EU borders: Civil Liberties MEPs vote to step up checks and data protection

[27-02-2017 - 18:47]

Civil Liberties MEPs voted on Monday for stronger protection and a shorter retention period for data stored in the new EU entry/exit system, which is designed to modernise and step up checks on non-EU nationals travelling to the European Union.

The EU entry-exit system will speed up and strengthen border checks at the EU's outer borders on non-EU nationals travelling to the EU. It will replace the stamping of passports with an electronic system that stores data on the traveller, so as to facilitate fast crossings while making it easy to detect over-stayers and document or identity fraud.

The proposed system aims to check that the authorised duration of a stay in the Schengen area is respected (90 days in any 180 day period) while at the same time strengthening security.

Lead MEP Agustín Díaz de Mera (EPP, ES) said: "The approval of the Smart Borders legislative text clears the way to open negotiations with the Council and the Commission for a swifter and safer (registry) system external border crossings into the Schengen area. This is an indispensable tool for the security of European citizens".

His draft resolution was adopted by 38 votes to seven, with one abstention.

Stronger data protection

MEPs backed the EU Commission's proposal to store a combination of four fingerprints and a facial image of travellers arriving in the Schengen area. However, they say data should be stored for only two years, and not the five years proposed by Commission. They also want to ensure that the text is in line with the provisions of the General Data Protection Regulation, for example by allowing the data subject the right to access his or her own data.

Clearly-defined purpose

The purposes of data processing in the new system should also be clarified, MEPs say. Migration handling should be the first purpose and law enforcement a further one. The two should be treated separately, as the conditions for the use and storage of the data are not the same, they underline.

Next steps

The Committee voted to open negotiations with the Council by 40 votes to four, with one abstention. Parliament will decide on whether to begin negotiations with Council in Strasbourg in March.

Background

The proposal for an entry-exit system (EES) is part of the smart borders package presented by the Commission in April 2016. It will apply to non-EU nationals, both those that require a visa and those that are exempted, travelling to the Schengen area. The system will collect information about the identity of the person, four fingerprints and a visual image as well as information about the date and place of entry and exit.

Press release

On Monday, the Civil Liberties Committee also voted the necessary amendments to the Schengen Borders Code to integrate the new Entry-Exit System (draft report amending Regulation 2016/399 as regards the entry- exit system. Rapporteur Agustín Díaz de Mera).

Further information

- Smart Borders: EU Entry/Exit System [EU Legislation in Progress] (Briefing, July 2016) : https://epthinktank.eu/2016/07/12/smart-borders-eu-entryexit-system-eu-legislation-in-progress/
- Parliament's lead MEP Agustín Díaz de Mera (EPP; ES): http://www.europarl.europa.eu/meps/en/28397/AGUSTIN_DIAZ+DE+MERA+GARCIA+CONSUEGRA_home.html
- Committee on Civil Liberties, Justice and Home Affairs: http://www.europarl.europa.eu/committees/en/libe/home.html

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