

Carriers Working Group of 29 May 2024

Summary

Subject: Monthly Carriers Working Group meeting

Sea and Land Carriers at 10:00– 12:00 CEST

Participants: Carriers representing sea and land industry, their declared service providers, carrier associations, European Commission (DG HOME), Member State (MS) experts, Frontex and eu-LISA (altogether 85 participants).

<p>1. Introduction</p> <p>a. Agenda</p> <p>b. Carriers meeting calendar</p>	<p>eu-LISA presented the agenda of the 32nd Carriers Working Group (CWG) and the calendar of the upcoming meetings to the participants.</p> <p>It was emphasised that all Carriers must be fully prepared by the end of June, progressing with both implementation and testing so that the system and the stakeholders can be declared ready. Additionally, Carriers not using the system-to-system interface and not obligated for testing must ensure their staff undergoes mandatory training on using the web portal. Carriers must declare that their staff has been trained before connecting to the production environment.</p> <p>The CWG took note of the Carriers meeting calendar with the date of the next meeting being 27th June 2024. The following meeting will occur in the first 15 days of August, with exact dates to be confirmed. Ad hoc meetings can be organised upon request. eu-LISA however kindly requested that the discussion topics are shared in advance to ensure the inclusion of the most pertinent experts.</p>
<p>2. Legal updates (European Commission)</p>	<p>The European Commission provided an update regarding the verification query to Carrier interface. Carriers inquired if they could query the interface 30 days before departure to ensure their staff have valid travel authorisation for the Schengen area before flying in. The Commission clarified that the interface can only be queried within 48 hours before departure, as stated in the ETIAS and EES Regulations and their secondary legislations. Using the carrier interface outside this timeframe</p>

	<p>could potentially lead to abuse and deregistration of the Carrier. It was also highlighted that specifically for ETIAS holders, they would be notified if their travel authorisation is revoked or annulled.</p> <p>Furthermore, the European Commission informed that some Cruise Carriers inquired if ships could be exempt from entry checks for specific journeys, such as a vessel exiting the Schengen area from Hamburg to London and then returning into the Schengen area without embarking or disembarking passengers. In these cases, it is not possible to exempt the ship from border checks at entry. Member States must perform checks based on the nominal list of crew and passengers unless a security risk is identified, in which case more detailed checks may be performed according to Article 8 of the Schengen Borders Code. The obligation for entry checks comes from the Schengen Borders Code in its Article 8, specifically Annex VI, and the Practical Handbook for Border Guards. Additional information can be found on the eu-LISA website and in the FAQ section.</p> <p>Finally, it was communicated that the target date for EES operation is October 6th 2024. This is the goal that the Commission, Member States, and agencies are working towards. The formal date will be decided by the Commission at the end of the summer and published in the Official Journal. Updates will be provided as the situation evolves.</p>
<p>3. Technical updates (eu-LISA)</p>	<p>eu-LISA updated the CWG on the status of Carrier implementations and system integration processes as of May 2024. Technical reminders and precisions included that System to System (Passenger Verification) has been available on PGD for CT activities since 17/01/2024, and the Carrier Web Portal (Passenger Verification + User Management) has been available on PGD for Training activities since 11/04/2024. From a security perspective, the Forgerock Authenticator app is currently the only valid MFA tool. Mobile applications (passenger verification via the Carrier Interface) and the Carrier Onboarding and Support Tool (Operational and Technical assistance) are not yet available. To ensure EES Carrier Readiness, Carriers must complete and sign all necessary registration and connectivity forms, schedule compliance test slots, and successfully execute test cases for compliance. For sea and land Carriers' readiness for EES (Entry Exit System), only 4% of sea Carriers have completed their compliance tests or provided the exemption form, while none of the land Carriers have completed the compliance test phase. Carriers are strongly recommended to complete all necessary forms, connect their test systems, and schedule compliance tests before the end of June 2024. For sea system readiness, there are 17 systems in total, with 24 sea Carriers granted access to the Carrier Web Portal, provided they have signed the Security Convention (Form F07). Similarly, land system readiness includes 2 systems, with 21 land Carriers granted access under the same</p>

	<p>conditions. Carriers must complete staff training and inform the Carrier Onboarding Team accordingly.</p>
<p>4. Carriers and Travellers Support - Operational updates and sea scenarios (Frontex)</p>	<p>Frontex presented updates to the CWG, announcing that guidelines for sea and land Carriers on how to query the Carrier interface have been finalised and are now awaiting the latest legal confirmations. The final draft will be distributed to all registered sea and land Carriers by the end of June. For sea Carriers, no major updates have been made. The document can be used for training staff as it is. For land Carriers, a session was already held with the International Road Transport Union to present the content of the land document. This document will also be disseminated to all registered land Carriers.</p> <p>For operational queries, Carriers were invited to contact Frontex at etias.acu1@frontex.europa.eu.</p>
<p>6. Q&A</p>	<p>During the Q&A session, eu-LISA, the Commission, and Frontex addressed several topics and answered Carriers' scenarios regarding procedures for passengers and crew members found to have overstayed their visas while on board ships. It was clarified that the new system will consider visa entries consumed, not days of stay. If a person is identified as overstayer by the border guards, Carriers have obligations from the Carrier Liability Directive. In the future with the EES EiO, carriers need to take into account OK, NOK responses which will facilitate these scenarios. Additionally, questions about whether crew members data needs to be submitted for those exiting Schengen were answered, explaining that the obligations on carriers to query the interface, when they are not in the performance of their duties, are for entry only, not exit. For crew members staying within the Schengen area on ships, their status is not considered "exiting" as the ship remains within Schengen. It is up to the Carrier or ship operator to proactively approach border authorities to have an "exit record" created to stop the crew member's days from counting. The MS rules about crew members' permitted movement and stays in port areas may vary between countries, thus, Carriers should check individual MS rules.</p> <p>It was also clarified that there will be risks in terms of readiness in case Carriers do not finish their activities by end of June. To avoid bottlenecks and prepare the production activities, it is highly recommended that these testing activities are finished as soon as possible.</p> <p>In the case of combined coach + ferry itinerary, the recommendation is for both carriers to perform checks for TCNs bound to enter the Schengen area, as carrier liability is decided by the MS. Finally, for companies with</p>

