

Good morning/afternoon/evening!
Ladies and Gentlemen,

First of all I would like to thank you for the opportunity to open this joint meeting. It is a great honour for me.

Since the topic of this meeting is „From Tampere to The Hague: Moving Forward? Progress and Shortcomings in the Area of FREEDOM, SECURITY and JUSTICE”, my short speech will focus on the enlargement of the Schengen area.

The issue of Schengen enlargement is more topical now than at any time in the past. This is first and foremost due to the fact that the implementation of the second-generation Schengen Information System, which is the precondition for admitting new Member States into the Schengen area, has run up to serious obstacles.

At the same time, rapid extension of the Schengen area is particularly important, since it pertains to the realisation of a fundamental right proceeding from the Accession Treaty – the right to free movement of persons. As yet, citizens of the European Union have not been able to exercise their primary and individual right to move freely in the new Member States pursuant to the objective conditions of freedom and dignity. Unfortunately, the opportunity to exercise this right is not foreseeable in the near future, because it has now become clear that October 2007, the deadline for implementing SIS II and thus integrating the new Member States into the Schengen area, as set by government leaders two years ago in the Hague, is unrealistic.

Estonia has done everything in its power to be ready for accession into Schengen area by October 2007, as the preliminary accession plan envisaged. We have harmonised our legislation with the requirements proceeding from the Schengen acquis. We have also started the construction of the national part of SIS II. Relevant Estonian public agencies in cooperation with private enterprises have been preparing for years for Schengen assessment visits. By now, visits have been concluded and the assessment reports await confirmation in the Schengen assessments work group.

Commission continued to assure us until recently that there would be no serious problems in acceding to the SIS II system and that the delay would be minimal. The responsible Commissioner Mr Frattini promised the same to our Prime Minister when visiting Tallinn a few months ago. However, by now it is clear that the accession to the Schengen Information System has been postponed by at least a year – 15 months to be precise.

We have to take into account that all Member States planning to accede to the Schengen system have concluded many agreements and contracts with various enterprises greatly because of the technical specificity of the field. There is no need to elaborate that procrastination will thus bring along the most uncomfortable problems, financial as well as communicational. Countries have prepared for years to accede to the Schengen area and politicians of countries wishing to accede find it difficult to explain to the public why the citizens of the European Union still are not guaranteed their primary right to move freely.

While it is understandable that the project is complex and involves one of the most voluminous information systems in the Union, what remains incomprehensible is the fact that relevant authorities did not react in time and did not start to look for alternatives. Specialists of many new Member States, including Estonia, have tried in vain to draw the attention of the Commission, as the institution responsible for the project, to the serious lagging behind the schedule of the project as well as to other shortcomings in the project management. By now, of course, the Commission has admitted that the delays were far from marginal and problems surrounding the Schengen enlargement are in fact considerable.

Why then has the enlargement of the Schengen area been held up and why are no sufficient joint efforts undertaken for new Member States to become Full Members of Schengen in due course, as envisaged?

I venture to guess that many old Member States with a functioning SIS I are perhaps not committed to the introduction of the second-generation Schengen Information System within the shortest timeframe, and have thus contributed to the creation of the present regrettable situation where new Member States are not able to ensure the full exercise of one of the fundamental rights of persons.

The situation is alarming and we must combine our efforts to come up with the most practical and efficient solutions to the issue of Schengen enlargement. How else could we be able to speak of an area based on freedom, security and justice?

How are we to continue?

Estonia does not want half-way solutions. It is true that I harshly criticised the Member States as well as the Commission. At the same time, I believe that constructive criticism will carry us forward and will help the Member States elaborate, in a shorter timeframe and in cooperation with each other as well as with the Parliament and the Commission, a new schedule which will this time be followed to the tee. The issue is also of paramount political importance, pushed forward by strong public interest from the Member States.

To recap what I have already said, Estonia has been preparing for years to ensure

that the national legislation complies with the requirements of the Schengen acquis and that the national part of SIS II is developed in time. Estonia has thus made all efforts to assure sufficient legal premises for the implementation of the SIS II. First and foremost, Estonia is ready to guard the EU border as a Schengen Member State with all the consequent duties and liabilities.

In order to avoid new mistakes due to new delays and incompetent project management of the new schedule, to be elaborated, Estonia supports the proposal of Germany to create a so-called task force as an advisory and consultative body to the Commission, composed of field experts from the Member States.

It is also the time to find for the new Member States the financial instruments which would allow them to finance the solutions to problems arising from the previously discussed delays, since the use of the Schengen Facility instruments ends before the conclusion of the SIS project.

We, the Estonians, believe that it is undoubtedly the best alternative to continue developing the second-generation Schengen Information System, instead of trying to introduce the present system in the new Member States or simultaneously introducing the old and developing the new one.

I wish us all perseverance and strong will in seeking solutions and attaining our objectives!

Thank you for your attention.