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NOTE

from: Presidency
to: Strategic Committee on Immigration, Frontiers and Asylum/Mixed Committee
(UE-Iceland/Liechtenstein/Norway/Switzerland)
Subject: Smart Borders Package

The Commission presented the three legislative proposals which make up the 'Smart Borders Package' on 28 February 2013. These comprise a :

- Proposal for a Regulation of the European Parliament and of the Council establishing an Entry/Exit System (EES) to register entry and exit data of third country nationals crossing the external borders of the Member States of the European Union.¹ The EES is intended to record the time and place of entry and exit of third country nationals travelling to the EU. The system will calculate the length of the authorised short stay by electronic means, replacing the current manual system.
- Proposal for a Regulation of the European Parliament and of the Council establishing a Registered Travellers Programme (RTP).² The RTP is intended to allow certain groups of frequent travellers from third countries (such as business travellers, workers on short term contracts, researchers and students) to enter the EU using simplified border checks.

¹ 6928/13 FRONT 13 VISA 51 CODEC 450 COMIX 130

² 6930/13 FRONT 14 VISA 52 CODEC 451 COMIX 131

- Proposal for a Regulation of the European Parliament and of the Council amending Regulation 562/2006 as regards the use of the Entry/Exit System (EES) and the Registered Traveller Programme (RTP).³

The aim of the 'Smart Borders Package' is to simplify life for frequent third country travellers at the EU's external borders, enhance EU security and contribute to better monitoring of border crossings.

JHA Council 7/8 March 2013

The three proposals, which will go to make up the 'Smart Borders Package', were the subject of an initial presentation by Commissioner Malmström at the meeting of Council/Mixed Committee on 7 March 2013 and Ministers had a first exchange of views.

The Presidency recalls in that connection that Ministers broadly welcomed the 'Smart Borders Package' while raising a number of important issues which would need further attention, including in particular:

- the need to learn from the experience of SIS by reference in particular to the escalation of costs;
- the need to ensure proper added value and a rigorous cost-benefit analysis in the context of a project whose estimated cost was €1.1b;
- the question of including law enforcement access and biometrics from the beginning;
- the need to take into account privacy and personal data protection considerations;
- the level of funding for development at national level through the MFF- ISF ;
- the need to ensure inter-operability with existing systems already in use by MSs;
- The possibility of an EU ESTA being part of the overall package.

³ 6931/13 FRONT 15 VISA 53 CODEC 452 COMIX 132

Follow-up

The SCIFA/Mixed Committee will, following a further more detailed presentation by the Commission of the proposals including the associated Impact Assessments, be invited to have an exchange of views as a follow up to the discussion in Council. Delegations will be invited, in particular, to comment on the issues raised in the discussions in Council as well as on any other more general questions which they wish to bring up.

The exchange of views is intended to inform the work of the Working Party on Frontiers/Mixed Committee which will begin its detailed examination of the 'Smart Borders Package' at its meeting on 10 and 11 April 2013.
