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NOTE

from : the Czech and the incoming Swedish Presidencies
to: Article 36 Committee/Mixed Committee (EU/Iceland, Norway and Switzerland/
Liechtenstein)

Subject : The enhanced management principles for SIS II

In the light of the discussion on the draft Council conclusions on SIS II to be adopted at the JHA Council of 4 – 5 June 2009 and in particular par. 12 (c) (9787/09 CATS 49 SIRIS 66 COMIX 390) thereof referring to the enhanced management, the Czech and the incoming Swedish Presidencies herewith submit an explanatory paper which aims at complementing the draft conclusions and providing more in-depth information about the enhanced management structure governing the SIS II project.

This revision of the document takes into account comments given at the Article 36 Committee on the 25th of May 2009. With this document as a base, further steps will be taken by the incoming Swedish Presidency to clarify the mandates of all actors involved in the management structure, as described in the governance scheme and to evaluate the possibility to streamline the management even beyond the suggestion made in this document, taking into account suggestions from Member States and the Commission.

THE ENHANCED MANAGEMENT PRINCIPLES FOR SIS II

1. Introduction

A major strategic decision on the future of the SIS II project is to be taken at the upcoming JHA Council on 4-5 June 2009, when ministers are to decide whether there should be a continuation of the current SIS II project or if the SIS II should be realised through the development of the SIS 1+ solution (hereinafter referred to as the SIS 1+ RE solution). This decision will have a major impact on both the central and national levels of the project. It will possibly also have an impact on the perception of the capacity of the EU to finalize complex and cross border technical projects.

In order to give the ministers the best possible basis for an informed decision, Sweden strongly supports the orientation provided by the Council Conclusions of 26 - 27 February 2009 (6896/09 JAI 109 SIRIS 31 COMIX 173) and the emphasised need of a comprehensive report providing ministers with a clear picture of the alternatives. Sweden appreciates the efforts put into the drafting by the Presidency, the Commission and other participating Member States. The outcome of the report should allow ministers to take a clear stand on the future of the SIS II project. There is an urgent need to give all stakeholders the opportunity to start to focus on the main task, i.e. the finalization of the project.

Furthermore, Sweden wishes to take this opportunity to underline, as the incoming Presidency, our ambition to make a substantial contribution to the SIS II project and to immediately start the implementation of the decisions taken by ministers at the JHA Council in June 2009.

The idea of this explanatory memorandum is to complement the part of the draft Council conclusion referring to enhanced management and to provide more in-depth information about how the SIS II project management should be further developed. Without prejudice to the decision to be taken at the June 2009 Council, the Swedish delegation would like to highlight the ongoing efforts from the current and incoming presidencies, together with the Commission, in order to enhance the management of the current project.

2. Enhanced management

The Swedish delegation has identified the project management structure as a key issue to be addressed in order to reinforce the current SIS II project, meet the upcoming challenges and to enhance credibility for all stakeholders. A strengthened project management will be a tool to better control the planning in terms of results, timeline and quality. As the project moves into a phase in which the increased and concrete Member States involvement is becoming ever more crucial, there is also a need to make a visible change in the way the project is managed in order to get full commitment from the Member States for the remaining phases.

At the same time it has to be recognized, that the introduction of the Global Programme Management Board (GPMB) – in accordance with the February Council conclusions (6896/09 JAI 109 SIRIS 31 COMIX 173) – has contributed in a very positive way to the management model. Nevertheless, further improvements can be made both to secure the positive momentum of GPMB and to strengthen the management even more.

For this reason, the incoming Swedish Presidency has worked closely together with the Presidency and the Commission in order to define an approach that would guarantee a substantial change in management, while respecting the internal rules of the Commission. Because confidence in the project has seriously eroded due to the delays and problems encountered, it is the opinion of several Member States, that the implementation of a changed management-structure could significantly restore the confidence of all stakeholders in the project and their capacity to handle technical challenges effectively.

2.1 Objectives

- An effective and efficient project management, reflecting and respecting ICT standards
- Concentrate the project management on practical implementation
- Ensure increased Member States involvement and insight into all parts of the project
- Make a clearer distinction between governance and management level, thus creating a management with a clearer focus on technical development and minimising the need for line organisation involvement in project activities
- Create optimal trust and confidence in the project/programme
- Secure the planning and the defined deliverables

2.2 Programme assignment and scope

Even though there are documents defining various aspect of the SIS II project, due to the many and complex changes that have occurred in the course of the project, the orientations given by the June 2009 JHA Council and the corresponding need for contractual amendments, there is a need to take stock of all project activities and to redefine the boundaries of the project in order to organise the work in an efficient way. This includes a clear definition and documentation of the project in terms of objectives and scope, the basis of which can be found in the existing legal basis, contracts, global schedule, etc.

Such documentation should, for example¹, define:

- Deliverables
- Time constraints
- Budget frame
- Resource management
- Quality (e.g. requirements to fulfil, functions, etc).
- Reporting and follow up processes

The documentation will also define the project baseline documents that are to be produced during the project life cycle. These are for instance the updated project plan and schedule, status reports, risk lists, action lists, etc. The baseline documents shall cover all the communication needs from the project to all stakeholders (e.g. SISVIS Committee, the Member States).

2.3 Programme management

The programme is coordinated/steered by GPMB, jointly chaired by representatives from the Commission and the Member States (the Presidency). The role of these is to support the programme and not to represent any line organisation or the Member States.

