

Entry/Exit Systems (EES) & European Travel Information and Authorisation System (ETIAS)

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Arts Infopoint UK Webinar

International Artist Mobility Coffee Morning



The upcoming European Border Control Initiatives: EES and ETIAS

The European Commission will soon **launch two new border control initiatives** that will impact travel to Europe for third-country nationals.

- **The European Entry/Exit System (EES)** is expected to be operational as of **Autumn 2024**. The official launching date is scheduled to be **November 10th**.
 - EES will apply to **all third-country nationals**, whether visa-required or visa-exempt.
- **The European Travel Information and Authorisation System (ETIAS)** is expected from **spring/mid-2025**.
 - ETIAS will apply **only to visa-exempt third-country nationals**.



Entry and Exit System (EES)

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- The **EES** will be a fully automated **IT system that registers the entry and exit of third-country nationals travelling to the Schengen Area.**
 - It **will apply for both visa-exempt and visa-required nationals** travelling for 90 days in any 180-day period.
- This system will replace the current system of manual passport processing **and collect data electronically** (name, type of travel document etc.).
- It will **record overstayers, and refusal of entry;** and ultimately **prevent identity fraud.**
- An **online service** will be provided to help travellers record and calculate their remaining allowed Schengen stay by tracking their **usage of Schengen days.**

How will the EES work in practice?

· EXAMPLE

MS can decide to implement a national facilitation programme (e.g. a fast-track for frequent travellers, or other types of travellers such as diplomatic personnel)

- When arriving at the Schengen border (by air, land or sea) **the traveller will undergo border control, and their data will be recorded in the system.**
- **The system will record:**
 - name of the individual;
 - biometric data (e.g. fingerprints and facial images);
 - type of travel document;
 - date and place of entry and exit into the Schengen Area.
- **EES** will register each Schengen stay (and eventual overstay) by recording every time the Schengen border is crossed.
- **While EES is a European initiative, the implementation of the system will be done at the Member State level.** It is therefore likely that small differences will exist at border control depending on the country.

What will happen on your first travel after the EES implementation?

You will have to provide your personal data

Your passport (biometric or non-biometric) will not be stamped.

Passport control officers will scan fingerprints or take a photo (face).

This information will be recorded in a digital file.

- This process can be quicker if you register some of your data in advance. You can do this by using:
 - the dedicated equipment (“self-service system”), if available at your border crossing point; and/or
 - a mobile application - if made available by the country of arrival or departure.

Note: Carriers are likely to request travellers to submit their data in advance.

What will happen in the following travels?

- Your **fingerprints and the photo will already be recorded in the EES.**
- The passport control officers will **only verify** your fingerprints and photo, which will take less time.
- If you hold a **biometric passport, you will be able to enter more quickly using the self-service system** (if available at that border crossing point).
- If your digital file is clear of any impediments to travel, you will usually not need to go via a passport control officer.



Personal data will be stored for the following durations:



Records of entries, exits, and refusals of entry: 3 years, starting on the date on which they were recorded.



Individual files containing personal data: 3 years and one day, starting on the date of their last exit record (or of their refusal of entry, if they were not permitted to enter).



If no exit has been recorded: 5 years, starting on the expiry date of their authorized stay.

What are the implications of the EES for the cultural sector?

EES will allow third-country nationals to know the exact Schengen allowance they are entitled to at any given moment.

