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These are the key messages I wanted you to take good note of:

It is better to have one solution applicable to all Member States participating in the smart borders instruments instead of a plethora of national regulations being subject only to some EU scrutiny. Besides it would save time and efforts and would contribute to the general goals of the Union, being monitored from within by the institutions. And the Member States informed the Commission 2 years ago that they do not intend to go beyond the entry/exit system and RTP – there is no place now for the EU ESTA mechanism.

Creation of smart borders would not take place on the basis of the existing SIS/VIS databases – even though it would seem to be the easiest idea – because it would require a vast change of the legal base and at the end of the day also widening of the mandate. In order to meet the data protection requirements it is advisable to have a couple of specialised databases and not one “Big Brother”.

EES focuses on security and RTP on facilitation of movement. The two systems shall be seen together in order to keep the balance in. Furthermore during 2011 Polish Presidency in the Council the two key issues were underlined: the costs and data protection. We also said in the non-paper presented during Sopot Informal JHA Council: “If no flexibility is introduced into this system, The procedures applicable could become unwieldy and burdensome for the third country nationals in question. The EU may become less attractive as a travel and business destination”. Some open questions pertaining to the smart borders package were also expressed during February 2012 Conference on Innovation Border Management in Copenhagen.

The Council voted in favour of the EU PNR text after very long deliberations and intensive talks held by a number of Presidencies. As the difference between the Council’s text and the one amended by the MEPs was substantial it looks like a long-standing part of the dossier.