

Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2017/0351(COD)</p>	Procedure completed
<p>Interoperability between EU information systems (borders and visa)</p> <p>Amending Decision 2004/512/EC 2004/0029(CNS) Amending Regulation (EC) No 767/2008 2004/0287(COD) Amending Decision 2008/633/JHA 2005/0232(CNS) Amending Regulation (EU) 2016/399 2015/0006(COD) Amending Regulation (EU) 2017/2226 2016/0106(COD) See also 2017/0352(COD) Amended by 2018/0152A(COD) Amended by 2019/0001A(COD)</p> <p>Subject 7.10.04 External borders crossing and controls, visas</p> <p>Legislative priorities Joint Declaration 2018-19</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 LENAERS Jeroen	01/02/2018
		Shadow rapporteur	
		 NIEDERMÜLLER Péter	
		 DALTON Daniel	
		 DEPREZ Gérard	
		 VALERO Bodil	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Foreign Affairs	The committee decided not to give an opinion.	
	 Budgets		25/01/2018
		 KÖLMEL Bernd	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	3689	14/05/2019
European Commission	Commission DG	Commissioner	
	Migration and Home Affairs	KING Julian	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
28/02/2018	Committee referral announced in Parliament, 1st reading		
15/10/2018	Vote in committee, 1st reading		
15/10/2018	Committee decision to open interinstitutional negotiations with report adopted in committee		
19/10/2018	Committee report tabled for plenary, 1st reading	A8-0347/2018	Summary
22/10/2018	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
24/10/2018	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
19/02/2019	Approval in committee of the text agreed at 1st reading interinstitutional negotiations		
27/03/2019	Debate in Parliament		
16/04/2019	Results of vote in Parliament		
16/04/2019	Decision by Parliament, 1st reading	T8-0388/2019	Summary
14/05/2019	Act adopted by Council after Parliament's 1st reading		
20/05/2019	Final act signed		
20/05/2019	End of procedure in Parliament		
22/05/2019	Final act published in Official Journal		

Technical information	
Procedure reference	2017/0351(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	<p>Amending Decision 2004/512/EC 2004/0029(CNS)</p> <p>Amending Regulation (EC) No 767/2008 2004/0287(COD)</p> <p>Amending Decision 2008/633/JHA 2005/0232(CNS)</p> <p>Amending Regulation (EU) 2016/399 2015/0006(COD)</p> <p>Amending Regulation (EU) 2017/2226 2016/0106(COD)</p> <p>See also 2017/0352(COD)</p> <p>Amended by 2018/0152A(COD)</p> <p>Amended by 2019/0001A(COD)</p>
Legal basis	Treaty on the Functioning of the EU TFEU 077-p2; Treaty on the Functioning of the EU TFEU 016-p2; Treaty on the Functioning of the EU TFEU 074
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions

Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/12007

Documentation gateway

Initial legislative proposal		COM(2017)0793	12/12/2017	EC	Summary
Document attached to the procedure		SWD(2017)0473	13/12/2017	EC	
Document attached to the procedure		SWD(2017)0474	13/12/2017	EC	
Document attached to the procedure		N8-0084/2018 OJ C 233 04.07.2018, p. 0012	19/03/2018	EDPS	Summary
Legislative proposal		COM(2018)0478	13/06/2018	EC	Summary
Committee opinion	BUDG	PE616.791	20/06/2018	EP	
Amendments tabled in committee		PE625.512	23/07/2018	EP	
Amendments tabled in committee		PE625.529	23/07/2018	EP	
Amendments tabled in committee		PE625.530	23/07/2018	EP	
Committee draft report		PE622.263	24/07/2018	EP	
Economic and Social Committee: opinion, report		CES4547/2018	17/10/2018	ESC	
Committee report tabled for plenary, 1st reading/single reading		A8-0347/2018	19/10/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0388/2019	16/04/2019	EP	Summary
Reasoned opinion	IE_HOUSES-OF-OIREACTHAS	PE638.494	14/05/2019	NP	
Draft final act		00030/2019/LEX	20/05/2019	CSL	
Commission response to text adopted in plenary		SP(2019)440	08/08/2019	EC	
Follow-up document		COM(2020)0428	21/08/2020	EC	

