



**COUNCIL OF
THE EUROPEAN UNION**

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**SIRIS 58
COMIX 278**

I/A NOTE

from : Council Secretariat

to : Coreper/Council

No. prev. doc. : 8273/04 SIRIS 55 CATS 11 COMIX 253

9808/03 SIRIS 47 CATS 34 ASIM 31 COMIX 330

Subject : Draft Council Conclusions on the location, management and financing of SIS II

1. The Council Conclusions of 5-6 June 2003 on the functions of the SIS and SIS II architecture mandated the respective Council Working Groups to prepare conclusions on the location, management and financing of the SIS II as soon as possible and in due time for adoption by the Council at the latest by May 2004.
2. Following an initial exchange of views on these issues on the basis of a Presidency orientation paper (document 7118/04 SIRIS 34 COMIX 160) at its meeting on 11/12 March 2004, the Article 36 Committee, at its meeting on 19 April 2004, agreed on the draft Council Conclusions set out in document 8273/04 SIRIS 55 CATS 11 COMIX 253 with one modification.
3. Coreper is invited to request the Council to approve the draft conclusions as set out in the annex.

Draft Council Conclusions on Location, Management and Financing of SIS II

The Council Conclusions of 5-6 June 2003 on the functions of the SIS and the SIS II architecture mandated the respective Council Working Groups to prepare conclusions on the location, management and financing of the SIS II as soon as possible and in due time for adoption by the Council at the latest by May 2004.

The Commission Communication to the Council and the European Parliament (doc. 16106/03 SIRIS 111 VISA 205 COMIX 765 – COM (2003) 771 of 11 December 2003) indicated the need, in the Commission's view, for early decisions to be taken on certain matters relating to the location and operational management of SIS II during the development phase so as to meet the overall timetable for development of SIS II.

The Declaration on Combating Terrorism adopted by the European Council on 25 March 2004 also called for decisions on the location, management and financing of SIS II to be taken by May 2004 in order to allow the Commission to take forward its full development.

The Council, accordingly, now agrees on the following conclusions for the purpose of the development phase of SIS II:

1. The central part of SIS II shall be located in Strasbourg and the operational management and responsibility for liaison with the Commission for this site shall be the responsibility of France.
2. The Business Continuity Site shall be located in Salzburg subject to certain arrangements that will be necessary before the site becomes operational. In that event, operational management and responsibility for liaison with the Commission for this site shall be the responsibility of Austria.

3. Appropriate Service Level Agreements shall be put in place between Commission and the Member States hosting the Central System and the Business Continuity Site as soon as practicable but in any event before the commencement of work at either site. These Service Level Agreements will, in particular, specify the conditions governing the relationships between the different parties, access to the sites for relevant bodies and personnel and the local support to be provided by the hosting Member States.
4. Decisions now being taken on the location and management of SIS II during the development phase are without prejudice to subsequent Council conclusions on the longer term management, financing and location of SIS II.
5. The relevant Council Workings Groups are requested to prepare Council Conclusions on the longer term strategic and operational management, financing and location of SIS II by June 2005 following an evaluation at the relevant level of the relative merits of different options, associated costs and any legal issues arising.
