

6th meeting of the Carriers Working Group

15 July 2021

Summary of discussions

On 15 July 2021 the 6th meeting of the Working Group for Carriers was held. The meeting was co-chaired by eu-LISA (Mr Theofanis Syrigos, Head of Business Relations Management Sector of eu-LISA and Chair of the EES/ETIAS Advisory Group) and European Commission (DG HOME – Mr Fernando Otero); representatives of carriers, service providers and Frontex attended the meeting. Mr Syrigos welcomed the participants and introduced the agenda, informing the Group that, although the associated implementing regulations on carriers are being finalised by the European Commission, it is a good opportunity to meet the industry representatives and share with them important information before the summer break.

1. EES/ETIAS Carrier Implementing Regulations and other Business Topics

- **Results of the Feedback Mechanism and Impact on the Implementing Regulations**

The European Commission presented the results of the feedback mechanism and impact on the implementing regulations. Mr Otero informed the participants by noting that the implementing acts on carriers is expected to be adopted shortly (26 July 2021). The Commission explained how the feedback of stakeholders (carriers, organisations, individuals) was taken into account when redrafting the two implementing acts. The period for comments lasted from 14 April to 12 May 2021. The Commission received many comments which were grouped into 37 different comments and suggestions. The Commission gave a detailed overview of the amendments introduced to the draft implementing regulations.

Furthermore, the Commission replied to several questions that had been asked by the stakeholders on the functioning of the carrier interface to connect to EES and ETIAS. Carriers will be able to connect to the carrier interface via more than one method (system-to-system, web and mobile) to ensure the fallback methods, if need be. A compliance test process will be applied to certain methods. Commission reminded that TCN have at their disposal specific tools such as the third country nationals web service and the verification tool: carriers should instruct them to use them when receiving a Not OK, if challenged. The role and tasks of the carriers were elaborated on and the appeal mechanism for third country nationals outlined in the regulation was highlighted. At the next Carriers WG meeting eu-LISA will introduce how the TCN web-service and the verification tool works for the TCNs subject to ETIAS. It was explained that the queries to ETIAS must be relaunched in case the

destination has changed, as both visas and ETIAS can be LTV. The entry-into-operation of EES is scheduled to May 2022 and ETIAS is scheduled to December 2022, to be preceded by the ETIAS communication campaign prepared by the Commission, eu-LISA and Frontex.

- **Cruise Ship Processes**

The Commission presented a use case where step-by-step guidance was provided on how to record entries and exits for the cruise ship passengers, according to the recommendations agreed in the Frontiers Working Party. The use case showed a TCN arriving by plane into the Schengen area: in this case, the first entry record is made when a passenger disembarks at the airport and exit record will follow when embarking the cruise ship. There is no entry/exit record when the passenger disembarks and embarks the boat during the cruise for daily visits. However, when disembarking the boat at the end of the cruise, entry record is received and the final exit record is made in the airport when passenger leaves the Schengen area. This approach is necessary to avoid fake irregular migrants and fake overstayers. The aim is to mark entries and exits to ensure balance.

2. Standard Operating Procedures (SOP)

A representative of the ETIAS Central Unit Division at Frontex delivered a presentation on the Standard Operating Procedures (SOP). The draft table of content of the SOP was presented giving highlights on each chapter.

Frontex will develop the SOP in close cooperation with eu-LISA and in consultation with COM. The SOP will explain how carriers can ask and receive assistance from ETIAS Central Unit (CU) and eu-LISA. The SOP will be available to registered carriers on a dedicated website. The draft table of content includes points such as the legal framework, scope, registration and deregistration of carriers, operation and technical assistance to carriers, emergency phone line, complaints and liabilities. Each of the chapters were introduced in detail.

Frontex informed participants also of the next steps to be taken by Frontex in the process of drafting the SOP. Carriers will also be consulted for receiving input for the drafting of the SOPs, and later on concerning the Frequently Asked Questions. Frontex will keep carriers updated on the development of the SOPs in the upcoming WG meetings.

The technical teams of Frontex and eu-LISA could elaborate on the communication tools envisaged for communication between carriers and Frontex, as well as Frontex and eu-LISA.

3. Carrier On-Boarding and Technical Implementation

- **Registration**
- **Testing**
- **Carrier Interface Technical Details**

eu-LISA shared technical information of the communication interface, on its testing, on the registration process and other elements. Registration by the interface is expected to open in

September 2021. Single points of contact details will be requested from carriers and a non-disclosure agreement will need to be completed. Carriers will thereafter receive specific technical guidelines for the remaining process. Channel preferences (public website, mobile, system-to-system) will need to be provided to eu-LISA. Then the simulator will be available and accessible for the carriers to perform pre-compliance testing. After, access will be given to the test environment (Playground), where carriers will have to perform all the tests to ensure compliance.

Testing process for carriers was explained by eu-LISA in more detail, including presenting the carrier testing environments. A simulator will be made available in the coming months. The simulator will offer the same functions as the test environment. Access has to be requested by the carriers. No real data should be used, neither in the simulator environment, nor on the Playground. It was noted that pre-compliance tests are not mandatory, but highly recommended. If the carrier would like to delegate the test to its service provider, then the relevant contacts should be passed to eu-LISA. It is the carriers' responsibility to ensure sufficient testing is performed in case of such a delegation.

Furthermore, some technical details of the carriers interface for PAXLST were presented. eu-LISA will enable carriers to provide IATA codes in airport format to identify the state of entry. Analysis are in progress with the support of the air industry to find the best solution to handle the out of scope of travellers, complying with the Regulation.

Finally, the technical fall-back procedures in case of unavailability of the system were described.

4. Open discussion

Carriers raised several questions in relation to the legal basis, practical use of the SOP and technical details. Comments and explanations were provided on testing, the carrier's obligations related to the use of limited territorial validity visas (LTV) and timelines for the fall-back procedures. The necessary steps in case of the support tool unavailability and the use of emergency phone line for establishing the contact with the ETIAS CU was explained; the FAQ will be complemented in this regard. Carriers' concern about the expired passports and data in the passports (e.g. mixing 0 and O in their document data) was addressed and more clarifications on these subjects will be provided in the next WG meeting. More details on the IT solution tool to facilitate the support to the carriers will also be delivered in the future WGs. Additionally, carriers were presented with a short overview of the pilot initiative of EES kiosks to manage passenger flows at the border crossing points (BCP). Carriers expressed continuous concern regarding the effects of the EES/ETIAS implementation on the time required for checks at the border. eu-LISA reassured that the aim is to automate the procedures as much as possible to ensure smooth travelling, and for this purpose, the cooperation between MSs, industry and the BCP operators is of utmost importance.

5. Future Working Group Schedule and closing comments

The schedule of the next meetings was presented. The Chair noted that the Carriers WG meeting will take place approximately every two months and the next meeting is expected for September 2021.