

Schengen Information System will help to identify people more effectively

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Ministry of the Interior



On Tuesday 24 November, the Cabinet of Ministers supported the adoption of the “Amendments to the Law on Operation of the Schengen Information System”, which stipulate that the Schengen Information System (hereinafter - the System) will be improved from 2022 by extending the possibility to declare additional categories of persons and objects in international search.

In future, it will be possible to declare also the categories of easily identifiable items in search, such as items with an identification number. If a person is wanted, it will be possible to include in the System an object or document that can be associated with that person. Until now, only vehicles, registration plates and documents could be searched for.

It will be possible to check the wanted persons in the System also using biometric data (fingerprints, a photograph), for example, if the fingerprint data is detected at the crime scene, they will be included in the System to compare with the fingerprints already included in the biometric data processing system, thereby identifying a person.

In the light of the fact that personal data are processed within the System and sensitive categories of biometric data are also to be processed, the individual's fundamental rights will be affected. It is therefore envisaged that additional safeguards will be introduced in the system to limit the collection and further processing of data. Consequently, as regards the protection of personal data, proportionality will be respected, as it will lay down specific rules for the deletion of reports and will not provide for the collection and storage of data longer than is necessary. The competent authority will have to review, update or delete a report on the person included in the System within a shorter time limit than currently.

Given the increasing migration in the Member States, efficient exchange of information between the Member States is required to address challenges such as migration management, integrated border management of Member States' external borders, the fight against terrorism and cross-border crime. The draft law also provides for the use of the System for the return of illegally staying third-country nationals. An effective information exchange between the Member States is therefore needed to ensure a sustainable response to these challenges.

The draft law aims to ensure the practical application of the legal provisions resulting from the three regulations of the Council of Europe and the Parliament concerning the use of the System for Border Management, cooperation between police and judicial institutions in criminal matters and the return of third-country nationals illegally staying in a Member State.

The draft law has to be approved by the Saeima, and it will enter into force on 28 December 2021.

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