

Entry-exit system: Council confirms agreement between Presidency and European Parliament on main political provisions

On 30 June 2017, EU ambassadors confirmed an agreement reached between the Maltese Presidency of the Council and the European Parliament representatives on 29 June on the political issues of a proposal for an Entry-Exit System and a proposal amending the Schengen Border Code in relation to the Entry-Exit System, with a view to an overall agreement once the remaining technical issues are addressed. This system will register entry, exit and refusal of entry **information of third country nationals crossing the external borders** of the Schengen area.

The entry-exit system will help:

reduce border check delays and improve the quality of border checks by automatically calculating the authorised stay of each traveller

ensure systematic and reliable **identification of overstayers**

strengthen internal security and the fight against terrorism by allowing law enforcement authorities access to travel history records

"The entry-exit system is part of the EU's efforts to strengthen the control of our external borders. It will allow us to better manage migration flows, in particular in cases of overstay, and improve our response to the current terrorist threat."

Michael Farrugia, Maltese Minister for Home Affairs and National Security

The agreed political compromise on an Entry-Exit System envisages several important elements, including the following:

Information stored

The entry-exit system will apply to third country nationals, both those requiring a visa and those visa-exempt, admitted for a short stay of 90 days in any 180 day period. It will register their entry, exit and refusal of entry.

It will also store information on their identity and on their travel documents, as well as biometric data (four fingerprints and the facial image).

The draft regulation also provides for interoperability between the Entry-Exit System and the Visa Information System (VIS) for those third country nationals who require a visa to cross the EU external border, which will ensure rapidity and efficiency at the border checks.

The Entry-Exit System consists of a central database, where the information is stored, connected to national uniform interfaces.

Data related to third country nationals will be kept for border management purposes for a period of five years for overstayers and three years for others.

Access to the information

The information stored in the Entry-Exit System will be accessible to border authorities, visa authorities and the authorities within the member states competent to check if a third country national fulfils the conditions of entry or stay.

Data in the Entry-Exit System will also be available to the designated authorities and Europol, to prevent, detect and investigate terrorist offences or other serious crimes, according to conditions as set out in the regulation.

Any access and processing of the information contained in the entry-exit system should be proportionate and necessary for the performance of tasks of the competent authorities.

Next steps

Work will continue at technical level in the coming days to finalise the text of the two draft regulations. Then, the overall agreement will be submitted to EU ambassadors for endorsement on behalf of the Council. Following this, the future regulations will be submitted to the European Parliament for a vote at first reading, and subsequently to the Council for adoption.

Background

The proposed regulation is a revised version of a legislative package presented by the Commission in February 2013. After the co-legislators voiced technical, financial and operation concerns on certain aspects of the 2013 package, the Commission carried out a technical study, followed by a pilot project entrusted to eu-LISA, the EU agency for the operational management of large scale IT systems. On the basis of the results of this preparatory phase, the Commission presented a revised proposal on 6 April 2016.

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