Committee on Civil Liberties, Justice and Home Affairs

16.01.2024

MISSION REPORT

following the LIBE delegation to the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), Strasbourg, France, 3 October 2022

Committee on Civil Liberties, Justice and Home Affairs

<u>Members of the mission:</u>
Tomáš Zdechovský   (PPE) (Leader of the mission)
Matjaž Nemec   (S&D)

Introduction

The Committee on Civil Liberties, Justice and Home Affairs (LIBE) is entitled to send every two years a delegation to the agencies for which it is responsible. The last visit to European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) took place on 2018.

Following the Conference of Presidents' decision on 19 October 2021, which endorsed the draft programmes of committee missions and ad-hoc delegations for the first half of 2022, a three-member mission to eu-LISA premises in Strasbourg, France, was organised on 3 October 2022.

eu-LISA is one of the EU agencies for which the LIBE Committee is responsible in accordance with Annex VI of Parliament's Rules of Procedure. Its mandate and core operational activities contribute to implementing the political guidelines set by the European Commission for the 2019–2024 period[1].

This mission was meant to allow the LIBE Members to acquire a better understanding of the impact of the implementation of the new architecture for EU information systems on the work of the agency, namely with regard to the entry into operation of the Entry/Exit system (EES) and the upgrading of the Schengen Information System (SIS).

The visit was marked by the on-going development and implementation of European information systems. EES, ETIAS and ECRIS-TCN were expected to start operation by 2023–2024 in support to the operational and business needs and policy demands at EU level. Together with the new interoperability architecture to be delivered in 2024, these provide an integrated, approach to external border management and internal security.

The main points of interest of the visit were consequently the implementation of these new large-scale IT systems and its impact in the well-functioning of the Schengen Area, the strengthening the EU's external borders, contribution to migration management and internal security initiatives and the support to the European asylum system reform.

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[1] Political Guidelines for the Next European Commission 2019–2024: ttps://ec.europa.eu/info/strategy/priorities-2019–2024_en

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Summary account of meetings

Krum Garkov, eu-LISA Executive Director, welcomed the LIBE delegation, presented an overview of the implementation of the new information architecture for border management and internal security, and set out the various challenges the Agency is facing in the development of its tasks.

eu-LISA as an actor in accelerating the digital transformation in the justice and home affairs domain.

Overview of the most relevant developments for eu-LISA in 2022 and exchange of views:
- ***State of play of implementation of the new information architecture for border management and internal security and recent legislative initiatives (EES, ETIAS, Interoperability, SIS Recast, Revised VIS, visa digitalisation)***

The Agency representatives started their intervention by stating that a secure border is a digital border. They explained that the current trends show that there is a fast convergence between border control and migration management and that this should be made by technology development. There is also a substantial change in the way border guards develop their tasks and that there is an increased effort on capacity building and financing in this area.

They proceed to explain that the development of the new IT systems is complex and based in different building blocks. Entry/Exist System, ETIAS, Interoperability, ECRIS-TCN are new systems being developed as requested by the co-legislators.

The calendar of implementation of the **Schengen Information System recast (SIS Recast)** foresaw its entry into operation in November 2022. The work at central level was progressing as planned. The development at Member State (MS) level indicated that 50% of the MS had issued declarations of readiness; others were still working on the development and implementation of the system at national level. The foreseeable date of readiness for entry into operation was November 2022.

In what concerned **Entry/Exit System (EES)** the Agency representatives explained that the entry into operation of the system was postponed due to delays with the contractors. The start of testing with MS would take place until February 2023 and that the entry into operation was foreseen for the May 2023. This system is an important building block in the construction of the Security Union Strategy and a solid baseline for the improvement of the area of free movement.

The entry of operation of the European Travel Information and Authorisation System (ETIAS) was foreseen for the end of 2023 and its development was ongoing. This system interacts directly with border guards. It was noted that as several ETIAS components rely upon the EES, any delay in the development of EES would consequently have an impact on the ETIAS development and due to the disruption of the supply chain affecting access to deliverables, hardware and higher market prices.

Regarding **Interoperability** the agency representative explained that the development of the shared biometric matching service (sBMS) was concluded and ready for entry into operation.

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In what concerns the remaining elements of Interoperability, namely the common identity repository (CIR), European search portal (ESP), the Central Repository for Reporting and Statistics (CRRS) and Multiple Identity Detector (MID) work was ongoing in order to reach the deadline for readiness by the end of 2023. Entry into operation of the system was foreseen for the middle of 2024.

The development of the new elements foreseen on **revised VIS Regulation**, adopted in 2021, was ongoing. The scope of the system was extended to include long-stay visas and residence permits, the carrier gateway, and the live capture of facial images, while also ensuring interoperability with other JHA systems and databases. To accommodate these new functionalities, eu-LISA was working on a significant update of the VIS central system by 2025.

