13th meeting of the Coordinated Supervision Committee (CSC)
29 May 2024, remote

Summary

The Coordinated Supervision Committee ("the Committee") met on 29 May 2024 remotely.

Item 1: Welcome and Introduction

The agenda of Part A was adopted.

The minutes of the first day of the 12th CSC meeting were adopted.

Item 2: Police and Judicial Cooperation
2.1. Eurojust

Questionnaire on data quality in the CTR: The CTR is an EU wide operational tool, which facilitates counter-terrorism investigations and prosecutions by automatically checking information for potential suspect matches and permitting collaboration between Member States through secure channels. The CSC members agreed on a questionnaire covering the data lifecycle to further investigate potential data quality issues.

2.1.3 Upcoming Audit on the Core International Crimes Evidence Database by the EDPS: The EDPS provided information on its upcoming audit on the Core International Crimes Evidence Database (CIDED) on 10 & 11 June 2024 at Eurojust premises. This audit will evaluate the functioning of the system and whether it follows the EDPS' recommendations. A report is to be issued after the audit and any significant findings will be discussed in future CSC meetings.

Item 3: Agenda of Part B and Minutes

The agenda of Part B was adopted with the insertion of an AOB point under item 5.2. The minutes of the second day of the 12th CSC meeting on 20 March 2024 were adopted, except for the part concerning SIS, which the participants agreed to adopt via written procedure. The participants agreed to adopt the summary of discussions of the 12th CSC meeting via written procedure.

Item 4: General issues

4.1. Letter to EDRi and Access Now on the takeaways from the November meeting: The CSC members agreed to follow up with the NGOs participating in the November meeting by sending a letter, which will be published in the CSC website upon its sending to EDRi and Access Now.

Item 5: Borders, asylum and migration
5.1. ETIAS

5.1.1 Report of developments since the last CSC meeting: The Deputy Coordinator provided organisational information, focusing on the establishment of an "ETIAS CSC working group" in order to ensure the Committee's participation in the different ETIAS formats. The EDPS informed the Committee on the progress concerning the ETIAS implementation since the previous meeting, underlining the challenge of ensuring consistency among the controllers on the necessity of a DPIA, the concerned processing operations and the entity responsible to draft the DPIA. Discussions also touched upon the interpretation of Articles 56 and 64 of the ETIAS Regulation as well as on the issue of the allocation of responsibility for responding to data subject requests.

5.1.2 Intervention of the ETIAS Management Data Office (tbc) - State of play and data protection pending issues: The Director of ETIAS Central Unit and the Head of Data Management Office joined the meeting and informed the CSC members the timeline for the entry into operation of the ETIAS, emphasized their commitment to data protection and fundamental rights and invited the CSC members to ETIAS meetings.

They also reported that a particular data protection - working group with stakeholders aims to establish a mutual understanding of the complex legal framework and announced a new working group to support the preparation of a DPIA for the ETIAS central system.

5.1.3 Open exchange: The CSC members shared their experiences on their consultation by the controllers and the DPOs at a national level.

5.1.4 Draft letter to the Commission: During the previous CSC meeting it was proposed to send a letter to the EC to address concerns about data protection in the ETIAS system. A discussion took place on the content of the letter among the CSC members. The CSC members agreed to further work on the letter and adopt it via written procedure.

5.2. EES

5.2.1 Presentation by the European Commission (DG HOME)-on the information campaign- on the entry into operation (EiO) of the system - Q&A: As the EES system launch is expected on 6 October 2024 and the information campaign according to Article 51 of the EES Regulation is scheduled two months beforehand, during summer 2024, a discussion took place on the timeline of the national SAs' involvement. It was agreed that the CSC would contact the EC seeking clarification on the way the EC is going to comply with the obligation under Article 51 of the EES Regulation.

5.2.2 First exchange of views on Articles 53(2) and 54(2) of EES Regulation: It was discussed how the members interpreted their obligations under Articles 53(2) and 54(2) of the EES Regulation . This also touched upon the SAs' competencies under the aforementioned provisions. The CSC members concluded that this obligation falls within the general support provided by the SAs

5.2.3 Information regarding the FRA project on the EES: This project relates to fundamental rights challenges in the implementation of the EES system. FRA is going to use its findings to develop guidance for Member States and EU institutions, including pre-launch recommendations and more comprehensive practice recommendations to be implemented following the system's launch, in order to ensure the system's compliance with fundamental rights. The CSC members discussed inviting the FRA to their next meeting on 2 July 2024.

5.3. SIS

Written information by the eu-LISA DPO: The discussion of this item was postponed to a Committee's future meeting with the participation of a representative from the eu-LISA, considering that the DPO's presence and expertise are necessary for the interpretation of the specific data concerned.

5.4 AOB

5.4.1 Information by the EDPS regarding the last audit on the new SIS system launched in March 2023: The EDPS updated the CSC members on the progress of this audit at eu-LISA, underlining that its objective was the evaluation of the system's security measures, data governance practices, and the effectiveness of controls implemented prior to the system's official launch.

5.4.2 Report by the Coordinator on her participation in the Conference on ID Management in the field of migration organised by the BE Council Presidency - Written topics of the presentation: The Coordinator shared a written update on her participation in the Conference for practitioners on ID management in the field of migration organised by the BE Council Presidency.

5.4.3 Next meeting:

The next meeting of the Committee will be held, physically, on 2 and 3 July 2024.