



PRESS RELEASE

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EDPS issues first comments on EU border management package

The European Data Protection Supervisor (EDPS) today issued first comments on three Communications presented by the European Commission on 13 February 2008 to develop the EU's external border management.

The comments focus on those measures raising data protection concerns, in particular the creation of an entry/exit system that would include the recording of travellers' information, the use of biometric data and possibly the creation of a large-scale EU database to store these data. The EDPS emphasizes that, although driven by a legitimate goal - i.e. making EU borders more secure while facilitating travel for bona fide travellers - the proposed measures demand careful scrutiny as they involve large processing operations of personal data, with significant privacy intrusions.

Peter Hustinx, EDPS, says: *"It is crucial that the impact on the privacy rights of individuals crossing the EU borders is adequately taken into account. A lack of data protection safeguards would not only mean that the individuals concerned might suffer unduly from the proposed measures, but also that the measures will be less effective, or even counter productive, by diminishing public trust in government action."*

The EDPS' comments on the proposed border management package include the following general remarks:

- **piling up of legislative proposals in the area:** the EDPS is concerned that far-reaching proposals intended to contribute to the monitoring of travellers (e.g. Second-generation Schengen Information System (SIS II), Visa Information System (VIS), review of Eurodac Regulation, Passenger Name Records, etc.) are succeeding each other rapidly, making it difficult for stakeholders to have a comprehensive overview;
- **heavy reliance on biometric data:** proposals for the creation of the entry-exit system and the Electronic Travel Authorisation System rely heavily on the use of biometrics. Although offering considerable advantages, the use of biometrics presents inherent weaknesses (mainly in terms of accessibility and accuracy) that will need to be properly addressed;
- **lack of evidence supporting the need for new data systems:** the immigration figures contained in the impact assessment published by the Commission are based mainly on estimates or samples, not on undisputable data. Infringements on the privacy of individuals should be based on solid grounds, clearly demonstrating their need and how extensive they should be;
- **lack of evaluation of existing systems:** a substantial number of databases in the area of border control are already planned or in place (e.g. SIS, VIS, Eurodac, etc.). An evaluation of the existing systems should be carried out before setting up new ones.

The EDPS will publish formal opinions at a later stage, following consultation from the European Commission on precise proposals.

The [comments](#) are available on our website.

For more information, please contact the EDPS Press Service at: +32 2 283 19 00

EDPS - the European guardian of personal data protection

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