

Client Alert
SEPTEMBER 2024

The main updates in French immigration law
Implementation of the EU exchange information system (EES, Entry/Exit system)

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European Commissioner for Home Affairs, Ylva Johansson confirmed during a visit to the EU agency in Tallinn, Estonia, that the EU exchange information system (EES) will be launched on 10 November, 2024.

The launch, initially planned for 2022, faced numerous setbacks due to IT glitches and delays in installing the required automated barriers at the international land, sea and air borders of the Schengen area.

The new controls

The aim of the EES system is to strengthen border security: the system will replace the manual stamping of passports. Travelers will have to scan their passport at a self-service machine every time they cross an external EU border. Their biometric data will be recorded.

Travelers refusing to provide biometric data, will be denied entry into the territory.

The travelers affected: all travelers who are not nationals of an EU country (and of the four non-EU Schengen countries - Iceland, Liechtenstein, Norway and Switzerland) subject or not to visa crossing the borders of the Schengen area, for a short stay (maximum 90 days over a total period of 180 days).

The travelers exempt: travelers who are not nationals of an EU country but who hold a long-stay visa or a residence permit issued by a EU country as well as the categories provided by Article 2(3) of EU Regulation 2017/2226¹.

The countries concerned: the system will apply at the entry into all EU countries, with the exception of Cyprus and Ireland, as well as the four non-EU Schengen countries - Iceland, Liechtenstein, Norway and Switzerland.

The data recorded:

- Date and time of entry and exit
- The place of entry and exit
- The first and last name(s) of the traveler

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R2226>

- The traveler's passport number
- Biometrics (photograph and fingerprints of the traveler)
- The potential decision to refuse entry for a short stay

The conditions of collection and storage of personal data are regulated by Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017².

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² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02017R2226-20210803>