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The 4th Annual Collaborative Border Management Conference Delivering Smart Borders

Conference Report

24th September 2013 / Renaissance Brussels Hotel



Organised by



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Executive Summary



The fourth annual European Conference on Delivering Smart Borders brought together experts to discuss better collaboration and regulation in the delivery of more secure, effective and efficient borders across Europe.

The aim of this high-level forum was to encourage relevant stakeholders, EU policy makers, and customs officials to exchange best practice and to address implementation challenges ahead for law enforcement at and across borders.

On 28th February 2013, the Commission presented proposals for an Entry Exit System (EES) and a Registered Traveller Programme (RTP) for the Schengen Area, collectively known as “Smart Borders”.

The Entry Exit System proposal includes a centralised storage system for entry and exit data of third country nationals (TCNs) admitted for short stays to the Schengen area - whether

required to hold a Schengen visa or not. Rather than having passports stamped on entry to and exit from the Schengen Area, data relating to the identity of the visitor and length and purpose of stay will be entered in the system on entry and will be checked on exit, to ensure that the TCN has not exceeded the maximum permissible stay. A centralised system means that the EES data can be checked no matter where the TCN exits the Schengen Area. The primary purpose of the system is to counteract the problem of overstay in the Schengen Area of TCNs who originally entered for a short stay (max 90 days out of 180 days) on a valid visa or for a valid purpose. The EES proposal is for a system initially based on personal data (known as “alphanumeric data”), with “biometric data” to be introduced after three years. After two years, there is to be an evaluation on whether access to the data should be given to law enforcement authorities and third countries.



Session I: Setting the Scene

Delivering Smart and Secure Borders in Europe – The Role of Collaborative Border Management



In his opening speech, **Glenn Vaughan, Chief Executive of the British Chamber of Commerce in Belgium**, stressed the crucial importance of enabling and extending international trade, and making the necessary trade regulations efficiently applicable in order to enhance commerce across borders.

Dominique Klein, Head of Sector, Trans European Networks for Freedom and Security and relations with eu-LISA, European Commission, gave an extensive overview on the implications of the EU Schengen Border and its heterogeneous character. Current trends show that there

is substantial growth in border checks with over 700 million passengers being checked annually. Thus, there is an urgent need to modernise external border check procedures.

There are two systems which apply to third country nationals – the Registered Traveller Programme (RTP), which is voluntary in nature and gathers alphanumeric and biometric data; and the Entry-Exit System (EES) which provides only for alphanumeric data.

Dominique Klein explained that the legal framework of the proposed system is in place and it better enables collection of statistics on the migration flow; however, the implementation remains a key challenge in achieving true smart borders in practical terms.

In terms of benefits and costs, the Registered Traveller Programme facilitates border crossing procedures (thus reducing costs) and ensures the EU remains an attractive destination to all, whereas in the Entry-Exit System, border guards are required to manually authorise border crossing, but it is easier to

identify irregular migrants. The European Commission explained that cost implications will be covered by the Internal Security Fund.

Lessons learned from the second-generation Schengen Information System (SIS II) and Visa Information System (VIS):

- New IT systems should not be developed unless a legal instrument has been clearly laid out beforehand.
- One unique interface needs to be introduced across the Schengen Area in order to maintain consistency between central and national border management procedures



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Future developments to watch:

- Upcoming negotiations between the Council and the European Parliament
- Law enforcement bodies need to have better access to migration data to better track persons who are suspected



- as potential terrorists
- High-level technology architecture developments to facilitate communication infrastructure in EES processes
- Biometrics: a transitional period of three years for biometric data implementation
- Data protection: privacy and data retention period

Tomas Žilinskas, Director of the Public Security Policy Department, Ministry of the Interior in Lithuania, highlighted the current priorities of the Lithuanian Presidency. Mr. Žilinskas emphasised the geographic border awareness and strategic security relations between Lithuania and its closest neighbours Russia and

Belarus. To achieve an open and secure EU, and to further enable sustainable economic growth, it is fundamental to facilitate passenger flow and show solidarity in collaborating with neighbouring countries at the EU's external borders. Furthermore, the smart borders package is a very effective tool for investigation purposes and identification of illegal crime which would, in turn, help combat illegal migration and prevent corruption related offences.



