Sirola Katja POL KRP

Aihe: VL: SIS-ARVIOINTI_FI follow-up report/SIS - Ares(2021)6584881

Lähettäjä: HOME-JUST SCHENGEN <home-just-schengen@ec.europa.eu>
Lähetetty: tiistai, 26. lokakuuta, 2021 9:57
Aihe: RE: FI follow-up report/SIS - Ares(2021)6584881

Dear colleagues,

Thank you for all the efforts put into the implementation of this action plan. The Commission considers that recommendations No 2, 3, 12, 18, 23, 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:

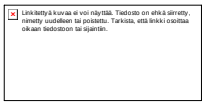
- Action No 1: The Commission would like to reiterate that the interpretation of the Finnish authorities of the wording '*when available*' is not in line with the spirit of the EU legislation. The Commission encourages Finland, as required by Article 20 read in conjunction with Article 23(2) of Regulation (EC) No 1987/2006 and of Council Decision 2007/533/JHA, to implement the possibility to upload photographs and fingerprints to all SIS alerts. The purpose of the Schengen Information System is to ensure a high level of security within the area of freedom, security and justice of the Union, including the maintenance of public security and public policy and the safeguarding of security, and to ensure the application of the provisions of Chapters 2, (4 and 5) of Title V of Part Three TFEU relating to the movement of persons on their territories, using information communicated through this system. The national legislation should accommodate the possibility of uploading fingerprints and photographs to SIS alerts in line with the EU law. Fingerprints and photographs in SIS alerts serve the sole purpose of identification and verification whether the person is a subject to SIS alert.
- 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. Could the Finnish authorities provide further information on planned checks on 'random basis'? How will the temporary solution ensure the compliance with Article 1.1 of Regulation (EC) No 1986/2006, which provides that vehicles presented to vehicle registration authorities for registration have been stolen, misappropriated or lost, or sought as evidence in criminal proceedings?
- Action No 9: : Given that this action was considered a priority, the Commission would like to request the Finnish authorities to accelerate 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 to clarify if the reference to item 9 means that this action will be delayed. In any case, please provide further details on the exact time-line of the implementation of this action.
- Action No 15: The Commission would kindly ask Finland provide screenshots (with the personal details blurred) to demonstrate the display of the type of offence and warning markers.
- Action No 16: The Commission would kindly ask Finland to explain which changes have been implemented to further develop the SIRENE workflow system to increase automation.
- Action No 17: The Commission would kindly ask the Finnish authorities to provide, when available, the detailed planning for the implementation of 'the new system for inserting alerts'.
- Actions No 19: 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.

Finnish 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

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