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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
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Subject:	Draft Council Conclusions on the Court of Auditors' Special Report No 3/2014 "Lessons from the European Commission's development of the second generation Schengen Information System (SIS II)" - Adoption

1. On 22 May 2014, the General Secretariat of the Council received the European Court of Auditors' Special Report No 3/2014 entitled "Lessons from the European Commission's development of the second generation Schengen Information System (SIS II)"¹.
2. The Special Report was adopted by the Court at its meeting on 18 March 2014 and is accompanied by the replies from the European Commission, which was notified of the preliminary findings on 23 December 2013.
3. The Working Party for Schengen Matters (SIS/SIRENE) examined the report in accordance with the provisions laid down in the Council Conclusions on the procedure for examining Special Reports drawn up by the Court of Auditors².

¹ OJ C 155, 23.5.2014, p. 2.
http://www.eca.europa.eu/Lists/ECADocuments/SR14_03/SR14_03_EN.pdf

² Doc. 7515/00 FIN 127 + COR 1.

4. The Working Party agreed at its meeting on 22 September 2014 on the draft Council Conclusions set out in the Annex.
5. Coreper is accordingly invited to approve these draft Council Conclusions and submit them to the Council for adoption as an "A" item.

DRAFT**Council conclusions**

on the European Court of Auditors' Special Report No 3/2014:

"Lessons from the European Commission's development of the second generation Schengen Information System (SIS II)"

THE COUNCIL OF THE EUROPEAN UNION

1. WELCOMES the European Court of Auditors' Special Report No 3/2014 "Lessons from the European Commission's development of the second generation Schengen Information System (SIS II)".¹
2. RECALLS that SIS is used by border guards, police, customs, visa and judicial authorities throughout the Schengen Area. It contains information (alerts) on persons who may have been involved in a serious crime or may not have the right to enter or stay in the EU. It also contains alerts on missing persons and lost or stolen property, such as banknotes, vehicles, firearms and identity documents. Alerts are entered in the system by national authorities.
3. RECALLS that the Schengen countries took the decision to create SIS II in December 1996. In December 2001 the Council made the European Commission responsible for the development of this system, with a target date of the end of 2006². The Commission managed the project and outsourced the development work for the central system.
4. ACKNOWLEDGES the Court of Auditors' conclusions and recommendations as well as the Commission's replies.

¹ OJ C 155, 23.5.2014, p. 2.

http://www.eca.europa.eu/Lists/ECADocuments/SR14_03/SR14_03_EN.pdf

² Council Regulation (EC) No 2424/2001 of 6 December 2001 on the development of the second generation Schengen Information System (SIS II), OJ L 328, 13.12.2001, p 4 and Council Decision 2001/886/JHA on the development of the second generation Schengen Information System (SIS II), OJ L 328, 13.12.2001, p. 1

5. WELCOMES the Commission's efforts to improve its management of the project and the eventual successful delivery of the SIS II.
6. WELCOMES the recommendations put forward by the Court in the special report so the management of future projects can be improved.
7. ACKNOWLEDGES the Commission's acceptance of such recommendations and that the Commission points out that such recommendations are reflected in the Commission's IT governance arrangements in place since 2010.
8. ENCOURAGES the Commission to continue its efforts and to apply the lessons learned to future projects, such as the one establishing an Entry/Exit System (EES) to register entry and exit data of third-country nationals crossing the external borders of the Member States of the European Union.
9. ENCOURAGES the Commission to share such lessons with other EU institutions, agencies and bodies.
10. LOOKS FORWARD to the Commission's overall evaluation of SIS II, to be carried out in 2016 (three years after the entry into operation of SIS II), as required by Article 50(5) of Regulation (EC) No 1987/2006 and Article 66(5) of Decision 2007/533/JHA.