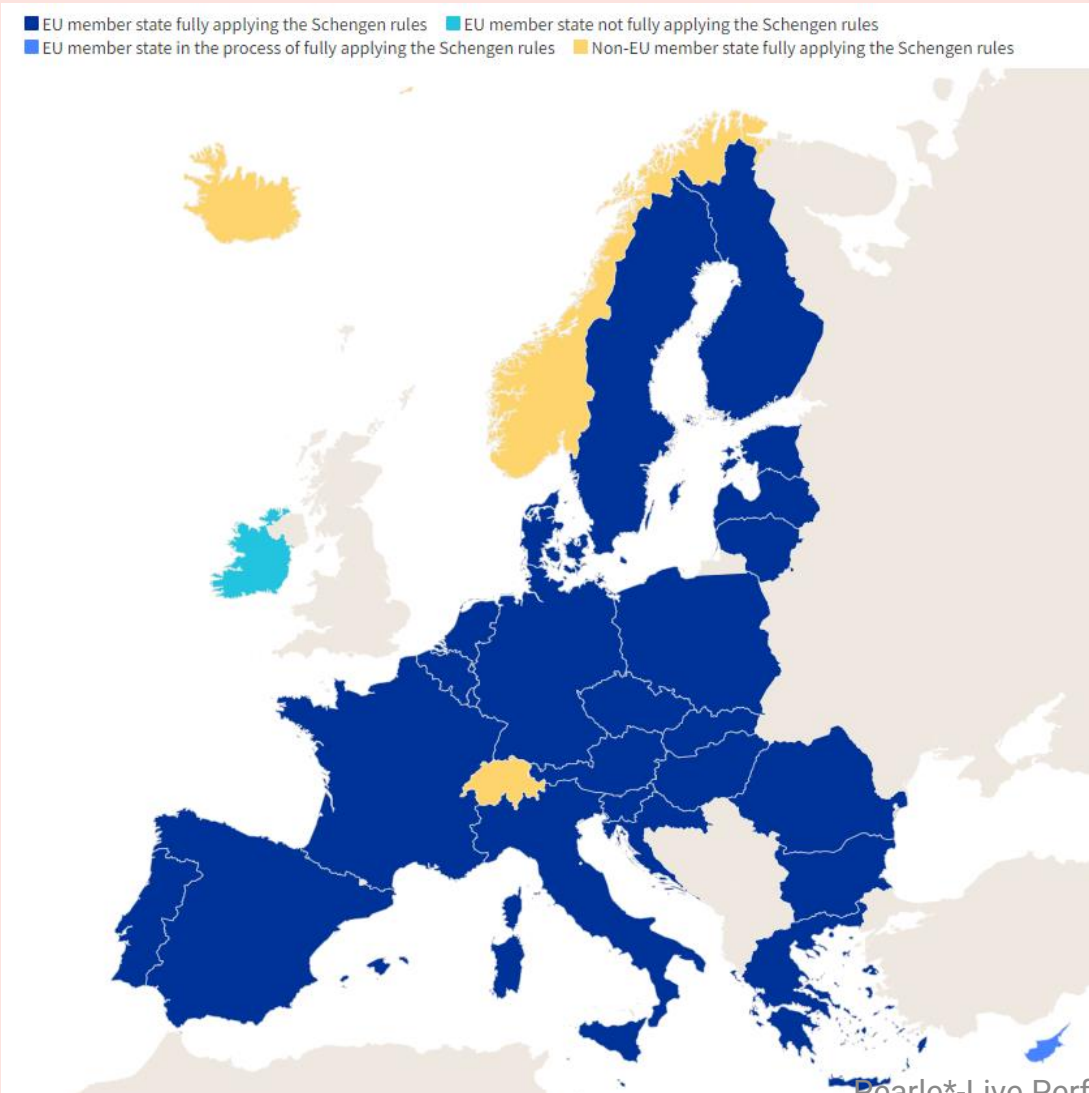
This will help artists and cultural professionals to better plan their stay in the Schengen area and avoid unpleasant situations of overstaying due to miscalculation.

Given the reinforcement of border controls, non-compliance will be more easily detected.

A red pen with a silver tip is positioned vertically on the right side of the calendar page, pointing downwards. The calendar page is open to a date that appears to be the 10th of the month, with days of the week and numbers visible.

The Schengen Area and the 90-day Allowance

The Schengen Area Geographical Scope (29 countries)



- **25 of the 27 EU Member States are part of the Schengen Area:**
 - Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden.
- **EU non-Schengen countries:** Cyprus, Ireland.
- **Non-EU Schengen countries:** Switzerland, Iceland, Norway, Liechtenstein.

The Schengen allowance of 90 days in any 180 day-period: How does it work?

