VIS Supervision Coordination Group 3rd meeting on 16 October 2013

Summary report

The European Data Protection Supervisor (EDPS) hosted the third meeting of the VIS Supervision Coordination Group (VIS SCG) on 16 October 2013.

The Group, which comprises national data protection authorities (DPAs) and the EDPS, each acting within their own competences, is tasked with ensuring coordinated data protection supervision of the Visa Information System (VIS). [1] The Secretariat of the Group is provided by the EDPS.

The VIS SCG discussed with the Commission and eu-Lisa representatives the state of play of the VIS roll out and other recent developments (including quality of alphanumeric and biometric data). As follow up, the Spanish DPA will prepare a brief note on the problems related to the quality of data before the next VIS meeting.

Based on a Note prepared by the Secretariat analysing the data protection implications of the VIS Regulation, the VIS SCG discussed the long term perspective and actions needed in the near future. Several issues have been identified for follow-up, such as the list of authorities having access to the VIS, access to VIS for purposes of law enforcement, and exercise of data subjects' rights. The Group requested the Secretariat to prepare a set of basic questions with regard to these issues for national follow-up, so as to allow a further discussion on the state of play in the next meeting.

Another point on the agenda was the use of subcontractors. The Visa Code allows Member States to entrust external providers with the task of collecting applications (including biometric data) but data protection requirements remain an important legal element in the contractual clauses. In order to further explore the data protection implications of this use of external service providers by the Member States, a Subgroup composed of representatives of the German, Italian, Maltese, Swiss and Swedish DPAs will analyse the issue before the next VIS meeting with a view to perform inspections if needed.

The Group also had a first exploratory discussion on the need to develop a common framework for inspections, the possibility of conducting joint investigations for countries that issue visas together in several third countries, and on the feasibility of a similar format of inspections to be used in auditing other large-scale IT systems (Eurodac and SIS II).

Last but not least, the members of the Group shared relevant information about national inspections on the VIS national system in different Member States.

The next meeting of the VIS SCG will be held in spring 2014.

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[1] The Visa Information System (VIS) is a database of information, including biometric data, on visa applications by third country nationals. This information is collected when a visa application is lodged at an EU consulate and used to prevent visa fraud and so-called visa shopping between Member States, to facilitate identification of visa holders within the EU and to ensure that the visa applicant and the visa user are the same person. The VIS is supervised by the national DPAs at the national level and by the EDPS at the European level.