

Justice and Home Affairs Committee

Corrected oral evidence: Electronic border management systems—follow-up

Tuesday 14 October 2025

10.35 am

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Members present: Lord Foster of Bath (The Chair); Baroness Bertin; Baroness Buscombe; Baroness Cash; Lord Henley; Baroness Hughes of Stretford; Baroness Meacher; Baroness Prashar; Lord Tope.

Evidence Session No. 3

Heard in Public

Questions 29 - 42

Witnesses

[I](#): Simon Calder, travel journalist and broadcaster; Simon Lejeune, Chief Safety and Stations and Security Officer, Eurostar; Associate Professor Niovi Vavoula, Associate Professor and Chair in Cyber Policy at the University of Luxembourg.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Simon Calder, Simon Lejeune and Associate Professor Niovi Vavoula.

Q29 The Chair: The meeting is now being recorded and public proceedings are beginning. This is one of a number of sessions that we have had over the last four years on the Entry/Exit System and changes to border management. Given the recent phased introduction of EES, we thought it would be helpful to have a catch up on that.

We are delighted we have Eurostar with us. As colleagues will know, we have also been in discussions in the past with the Port of Dover and Getlink. They were not able to be with us today but they are going to send in updated information to us. We are absolutely delighted to have with us Simon Lejeune, Simon Calder and Professor Vavoula.

Before we begin, I ask you each to introduce yourself, tell us who you are and who you represent. Professor Vavoula, would you like to start?

Associate Professor Niovi Vavoula: Good morning, everyone, and thank you very much for inviting me to this session. I am an associate professor, I hold the chair in cyber policy at the University of Luxembourg and I am an expert on large-scale IT systems in the field of border security in the European Union.

Simon Calder: Good morning. I am the travel correspondent of the *Independent* and I have, in that role, taken a very strong interest in the Entry/Exit System, as well as the European Travel Information and Authorisation System. I have, just for your knowledge, over the weekend been to Prague, one of the first countries to introduce the EES, to test it out.

The Chair: We will come back to that in two seconds.

Simon Lejeune: Good morning. I am the chief safety and stations officer for Eurostar. I have the honorary title of sponsor for Eurostar in integrating EES in our passenger journey. I am absolutely delighted to be here this morning to tell you how the first days have gone. Thank you very much for this opportunity.

Q30 The Chair: Let us kick off with how the first few days have gone. Mr Calder, I was listening to you on the radio a few days ago where you announced your plan to try to be one of the first people to use the system. How did that go?

Simon Calder: In brief, I took a midnight plane to Prague. I had been in contact with all the Schengen countries—apart from Lichenstein, I am afraid, because no British person is ever going to enter the Schengen area through Lichenstein—and given them a series of questions around when they are going to roll this out. Most of them are going very slowly, in the manner of Eurostar, Eurotunnel and the Port of Dover but three—Czech Republic, Luxembourg and Estonia—said that they were going 100% from day 1. The biggest airport was Prague, so I booked a ticket there.

I flew in, hung around a bit—the plane was early—and then, shortly after midnight, went along and they were not at all interested in my fingerprints. But the following day, they definitely were. Fortunately, Prague airport is one of those places where arrivals and departures can mingle. I checked in to fly out and then I was able to observe everything that was going on. I was also able—I do not quite know how—to go through the EES kiosk system three times to trial it and get a sense of how long it takes and what the questions are.

I do not think my details are registered on the Schengen thing, because they would have said, “Hang on, you are not coming in actually, are you?”, but I was able to observe the behaviour of people coming in on flights from Turkey and the United States who were going through the same thing.

My conclusions were that it was a tricky old start. The particular format they have chosen in the Czech Republic has a lot of friction, I would say. For example, they have machines where it is not entirely clear what you are supposed to do. Everything is in English, so that is good for us, and there is a choice of, I think, 11 other languages.

I was talking to my excellent colleague from Eurostar outside about fingerprinting. For Eurostar, it is four fingers of your right hand. At Prague, even though it is going into the same database, it is both hands, and that obviously takes significantly longer.

