

ESTONIA

Estonian written comments (22.02.2021 LEWP – Europol alerts on SIS)

- 1) **Do you agree that there is an operational need to make verified third-country sourced information on terrorists and other criminals available to frontline officers (border guards and police officers) in order to detect those persons when they seek to cross EU external borders or when they are being checked within the EU?**

Regarding the first question, of course it is important. And in our opinion on Estonian external border such information is already available, if it's put into Interpol's database. Therefore for us such information would be duplication.

- 2) **If so, do you agree that the Schengen Information System is the right tool to make this information available to frontline officers (border guards and police officers)? If not, what alternative solution would you propose?**

Regarding the second question, if such information is not inserted into Interpol's databases, what is the reason behind it? Our opinion is, that we don't need an alternative solution, we already have a functioning mechanism.

Also we recall, that TWP discussed last year a list of potential foreign terrorist fighters. The solution that MS agreed upon was that MS verify the list and insert the information into SIS on a voluntary basis. International cooperation and verification process. Now it's said, that Europol has information about 1000 potentially crime-involved persons, which, possibly, could not have been verified. Are there estimates on how many of these 1000 already are inserted into Interpol databases? And considering the numbers, are these investments reasonable? It's unclear, how many such alerts there would exist in the future.

If the amount of such possible notifications would be high (in thousands), the administrative burden for Europol would be significant and there are much more pressing needs for Europol to focus its resources.

And finally, the difficulties in implementation, since the post-hit procedure is unclear. It's required, that MS has to explain, why specific action was taken post-hit. Therefore it's also not clear, based on which internal legal acts we could take various measures regarding that person, if there is no on-going investigation and it's, as stressed, just for informative purposes.

To conclude, unfortunately, Estonia is not convinced is the proposals necessity because in our opinion there is no proper problem here to solve. If MS agree, that there is a problem, maybe one option could be to make such information available in Europol's database and try to solve it there.