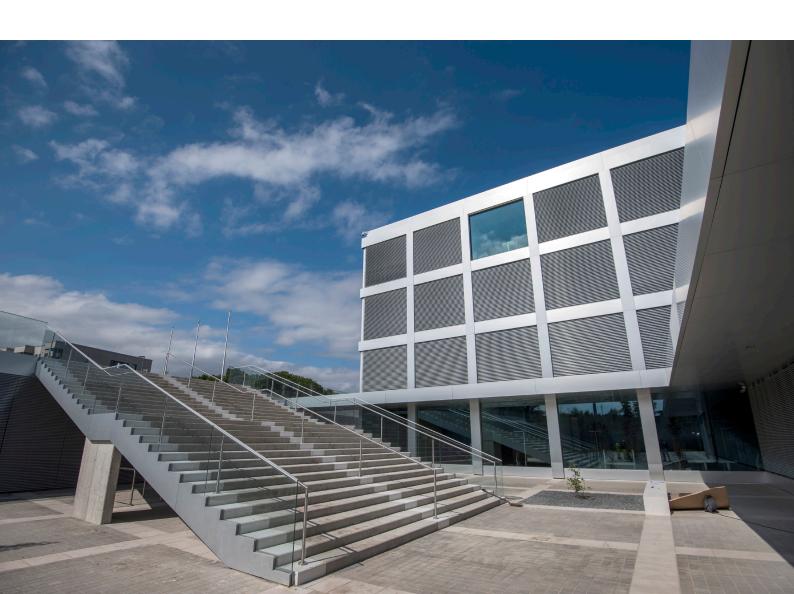DIANA MARNOT

FURTHER POSSIBILITIES OF THE EUROPEAN UNION AGENCY EU-LISA IN ESTONIA

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CONTENTS

INTRODUCTION

In 2011, with the adoption of the Basic Regulation, an agency under the European Union (EU) was set up: European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA). The agency became operational in December 2012 and was headquartered in Tallinn, with Strasbourg as its main location and Sank Johann im Pongau as the location of its back-up systems. eu-LISA's main task was the management of large-scale internal security IT systems important for the European Union. This policy paper briefly introduces the nature of EU agencies and summarizes the process of applying for eu-LISA. What were Estonia's goals in applying for it? Nine years later, can it be said that these objectives have been met? Given that this is an agency that manages systems that are critical for the EU, is it possible for Estonia to further strengthen its position there?

The policy paper is based mainly on two interviews. The first of these has been done with Kristo Põllu, the negotiator of the Agency's first basic regulation, who at that time worked as a professional diplomat at the Estonian Permanent Representation of the Ministry of the Interior to the EU and was the Deputy Head of EU-CYBERNET at the time of writing the analysis. The second interview was conducted with Uku Särekanno, who at the time of writing of the analysis is working as the head of the European IT Agency's support unit, coordinating the implementation of new large-scale databases in the Schengen area. Põllu gives an overview of the beginning of the Agency and Särekanno introduces the current state of the Agency and Estonia's future opportunities. Based on these interviews, joint recommendations will emerge to improve Estonia's position in the future of the EU Agency.

DESCRIPTIONS OF THE EXISTING AND FUTURE SYSTEMS OF EU-LISA

SIS Schengen Information System

SIS is the most widely used and largest information sharing system in the field of security and border management in Europe. The system helps competent European authorities to maintain internal security in the absence of internal border controls through three areas of cooperation (European Commission (a)):

- Border control cooperation - The SIS allows border guards, as well as visa and migration authorities, to enter and check alerts on third-country nationals in order to refuse them entry or stay in the Schengen area, if necessary.

- Law enforcement cooperation - The SIS supports police and judicial cooperation by enabling the competent authorities to issue alerts on missing persons and persons or objects related to criminal offenses.

- Cooperation on vehicle registration - vehicle registration services can use the SIS to check the legal status of vehicles submitted for registration. They only have access to vehicle SIS alerts, registration certificates, and number plates.

