



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC
10TH TERM

479th

RESOLUTION OF THE SENATE

Delivered on the 25th session held on 15th June 2016

on the Proposal for a Regulation of the European Parliament and of the Council 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 of the European Union and determining the conditions for access to the EES for law enforcement purposes and amending Regulation (EC) No 767/2008 and Regulation (EU) No 1077/2011

(Senate Print No. N 083/10)

on the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 as regards the use of the Entry/Exit System

(Senate Print No. N 084/10)

The Senate

I.

Got acquainted

with the submitted proposals and welcomes the Commission's effort to make controls of third country nationals at the external borders of the EU faster and more efficient, to reduce irregular migration, to improve the fight against terrorism and to enhance internal security;

II.

1. Perceives positively

the establishment of one system that will monitor entry and exit of third country nationals, as well as the length of their stay, since it allows to prevent illegal immigration and undesirable secondary movements within the EU;

2. Appreciates also

the connection of the EES system to the existing Visa Information System (VIS) and the unification of storage time of relevant data for 5 years as it will contribute to a better monitoring of movement of third country nationals on the EU territory;

3. Welcomes further

that the European Commission left room for the Member States to decide whether they create a Registered Traveller Programme (RTP) at the national level;

4. Also evaluates positively

the significant reduction of the costs of establishment and operation of the new proposed system, in comparison with original proposal from 2013; however, the Senate agrees with the Government that it would be appropriate to further clarify the features of the system in order to determine the specific financial impacts on individual Member States;

5. Requests

in accord with the Government that all persons crossing the EU borders, including persons enjoying the right of free movement within the EU, are registered in the system, especially with regard to the so-called foreign fighters, however, without restricting freedom of movement;

6. Agrees with the Government

that the system should include applicants for international protection, persons illegally crossing the external borders or expelled persons, because these persons may resort to uncontrolled movements within the Schengen area; supports also the Government in the opinion that the system should be connected to other databases;

7. Considers

it beneficial that the Commission has ensured access of law enforcement authorities to the EES system; however, at the same time the Senate, in line with the Government, points out to significant restrictions of this access, e.g. in terms of personal data processing in relation to third countries, because according to the proposal it is not possible to use the relevant data in the framework of cooperation with prosecuting authorities;

III.

1. Requests

the Government to inform the Senate about the way this Resolution has been taken into account, as well as about the progress of negotiations and initiatives following-up on these documents;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

František Bradáč
sign manual
Senate Verifier