup Central Unit were installed at both sites in Strasbourg (France) and St. Johann im Pongau (Austria) in February. The connection between the Central Unit and Backup Central Unit was made on 1 April, ahead of the expected contractual deadline. Installation of the hardware at both sites started as planned and was finalised at the end of July.

Network installation was launched in January 2008. All 48 site visits were completed by March and the delivery of circuits continued throughout the spring, although six sites were placed on hold at the request of Member States until the end of the year. The network installation was fully completed by the end of June as planned for all Member States' sites except for four main sites and five backup sites, mostly due to the lack of room readiness.

Testing: major preparations for testing Central VIS and for tests with Member States that will start in early 2009 took place during the reporting period. At the end of the reporting period, six operational systems test (OST) countries had basic connectivity and were preparing to perform application connectivity tests. Three OST Member States had successfully completed their Compliance Tests by the end of 2008. In parallel, the functional tests of the system solution tests (SST) had begun, followed by performance tests. Following the approval of the change requests, some of the testing phases will be rescheduled. A second iteration of the System Solution Tests (SST) will be carried out after the requested changes have been implemented, followed immediately by the OST and concluding with the provisional system acceptance Test (PSAT), with a view to declaring the VIS ready for operations in late December 2009.

Roll-out to consular posts and border crossing points: according to the draft amendment of the Common Consular Instructions, Member States shall collect biometric identifiers comprising the facial image and ten fingerprints from visa applicants at their consular posts. In preparation for rollout to consular posts, the pilot project for the capture, storage and verification of biometric data from visa applicants (BIODEV II) has continued to run throughout the reporting period and has in fact been extended until the end of March 2009.

According to the amended Schengen Borders Code, Member States should be ready to use the VIS at all external border crossing points for verifications against the VIS of all visa holders twenty days after VIS goes live in the first consular region. Council Conclusions under the UK Presidency defined that the first consular region shall be North Africa and that VIS rollout thereafter should be completed over the course of two years in determined regions, the order of which is to be determined in comitology.

Budget: the total commitment appropriations in the 2008 general budget amounted to EUR 20 million, of which EUR 2 million were put into the reserve. The main components of expenditure during 2008 were the preparation of additional features for biometrics, external assistance for project management and quality assurance, exploitation costs for the development phase, and changes to the VIS (due to developments with the legal texts and Member State change requests). 88.21% of the total VIS appropriations were committed and 95.13% of payment appropriations had been paid by the end of the reporting period.

Conclusion: the report concludes that 2008 was characterised by the implementation of the new schedule based on the analysis of the adopted legal framework and performance of the work needed to incorporate the Biometric Matching System (BMS) into the VIS. Finalising the technical specifications of the system and preparation of the testing deliverables comprised the bulk of the effort during the reporting period. Moreover, the Factory Acceptance Tests were carried out and accepted and preparations for compliance testing with Member States were underway. Cooperation with Member States at political level was also strengthened further through the establishment of the Friends of VIS.

In addition, the schedule for the VIS approved in 2007 was maintained at central level and could have been achieved if the unanimous request by Member States for the implementation of four changes had not emerged towards the end of the year. These changes have required an extension of the deadline for operations by six months. The report notes that all stakeholders are closely working together towards achieving this goal in 2009.

## Visa information system VIS: establishment, information exchange between Member States

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This report on the activities undertaken by the Commission in 2009 on the development of the Visa Information System (VIS) is the sixth of its type to be presented by the Commission to the Council and the European Parliament in accordance with Article 6 of Council Decision 2004/512/EC establishing the VIS.

Its main conclusions may be summarised as follows :

Main progress made in the period covered (2009):

- compliance testing: as regards compliance testing with Member States and development of most national systems, the VIS project progressed smoothly. By the end of 2009, compliance testing had been completed with 22 out of 25 current Schengen Associated States at a 100% success rate. Compliance tests remain to be executed only by a few Member States before the final testing phase in 2010. However, the tests related to VIS at central level in 2009 proved to be challenging. The technical development of the VIS and Biometric Matching System (BMS) entered the second of four testing phases in April 2009 ? the Systems Solutions Test (SST). The Main Development Contractor (MDC) failed to meet the exit criteria for the first attempt to carry out the test, which led to a second and third test campaign during the reporting period. The delay with the SST affected the start of the subsequent testing phases involving the Member States. In parallel, other factors also impacted the re-scheduling of the project, including a significant delay at national level for at least one Member State;
- timetable: due to the events described above, the December 2009 target date for start of operations of the VIS could therefore no longer hold. After a presentation to the "Friends of the VIS" and Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) in November 2009, the following new global schedule was presented to the JHA Council on 30 November 2009:
  - Start of Operational Systems Test (OST) - February 2010 ;
  - Provisional Systems Acceptance Test (PSAT) - September 2010 ;

