

# Screening Schengen Information System

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# SIS Legal Framework

- **SIS I +: (not relevant for CC)**
  - **Articles 92-119 of the SC**
    - **Decisions and declarations of the Executive Committee**
      - E.g. Financial Regulations (Schengen budget)
  - **Amendments to the SC**
    - **Decision and Regulation on new functions of the SIS (fight against terrorism)**
    - **Access for vehicle registration authorities**
- **SIS II:**
  - **Instruments for the “development” of the SIS II**
  - **Legal basis for the establishment, operations and use of the SIS II**
    - **Deadline for adoption mid 2006**

# Purpose of the SIS and context

- **Purpose of the SIS**

- **Indispensable component of the Schengen Area for:**

- **applying the provisions on movement of persons**
    - **ensuring high level of security in this area**

- **Intrinsically linked to the implementation of the Schengen Acquis !**

# Six classic categories of alerts

- **Persons wanted for extradition**
- **Aliens for whom entry was refused**
- **Missing persons + persons placed under police protection**
- **Witnesses, + persons summoned to appear before judicial authorities**
- **Persons / objects for specific checks or discrete surveillance**
- **Objects (stolen vehicles, firearms, documents, banknotes)**

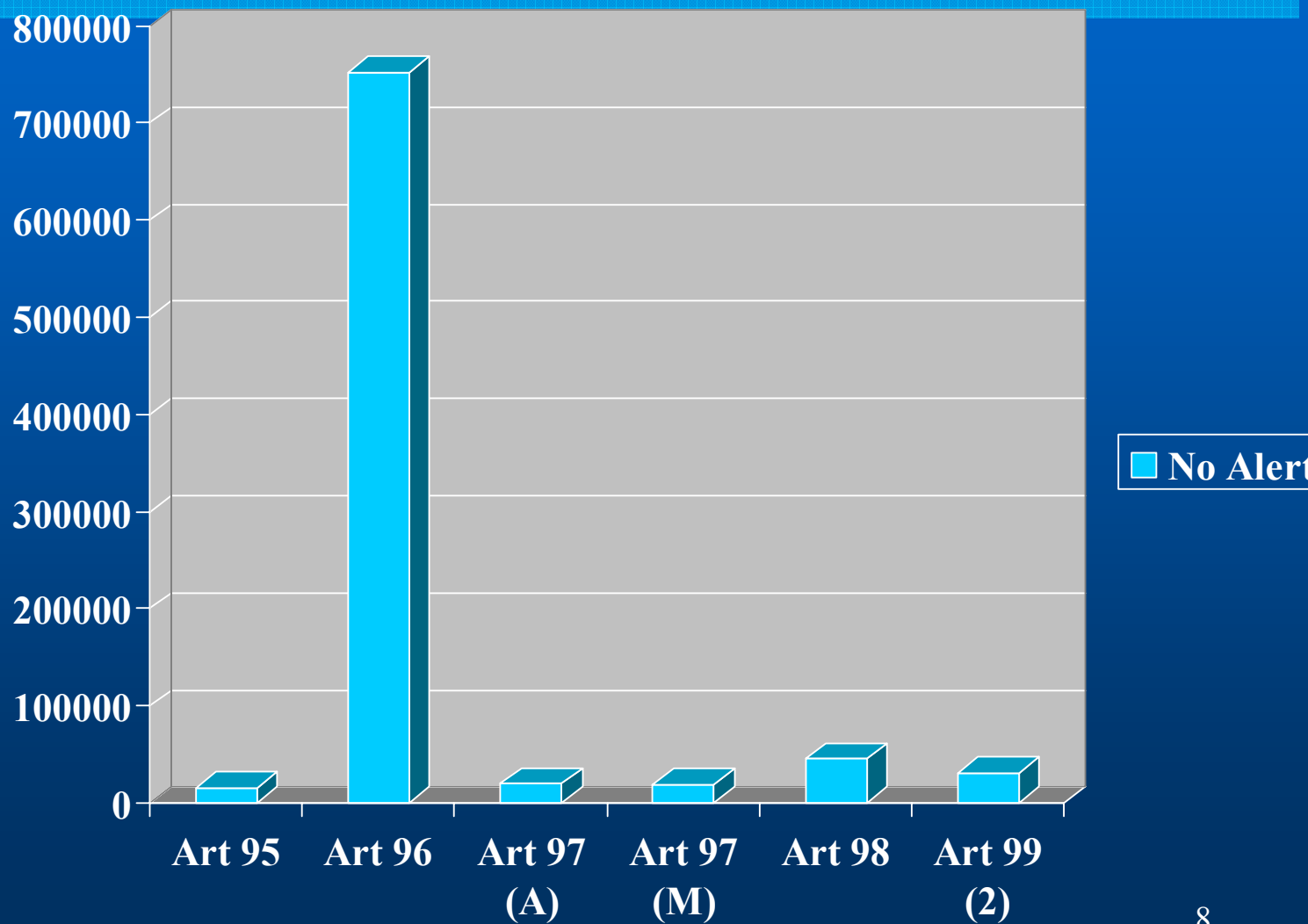
# Alerts for the purpose of refusing entry

