



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 June 2007

10586/07

**SIRIS 106
COMIX 543**

"A" ITEM NOTE

from : Presidency
to : Council

N° prev. doc.: 10227/07 SIRIS 98 COMIX 513

Subject : Council conclusions on the SIS

1. The current German Presidency and the incoming Portuguese Presidency jointly drafted the Council conclusions on the SIS annexed below.
2. On 6 June 2007, the Mixed Committee at the level of Senior Officials confirmed its agreement on these conclusions as set out in 10227/07 SIRIS 98 COMIX 513 and invited the Council to adopt it as an "A" item .

COUNCIL CONCLUSIONS ON SIS

The Council of the European Union

1. *recalls* its conclusions of 5 December 2006 on SIS II, SIS 1+ and on the enlargement of the Schengen area¹;

With respect to the full application of the Schengen acquis in the concerned² Member States which joined the EU in 2004

2. *refers* to the interim report of the German Presidency of the Council of the EU³ on the state of preparedness of those Member States for implementing the provisions of the Schengen acquis, the results of the evaluations of the non-SIS-related aspects, and the follow-up measures undertaken with the purpose of establishing, on the basis of a comprehensive evaluation procedure, whether those Member States fulfil all the preconditions for the practical application of the relevant parts of the Schengen acquis;
3. *refers* to its Decision on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic⁴;
4. *requests* that the incoming Portuguese Presidency implement the timetable⁵ for the SIS-related evaluation visits, with a view to taking, by November 2007, the decisions referred to in Article 3(2) of the 2003 Act of Accession⁶ of the Member States concerned, allowing the lifting of internal border controls at land and sea borders as of the end of December 2007 and at air borders by March 2008 at the latest, provided all other requirements have been met;

¹ 16391/1/06 REV 1 JAI 678 SCH-EVAL 195 SIRIS 223 SIS-TECH 139 COMIX 1042.

² CZ, EE, HU, LT, LV, MT, PL, SI and SK.

³ 9681/1/07 REV 1 SCH-EVAL 100 COMIX 476.

⁴ 9201/07 SCH-EVAL 91 SIRIS 84 COMIX 447.

⁵ 5360/4/07 REV 4 SCH-EVAL 11 COMIX 45 SIRIS 75.

⁶ OJ L 236, 23.9.2003, p. 33.

5. *encourages* the Member States concerned to continue their endeavours to meet all requirements for the lifting of controls at internal borders and to be prepared for the necessary evaluation visits in accordance with the timetable referred to in paragraph 4;

With respect to the participation of those⁷ Member States in the Schengen Information System

On SISone4ALL

6. *notes* the progress made on the project launched on the basis of Portugal's proposal ("SISone4ALL"⁸) to extend the current SIS 1+ to include CZ, EE, HU, LT, LV, MT, PL, SI and SK, and *notes* that the project is in line with the time schedule and cost plans⁹;
7. *notes* that France is completing the technical adjustments within the C.SIS in close coordination with Portugal;
8. *notes* that the integration of the Member States concerned into SIS 1+ must be accomplished by the end of August 2007 at the latest in order to allow the Schengen evaluation of SIS-related aspects to begin in mid-September 2007;
9. *is aware* that for this purpose real data must be loaded onto the technical systems and functional SIRENE tests must be carried out in August 2007, and *requests* all Schengen States to provide the resources needed for this purpose;
10. *refers* to the fact that available Schengen alerts of the Member States concerned will be loaded onto the SIS 1+ as of 1 September 2007 and that the relevant timetable¹⁰ must be observed for this purpose;
11. *notes* the estimates for future search and hit data¹¹, taking into account the different types of results produced by automated search systems, and *encourages* all Member States concerned to take the necessary steps to prepare their SIRENE Bureaux and VISION applications for the forthcoming changes;

⁷ CZ, EE, HU, LT, LV, MT, PL, SI and SK.

⁸ See 13540/06 SIS-TECH 101 COMIX 799.

⁹ See 10226/07 SIRIS 97 SIS-TECH 86 SCHENGEN 109 COMIX 512 and 5013/8/07 REV 8 SIS-TECH 2 SIRIS 3 COMIX 3.

¹⁰ See 9054/07 SIS-TECH 71 COMIX 429, point 2.2.

¹¹ 17098/06 SIRIS 234 COMIX 1082.

On SIS II

12. *reaffirms* that the development of SIS II continues to take priority;
13. *insists* on the need to keep to the timetable submitted by the Commission according to which the SIS II will be ready for operations on 17 December 2008;
14. *takes note* that, according to the Commission's SIS II Global Project Status Report on 21 May 2007, the project is in line with the time schedule;
15. *notes* that given the experience of the Member States in using automated fingerprint systems (AFIS) the availability and operational readiness of this technology can be determined, and invites the Commission to draw up as soon as practicable the report referred to in Articles 22(c) of EC Regulation¹² and Council Decision on SIS II¹³ to implement this functionality after the start of operation of the SIS II;
16. *invites* the Commission to report regularly, at least at each JHA Council, on the progress of the SIS II project;

On data communication networks

17. *takes note* of the report by the General Secretariat of the Council¹⁴ on the invitation to tender and of the presentation by the Commission of a report on the use of s-TESTA for SIS 1+, including draft legal instruments and *recalls* that the Council will assess progress made on the basis of reports by the General Secretariat of the Council and the Commission by November 2007 at the latest¹⁵;
18. *notes* that the SISNET communication infrastructure set up for the integration of the new Member States will also be used for VISION;
19. *instructs* all the relevant Council bodies to follow closely the SISone4ALL, VISION and SISNET projects;
20. *invites* the Presidency to report regularly, at least at each JHA Council, on progress relating these matters.

¹² OJ L 381, 28.12.2006, p. 4.

¹³ 14914/06 SIRIS 193 SCHENGEN 98 EUROPOL 94 EUROJUST 51 COMIX 931 OC 865.

¹⁴ 10344/07 CATS 68 SIRIS 101 COMIX 527.

¹⁵ See 5794/1/07 REV 1 SIRIS 19 VISA 33 COMIX 105