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NOTE

From: Belgian Delegation
To: Delegations
Subject: Implementation of Interoperability: proposal for risk mitigation

A number of initiatives to mitigate further risks while implementing the Interoperability components have been proposed in the Interoperability related expert groups¹ and governance bodies of eu-LISA².

However, concerning some of the proposed mitigating measures, the lack of a legal basis is a complicating factor, leading to the need to find workarounds, which are often labour-intensive and time-consuming. There is a concern that failure to address these issues now will lead to complications in the future. It is, however, encouraging to see the willingness of all stakeholders to address these issues.

¹ Brussels 11 Interoperability Expert meetings, Interoperability Conference under Hungarian Presidency.

² Interoperability Advisory Group, CSLR Project Management Forum, Interoperability Program Management Board and the eu-LISA Management Board.

The European Commission informed the Member States during the Interoperability Advisory Group meeting on 6 February 2025 that the appropriate place for this discussion is the IXIM Working Party, since it also consists of legal matters.

Firstly, we would like to address the topic of the **MID pre-launch**, which aims to reduce the time a third country national would spend at the booth during the border check and thereby mitigates the risk of long queues at external border crossing points. A technical solution has already been presented by eu-LISA. As this evolution may have a significant impact on border infrastructures, border processes, national and central budgets, we would like to request the Commission to organise an appropriate expert group as soon as possible to explore this topic in more depth, as was discussed and agreed upon during the Interoperability Conference organised by the Hungarian Presidency in September 2024.

The proposal to investigate **possibilities for Frontex to extend an optional operational support to the Member States after the MID transitional period** intends to improve the use of resources for both Frontex and the Member States, mitigates a risk of operational non-readiness on the part of the Member States and provides a business continuity plan in case of crisis situations, notably at the external borders. Twenty Member States supported this idea during the Interoperability Advisory Group of 6 February 2025, which demonstrates broad support for a mechanism to safeguard against potential non-readiness and operational issues.

Frontex has taken note of this request and proposed scenarios to be discussed with both the Commission and the Member States. However, Frontex did point out that the proposed additional tasks exceed their mandate. Since there is a prevailing feeling within the Member States that Frontex could make an important contribution to an efficient and stable management of yellow links even after the transition period, we ask the Commission to take the necessary initiatives to examine how this could be achieved and what the impact could be.

Finally, regarding the **Communication Solution demand request process**: during the Horizontal Expert Working Group (HEWG) meeting that took place on 31 May 2022, the Commission agreed that in several use cases of Interoperability, there would be a need for communication that transcends the existing and future systems and their relevant communities. Although these needs were acknowledged at the time, the Commission did not conclude that this would generate the need for a central solution.

Since then, there have been a couple of evolutions: a demand request for the **Central Solution for Link Resolution** (CSLR) was introduced and validated. Shortly after, the discussions demonstrated the organisational complexity for Member States to communicate without a central solution, which lead to a demand request for a central Communication Solution introduced by eu-LISA in late 2024. To date, the procedure concerning the Communication Solution has not been validated and no budget has been allocated.

We therefore would like to invite the Commission, together with eu-LISA and the Member States, to carry out an impact assessment of the current situation, by examining the pros and cons of addressing the aforementioned issues. We believe this should be addressed further in the appropriate fora in order to avoid potential problems in the future when the JHA Interoperability architecture will be fully implemented and operational. This course of action, of course, requires the support of other Member States and the willingness of the relevant Agencies. If this is the case, we would expect the Commission to take the necessary initiative in this regard.