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NOTE

From: eu-LISA
To: Delegations
Subject: Implementation of interoperability: state of play and revised timeline

With a view to the Justice and Home Affairs Council meeting of 9 and 10 December 2021, delegations will find in annex information on the above subject, provided by eu-LISA.



Tallinn, 2 December 2021

The alternative scenario for implementation of Entry/Exit System

Aleš Hojs
Minister of the Interior
Republic of Slovenia

/sent by e-mail only/

Dear Minister,

In the margins of the Justice and Home Affairs (JHA) Council held on 08 October 2021, eu-LISA provided a detailed report concerning the situation with the implementation of the Entry-Exit System (EES). The conclusion of the Agency was that due to the substantial delays accumulated by the contractor responsible for the development of the Central EES system and the significant difficulties that number of Member States faced with the implementation of the respective national activities, it will not be possible to meet the original deadline for Entry-into-Operation of the system in May 2022 as planned. Subsequently, the Council gave a mandate to eu-LISA together with the Member States and the Commission to develop an alternative scenario for implementation of EES and to report its conclusions to the JHA Council at the beginning of December 2021.

In the last month, eu-LISA was working intensively, in close collaboration with the Member States and the Commission, and explored number of alternative scenarios to continue implementation of EES, taking also into consideration the effects on implementation of ETIAS. The approach of the Agency was to keep the ultimate objective of having the new interoperability architecture implemented by the end of 2023 unchanged.

At the end of October, the Agency provided a detailed analysis to the Management Board and a proposal for an alternative timeline for implementation of EES, ETIAS and the new interoperability architecture, including ECRIS-TCN. The proposal introduces new dates for Entry-into-Operations of EES and ETIAS while retaining the end of 2023 as the final milestone for the implementation of the new interoperability architecture.

The proposed alternative scenario has been extensively discussed internally and in the governance bodies of the Agency (the relevant Advisory Groups and the Program Management Boards). The final discussion was held on 16 November 2021 during the regular meeting of the Management Board of eu-LISA.

The Board endorsed the scenario proposed by eu-LISA and acknowledged that it is the only one feasible considering the present status of implementation EES, ETIAS and the Interoperability architecture, and

taking also into account the delay with implementation of the SIS Recast Regulation. The Board recommended the Entry-into-Operations dates for EES and ETIAS to be moved to the end of September 2022 and middle of May 2023, respectively.


Implementation of the new Interoperability architecture for border management and internal security in the EU is the most complex and challenging transformation program that has launched in the last decades globally. The proposed alternative implementation scenario represents the only viable alternative that could keep its final milestone at the end of 2023, thus to meet the established political deadline.

It needs to be emphasized that the alternative scenario leave no more than the necessary time for the accomplishment of central and national activities and it has been built around even more parallelization of the planned work. Therefore, it still involves considerable risks and challenges and leaves no room for major setbacks. In this respect, it should be clear that its final success could be achieved only through the joint efforts and the transparent and efficient coordination of all actors involved in its implementation - eu-LISA, the Member States, the Commission, Frontex and Europol in particular.

The eu-LISA Management Board mandated me as its Chairperson to inform the Presidency of the Council about its conclusions prior to the Justice and Home Affairs Council meeting on 9 December 2021.

In the annex to this letter, you will find further details concerning the alternative implementation scenario for the EES, the ETIAS and the Interoperability architecture endorsed by the Management board of eu-LISA.

Sincerely,



Zsolt SZOLNOKI

Chairperson of the Management Board of eu-LISA

Copy to:

Ms Christine Roger, Director-General for Justice and Home Affairs, General Secretariat of the Council of the European Union

HE Mr Iztok Jarc, Ambassador, Permanent Representative, Republic of Slovenia

Ms Monique Pariat, Director-General, Directorate General for Migration and Home Affairs, European Commission

Annex

Key aspects of the alternative scenario for implementation of the EES, the ETIAS and the Interoperability architecture

1. Key considerations

The alternative scenario for implementation of EES, ETIAS and the Interoperability architecture has been built around the following considerations:

- a. the end of 2023 as ultimate deadline for implementation of the new interoperability architecture should be retained;
- b. the Entry-into-Operations of EES and ETIAS should not be planned during the high pick periods, especially the summer period and during Christmas period, to avoid disruptions at the external borders;
- c. the alternative scenario should allow reasonable time for the implementation of the activities at central and national level;
- d. Alternative scenario should include EES, ETIAS, the Interoperability architecture and ECRIS-TCN as well as dependencies with SIS and VIS.

