

MINUTES
of the Round Table on
Freedom and Security in the Integrated Management of the EU's Borders

INTRODUCTION: CURRENT & FUTURE CHALLENGES FOR THE MANAGEMENT OF EU BORDERS

The Round Table was opened by a welcome note for the Chairman, who thanked the experts for their time and made a few comments on the involvement of the EP in monitoring the external control mechanisms of the EU's border management strategy.

The first presentation was made by Commissioner Barrot. He began by stressing on the need for rendering the Schengen area totally secure, and to consolidate the acquis pertaining to the Area of Freedom, Security and Justice, and assured those present that the next generation of frontier management tools would do exactly that. Technological advancements and rapid globalisation of migratory flows have compounded the urgency for efficient frontier control, at the same time as for fair asylum procedures; thus, the two systems are not mutually exclusive. The socio-economic dimension of control must also be kept in mind; crossing must be facilitated for genuine travellers and restricted for those who are not, thus, there is a need for a balanced approach so as to reinforce security while keeping open the possibility for people to move. This has to be done through the control of travellers crossing frontiers, surveillance at non-official crossing points, and operational cooperation to support Member States. He referred here to the EC Communication on External Borders, released last February. He also revealed that at its meeting of 19-20 June, the Council had unanimously approved this Communication, and the opinion of the EP was awaited as well as that of national Parliaments. The regulation of incoming and outgoing people would make it easier to identify over-stayers, and thus, the entry-exit system would improve frontier control while a programme for registered travellers would facilitate automated control while leaving room for free movement of legal travellers. It was thus necessary also to strengthen FRONTEX with special emphasis on Member State solidarity so as to fit in with a long-term strategy on integrated border management.

He further stated his intention to develop the EUROSUR mechanism through information exchange between Member States that would enable the use of new technologies to detect illegal entrants as well as to save lives at sea. SIS II, he said, would provide new means such as biometrics and arrest warrants, as well as a legal framework. The implementation of the SIS II was foreseen for end-2008, with the last test in 2009 before the transition, or migration, of national systems from SIS I to II. But there remained a need for a clear decision-making process so as to effectuate the transition, and for a clear division of responsibilities between Member States and institutions. He thanked the Slovenian Presidency for its support for the adoption of a legal framework in this regard, and voiced his hope for action to this end by the EP and the French Presidency. He also said that all future action must be taken in the spirit of protecting fundamental rights and the privacy of personal data as defined by Regulation 45 of 2001.

The floor was then passed on to Mr. Dusan Kerin from the Slovenian Presidency, who has been Head of International Police Cooperation in the Criminal Police Directorate. He stated that the Presidency had prioritised the development of SIS II during its

term, along with the efficient implementation of SIS I. The former is a more complex system with new functionalities and new categories of data, and will thus require much time and work to ensure a smooth transition from the existing system. The Slovenian Presidency built on the progress initiated by the Portuguese one, and established a system of practical monitoring entitled the "Friends of SIS II" group which aids Member States on issues pertaining to harmonisation, legislation and practical cooperation on the testing system. The Draft Regulation on SIS II had been dealt with in April and May and the search was on for a compromise proposal between the Council and EC. Differences include the extension of the latter's mandate, validation of global tests, creation of a transition programme for the data, and so on, to address which the Presidency has already held three meetings. A draft of the compromise is in fact ready, and expected to be adopted in the first fortnight of July under the succeeding French Presidency.

Mr. Pierre Simunek from the French Permanent Representation then took over, stating that the success of the abolition of internal borders must be complemented by measures foreseen in the Frontiers package, such as common regulatory tools, financial solidarity and joint operations. The question as to how far FRONTEX could go in this direction would, he said, be subjected to the French Presidency's careful consideration. The crucial entry-exit system would affect all TCNs, those who need visas to enter as well as those who do not, and it is a big step towards automated borders in the EU that would help to stop overstayers and to identify trends in their behaviour. EUROSUR is also very useful in that it would help to rationalise and coordinate the work of all the authorities engaged in the protection of maritime borders. He expressed the hope that biometrics would provide effective protection against identity theft and to streamline visa systems. There remains a need to find an agreement on liability and on project management, so as to ensure integrated and systematic control of frontiers as a part of the overall approach to migration. He concluded that all the institutional and national actors had a common objective and must thus cooperate to achieve it.