- central system readiness test - October 2010 ;
- start of operations of VIS - December 2010;
- legal framework for the VIS: in 2009, the legal instruments required before the VIS begins operations, namely the amendments to the Schengen Borders Code and the Common Consular Instructions<sup>8</sup>, were adopted and published in February and May 2009, respectively. The use of the VIS should entail a systematic search in the VIS using the visa sticker number in combination with a verification of fingerprints. Several Commission Decisions related to the VIS were adopted under the comitology procedure during the reporting period. One outstanding legislative instrument concerning security in the VIS remains to be adopted in 2010;
- budget: the total available commitment appropriations for the VIS in 2009 amounted to ? 38.3 million. The main components of expenditure during 2009 were the preparation of additional features for biometrics, external assistance for project management and quality assurance, exploitation costs for the development and testing phases, and changes to the VIS (due mostly to Member State change requests). 74.65% of the total VIS appropriations were committed and 76.53% of payment appropriations had been paid by the end of the reporting period. The Commission notified the main contractor of the launch of penalties, as from 15 June 2009, due to its incapacity to run the SST successfully, on time, and within contractual obligations. The total amount of the penalties is to date ? 7.6 million;
- risk management: the methodology for managing risks in the project changed somewhat during the reporting period. At the end of 2009, the most critical risks identified were the following: i) failure to deliver VIS in time for technical, legal or contractual reasons and the possible reputational impact, ii) difficulties in resource and financial planning at central and national levels due to additional delays to the VIS start of operations, iii) the risk of not achieving the original performance requirements, and iv) lastly, the contractual impact of SIS II on the VIS. For all risks, mitigation actions are identified and the Commission, Member States, and the Main Development Contractor work closely together to limit the impact of these risks on the project. Despite the mitigation actions taken by the Commission, it was evident that the originally agreed performance level requirements would not be achieved by the Main Development Contractor; therefore, it was expected that the problems related to the Systems Solutions System would continue into 2010.

Conclusions: during the reporting period (January ? December 2009) four implementing measures for VIS were adopted by the Commission, including the Decision determining the first regions for the start of operations of the VIS. The year was characterised by intensive testing, during which the vast majority of Member States successfully completed their compliance tests, a precondition for entering the final test phase before VIS enters into operations. At central level, the technical development of the VIS entered the second of four testing phases in April 2009, the Systems Solutions Test. At this stage, the Main Development Contractor encountered a series of technical problems, both functional and non-functional, which relate to the performance of the system.

At national level, one Member State has reported significant contractual problems with the development of their national system. These problems will not allow this Member State to connect to the VIS before December 2010. A new global schedule was presented to the JHA Council in November 2009, which would lead to a planned go-live of the VIS in December 2010. All stakeholders in the project have reaffirmed their commitment to working closely together towards the entry into operation of VIS. In parallel, the Commission has informed the LIBE Committee of the European Parliament on a regular basis regarding the development and state of play of the VIS project and will continue to do so in the future.

## Visa information system VIS: establishment, information exchange between Member States

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In accordance with Council Decision 2004/512/EC establishing the Visa Information System (VIS), the Commission presents to the Council and the European Parliament the seventh progress report on the development of the VIS. The report covers the work carried out by the Commission between January and December 2010.

Its main conclusions may be summarised as follows:

Main progress in the period assessed (2010): the year was characterised by the successful completion of the second major testing phase of the central system (System Solutions Tests or SST) and the start of the third phase (the Operational System Tests or OST) involving seven Member States. At national level, most Member States have made significant progress with the development of their national systems throughout the year. At the end of the reporting period, all countries report that they will be ready to connect to the VIS by June 2011. Intensive monitoring will therefore continue in 2011 as well as "on-site" visits to consular posts in the first region of deployment to monitor the administrative preparations by Member States.

