

Interoperability between EU information systems (police and judicial cooperation, asylum and migration)

2017/0352(COD) - 13/06/2018 - Legislative proposal

PURPOSE: to establish a framework for interoperability between EU information systems (police and judicial cooperation, asylum and migration) and amend the legislation in force as a consequence.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: this proposal seeks to **amend the proposal submitted by the Commission in December 2017** for a Regulation of the European Parliament and of the Council establishing a framework for the interoperability between EU information systems (police and judicial cooperation, asylum and migration) (*see the summary of the initial proposal dated 12.12.2017*).

This proposal also seeks to amend the original proposal only insofar as it presents the **further necessary amendments to other legal instruments** that are required under the interoperability proposal. These amendments were identified as necessary in the original proposal but, because of ongoing negotiations between co-legislators on some of the systems concerned, it was not possible to include the necessary amendments in the original proposal.

CONTENT: the proposed Regulation, together with the [proposed](#) Regulation on interoperability (police and judicial cooperation, asylum and migration), creates a **framework to ensure interoperability** between the entry/exit system ([EES](#)), the Visa Information System ([VIS](#)), the European Travel Information and Authorisation System ([ETIAS](#)), [Eurodac](#), the Schengen Information System ([SIS](#)) and the European Criminal Records Information System for third-country nationals ([ECRIS-TCN](#)) so that these systems and their data supplement each other.

Elements of the interoperability framework: the framework shall consist of the following elements of interoperability:

- **the European search portal (ESP)** is the component that would enable the simultaneous query of multiple systems (Central-SIS, Eurodac, VIS, the future EES, and the proposed ETIAS and ECRIS-TCN systems, as well as the relevant Interpol systems and Europol data) using identity data (both biographical and biometric);
- **the shared biometric matching service (shared BMS)** would enable the querying and comparison of biometric data (fingerprints and facial images) from several central systems (in particular, SIS, Eurodac, VIS, the future EES and the proposed ECRIS-TCN system);
- **the common identity repository (CIR)** would be the shared component for storing biographical and biometric identity data of third-country nationals;
- **the multiple-identity detector (MID)** would check whether the queried identity data exists in more than one of the systems connected to it.

Objectives: the proposed Regulation:

-

lays down provisions on **data quality requirements**, on a **Universal Message Format (UMF)**, on a **central repository for reporting and statistics (CRRS)**;

- lays down the **responsibilities** of the Member States and of the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice ([eu-LISA](#)), with respect to the design and operation of the interoperability components;
- lays down the **procedures and conditions** for Member State law enforcement authorities and for the European Union Agency for Law Enforcement Cooperation (Europol) access to the Entry/Exit System (EES), the Visa Information System (VIS), [the European Travel Information and Authorisation System (ETIAS),] and Eurodac for the purposes of the prevention, detection and investigation of terrorist offences or of other serious criminal offences falling under their competence.

By ensuring interoperability, the proposal shall have the following objectives:

- to improve the management of the external borders;
- to contribute to preventing and combating irregular migration;
- to contribute to a high level of security within the area of freedom, security and justice of the Union including the maintenance of public security and public policy and safeguarding the security in the territories of the Member States;
- to improve the implementation of the common visa policy; and
- to assist in examining application for international protection.

Scope: the proposed Regulation applies to **Eurodac**, the Schengen Information System (**SIS**) and [the European Criminal Records Information System for third-country nationals (**ECRIS-TCN**). It also applies to the **Europol data** to the extent of enabling querying it simultaneously to the EU information systems and to persons in respect of whom personal data may be processed in the EU information systems and in the Europol data.

Consequences for other legal instruments: the proposal includes detailed provisions for the necessary changes to the draft legal instruments that are currently stable texts as provisionally agreed by the co-legislators: the proposed Regulations on **ETIAS**, on **SIS in the field of border checks**, and on **eu-LISA**. It is also proposed to make the necessary changes to the text as it stood on 31 May 2018 for ECRIS-TCN.

However, the two amending proposals on interoperability **do not include the amendments relating to Eurodac**, the EU asylum and irregular migration database, given that discussions have not yet been concluded on the May 2016 legislative proposal to strengthen Eurodac. Once the co-legislators reach agreement on the legislative proposal to strengthen Eurodac, or have achieved sufficient progress, the Commission will present the related amendments to the interoperability proposals within two weeks.

BUDGETARY IMPLICATIONS: the proposed amendments necessitated an update of the legislative financial statement accordingly.

The total budget required over nine years (2019-2027) is estimated at **EUR 461.0 million**, which includes the following elements:

EUR 261.3 million for eu-LISA. A specific budget of EUR 36.3 million covers the cost of upgrading the network and the central SIS (Schengen Information System) for the estimated increase of searches that is likely to occur as a result of interoperability;

- EUR 136.3 million to enable Member States to cover the changes to their national systems in order to use the interoperability components;
- EUR 48.9 million for Europol to cover the upgrade of Europol's IT systems;

- EUR 4.8 million for the European Border and Coast Guard Agency for hosting a team of specialists who during one year will validate the links between identities at the moment the multiple-identity detector goes live;
- EUR 2.0 million for European Union Agency for Law Enforcement Training (CEPOL) to cover the preparation and delivery of training to operational staff;
- a provision of EUR 7.7 million for DG HOME.