

The Council adopted the following conclusions regarding the development of the second generation of the Schengen Information System (SIS II): (JHA Council, February 2008)

"The Council of the European Union:

1. Recalling the Conclusions of the Council on 12 and 13 June 2007 especially on SIS II
2. Reaffirms the absolute priority to be given to the SIS II which will introduce new technologies and provide added functionalities and takes note of the SIS II provisional schedule presented by the Commission. This schedule will allow that by the end of 2008 the central elements of SIS II, its communication infrastructure and the interface with national systems will function and will have been tested by the Commission and the Member States
3. Calls upon the Member States concerned and the Commission to work with a view to the setting-up of SIS II including the central system, the communication infrastructure, all testing activities and the migration from SIS 1+ to SIS II by September 2009 at the latest. Provided that all Member States have migrated from SIS 1+ to SIS II, the Council will decide on the start of operations of SIS II and therefore the termination of SIS 1+, in accordance with the relevant provisions of the instruments on the establishment, operation and use of the SIS II.
4. Confirms the need to implement a migration approach from SIS 1+ to SIS II that provides a fall-back possibility with a gradual migration to remedy unexpected problems and to this end invites the Commission to provide a converter, to be used for a very limited period of time, linking SIS 1+ and SIS II to ensure that the SIS can continue functioning in any scenario. The Commission is invited to take full account of the needs of the SIS II integrating States.

5. Invites the Commission to present without delay the legal proposals to allow for the inclusion in the budget of the European Union all activities in 2009 for the SIS II, including, if necessary, also further development activities and to govern the SIS II activities foreseen up to the start of its operations.

6. Takes note that France has a specific responsibility, which requires a particular effort in order to allow, on the one hand, the effective functioning of SIS 1+ and on the other, to provide the logistical management for SIS II while guaranteeing the activities necessary for the Visa Information System. In this context, the completion of the detailed schedule further depends, in particular, on the capacity to operate the Central SIS II during the final SIS II tests and the migration from SIS 1+ to SIS II.

7. Encourages solidarity and partnership mechanisms among Member States, in view of the timely completion of the SIS II project, and invites them to present a solution for sharing the costs of the SIS II Task Force back office by the Council in April 2008.

8. Welcomes in this respect the Presidency's proposal to implement an additional mechanism, supporting the SIS II development in the Member States until the start of operations, based on the following elements:

– The "Friends of SIS II", a group of ministers, will follow the implementation of SIS II in the Member States. The group will be chaired by the Presidency and composed of ministers from Germany, Portugal, Slovenia, France, Czech Republic, Sweden, Italy, Austria, the Netherlands, Finland, Spain, Poland as well as from Norway. The Commission will participate in the work of the group.

– Each minister participating in the "Friends of SIS II" and the Commission will nominate one representative to the Friends of SIS II group at senior officials' level; this group is mandated to follow the preparation of Member States for

the final migration and to maintain relations with all project stakeholders as a link between expert and ministerial levels.

– The "Friends of SIS II" look forward to getting information on the state of the project from the SIS II Task Force. The role and tasks of the SIS II Task Force remain the same. The rapporteur of the SIS II Task Force is invited, when necessary, to participate in the meetings of the "Friends of SIS II" group at senior officials' level.

– Mutual information exchange between all stakeholders on the status of development of the system at central as well as at national levels must be ensured.

– The Commission shall continue to closely cooperate with Member States, in particular in the testing phase, in order to facilitate transparent communication and the intensive collaboration needed for a smooth migration and a successful completion of all preparations necessary for the start of operations of the SIS II.

9. At each Council/Mixed Committee at ministerial level and CATS/Mixed Committee, comprehensive reports will be given by the Presidency and the Commission on the development of the SIS II project.

10. Invites the Presidency to report to the Council in April 2008 on open questions related to the detailed SIS II schedule, on the basis of a report prepared by the "Friends of SIS II".

11. Calls upon the European Commission to present an updated, complete and detailed SIS II schedule to the Council in June 2008."