

MEPs want criminal records database for non-EU nationals

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News

New measures have been agreed by MEPs to improve the sharing of criminal records information between member states.



Handcuffs | *Photo credit: Fotolia*

The legislation was approved on Thursday by Parliament's civil liberties, justice and home affairs committee.

It will establish a database of third country nationals whose criminal record details are held by an EU country.

At present legal authorities across the EU exchange information via the European criminal records information service (ECRIS), but if, for instance, Belgium were to arrest and prosecute an individual from outside the bloc, they currently have no way of knowing if they might have a criminal record in

Greece.

The new database will close the loophole by providing details of where such information is held and identification details such as fingerprints and facial images.

The new centralised data base will complement ECRIS, which EU countries already use to exchange information on previous convictions of EU citizens.

The ECRIS third country national (TCN) system, will enable national authorities to establish quickly whether any member state holds criminal records on a non-EU citizen; contain data such as names, addresses, fingerprints and facial images (which, however, may only be used to confirm the identity of a non-EU national who has been identified based on other data); and comply with EU data security and data protection rules.

Committee members stressed that, in addition to judges and prosecutors, Europol, Eurojust and the future European Public Prosecutor's Office should also have access to the ECRIS-TCN system.

MEPs said they see the system as an important cross-border crime-fighting tool for European prosecutors, judges and police forces, who currently often rely solely on data available from their own national criminal record systems.

Parliament's rapporteur on the dossier, Dan Dalton said, "The fast, reliable exchange of information is key in the fight against crime at all levels. This measure will close the loophole allowing third country nationals to hide their criminal records, while protecting peoples' rights and information."

The proposal was approved by 47 votes to six, with no abstentions.

The negotiations with Council can start as soon as Parliament as a whole gives its green light.

ECRIS was put in place in 2012 to exchange information on criminal convictions in the EU.

However, using the current system to check the criminal records of a non-EU citizen is cumbersome and inefficient. According to the European Commission, national authorities have used information available in other countries' criminal records only in less than five per cent of conviction cases of third country nationals, between 2010 and 2014.

Dalton, an ECR group member, said, "The fast, reliable exchange of information is key in the fight against crime at all levels. This measure aims to make it harder for criminals to slip through the net.

"The inclusion of facial images on the database will improve the accuracy of searches and help prevent cases of mistaken identity.

"However, strong safeguards must be built in whenever personal information is held centrally. Therefore, I have included guarantees that requests for correction and deletion are dealt with swiftly.

"I have also agreed that EU citizens holding dual nationality with a third country should not be included on the database to avoid creating two classes of EU citizenship," said the British MEP.

The database will also provide criminal record checks when third country nationals apply for jobs working with children or vulnerable persons, said Dalton.

About the author

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