SIS II - Second Generation Schengen Information System

SIS II was launched in April 2013 with enhanced features such as the ability to use biometrics, new types of alerts, and the ability to link different alerts (such as an alert per person and vehicle) and the system for direct inquiries. The SIS II also contains copies of European Arrest Warrants, which have been recognized as having the same legal value as the originals, making it easier and faster for the competent authorities to ensure follow-up measures. (European Commission (b))

VIS - Visa Information System

The Visa Information System (VIS) allows the Schengen States to exchange visa information. It consists of a central IT system and a communication infrastructure that connects the central system to national systems. The VIS connects consulates in third countries and all points crossing the external borders of the Schengen States. It processes data and decisions relating to applications for short-stay visas for visiting or transiting the Schen-

gen area. The system is mainly able to perform biometric matching of fingerprints for identification and verification purposes. (European Commission (c))

Eurodac (European Asylum Dactyloscopy Database) (Mari-Liis Jakobson, 2020, p. 10)

Eurodac is a database that aggregates the fingerprints of EU asylum seekers. The system allows the Member States to compare the fingerprints of asylum seekers in order to verify whether they have previously applied for asylum or entered illegally through another Member State. Since its creation in 2003, Eurodac has been an important database for providing evidence for the comparison of fingerprints and for identifying the EU countries responsible for examining an asylum application in the EU. (European Commission (d))

ETIAS - The European Travel Information and Authorisation System

ETIAS is a system under development for obtaining pre-travel authorization for visa-free travelers. Its main task is to check that a third-country national fulfills the entry requirements before traveling to the Schengen area. Before arriving at the border, information is provided through a web application to assess the risks of illegal migration. (European Commission (e))

EES - Entry/Exit system

EES is an entry-exit system under development. The system will further help to improve the management of the external borders and, in particular, to verify compliance with the provisions concerning the authorized period of stay in the territory of the Member States. The system electronically registers the entry and exit of third-country nationals and calculates the duration of the authorized stay. It replaces the obligation for all Member States to seal the passports of third-country nationals. The objectives of the European Employment Strategy also include the prevention of illegal immigration and the facilitation of the management of migration flows. EES helps to identify all persons who do not or no longer fulfill the conditions for authorized stay in the territory of the Member States. In addition, the European Employment Strategy should contribute to the prevention, detection and investigation of terrorist offenses and other serious criminal offenses. (eu-LISA)

EUROPEAN UNION AGENCIES

What is an EU agency? The word "agency" has many meanings in the world, but in this paper, it is related to the administrative division of a government or an international organization. More narrowly, this paper describes the EU as agencies as [1]executive bodies which are structural units separate from the EU institutions. Such agencies are set up to carry out specific tasks and each agency has its own legal person. EU agencies can be divided into five groups: decentralized agencies, agencies under the common security and defense policy, executive agencies, Euratom agencies and independent agencies. The agencies, as implementing bodies, form an invisible network across Europe. On the one hand, their pan-European location complicates and slows down the Union's affairs, but on the other hand, it brings the otherwise abstract and seemingly distant EU closer to the citizens of Member States. Otherwise, the EU is for its people a body located somewhere far away in Brussels, the existence of which is difficult to perceive. That is why the EU has set itself the goal of setting up an agency in each of the new Member States to help bring the peoples and countries of that organization together.

Decentralized agencies help implement EU policies. They also support cooperation between the EU and national governments, combining the technical and professional expertise of both EU institutions and public authorities. Decentralized agencies are set up indefinitely and are located in different EU Member States. They address the problems of the daily lives of 500 million people living in the EU. (European Union (a)) They have a major impact as they provide EU institutions and countries with expertise in different areas, such as food, medicine, education, quality of life, justice, transport, security.

The bodies covered by the common security and defense policy have been set up to perform specific technical, scientific, and managerial tasks in the context of the EU's common security and defense policy.

Executive agencies are set up by the European Commission for a limited period of time to manage specific tasks related to EU programs.

The Euratom agencies were set up to support the objectives of the Treaty establishing the European Atomic Energy Community (EURATOM), which are to coordinate national nuclear research programs and provide knowledge for peaceful purposes. (European Union (b)).

