



EUROPEAN COMMISSION

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Dear Presidents,

The Commission would like to thank the Cortes Generales for their Opinion on the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 767/2008, Regulation (EC) No 810/2009, Regulation (EU) 2017/2226, Regulation (EU) 2016/399, Regulation XX/2018 [Interoperability Regulation], and Decision 2004/512/EC and repealing Council Decision 2008/633/JHA {COM(2018) 302 final}, the proposal for a Regulation of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment {COM(2018) 474 final}, the proposal for a Regulation of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the instrument for financial support for border management and visa {COM(2018) 473 final}, the amended proposal for a Regulation of the European Parliament and of the Council on establishing a framework for interoperability between EU information systems (borders and visa) and amending Council Decision 2004/512/EC, Regulation (EC) No 767/2008, Council Decision 2008/633/JHA, Regulation (EU) 2016/399, Regulation (EU) 2017/2226, Regulation (EU) 2018/XX [the ETIAS Regulation], Regulation (EU) 2018/XX [the Regulation on SIS in the field of border checks] and Regulation (EU) 2018/XX [the eu-LISA Regulation] {COM(2018) 478 final} and the amended proposal for a Regulation of the European Parliament and of the Council on establishing a framework for interoperability between EU information systems (police and judicial cooperation, asylum and migration) and amending [Regulation (EU) 2018/XX [the Eurodac Regulation],] Regulation (EU) 2018/XX [the Regulation on SIS in the field of law enforcement], Regulation (EU) 2018/XX [the ECRIS-TCN Regulation] and Regulation (EU) 2018/XX [the eu-LISA Regulation] {COM(2018) 480 final}.

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The aims of the initiatives correspond to the Commission's objectives of improving security within the European Union and at its borders; to facilitate the right of legitimate travellers to cross the external border, to move freely and to reside within the area without internal border control, and to facilitate the management of the external borders of the Schengen area.

Regarding the proposal for the revised Visa Information System Regulation, the Commission is pleased that the Cortes Generales shares the Commission's view on the proportionality and subsidiarity of key issues such as updating the rules for law enforcement access to the Visa Information System, as well as the inclusion of long-stay visas and residence documents of third country nationals in a centralised Union database. Since those documents allow their holders to move freely within the Schengen area for 90 days in any 180-day period, the inclusion of data on these documents in a European Union database will allow the verification of the holder's documents at the external borders or within the territory of the European Union by Member States other than the one that issued a document, in order to verify whether the individual could threaten the security of one of the Member States.

On the proposals establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment and the instrument for financial support for border management and visa, the Commission welcomes the Cortes Generales' assessment that the aims of the proposal could be better reached at Union level.

Finally, the Commission acknowledges the opinion of the Cortes Generales' on the amended proposals on interoperability between European Union information systems, according to which action at Union level as envisaged in the proposals is compliant with the principle of subsidiarity as set out in the Treaty on European Union and that the policy options presented in both proposals are considered proportionate and do not go beyond what is necessary to achieve the agreed objectives.

Discussions on the above-mentioned proposals are now underway between the Commission and the co-legislators, the European Parliament and the Council. The Commission remains hopeful that an agreement can be reached on these proposals in the near future.

The Commission looks forward to continuing the political dialogue in the future.

Yours faithfully,

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First Vice-President*

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Member of the Commission*