Following the successful completion of the SST, testing of the system with the involvement of Member States began in August 2010 and was still ongoing as of the end of the reporting period. Due to this shift in the planning of tests, the December 2010 target date for the start of operations of the VIS could no longer hold. A revised schedule leading to the start of operations in June 2011 was communicated to the JHA Council on 7 October 2010 and to the European Parliament.

Rescheduling the VIS: the late yet successful completion of the SST inevitably led the Commission and Member States to reassess the global project schedule. This exercise was carried out on the basis of a realistic assessment of both the ability of the Commission's contractor to deliver the central system and the readiness of Member States to prepare their national deployment at consulates and external borders. It also includes some margin in case new, unforeseen issues arise.

The following new global schedule was communicated to the JHA Council on 7 October 2010 and to the European Parliament;

- Operational System Tests (OST): 23 August 2010 ? 14 February 2011
- Provisional System Acceptance Tests (PSAT): 23 March 2011 ? 15 June 2011
- Central system readiness for operations: 24 June 2011.

At the end of the reporting period, the project is in line with the new global schedule.

Planning and budget: the total available commitment appropriations for the VIS in 2010 amounted to EUR 30.3 million. Due to the delays encountered during the SST, parts of the project activities originally planned for 2010 were postponed to 2011, resulting in a corresponding



shift of commitments: 63.06% of the total VIS appropriations were committed and 85.10% of payment appropriations had been paid by the end of the reporting period. A recovery order for the contractual penalties of EUR 7.6 million for the delays incurred by the SST in 2009 was issued in March 2010.

Risk Management: at the end of 2010, the most critical risks identified were the following: (i) delay in completing the Operational System Tests according to the revised schedule, (ii) Member States' preparations for their participation in the Provisional System Acceptance Tests, (iii) delays in some Member States with consular and border preparations for the start of operations and (iv) delays in Operational Management preparations.

For all risks, mitigation actions are identified and the Commission, Member States, and the Main Development Contractor work closely together to limit the impact of these risks on the overall project.

Member States' National Planning: apart from the availability of the central VIS, the key dependency for the system becoming operational is the progress of national projects. The state of progress varies between Member States, but all Member States consistently reported their progress as being on time to achieve the targeted milestones.

As regards compliance testing with Member States and development of most national systems, the VIS project made further progress during the reporting period. By the end of the reporting period, 23 out of 25 current Member States and Schengen countries had completed their compliance tests as initially planned.

Compliance tests remain to be executed only by a few participating countries which have been allocated slots for this purpose in the first part of 2011.

In order to assess the consular preparations in North Africa, which is the first region of deployment North Africa, a mission to Cairo took place in December 2010. The purpose of the mission was to obtain "on-site" information about the level of preparedness in Member State consulates, especially as regards their capacity to collect and transmit biometric data of visa applicants to the VIS. It appeared that technical training sessions and communication efforts need to be intensified. For this reason, missions of this type will be further organised in 2011 in other cities throughout North Africa.

The Commission has kept the LIBE Committee of the European Parliament informed on a regular basis regarding the development and state of play of the VIS project and will continue to do so in the future.

## Visa information system VIS: establishment, information exchange between Member States

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The Commission, in accordance with Article 6 of Council Decision 2004/512/EC establishing the Visa Information System, herewith submits to the Council and the European Parliament the eighth progress report on the development of the Visa Information System (VIS). The report covers the work carried out by the Commission in 2011.

The main conclusions may be summarised as follows:

Development and testing of the central system (2011): during the reporting period, two testing phases were successfully completed, the first of which involved seven participating countries and the second involved 16 of them (the same seven and nine additional ones). The two testing phases were completed later than originally scheduled, but still within the reporting period, due to re-runs of some tests that proved the stability and robustness of the system. In the end, both series of tests were determined to have met the contractual requirements.

The system actually started operations on 11 October 2011 in the visa-issuing consular posts of the Schengen states in North Africa (Algeria, Egypt, Libya, Mauritania, Morocco and Tunisia). In accordance with the amended Schengen Borders Code, 20 days after the start of operations, i.e. on 31 October 2011, Member States started checking all visas against VIS at least with the visa sticker number at all Schengen border-crossing points.