Additional information	
Research document	Briefing
Final act	
Regulation 2019/817 OJ L 135 22.05.2019, p. 0027 Summary Corrigendum to final act 32019R0817R(01) OJ L 010 15.01.2020, p. 0004	
Delegated acts	
2021/2862(DEA)	Examination of delegated act

Interoperability between EU information systems (borders and visa)

PURPOSE: to establish a framework for interoperability between EU information systems (borders and visa) and amend the relevant 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: the importance of overcoming the current shortcomings in data management and of improving the interoperability of existing information systems has been stressed on many occasions. Recent terrorist attacks have brought this into even greater focus, highlighting the urgent need for information systems to be interoperable, and to eliminate the current blind spots where terrorist suspects can be recorded in different, unconnected databases under different aliases.

Currently, various information systems at EU level (the Schengen Information System ([SIS](#)), the [Eurodac system](#) and the Visa Information System ([VIS](#)) with data on short-stay visas) are currently not interoperable – that is, able to exchange data and share information so that authorities and competent officials have the information they need, when and where they need it. This risks pieces of information slipping through the net and terrorists and criminals escaping detection by using multiple or fraudulent identities, endangering the EU's internal security and making border and migration management more challenging.

In addition to these existing systems, the Commission proposed in 2016-2017 three new centralised EU information systems:

- the Entry/Exit System ([EES](#));
- the proposed European Travel Information and Authorisation System ([ETIAS](#));
- the proposed European Criminal Record Information System for third-country nationals ([ECRIS-TCN](#) system).

These six systems are complementary and – with the exception of the Schengen Information System (SIS) – exclusively focused on third-country nationals.

By simultaneously cross-checking information in different databases and streamlining access by law enforcement, the new tools will quickly alert border guards or police if a person is using multiple or fraudulent identities.

This proposal presented in combination with its [sister proposal](#) includes detailed provisions for the necessary changes to the relevant legal instruments in force.

CONTENT: the specific objectives of this proposal are to:

- ensure that end-users, particularly border guards, law enforcement officers, immigration officials and judicial authorities have fast, seamless, systematic and controlled access to the information that they need to perform their tasks;
- provide a solution to detect multiple identities linked to the same set of biometric data, with the dual purpose of ensuring the correct identification of bona fide persons and combating identity fraud;
- facilitate identity checks of third-country nationals, on the territory of a Member State, by police authorities; and
- facilitate and streamline access by law enforcement authorities to non-law enforcement information systems at EU level, where necessary for the prevention, investigation, detection or prosecution of serious crime and terrorism.

Scope: the proposal concerns EU information systems for centrally managed security, borders and migration management, i.e. the three systems that already exist (the Schengen Information System (SIS)), the Eurodac system and the Visa Information System (VIS) and the three systems proposed in 2016-2017 (EES, ETIAS and ECRIS-TCN).

The scope also includes Interpol's Stolen and Lost Travel Documents (SLTD) database, which pursuant to the provisions of the Schengen Borders Code is systematically queried at the EU's external borders, and Interpol's Travel Documents Associated with Notices (TDawn) database.

In order to achieve the objectives of this proposal, four interoperability components need to be established:

- European search portal – ESP;

- Shared biometric matching service - shared BMS;
- Common identity repository - CIR;
- Multiple-identity detector - MID.

In addition to the above components, this draft Regulation also includes the proposal to:

- establish a central repository for reporting and statistics (CRRS) to enable the creation and sharing of reports with (anonymous) statistical data for policy, operational and data quality purposes;
- establish the Universal Message Format (UMF) as the standard that would be used at EU level to orchestrate interactions between multiple systems in an interoperable way, including the systems developed and managed by eu-LISA;
- introduce the concepts of automated data quality control mechanisms and common quality indicators, and the need for Member States to ensure the highest level of data quality.

BUDGETARY IMPLICATIONS: the total budget required over nine years (2019-2027) amounts to EUR 424.7 million.

