

[Letters]

Mr Marc SULON

Head of Unit 'Digital Schengen'

Directorate-General for Home Affairs

European Commission

Brussels, 12 June 2024

Please use csc-secretariat@edpb.europa.eu for all correspondence

Subject: Concerns regarding the EES information campaign

Dear Mr Sulon,

The Coordination Supervision Committee (CSC), composed of the national data protection authorities and the European Data Protection Supervisor (EDPS), would like to recall that Article 51 of the EES Regulation¹ stipulates that “the Commission shall, in cooperation with the supervisory authorities and the European Data Protection Supervisor, accompany the start of operations of the EES with an information campaign informing the public and, in particular, third-country nationals, about the objectives of the EES, the data stored in the EES, the authorities having access and the rights of persons concerned. Such information campaigns shall be conducted regularly”.

The CSC invited the representatives of the Commission (DG HOME) to attend its last meeting that was held on 29th May to receive some update on the EES information campaign and to enable the national data protection authorities to provide information and guidance to competent authorities for EES at national level as some of them have already been approached on this issue. Furthermore, the CSC

¹ Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011.

invited the Commission to present its vision on how the national data protection authorities and EDPS can be involved and cooperate with the Commission in this information campaign.

Unfortunately, the representatives of the Commission informed the CSC that they will not be able to attend the meeting and shared some written information about the information campaign. They have stated that the Entry into Operation of the EES is foreseen for 6th October and that the information campaign will be launched approximately 2 months before that. They have also stated that it is their intention to create an opportunity to discuss the detailed aspects of the EES information campaign with the CSC as soon as possible.

The CSC would like to emphasize that the foreseen date of the Entry into Operation of the EES is less than 4 months away. We would like to express our concern that we will not be able to fully participate in the design and implementation of the information campaign in such a short time, also having in mind the summer vacation.

Therefore, the CSC calls upon the Commission to take stock of this matter, to ensure that the obligations arising from Article 51 of the EES Regulation are fulfilled and to ensure the full participation of CSC representatives in the design and implementation of the information campaign.

Should the Commission be already aware of this situation, we would very much appreciate to be informed on any actions taken so far, so that the national data protection authorities can also deliver their best guidance to the national competent authorities.

We remain at your disposal in case you wish to discuss any of these matters further.

Yours Sincerely,

On behalf of the CSC,

**Clara
Guerra**

Clara Guerra

Coordinator