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NOTE

From: Presidency
To: Delegations

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Subject: Interoperability: state of play

Interoperability of EU information systems in the area of Justice and Home Affairs has been a priority at the highest political level for the past few years. In its conclusions of 18 December 2015, the European Council stated that recent terrorist attacks had demonstrated the urgency of enhancing information sharing, in particular as regards ensuring the interoperability of the relevant databases with regard to security checks. A high-level expert group on information systems and interoperability was established and prepared a report which stressed the need for more effective and efficient data management for borders and security in the EU.

In June 2017, the European Council invited the Commission to prepare legislative proposals on this issue as soon as possible, on the basis of the recommendations made by the high-level expert group. The Commission presented two legislative proposals on (i) borders and visa and (ii) police and judicial cooperation, asylum and migration on 12 December 2017.

Once interoperability is established, the EU information systems will supplement each other and will facilitate the correct identification of persons, thereby contributing to fighting identity fraud and increasing the efficiency of identity checks of third-country nationals in the Schengen area. Law enforcement access to non-law enforcement systems will also be streamlined, where necessary for the prevention, detection or investigation of terrorist offences or other serious offences. As a result, the proposed regulations will improve security within the EU, make checks at external borders more effective and efficient, and prevent and combat illegal immigration.

A mandate for negotiations on the two proposals was agreed upon by Coreper on 14 June 2018. Establishing interoperability between EU information systems (VIS, SIS, EES, ETIAS, Eurodac and ECRIS-TCN) requires the amendment of the legislative texts setting up those systems. Therefore, the Commission tabled two amended proposals (the so-called 'consequential amendments') on 13 June 2018. A revised mandate was adopted by Coreper on 12 September 2018.

Following the adoption of its report by the Parliament's LIBE Committee on 15 October, the first political trilogue took place on 24 October. A second political trilogue followed on 15 November. Two other political trilogues are scheduled for 27 November and 13 December. As regards technical trilogues, they are taking place at a steady pace, twice a week, for 4 hours each. The Presidency and the co-rapporteurs are committed to reaching a political agreement on this file by the end of December.

If this objective is attained, it would mean that the entry into operations of the four interoperability components (European Search Portal, shared Biometric Matching Service, Common Identity Repository and Multiple Identity Detector) could be achieved by 2023 if the delegated acts and implementing acts included in the interoperability file are all adopted by 2020.