Visa-required nationals are allowed to stay as long as indicated on the **visa sticker** and **within the validity period** stipulated on it.

Schengen Calculator:

An assistance tool that allows the calculation of the Schengen allowance in any given period.

This tool **does not grant a right of stay resulting from its calculation.**

Visa-exempt nationals are allowed to stay in the Schengen Area for a **maximum of 90 days in any 180-day rolling period** (the so-called "Schengen allowance").

No more than 90 days can be spent in the Schengen area *during any 180-day period, looking backwards:* **business purposes, personal purposes, etc**

- **The 180-day monitoring period starts with any day of entry** into the Schengen area and looking back 180 days into the past.
- If the day in question is the 90th day, the individual must leave the Schengen area that day.
- **With days progressing, old stay days fall out of the determination period** as they drop behind the 180 days.
- **Entry and Exit days count as a full day each, irrespective of the entry/exit hour.**

A person with a beard, wearing a plaid shirt, is sitting at a wooden desk. They are looking at a laptop screen and have their right hand on a pen over an open notebook. The scene is dimly lit, suggesting an indoor office or study environment.

European Travel Information and Authorisation System (ETIAS)

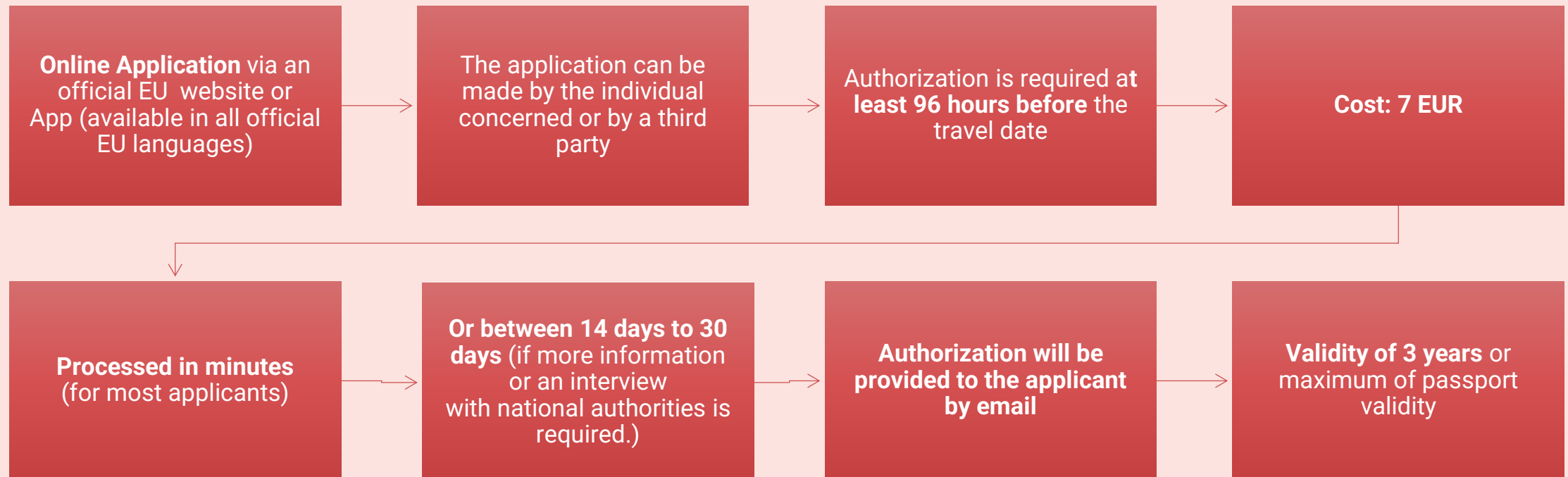
The European Travel Information and Authorisation System (ETIAS)

- **ETIAS will be a pre-travel authorisation system** required for visa-exempt nationals travelling to the Schengen Area (and Cyprus) for a maximum of 90 days in 180-day period.
- The following **are exempt** from applying for ETIAS:
 - EU residence permit holders;
 - Visa-required nationals;
 - UK nationals who are beneficiaries of the Withdrawal Agreement, holding valid proof of such status) and their core family members;
 - Refugees or stateless persons who reside in any EU country;
 - Diplomats;
 - Persons remaining in the international transit area.