The second session, entitled "*SIS II: When; Why; How?*" was flagged off by an introduction from Mr. Paulo Coelho, the EP's Rapporteur on SIS II, who described the SIS as integral to the application of Schengen principles and as the backbone of the AFSJ. He noted however that its tasks have changed, from being a compensatory measure for opening up the borders to becoming a 22 million-strong database, 5% of which is personal data, which helps Member States in maintaining a common frontier especially for police and judicial cooperation in criminal matters and for residence permits and visas. The decision to have SIS II was made on new functionalities such as arrest warrants and biometrics, so as to make efficient use of data and to integrate new Member States. The EC had received its mandate on 6 December 2001 but was unable to begin its operations on the scheduled date in March 2007, so it has now been postponed to 17 December 2008. The Portuguese Presidency had extended the mechanism to nine of the new Member States, but there remained a need to increase security in the enlarged Schengen space which was why the SIS II had been approved under codecision, though the Council had yet to fix the date of its going into effect. This had to be preceded by thorough testing of the system to see that it complied with all the functional and technical requirements; only after this would SIS II take over from SIS I. The EP had already given its opinion as to the creation of a technical mechanism for the parallel application of the SIS II until the transition had been fully

effected. New tests were already underway, and were expected to be concluded between January and July 2009; once the EP had been informed of their results, migration could take place. What is imperative, said he, is to have SIS II make up for past delays; thus, he asked the EP to give the green signal but on the condition of efficiency, expediency, and protection of fundamental rights.

The following presentation was made by Adolfo Rufa from the Schengen Working Group. He gave a short overview of the objectives of the SIS II; namely, lifting internal controls, extending data management to new categories and updating technology so as to add new functionalities. He recalled the difficulties faced in getting the project up and running owing to financial specifications having been announced after the mandate was given to the EC which caused delays in implementation. It was also hard to manage all data processing under the current framework for migration, a problem compounded by the fact that this framework was too reliant on political will, as there was no analysis before determining deadlines. There were also too many time lags, for example, between receiving tenders and making assessments, which made the situation more complex. There were also inconsistencies between SIRENE and SIS II, due to the hazy definition of the former. As to the state of play, he informed all that the second phase of testing had been concluded, with a third to be initiated upon the resolution of persisting technical problems including those in Member States and those caused by the impending accession of Switzerland. However, he admitted that the current schedule was very tight, and there had as yet been no agreement between the Member States and the EC on sharing responsibilities or on execution of contracts. Reservations also persist regarding the global tests, and together, all the lags have given rise to costs of around 200, 000 euros a month; a strategy has to be devised to resolve this situation.

The discussion was continued by Mr. Pascal Millot from the IT Systems Unit in the EC, whose presentation centred on the timetable for the SIS II, migration between I and II, and costs and management. He confirmed that SIS II remained a priority for the joint effort with central and national dimensions. The former is reportedly developing well, having been installed in France and Austria; the EC system linking the central and national systems is operational, and testing is underway. The SIS I culminated in the abolition of land and maritime borders with the new Member States in 2007, and the suppression of airport controls in March 2008; however, more time is required to thoroughly test SIS II, concerning which a new calendar has been adopted in June 2008. The central dimension of SIS II has been under development, and final migration to SIS II is expected to take place in June 2009, before which all supporting tests and preparatory action on the part of the EC will be concluded. The two systems will operate in parallel only for a limited period, and a dress rehearsal will precede the actual migration so that maximum security of data can be ensured. The Proposal for this was adopted by the EC in April of this year, so as to extend its mandate to continue testing. This Proposal is based on the three key principles of clear delimitation of responsibilities, effective decision-making, and sharing of tasks, for which the EC has been in regular touch with the EDPS. Many tests have to be done before SIS II can go into operation, and while those at the central level have been concluded, those under Member States' responsibility are at varying stages of progress. The Ep will receive an update in the first half of 2009, following which the Council will adopt a resolution and finally the SIS II will come into force. As for costs, so far, 30 million euros have been spent, in addition to 19 million for

implementation of the network and 14 million on administrative expenses. The Member States have also invested in national level testing.

He concluded that in terms of long-term prospects the EC would be responsible for implementation for the next five years, during which some tasks could be delegated to public sector organisations in France and Austria with which negotiations were already under way; the EC would meanwhile work on a long-term management solution and find an effective and unambiguous decision-making process, keeping the EP always informed of all developments in this direction.