There are more than 40 agencies in the EU, but they are not evenly distributed among the Member States: there are countries as of 2020, where there were no agencies (e.g., Croatia, Bulgaria, Cyprus, Slovakia), while in the old Member States, there are several of them. Agencies in the Baltic Sea region are shown in Table 1.

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[1]   In Estonian professional language, the term "board" is predominantly used instead of "agency". In this work, an "agency" is used throughout instead of "board" to emphasize the structural nature of the EU body.

TABLE 1. AGENCIES LOCATED IN THE NORDIC-BALTIC REGION

LOCATION	OFFICIAL NAME	ABBREVIATION
Helsinki	European Chemicals Agency	ECHA
Stockholm	European Center for Disease Prevention and Control	ECDC
Copenhagen	European Environment Agency	EEA
Riga	Body of European Regulators for Electronic Communications	BEREC
Vilnius	European Institute for Gender Equality	EIGE
Warsaw	European Border and Coast Guard Agency	Frontex
Bramshill (2005–2014) Budapest (since 2014)	European Union Law Enforcement Training Agency	CEPOL
Budapest	European Institute of Innovation and Technology	EIT

BACKGROUND OF EU-LISA

The background of eu-LISA dates back to a time when it did not yet exist as an agency. According to Särekanno (2021), the abolition of internal border controls was a major concern for Member States' police forces during the creation of the Schengen area. This clearly required compensatory measures. The first thing to be agreed on was the Schengen Information System (SIS), which ensured the exchange of information between the Member States: what was stolen, who was wanted and the performance of systematic checks. The system was established in 1990. As of the beginning of 2021, there are 93 million entries in the system by the Member States. These are the so-called *'Alerts'* or warning messages informing of fugitives, stolen cars and objects and persons suspected of terrorism. The SIS alert contains, in addition to information on a specific person or object, instructions to the authorities on what to do if a person or object is found (European Commission - SIS). The SIS was therefore one of the preconditions for the creation of the Schengen area. The European Commission was responsible for the development, administration and contract management of the information system, and with the agreement of the governments, a single agency was set up in Strasbourg, France. In the 2001 European Parliament report (European Parliament, 2001) shortcomings in the management of the system have already been pointed out. By the end of the 1990s, the Visa Information System (VIS) and the Fingerprint Information System for Asylum Seekers (Eurodac) had been developed under the auspices of the European Commission, with technical support also provided by France.

The capacity of the SIS proved to be limited when ten new Member States had to join the EU in 2004, as most of them were to be admitted to Schengen. It turned out that it was necessary to create a new database, which was unfortunately completed ten years later than planned, in 2013. According to Särekanno, in 2006/2007 it was questionable whether Estonia can join Schengen in 2006, because the IT developments of the SIS were not yet ready. Särekanno added that the development of SIS II concluded that project management between the European Commission and governments was unsustainable. During the negotiations on the SIS II legal basis, the institutions agreed on the need to set up a separate body for the management and development of the systems. In June 2007, the European Commission received a mandate from the Council to set up an agency in the longer term: "The Commission undertakes to submit, within two years of the entry into force of this decision, the necessary legislative proposals to entrust the Agency with the long-term operational management of Central SIS II and parts of the Communication Infrastructure." (Euroopa Liidu Nõukogu, 2007) So the original agency idea was formed. In 2009, a draft regulation was presented to establish an Agency for the operational management of large-scale IT systems in the area of freedom, security and justice. (Euroopa Komisjon, 2009). In December 2009, the then Minister of the Interior Marko Pomerants officially submitted to the President of the European Parliament Estonia's can-

didacy for the seat of the Agency. The preparation of the application had already lasted for two years, starting from 2007, when the decision to establish a separate agency was announced (Lilleväli & Põllu, 2011, p. 13).