I found that the fingerprinting aspect of it is the thing that seems to slow people down. I timed it, going through the whole process, at two minutes and 26 seconds, of which the largest parts were fingerprinting and then going through the questions.

As you will know, it is up to the member states to come up with their own questions. You have got the general Schengen principle of asking whether people have enough money and a ticket out, or the means to get one. But on top of that every country will put its own requirements—of which I think France is the most stringent, requiring money, a ticket out, a confirmed accommodation booking and travel insurance. Those were all actually asked at Prague Airport as well, and they even specified that you have to have €66 or £57 in cash for each day that you are going to be there, but that they will let you in if you have a credit or a debit card.

I found that it was quite a slow process, and one which did lead, on Sunday afternoon, to some quite significant queues building up.

The Chair: The two minutes and 26 seconds was for what?

Simon Calder: That is from the moment you approach the kiosk. They are dotted slightly randomly around. My advice to anybody going through is this. If you are getting off an aircraft and you go through the Entry/Exit System, look for the kiosks—they are tall, and look like overgrown daleks, and generally have green lights on. Once you find one, it is two minutes and 26 seconds from the moment you approach it. It then knows that you are there, because it has a camera, and it

asks you to put your passport down. From there until the fun starts—going through the old analogue check as well, because this is an extra layer of bureaucracy on top of what we already have, at least for the first six months—it is two minutes and 26 seconds.

The Chair: Two minutes and 26 seconds is somewhat less than some people were predicting, where four minutes was a predicted timescale.

Simon Calder: Very much so, and it definitely varies according to the individual. I spent quite a lot of time—I am quite surprised I was not arrested—hanging around, watching what people were doing and how they were behaving. There were a fair number of airport staff, and indeed the Czech police, helping people. It tended to be, as you possibly might imagine, older people who were having particular issues with this, whereas younger people just said, “Oh, it’s a machine; I have to do this and I have to do that”, and going straight through. There was a spectrum.

I think that for a reasonably regular traveller who is accustomed to going through borders, two and a half minutes is probably about right at the checkpoint. It will be less if they want fewer fingers printed and if they ask fewer difficult questions. It even asks, “Are you going to a spa?”—I wish.

Lord Henley: I have a very quick question about Prague. I was into Prague on 18 September and out of Prague on 26 September. There were lots of machines—I do not know if they were working at that stage, but certainly the group I was with, some of whom were elderly, were having great problems with them. In the end, we all decided that it would be far easier to just go and queue in the normal way. As you said, we had had to do all five fingers. It was not presumably working on those dates at the end of September. When did it come in in Prague?

Simon Calder: It was due to come in, I believe, at one minute past midnight on Sunday 12 October, Central European time.

Lord Henley: So what I was seeing was an old system, with lots of machines that were not working properly and causing a lot of confusion.

Simon Calder: Every EU country is sovereign and has its own processes, and certainly in Prague they have been doing photographs and fingerprinting for their own security purposes. For example, in Poland, if you are a third-country national, they will very often take your photograph, which they will store on their computer. It is the Entry/Exit System kiosks that are feeding the information to a database, which I think is in a suburb of Strasbourg. There are other rumours that it is in a nuclear bunker in Austria—I have not been to check.

The Chair: I have one final question. Why did you not go through the system on the way in?

Simon Calder: Naturally, I engaged the excellent officer in conversation about that. He said that it had not started yet but would start probably sometime in the morning, later that day.

The Chair: So nobody had to do it. This was not an example of them using the flexibility that they have for the first six months if a queue was building up. From what you say about coming the other way, where queues were building up, they were still requiring everybody to do it—or did they let some people go through without?

Simon Calder: They were very much waving people through. I got a comment from somebody who was there slightly before I got there, who said that they were picking on the British and Australians and saying just go through. I have no idea why you would pick those particular nationalities but there is flexibility.

It was a very odd process when I went through. The plane had got there early, so it was not quite Sunday yet, and I went and loitered in duty free. When I came out, I was the only person there, and they had not decided to switch on the system at that point.

Q31 **The Chair:** Let us turn to Eurostar. How did it go?

