

EDPS Opinion on the Commission's Proposed Regulation for a Stronger and More Resilient Schengen Area



News

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On 27 July 2021, the European Data Protection Supervisor (EDPS) published his [Opinion](#) on the European Commission's proposal for a "Council regulation on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing Regulation (EU) No 1053/2013. The proposal was launched together with the new Commission strategy for a fully functioning and resilient Schengen area (à [eucrim 2/2021, 76](#)).

The EDPS welcomed the fact that the proposal acknowledged the protection of fundamental rights, including the protection of personal data, as one of the key building blocks of the Schengen area. The EDPS supports the objective to strengthen the implementation of fundamental rights safeguards under the Schengen acquis. The EDPS also appreciates the reinforcement regarding the cooperation with relevant Union bodies, offices and agencies that are involved in the implementation of the Schengen acquis.

The EDPS recommends, however, the establishment of a non-exhaustive list of relevant policy fields that would be subject to evaluation in order to clearly define the scope of the Schengen evaluations. In addition, the EDPS calls on to further clarify the proposed extension of the scope of the evaluation and monitoring mechanism, which should clearly distinguish the competencies of different Union bodies, agencies and offices involved in the Schengen evaluation. In this sense, the new legislation must guarantee the EDPS' independence when he performs his supervisory tasks.

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