

European Travel Information and Authorisation System (ETIAS): Legislation Adopted



News

Thomas Wahl

In September 2018, the Council and the European Parliament [formally adopted](#) the EU legislation introducing a European Travel Information and Authorisation System (in short: [ETIAS](#)). The legal framework consisting of two regulations was published in the Official Journal of the European Union [L 236 of 19 September 2018](#).

ETIAS will pre-screen visa-exempt travellers to the Schengen area. This currently affects nationals from over 60 countries. ETIAS is designed to help the EU identify third-country nationals who pose a security, illegal immigration, or high epidemic risk.

ETIAS goes back to a Commission proposal of November 2016 (see [euclid 4/2016](#), pp. 155-156). The idea was first presented by Jean-Claude Juncker in his 2016 State of the Union speech. [Agreement](#) between the Bulgarian Council Presidency and representatives of the European Parliament was reached on 25 April 2018.

Like systems in other countries, e.g. the USA or Canada, visa-free travellers need to apply for travel authorisation prior online to their trip. If arriving at the Schengen border, travellers will need both a valid travel document and the ETIAS authorisation. [Applicants must pay an authorisation fee of €7](#), and the authorisation issued will be valid for three years.

A key feature of ETIAS is the possibility to cross-check data provided by the traveller against other large-scale EU systems for borders, security, and migration, such as the Schengen Information System (SIS), the Visa Information System (VIS), the Entry/Exit System (EES), and Eurodac as well as Europol and Interpol databases. Furthermore, ETIAS will feature a dedicated watchlist and specific risk indicators. In this way, ETIAS is expected to close information gaps and enhance the internal security of the EU.

Ideally, automated approval of the application will be granted within a few minutes. If, however, data matches the above-mentioned databases or the outcome of the automated process is undecided, the ETIAS Central Unit will manually handle the application process. This unit will be managed by the Border and Coast Guard Agency (Frontex). If the central unit has further doubts, the national ETIAS unit of the responsible Member States will take over the case and proceed manually.

The ETIAS legal framework contains clear rules and procedures in case of a refusal. Applicants retain the right to lodge an appeal, which must be done in the Member State that has taken the decision on the application and in accordance with the national law of that Member State. Applicants will also have the right to redress if they consider themselves to have been treated unfairly.

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Published in
2018, Vol. 13(2) [euclid](#) p 82
ISSN: 1862-6947
<https://euclid.eu>



It is expected that travel authorisations will be issued automatically and quickly in more than 95% of the cases. It is worth mentioning, however, that the ETIAS authorisation is not a document that grants rights of entry or stay. This further decision is taken by the border guards.

ETIAS will be set up by the EU Agency for the operational management of large-scale information systems in the area of freedom, security and justice (eu-LISA). The development costs are estimated at €212.1 million. The system is expected to be ready in 2021. Frontex will then be responsible for the continued management of ETIAS.

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The project is co-financed by the [Union Anti-Fraud Programme \(UAFP\)](#), managed by the [European Anti-Fraud Office \(OLAF\)](#).



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