The Commission's project manager reports to the GPMB. The Presidency also reports on behalf of the Member States' projects.

¹ Standard Project methodologies will be used. The exact definition of all baseline documentation will be in accordance with the method. This text gives examples only.

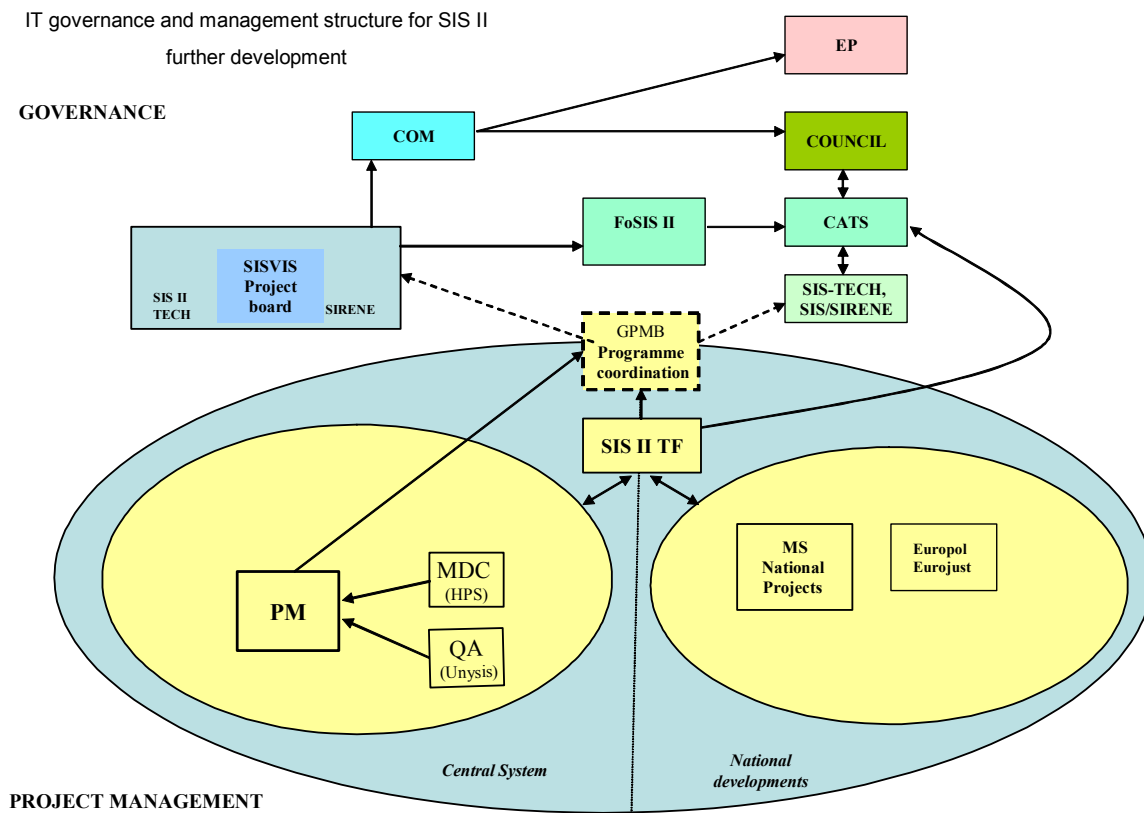
Without prejudice to the legal and institutional framework governing the development of the project and in compliance with the respective legally defined competencies of all stakeholders involved in the project, issues within the scope of the programme are dealt with by GPMB.

Only issues that go beyond the scope (e.g. major delays, extra funding, changes or problems to fulfil the overall requirements) are escalated to the governance structures of the Commission and/or the Council.

2.4 Financing MS participation

The management model requires a high grade and long term participation of the Member States expert in the GBMP. These efforts are necessary to give the work of GPMB credibility both towards MS and the governance level of the Commission. The financial commitment of such efforts should not be born solely by the participating countries. MS experts should to a high extent be reimbursed by the Community budget. The Commission should make the necessary arrangement to achieve this.

2.5 Programme governance scheme



3. Benefits/changes

The overall objective with the above changes is to create a management structure within the Commission with reduced constraints following the formal decision making procedures.

The role of the governance level is basically to decide mandate and budget for the programme management organisation. The management organisation could focus on the technical development within already given frames. All information regarding the project must be available to the GPMB, as a part of the project management (100% transparency – e.g. including contracts). The principle of transparency is a key ingredient for creating trust in the future of the project and therefore, in principle, all information should also be forwarded to all other stakeholders when legally possible.

The experts participating in the GPMB will also be involved in the ongoing processes, for instance with the contractor, in between the GPMB weekly meetings. All other stakeholders will be continuously and promptly informed on important issues either via reports or in the appropriate meetings. It is also for the GPMB to make sure that necessary input from stakeholders on specific issues is available and considered.

The Project Manager on the Commission part of the project should be the single point of contact for the contractor and as far as possible also to the MS coordinating bodies (e.g. to the Presidency and the SIS II Task Force).

Within the boundaries of its mandate, the SIS II Task Force continues to support the whole programme by monitoring and helping the Member States' with their national projects and the national projects dependencies to the central project, giving recommendations to the GPMB while continuously reviewing the status of the project and reporting on it to the Council.

The Commission and the Member States are invited to accept this explanatory memorandum as the base for the further work enhancing the programme management and implementation of Article 12 c in the Council Conclusions.