After implementation there will first be a transitional period of 6 months.

The second period will be a grace period of (at least) 6 months.

ETIAS Application: How Will It Work?



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Once submitted, the application is automatically sent to the ETIAS Central System for processing.

If a **hit is reported**, the application needs to be further **assessed manually**.

In this scenario the **MS responsible for processing the application is the one that issued the data that triggered a hit**; or in case of multiple hits, the MS which issued the most recent one.

- **The reasoning behind rejections** (will be indicated in the decision):
 - Use of a travel document that was reported lost, stolen, misappropriated or invalidated;
 - Security, illegal immigration or high epidemic risk;
 - Failure to reply to a request for additional information or documentation within the given deadline, failure to attend an interview;
 - Previous refusal of entry and stay, accompanied by an alert recorded in the relevant information system;
 - Reasonable doubts about data reliability.
- **A previous refusal does not automatically lead to an automatic refusal of a new application.**
- **Right to appeal:** processed by the country that rejected the application and in accordance with its national law.

ETIAS vs SCHENGEN C VISA

ETIAS

- Required by **visa-exempt nationals**
- **Online registration process** that takes a few minutes (for some applicants) or 14 to 30 days (if interview with national authorities)
- **Cost: 7 EUR**
- **Valid for 3 years** (or until the passport expires)
- Allows **multiple entries to the Schengen Area**
- **Electronically linked to the passport** and checked at the border

Short-stay Visa (C Visa)

- **Visa-required nationals**
- In-person application process that requires an appointment at the consulate of the country of destination, documents collection and biometric data
- **Cost: 90 EUR**
- **Valid for up to 90 days** within a 180-day period
- May allow **one, two, or multiple entries** depending on the type of visa
- **A physical sticker on the passport**

ETIAS (Schengen), ETA (UK) and ESTA (US)

	ETIAS (Schengen)	ETA (UK)	ESTA (US)
How much does it cost?	7 EUR	10 GBP	21 USD
What is the maximum validity?	3 years or until travel document expiration date	2 years or until travel document expiration date	2 years or until travel document expiration date
How long does it take to be issued?	Minutes (for some applicants) or 14 to 30 days (interview with the national authorities)	Up to 3 working days	Up to 72 hours
How long before travel should you apply?	At least 96 hours before travelling	At least 72 hours before travelling	At least 72 hours before travelling

What are the implications of the ETIAS for the cultural sector?

Increased bureaucratic burden, with the requirement for extra travel documentation.

