

GMS Flash Alert

Immigration Edition

2021-319 | December 23, 2021



European Union - New Entry/Exit System to Be Implemented for Non-EU Travellers

Effective next year, third-country nationals (i.e., non-European Union (EU) nationals) arriving in EU countries will be met with a new system – the Entry/Exit System (EES). The system will be an automated information technology (IT) system registering short-stay visa holders and visa-exempt travellers from third countries each time an EU external border is crossed. (For prior coverage of EU rules on short-stay visas, see [GMS Flash Alert 2020-030](#), 14 February 2020.) When entering an EU external border, the system will register the traveller's name, travel document, biometric data, and place of entry and exit. Refusals of entry will also be registered. This means that the current and less secure system of manual stamping of passports will be replaced by the EES system.

The EES is expected to come into force in the first six months of 2022.¹

WHY THIS MATTERS

The proposal for EES was first presented in 2016 by the European Commission as a part of the revised Smart Borders Package. The purpose of the new EES system is to modernise and improve general security measures at the external borders of the Schengen Area. The intention is also to improve access to information regarding non-EU travellers entering Europe.²

EES will contribute to preventing irregular migration and protect the security of EU citizens.

The new system will not only enable automated border controls that will be both quicker and more convenient for the traveller, but will also more efficiently identify cases of document and identity fraud.³

More Details

Non-EU Citizens Who Already Reside in the Schengen Area

The EES system will only operate at external borders and apply to non-EU citizens traveling to the EU. Non-EU citizens who already reside in the Schengen Area do not need to use the new system. As noted above, the EES is expected to come into force in the first six months of 2022.⁴

Data Storage and Accessibility

The EES will store data on identity, travel documents, and biometric data. The data will be stored for three years for travellers who respect the rules on short-stays and for five years for travellers who exceed the permitted period of stay. The data stored will be accessible to authorities regarding border controls, visa-issuing, and migration. For the purposes of preventing, detecting, or investigating terrorist offences or other serious criminal offences, law enforcement authorities, and Europol may request EES data.⁵

Further Considerations

ETIAS Visa Waiver for Europe

The EU has created the visa-waiver programme ETIAS (European Travel Information and Authorisation System) to protect and strengthen its borders. (For prior coverage of the EES, see [GMS Flash Alert 2021-150](#), 26 May 2021.) The ETIAS scheme, is based on the U.S. ESTA system, and will cover 60 visa-waiver countries, including Australia, Canada, New Zealand, and the United States. By the end of 2022, all travellers that currently do not need a visa to enter Europe will need to apply for an ETIAS travel authorisation. The ETIAS visa waiver will issue travel authorisation documents for short-term stays of up to 90 days. The document will be valid for three consecutive years.

The online application process does not require more than 10 minutes per applicant.⁶

FOOTNOTES:

1 See more information from the European Commission: https://ec.europa.eu/home-affairs/policies/schengen-borders-and-visa/smart-borders/entry-exit-system_en . For prior coverage of the EES, see [GMS Flash Alert 2021-150](#), 26 May 2021.

2 See more information on the EES from ETIAS: <https://www.etiasvisa.com/etias-news/ees-europe-etias-visa> .

3 See more information from European Commission: https://ec.europa.eu/home-affairs/policies/schengen-borders-and-visa/smart-borders/entry-exit-system_en . Also see the fact sheet: https://ec.europa.eu/home-affairs/system/files/2016-12/factsheet_-entryexit_system_en.pdf .

4 See L. Limb, "New border system rule that non-EU travellers need to know about" (23 November 2021), *Euronews* (online) at: <https://www-euronews-com.cdn.ampproject.org/c/s/www.euronews.com/travel/amp/2021/11/17/new-border-system-rule-that-non-eu-travellers-need-to-know-about> . Please note that by clicking on this link are leaving the KPMG website for an external site that KPMG is not affiliated with, nor is KPMG endorsing its content. The use of the external site and its content may be subject to the terms of use and/or privacy policies of its owner or operator.

5 See regulations on "Smart borders: EU Entry/Exit System" on the EUR-Lex website at: <https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX%3A32017R2226> .

6 Please see more information on the ETIAS application form here: <https://www.etiasvisa.com/etias-form-application> .

Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in Germany:



Dr. Maren Kämmerer

Manager

Tel. +49 30 530199-190

mkaemmerer@kpmg-law.com

Dr. Thomas Wolf

Partner

Tel. +49 30 530199-300

twolf@kpmg-law.com

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