The Agency representatives also indicated, in general terms, the timeline for implementation of major initiatives and challenges. The entry into operation of EES in 2023 will have an impact on the entry into operation of all the other systems.

Central elements and tools will be harmonized and made available to MS to use. ETIAS and VIS will have one single interface with users, which is of added value.

The main challenges with the SIS development is problems and delays in the roll out of the system at national level. Several MS required additional support and expertise provided by the Agency and the Commission in order to solve the problems and avoid further delays. On this basis, it was expected that problems would be addressed by the end of October allowing the entry into operation in November 2022.

For EES the major issues are related to the external service provider which underestimated the dimension of the project leading to delays in several key stages of the development of the system.
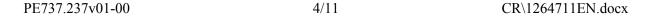
The work of the Agency, its staff, service providers and contracts was also affected by the challenges arising from the COVID-19 pandemic.

The Agency representatives highlight the main challenges that the eu-LISA faces, namely budget restrictions and lack of sufficient human resources. They informed Members that, in what concern staff, the Agency was developing the eu-LISA's Sourcing Strategy in order to provide a new approach for workforce planning and the need to source new and expert staff.

Upon request of the Members, clarification was provided regarding the state of play of the participation of the United Kingdom in the indicated EU large-scale systems. eu-LISA representatives explained that, from the moment of Brexit, the UK was completely disconnected from the systems. They also indicated that the UK was the second biggest contributor in the SIS and that after Brexit a decrease of 6% had been registered in the SIS alerts. Currently, only bilateral cooperation exists between the UK and the MS.

- *eu-LISA role in the context of implementation of the Security Union Strategy (Cybersecurity, Prüm II, API revision)*

Under this point, the Agency representatives informed Members that the Agency is focused on operational activities that address and contribute to the different dimensions of managing the

EU's external borders, the safe movement of people within the Schengen Area, and supporting effective migration management. eu-LISA is committed to improving, strengthening and streamlining its work, in line with the political priorities and relevant policies in the JHA domain.

They also indicated that the new IT architecture would address the future needs of the EU in what concerns management and security of the borders. In this context, they highlighted that Prüm II and API, which are being revised on the basis of legislative proposals presented by the Commission, are pillars of the Security Union Strategy, and that the security aspects are present in the development of the systems.

- ***The digital journey of the Justice domain and the role of eu-LISA –the most recent developments under the remit of the Agency (ECRIS-TCN implementation, e-CODEX takeover, JITs collaboration platform)***

The Agency representatives informed Members on the increased involvement of eu-LISA in the development of systems in the area of Justice. The aim in this area is to improve and extend access to justice by the citizens and to provide better tools to justice practioners. The Agency is contributing to this objective by developing the European Criminal Records Information System — third-country nationals (ECRIS-TCN) which should enter into operation by the end of 2023. Moreover, in 2023, the Agency will also be responsible for the operational management of the e-CODEX (e-Justice Communication via Online Data Exchange) system. Overall, the Agency expects to continue expanding the portfolio of digital services provided to the EU's justice domain, in line with the EU's plans for the digitalisation of justice.
The Agency representatives also informed Members of the increased cooperation with Eurojust.

Members took this opportunity to question eu-LISA regarding cybersecurity measures in place in the Member States as well as measures put in place by the Agency itself in this area.
In reply, the Agency representatives indicated that there is an EU strategy regarding cyber security, and that appropriate measures are in place within the Agency. It was further noted that there is no scrutiny at EU level regarding the measures put in place at national level and that there could be more involvement at EU level in the development of common standards, procedures and response to threats. The Agency representatives also informed that eu-LISA has witnessed an increase in cyber activities and hybrid threats to the systems. When questioned about these attacks towards EU institutions and systems, the Agency representatives explained that several attempts have been registered which have been successfully contained by the security systems and measures in place.
They also highlighted the cooperation with Europol and Frontex in these matters, encapsulated on a Memorandum of Understanding. The backup site for the data and systems run by Europol and Frontex is located in the Agency premises in Strasbourg.

eu-LISA's growing role in Research & Innovation:
- ***AI Centre of Excellence within eu-LISA - creation of common AI capabilities for further evolution in the EU JHA domain***

On this regard, the Agency representatives explained that eu-LISA's ambition is to become the EU's Centre of Excellence in Artificial Intelligence in the area of internal security, migration

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and justice. This is a strategic area for the Agency to be applied in both the Justice and Home Affairs domains. They explained that eu-LISA will also continue exploring the possibilities, benefits and limitations of the use of AI within its core business systems. Artificial Intelligence is not used in any of the EU systems; however, this possibility is being explored.
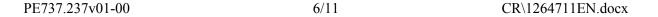
Future challenges

- ***Overview on budgetary and financial aspects, and their impact to eu-LISA: MFF 2021 – 2027***

In what concern the challenges that the Agency faces, its representatives highlighted the following:

– **The need for urgent revision of multiannual financial framework (MFF)**. In view of the Agency tasks and work being carried out in the development and implementation of the EU large-scales systems, the Agency needs increased allocation of financial resources on the EU budget.