THE PROCESS OF APPLYING FOR THE COUNTRY OF LOCATION

In 2009, two countries, Estonia and France, applied for the seat of the Agency. In 2010, Estonia began to approach France in order to reach a joint offer. The negotiation process in Estonia was led by Piret Lilleväli, Adviser to the Ministry of the Interior, and Kristo Põllu, who was the then professional diplomat of the Ministry of the Interior at the Estonian Permanent Representation to the EU. According to Särekanno, at the beginning of the negotiations on the country of location of the agency, France was of the firm opinion that the entire agency would come to them. Initially, they did not even want to negotiate on this issue. However, there are understandable reasons for this. In France, the data center had already been built, people were present, and had been managing the systems for years. It was therefore difficult to demand that they should have moved away from there. France's argument was the investments that had been made in the Schengen databases over time. Särekanno: "While the Agency's regulation was being discussed, they built an extension to the Strasbourg branch. All that Estonia could talk about in a way that we promise and do and offer better, the French were able to serve in a way that we all have it in place. / --- / In a way, they also tried to present the argument that moving systems to the far periphery right next to Russia is a security risk as well. It was the opposite of our thinking in Estonia. It wasn't used much, but it ran through a couple of times."

As Estonia also firmly and justifiably wanted to become the host country of the Agency, Estonia sought allies among the Member States. According to Särekanno, with the support of the Member States, it was possible to persuade the French to debate this issue in the first place. In 2010, during the negotiations on the location of the eu-LISA, France proposed a variant so that the seat of the Agency would be France, but the leader would be an Estonian. This offer was rejected because the then Minister of the Interior Marko Pomerants stated that it is in Estonia's interest to have the entire agency in the country. It was not appropriate to exchange this goal for one person's position in an EU institution. According to Pomerants, it was decided already in 2010 to find as many common positions as possible with France on the issue of the IT agency. (BNS, 2010) Estonia was provided with a strong position by the principle agreed by the 2003 EU Council that new agencies must be located in the new member states (Council of the European Union, 2004, p. 27).

Estonia had two main arguments for becoming the seat of the Agency: firstly, it corresponded to the image of Estonia as an IT country, and secondly, there were no agencies

here yet. Unlike France, where there are several of them. When applying for the seat of the Agency, one had to take into account the fact that at the time of preparing the application, Estonia was still a new member of the EU, and the so-called bronze night had taken place in 2007. According to (2021)Põllu, this made Estonia take the candidacy seriously in order to become an ordinary integrated EU member state. Thus, Ketlin Jaani-Vihalem (2013, p. 8) has pointed out in her outstanding Master's thesis that EU agencies have become "some of the major so-called trading objects / --- /. Therefore, agreeing on the seat of the Agency may involve difficult negotiations between the parties in the decision-making process and may affect relations between the Member States for a long time to come." Therefore, according to Põllu, Estonia decided to make an offer where the Agency would be located in three places: In Estonia, France and Austria. However, during the negotiations, according to Põllu, it became clear that it was not possible to divide the systems in the form that was originally desired in Estonia. "It was clear that what was present in France would not be brought away from there - neither SIS, VIS nor Eurodac. It was clear that if we stick to it, we will not have a joint offer. And we should have started to have very serious and controversial votes in the Council. It would not have been at all certain that Estonia would win it." Estonia's principle was to start smaller and start building on it. "The aim was to bring the headquarters to Estonia and create opportunities for the Agency to take over the management of other systems in the future, if the basic regulations of these systems, in turn, to enable it. The key is to have a general mandate. And later, it is possible to move forward on the basis of it."

OUTCOME OF THE AGENCY 'S NEGOTIATIONS

The Agency's basic regulation was first negotiated with France and Estonia, after which the institutional negotiations between the Member States and the European Union and the European Parliament were concluded. In the course of this, it was agreed that all strategic management will come to Tallinn, technical administration will take place in Strasbourg, France, and the backup servers will remain in Johann im Pongau, Austria. According to Põllu, two years is the usual time to negotiate legislation. In practice, this means that the Director General and Deputy Director General and the structural units supporting them are located in Tallinn. There are also horizontal procurement departments located in Tallinn. According to Särekanno, this should not be underestimated, "… because procurement and financial management are extremely important for this Agency, as most of the systems for development are outsourced. The Agency itself does not develop, but buys in. In this respect, the management of contracts is very important." There are also accounting, personnel management, *corporate* IT, and management of the entire security sector in Tallinn, a total of about a hundred people. Initially, the number of staff in Tallinn was planned to be 45.

