



HELLENIC REPUBLIC
MINISTRY OF FOREIGN AFFAIRS
SECRETARIAT GENERAL FOR EUROPEAN AFFAIRS
C' DIRECTORATE GENERAL
C4 DIRECTORATE FOR JUSTICE,
HOMAE AFFAIRS & SCHENGEN

THE SCHENGEN AGREEMENT, THE SCHENGEN INFORMATION SYSTEM, THE SIRENE BUREAUX AND THE NATIONAL RECORD OF UNDESIRABLE FOREIGNERS

On 14 June 1985 the Schengen Agreement was signed between five members (France, Germany, Belgium, Luxemburg and the Netherlands) and aimed at the removal of all internal border controls. The Convention implementing the Schengen Agreement (Schengen Convention) was signed on 19 June 1990 and was put into effect on 1995. According to the Schengen Convention all internal border controls are removed but effective controls at the external borders of the EU Schengen area are put in place. The Convention also introduces a common visa policy. Full Schengen members are the 22 out of the 27 member states of the EU (except Ireland and the United Kingdom - Cyprus, Bulgaria and Romania do not yet fully participate in Schengen).

According to article 92 of the Schengen Convention a common information system, the Schengen Information System (SIS), was set up in order to facilitate the exchange of information between the member states. SIS is the largest shared database on maintaining public security and judicial co-operation and managing external border control. Participating states provide entries, called "alerts", on wanted and missing persons, lost and stolen property and entry bans.

According to article 108 of the Schengen Convention SIRENE Bureaux were established in all Schengen States in order to facilitate the exchange of additional or supplementary information on alerts between the states. SIRENE stands for "Supplementary Information Request at the National Entry" and outlines the main tasks of the SIRENE Bureaux. Their principal tasks are processing the "alerts" in the Schengen Information System and enforcing them. They are a single point of contact for all national law enforcement authorities involved in SIS and also police co-operation in Schengen area and are on duty around the clock (for more information please visit the following links: SIRENE-Schengen Information System, National SIRENE Presentations).

Article 82 of law 3386/2005, about "Entry, residence and social integration of third-country nationals in the Hellenic Territory" provides that the Ministry of Citizen Protection holds a record of undesirable foreigners. The criteria for registration in and deletion of foreigners from this record are determined upon a decision of the Ministers of Interior Decentralization and e-Government, Foreign Affairs, National Defense, Justice Transparency and Human Rights and Public Order.

COMPETENCES OF THE DATA PROTECTION AUTHORITY REGARDING THE SIS AND THE NATIONAL RECORD OF UNDESIRABLE FOREIGNERS

According to article 19 par. 1 ie' of the data protection law (Law 2472/1997) and article 114 of the Schengen Convention the Hellenic Data Protection Authority (DPA) carries out independent supervision of the data file of the national section of the Schengen Information System. Therefore, the DPA is competent, inter alia, to examine the conformity of the "alerts" (inserted by the Greek authorities) with the Convention's

provisions. If the alert is entered in SIS by another country, the HDPa forwards the data subject's request to the supervisory authority of this country in order to examine the specific case (for contact details of the national data protection authorities please visit the following link http://ec.europa.eu/justice_home/fsj/privacy/nationalcomm/index_en.htm. According to article 19 par. 1 c' and h' of Law 2472/1997 the Hellenic Data Protection Authority is competent to review the legality of all data files including registration to the record of undesirable foreigners.

RIGHTS OF DATA SUBJECTS

The data subjects have the right of access (article 12 of Law 2472/1997) to personal data relating to them and the right to object (article 13 of Law 2472/1997) to the processing of their personal data. Both rights are exercised in writing directly to the data controller (Ministry of Citizen Protection). The contact details of the Ministry are the following:

Registration to SIS	Registration to the National Record of Undesirable Foreigners
<p>MINISTRY OF CITIZEN PROTECTION Greek Police International Police Cooperation Division 3d Division SIRENE Kanellopoulou 4 GR - 101 77 Athens Tel.: +30.210 6977000 Fax: +30.210 6929764 email: info@sirene-gr.com</p>	<p>MINISTRY OF CITIZEN PROTECTION Greek Police Public Order and Security Branch Aliens Division Department of Immigration and Administrative Measures Kanellopoulou 4 GR- 101 77 Athens Tel.: +30 210 6977000, Fax: +30 210 6929764 email: adeusect@mopo.gr</p>

In both cases (right of access / right to object) if the data controller does not respond in writing within 15 days, the data subject has the right to appeal before the DPA. The contact details of the Hellenic DPA are the following:

HELLENIC DATA PROTECTION AUTHORITY

Kifisias 1-3, 1st floor
 GR - 115 23 Athens
 Tel.: ++30 210 6475600
 Fax: ++ 30 210 6475628
 E-mail: contact@dpa.gr