

Final

16th meeting of the Coordinated Supervision Committee (CSC)

6 November 2024, remote meeting

Summary

The Coordinated Supervision Committee ('the Committee') met on 6 November 2024, remotely.

Item 1: Agenda and Minutes

The agenda of the meeting was adopted. The minutes and the summary of the 15th meeting were adopted.

Item 2: Working methods

A discussion took place on the scope of the possible mandate of so-called working groups and the decisions to be made at working group level. Several members stressed the necessity of ensuring that all CSC members are kept updated on the ongoing work within the working groups. It was agreed that the concept would be revised following the discussions that took place during the meeting, circulated for written comments and discussed during the next CSC meeting in December 2024.

Item 3: Activity report for the period 2022-2024

The Coordinator reported that the deadline to send comments would be two weeks, and that the final draft would be circulated ahead of the next CSC meeting in December 2024 in view of adoption. The Secretariat then clarified that the SIS statistics report would be removed from the Annex and adopted separately. The CSC members were invited to provide written comments to the sixth chapter of the report.

Item 4 Work Programme 2025-2026

The Coordinator introduced the topic, outlining the idea to further develop the ongoing activities included in the previous Work Programme and the suggestions made during the previous CSC meeting in September 2024, and invited the CSC members to volunteer to assume ownership of the different topics. Several members underlined the need to keep all the CSC members informed of the activities within the working groups. The Coordinator suggested implementing a mechanism to ensure this. It

was agreed to currently maintain only the EES and the ETIAS working group and continue working on the remaining topics within the drafting teams.

Item 5: IMI Questionnaire: Report from drafting team

The questionnaire had been presented during the previous CSC meeting in September 2024. Following the received comments, it had been revised, particularly regarding the addressees and its scope. The drafting team illustrated the questions. Editorial changes were made and the CSC members were invited to provide written comments.

Item 6: EUROJUST

Questionnaire on Eurojust on difficulties on supervision: The Secretariat presented the first findings following the preliminary examination of the responses received to the questionnaire. The CSC members then discussed the next steps and approach in relation to this topic. It was agreed to establish a drafting team to prepare an infonote and the CSC members were invited to participate in the drafting team.

Questionnaire on CTR: After the previous CSC meeting in September 2024 a second call for responses to the questionnaire had been circulated. Only few responses had been received in total. A new deadline to share the replies was set.

AOB: EUROPOL

Questionnaire regarding the coordinated minors action: The rapporteur recalled that a questionnaire had been circulated following the previous CSC meeting in September 2024 and invited the CSC members to send their answers to the Secretariat and the drafting team to allow the drafting team to examine the replies and discuss the approach on the first findings in the discussion group.

Item 7: SIS

SIS Statistics report: Call for volunteers: The Coordinator invited the CSC members to volunteer to join the drafting team for the SIS statistics report on handling of the exercise of data subjects' rights vis a vis the SIS (Article 54 & 57(4) Reg. 2018/1861). The SEC highlighted that a first draft of the work was shared with the CSC members.

Indirect access to SIS data: One CSC member presented a question on indirect access to SIS data, and it was agreed that the CSC members would check at national level and reply before the following meeting in December.

Item 8: EES

EES mobile app EES - presentation from Frontex: Frontex presented the EES mobile app, an app that travellers can download and that allows pre-registration of the data into EES. The CSC members asked questions on the phases of development of the app, on the different types of verifications performed by the app, on the arrangements with the service providers of the liveness checks and the authenticity checks. The data protection aspects of the app were also examined, such as the roles of the Member

States and of Frontex, the storage period of the data in the app. Frontex specified that Member States are data controllers and that Frontex is the processor with regards to the data inserted in the app. The CSC members enquired whether Frontex can access the data inserted in the app. Questions related to the possibility for other Member States to deploy the app were asked, and Frontex explained that the app was developed as part of a research, and that if Member States decide to implement this app the travellers will have to download only one app to be able to perform the first checks to enter into different Member States.

EES WG: Letter to COM: The rapporteur provided the background to the letter, and illustrated its two key messages. A short discussion on the timeline for the implementation of EES followed, and the letter was adopted.

Item 9: ETIAS

ETIAS WG: Note on the concept of recipients in the context of DSAR: The rapporteur explained the legal question and the proposed solution discussed at working group level, and asked questions to the CSC members. A discussion on the legal analysis of the Note followed, and several CSC members intervened. It was agreed that the document would be open for comments, with a probable need to discuss the document at the following meeting. Should the CSC take a position on this question, it may be necessary to involve EDPB subgroups (BTLE, KEYP).

Representation of the CSC at the ETIAS Fundamental Rights Guidance Board - Approval of documents: It was agreed that the members of the EFRGB would share major documents in the stage of discussion with the members of the CSC, for them to be able to send comments.

- Information on the upcoming election of chair/deputy chair among the five members of the Guidance Board: The Deputy Coordinator provided information on the upcoming election of the Chair and Deputy Chair of the EFRGB, and added that the current terms would end on 14 November. The Deputy Coordinator asked whether the CSC members would agree on another candidacy as Chair. It was agreed that the Deputy Coordinator would be the candidate Chair of the EFRGB.

Report on the activities of the EFRGB - Final version of the draft guidance note on the risk for discrimination in the context of the ETIAS screening rules: A discussion took place on the approach to use when examining documents produced in the context of the EFRGB. It was agreed that the documents drafted in the context of the EFRGB would be shared in advance with the members of the ETIAS working group, and then presented as a point for information to the CSC members.

Draft guidance note on fundamental rights considerations when giving information to applicants to give effect to their right to an effective remedy and to a fair trial: The rapporteur explained that the document on the right to an effective remedy is a work in progress and that a more finalised version of the guidance note will be presented at a subsequent meeting of the CSC.

The next meeting of the Committee will take place in person on 10 and 11 December 2024.