Development of the Biometric Matching System (BMS): the BMS became operational together with the VIS on 11 October 2011. The Final System Acceptance period of five months started on the following day. In the period between 11 October 2011 and 31 December 2011, the BMS stored a total of 170.138 fingerprint sets. A large majority of these fingerprints were submitted by France, Germany, Italy and Spain. Member States continued to use the software kits provided by the BMS contractor for their fingerprint capturing devices. Some Member States significantly improved fingerprint quality in the first months. The quality of fingerprints submitted by some Member States still needs improvement, though. Member States have also started verifying fingerprints at border crossing points, which is optional during a transitional period of three years in accordance with the Schengen Borders Code.

Handover of the central system to the French authorities (C.SIS): following the successful completion of all testing phases, the central system was gradually handed over to the French authorities in Strasbourg (C.SIS) over a threeweek period in September 2011. This process included various technical activities on the VIS and BMS.

During a transitional period before the Management Authority (the European Agency for the management of large-scale IT systems in the area of justice, freedom and security) takes up its responsibilities as from 1 December 2012, the Commission will be responsible for the daily operational management of the system. In line with the VIS Regulation, the Commission may entrust the operational management of the VIS to national public-sector bodies in two different Member States.

A contract has been concluded with the national authorities of France for the provision of services related to operational management. Contracts have also been concluded with France and Austria concerning infrastructure at the central site in Strasbourg and the back-up site at St Johann im Pongau respectively.

Start of operations of the VIS in regions other than North Africa: a number of Member States made use of the possibility to go ahead with the roll-out of the VIS in regions other than the first region, on the condition that they notify the Commission beforehand. The first three regions for the start of operations of the VIS are North Africa, the Near East and the Gulf Region. North Africa covers Algeria, Egypt, Libya, Mauritania, Morocco and Tunisia.

On 11 October 2011, all Member States successfully connected to the VIS in North Africa. Sweden was the first Member State with a registered transaction at 06.00 UTC. On the first day, minor technical issues at national level were solved almost immediately. Germany was the first country to issue a visa with fingerprints. As from 31 October 2011, Member States started checking the visa sticker number against the

VIS at their external border crossing points, as foreseen by the Schengen Borders Code. By the end of the reporting period, the VIS had successfully processed 299.648 visa applications, of which 229.124 resulted in Schengen visas issued, while 33.451 visas were refused. These figures concern the use of VIS in North Africa as well as in other parts of the world for the Member States.

In terms of impact on multiple visa applications by the same person, by the end of the reporting period 468 cases of potential visa shopping in which refused applicants lodged a new visa application - were detected in the VIS. One of these cases concerns five visa applications lodged by the same person in different consular posts. Two cases concern four applications and seven cases concern three applications. The remaining 458 cases contained two applications each. In one case, three different consular posts were involved over a period of four weeks and were able to link the applications together.

Planning and budget: the total available commitment appropriations for the VIS in 2011 amounted to EUR 31.2 million of which 95.06 % were used. Due to the reduced test support services and the shift of the payments linked to the final system acceptance to 2012, only 79.49 % of the payment commitments were used.

Risk management: the methodology for risk management remained unchanged during the reporting period. Each month the Commission identified the most important risks in the project (at central and national level) and presented them to Member States at the monthly VIS National Project Managers' meetings. In this task, the Commission was assisted by its Quality Assurance contractor.

As in 2011, risks were also discussed in the context of the Friends of the VIS. The Commission worked together with the two Member States holding the Presidency of the Justice and Home Affairs Council formation to assess the main risks and to categorise them according to their impact on the project. Actions were identified for each risk in order to mitigate them. The Commission maintained a high-level register and followed up the implementation of actions.

At the end of 2011, the most critical risks identified were the following: a) system capacity being consumed quicker than foreseen due to Member States rolling out to other regions ahead of the planned gradual rollout; b) handover of the central VIS from the C.SIS to the EU Agency responsible for the management of IT systems, and c) fingerprint quality during operations. For all risks, mitigation actions are identified and the Commission, Member States, and the Main Development Contractor work closely together to limit the impact of these risks on the overall project.

To conclude, the year was characterised by the successful start of operations of the system in North Africa on 11 October 2011 with all participating countries. The VIS has been running smoothly since its start of operations and all available statistics demonstrate that Member States are making full use of the system. The VIS has also proven its usefulness in detecting multiple visa applications by a single person at two or more consulates. The Commission has informed the LIBE Committee of the European Parliament on a regular basis regarding the development and state of play of the VIS project and will continue to do so in the future.