Operational management, maintenance, accommodation, and project management of the systems take place in Strasbourg, France. In addition, new projects will lead to a significant increase in the number of staff in Strasbourg. If at the end of 2020 there were about 170 people working there, then soon it will be almost 300 people. According to Särekanno's descriptions, "it wasn't exactly what we wanted, but certainly beyond expectations, given where we started. When the agency was launched, it was not at all certain whether the Tallinn branch would survive and whether it would be possible to create some substantial capacity there. It would have been very easy to say in the course of evaluation that a decentralized agency makes no sense and that all functions should be organized and concentrated where the main functions, such as the management and maintenance of the systems, are. However, this was not done. The evaluation found that the management is reasonably structured and that the Agency has met its objectives. That the people who were involved in building the Tallinn branch would certainly deserve the recognition that they were able to launch it in such a way that the management actually works from here."

As of 2021, the Agency's staff has already grown significantly. Table 2 (data received from Uku Särekanno obtained from "/ --- / an approved EU financial perspective document") and Table 3 show that the total number of staff is higher by twenty people. This is due to the fact that in terms of several positions, the Agency does not have a final agreement with the European Commission, and some flexibility is possible within the annual bud-

get. In Sankt Johann im Pongau, Austria, someone is constantly present, but Strasbourg experts visit there on the basis of a couple of weeks' missions.

TABLE 2. BUDGET AND STAFFING NEEDS OF EU-LISA FOR 2021 AND THE FOLLOWING YEARS

	2021	2022	2023	2024	2025	2026	2027
Budget (EUR M)	228.32	330	250	232.63	220	221	222.70
Personnel							
Total personnel	355.5	369.5	365.5	349.5	349.5	349.5	349.5

TABLE 3. NUMBER OF EU-LISA STAFF AS OF FEBRUARY 2021

	STRASBOURG	TALLINN	BRUSSELS
EES	26	6	-
ETIAS	40	2	-
ECRIS-TCN	5	-	-
IO (interoperability)	63	6	-
VIS	15	-	-
SIS	4	-	-
Short-term positions	3	5	-
Positions specified in the Basic Regulation	131	65	-
Positions of representation	-	-	5
TOTAL	**287**	**89**	

According to the content, the positions are divided into two: those created in accordance with the Basic Regulation (the first basic regulation and its amended version) and those created in connection with the development of new systems. The positions under the Basic Regulation largely cover horizontal functions (staff, financial, administrative support) and everything related to the operational management of the previous systems (SIS II, VIS, EURODAC). The positions allocated with the drafts of new systems result from the relevant regulations: Regulation of EES, ETIAS, IO, ECRIS-TCN and eCODEX. In addition, in the meantime, functionality has been requested to be added for the old systems and the relevant regulations have been supplemented, such as the SIS and VIS versions and the EURODAC regulation currently under development. New positions have also been allocated to the Agency in connection with these proposals. According to Särekanno, "/ --- / 9 additional positions are currently being decided upon (5 of them related to the eCODEX proposal). In addition, there are some redeployments being done in relation to ETIAS and VIS. As a result of these discussions, the number of TLN positions is expected to increase."

ESTONIA'S INITIAL WISHES AND FURTHER OPPORTUNITIES

Estonia had several goals when applying to host the Agency. The location of the EU agency in Estonia is clearly symbolic. Considering the end of the 2000s, the possession of the Agency was undoubtedly a security guarantee in some sense, which would ensure greater interest in Estonia in Europe. However, according to Põllu, this was not the most decisive factor. eu-LISA was seen as a growing agency. Instead of the originally planned 45 employees, by the end of 2020, about a hundred people were working in the Agency in Tallinn. However, one of the main motivators in applying for the Agency was the reputation, which was to raise the awareness of Estonia, as a country with a strong IT image at that time, for the largest IT companies in the world. Estonia completed the negotiations in the hope that in the future, it will be possible to accommodate some systems in Tallinn as well. Unfortunately, this wish was not recorded in writing. According to Põllu, however, it was important from Estonia's point of view that the Agency was established and received a broad mandate, which enabled it to be developed and later to add additional systems. If in the future an IT system should be housed in Tallinn, then the preparation and design of the same systems should also be performed from Estonia.

