

Final

15th meeting of the Coordinated Supervision Committee (CSC)

25 September 2024, remote meeting

Summary

The Coordinated Supervision Committee ('the Committee') met on 25 September 2024, remotely.

Item 1: Agenda and Minutes

The agenda of the meeting was adopted. The minutes and the summary of the 14th meeting were adopted.

Item 2: Working methods

Discussion of new working methods to deal with the broader mandate of the CSC: discussion of proposals by members: The Coordinator informed the members of the CSC about the upcoming challenges and proposed to discuss whether the Committee needs to develop new working methods. A discussion on the number of meetings took place and the need of flexibility was highlighted by the members of the CSC. The Coordinator explained that the creation of working groups on the different bodies/systems would allow flexibility to the work of the Committee, and the members of the CSC shared their views on how they see the CSC evolving. There was a general agreement about the creation of the working groups and the organisation of the work between drafting teams and working groups. Members briefly discussed the budgeting of the CSC and it was agreed that additional systems allocated to the Committee needed to be reflected in the budget.

Item 3: Work Programme 2025-2026

Timeline for the adoption of the new Work Programme: The Coordinator launched the discussion on possible items to be added to the Work Programme 2025-2026 and added that a first draft of the Work Programme would be presented at the November meeting, in view of adopting the document in December.

State-of-Play activities under the Work Programme 2022-2024 and Activity Report: The Coordinator explained that the Activity Report that is currently being drafted covers activities until the end of 2024, in order to align the reporting activities with the Work Programme.

Priorities for 2025-2026 (calendar years) and suggestion of new items: The CSC members suggested several items for the following years, such as having more coordinated and joint inspections, working on the allocation of roles in the systems, examining and guidance on the right of access. It was also proposed to work on transversal topics relating to more than one body/system. The first draft of the Work Programme will be presented and discussed at the meeting in November.

Item 4: IMI Questionnaire: Report from drafting team

The drafting team presented the questions prepared and a discussion took place concerning the addressees of the questionnaire. A suggestion to further elaborate on the scope of the questionnaire was put forward, as well as to elaborate on the criteria of selection of the addressees. The drafting team said that the new version of the questionnaire would be discussed at the November meeting.

Item 5: EES

EES information campaign: Presentation of the EU Commission (COM): The COM presented the EES information campaign and focused on its objectives, on the messages, the visual identity, and the information materials to raise awareness among travellers. The presentation tackled the front reference to the EES website, the cases of disinformation or misinformation and the ways forward of the information campaign. The Coordinator asked for clarification on the data protection rights in the campaign, and the CSC members asked questions. With a view to the obligation of the COM to accompany the start of operation of the EES with an information campaign "*in cooperation with the supervisory authorities and the European Data Protection Supervisor*" according to Article 51 of the EES Regulation, a discussion took place on the role of the SAs in the information campaign and their involvement, the information to data subjects on the processing of their biometric data and on data subjects' rights. It was highlighted that the appropriate forum to consult the entirety of SAs is the CSC and that the Committee would welcome exchanges on the topic with the COM. It was also suggested that the members of the CSC check the state of play of the EES Information campaign at national level.

Report from FRA roundtable: One member reported to the CSC members the outcomes of the FRA Roundtable, which took place on 18 September. The particular situation of overstayers was examined in the Roundtable, and the necessity of special attention to vulnerable persons was highlighted. It was suggested that the Committee could consider the issue of overstayers and asylum seekers as part of a coordinated supervisory action.

Report from workshop: The organising SA provided information on the workshop on EES that took place on 10 September. It was agreed that the material/presentations on EES and the DTC would be shared with the members. CSC members were invited to share their information texts on EES with other members.

EES mobile apps: It was reported that there are mobile apps currently being developed and that can be used by travellers to enter their data which are transmitted via QR-code presented to the Self-Service Terminals to the national authorities' systems, for the purpose of saving time at the borders. It was suggested to invite to one of the next meetings a person from Frontex to explain the prototype that they developed.