Interoperability between EU information systems (borders and visa)

PURPOSE: to establish a framework for interoperability between EU information systems (borders and visa) 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 (borders and visas) and amending Council Decision 2004/512/EC, Council Regulation (EC) No 767/2008, Council Decision 2008/633/JHA, Regulation (EU) 2016/399 and Regulation (EU) 2017/2226 (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 the Entry/Exit System (EES), the Visa Information System (VIS), the European Travel Information and Authorisation System (ETIAS) and the Schengen Information System (SIS). It applies to persons in respect of whom personal data may be processed in the EU information systems.

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.

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.

Interoperability between EU information systems (borders and visa)

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Jeroen LENAERS (EPP, NL) on the amended proposal for a regulation of the European Parliament and of the Council on establishing a framework for interoperability between EU information systems (borders and visa) and amending Council Decision 2004/512/EC, Regulation (EC) No 767/2008, Council Decision 2008/633/JHA, Regulation (EU) 2016/399, Regulation (EU) 2017/2226, Regulation (EU) 2018/XX [the ETIAS Regulation], Regulation (EU) 2018/XX [the Regulation on SIS in the field of border checks] and Regulation (EU) 2018/XX [the euLISA Regulation].

The proposal Regulation establishes four interoperability components of EU information systems (borders and visas): (i) the European Search Portal (ESP); (ii) the shared Biometric Matching Service (Shared BMS); (iii) the Common Identity Repository (CIR); (iv) and the Multiple Identity Detector (MID).

The systems covered would include 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)].

The proposal lays down provisions on the objectives of the interoperability components, their technical architecture, rules regarding the use of the components, the storing of logs, the quality of the data, rules regarding data protection, supervision and responsibilities of the various agencies and the Member States. It also lays down a framework for verifying identities of third-country nationals and for identifying third-country nationals.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal as follows.

Objectives: the establishment of interoperability should improve the management of the external borders by establishing fast, simple and efficient access to EU information systems. Its main elements should:

- enhance the effectiveness and efficiency of border checks at the external borders;
- contribute to preventing and tackling irregular migration;
- contribute to the prevention, detection and investigation of terrorist offences or of other serious criminal offences;
- aid in the identification of unknown persons who are unable to identify themselves or unidentified human remains in cases of natural disasters, accidents or terrorist attacks.

The eu-LISA Agency should develop and manage all interoperability components in such a way as to ensure fast, seamless, efficient, controlled access, their full availability and a response time in line with the operational needs of the Member States authorities.

Data protection: Members ensured that adequate safeguards are in place to protect fundamental rights and access to data by calling for all EU data protection rules to be applicable to all information systems.

Data subjects should be provided with a single web service through which they can exercise their rights to access to and rectification, erasure and restriction of their personal data. eu-LISA should establish such a web service and host it in its technical site.

The interoperability components should be designed so that particular attention is paid to the protection of children and that their rights and integrity are fully respected.

Auxiliary systems: in order to ensure rapid and continuous use of all relevant EU information systems, Members proposed that a central Union backup ESP should be established in order to provide all the functionalities of the principal ESP and a similar level of performance as it in the event of its failure. However, the national connection to the different relevant Union information systems should remain in order to provide a technical fall back.

Identification of persons: changes have been made so that the identity of a person is first established on the basis of the identity or travel document, following the rules and procedures provided for in national law, before it is possible to launch a search in the CIR using the biometric data of the person concerned.

The CIR could only be consulted for the purpose of identifying a person if the person concerned is physically present during the check.

Members also believe that there should be no strict obligation for border guards to carry out a second line check when the search carried out in the multiple identity detector (MID) through the European search portal (ESP) gives a yellow link or detects a red link. Such a decision should be left to the border guards as they are trained to detect identity fraud.

Access rights: Members specified that a hit-flag should reveal only personal data of the concerned individual other than an indication that some of his or her data are stored in one of the systems, provided the authority making the search has access to that system. No adverse decision for the concerned individual should be made by the authorised end-user solely on the basis of the simple occurrence of a hit-flag, and the hit-flag should be used by the relevant authorities only for the purpose of deciding which database to query.

It is necessary to provide for a transitional period which should entail, inter alia, training programmes for end users so as to ensure that the new instruments operate to their full potential.

Evaluation: amendments have been introduced to strengthen the ability of the European Commission, the Council and the European Parliament to monitor and evaluate the functioning of this proposal, further amendments have been made to this article. Especially, with regard to the use of the CIR for the purposes of identification, for the purposes of law enforcement and the use of the Interpol database through the ESP.

