



EUROPEAN COMMISSION

*Brussels, 11.1.2018
C(2018) 82 final*

Dear President,

The Commission would like to thank the Camera dei Deputati for its Opinion on the proposal for a Regulation of the European Parliament and of the Council establishing a centralised system for the identification of Member States holding conviction information on third country nationals and stateless persons (TCN) to supplement and support the European Criminal Records Information System (ECRIS-TCN system) and amending Regulation (EU) No 1077/2011, {COM(2017)344 final}, and the Commission report on the exchange through the European Criminal Records Information System (ECRIS) of information extracted from criminal records between the Member States {COM(2017)341 final}.

The proposal on the European Criminal Records Information System forms part of a broader package of measures designed to improve the Union's security architecture set out in the European Agenda on Security and the Commission's Communication of 6 April 2016 on Stronger and Smarter Information Systems for Borders and Security, {COM(2016)205 final}. It is also part of the legislative priorities for 2017 as agreed by the European Parliament, the Council and the Commission in their Joint Declaration of 13 December 2016.

The Commission's proposal strives to close loopholes in the exchange of conviction information regarding convicted third country nationals. It will provide a search mechanism to identify the Member State(s) holding information on a particular convicted third country national. Information on former convictions of persons will lead to better informed and adequate decisions in criminal proceedings and other security relevant fields of decision making.

The Commission has taken note of the concerns raised by the Camera dei Deputati especially regarding the implementation period and the entry of fingerprint data related to third country nationals convicted before the entry into force of the proposed Regulation. The Commission remains hopeful that an agreement will be reached in the near future.

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With regard to the Commission's report on the exchange through the European Criminal Records Information System of criminal records information {COM(2017) 341 final}, the Camera dei Deputati emphasises in its Opinion the importance of the practical implementation of the existing legislation on that system. The Commission welcomes in particular the Camera dei Deputati's support for encouraging Member States – including Italy – to make full use of the system's potential.

The Commission is monitoring carefully the implementation and use of the European Criminal Records Information System by the Member States and has published its findings in its report on the implementation of Framework Decision 2009/315/JHA by the Member States {COM(2016)6 final} and in its report on the exchange through the European Criminal Records Information System (ECRIS) of information extracted from criminal records between the Member States {COM(2017)341 final}.

The Commission would like to reassure the Camera dei Deputati that it has always actively supported the Member States in implementing legally and practically this European instrument. We are determined to continue our support also in the future.

The Commission hopes that these clarifications address the issues raised in the Opinion of the Camera dei Deputati and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Věra Jourová
Member of the Commission*