



**Coordinated  
Supervision  
Committee**

# **Work Programme 2025-2026**

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# 1. INTRODUCTION

The Coordinated Supervision Committee (hereinafter: CSC) hereby presents its third work programme for the biennium 2025-2026.

The CSC started its activities in 2019. Regulation 1725/2018 made the cooperation between the European Data Protection Supervisor and the national supervisory authorities, each acting within the scope of their respective competences, an obligation with the view of ensuring effective supervision of large-scale IT systems and of Union bodies, offices and agencies, where expressly provided for in the respective Union act. The CSC was initially entrusted with the coordinated supervision of the European Union Agency for Criminal Justice Cooperation (hereinafter: Eurojust) and the Internal Market Information (hereinafter: IMI).

This mandate has grown significantly over the years both in the fields of Police and Judicial Cooperation and of Borders, Migration and Asylum. The CSC has progressively taken over the coordinated supervision of the European Union Agency for Law Enforcement Cooperation (hereinafter: Europol), Schengen Information System (hereinafter: SIS) and Visa Information System (hereinafter: VIS), previously entrusted to the former Europol Cooperation Board and the respective Supervision Coordinated Groups.

The CSC also provides a forum for cooperation in the context of the supervision of the European Public Prosecutor's Office (hereinafter: EPPO), the Custom Information System established under Council Decision 2009/917/JHA (hereinafter :CIS JHA) and in the context of the supervision of personal data processing activities covered by Regulation (EU) 2023/2854 ("Data Act"), Regulation (EU) 2023/1773 on the carbon border adjustment mechanism transitional registry and Commission Implementing Regulation 2024/3084 establishing an Information System to facilitate the transfer of information between Member States competent authorities, and customs authorities related to deforestation and forest degradation.

The CSC has also been preparing for the coordinated supervision of the new Union's large-scale IT systems in the field of borders, visa, police and judicial cooperation, asylum and migration (LSITS)<sup>1</sup> and the framework for their interoperability between the (JHA Interoperability framework), which introduces a new approach to the management of data for borders and security. As LSITS become interconnected, it will be possible to simultaneously query all the LSITS as well as Europol data and Interpol databases, carry out biometric searches to cross-match biometric data present in all the LSITS, through one shared Biometric Matching Service (sBMS)<sup>2</sup>, to have an individual file for each person that is registered in the Entry Exit System (hereinafter: EES), VIS, European Travel Information and Authorisation System (hereinafter :ETIAS), European Asylum Dactyloscopy Database (hereinafter: Eurodac) or the European Criminal Records Information System - Third Country Nationals (hereinafter :ECRIS-TCN in the Common Identity Repository (CIR)<sup>3</sup> for the purpose of facilitating and assisting in

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<sup>1</sup> Systems participating in the interoperability framework: the Schengen Information System (SIS); the Visa Information System (VIS); Eurodac; the Entry/Exit System (EES); the European Travel Information and Authorisation System (ETIAS); the European Criminal Record Information System for third country nationals (ECRIS TCN System).

<sup>2</sup> Art. 12 of Regulation (EU) 2018/817.

<sup>3</sup> Art. 17 of Regulation (EU) 2018/817.

the correct identification of persons registered and to detect multiple identities of individuals by comparing data stored across different systems via the Multiple Identity Detector (MID)<sup>4</sup>.

The interconnection of LSITS will exponentially increase data flows and magnify the risks to data subjects generated by the operation of the underlying systems. Without specific measures in place, it will become extremely complex for data subjects to exercise their rights. Another set of challenges arises with regard to ensuring data quality and how to remove outdated/erroneous data from the databases when data flows so easily, on how to effectively inform all data recipients when data must be updated or is due to be erased, or the use of AI components or screening rules leading to profiling and automated-decision making.

The current Work Programme takes stock of this new broadened mandate and the need to ensure a high level of protection of the rights and freedoms of persons concerned by putting in place a meaningful coordinated supervision in the field of Borders, Migration and Asylum. It is expected that during the period of validity of this Work Programme at least two new EU LSITS (EES and ETIAS) will become operational, which will also mean the start of operations of the JHA Interoperability framework. The CSC will also be tasked with the coordinated supervision of EURODAC. A new advisory board, the VIS Fundamental Rights Guidance Board, will be created, for which the EDPB will have to nominate a representative and an alternate.