Interoperability between EU information systems (borders and visa)

The European Parliament adopted by 511 votes to 123, with 9 abstentions, a legislative resolution on the amended proposal for a regulation of the European Parliament and of the Council on establishing a framework for interoperability between EU information systems (borders and visa) and amending Council Decision 2004/512/EC, Regulation (EC) No 767/2008, Council Decision 2008/633/JHA, Regulation (EU) 2016/399, Regulation (EU) 2017/2226, Regulation (EU) 2018/XX [the ETIAS Regulation], Regulation (EU) 2018/XX [the Regulation on SIS in the field of border checks] and Regulation (EU) 2018/XX [the euLISA Regulation].

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

Framework for the interoperability of EU information systems

The proposed Regulation, together with the [Regulation](#) of the European Parliament and of the Council on police and judicial cooperation, asylum and migration, shall establish 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). It would also establish a framework for verifying the identity of individuals and identifying individuals.

This framework shall include the following interoperability components: (i) a European search portal (ESP); (ii) a shared biometric matching service (shared BMS); (iii) a common identity repository (CIR); (iv) a multiple-identity detector (MID).

Objectives

Interoperability shall improve the management of external borders by establishing rapid, simple and efficient access to EU information systems. According to the amended text, this Regulation has the following objectives:

- to improve the effectiveness and efficiency of border checks at external borders;
- to contribute to the prevention and the combating of illegal immigration;
- 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 security in the territories of the Member States;
- to contribute to the prevention, detection and investigation of terrorist offences and of other serious criminal offences;
- to facilitate the identification of unknown persons who are unable to identify themselves or unidentified human remains in case of a natural disaster, accident or terrorist attack.

Non-discrimination and fundamental rights

Processing of personal data for the purposes of this Regulation shall not result in discrimination against persons on any grounds. It shall fully respect human dignity and integrity and fundamental rights, including the right to respect for one's private life and to the protection of personal data. Particular attention shall be paid to children, the elderly, persons with a disability and persons in need of international protection. The best interests of the child shall be a primary consideration.

Access to the European Search Portal (ESP)

The use of the ESP shall be reserved to the Member State authorities and Union agencies having access to at least one of the EU information systems in accordance with the legal instruments governing those EU information systems. Those Member State authorities and Union agencies may make use of the ESP and the data provided by it only for the objectives and purposes laid down in the legal instruments governing those EU information systems.

The ESP shall provide no information regarding data in EU information systems, Europol data and the Interpol databases to which the user has no access under the applicable Union and national law.

Any queries of the Interpol databases launched via the ESP shall be performed in such a way that no information shall be revealed to the owner of the Interpol alert.

Access to the common identity data repository (CIR) for identification

Under the amended text, queries of the CIR shall be carried out by a police authority only in the following circumstances:

- where a police authority is unable to identify a person due to the lack of a travel document or another credible document proving that persons identity;
- where there are doubts about the identity data provided by a person and to the authenticity of the travel document or another credible document provided by a person;
- where a person is unable or refuses to cooperate.

Such queries shall not be allowed against minors under the age of 12 years old, unless in the best interests of the child.

Terrorist offences

In specific cases, where there are reasonable grounds to believe that searching EU information systems will contribute to the prevention or detection of terrorist offences or other serious criminal offences, designated authorities and Europol could consult the CIR to determine whether data on a particular person are stored in the EES, VIS or ETIAS.

In this context, a reply from the CIR should not be interpreted or used as a ground or reason to draw conclusions on or undertake measures in respect of a person, but should be used only for the purpose of submitting an access request to the underlying EU information systems, subject to the conditions and procedures laid down in the respective legal instruments governing such access.

As a general rule, where a match-flag indicates that the data are recorded in the EES, VIS, ETIAS or Eurodac, the designated authorities or Europol should request full access to at least one of the EU information systems concerned. Where exceptionally such full access is not requested, for example because designated authorities or Europol have already obtained the data by other means, or obtaining the data is no longer permitted under national law, the justification for not requesting access should be recorded. Europol shall record the justification in the relevant file.

