Feasibility Study for a European Travel Information and Authorisation System (ETIAS)

Management Summary

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Management summary

This study analyses and describes a possible European Travel Information and Authorisation System (ETIAS) that would gather information on visa-exempt third-country nationals (VE-TCNs) prior to their arrival at the Schengen border, for the purpose of a risk assessment. It also provides a first estimate of costs and benefits.

What is changing?

The completion of visa-liberalisation negotiations at EU level will result in an increasing number of visa-exempt travellers arriving in the Schengen Area by land, sea or air about whom no prior information is available and for whom there would be limited time to perform a migration and/or security risk assessment at the border. This would pose specific challenges at land borders where travellers do not always use carriers but often use private means (e.g. private cars). For visa holders, the visa issuance process supported by the VIS (Visa Information System) de facto collects advance information and carries out pre-screening, while this is currently not the case for visa-exempt travellers.

A system like ETIAS would fill this information and risk-assessment gap on visa-exempt travellers, providing greater certainty to travellers regarding their intended journey by granting or denying an authorisation to travel to the Schengen Area in advance. This in turn would result in fewer cases of inadmissibility of travellers at the border, thereby reducing the cost of returning to their countries of origin. Using advance information would also allow an individual and harmonised migration and security risk assessment to be performed without adding burden or delays on the border-control process.

What is the EU's response?

The EU has defined an effective response to these specific challenges.

In a communication from April 2008 on "preparing the next steps in border management in the EU" [1], the European Commission (EC) stated its intention to "examine the possibility of introducing an electronic system of travel authorisation at EU level" where visa-exempt travellers would register relevant information regarding their intended journey prior to departure, allowing for a risk assessment to be performed and a "travel authorisation" to be granted.

A first study was subsequently carried out in 2011, assessing options for establishing an EU travel authorisation system [2]. In its conclusion, the study considered that at that time, the conditions were not met for justifying the development of such a system.

Five years have now passed and the context has changed. Increased global mobility, new migration and security challenges, the successful implementation of SIS II and VIS, and EU-wide momentum for

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[1] Communication from the Commission "Preparing the next steps in border management in the European Union", p. 9, available at: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008DC0069&from=EN (accessed 10/2016).
[2] Policy Study on an EU Electronic System for Travel Authorization (2011), PricewaterhouseCoopers, available at: http://ec.europa.eu/dgs/home-affairs/e-library/docs/pdf/esta_annexes_en.pdf (accessed 10/2016).

safer and smarter borders embodied by the EES proposal provide an opportunity to revisit the conclusion on an EU travel-authorisation system.

Acknowledging this changed context, the European Commission called for assessing the possibility of establishing an EU Travel Information and Authorisation System (ETIAS) in its communication of 6 April 2016, "Stronger and smarter information systems for borders and security"[3].

ETIAS feasibility study

This study describes the possible set-up of ETIAS, including all aspects of its operation, its impact on the current travel and border-crossing processes and its detailed costs and benefits.

While the study outlines what was assessed to be the most optimal design of ETIAS, it neither prescribes nor represents a legislative standpoint. Final choices regarding the system, its main components and its implementation approach rest with the EU institutions and the Member States.

In short, this management summary presents the main purpose of ETIAS, how it would work, and the next steps regarding the initiative.

I. What is the purpose of ETIAS?

ETIAS would be an automated system gathering information on visa-exempt third-country nationals prior to the start of their travel to the Schengen Area. Its purpose would be to:

- perform a security and migration-risk assessment;
- pre-assess and inform travellers whether they are admissible to enter the Schengen Area; and
- grant VE-TCNs the authorisation to travel into the Schengen Area.

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[3] Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/securing-eu-borders/legal-documents/docs/20160406/communication_on_stronger_and_smart_borders_20160406_en.pdf (accessed 10/2016).

The table below provides a description of ETIAS at a glance, as identified by assessing various alternatives for each design component throughout the study.