Under the previous Work Programme, substantial work had been dedicated to the preparation of the supervision of ETIAS, with the CSC participating as a member to the ETIAS Fundamental Rights Guidance Board and the creation of a dedicated Working Group on ETIAS. Two other working Groups have been created to coordinate actions vis-à-vis EES and VIS. Under this Work Programme, the CSC has decided to focus on ensuring that data subjects are provided with sufficient and adequate information about the functioning of this new ecosystem, on clarifying the allocation of roles (controller, joint controller, processor) in the systems falling under the JHA interoperability framework in order to avoid gaps in accountability and on streamlining cooperation when handling complaints filed by the data subjects.

In the field of Police and Judicial Cooperation, the CSC will consolidate the work conducted under the previous Work Programme and look at new issues stemming from the entry into force of new legal framework such as the Europol Regulation which now allows Europol and Member States to conduct joint operational analysis or the SIS Regulation which have introduced a new type of alert.

Finally the CSC will continue the coordinated supervision of IMI and will prepare for the new competences assigned to it under Regulation (EU) 2023/2854 (Data Act), Regulation (EU) 2023/1773 on the carbon border adjustment mechanism transitional registry and Commission implementing regulation 2024/3084 related to deforestation and forest degradation.

The CSC is also committed to improve its dialogue with stakeholders, in particular with NGOs, academia and researchers working in this field, by promoting reflection and debate on issues of common interest. Transparency is a guiding principle to our work and the CSC will use its revamped website more frequently within the European Data Protection Board (EDPB), to communicate with the public.

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<sup>4</sup> Art. 25 of Regulation (EU) 2018/817.

## 2. WORKING METHODS

In light of the extension of the mandate of the CSC and the vast amount of areas being covered by the coordinated supervision (1) Borders, Asylum and Migration, 2) Police and Judicial Cooperation, and 3) Digital Internal Market), the CSC has decided to reflect on its working methods to ensure the efficiency of the coordinated supervision and more flexibility and reactivity in the way how the CSC operates.

The experience of the CSC has shown that it is not always possible to ensure the participation of all supervisory authorities (SAs) in all work streams, in particular when the CSC is asked to react swiftly or to participate in external meetings, which require prior coordination of CSC members. The lack of resources attributed to the SAs as well as the CSC Secretariat also slows down the work of the CSC.

In addition to the possibility of having drafting teams, the CSC is considering to organise the work on the different streams with the creation of ad hoc Working Groups. While drafting teams are responsible for the elaboration of documents to be approved by the CSC, the mandate of the Working Groups would be broader. The CSC decides on the creation of a Working Group when there is a need to follow-up more closely the coordinated supervision of a thematic area.

This new working method has emerged from practical experience. In 2024, the CSC created two ad hoc Working Groups: one dedicated to the preparation of the coordinated supervision of ETIAS and one dedicated to the preparation of the coordinated supervision of EES. It was also decided to create a third Working Group dedicated to the coordinated supervision of VIS. Each of them gathered a subset of SAs which had decided to allocate specific resources to the preparation of the supervision of these systems.

Taking into account that it is not possible for all SAs to participate in all Working Groups, because of a shortage of resources, for the next reporting period, the CSC will work in Plenaries (four per year), where all SAs are represented and decisions are made as well as in Working Groups, where only a subset of SAs actively contribute. This will allow CSC members to focus their resources on their own priorities and to pool knowledge and expertise to ensure an effective coordinated supervision. Knowledge sharing thus becomes a key task for the Working Groups.

The creation of Working Groups does not preclude the work in Drafting Teams.

## 3. PLANNED ACTIVITIES

The CSCs mandate covers three different areas: 1) Borders, Asylum and Migration, 2) Police and Judicial Cooperation and 3) Digital Single Market. Each of these area entails specific challenges and concerns with regard to data protection and is tackled separately by the CSC. The CSC will however work on two cross-cutting issues, the clarification of allocation of roles as a necessary requirement to avoid any accountability gap and the streamlining of cooperation in the handling of complaints in order to uphold data subjects' rights.