The following presentation, on data protection implications of the migration from SIS I to SIS II, came from Mr. George de la Loyère from the Schengen Joint Supervisory Authority that was initially instituted to advise on common border control but is now also involved in checking the correctness of data on individuals. He stated that the JSA been successful in identifying discrepancies in data thanks to joint checking mechanisms, and was now concentrating on applying these decisions at Member State level by establishing a body to settle disputes. It was engaged in attempts to harmonise the systems through joint checking operations. Each Member State is responsible for introduction of data through its SIRENS office; that on missing persons, wanted persons and potential witnesses were verified at the national level and then sent to a clearing house for exchange. The broadening of Schengen data has outdated much data, and it remains to be seen if there is a need to expand, build a new dimension, or integrate with data from the entry-exit system. Transition from one system to another, he admitted, was hard, as there is a political question as to how the data is to be treated.

The discussion was wound up by the EDPS Mr. Peter Hustinx, who stated that although the migration would be a complex project, there was no legal loophole as to its supervision as long as the current and future authorities were able to cooperate, with the central unit playing a proactive role. The SIS I was covered by a convention while SIS II relied on Member States' authorities for national supervision and on the EDPS for the central unit, which required close cooperation between the two. The legislative framework stipulates that if the EC delegates its responsibility to another authority it must ensure that the system continues to work. The migration mechanism does clarify some responsibilities, but requires that the two systems work in parallel for a while, and though there is the little problem of the Converter system, it is merely a technical glitch. He informed the gathering that the EDPS is also currently engaged in an in-depth audit so as to have a benchmark for the future, which will be ready after the global test and before the actual migration so as to check if central facilities comply with the required security measures. A similar audit will follow at the national level. He concluded by stressing once again on the importance of coordinated supervision and on cooperation to ensure smooth transition.

The speeches were followed by a Q&A Session, with the first comment coming from Ms. Ludford who wanted to know if the entry-exit system, having been grafted on to the VIS architecture, would be able to cope with its task; she also raised questions as to the costs and implications of delays, the potentially counterproductive effect of biometrics on identity theft, and the implications on data protection; all in all, she feared, it was a rather piecemeal approach. Here, the representative from the

Lithuanian Schengen authority expressed her satisfaction with the implementation of SIS I in her country, and stated that they were waiting for EC guidelines so as to continue. Mr. Hubert Pirker asked if the high standards stipulated in calls for tenders had been satisfied, and as to the criteria for the final validation of the system. He was also concerned about the renewal of the EC's mandate the legal framework for final operational management, and as to prospects for the inclusion of Switzerland and Lichtenstein.

The first response came from Mr. Simunek, who stated that the EC must come up with a legal format for an instrument to support the entry-exit system. He denied that the approach was a piecemeal one, in that all the instruments constituted a multi-level architectural design but admitted that there was a need for further homogenisation. He assured all that the French Presidency intended to work extensively on data protection.

The floor was then passed on to Mr. de la Loyere, who stated that the architecture of the SIS I and II were both based on the Schengen Convention that clearly defines categories of collectible data, for example that on people wanted for criminal offences, as witnesses, or those in need of protection. The entry-exit system, he said, is a complex one; as a supervisory authority, it was his organisation's job to ensure respect of legislation and data protection; experience had revealed the need for change, as well as for care in handling data.

Mr. Millot stated that changes in parameters of application were yet to be effected, and could only be seen when the Convention went into effect; as to the mandate, upon its expiration, the EC would no longer be involved alone. Also, the EC intends to have ready a Proposal on operational management by the end of the year. Switzerland, he confirmed, was slated to sign up to the system.

Mr. Coelho ended the session by saying that there was a need for very close cooperation so as to bring together 27 different systems, and while the EP had a big role to play, it must be strict in giving its approval, making sure that all legal conditions are fully respected. We are moving towards a European system from an inter-governmental one, and although simultaneous migration is ideal, not all Member States are quite in yet. Protection of data is a weak link to ensure which protection with the EDPS and with national authorities is essential. It is for the EP to raise the alarm, and to ensure transparency so as to assess the process as it unfolds, and to be able to answer the citizens.