Session 2: Delivering Entry-Exit System Questions, Options and the Way Forward



Krum Garkov, Executive Director, EU Agency for large-scale IT systems EU-LISA, presented four essential factors in smart border management: globalisation, people mobility, cross-border economy, e-State. There has been a visible change in information, capital, goods and people flow and, therefore, we need to adapt to these global trends and create new technologies that make the border management process more efficient. The concept of border management has changed dramatically in the past few years, in the sense that it has moved away from simple physical flow management to virtual frontier management.

Key challenges remain in improving border management, namely, growth in international trade and migration; cost effectiveness and operational effectiveness; balance between existing systems and new infrastructure; building trust in data protection.

On the basis of past projects and initiatives, Krum Garkov identified five main areas for improvement:

- Align legal frameworks with technological developments
- Consider interoperability as an opportunity rather than a threat
- Preserve added value of existing technology

- Better cooperation among experts and decision-makers
- Built-in privacy/Privacy by design – how technology could address data security in the initial stages of technology design and creation

Tom Hanén, Border Security Expert, Permanent Representation of Finland to the European Union, offered the Finnish perspective on collaborative border management. He explained that Member States should not consider the smart borders proposal as one single package; rather they should find a balance between the Registered Traveller Programme and Entry-Exit



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System. Border management cannot be examined solely on a national level. A consistent EU-wide approach across member countries is necessary since not all EU members have implemented EES and national systems are not linked on a centralized level.

Furthermore, the future EU visa liberalization for neighboring countries, like Russia, would double the migration flow, therefore border security checks and law enforcement solutions need to be identified well in advance.

Wilfried Grommen, EMEA Public Sector CTO, HP, called our attention to the simplicity in border management systems.

Key recommendations from the industry perspective were:

- The use of software applications
- Cloud services
- Data protection
- IT support and ambition to simplify technology





Session 3: Delivering the Registered Traveller Programme Questions, Options and the Way Forward



James Hutton, Deputy Executive Director, Admissibility and Passenger Programmes, US Customs and Border Protection, looked at the U.S. Customs and Border Protection (CBP) experience with high-risk travellers and the voluntary International Trusted Traveller Programme.

James Hutton presented the four programmes within the U.S. Customs and Border Protection Act and the application procedures: Global Entry (a five-year membership programme), NEXUS, SENTRI and FAST.

The Global Entry programme allows for automated passport control to collect travelers' information and transfer

it to CBP for enforcement processing.

The discussion focussed on the comparative experience between the US and European border systems and a major question was raised – is an Entry-Exit System a prerequisite for a Registered Traveller Programme to be fully employed in an automatic way?.

Rob Berends, Project Manager, Ministry of Security and Justice in the Netherlands, described the existing programmes in the Netherlands and the e-gates concept as instrumental in avoiding queues at border checks. FLUX and Privium-service are the two programmes on a national level. The latter contains biometric data on a smart card and it is open to EEA/CH citizens and foreign diplomats.



Rob Berends stressed the necessity for all industries, airlines and airport operators to be involved in order to create a fully integrated smart border control system.



Ioan Enciu, MEP and Member of the LIBE Committee on Civil Liberties, Justice and Home Affairs, emphasised the need for a clearer balance between the Registered Traveller Programme and Entry-Exit System, and a more cooperative inter-institutional dialogue on the European level, especially when looking for a subsidiarity-based solution to national and cross-border security issues.

Conference Conclusions: Delivering Smart Borders



Stefano Manservigi, Director General, DG HOME, European Commission, gave a keynote address and summarised the key factors involved in delivering improved smart borders.

In economic terms, facilitated mobility is of high value as it creates an effective environment for sustainable and progressive economic growth. An updated border

management package with a defined legal basis, which combines security and legitimate mobility, is required.

The balance between costs and potential benefits of the proposal should be very carefully considered and further reforms on the e-visa code should be reflected upon.



Further Information:



For further information about any aspect of The 4th Annual Collaborative Border Management Conference 2013 please contact **David Moseley** at Forum Europe:

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