## Visa information system VIS: establishment, information exchange between Member States

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In accordance with Article 6 of Council Decision 2004/512/EC establishing the Visa Information System, the Commission has prepared this ninth and final report on the development of the Visa Information System (VIS).

The report covers the work carried out by the Commission between January and December 2012. The following is a summary of the progress made during the period under review:

1. Final System Acceptance: the Final System Acceptance (FSA) is a milestone foreseen in the contract signed in 2005 between the Hewlett-Packard Steria (HPS) consortium and the Commission. The FSA is agreed when the contractor is considered to have completed the development of the system and is released from its contractual obligations in the project development. This was granted, as per the contract, after five consecutive months of operations without incident, in August 2012. This important step marks the end of the development of the system in the sense of Council Decision 2004/512/EC and therefore the end of the yearly progress reports referred to in its Article 6.

2. Regional roll-out: during the reporting period, the VIS was successfully deployed in two more geographical regions, the Near East and the Gulf region. For both regions, all Member States notified the Commission of their readiness to connect to the system in due time. The successful and incident-free deployment of VIS in these regions covering 14 countries indicates that the system has matured to a very satisfactory level and that it can sustain operations in subsequent regions.

3. VIS Mail Communication Mechanism: the VIS Mail Communication Mechanism allows for the transmission of messages between Member States using the VIS network infrastructure. During the reporting period, work was focused on preparing the so-called Phase 2 of the VIS Mail, which will replace the Schengen consultation network (VISION system, under Council management) once the worldwide deployment of the VIS is completed. Phase 2 will add new categories of messages already exchanged under Phase 1, which is operational from 11 October 2011. In 2012, the technical specifications were stabilised and the tests to be run in 2013 were defined. Before the VIS Mail Phase 2 file was handed over to eu-LISA ([the EU Agency for large-scale IT systems](#)), the test plan and the test detailed descriptions were approved by the Member States.

4. Development of the Biometric Matching System (BMS): the Biometric Matching System (BMS) became operational together with the VIS, on 11 October 2011. The BMS, which provides fingerprint matching services to the VIS, was granted Final System Acceptance in March 2012 after 5 months of operations without incident. During the reporting period, BMS has seen the quality of fingerprints steadily increase, stabilising to an overall Failure To Enrol (FTE) rate of around 4%. At the beginning of 2012, the overall FTE was still around 16%. Member States continued to use the software kits provided by the BMS contractor for their fingerprint capturing devices. The majority of fingerprints were submitted by France, Germany, Italy and Spain. A number of participating countries (Belgium, France, Germany, Italy, Latvia, The Netherlands, Poland, and Switzerland) have also started verifying fingerprints at border crossing points. Member States have not opted to reduce this transitional period to one year for air borders. Switzerland and Sweden have started searching VIS/BMS with fingerprints from asylum seekers.

5. Contract for the Maintenance of the VIS under Working Order and Evolutive Maintenance (MWO/EM): to cater for the technical maintenance of the VIS under working conditions and to improve the performance of the system over time, taking into account the increasing amount of data that will be inserted in the VIS in the coming years, the Commission launched a call for tender for the "Maintenance in Working Order (MWO) and the Evolutive Maintenance (EM)" of VIS in July 2011. The contract was awarded in August 2012 and the contractor had fully taken over VIS from the incumbent contractor by the end of the reporting period.

6. Handover to the EU IT Agency eu-LISA: eu-LISA took over the operational responsibility of VIS from the Commission on 1 December 2012. During a transitional phase, a service contract between the European Commission and France allows the French authorities in Strasbourg (C.SIS) to assist with the operation of the VIS while eu-LISA gradually takes over. The Commission was heavily involved in the handover of both the VIS and BMS projects to eu-LISA at the end of the reporting period in terms of training and shadowing.

7. Statistics: as of 22 November 2012, the VIS had successfully processed close to 1.9 million visa applications, of which 1.5 million resulted in Schengen visas issued, while close to 235 000 visas were refused. The central system had dealt with almost forty million operations received from consulates around the world and border crossing points. These figures concern the use of VIS in the three regions where the system has been rolled out, plus the consulates where Member States have started using the VIS ahead of a pre-determined date. The production of statistical data has since been transferred to eu-LISA.