2. Building blocks

The new interoperability architecture has three major building blocks – the EES, the ETIAS and the interoperability components. In this section are elaborated the key milestones for each of them according to the alternative implementation scenario. In particular:

a. EES

- i. Entry-into-Operations: end of September 2022;
- ii. Key milestones at central level:
 1. Start of the integration tests (SST): end of November 2021¹;
 2. Start of the compliance tests with the Member States: beginning of March 2022
 3. Preparations for Entry-into-Operations: beginning of August 2022.
- iii. Key milestones at national level:
 1. Preparations for the compliance tests: beginning of December 2021;
 2. Start of compliance tests with the national systems and infrastructure in four groups (1 month duration per group): beginning of March 2022;
 3. Preparations for Entry-into-Operations: beginning of August 2022.

b. ETIAS

- i. Entry-into-Operations date: mid-May 2023;
- ii. Key milestones at central level:

¹ Start of the integration tests has been delayed to 6.12. compared with original plan, due to unexpected last-minute technical issue. Nevertheless, the delay would be absorbed within the available contingency, therefore the alternative implementation scenario for EES remains valid.

1. Start of the integration tests (SST): beginning of June 2022;
 2. Start of the compliance tests with the Member States: beginning of November 2023;
 3. Preparations for Entry-into-Operations: mid-March 2023.
- iii. Key milestones at national level:
1. Preparations for the compliance tests: beginning of June 2022;
 2. Start of Compliance tests with the national systems and infrastructure: beginning of November 2022;
 3. Preparations for Entry-into-Operations: mid-March 2023.
- c. Interoperability components**
- i. Entry-into-Operations date: end of 2023;
- ii. Key milestones at central level:
1. Start of integration tests (SST): beginning of January 2023;
 2. Start of compliance tests with the Member States: beginning of June 2023;
 3. Preparations for Entry-into-Operations: mid-October 2023.
- iii. Key milestones at national level:
1. Finalization of the Interface Control Documents: end of January 2022;
 2. Implementation of the national activities related to interoperability (procurement, development, business processes redesign etc.): from the beginning of February 2022 to the end of March 2023;
 3. Start of compliance tests with the national systems and infrastructure: beginning of June 2023;
 4. Preparations for Entry-into-Operations: mid-October 2023.
- d. ECRIS-TCN**
- i. Entry-into-Operations date: May 2023²;
- ii. Key milestones at central level:
1. Start of integration tests (iSST): July 2022;
 2. Start of compliance tests with the Member States: November 2022;
 3. Preparations for Entry-into-Operations: March 2023.
- iii. Key milestones at national level:
1. Finalization of the Interface Control Documents: January 2022;
 2. Implementation of the national activities related to ECRIS-TCN (procurement, development, business processes redesign etc.): July 2022;
 3. Start of compliance tests with the national systems and infrastructure: November 2022;
 4. Preparations for Entry-into-Operations: March 2023.

² Original Entry-into-Operations date for ECRIS-TCN at the beginning of 2023 had to be reconsidered due to the dependencies related to development and implementation of the interoperability components.

3. Dependencies with SIS and VIS

The alternative implementation scenario for interoperability takes into considerations the legal, operational and technical dependencies for the successful implementation of the new Interoperability architecture related to the SIS and VIS. In particular:

a. SIS

One of the legal prerequisites for entry-into-operations of ETIAS is its interconnection with SIS. The interconnection can be implemented only after the entry-into-operations of the SIS Recast. Considering the revised implementation timeline for ETIAS in practical terms it means that the SIS Recast should enter-into-operations not later than end of June 2022. Further delay of implementation of the SIS Recast inevitably would have negative effects on the timeline for implementation of ETIAS and of the new interoperability architecture as a whole.

b. VIS

The original intention concerning VIS was to integrate the implementation of the revised VIS Regulation into the timeline for implementation of the Interoperability. However, due to its late adoption and entry into force this is not possible anymore. Therefore, implementation of the revised VIS Regulation will go beyond end of 2023 and will have a timeline parallel to the timeline for implementation of the interoperability architecture. To fulfil the legal requirements for the entry-into-operations of ETIAS it will be necessary to integrate the present VIS into the interoperability architecture.

While this is the only viable approach to keep the deadline for implementation of the Interoperability architecture at the end of 2023, it inevitably would increase the workload of eu-LISA and the Member States.

4. Additional considerations

The Multiple Identity Detector (MID) transition period could start only when respective legal prerequisites set in the Interoperability Regulations are met. Based on the present alternative implementation scenario for the new Interoperability architecture these prerequisites could be met not earlier than May 2023. Therefore, a shortening of the MID transitional period would be required to enable the MID start of operation by the end 2023.

5. Key success factors for the alternative implementation scenario

- a. timely adoption of the outstanding secondary legislation;
- b. close and transparent coordination of the activities at central and national level;
- c. timely accomplishment of the redesign of the relevant national business processes and trainings in parallel with the technical developments at national level;
- d. engagement with all national stakeholders, including the carriers and airport operators;
- e. commitment of all involved actors to respect and follow the revised implementation timeline and to meet its key milestones;
- f. availability of the necessary human and financial resources at central and national level;
- g. continuous political oversight and support at central and national level.