



EDPS
EUROPEAN DATA PROTECTION SUPERVISOR

AUDIT REPORT ON LARGE-SCALE IT SYSTEM CONCERNED: SCHENGEN INFORMATION SYSTEM (SIS) AT EU-LISA

Strasbourg, 5 and 6 December 2023

EDPS case number 2023-0171

Executive summary

Introduction

The European Data Protection Supervisor (EDPS) is the independent supervisory authority established by Article 52 of the Regulation (EU) 2018/1725¹ (the “Regulation”) responsible for:

- Monitoring and ensuring the application of the provisions of the Regulation and any other EU act relating to the protection of the fundamental rights and freedoms of natural persons with regard to the processing of personal data by an EU institution or body; and
- Advising EU institutions and bodies and data subjects on all matters concerning the processing of personal data.

To these ends, the EDPS fulfils the duties provided for in Article 57 and exercises the powers granted in Article 58 of the Regulation as well of Article 56(2) of Regulation (EU) 2018/1861 and Article 70(2) of Regulation (EU) 2018/1862 that require EDPS shall carry an audit to the Schengen Information System (SIS)² according to international auditing standards. Among his powers to investigate, the EDPS can carry out investigations in the form of data protection audits. The power to audit is one of the tools established to monitor and ensure compliance with the EUDPR.

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39–98.

² The Schengen Information System is the most widely used and largest information sharing system for security and border management in Europe. Although in the past the Schengen Information System was mostly referred to as “SIS II”, the Schengen Information System brought into production on 7 March 2023 is referred to as “SIS” in this report.

The audit at the European Union Agency for the Management of Large-Scale IT Systems in the area of Freedom, Security and Justice (eu-LISA) was designed according to the requirement for the EDPS to check periodically that the personal data processing activities of the Management Authority are carried out in line with the EUDPR and the specific Regulations³ associated to the SIS. It was part of the EDPS annual audit plan for 2023. The formal decision was communicated to the eu-LISA by means of an Announcement Letter dated 29 September 2023. The fieldwork was carried out from 5 to 6 December 2023 at the eu-LISA premises in Strasbourg, France.

On the basis of Article 56(2) of the SIS Regulation (EU) No 2018/1861, eu-LISA shall be given an opportunity to make comments before the report is adopted. The EDPS sent the report to eu-LISA on 2 May 2024 and eu-LISA provided comments to the EDPS on 2 August 2024. The EDPS has considered all the comments from eu-LISA to the report before its final adoption.

Overall, the EDPS notes that eu-LISA cooperated with the EDPS audit team in an exemplary way.

This report summarises the findings identified during the audit and concludes that eu-LISA should implement various recommendations.

Main scope of the audit

The main scope of the audit includes the following:

The EDPS' verified eu-LISA's compliance with security measures and controls associated to operational management.

In particular, the audit verified eu-LISA's implementation of various security controls, such as information security policies, access control, incident management, and network security.

Additionally, the audit assessed compliance with regulations regarding technical implementation, record-keeping, and data retention periods for the central SIS.

Recommendations and follow-up to the audit

The EDPS deems necessary that eu-LISA implement all recommendations to comply with the Regulation.

³ Regulation (EU) 2018-1860, Regulation (EU) 2018/1861 and Regulation (EU) 2018/1862.

In light of the above, the EDPS expects eu-LISA to regularly report (every 3 months) on the implementation of the recommendations and will carry out a close follow-up; if need be, the EDPS may exercise the powers listed in Article 58 of the Regulation.

Brussels, 19 September 2024

(e-signed)

Wojciech Rafał WIEWIÓROWSKI