Thus, Särekanno also points out that they wanted to host some systems in Estonia and manage them here, so that "there would be something that would operationally cover the security side and be critical and important in the European perspective, and that would be in Tallinn. A separate data center has been built in Tallinn for this purpose as well, but at the moment we have not put anything other than / --- / our own corporate IT solution there". The Estonian state allocated a plot of land for the construction of the Agency's new main building, on which one building was originally built to accommodate 100 people. (Pomerants, 2010). According to Särekanno, the construction of the second building is behind whether additional functions will be added to the Tallinn part of the Agency. So we are in a waiting position. Namely, it is expected that additional functions may arise in some areas. One of these can be research development, which aims to prototype different solutions. Särekanno also sees many opportunities for using artificial intelligence to process large amounts of data. This is a growing field where a mandate has been given and it is known that research and development activities will be coordinated in Tallinn.

Another area where, according to Särekanno, there is growth potential in Tallinn is new legal systems. The current eu-LISA systems are all systems under the administration of the Ministries of the Interior (except criminal records). The EU has now recognized that the legal field also needs key solutions. The eu-LISA strategy for 2018-2022 stipulates that in addition to the EES and ECRIS-TCN systems under development, the Agency must start setting up an e-CODEX system (eu-LISA, 2017). Särekanno describes the e-CODEX sys-

tem as similar to the X-Road known in Estonia, which allows databases to communicate with each other. So far, the administration of e-CODEX has taken place as an agreement between the Member States, but as such, it has not been sustainable in the end. At the time of writing, the final location of the system is open. In this way, it is still possible to make a decision in principle that the legal systems, their development, administration and hosting will be located in Tallinn in the future and that the systems concerning internal security will be located in Strasbourg. According to Särekanno, new systems in the field of law are still to come, for example, in the field of criminal law, data exchange environments concerning cross-border proceedings and investigation units. The pan-European system located in Tallinn would also ensure important project management competence for Estonia. According to Särekanno, the justification for this is reasonable: "For the legal field, separation of powers and judicial independence are important. It is important for them that things in their field are separated from the field of internal security, so that the resources that concern it, both human and financial, are separate. That there would be no competition for another project in the field of internal security or the risk that their affairs will go somewhere on another budget line or to someone else to manage. This is also important in relations with the European Commission, where separate Commissioners and separate Directorates-General are responsible for Justice and Home Affairs."

The same is emphasized by Põllu: "Nor is the Agency itself completely ready, it is evolving and more systems are coming, they are being renewed. We need to look beyond the playing field, it is not necessary to stick to internal security systems alone. We are also moving forward on issues related to digital solutions, such as DG TAXUD and customs information systems, e-justice, etc." Põllu also points out the possibility, when developing new systems, it is also possible to try to accommodate their backup systems in Estonia - this would also have a value of its own. Namely, the location of systems in Estonia would not be so expensive. As a structural unit of the EU, it is also necessary to consider in which country it is cheaper to keep the Agency. However, as the entire EU wage system is structured according to the cost of living, the pay gap between Tallinn and Strasbourg is already 40% - just as large is the difference in the cost of living between the two cities in statistical terms.

Põllu recommends that the Estonian authorities find a specific person responsible for the Agency's affairs. Because, in his opinion, the formation of positions and policies so far has been patchy. "It seems to me that the formation of Estonia's positions and policies concerning the agency has been patchy. We have not had a so-called sense of ownership. The Ministry of the Interior deals with its issues in the Agency, but cannot be a leader, for example, in directing activities in the administrative area of the Ministry of Finance or the Ministry of Justice. The Government Office as the general coordinator was not yet in this position either to take over this role. It seems to me that this has lagged behind this systematic and institutionalized approach. That there would be a body that would keep an eye on what Estonia is doing in this Agency. *Ad hoc* talking to different people is not systematic, consistent, or institutionalized. This is probably the main reason why we may not yet achieved exactly what we wanted. At the same time, there is nothing broken, the Agency and the field (IT systems) as a whole are constantly evolving." In conclusion, Põllu believes that the Agency has largely fulfilled its goals: it came to Estonia and its composition has grown, and it has helped to create and shape Estonia's image. In addition, Estonia has by now earned back the costs initially incurred by the Agency.