- **Grounds for issuing the alert**
  - Threat to public policy or security
  - Immigration (expulsion/removal)
- **Access**
  - Authorities responsible for external borders controls and issuing visas
  - Authorities responsible for immigration control and for issuing residence permits

# Alerts on persons wanted for arrest extradition

- Judge issues a European Arrest Warrant (EAW) or international arrest warrant
- Supplementary information exchanged via the SIRENE Bureaux
- Possibility of not executing the arrest (flagging)

# Breakdown of alerts by categories of wanted persons in SIS I



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# Categories of Data - WP alerts

## - SIS I

- Surname(s) and forename(s) ...;
- Any specific objective physical characteristics not subject to frequent change;
- Date and place of birth;
- Sex;
- Nationality;
- Whether the person concerned is armed or violent
- Reason for the alert
- Action to be taken

## - SIS II new data fields:

- Photographs
- Fingerprints
- Links

# Categories of data - Alerts on objects

- motor vehicles with a cylinder capacity exceeding 50 cc which have been stolen, misappropriated or lost;
- trailers and caravans with an unladen weight exceeding 750 kg which have been stolen, misappropriated or lost;
- firearms which have been stolen, misappropriated or lost;
- blank official documents which have been stolen, misappropriated or lost;
- issued identity papers (passports, identity cards, driving licences) which have been stolen, misappropriated or lost;
- banknotes (suspect notes).

# New functions SIS I that will be taken over by SIS II

- **New access rights**
  - National judicial authorities (criminal proceedings and judicial inquiries)
  - Eurojust
  - Europol
  - Vehicle registration authorities (Title V TEC Regulation)
- **Enlarge/update the list of data in the alerts on objects and WP**
  - Residence permits and travel documents
  - Vehicle registration certificates and vehicle number plates
  - Updated list of data in WP records

# Data protection and security rules

- **SIS I legal regime: Articles 102-118 + Convention CoE No 108**
  - Right to access, correct, delete the data (via a judicial or data protection remedy)
  - Purpose limitation (art 102)
  - Logging of the processing
  - Data ownership principle
  - Maximum conservation period
  - Security and confidentiality rules
  - Liability and sanctions
  - National and Joint Supervision (JSA)
- **SIS II: rules under discussion**

# SIS II: Development

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Working in  
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# Mandate to the Commission to develop SIS II

- **Council Regulation and Decision 2001**
  - 1<sup>st</sup> and 3<sup>rd</sup> pillar instruments
- **Comitology procedure**
- **Funded with the EU Budget**
- **Public procurement**
  - Contract with HP and Steria in October 2004 (approx. value € 40 millions)
- **Deadline for start of operations: March 2007**

# SIS II Users



## Current Users of SIS I

- |         |                    |                           |
|---------|--------------------|---------------------------|
| Austria | Germany            | Luxemburg                 |
| Belgium | Greece             | Norway                    |
| Denmark | Iceland            | Portugal                  |
| Finland | <i>Ireland (*)</i> | Spain                     |
| France  | Italy              | Sweden                    |
|         |                    | The Netherlands           |
|         |                    | <i>United Kingdom (*)</i> |