The planned activities in each of these areas take into account the tasks assigned to it under Art. 62 EUDPR and respective specific Regulations:

- Ensure that data subjects are able to exercise their rights;

- Promote the exchange of information and joint audits or coordinated inspections by national SAs and the EDPS;
- Reach a common understanding between its participating authorities on their respective scope of supervision, applicable legal basis, and the areas where they need to cooperate and coordinate;
- Prepare the CSC's work on the supervision of the EU bodies and information systems that will fall within the CSC's remit in the coming years.

The CSC will be flexible and work on other activities that may not be included in this work programme but that participating authorities or Working Groups may bring to its attention, based on their relevance, urgency or unforeseen character.

### 3.1. Cross-cutting issues

As systems become interoperable and EU Agencies active in the field of the Area of Freedom, Security and Justice are encouraged to increase information sharing, including personal data, between themselves and with national authorities, the CSC has identified some cross-cutting topics that require closer attention to avoid any gap in the protection afforded by the data protection framework and ensure a high level of protection of data subjects' rights:

- **Clarifying the allocation of roles (controller, joint controller, processor) in the systems falling under the JHA Interoperability framework.** The role of different authorities involved in the different systems forming the JHA Interoperability framework (such as ETIAS or VIS) is not always clarified by the legal framework or correctly reflected in their implementation, leading to a situation where some authorities are categorised as processors, despite their clear role as controllers or joint controllers. A similar situation has been observed in the context of the Europol Regulation in the context of "joint operational analysis" introduced by Art. 20a of the latest amendment of the Europol Regulation, or where Member States' police and/or Europol perform 'joint' operational analysis using a Member State or third country (e.g. U.S.) environment. There is thus a need to clarify the allocation of roles in order to ensure both legal certainty and accountability from all the national authorities and EU Agencies and bodies involved.
- **Streamlining cooperation when handling complaints (JHA Interoperability framework and Europol, Eurojust, EPPO).** An efficient and smooth handling of complaints from data subjects will be one of the main challenges that SAs and the EDPS will face when the JHA Interoperability framework starts operating, due to the large amount of authorities involved in the processing at stake, all subject to different legal frameworks and SAs. The CSC will build on the experience in the handling of Europol's complaints in order to streamline its cooperation.

### 3.2. Borders, Asylum and Migration

One of the most prominent challenges for the CSC is to adequately ensure the coordinated supervision of the JHA Interoperability framework, due to the number of EU LSITS and authorities involved in the

framework. The CSC can benefit from the experience of its members in the coordinated supervision of SIS or VIS, but is also faced with the challenges of ensuring the coordinated supervision of the interoperability of EU-LSITS, with new systems and new functionalities, such as the use of screening rules both in ETIAS and VIS, which will have a high impact on data subjects' rights and freedoms. To that end, three ad hoc Working Groups have already been created, one with a focus on ETIAS, another with a focus on EES and the third on VIS, in order to ensure a timely consideration of potential data protection concerns that might arise in the setting-up and running of these systems.

This is accompanied by a series of reporting obligations with regard to the activities conducted in respect of the following:

- On a yearly basis, coordinated supervision over SIS (together with the obligation to collect from MS information on the exercise of data subject rights). The report should contain information provided by national competent authorities in Member States to the EDPB on the exercise of data subjects' rights, on court proceedings and on mutual recognition of final decisions to be included in the joint report of activities regarding the Schengen Information System as per Article 54(3) of Regulation (EU) 2018/1861 and Article 68(3) of Regulation (EU) 2018/1862.
- Every two years for EES, ETIAS, the interoperability components and Prüm II when the operations start. The joint reports should be provided to the European Parliament, the Council, the Commission, eu-LISA (for EES, ETIAS, Interoperability Regulations), to Frontex (ETIAS, Interoperability Regulations) and to Europol (Interoperability Regulation in the field of borders and visa and in the field of police and judicial cooperation, asylum and migration)<sup>5</sup>.

#### *Promote and facilitate the exercise of data subjects' rights*

- Coordinate on EES and SIS information campaigns.
- Work on the support of the exercise of rights vis-à-vis the different information systems, as a roadmap for data subjects to navigate among systems, controllers, formalities for submission, deadlines for replies, and so forth - in particular EES and ETIAS.

