Sirola Katja POL KRP

Aihe: VL: FI follow-up report SIS - Ares(2021)4445640

Tärkeys: Suuri

Lähettäjä: HOME-JUST SCHENGEN <home-just-schengen@ec.europa.eu>
Lähetetty: torstai, 8. heinäkuuta, 2021 16:42
Aihe: RE: FI follow-up report SIS - Ares(2021)4445640

Dear colleagues,

Thank you for all the efforts put into the implementation of this action plan. The Commission considers that recommendations No 2, 3, 18, 25, 26, 27, 28 and 29 are now implemented. However, please keep these recommendations/actions in the follow-up list when reporting for the sake of coherence. Other recommendations that are listed as 'implemented' will be considered as such after verifying some follow-up questions.

In addition, please see request for further clarification from our side:

- Action No 1: Please note that Article 24 alerts are issued in accordance with the Regulation (EC) No 1987/2006 (in the future Regulation (EU) 2018/1861). The purpose of inserting fingerprints under this regulation relates to identifying persons (see Article 3) who might pose a threat to public policy or public security or to national security in the territory of a Member State or when a third-country national has been subject to a measure involving expulsion, refusal of entry or removal (article 24 (1) and Article 24(2). Article 20, in conjunction with Article 23 provides, that when available, all other data listed in Article 20(2) shall be entered to the alert. In that regard, the interpretation of the Finnish authorities does not correspond to the scope of the EU law, namely Regulation EC) No 1987/2006. Fingerprints and photographs available at the national level shall be added to SIS alerts.
- Action No 4: Given that this action was considered a priority, the Commission would like to request the Finnish authorities to avoid further delays in the implementation of the temporary solution and of the checks done through Traficom with road traffic vehicles.
- Action No 9: The Commission would kindly ask Finland provide further details on the exact time-line of the implementation of the additional solutions to facilitate that end-users open links following the display of the Schengen-ID.
- Action No 10: The Commission would kindly ask Finland provide further details on the exact time-line of the implementation of this action.
- Action No 11: The Commission would kindly ask Finland to specify if the manual interface will be available for Finnish Immigration service and does it provide access to all the data mentioned in the recommendation, i.e. photographs and availability of fingerprints, links, action to be taken and reason for request for invalidated document alerts.
- Action No 12: The Commission would kindly ask Finland provide screenshots (with the personal details blurred) to demonstrate the display of links between alerts, action to be taken 'contact SIRENE immediately', action to be taken in full for Article 36 discreet and specific check alerts with immediate reporting and action to be taken and reason for request for invalidated document alerts.
- Actions No 13: Finland is kindly requested to specify when these 'future developments' will take place. The proper display of warning markers ensures, among others, that end-users are warned about the presence of dangerous subjects. Failure to implement this action may put the safety of the end-users at risk.
- Action 17: The Commission would kindly ask the Finnish authorities to provide the detailed planning for the implementation of 'the new system for inserting alerts'.

- Actions No 19 and 21: As previously indicated, Finland is kindly requested to consider the acceleration of these actions to avoid their implementation are delayed beyond the previously indicated deadline (end of 2021) or alternatively, to implement temporary solutions to ensure the implementation of these recommendations until the permanent solutions are finalised.
- Action No 20: As previously indicated, Finland is kindly requested to further explain why 'this temporary solution cannot be applied to action point 1: the identified workload related to invalidated residence permits & visas is fairly low, compared to amount of prohibition entry alerts.' Does this mean that the migration authorities do not request the police to insert invalidated residence permits and visas? How it is then ensured that these are inserted to SIS?

Finish authorities are kindly requested to include their responses to the comments above directly in the next follow-up report, which must be submitted within 3 months following the transmission of the latest report.

Kind regards,

Víctor Rico Reche



European Commission
DG HOME
Directorate B – Directorate for Borders, Interoperability and Innovation
Unit B2 – Schengen Evaluation

LX46 01/183
Rue du Luxembourg 46
B-1000 Brussels/Belgium
+32 22 98 23 36
Victor.RICO-RECHE@ec.europa.eu

Think of the environment before printing this email

The views expressed are purely those of the writer and may not in any circumstances be regarded as stating an official position of the European Commission