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Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation 2019/0001(COD)	Awaiting Parliament's position in 1st reading
Conditions for accessing the other EU information systems Amending <a href="#">2016/0409(COD)</a> Amending <a href="#">2017/0351(COD)</a> Subject 7.10.04 External borders crossing and controls, visas 7.30.05 Police cooperation 7.40.04 Judicial cooperation in criminal matters Legislative priorities <a href="#">Joint Declaration 2021</a>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 <a href="#">LENAERS Jeroen</a>	24/09/2019
		Shadow rapporteur	
		 <a href="#">TUDORACHE Dragoș</a>	
		 <a href="#">BERG Lars Patrick</a>	
		 <a href="#">BREYER Patrick</a>	
		 <a href="#">BUXADÉ VILLALBA Jorge</a>	
	Former committee responsible		
 Civil Liberties, Justice and Home Affairs			
Committee for opinion	Rapporteur for opinion	Appointed	
 Foreign Affairs	The committee decided not to give an opinion.		
 Transport and Tourism	The committee decided not to give an opinion.		
Former committee for opinion			
 Foreign Affairs			
 Transport and Tourism			
Council of the European Union			
European Commission	Commission DG <a href="#">Migration and Home Affairs</a>	Commissioner JOHANSSON Ylva	

Key events			
07/01/2019	Legislative proposal published	<a href="#">COM(2019)0003</a>	Summary

17/01/2019	Committee referral announced in Parliament, 1st reading/single reading		
21/10/2019	Committee referral announced in Parliament, 1st reading/single reading		
07/12/2020	Vote in committee, 1st reading/single reading		
07/12/2020	Committee decision to open interinstitutional negotiations with report adopted in committee		
11/12/2020	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A9-0254/2020</a>	Summary
14/12/2020	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
16/12/2020	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		

### Technical information

Procedure reference	2019/0001(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending <a href="#">2016/0409(COD)</a> Amending <a href="#">2017/0351(COD)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 082-p1; Treaty on the Functioning of the EU TFEU 087-p2
Stage reached in procedure	Awaiting Parliament's position in 1st reading
Committee dossier	LIBE/9/00415

### Documentation gateway

Legislative proposal	<a href="#">COM(2019)0003</a>	07/01/2019	EC	Summary
Committee draft report	<a href="#">PE643.218</a>	02/09/2020	EP	
Amendments tabled in committee	<a href="#">PE658.804</a>	01/10/2020	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A9-0254/2020</a>	11/12/2020	EP	Summary

## 2019/0001(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.

## 2019/0001(COD) - 11/12/2020 Committee report tabled for plenary, 1st reading/single reading

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The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Jeroen LENAERS (EPP, NL) on the proposal for a regulation of the European Parliament and of the Council establishing the conditions for accessing the other EU information systems and amending Regulation (EU) 2018/1862 and Regulation (EU) 2019/816.

As a reminder, the proposal for a regulation defines the technical amendments necessary to fully set up the European Travel Information and Authorisation System (ETIAS). It amends the legal acts establishing the EU information systems that are necessary for establishing their relation with ETIAS.

The committee considered that, following the recommendations of the substitute impact assessment by the European Parliament Research Services, improvements were needed as regards certain articles.

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

### Flagging of third country nationals

The ETIAS Central System should build upon the EES Central Systems hardware and software components in order to establish a shared identity repository for the storage of the identity alphanumeric data of both ETIAS applicants and third-country nationals registered in EES.

ETIAS should be able to verify if correspondences exist between data in the ETIAS application files and the European Criminal Records Information System Third Country Nationals (ECRIS-TCN) data in the Common Identity Repository (CIR) as regards which Member States hold conviction information on third-country nationals and stateless persons for a terrorist offence over the previous 20 years or other serious criminal offence over the previous 10 years, as listed in the Annex to Regulation (EU) 2018/1240 where those criminal offences are punishable under national law by a custodial sentence or a detention order for a maximum period of at least three years.

The committee proposed that the flags and the code of the convicting Member State(s) should be accessible and searchable only by the ETIAS Central System and should not be visible to any authority other than the central authority of the convicting Member State that created the flagged record.

Where the expiry of the retention period concerns flags, the central authority of the convicting Member State shall erase the flags from the Central System and the CIR. This erasure should be done automatically.

The CIR shall be connected to the European Search Portal. The Portal should enable the data stored in ETIAS to be compared to the data stored in every other EU information system by means of a single query.

### Alerts

Members considered that it is necessary, for the purposes of ensuring the full attainment of ETIAS objectives, as well as to further the Schengen Information System objectives, to include in the scope of the automated verifications new alert categories introduced by the recent revision of SIS, namely the alert on persons subject to inquiry checks and the alert on third-country nationals subject to a return decision.

### Monitoring and evaluation

The provisions regarding monitoring and statistics have been strengthened in such a way as to make sure that the Commission will need to regularly evaluate the querying of the ECRIS-TCN system by the ETIAS system and inform the European Parliament and the European Data

