Basic information

1995/0902(CNS) CNS - Consultation procedure	Procedure lapsed or withdrawn
European Information System EIS: convention **Subject** 7.10.08 Migration policy	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	TERRÓN I CUSÍ Anna (PSE)	06/09/1995

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs, Industrial Policy		
JURI Legal Affairs, Citizens' Rights	SCHAFFNER Anne-Marie (UPE)	26/07/1995
CONT Budgetary Control	BARDONG Otto (PPE)	19/07/1995

Council of the European Union

Key events

Date	Event	Reference	Summary
10/07/1995	Committee referral announced in Parliament		
14/10/1995	Legislative proposal published	09277/1/1995	
25/02/1997	Vote in committee		Summary
25/02/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0062/1997	
28/05/1997	Debate in Parliament		

Technical information

Procedure reference	1995/0902(CNS)

Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legal basis	Treaty on European Union (after Amsterdam) M K.3-p2c
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/4/06760

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0062/1997 OJ C 115 14.04.1997, p. 0004	25/02/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0273/1997 OJ C 182 16.06.1997, p. 0014-0044	29/05/1997	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	12029/1994	20/01/1995	Summary
Legislative proposal	09277/1/1995	14/10/1995	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

European Information System EIS: convention

1995/0902(CNS) - 20/01/1995 - Document attached to the procedure

OBJECTIVE: The draft convention provides for the establishment of a European Information System (EIS) whose purpose would be to administer the list of persons who are barred from entering the territory of the European Union. The convention would organize the setting-up of the national system to be established in each Member State and the installation of the technical support function for the entire EIS in Strasbourg. SUBSTANCE: The draft convention is closely linked to the Convention which relates to the crossing of the external frontiers of Member States, and is partly an instrument for the practical application of this Convention. The draft convention provides for the establishment of an information system to administer the list of persons barred from entering the territory of the EU and seeks therefore to promote the exchange of information on data relating to persons who should be refused access, by the Member States, to the entire territory of the Union. The police and customs services of the fifteen Member States would be able to interrogate the system when making cross-border checks and inspections, in the same way as when carrying out other checks and searches in their national territory. The draft convention indicates which categories of information would be entered into the EIS by the appropriate national services of the fifteen Member States. This would include data relating to: . persons who are to be arrested for the purpose of extradition, . persons who are classified as undesirable under Article 10 of the Convention on external borders, namely those who represent a threat to public order or to the security of a Member State, persons who carry certain types of conviction or who have committed serious offences or those who have committed repeated offences when entering or residing in a foreign country (according to the terms and conditions to be laid down), . persons who have gone missing or who, for their own protection, have to be taken into safe custody on a temporary basis, at the request of the judicial authorities or other competent bodies, . witnesses and persons who are summoned to appear before the judicial authorities, . persons who have been selected for discreet surveillance or for specific investigation. The EIS should also carry data relating to specific categories of objects which are being sought for the purpose of seizure or to serve as evidence in the context of criminal proceedings. This would include items such as vehicles, firearms, identity documents and bank-notes. Finally, the draft convention specifies the conditions for data capture and lays down the rules for the use of data of a

personnel nature, and its protection. The EIS, whose main management centre would be located in Strasbourg, should be compatible with the SIS (Schengen information system). France was to assume responsibility for the technical operation of the system, as is already the case for the SIS. The cost for setting-up and using the EIS would be shared by the Member States.

European Information System EIS: convention

1995/0902(CNS) - 29/05/1997 - Text adopted by Parliament, 1st reading/single reading

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.