Table 1: ETIAS at a glance

ETIAS overview	
What?	Authorisation to travel to the Schengen Area
For whom?	Travellers from visa-exempt countries
For which travels?	Short-stay (a maximum of 90 days over a 180-day period)
Where does it apply?	At the external border of the Schengen Area
Which borders?	All borders: air, sea and land

ETIAS features	
Means of applying	Online: website or app
Time to fill in the form	10 min: only passport, credit card and valid email address are required
Data collected	23 fields: biographical data, passport, contact, intended travel, answers to background questions and possibility to request additional information
Estimated fee	5-euro fee to cover operational costs
Response time	Maximum 72 hours from the submission of the application, 95% or more of the applications granted automatically within minutes
Validity of the authorisation	Two to five years (subject to decision making)
Automated risk assessment	Queries SIS, VIS, EES, SLTD and TDAWN[4]
Manual risk assessment	Manual processing by a central entity and/or MS
IT infrastructure	Centralised system with a focus on reuse and interoperability
Data-retention period	Five years: aligned with EES
Data access	Access by competent national authorities. Access by law enforcement authorities under specific conditions

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[4] Access to Europol data would be worthwhile as well, pending systems capacity and relevant data volume increase. Similarly, access to ECRIS and EURODAC data could be foreseen in the future once data relevant for ETIAS purposes is available in these systems.

II. How could ETIAS work?

Data: 23 key data fields to be collected

On the basis of a necessity and proportionality assessment, the study identifies a maximum of 23 data (including biographical, contact and background information) that need to be collected from the traveller in order to carry out the necessary risk assessments and eligibility checks. The complete ETIAS data set would be made up of the data collected from the traveller and eight additional application-specific data elements, e.g. application reference number. These would not be collected from external sources, but rather would result from the functioning of the system and from the ETIAS decision-making process.
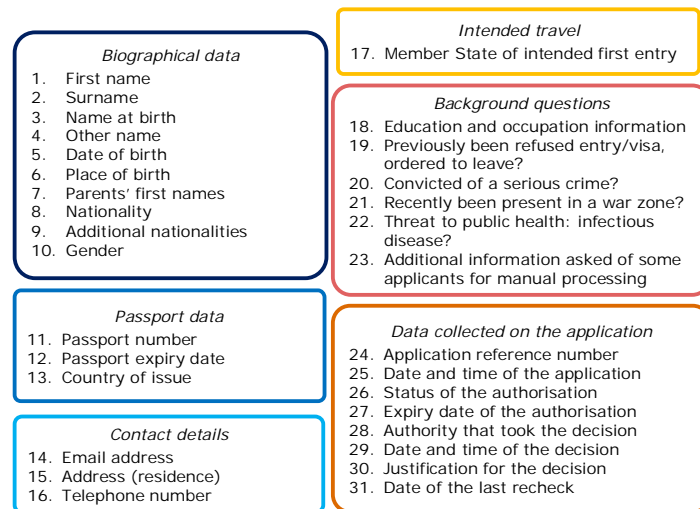

Biographical data
1. First name
2. Surname
3. Name at birth
4. Other name
5. Date of birth
6. Place of birth
7. Parents' first names
8. Nationality
9. Additional nationalities
10. Gender

Passport data
11. Passport number
12. Passport expiry date
13. Country of issue

Contact details
14. Email address
15. Address (residence)
16. Telephone number

Intended travel
17. Member State of intended first entry

Background questions
18. Education and occupation information
19. Previously been refused entry/visa, ordered to leave?
20. Convicted of a serious crime?
21. Recently been present in a war zone?
22. Threat to public health: infectious disease?
23. Additional information asked of some applicants for manual processing

Data collected on the application
24. Application reference number
25. Date and time of the application
26. Status of the authorisation
27. Expiry date of the authorisation
28. Authority that took the decision
29. Date and time of the decision
30. Justification for the decision
31. Date of the last recheck

Figure 1: ETIAS data set

This data set is smaller than what is collected by a similar system in the US, and much more limited than the information currently requested in the Schengen visa process.

The introduction of ETIAS would have fundamental rights implications for visa-exempt third-country nationals. Indeed, from the moment ETIAS becomes mandatory, data that are currently only verified at the border would also be processed and stored. This is nevertheless justified as: (i) it is necessary in order to achieve a public goal (enhance border security), (ii) only data needed for the pursued objective would be recorded in line with privacy by design principles and (iii) the least intrusive way would be used for collecting the data. In addition the ETIAS legal proposal would include all relevant data protection safeguards implemented in large-scale IT systems and that have demonstrated their efficiency.

It is forecasted that there will be approximately 40 million new applications in ETIAS each year. In order to ensure that the EU legal framework is coherent and consistent, it is envisaged to align data-retention periods and retain the data stored in ETIAS for five years, as is the case for EES and VIS.

