European Information System EIS: convention

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When it adopted the report by Mrs Anna Terrón i Cusí (PSE, E), Parliament called for the European Information System to be established under a Regulation and not a Convention. The object of the system was redefined: the Regulation was to set up a European Information System (EIS) to assist in checks at external frontiers and the free movement of persons. Parliament recommended that the legal basis of the Regulation should be Article 235 of the EC Treaty. Parliament maintained that the Commission, and not the Member States, should be given the task of setting up and maintaining the technical support function of the EIS, for which it would be responsible, without exceeding its powers. The system is intended in principle to provide the customs, police, and judicial authorities of the Member States with information relating to crimes and threats to public order of such a serious nature that: - notification might be useful for the police and judicial authorities of other Member States; - persons might be arrested or extradited on the basis of the information supplied; - some form of cross-border cooperation might be necessary. The EIS should not contain information of purely local or national importance. The system could also play a role: - in Community asylum policy; - as regards visas; - in ascertaining whether a missing person was still alive. Whenever personal data are transmitted via the EIS, the reason for their inclusion and the category into which they fall have to be clearly indicated. With regard to protection of the information contained in the EIS, Parliament believed that the Commission should be permitted to take note only of general data (for example the number of records and the reasons therefor), without going beyond the operational requirements of the system. It also called for the number of officials working with the EIS to be kept to a strict minimum. In addition, it reduced the length of time for which data could remain stored (from three years to one year) and called for the Court of Justice to be empowered to rule on disputes relating to data entered in the system. It also took the view that the cost of the system should logically be charged to the general budget of the Communities and not to the Member States, since it believed that the EIS should be placed under the responsibility of the Commission. In the third year of operation of the system, the Commission should submit a report to Parliament and the Council on the achievements of the EIS and propose any changes that might need to be made in the light of the experience acquired.