

EN
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Answer given by Mr Brunner
on behalf of the European Commission
(24.1.2025)

The Commission has no access to the data in the Schengen Information System and therefore cannot check if a person is subject of an alert. The Commission also cannot enter, correct or delete data contained in the Schengen Information System. Pursuant to Article 26(1) of Regulation (EU) 2018/1862¹, alerts on persons wanted for arrest for surrender purposes on the basis of a European arrest warrant (EAW) shall be entered at the request of the judicial authority of the Member State that issued the EAW.

Pursuant to Article 9(2) of Council Framework Decision 2002/584/JHA² the decision to issue or not to issue an alert for the requested person in the Schengen Information System lays with the issuing judicial authority.

¹ Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU, OJ L 312, 7.12.2018, p. 56.

² 2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States - Statements made by certain Member States on the adoption of the Framework Decision, OJ L 190, 18.7.2002, p. 1.