Simon Lejeune: Thank you, Lord Chairman. At Eurostar, we have been working for several years preparing for EES. We have invested massively and on several fronts. The first is around having the right kit and the right infrastructure in our terminals. For that, it was over £10 million, or €11 million-plus, that we invested. At St Pancras, that was through several means. One is making sure that we had firepower at the border—by that I mean that we have doubled the French border in St Pancras in comparison to just a couple of years ago.

Further, we have equipped St Pancras with 49 kiosks in order to do the pre-registration for EES. Initially, only 24 kiosks were provided by the French Interior Ministry. Our modelling clearly showed that we needed more to be able to adapt to the peaks that we have, particularly the morning peaks with a majority of non-EU, and therefore EES-eligible, passengers. For us, 49 for us was the right number, and we had to have them in key locations in St Pancras that fed into passengers' natural journeys as they arrive in the station and check-in at Eurostar.

The Chair: Let me just interrupt you. To be clear, you made the assessment that 49 were needed and the French made an assessment that 26 were needed. The French provided 26, who paid for the remaining 23?

Simon Lejeune: Forgive me, 24 were provided by the French Interior Ministry. Eurostar purchased an additional 25 to bring the number to 49.

Our preparation for the physical infrastructure was quite significant. As I say, beyond the kiosks it is about having at borders new-gen or e-gates that are EES compatible and doubling the manual positions for French border officers within the station.

Beyond that, we have done a lot to help our customers every step of the way, through developing digital tools. We have a travel checklist that is going to be available to passengers to help and guide them through whether they need EES or

ETA. There is a lot of change, and not just from an EES point of view, and therefore helping our passengers with what they need and what they need to do as soon as they arrive in the station was a key objective for us.

Beyond that, we are working incredibly closely with the border authorities, the French Interior Ministry, PAF—the French border authority—and other member states, such as Belgium and Holland, where we will be integrating EES in that passenger journey there.

We are also making sure that we make full use of the new EU regulation that enables a progressive launch of EES. Eurostar fought hard for this. We were regularly at the European Commission making our position clear that although we were ready for a big bang approach it presented a number of risks. Having that EU regulation was, for us, key to a successful rollout of EES. Making full use of it when we launched EES last Sunday, on 12 September, was therefore logical.

We started processing some of our passengers out of St Pancras and in Paris. We have a dedicated border position, with two PAF officers in St Pancras and one PAF officer in Paris doing EES files. We started at 1 am UK time on Sunday and the learning is quite positive. Over 200 passengers were processed out of St Pancras and over 150 in Paris on Sunday. Yesterday, we did maybe slightly more than 550 full EES files, with the full biometrics—fingerprints as well as the facial biometrics—out of St Pancras. I observed personally some really good transaction times. At this stage it is without the kiosks, so the full processing is at the manual booth, where I was observing transaction times of 50 seconds—that is for the full biometrics, as well as the passport check and stamping for EES-eligible passengers.

That is quite encouraging, and that is without the kiosks that do that pre-registration, which we will be introducing over the next few weeks.

The Chair: Could I just check two or three things? How many fingers do you require fingerprints from?

Simon Lejeune: Four fingers of the right hand.

The Chair: Professor Vavoula, we are going to ask you in a minute specifically about some of legislative requirements.

Who made the decision that it was four? Were you told by the UK Government to go for only four rather than, as the Czechs have done, to require both hands?

Simon Lejeune: This is a border authority prerogative, Lord Chairman. They have decided—

The Chair: But were you told what you had to do?

Simon Lejeune: Yes. The French border authority implements it. Eurostar does not specify. We have invested in the kit and—

The Chair: I just want it on the record who made the decision so that we are clear

about it.

Your 50 seconds compares very favourably with two minutes and 26 seconds. What do you put the huge difference between 50 seconds and two minutes and 26 seconds down to?

Simon Lejeune: To be completely transparent, 50 seconds is very much an optimal process, where your biometrics are taken and are successful first time round. Fingerprints can be challenging sometimes. I repeatedly saw it yesterday where that process was not too problematic. If you have a biometric capture that is efficient and optimal first-time round then you will have a process that is around 50 seconds.

