

ETIAS consequential amendments: police and judicial cooperation

2019/0001A(COD) - 07/01/2019 - Legislative proposal

PURPOSE: to define the technical amendments necessary to fully set up the European Travel Information and Authorisation System (ETIAS).

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: [Regulation \(EU\) 2018/1240](#) of the European Parliament and of the Council created the European Travel Information and Authorisation System (ETIAS) for third-country nationals exempt from the requirement to be in possession of a visa when crossing external borders. It laid down the conditions and procedures to issue or refuse a travel authorisation.

ETIAS shall determine the eligibility of visa-exempt third-country nationals prior to their travel to the Schengen Area and whether such travel poses a security, irregular migration or high epidemic risk.

The ETIAS Regulation provides that the personal data contained in the applications will be compared with the data contained in records, files or alerts:

- in alerts recorded in other EU information systems or databases (the ETIAS Central System, the Schengen Information System (SIS), the Visa Information System (VIS), the Entry/Exit System (EES) or Eurodac), and the European Criminal Records Information System for third-country nationals (ECRIS-TCN);
- in Europol data;
- in the Interpol databases (the Interpol Stolen and Lost Travel Document database (SLTD) or the Interpol Travel Documents Associated with Notices database (TDAWN)).

Not all data are collected or recorded in the same way in the other EU information systems and Europol data. For instance, 'first names of parents of applicants' are collected by ETIAS, but not in most of the other systems to be queried by ETIAS.

In order to enable the verification referred to in Article 20 of Regulation (EU) 2018/1240, it is necessary to amend the legal acts establishing the European Union's information systems to ensure interoperability with ETIAS. Without this interoperability, ETIAS cannot enter into service.

CONTENT: the proposal defines the technical amendments necessary to fully set up the ETIAS system. It amends the legal acts establishing the EU information systems that are necessary for establishing their relation with ETIAS.

Consequently, it amends [Regulation \(EU\) 2018/1862](#) of the European Parliament and of the Council establishing the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters and Regulation (EU) of the European Parliament and of the Council (ECRIS-TCN), which has been the subject of a political agreement between the co-legislators, in order to

connect the ETIAS central system to other EU information systems and Europol data and to specify the data to be exchanged with these EU information systems and with Europol data.

As compared to the ETIAS Regulation, this proposal only specifies in more details which data is to be compared to which data in the other EU information systems and provides with the necessary amendments as regards granting access rights to those other systems to ETIAS Central and National Units.

The proposal builds on the Schengen acquis on the crossing of external borders and visas. It therefore takes into account the consequences of the various protocols and agreements signed with the associated countries.