What is the Schengen Information System (SIS)?

- The SIS is an **IT system.** It is used, for example, by foreigners authorities, police and judicial authorities in the Schengen countries, and by embassies. Only police and border control authorities have direct access.
- In the system so-called alerts are stored. Each alert contains specific data on persons or objects. Its purpose is to identify persons or objects and to determine certain measures.
- Alerts may be issued for the following purposes:
  1. **Refusal of entry** for third-country nationals
  2. **Arrest** where there exists an arrest warrant
  3. **Identification of whereabouts** e.g. of missing persons, witnesses, victims
  4. Collection and transfer of information on persons or objects for **discreet checks, inquiry checks or specific checks**
  5. Enforcement of **return decisions** against third-country nationals
  6. **Seizure** or **confiscation** of objects, e.g. cars, identity documents

Your rights

Your right of access

- You have the right to know whether and if so what data is stored about you in the SIS.
- In Germany, you must submit an application to the **Federal Criminal Police Office (BKA)** for this purpose. The BKA is obliged to reply within one month. That period, however, can be extended by two further months.
- You may be denied access in individual cases. This is the case where there is an interest in confidentiality, for example, when the purpose of the alert is jeopardized, when there are threats to public security or if data about other persons is concerned.
- In case of such a negative decision you may file an objection at the BKA.

Your right of rectification and erasure

- If the data stored are incorrect or incomplete, you have the right to have them rectified.
- If the data stored should not have been stored in the first place, you have the right to have them erased.
- The following applies: **The authority which entered the data into the SIS is competent for rectification and erasure.**
- Any request for rectification and erasure should be substantiated. It is required to enclose all information. An answer should be provided after three months.
- If the request is rejected, you are entitled to file an objection.

Whom should you approach?

Information from SIS

In order to find out which data are stored about you in the SIS, you can write to the BKA.

Contact details:

Bundeskriminalamt
Petentensachbearbeitung
(„complaints handling service")
65173 Wiesbaden
ds-petenten@bka.bund.de

Please send a copy of **your ID card** in order to enable the BKA to identify you. You can black out the photograph and the ID card number.

Rectification and erasure

The authority which **issued the alert** is competent for rectification and erasure. This is the authority which has made the entry into the SIS.

If you do not know that authority, you can request access at the BKA. This will also help you to find out who made the entry.

It is helpful if you give reasons for your request for rectification and/or erasure. The more relevant information you enclose, the sooner you can be helped.

Judicial remedy

Objection

You can appeal against rejected applications for access, rectification and erasure. The appeal must be addressed to the authority which rejected your application.

Judicial remedy

If the objection is rejected, you may bring an action before the competent administrative court.

If the BKA does not provide you with information in in accordance with the applicable deadline, you can take legal action at the administrative court in Wiesbaden for the information to be provided.

Data protection

You are not sure whether you have received full access or whether your data have been lawfully stored?

Do you have any suspicion that **data breaches** have occurred during the procedure?

Then **please write to us:**

The Federal Commissioner for Data Protection and Freedom of Information
Graurheindorfer Str. 153
53 117 Bonn
E-Mail: poststelle@bfdi.bund.de

Further information can be found at https://www.bfdi.bund.de/EN/Buerger/Inhalte/Polizei-Strafjustiz/International/SchengenerInformationssystem.html

If you **have any questions**, please write to us: **referat31@bfdi.bund.de**