The second session, on the **contribution of FRONTEX and EUROSUR to the security of borders**, was flagged off by the rapporteur on the subject, Mr. Javier Moreno Sanchez. He began by reminding everyone of the main goal of immigration policy: to have legal immigration; in his view, all other policies - on returns, border management, illegal migration, sanctions against employers, and so on- need to be seen in the broader context. FRONTEX, he said, is still young, and needs the support of the Member States; although it is up and running, the cartels that facilitate the entry of illegal migrants have begun to look for new ways to thwart its progress, raising fresh questions as to how fast and far it needs to be consolidated and expanded. Solidarity is an important element, but some Member States are not fulfilling their commitments, and the question thus arises as to whether FRONTEX can be self-

sustaining. Must it have branches in the Member States? Can its remit be extended? What is its role in saving lives at sea? Can it train officers for asylum administration? What are the avenues for cooperation with third countries? How far can FRONTEX be allowed to go? The same questions, he pointed out, can also be put in the context of EUROSUR.

He then gave the floor to Mr. Ilkka Laitinen, the Executive Director of FRONTEX; who stated that the primary objective of border control from the viewpoint of FRONTEX was to save human lives, then to safeguard the right of free movement of genuine travellers, and finally, to aid in crime prevention. He said that no stand-alone position was foreseeable for the organisation in the future, and it must continue to liaise with Member States and the EU, which provides the legislative framework, financial means and technological support or its operations. FRONTEX has the role of a coordinator, providing awareness (it delivers and compiles risk analysis through its networks, gathers and analyses information for delivery to the Member States, and provides threat assessments for their border security systems); response (through joint operations on land, sea, and airports, pilot projects such as the European patrols Networks, RABITs - which are only deployed in exceptional and urgent situations, joint support teams, etc.), as well as interoperability (where the technical equipment comes from the Member States and the expertise from FRONTEX). He stated here that there was a need to examine the possibility of arming FRONTEX with its own equipment, as Member States often imposed conditions on lending their cooperation. He also had a word on the external partners, which include third countries from where migrants originate or through which they transit and with whom working arrangements have been signed, as well as international actors such as UNHCR and IOM.

He also spoke briefly on EUROSUR; which he explained takes information from existing and future sensors so as to provide a situational picture to its end users such as FRONTEX, third countries and Member States' authorities. He revealed that eventually the task of managing EUROSUR would devolve on FRONTEX, but before this, a concrete border management strategy will have to be developed and Member States will have play key roles and take charge here. He also stressed on the need to avoid the overlapping of IT systems, as well as to garner positive public opinion and acceptance.

The next speaker, General Maroto from the Spanish Guardia Civil that coordinates the fight against illegal migration in the Canary Islands, spoke of the operational aspects of this effort, giving a factual picture of the manner in which the authority dealt with the waves of illegal migration that the islands had been experiencing since 2006 when 31,900 illegal migrants arrived there from sub-Saharan Africa with 6,500 in August alone. The unit had been set up by the Spanish government to monitor the maritime borders while safeguarding the lives of immigrants; for this, the unit had been in constant cooperation with the Red Cross, UNHCR, and European and African governmental agencies. He explained that there was a small number of communications and secretarial staff actually present at the unit; most personnel were brought in on a need basis. The centre coordinates two types of operations: those on the archipelago, including sanitation, food, legal treatment of migrants, etc; and on the other hand, returns, for which bilateral agreements and MoUs have been signed with many African governments. The unit has medical presence in Africa, as well as

patrols, aircraft, and military presence. It is now looking to have civil and military cooperation with European as well as African authorities so as to build a truly integrated approach to border management.

The last speech was given by Senator Tomas Grulich from the Czech Republic; began by expressing satisfaction at the expansion of the Schengen space to the new Member States and stated that it had so far been a positive experience for his country. He cautioned however that border control being a matter of common concern, a single weak link could jeopardise the whole system. He noted that the geographical position of the Czech Republic, being completely locked in by other Member States, made it wholly reliant upon them for its security, and this raised a question of mutual trust. Thus, though FRONTEX had come to be indispensable to the protection of land borders in the EU, the primary responsibility continues to lie with Member States.

He also noted that while the attention paid to the sea borders in the south was well placed, the eastern borders must not be ignored; a certain amount of funds must be devoted to their protection as well, keeping in mind the large number of persons slipping through from there. He approved of the entry-exit system as useful for identifying overstayers but said that its introduction must be preceded by dissemination of information in the common countries of origin of illegal migrants. He concluded by stressing once again on the need for Member States to extend cooperation to FRONTEX.