Results of multiple identity detection

The MID should create and store links between data in the different EU information systems in order to detect multiple identities, with the dual purpose of facilitating identity checks for bona fide travellers and combating identity fraud. These links will be classified into four categories: white, yellow, green and red.

In order to facilitate the implementation of the necessary safeguards in accordance with applicable Union data protection rules, individuals who are subject to a red link or a white link following manual verification of different identities should be informed in writing without prejudice to limitations to protect security and public order, prevent crime and guarantee that national investigations are not jeopardised. Those individuals should receive a single identification number allowing them to identify the authority to which they should address themselves to exercise their rights.

Where a yellow link is created, the authority responsible for the manual verification of different identities should have access to the MID. Where a red link exists, Member State authorities and Union agencies having access to at least one EU information system included in the CIR or to SIS should have access to the MID. A red link should indicate that a person is using different identities in an unjustified manner or that a person is using somebody else's identity.

Web portal

As the interoperability components will involve the processing of significant amounts of sensitive personal data, persons whose data are processed by these elements should be able to effectively exercise their rights as data subjects. To this end, the amended text provides for the provision of a web portal to facilitate the exercise by data subjects of their rights of access to their personal data and their rights to rectify, delete and limit the processing of such data. The implementation and management of the portal should be the responsibility of eu-LISA.

The Regulation also contains clear provisions on liability and the right to compensation in the event of unlawful processing of personal data or in the event of any other act incompatible with the Regulation.

Interoperability between EU information systems (borders and visa)

PURPOSE: to establish a framework for interoperability between EU information systems (borders and visas) and amend the legislation in force as a consequence.

LEGISLATIVE ACT: Regulation (EU) 2019/817 of the European Parliament and of the Council establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA.

CONTENT: the interoperability of EU information systems in the fields of justice and home affairs has been a priority at the highest political level in recent years.

In a [resolution](#) adopted on 6 July 2016, the European Parliament called for proposals to improve and develop existing EU information systems, address information gaps and move towards their interoperability, as well as proposals for compulsory information sharing at EU level, accompanied by the necessary data protection safeguards. In its conclusions of 23 June 2017, the European Council also stressed the need to improve the interoperability of databases.

Framework for the interoperability of EU information systems

This 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.

In addition, this Regulation:

- lays down provisions on data quality requirements, on a universal message format (UMF), on a central repository for reporting and statistics

(CRRS) and on 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, development and operation of the interoperability components;

- adapts the procedures and conditions for the designated authorities and for the European Union Agency for Law Enforcement Cooperation (Europol) to access the EES, VIS, ETIAS and Eurodac for the purposes of the prevention, detection or investigation of terrorist offences or of other serious criminal offences;

- lays down a framework for verifying the identity of persons and for identifying persons.

Elements of the interoperability framework

The interoperability of information systems shall enable the systems to complement each other and shall contribute to facilitating the correct identification of individuals and to combating identity fraud. The interoperability elements put in place by the Regulation are as follows:

- 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

Interoperability shall improve the management of external borders by establishing seamless, simple and efficient access to EU information systems. By ensuring interoperability, the Regulation pursues the following objectives:

- improve the effectiveness and efficiency of border checks at external borders;

- contribute to the prevention and the combating of illegal immigration;

- 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 security in the territories of the Member States;

- improve the implementation of the common visa policy;

- assist in the examination of applications for international protection;

- contribute to the prevention, detection and investigation of terrorist offences and of other serious criminal offences;

- facilitate the identification of unknown persons who are unable to identify themselves or unidentified human remains in case of a natural disaster, accident or terrorist attack.

Non-discrimination and fundamental rights

The processing of personal data for the purposes of the Regulation shall not give rise to any discrimination against individuals. It must fully respect human dignity, the integrity of individuals and fundamental rights, including the right to privacy and the right to the protection of personal data. Particular attention will be paid to children, the elderly, people with disabilities and people in need of international protection. The best interests of the child shall be a primary consideration.

The Regulation provides for the provision of an online portal to facilitate the exercise by data subjects of their rights of access to their personal data and their rights to rectify, erase and limit the processing of such data. The implementation and management of the portal should be the responsibility of eu-LISA.

ENTRY INTO FORCE: 11.6.2019.