SUMMARY

The European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice, or eu-LISA for short, is a very important Agency for the security of the entire European Schengen area. In 2009, the European Commission submitted a draft for the establishment of the Agency, and Estonia and France applied as its host countries. The representatives of Estonia did a good job among other EU Member States to support our candidacy, as a result of which France also agreed to start negotiations on finding a possible solution. Based on this, Estonia and France submitted a joint candidacy, as a result of which the Agency's headquarters are located in Tallinn: an administrative unit, together with the Director General and Deputy Director General, the Human Resources Department, the corporation's IT solutions and security-related tasks. Strasbourg provides operational management, maintenance, server hosting, and project management. Backup servers are located in Johann im Pongau, Austria.

Negotiations on the Agency's Basic Regulation lasted for two years, 2010-2012. Although Estonia's initial wish was to have the entire Agency in Tallinn, political nuances had to be taken into account. As the representative of old Europe in the EU, France has a powerful and strong diplomatic reach, on the surface of which the SIS system had been in operation for a long time. As Estonia decided to divide the Agency between the two countries, it undoubtedly showed the EU member states both Estonia's willingness to compromise and its determination. The establishment of the headquarters of the EU agency in Estonia can undoubtedly be considered Estonia's diplomatic victory.

When applying to host eu-LISA, Estonia had several goals, some of which were met and some of which were not. One of the goals was to amplify and develop the image of an international IT state. As eu-LISA is one of the largest customers of IT developments in the world, Tallinn is known as the host country of eu-LISA among large global technology companies. The **Agency has therefore served its goal in terms of reputation.**

After the negotiations on the first basic regulation, **Estonia's wish to host the Agency's new systems** in Tallinn in the future was not fulfilled. Whether for the above or some other reason, **the development of new systems, such as EES, ETIAS, ECRIS-TCN, and IO, went to France.** Thus, it can be clearly concluded that although eu-LISA has undoubtedly benefited Estonia in terms of reputation, Estonia's original goals were still not fully met. If in 2018 a clause had been introduced in the negotiations on the amendments to the eu-LISA basic regulation that the new systems with technical developments would come to Estonia, **approximately 134 new jobs would have been created in Tallinn**. If in the future there is a possibility to change the Agency's basic regulation again, it **may be advisable to argue in political negotiations to bring new systems to Tallinn precisely with the creation of jobs**.

Although the desired systems were not accommodated in Estonia, it is still possible to place other systems in Tallinn. Namely, at the time of writing, **the location of the e-CO-DEX system, which belongs to the legal field**, has not yet been confirmed. It is possible that the layout of the systems will make a fundamental distinction to leave the current internal security systems (including the ECRIS-TCN legal area) in Strasbourg and **future legal systems in Tallinn, which would provide a theoretical opportunity to host the e-CODEX system in Estonia**. However, as Estonia's wish is definitely to host a system in the future, **it will be possible to present the possibility to bring backup servers to Tallinn for future projects.** In any case, the corresponding server rooms are already built and ready.

Taking into account that eu-LISA is a developing service as an agency and a vital service for the Schengen area, it **is necessary to find a form of co-operation representing the interests of the state in Estonia**. As it is an inter-authority agency, it would be appropriate to set up a responsible working group comprising representatives of the Ministry of the Interior, Finance, Foreign Affairs, and Justice and the Government Office. If possible, also officials from other agencies. As a result of the work of the working group, the needs and opportunities of the ministries would be concentrated and they could be presented as a unified one in the negotiations at the EU level. The Agency exists in Estonia and has fulfilled its goal in a general sense: it has grown and helped to improve Estonia's reputation and image. As the location of the future systems is not fixed, Estonia has the opportunity to accommodate them if it acts on it consistently and purposefully.

USED LITERATURE

BNS, 2010. Eesti lükkas tagasi Prantsuse pakkumise IT-agentuuri kohta. Postimees, 20.05.

