

Commission Report on ECRIS



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European Law Forum: Prevention • Investigation • Prosecution

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News

On 21 December 2020, the Commission presented its [second statistical report on the European Criminal Records Information System \(ECRIS\)](#). This system has allowed judicial authorities to easily exchange information on previous criminal convictions since 2012. The purpose of the report is to present the compliance of the Member States' exchanges with the ECRIS legal framework and to identify any issues regarding the efficiency of the system, with a view to remedying the situation. It provides an overview of the use of ECRIS in the period from 1 January 2017 to 31 December 2019. The report is accompanied by a [Commission Staff Working Document](#) with detailed graphs and tables comparing the use of ECRIS in the given period. The main findings of the report are *inter alia*:

- In 2019, all EU Member States actively used ECRIS;
- From just under 2 million messages exchanged by all interconnected Member States in 2016, the number increased to almost 4.2 million in 2019 with an average of 348,000 messages per month;
- The number of requests for information has tripled since 2017 – to hit 1 million in 2019 alone. This high increase is explained by the shift in the use of ECRIS, not used any more exclusively or even mainly for the purpose of criminal proceedings, but also – on a regular basis – for purposes other than criminal proceedings (e.g. pre-employment screening, requests on one's own criminal record, etc.);
- Since 2018, ECRIS is consulted equally often for both criminal and other purposes (50/50%), while in previous years the use of ECRIS for other purposes than criminal proceedings was at an average level of 20%;
- In 2019, only 19% of replies revealed previous criminal convictions whereas in previous years this rate was at a stable level of around 30%;
- ECRIS is still rarely used for third country nationals (92% of all requests concern EU nationals).

The data also revealed that ECRIS is used very differently by the EU Member States. They also show that some Member States do not fulfil all their obligations under the Framework Decision 2009/315/JHA on the exchange of criminal records. In particular, requests are sometimes not answered or not answered within the prescribed time limit. Some Member States did not send notifications on new convictions or did not send updates.

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