#### *Actions specific to certain systems*

### SCHENGEN INFORMATION SYSTEM (SIS)

- Legal interpretation of the timeframe set in Art 55(2) of the Regulation (EU) 2018/1861 and Art 69(2) of the Regulation (EU) 2018/1862.

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<sup>5</sup> Pursuant Article 57(4) of Regulation (EU) 2017/2226 for EES, Article 68(4) of Regulation (EU) 2018/1240 for ETIAS, Article 61(3) of Regulation (EU) 2024/982 for Prüm II, Article 53(3) of Regulation (EU) 2019/817 for the interoperability in the field of borders and visa and Article 53(3) of Regulation (EU) 2019/818 for the interoperability in the field of police and judicial cooperation, asylum and migration.

- Monitoring of Art. 40 alerts (SIS Regulation 2018/1862).
- Obligation to check logs of Art. 12 SIS Regulations.
- Monitoring the implementation of the provisions on “information alerts” to be inserted in the SIS by Member States on proposal by Europol, either at national level (SIS) or/and at EU level (Europol), in particular by checking the periodic reporting mechanism in place on those alerts.
- Ensure the participation of SAs in training and joint evaluation missions in relation to the SIS in the framework of Schengen evaluation and monitoring mechanism (SCHEVAL).

### EUROPEAN TRAVEL INFORMATION AND AUTHORISATION SYSTEM (ETIAS)

- Participation as a member to the ETIAS Fundamental Rights Guidance Board.

### VISA INFORMATION SYSTEM (VIS)

- Ensure the participation of SAs in training and joint evaluation missions in relation to the VIS in the framework of Scheval evaluation mechanism.
- Prepare for the participation as a member to the VIS Fundamental Rights Guidance Board.

### *Prepare the coordinated supervision of new systems*

The CSC will carry out the following tasks under this activity:

- Monitor developments and share information on the entry into operation of reforms of existing EU information systems and agencies or creation of new ones.
- Prepare the CSC’s assumption of the coordinate supervision over the EU information systems that will fall within the scope of the CSC (EURODAC):
  - Take stock of the relevant undergoing activities of the existing supervision coordination groups.
  - Engage with those groups on specific EU information systems and agencies and with the EDPS, which provides their secretariat, to prepare their transition to the coordinated supervision of the CSC.



### 3.3. Police and Judicial Cooperation

In the area of police and judicial cooperation, the CSC deals with the EU institutions (EUIs) Europol, Eurojust and the EPPO, as well as with the data processing operations covered by the Prüm-II-Regulation.

The focus in this area is the promotion and facilitation of the exercise of data subjects' rights, the examination of difficulties in the interpretation of the underlying law and the support of joint actions, in particular fact-finding or inspections. Being one central challenge with the ever more complex processing activities within and across EUIs/systems, the CSC aims to support its members actively in clarifying the roles of the respective actors being controllers, joint controllers or processors.

In addition, the CSC in its activity aims to tackle the cross-cutting nature of many of the processing operations, as they either may directly involve two or more EUIs or systems, or indirectly affect two or more, e.g. by way of providing information that are then being used for the purpose of another EUI/system.

#### EUROPEAN UNION AGENCY FOR LAW ENFORCEMENT COOPERATION (EUROPOL)

- Joint inspections on matters identified on a systematic and fact-based approach.
- Coordinated examination of how Single Point of Contacts (SPOCs) are being set up in each of the Member States. These SPOCs are to be established following national transposition of the Directive 2023/997 (Information Exchange Directive). The deadline for transposition is 12 December 2024 and it has currently been transposed by FR and RO. As there is no direct reference to coordinated supervision in the Information Exchange Directive, this item would focus on the sharing of information by SPOCs with Europol.
- Streamlining procedures for joint investigations and safeguarding a common approach as regards the setting-up of the SPOCs when transposing the Information Exchange Directive into national law by the end of 2024.
- Collect and exchange information on the technical implementation of communication systems of exchange of personal data for law enforcement purposes (e.g. SIENA).
- Inspecting the lawfulness of processing of data on minors sent by national competent authorities to Europol as regards national law and the Europol Regulation, based on prior EDPS referrals and involving the SAs of those MS concerned.
- Streamlined procedures for handling of Europol complaints, indirect access, joint actions etc. between national SAs and the EDPS and access requests from citizens
- Monitoring the implementation of the provisions of "information alerts" to be inserted in the SIS by Member States on proposal by Europol, either at national level (SIS) and/or at EU level (Europol), in particular by checking the periodic reporting mechanism in place on those alerts.
- Joint controllership of Europol and the competent authorities of the Member States in joint operational analysis cases, e.g. under Art. 20a of the Europol Regulation, or where Member