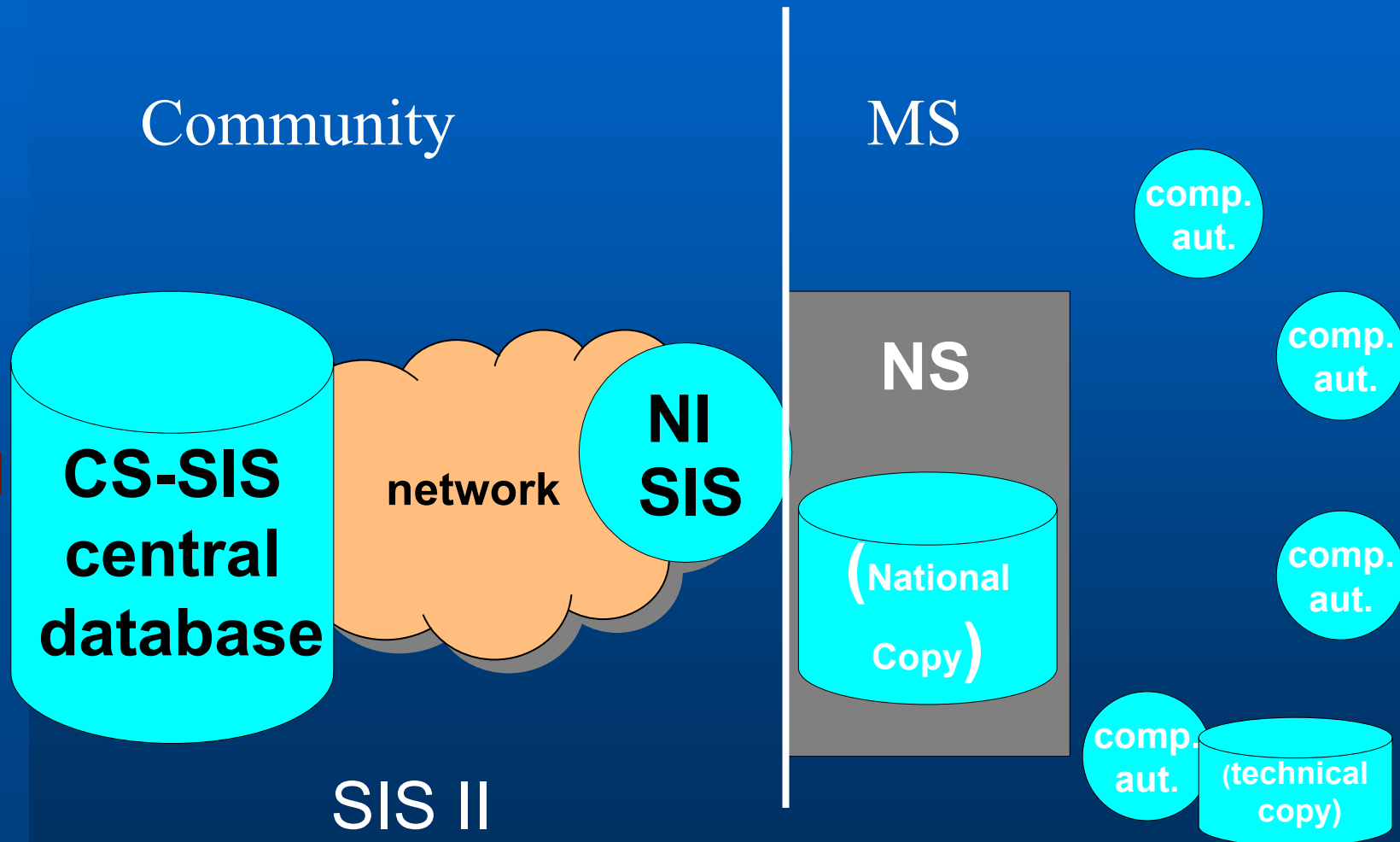
## • New Member States

- |                |           |
|----------------|-----------|
| Cyprus         | Lithuania |
| Czech republic | Malta     |
| Estonia        | Poland    |
| Hungarian      | Slovakia  |
| Latvia         | Slovenia  |

## Other new Users

- Switzerland
- Candidate Countries
- Authorities (e.g. Europol, Eurojust, ...)