1 Process: four main steps

ETIAS is composed of four main processes that take place at different stages of a traveller's journey, from the online application to verifying the authorisation at the border.
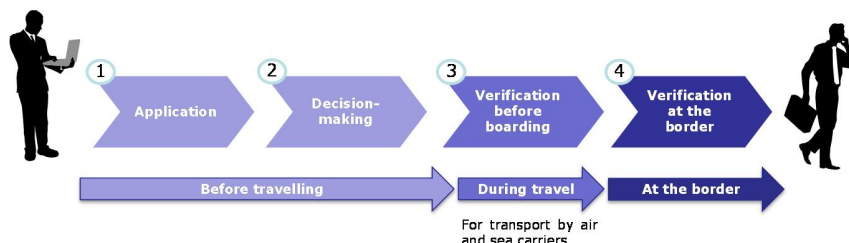

Figure 2: ETIAS four main processes from the application to the verification at the border

Application

At least 72 hours before their intended trip, the visa-exempt traveller would fill in an online application form where the travellers copies biographical data, data about his/her passport, contact and answers to five background questions.

The applicant reviews the data he/she inserted and confirms its accuracy, the payment of a five-euro fee ends the application process. The fee value is estimated to be sufficient to cover the operational costs of the system. The data is then sent for processing. No further changes can be made by the traveller once an application is submitted.

> Only a valid passport, a credit card and an email address would be needed to apply for a travel authorisation.

Decision-making

Once the application is submitted, it would undergo a risk assessment focused on migratory and security risks. The data provided by the traveller is automatically compared against different European and Interpol's information systems and databases[5], checking for offences, overstays, refusals of entry and lost and stolen travel documents.

The decision-making process is performed either automatically by the system, centrally by a dedicated EU entity or by the Member States, depending on the nature of the case and whether or not the information needed to decide is only available to the national competent authorities. The following figure illustrates this process:

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[5] Comparison would be done against the following databases: EES, VIS, SIS, SLTD and TDAWN. Checks against "screening rules" (specific values, such as a phone number, entered by Member States and data analytics rules, i.e. common risk indicators and patterns) would also be carried out.
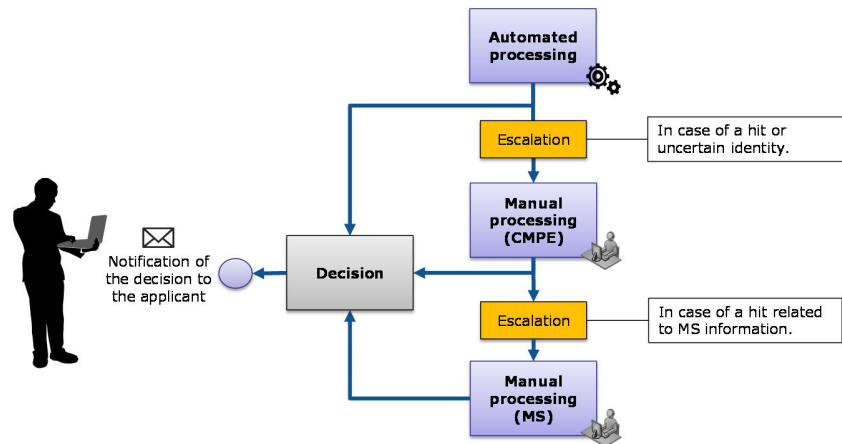
Figure 3: Decision-making process

Applicants would receive an email notification, maximum 72 hours after having submitted their application, containing the status of the authorisation (granted, more information required, or denied). The vast majority of authorisation applications (95% or more) are expected to be granted within minutes via the automated process. The applicant may be asked to provide additional information in the event of serious doubt.

Verification before boarding

For air and sea transportation, the status of the travel authorisation could be verified by the carriers before boarding, from the check-in time to no later than the boarding time. ETIAS would not change the liability of carriers, which would still be responsible for the decision whether to board a passenger, even if he/she does not have a valid travel authorisation.

The situation at land borders is different. Some may travel with a carrier (bus or train), and others without (personal car). The nature of travel and the technology available at this border type do not always allow for the travel authorisation to be verified until the traveller arrives at the border of the Schengen Area.

Verification at the border

Once the traveller arrives at any Schengen border, the border guards would verify the status of the authorisation in addition to the current border-control process. An answer would appear on the border guard's screen within a few seconds. If a traveller does not hold a valid authorisation, the border guard would not allow them to enter.

Being granted a travel authorisation would not guarantee the right to enter the Schengen Area. Border checks will be performed, as they are today, and border guards will have the final decision whether to allow a person to cross the external Schengen Area border.