Council of the European Union, 2004. [Online]. https://www.consilium.europa.eu/media/20825/78364.pdf [Accessed on 19.02.2021].

eu-LISA, 2017. eu-LISA strategy 2018-2022. [Online]. https://www.eulisa.europa.eu/our-publications/information-material [Accessed on 20 01 2021].

eu-LISA, no date EES. [Onlinel]. https://www.eulisa.europa.eu/AboutUs/Smart-Borders/Pages/EES.aspx [Accessed on 19.01.2021].

European Commission (2009). Legislative package establishing an Agency for the operational management of large-scale IT systems in the area of justice, freedom and security. [Online]. https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52009DC0292&from=EN [Accessed on 14.01.2021].

Council of the European Union, 2007. Council Decision on the second generation Schengen Information System (SIS II). [Online]. https://data.consilium.europa.eu/doc/document/ST-10403-2007-INIT/en/pdf [Accessed on 26.01.2021].

European Commission (a), no date Schengen Information System. [Online]. https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen-information-system_en [Accessed on 19.01.2021].

European Commission (b), no date Second generation Schengen Information System (SIS II). [Online]. https://ec.europa.eu/home-affairs/e-library/glossary/second-generation-schengen_en [Accessed on 19.01.2020].

European Commission (c), no date Visa Information System (VIS). [Online]. https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-information-system_en [Accessed on 19.01.2020].

European Commission (d), no date Identification of applicants (Eurodac). [Online]. https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/identification-of-applicants_en [Accessed on 19.01.2020].

European Commission (e), no date ETIAS. [Online]. https://www.eulisa.europa.eu/Activities/Large-Scale-It-Systems/Etias [Accessed on 19.01.2021].

European Parliament, 2001. Report on crossing external borders and the development of Schengen cooperation .. [Online]. https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P5-TA-2001-0479+0+DOC+XML+V0//EN&language=EN [Accessed on 18.01.2020].

European Union (a), no date Agencies and other EU bodies. [Online]. https://europa.eu/european-union/about-eu/agencies_en [Accessed on 20.01.2020].

European Union (b), no date Decentralized agencies. [Online]. https://europa.eu/european-union/about-eu/agencies/decentralised-agencies_en [Accessed 20.01.2020].

Jaani-Vihalem, K., 2013. Eesti tulemuslikkuse põhitegurid EL otsustusprotsessis, Tartu: Tartu Ülikool.

Lilleväli, P. & Põllu, K., 2011. IT-agentuuri toomine Eestisse. Avaliku teenistuse aastaraamat 2010, pp. 13-17.

Mari-Liis Jakobson, M. P. A. L. B. O. E. L., 2020. Rände- ja kodakondsuspoliitika, Tallinn: s.n.

Pomerants, M., 2010. A Letter from Estonian Ministry of Interior. s.l.:s.n.

Põllu, K., 2021. on the creation and operation of eu-LISA [Interview] (18.01.2021).

Särekanno, U., 2021. on the creation and operation of eu-LISA [Interview] (12.01.2021).

Ministry of Foreign Affairs, 2010. Foreign Minister Urmas Paet Discussed Establishment of IT Agency with European Parliament Co-Rapporteur Alexander Alvaro. [Võrgumaterjal]. https://vm.ee/et/node/26508 [Kasutatud 14.01.2021].

IN 2012, THE EUROPEAN UNION AGENCY FOR THE OPERATIONAL MANAGEMENT OF LARGE-SCALE IT SYSTEMS IN THE AREA OF FREEDOM, SECURITY AND JUSTICE (EU-LISA) BECAME OPERATIONAL.

The agency's role is to manage the large-scale IT systems needed to implement the European Union's justice and home affairs policy. The headquarters of eu-LISA became Tallinn, the central place of business was Strasbourg, and the location of backup systems was Saint Johann im Pongau.

The paper provides an overview of the stages of setting up the agency and examines whether Estonia met its original goals in applying for the eu-LISA host country. The work's conclusions outline Estonia's opportunities to host new IT systems in Tallinn in the future.

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