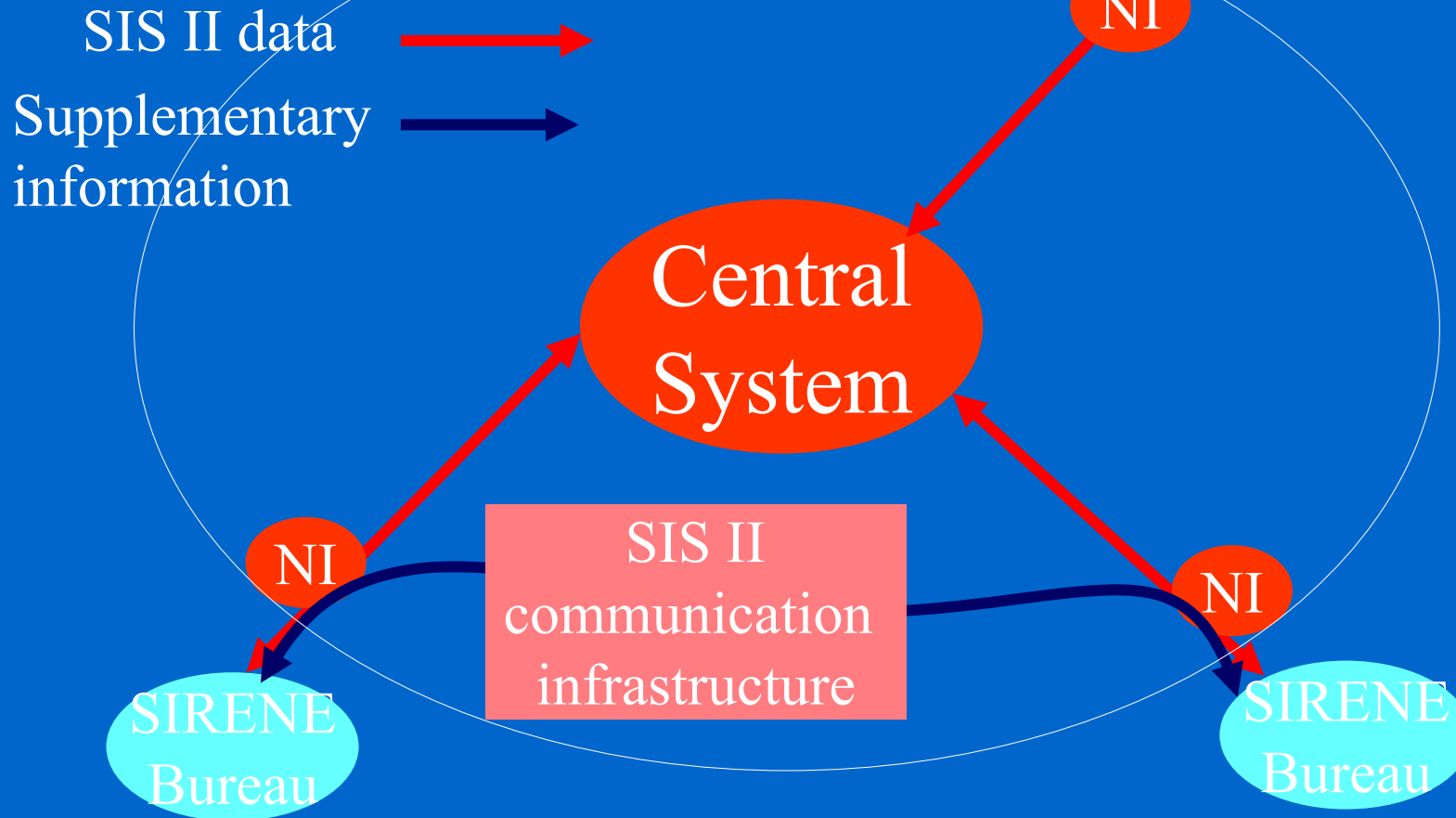
# Technical Architecture of SIS II



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# SIRENE Bureaux



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# Strategic requirements for SIS II

## Flexibility and scalability

- Designed to handle more than double the number of users than the current SIS deals with.
- New user's incorporation must be easy, with minimal implications for current users.

## Evolution and new technology

- Will have the potential to handle a significantly larger amount of data, new information types, new objects and further new functions.
- Will offer the possibility of working with biometric data

## Economy and high availability

- The system must be designed to be easily manageable, cost-effective and more homogenous than the current system, especially from the user's perspective.



# Recommendations for CC

- **Long-term project**
  - Huge budgetary and organisational impact
- **Define responsibilities within the country as early as possible**
  - Appoint a full time project manager
- **Assess existing national IT environments and how to integrate it into SIS II.**