



## EUROPEAN COMMISSION

Brussels, 26.09.2016  
C(2016) 5781 final

Mr Pietro GRASSO  
President of the  
Senato della Repubblica  
Piazza Madama, 1  
IT – 00186 ROME

*Dear President,*

*The Commission would like to thank the Senato della Repubblica for its Opinions on the proposal for a Regulation 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 {COM(2016) 194 final} and on the proposal for a Regulation amending Regulation (EU) No 2016/399 as regards the use of the Entry/Exit System {COM(2016) 196 final}.*

*The Commission is pleased to note that the Senato della Repubblica shares the view that the proposals comply with the principles of subsidiarity and proportionality.*

*The Commission takes note of the Senato della Repubblica's remark relating to the reinforcement of the external borders and the proper functioning of the Schengen internal free movement area. In this regard, the Commission would like to recall that the main purpose of the Entry/Exit System is to assess if a traveller respects the condition of staying 90 days within any 180 days in the Schengen area. Therefore, the scope of the Entry/Exit System is limited to third country nationals admitted for a short stay in the territory of the Member States.*

*With regard to the support expressed by the Senato della Repubblica for the establishment of the necessary forms of coordination in particular relating to the information exchange referred to in the European Border and Coast Guard proposal<sup>1</sup>, the Commission is pleased to inform that in the meantime the European Parliament and the Council reached a political agreement on this proposal including on the provisions concerning the exchange of information. The proposal will be formally adopted in September. Preparatory work in view of its implementation is ongoing.*

---

<sup>1</sup> Proposal for a Regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation (EC) No 863/2007 and Council Decision 2005/267/EC {COM(2015) 671 final}.

*The Commission has proposed a new Partnership Framework<sup>2</sup> with third countries under the European Agenda on Migration, which aims to comprehensively tackle irregular migration in cooperation with countries of origin and transit. Amongst other things, the new approach could support the development of civil registries in third countries and any initiatives which may introduce the use of biometrics in such registries.*

*The Commission hopes that the clarifications provided in this reply address the issues raised by the Senato della Repubblica and looks forward to continuing the political dialogue in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Dimitris Avramopoulos  
Member of the Commission*

---

<sup>2</sup> Communication from the Commission to the European Parliament, the European Council, the Council and the European Investment Bank on establishing a new Partnership Framework with third countries under the European Agenda on Migration {COM(2016) 385 final}.