Organisation: centralised and decentralised management

ETIAS would be a centralised system, coordinated and managed at EU level with the input of national authorities.

The Central Manual Processing Entity (CMPE) would be a newly created team in charge of dealing with manually processed applications. In other words, it would be in charge of handling applications that are not granted automatically. Operating at EU level, the CMPE would:

- coordinate the applications handled manually;
- transmit the relevant cases to national authorities in order to limit Member States' workload; and
- operate a helpdesk for applicants.

It is estimated that national authorities would deal with between 1% and 3% of the cases. At Member State level, the unit in charge of ETIAS would probably become part of existing teams involved in API/PNR data processing. This approach would enable Member States to incur only a limited additional workload, while also ensuring homogeneous and coordinated feedback to the applicants.

The ETIAS database should be accessible to the authorities in charge of manually processing applications: the dedicated teams in Member States and the CMPE. They would be the two types of authorities in charge of assessing applications that are not automatically granted by the system.

When an application reaches the CMPE, the officers would assess the matter and plan how to proceed: grant the application, deny it or refer it to a national authority for further analysis.

The ETIAS website and the IT infrastructure would be administered by eu-LISA. The Agency currently manages other large-scale IT systems in the area of Migration and Home Affairs, such as the Visa Information System, EURODAC and the Schengen Information System.

Technical aspects: a central, secure and interoperable system

The vision for the technical set-up of ETIAS was developed according to the following main principles:

1) Central architecture. ETIAS would be based on a centralised IT architecture, serving all users, reducing complexity and costs.

2) Separation between the public Internet and the secure area. A dedicated module would provide the services facing the public Internet, while insulating the main database from most security threats.

3) Interoperability. An additional driving principle is to reuse and maximise potential synergies with other European systems, in particular the future EES[6] .

The study highlights that the following EES building blocks could be reused for ETIAS with minor upgrades: the TESTA-ng network, the National Uniform Interface (NUI) and the interface to carriers. Moreover, the ETIAS database could be integrated into the EES database whilst maintaining independent access-control rules. This would save costs and reduce the complexity for users (especially Member States and carriers) and for the organisation operating and maintaining the IT infrastructure.

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[6] The possibilities of integrating or reusing its building blocks are naturally dependent on the actual design of EES, and would have to be reassessed once the final design is known. The study takes the current legislative proposal as a baseline for the assessment.

Costs and benefits: a positive cost-benefit balance

The detailed cost-benefit analysis of the system that accompanies this study estimates that ETIAS would cost approximately 780 million euros (both development and maintenance expenditure) over a reference period of ten years, while the proposed benefits (from the fee) would cover investment and operational costs[7]. By charging a fee of 5 euros per 5-year-valid application, ETIAS would be a financially self-supporting system.

It should be noted that the main benefits of ETIAS are non-quantifiable, namely a more individualised risk assessment of VE-TCNs and better data tracking and intelligence, therefore resulting in increased levels of safety and security in the Schengen Area. The quantifiable benefits of the system are the fee revenue and time savings for border guards (having to handle a reduced number of refusals of entry at the border). This last benefit has cautiously been estimated at an additional 9 million euros over the 10-year reference period.

III. What are the next steps?

The study has reached its goal of describing a solution that meets the ETIAS purpose. The proposed solution technically builds on existing solutions, can be implemented in an estimated three-year period after the legal basis is adopted and has a zero net impact on the EU budget because an application fee would be required and would be set sufficiently low in order not to endanger tourism.

This study is the first step towards the possible future adoption and implementation of ETIAS. It contains an assessment and description of key components that can support policymakers in shaping the final design of ETIAS, should it be decided to proceed with the initiative.

All aspects would still need to be defined in greater detail before ETIAS can be implemented, e.g. detailed requirements and technical specifications. Final options and set-up also depend on political and policy decisions expected beyond the timeframe of the study.

Shortly after the study is complete, the European Commission is expected to present a legislative proposal, building on the work carried out during the study and on a series of consultations with the main stakeholders, and initiating negotiations and further discussion with co-legislators.

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[7] This estimation is based on a conservative, "big bang" implementation approach: the system and all its components go live at the same time, and a travel authorisation becomes a requirement for all VE-TCN at all border types. The cost in case of gradual implementation of the system would be approximately 735 million euros (taking into account a 13% decrease in administrative cost), which is still expected to be covered by fee revenue even though that revenue would be 7% less.

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