– **Human resources**. The Agency's role in managing JHA information systems has increased considerably, especially in the number of different systems, as well as the continued push for digitalisation in the JHA domain. This in conjugation with a difficulty to hire resources aligned with the Agency's needs as lead to critical staff shortages. It is therefore, paramount to secure sufficient numbers of qualified staff to allow the Agency to implement the tasks assigned under its mandate.

Tour of the premises of eu-LISA
The mission was concluded with a visit of the Delegation to the operational site in Strasbourg, namely its technical premises.

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Conclusions

The information provided and exchanges during the delegation visit were considered extremely useful for Members in understanding the present situation of eu-LISA and its continued challenges related to the management of the EU large-scale systems.

The Members participating in the mission:

— would like to express their gratitude to the Director and staff of the Agency for organising the fruitful and interesting visit by providing detailed insight into the day-to-day work of the agency and the challenges related to operational tasks carried out;

— recognise the difficulties of eu-LISA to keep pace with the implementation of the systems and development of the tasks assigned under the expanded mandate while respecting Union budgetary and procurement rules;

— call upon the Commission to review and increase the budget allocated to eu-LISA in its next MFF proposal

— welcome the flexibility shown by the Agency to adapt the budget available in accordance with the peaks in the utilisation of financial resources due to the ongoing implementation of new tasks assigned to eu-LISA and resulting from the evolution in the scope and complexity of the Agency's existing responsibilities

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Mission to eu-LISA
Headquarters in Strasbourg
3 October 2022

14.00	**Arrival of the delegation at eu-LISA**
14.15	**Welcome by the Executive Director of eu-LISA**
14.30 - 15.30	**eu-LISA as an actor in accelerating the digital transformation in the justice and home affairs domain.** Overview of the most relevant developments for eu-LISA in 2022 and exchange of views: • State of play of implementation of the new information architecture for border management and internal security and recent legislative initiatives (EES, ETIAS, Interoperability, SIS Recast, Revised VIS, visa digitalisation) • eu-LISA role in the context of implementation of the Security Union Strategy (Cybersecurity, Prüm II, API revision) • The digital journey of the Justice domain and the role of eu-LISA –the most recent developments under the remit of the Agency (ECRIS-TCN implementation, e-CODEX takeover, JITs collaboration platform)
15.30 - 15.45	**eu-LISA's growing role in Research & Innovation:** • AI Centre of Excellence within eu-LISA - creation of common AI capabilities for further evolution in the EU JHA domain Other relevant initiatives
15.45 - 16.15	**Future challenges** • Overview on budgetary and financial aspects, and their impact to eu-LISA: MFF 2021 – 2027

16.15 - 16.30	**Coffee Break**
16.30 - 17.30	**Tour of the premises of eu-LISA** **Photo-point and end of the visit**

Annex II - Participants list

<u>**MEMBERS OF THE EUROPEAN PARLIAMENT**</u>

No.	Name	Group[2]	Full Member/ Substitute	Country
1.	**Ms Cornelia ERNST** *Head of the delegation*	The Left	Member	Germany
2.	Mr Tomáš ZDECHOVSKÝ	EPP	Substitute	Czech Republic
3.	Mr Matjaž NEMEC	S&D	Substitute	Slovenia

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[2] *EPP: Group of the European People's Party (Christian Democrats)*
   S&D: Group of the Progressive Alliance of Socialists and Democrats in the European Parliament
   The Left Group in the European Parliament (GUE/NGL)

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STAFF OF THE POLITICAL GROUPS

No.	Name	Group	Position	Country
1.		EPP	Policy adviser	
2.	Shane MURPHY	S&D	Policy adviser	Ireland
3.	Lorenz KRAEMER	The Left	Policy adviser	Germany

DG IPOL AND LIBE SECRETARIAT TRAVELLING WITH DELEGATION

No.	Name	Position	Country
1.	Susana DA SILVA COSTA	Administrator, LIBE Secretariat	Portugal
2.	Maria TOADER	Assistant, LIBE Secretariat	Romania

INTERPRETATION

No.	Name	Language
1.	Christina STOBBE	English-German (Team leader)
2.	Ulrike EGGER	English-German
3.	Ionathan Iakov MARKEL	English-German
4.	Gillian WAKENHUT	English-German

DG LINC STAFF

No.	Name	Function
1.	Bernard WALTHER	Technician

For further information, please contact
LIBE Committee for Civil Liberties, Justice and Home Affairs:
Susana Da Silva Costa, Administrator
Tel. +32 228 31088
susana.dasilvacosta@europarl.europa.eu

Maria Toader, Assistant
Tel. +32 228 30056
maria.toader@europarl.europa.eu

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