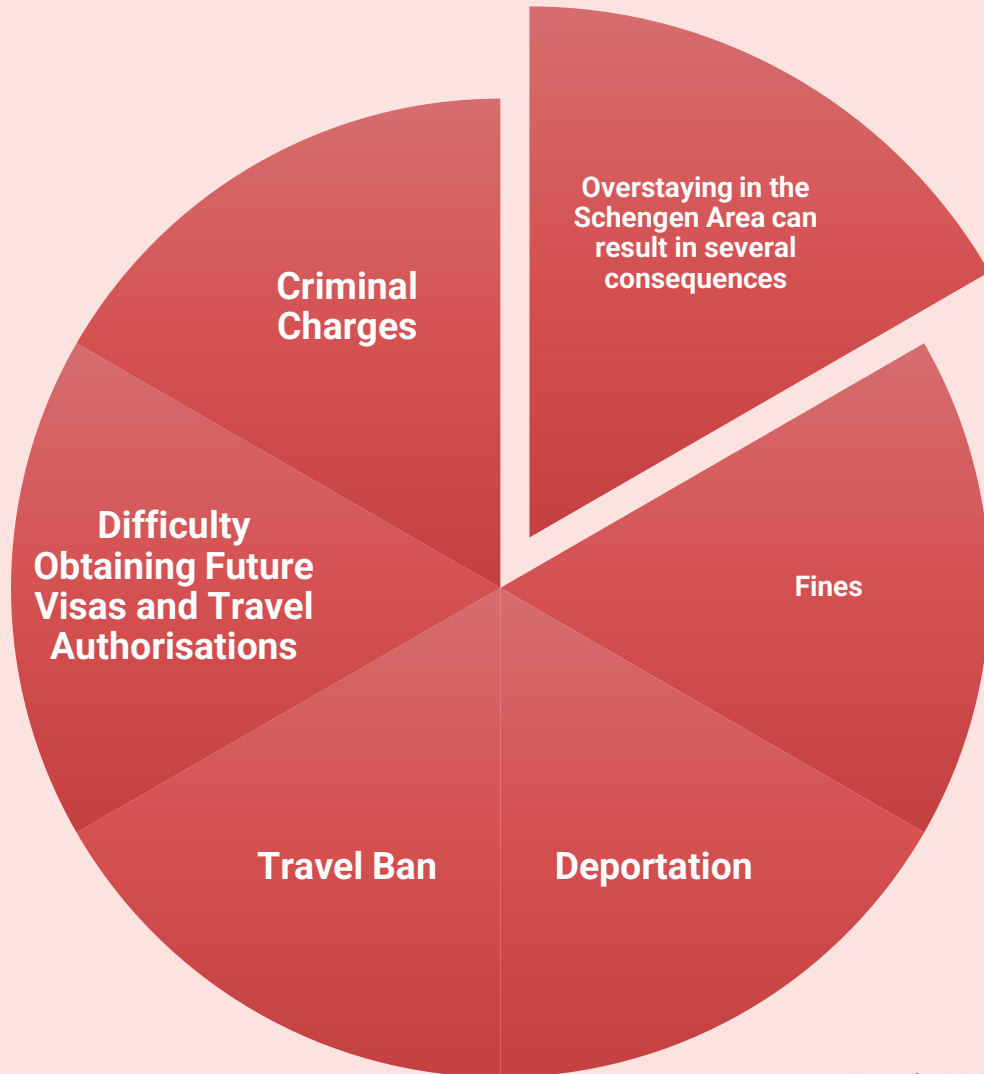
Extra cost: ETIAS application fee.

Need for advance planning to ensure pre-travel requirements are met.



To Keep In Mind

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ETIAS

- Will run an automatic process of checking whether the applicant is currently reported as an overstayer or was reported as one in the past by EES.

EES

- An automated EES calculator will provide the exact duration of overstays and inform the competent authorities
- For visa-required TCNs when there is no exit data immediately after the date of expiry of the authorized stay, the person will be flagged in EES as an overstayer.

To Keep In Mind

A Short-stay Visa applies to VISA
REQUIRED third-country nationals



ETIAS applies to VISA EXEMPT
third-country nationals



EES system applies to ALL third-
country nationals

To Keep In Mind

ETIAS is a pre-travel authorisation NOT a Visa.



A valid ETIAS travel authorisation does not automatically grant the right to enter the destination country.



All travellers arriving at the border are still subject to border checks and border guards will refuse entry to those who do not meet the relevant entry conditions.



Your passport must be valid for **at least 3 months beyond your intended departure date** from the Schengen Area and must have been **issued within the last 10 years at the time of entry.**

To Keep In Mind

ETIAS Not Needed for EU Passport Holders: If a UK national holds dual nationality with another EU/EEA country (i.e. Irish), they can travel in the EU using their **EU passport** and will not need to apply for ETIAS.

EES Does Not Apply: When traveling on their **EU passport**, EES does not apply. Their entry and exit from the Schengen Area is not subject to the system that tracks third-country nationals.

Use of UK Passport: If they choose to travel on their **UK passport**, they will be treated as a third-country national, and both **ETIAS** (for short stays) and **EES** (tracking entry/exit) will apply. However, they can bypass these by using their EU passport.

Thank you !

Official EU website with info on EES and ETIAS

<https://travel-europe.europa.eu>

www.pearle.eu

and <https://www.pearle.eu/publications>

info@pearle.eu