Item 6: ETIAS

Report from ETIAS Working Group: The members reported of the discussions that took place in the second Inter-Agency meeting of the ETIAS DPIAs Technical Expert Group of 27 August. The members agreed to explore the possibility of a central IT-solution to safeguard a common secure communication channel for the information obligations under Article 64(6) of the ETIAS Regulation. The ETIAS Working Group was tasked to also consider the scope of Article 15 GDPR in their application in the framework of ETIAS. Furthermore, the Deputy Coordinator provided the CSC members with the information on the meeting of the EFRGB that took place on 3 September, and added that the next meeting would take place in mid-November. The Deputy Coordinator informed the CSC members that the first annual report of the EFRGB had been adopted, and that it would be shared. The Deputy Coordinator stated that the first meeting of the ETIAS Screening Board would take place the following week.

Item 7: SIS

Report on handling of the exercise of data subjects' rights vis-à-vis the SIS (Article 54 & 57 (4) Reg. 2018/1861) - State-of-play and timeline for adoption: The Deputy Coordinator invited the CSC members to volunteer to be part of the drafting team to finalise the consolidated draft report to be sent to the COM, European Parliament and Council.

SIS audit cycle: Drafting team report of state of play: The drafting team informed the CSC members that a discussion note would be shared ahead of the next meeting to be discussed at the November meeting.

Checking logs of Article 12 SIS Regulations: Drafting team report of state of play: Following the questions to the members to share their experiences on checking logs of Article 12 SIS Regulation, a questionnaire was drafted by the drafting team on the obligations of the SAs and how to exercise them. It was agreed that the item would be discussed at the December meeting.

Report on Article 36 alerts: The drafting team had shared the draft report for comments. It was agreed that the report would be adopted via written procedure. The Deputy Coordinator thanked the members of the drafting team for the work done.

AOB: The EDPS informed the CSC members that the SIS Audit report of the EDPS will be presented at the November meeting. A suggestion from one member to invite the DPO or other qualified expert of eu-LISA to present the statistics was put forward and the Coordinator took note of it for the following meetings.

Item 8: Europol

Report of the EDPS: The EDPS presented an overview of the findings on the 2023 inspection report. Travel intelligence would continue growing in the following years. A discussion took place on the relation of the mandates of the CSC and the BTLE ESG. It was suggested to also provide the BTLE members with a presentation on the EDPS audit on PNR.

Joint activities on minors: Report from Drafting Team: According to the drafting team, the aim of the report on this joint activity was to communicate to the broader public the work of the CSC, to provide findings and recommendations and the approach to find a common approach on the inspections. The report would be structured in three sections: the description of the exercise, the general

points covered in the report and finally the annex with individual problems of national authorities in terms of actions. The drafting team invited members to exchange on their experiences.

Complaint procedure: Internal guidance note on cooperation of supervisory authorities: Report from Drafting Team: After the discussion on the item at the July meeting the work proceeded. The drafting team proposed to organise a discussion to gather a first feedback on it. It was agreed that the discussions on the guidance note would continue at drafting team level.

Item 9: Eurojust

Report from EDPS: The EDPS shared information on a prior consultation opinion on the use of a machine translation tool, and explained the purposes of the prior consultation. The prior consultation concerned the risks of producing an inaccurate output, the EDPS in the conclusions suggested to consider certain mitigation measures. It was suggested to continue the exchange on how to interpret the law on the use of AI tools by law enforcement authorities. It was agreed that the questionnaire on data quality issues related to data inserted in the Eurojust Counter Terrorism Register (CTR) will be discussed at November meeting.

Item 10: Eurojust and Europol

Secure communication channels with Eurojust and Europol: Open exchange on challenges and possible solutions for information exchange between DPAs and the agencies: The item was introduced. Communications between SAs and the agencies may contain personal data and thus, secure communication channels would be needed. According to some members, this created challenges. Following an initial exchange, it was agreed that further discussions on the topic would take place in the following meetings.

Item 11: Prüm II

For info: Planning of dedicated session with COM to present the new Prüm framework: It was agreed that at the November meeting the members of the CSC would share experiences on the implementation of Prüm II at national level and that the COM would be invited at the December meeting.

AOB

The Coordinator informed the CSC members that the dates for the meetings in 2025 had to be selected, proposed to have three meetings in person and one remote meeting and suggested the possible dates of the meeting.

The next meeting of the Committee will take place remotely on 6 November 2024.