



European Economic and Social Committee

INT/210
Vehicle registration
certificates

Brussels, 25 February 2004

OPINION

of the
European Economic and Social Committee
on the

Proposal for a Regulation of the European Parliament and of the Council amending the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders as regards access to the Schengen Information System by the services in the Member States responsible for issuing registration certificates for vehicles

COM(2003) 510 final - 2003/0198 (COD)

On 16 September 2003, the Council decided to consult the European Economic and Social Committee, under Article 95 of the Treaty establishing the European Economic Community, on the

Proposal for a Regulation of the European Parliament and of the Council amending the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders as regards access to the Schengen Information System by the services in the Member States responsible for issuing registration certificates for vehicles
COM(2003) 510 final - 2003/0198 (COD).

The Section for the Single Market, Production and Consumption, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 2 February 2004. The rapporteur was **Mr Barros Vale**.

At its 406th plenary session (meeting of 25 February 2004) the European Economic and Social Committee unanimously adopted the following opinion:

1. Introduction

1.1 The Schengen Convention, which is designed to permit the free movement of people and goods, was signed in 1995. The first signatories were Germany, France, Belgium, Luxemburg and the Netherlands, followed later by other EU countries, with the exception of Ireland and the United Kingdom; Norway and Iceland have also signed up to the agreement.

1.2 Although they have not signed the Schengen Convention on free movement, Ireland and the United Kingdom do also take part in EU security cooperation measures, especially in view of the reduction in security which may result from the free movement of people and goods.

1.3 The Schengen Convention stipulates which authorities have access to the Schengen Information System (SIS), as well as the purposes for which the data concerned may be used. The current text of the Convention does not allow vehicle registration authorities to access the SIS.

1.4 The Commission is intending to amend the Convention implementing the Schengen Agreement in order to include mechanisms in the legislation giving access rights to SIS data on stolen vehicles and trailers, and on stolen blank official documents and issued identity papers (passports, identity cards, driving licences). The aim is to make it possible to check whether vehicles presented for a second registration have been stolen, misappropriated or lost and also whether people applying for a registration certificate are using stolen identity or vehicle registration documents for this purpose.

1.5 This issue is all the more important given that around nine thousand vehicles stolen every day (approximately one every ten seconds); the number of requests submitted every day for

vehicle registration totals around fifteen million, six to seven million of which involve second registration¹.

1.6 The Commission proposal has to be seen from a variety of viewpoints, particularly justice, moves to counter fraud, steps to strengthen the single market and transport policy.

2. General comments

2.1 The European Economic and Social Committee (EESC) agrees with the Commission's view that, given the scale of fraud and organised crime targeting such goods and equipment and the documents involved, access to the SIS should be broadened to include national authorities responsible for issuing and checking the above-mentioned documents.

2.2 The Committee feels that the Commission's aims in amending the Schengen Agreement, as proposed here, are relevant in that they enhance security and speed up justice procedures, since data protection is guaranteed by the system.

2.3 The EESC would draw attention to the need to ensure that the proposal under review is compatible with Member States' domestic rules and regulations.

2.4 The SIS is clearly Community-oriented and can only be used within the EEA (European Economic Area), as stipulated in the Schengen Convention itself; the EESC feels that this should continue to apply. It is a matter of concern to the EESC that cooperation arrangements with non-Member States in this sphere are poor, given that a large part of the traffic in stolen and misappropriated vehicles in the European Union takes place outside the Union's borders.

2.5 The EESC thinks that one of the ways of achieving this might be through cooperation with INTERPOL (involving 181 countries), using the Automated Search Facility (ASF) and EUROPOL; for these purposes, it would be enough to enter the information into the SIS and the other two systems at the same time. It is essential to enter this information swiftly, especially into the SIS, since the vehicles concerned are moved out of the EU's jurisdiction very quickly.

2.6 The Committee believes that Member States which are not signatories to the Schengen Convention should be given access to SIS data for this purpose, given that this is a security issue.

2.7 According to the Commission, the new Member States will only have access to SIS II data (in the new generation of the Information System) at the end of 2006. The Committee believes that these countries should be granted full access to the SIS as quickly as possible; this entails clear advantages for achieving the objectives pursued in applying the system.

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Statistics available from: http://europa.eu.int/comm/energy_transport/etif/transport_means_road/...

2.8 The EESC is pleased that the proposal under review considers the fact that various Member States have private services responsible for vehicle registration; these private services may obtain the information necessary to carry out their work properly, indirectly through one of the public authorities with access to the SIS, guaranteeing data protection.

2.9 The Committee deems it to be especially important to secure mechanisms for restricting access to other information in the system to the administrative authorities possessing SIS access; out of a concern to safeguard the public's general rights, such information must be reserved for the authorities specified in Article 1 of the Schengen Convention.

2.10 The EESC welcomes the Commission's guarantee that the solution found will have no financial impact on the EU's budget, since the costs will be borne by the Member States.

2.11 The Committee also believes that statistical data on this type of crime should be compiled, processed and publicised so as to better organize the approach to tackling it.

3. Other comments

3.1 The Committee believes that the very existence of this system and the easy access thereto granted to the authorities of various Member States will constitute an incentive to allow more free movement of vehicles within the Union, and will place a responsibility on national authorities to abolish certain kinds of domestic rules and regulations which make it difficult for their own nationals to use vehicles registered in another Member State.

3.2 Now that greater capacity is being introduced for monitoring and combating vehicle fraud and theft, the Commission must provide Member States with incentives to dismantle rules and regulations which make the use and movement of vehicles registered in another Member State difficult; the reasons for this are often purely tax-related and run counter to the provisions of the single market.

Brussels, 25 February 2004.

The President
of the
European Economic and Social Committee

The Secretary-General
of the
European Economic and Social Committee

Roger Briesch

Patrick Venturini