



# GMS Flash Alert

Immigration

2024-229 | November 19, 2024



## European Union – Entry/Exit System Scheduled for November 2024, Further Delayed

On 11 November 2024, the day when it had been announced that the European Union’s Entry/Exit System (EES) would be operational,<sup>1</sup> EU authorities revealed that the implementation of the system is (again) delayed and due instead to start in 2025.<sup>2</sup>

The reason for the delay was not elaborated nor is it specified when a new date for implementation is expected.

### WHY THIS MATTERS

The EES system will introduce the automated border check of travelers to and from the Schengen area (via e-gates).

Some travelers have already experienced e-gates at some European airports, and it is therefore reasonable to expect that EES will be implemented soon, even though the reasons behind this latest delay are not being made public at this point.

The primary objective of the EES is to automatically identify non-EU travelers who violate terms of their visas by staying longer in the Schengen area than what is allowed, including holders of short-term business visas and visa-exempt travelers who are allowed to travel to Schengen countries up to 90 days within any 180-day period.

### Context

Countries that are taking part in the EES are: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and Switzerland.

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Ireland and Cyprus are EU member states that are not party to the Schengen area and will not implement automated border checks. Travelers to Ireland and Cyprus will continue to get stamps in their passports.

## Basics on EES

The EES is meant to replace manual border checks by implementing an IT system that will collate information such as name, type of travel document, biometric data (fingerprints and photographs), and the date and place of entry and exit.<sup>3</sup>

The first time an individual uses EES, he/she will be required to supply his/her fingerprints and have a photo taken at the border crossing. This will be kept on file for three years, so the person will not need to do this extra step each time. Refusal to comply will result in a denial to enter the Schengen area.<sup>4</sup>

## Non-EU Nationals

As noted in the FAQs<sup>5</sup>, EES applies to individuals who are non-EU nationals traveling for a short stay to a European country using the EES and they either:

- possess a short-stay visa; or
- do not need a visa to stay for a maximum of 90 days in any 180-day period.

## KPMG INSIGHTS

Even though the EES has been subject to numerous delays, there is not much doubt that it will eventually be implemented.

Violations of visa conditions or conditions for an exemption from the visa to the EU are a serious offense that can impact possibilities for future travel to the EU.

Companies may not be aware of all the traveling a relevant employee undertakes to the Schengen area, for example when the relevant employee is on holiday in the Schengen area, and therefore may not know when a business trip to the Schengen area may violate visa conditions and result in an over-stay.

Companies should therefore make an effort to inform relevant employees about the upcoming changes and the importance of tracking travel and stay in the Schengen area to ensure the legality of their stay in the Schengen area.

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## FOOTNOTES:

1 For prior coverage, see [GMS Flash Alert 2024-173](#), 27 August 2024.

2 European Union: [Entry/Exit System \(EES\)](#), 11 November 2024.

For prior coverage of EES (and ETIAS), also see [GMS Flash Alert 2023-019](#), 24 January 2023.

3 For additional information, see "New requirements to travel to Europe" at: [https://travel-europe.europa.eu/ees\\_en](https://travel-europe.europa.eu/ees_en).

4 Ibid.

5 See: [https://travel-europe.europa.eu/ees/faqs-ees\\_en](https://travel-europe.europa.eu/ees/faqs-ees_en).

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