



Malta-EU Steering & Action Committee

# JUSTICE AND HOME AFFAIRS



02.10.09

## Schengen Information System (SIS II)

**COM (2009) 509 - Proposal for a Council Decision amending Decision 2008/839/JHA on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II)**

The Schengen Information System (SIS) and its development, SIS 1+, constitute an essential tool for the application of the provisions of the Schengen acquis as integrated into the framework of the European Union.

The development of the second generation of SIS (SIS II) has been entrusted to the Commission pursuant to Council Regulation (EC) No 2424/2001 and Council Decision 2001/886/JHA. SIS II will replace SIS 1+. SIS II development takes into account the latest evolutions in the field of information technology and allows the introduction of added functionalities.

Users of the SIS 1+ will have to migrate to the SIS II environment. A legal framework for the migration from SIS 1+ to the SIS II environment was therefore designed. In order to reduce the risks of service disruption during migration an interim technical architecture for the operations of SIS 1+ will allow SIS 1+ and certain technical parts of the architecture of SIS II to operate in parallel for a transitional period.

The time-frame of the current migration instruments, and in particular their date of expiry which is currently set to be 30 June 2010 at the latest, appears no longer realistic. This proposal therefore aims at preventing expiry of Council Decision 2008/839/JHA before migration takes place.



**Malta-EU Steering & Action Committee**

### **Schengen Information System (SIS II)**

**COM(2009) 508 - Proposal for a Council Regulation amending Regulation (EC) No 1104/2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II)**

This proposal, and the proposal above (COM (2009) 509) aim to prevent Regulation (EC) No 1104/2008 governing the migration from the Schengen Information System in its current form (SIS 1+) to the second generation Schengen Information System (SIS II) from expiring before migration becomes technically feasible. Furthermore, this proposal ensures legal flexibility for the development of SIS II by means of the alternative technical scenario of SIS 1+ RE, in case a switchover to this scenario should take place.

**EUROPE AFTER IRELAND  
What Next?**

9 October 2009 • 9am – 1.30pm  
Westin Dragonara Hotel, St Julian's

Registration by Thursday 8 October  
By email: [info.meusac@gov.mt](mailto:info.meusac@gov.mt)  
By telephone: 2200 3300  
Website: [www.meusac.gov.mt](http://www.meusac.gov.mt)

The proceedings of the Conference will be in Maltese and English. Translation into English will be provided.

### **JUDGEMENT OF THE EUROPEAN COURT OF JUSTICE**

#### ***CASE T-341/07 - Jose Maria Sison v Council***

In this judgement the Court of First Instance annulled the Council acts freezing the applicant's funds claiming that the national decisions relied upon by the Council in order to freeze the applicant's funds did not relate either to the instigation of investigations or prosecution or to a conviction for terrorist activity, contrary to the requirements of Community law.

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