The second Q&A that followed began with a question from Mr. Antonio Masip Hidalgo, who asked of the steps taken to make the borders less porous in terms of airport control; he asked if the American way might not be followed in Europe, i.e., to not allow persons without the right documentation to board the flight in the first place. Ms. Jonke, the representative from the Dutch Parliament, asked of the status, objectives, and practices in respect of cooperation between FRONTEX, Europol and other organisations, and if there was any overlap of their remits. She also noted that asylum and immigration were closely connected, and asked if there was any talk of cooperation between Member States in terms of burden sharing. Mr. Diaz de Mera then requested specifics on coordination and repatriation activities carried out by FRONTEX, and whether it could employ a mechanism to render systems compatible. Mr. Busuttill asked about the contribution of external partners in tackling the issue, and as to how FRONTEX was preparing itself in light of the recent adoption of the Returns Directive. Mr. Claude Moraes asked if accountability issues were likely to arise from the expansion of FRONTEX in future, and if it relied on organisations such as UNHCR for legal advice especially for returns. The ECRE representative asked of plans to address the issue of lack of transparency.

In reply, Mr. Laitinen informed the audience that the Canary Islands were home to the largest and most expensive FRONTEX operation, with a cost of around 12 million euros. He noted that the entry-exit system was very welcome as it dealt with the most common method of illegal immigration, namely, overstaying. He stated that while maritime operations were expensive and extensive, they were not the only ones that FRONTEX undertook; it had also conducted joint operations on land, and was able to create risk analysis based on a combination of all its data. As to the question of overlap of remits, he conceded the existence of a common sphere of action, clarified that unlike Europol, FRONTEX did not collect, process or deliver personal data.

FRONTEX had different teams built on different types of expertise, and interoperability would receive a further boost from the establishment, in two years' time, of the FRONTEX Information System.

As to returns, it was deemed by him to be a topical issue in respect of which the FRONTEX management had established an ad hoc working group so as to create possibilities to enhance and promote return operations and to support national authorities in this task. He also noted the important advisory role of the UNHCR in returns cases.

Mr. Maroto agreed that air borders did need closer monitoring, but the solution did not lie in not allowing people to board, but rather in receiving them and ensuring their safety. It is necessary, he noted, that units such as his have their own means to take action, for instance, planes are necessary for interception. He admitted the seriousness of the Maltese problem, as there is no mainland in that country to which illegal migrants could be transferred, unlike in the Canaries, which could send these people to Spain. It is hence that the Member States have to express their solidarity, through burden sharing mechanisms as well as in financial terms.

Mr. Sanchez agreed, warning that lack of cooperation amongst Member States could be fatal for FRONTEX, as could be the lack of an adequate budgetary allocation. He noted that the EP had pushed for obligatory solidarity, but with little success; as for cooperation with external partners, the Member States, Europol and UNHCR had all to have a clear strategy. FRONTEX could help in the exchange of best practices, and to extend integrated management to all frontiers.

The final session pertained to the **protection of freedom, security and privacy in border management in future**. The discussion was initiated by Mr. Henrik Nielsen from the Borders and Visas Unit of the DG JLS who presented the main elements of the Commission's Communication of February regarding several suggestions for new IT system in order to enhance border management in the EU (Entry/Exit System and Registered Traveller System). The integrated border management strategy of the EU can be seen in the context of the four-tier access model to coordinate checks on persons entering the EU starting at consulates in third countries and continuing to checks within the Schengen territory. He stated that the objective of the Communication was to identify possible gaps and problems in the access model and find possible solutions. Before explaining the entry/exit system, Mr Nielsen described the current state of play for short stay in the Schengen area (three to six months authorised stay) where the method of manual stamping of passports is used in order to monitor this limitation in staying. This method entails problems in case of multiple entries (difficult to calculate) or the fact that stamping as such in the passport is not available to any authority in the Member States once a person has entered the Schengen area (virtually impossible to monitor compliance with the limitation of three months). The entry-exit system would register the entry and exit date electronically, would automatically calculate the authorised time of each person to be used by the border guard and would issue an automated alert to competent authorities in case of overstayers. There remain questions regarding data protection aspects, precise categories to be included in this system, exceptions, etc. technical implementation (type of database needed); neither SIS I nor VIS are envisaged to be used as a basis; however, the new system would technically build on the same architecture as the SIS

or VIS databases. The registered traveller programme is a welcome development as well; whereas now all TCNs entering EU territory are subject to a thorough check, this system would allow persons identified as low risk travellers (on the basis of certain criteria and pre-screening) to use automated border checking facilities and thereby save time. There has also been a rise in passenger flow, prompting Member States to implement automated border checks; an EU-wide system like this would be very useful. He invited the views of the EP and other stakeholders on this possibility.