Further, we saw that the French border authorities were applying a degree of pragmatism around the requirement for the Schengen questions. We know that those Schengen questions cause some confusion when it comes to our passengers having to answer them, particularly in the kiosk process. We are really happy that, through discussions with the French Interior Ministry and colleagues, those questions can be technically removed from the kiosks during the six-month introductory period, thus helping the introduction of EES over the next six months.

The Chair: But on the actual questions—as we heard from Mr Calder, the French in particular require quite a lot—again, you have no choice which are going to be asked as and when that is fully introduced?

Simon Lejeune: No. It is their interpretation of the Schengen requirements and how they apply them. We are glad that during these six months—and we hope beyond—pragmatism is returning and that the questioning is not systematic but more targeted.

The Chair: I have one final question. You are the only operator that we have here. As we roll forward and more and more people are required to go through this over the six-month introductory phase, how confident are you that in the event that there are queues building up at St Pancras, you will get authority from the French authorities to enable you to not require everybody to do it but just bypass the system? What is the negotiating mechanism?

Simon Lejeune: That is obviously a key question and I am confident on several levels. First, when you look at the initial introduction and the infrastructure that we have invested in, and the initial transaction times, it is comforting to see that we have something that can respond to the EES challenge. Secondly, our CEO and me were at the French Interior Ministry just a couple of weeks ago, and the position there was quite clear that they are not going to compromise on border fluidity or on border security. Using the levers around the EU regulation is going to be critical in how we maintain that fluidity at the border, with the ability to remove biometrics at certain points when we are faced with congestion or going beyond that.

We have a very good collaboration with the border authority and I think that goes beyond the principal approach that is clearly stated. We have excellent

collaboration that gives me no doubt that, when we do have challenges, we will make the right calls and mitigate any congestion.

- Q32 **The Chair:** I know Baroness Bertin will want to go into a bit more detail on some of that. We are particularly concerned about stories that there are going to be huge queues on motorways and goodness knows what else, but Baroness Bertin will pick that up. Thank you for that.

Professor Vavoula, you have listened to two people who have actually been involved directly in doing this. What are your reflections on what they have said and on some of the variations in the way the system seems to be operating—around the number of fingers and different numbers of questions and so on?

Associate Professor Niovi Vavoula: Thank you very much for the question. First of all, thank you for reporting on the initial days of the EES operationalisation. There has not been much reporting, but I have seen quite a few videos from travellers and passengers themselves reporting their experience with the Entry/Exit System. Even in countries like Estonia, which, as mentioned earlier, are supposed to be fully operational, passengers are reporting that the kiosks are not operating at all and any registration of fingerprints and facial images is taking place manually, which has significantly increased the timing. In Estonia, I have seen the timing for capturing the facial image take up to four minutes. This has resulted in a series of longer queues compared to other border crossing points.

The variation that was mentioned is alarming. The founding regulation on the functioning of the Entry/Exit System is very clear that the biometric data that must be collected from passengers are only four fingerprints from the right hand and a facial image. The 10-fingerprint registration was discarded during the legislative process precisely in order to reduce the queuing times.

Therefore, already on the first days of the operation of the EES, we see a violation of the Entry/Exit System rules in practice. That is very surprising, considering that the regulation is from 2017. Member states have had eight years to prepare for the operation of the Entry/Exit System, and therefore I am a bit worried to see already divergence in the application of the rules.

The Chair: Do you have any understanding of how that can possibly have happened?

Associate Professor Niovi Vavoula: I do not. I will have to review whether there is any information on how the Czech Republic operated its own Entry/Exit System before the EU Entry/Exit System, and whether this was a requirement prior to the Entry/Exit System and so it wanted to maintain its own standards. To me, this is a clear violation of the rules.

The Chair: There is a difference between it being a violation of the rules and it being a situation where there is a minimum requirement by the rules and the Czech Republic has decided it wants to do more. We know that some states can ask different and more questions than others. Presumably there is the same flexibility

to have more fingers fingerprinted than the minimum requirement of four. Does it specifically say that it must be four?