States police and/or Europol perform 'joint' operational analysis using a Member State or third country (e.g. U.S.) environment.

- Keeping up to date the guide on the right of access for Europol.

#### EUROPEAN UNION AGENCY FOR CRIMINAL JUSTICE COOPERATION (EUROJUST)

- Assess the participation of third country authorities in Joint Investigation Teams under the Eurojust scope and support.
- Examine the data quality issues related to data inserted in the Eurojust Counter-Terrorism Register and possibly coordinate a supervisory action at national level on the issue.
- Survey on SAs independence, powers and legal tasks in relation to police and judicial cooperation in criminal matters.
- Draft new guide on the right of access regarding Eurojust.

#### EUROPEAN PUBLIC PROSECUTOR'S OFFICE (EPPO)

- Keep monitoring the implementation of the EPPO offices at Member State level and the interplay between EPPO and the national databases.
- Studying the interplay between EU and national law and its application to the activities of supervisors at EU and national level reaching understandings on their respective areas of supervision.
- Draft new guide on the right of access regarding the EPPO.

#### PRUM II

- Follow state-of play of implementation.
- Support members in taking up supervision, including by joint fact-finding actions.

### 3.4. Digital Single Market

In the area of Digital Single Market, the CSC deals with Internal Market Information System (IMI).

The focus in this area lies on continuing to safeguard data subjects' rights, but also on the proper technical implementation of the systems with a focus on the handling of user and access rights.

- Follow-up on the coordinated fact-finding action on how national competent authorities exercise their obligations concerning IMI on management of users' access to the information system.
- Assess the allocation of roles in terms of controllership within the IMI in relation to the data processed.
- Evaluate the compliance with the IMI transparency obligations and recommendations on handling data subject requests (follow-up to actions conducted under the work programme 2022-2024).
- Possible further joint inspections on matters identified on a systematic and fact-based approach.

### 3.5. Preparing for new competences

The CSC will prepare for the assumption of new competences assigned to it under three new EU legal instruments:

- **Regulation (EU) 2023/2854 ("Data Act")**. The Data Act establishes rules for accessing and using data within the European data economy. Article 37(3) entrusts the supervision of personal data processing covered by the Regulation to national SAs, the EDPS insofar as it concerns the Commission, the European Central Bank or Union bodies and refers to Article 62 EUDPR as mechanisms for coordinated supervision. The Data Act entered into force on 11 January 2024, and it will become applicable in September 2025.
- **Regulation (EU) 2023/1773 on the carbon border adjustment mechanism transitional registry**. The Regulation lays down reporting obligations for the purposes of carbon border adjustment mechanism. Article 33(2) refers to Article 62 EUDPR as mechanism to ensure coordinated supervision between SAs and the EDPS for the processing of personal data registered in the carbon border adjustment mechanism transitional Registry and the components of electronic systems developed at national level.
- **Commission Implementing Regulation 2024/3084 related to deforestation and forest degradation**. It lays down the rules for the functioning of the Information System, including rules for the protection of personal data and exchange of data with other IT systems. Regulation (EU) 2023/1115 lays down rules to minimise the Union's contribution to deforestation and forest degradation. It does this by imposing due diligence obligations on operators and traders placing on, making available on, or exporting from the Union market certain commodities and products. It also establishes the creation of an Information System and provide access to it to operators and traders, and if applicable, their authorised representatives, competent authorities, and customs authorities, to implement their respective obligations. The Information System should facilitate the transfer of information between Member States competent authorities, and customs authorities. Article 12(7) refers to Article 62 EUDPR as coordinated supervision mechanism between the SAs and the EDPS. Regulation (EU) 2023/1115 is in force since December 2024.