Ms. Jeanine Hennis-Plasschaert also stressed on the need to keep developing the UE common policy on these issues, and hoped that the EC's new package on border management would allow fresh debate on this; she spoke of the need to strike a balance between mobility and security and of the need for scrutiny as they entail massive data collection efforts. She however lamented the lack of a comprehensive master plan on how all the measures will be linked: the EU has already a number of schemes of data collection and storage engaged and several proposals under way and developing at a rather impressive pace. All the objectives (border management, fight against terrorism etc) that these new measures aim to address as well as the privacy issues that they might entail together with the costs related to the implementation must be carefully assessed before the actual proposals are put forward. Ms Hennis-Plasschaert also recalled the links between the EU border package and the similar, but distinct system adopted by the USA (US-VISIT programme).

She asked whether the EU was heading to a catch-all approach, where all travellers were to be treated as potential law breakers and therefore put under surveillance. Finally, MEP Hennis-Plasschaert emphasized again on the need for a clear master plan for the implementation of all existing and proposed measures.

Ms. Ludford then took the floor to introduce the next speaker, and gave a short account of her experience as the rapporteur for ethnic profiling. She warned that profiling could lead to branding certain persons as potential offenders simply because of their ethnicity or nationality, and this must be strictly avoided; she noted that while profiling was not completely irrational, it might not always work as it took its cue from race and religion rather than from a person's behaviour. It thus brought with it, a risk of alienating people, and was therefore likely to be counter productive, as it could lead to a person being flagged on the basis of data potentially with no means of redeeming himself.

The speaker in question, Ms. Rebekah Delsol, is an expert from the open Society Institute who has done extensive work on ethnic profiling. She stated that Europe's rapidly-expanding immigration and border control data bases offer a new information resource for law enforcement and counter-terrorism as well as immigration control, but law enforcement authorities must resist the temptation to exploit it for profiling. She also stated that the common definition of profiling was too narrow; it was rather the use of ethnicity, race, national origin or religion rather than individual behaviour as a basis for making law enforcement and/or investigative decisions about persons who are believed to be or to have been involved in criminal activity. This broader definition does not mean that law enforcement is prohibited from ever using of ethnicity, national origin or religion by police and other law enforcement. When based in specific and up-to-date intelligence, ethnicity and other factors may be important and legitimate aspects of an investigation. She expressed fears that the entry-exit system would provide a fresh pool of data for data mining using ethnic or religious

profiles, which would be an invasion of personal space and privacy. Finally, she stated that there were legal gaps in the protection of third country nationals as immigration decisions made on the basis of nationality leave a significant gap in protection and can 'mask' forms of discrimination based on race or ethnic origin as supposedly legitimate differences based on nationality. It is troubling that initiatives such as the data bases we are discussing today do fall within the scope of EU action, but fall outside the scope of EU protections against discrimination, especially in the light of the inadequate state of data protection standards for law enforcement cooperation. She thus urged that Member states adopt safeguards to protect personal data and oversee the manner in which it is used in law enforcement, and suggested that good practices be identified and put in place with EU support.

The final presentation was made by Mr. Peter Hustinx, European Data Protection Supervisor who called for reflection on the data protection implications of the entry-exit system and cautioned that while a legitimate goal, it posed a risk of overdrive as plans were being tabled in waves and there was too much complexity involved. He too agreed on the need for a master plan here, and advised that the EC take a cue from the US system; he said that while biometrics had its advantages, its inherent weaknesses were sure to produce consequences that must be carefully considered before it was finally adopted. As for profiling, he said that it was as problematic as it was useful, as it was mostly about categorisation which could be positive or negative. It was thus necessary to build safeguards, as in their absence people could be brought under supervision on wholly superfluous grounds. There was thus a need to be cautious while moving from the specific to the general. The data must be fair and statistically significant for further action to be taken on its strength, and the principle of proportionality must be respected; moreover, time limits must be put in place so that a person had the means to be relieved of suspicion after a certain period of time. Ultimately, he said, there is a need for transparency.