	<p>multiple brands under one umbrella, it was advised that each subsidiary could be registered separately if dedicated access is needed.</p>
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Carriers Working Group of 29 May 2024

Summary

Subject: Monthly Carriers Working Group meeting

Air Carriers at 13:30– 16:00 CEST

Participants: Carriers representing air industry, their declared service providers, carrier associations, European Commission (DG HOME), Member State (MS) experts, Frontex and eu-LISA (altogether 155 participants).

<p>1. Introduction</p> <p>a. Agenda</p> <p>b. Carriers meeting calendar</p>	<p>eu-LISA presented the agenda of the 32nd Carriers Working Group (CWG) and the calendar of the upcoming meetings to the participants.</p> <p>It was emphasised that all Carriers must be fully prepared by the end of June, progressing with both implementation and testing so that the system and the stakeholders can be declared ready. Additionally, Carriers not using the system-to-system interface and not obligated for testing must ensure their staff undergoes mandatory training on using the web portal. Carriers must declare that their staff has been trained before connecting to the production environment.</p> <p>The CWG took note of the Carriers meeting calendar with the date of the next meeting being 27th June 2024. The following meeting will occur in the first 15 days of August, with exact dates to be confirmed. Ad hoc meetings may be organised upon request. eu-LISA however kindly requested that the discussion topics are shared in advance to ensure the inclusion of the most pertinent experts.</p>
<p>2. Legal updates (European Commission)</p>	<p>The European Commission provided an update regarding the verification query to the Carrier interface. Carriers inquired if they could query the interface 30 days before departure to ensure their staff have valid travel authorization for the Schengen area. The Commission clarified that the interface can only be queried within 48 hours before departure and within its scope, as stated in the Regulation. Using the interface outside this</p>

	<p>timeframe could lead potentially to abuse and I deregistration of the Carrier. It was also noted that travellers would be notified if their travel authorisation is revoked or annulled.</p> <p>The European Commission addressed specific concerns related to the status of crew members in the context of the Schengen area border checks. According to the EU legislation, crew members are exempt from border checks if they hold a pilot licence or crew member certificate issued in line with ICAO Annex 9 standards and recommendations (CMC). However, the community informed that countries, such as the US and UK, may not issue a CMC as defined by ICAO. Crew from these countries would not hold a CMC. Without a CMC, crew members would not meet the exemption conditions set in the Schengen Borders Code and, consequently, in the EES Regulation. The implementation of the border checks are the competence of the MS hence the process could be different according to the border crossing points and the procedures implemented by each MS at their BCPs. Concerns were raised that this requirement for a CMC is new information, and alternatives, such as reciprocity of other crew documentation between like-minded states, were suggested. The implications of crew not holding a CMC in terms of border checks and Carrier obligations to check crew will be further investigated by COM.</p> <p>Finally, it was communicated that the target date for EES entry into operation is October 6th. This is the goal that the Commission, Member States, and agencies are working towards, but the formal date will be decided by the Commission at the end of the summer and published in the official journal. Updates will be provided as the situation evolves.</p>
<p>3. Technical updates (eu-LISA)</p>	<p>eu-LISA updated the CWG on the status of Carrier implementations and system integration processes as of May 2024. Technical reminders and precisions included that System to System (Passenger Verification) has been available on PGD for CT activities since 17/01/2024, and the Carrier Web Portal (Passenger Verification + User Management) has been available on PGD for Training activities since 11/04/2024. From a security perspective, the ForgeRock Authenticator app is currently the only valid MFA tool. Mobile applications (passenger verification via the Carrier Interface) and the Carrier Onboarding and Support Tool (Operational and Technical assistance) are not yet available. To ensure EES Carrier Readiness, Carriers must complete and sign all necessary registration and connectivity forms, schedule compliance test slots, and successfully execute test cases for compliance. Air system readiness for EES includes 53 systems in total. For air Carriers' status - system to system, there are 265 Carriers in total. Access to the Carrier Web Portal was granted to all concerned Carriers' SPOCs, with 10 users per Carrier. Access to the web portal is granted only to Carriers with the Security Convention (Form F07) signed. Very low numbers of authentications were identified in the training</p>

	<p>environment. Carriers must complete the training of their staff and inform the Carrier Onboarding Team accordingly.</p>
<p>4. Carriers and Travellers Support - Operational updates (Frontex)</p>	<p>Frontex updated the CWG regarding the status of the next release of the SOPs. For operational queries, Carriers were invited to contact Frontex at etias.acu1@frontex.europa.eu.</p>
<p>5. Q&A</p>	<p>During the Q&A session, eu-LISA, the Commission and Frontex addressed several topics and answered Carriers' questions. eu-LISA will provide the carriers' certification status for each declared DCS. Carriers asked about the role of airlines in relation to local DCS providers, which are only available at certain airports and not under the airline's direct partnership. It was clarified that airlines need to declare in form F03 which systems they want to use, including local DCS. eu-LISA will then provide the current certification status of those systems to the airlines. It is up to the airline to push the local DCS provider or airport handler to get certified, if needed.</p>