

**Question for written answer P-005377/2014
to the Commission**
Rule 117
Franziska Keller (Verts/ALE)

Subject: Post Court of Justice data retention decision: entry/exit system

The recent judgment of the Court of Justice on data retention raises serious questions on the proportionality of the envisaged entry/exit system (EES). The EES would require most third country nationals to register using personal data when entering or leaving the EU. Registration of fingerprints is also envisaged, as is linking the visa information system, which includes personal data and biometrics of visa holders, with the EES. Granting law enforcement agencies access to the data for law enforcement purposes is also discussed. According to Commission estimates, the EES would affect 70 million visa-free travellers per year.

In addition, several other EU databases related to foreigners allow for law enforcement access, in particular the Eurodac database, in which personal data including biometrics of asylum seekers is stored, and the visa information system with the personal data of visa applicants.

In its ruling, the Court of Justice made it clear that the mass storage of personal data 'without the persons whose data are retained being, even indirectly, in a situation which is liable to give rise to criminal prosecutions' is disproportionate. In the light of this ruling:

1. Will the Commission withdraw its EES proposal and stop the related feasibility study which it is currently preparing together with the Member States?
2. Will the Commission present a proposal to repeal the Eurodac Regulation?
3. Will the Commission present a proposal to terminate law enforcement access to the visa information system?