Associate Professor Niovi Vavoula: It is the latter option. The EES regulation is adamant and explicitly states that the official image and four fingertips must be recorded in the Entry/Exit System. This creates legal certainty and a level playing field across the participating countries. It cannot be that member states can have a variation.

Conversely, the Schengen borders code on the performance of border control with the questions provides a bit more flexibility. Border control authorities are a little more flexible in what questions they are asking the travellers. Those questions are not laid down in the EES regulation.

Q33 Baroness Bertin: Can we go back to how prepared you are—this question is particularly to Simon Lejeune—and whether or not the postponement has helped? I was picking up from your previous answers that perhaps it has. To the Chair's point, how confident are you that we are not going to have miles and miles of queues down the motorway, as tends to happen—the summer from hell—for British holidaymakers?

Simon Lejeune: Thank you for the question. We were ready 12 months ago. We had already invested and done the transformation of the border. We were absolutely ready when it was initially imagined for October 2024. None the less, there were some risks associated, particularly with the big bang approach. Therefore, that postponement, particularly enabling a progressive rollout, is a huge success for the travel industry. A pragmatic rollout that enables levers when we are faced with congestion really puts Eurostar on a more secure footing when it comes to introducing the EES.

As I mentioned, we saw some really good signs around how the tech is performing.

Baroness Bertin: Could I just come in on that point with a couple of follow-ups? How are we doing on the smartphone application?

Simon Lejeune: I was going to come on to that; it is a very good question. As much as Eurostar fought for a progressive rollout, we continue to fight for digitalisation of the process and particularly the Frontex app. We believe in its potential around preparing passengers for the kiosk process. Capturing the facial biometrics from the comfort of your own home before you arrive at the kiosk, and answering any questions and scanning your passports ahead of that, is a logical next step. Further, you can use the app potentially when it comes to subsequent voyages through the system. That can really help speed up the process.

The Chair: Mr Calder, you wanted to intervene at this point.

Simon Calder: If I may, I have looked into this very closely, as I am sure Mr Lejeune has. Basically, Frontex came out a year ago and said to member states, "We have got this fantastic travel to Europe app, please will you take it on and do your own

versions?” So far, only the Swedes have. I have not yet been able to find and download the app. The take-up has been negligible. It is gradually probably going to increase. I am asked by quite a lot of prospective travellers whether something can be registered in advance, but at the moment it cannot be.

Baroness Bertin: Simon, would you like to come in on that? Why do you think that is?

Simon Lejeune: The good news is that in our discussions now, particularly with France, there is real ambition around integrating digital tools, such as the Frontex app, in the process going forward. The priority has been around making sure that the current tech—the kiosks and border technology—was up and running. I think maybe it took a bit of time for countries to fully realise the potential of such tools in the process, but the good news is that that vision is becoming clearer. There is an appetite and ambition on the horizon that we will continue to push. Having a border app at some point in the future is becoming more of a real prospect.

Baroness Bertin: It seems surprising, given that you have had a long time to think about this, that this is in such a nascent place. Perhaps it is to do with security of the tech. Is that a concern, do you think?

Simon Lejeune: I cannot respond on behalf of the border agencies. The Frontex app has to be integrated into each national system; it is not just an off-the-shelf solution. There is a lot of integration work that is part of the solution.

The Chair: Sorry to intervene, but to be absolutely clear, the technology, as we understand, exists, and the decision not to use it lies with the member states within the Schengen area. Is that correct?

Simon Lejeune: That is correct.

The Chair: They have known this app has been available. It was in its nascent stage three or four years ago, when we were first looking at this. Has anybody explained to you why we have had to wait so long for something that is so obviously desperately needed?

Simon Lejeune: As Simon was reporting, the Frontex app came out only last year. It is about how you imagine the potential of that app and integrate it into the various national solutions for EES. That is what has caused the time.

The Chair: We last investigated this over a year ago. We were told then categorically that the iPad system was almost ready. A year later, you are telling us that nobody is using it because it has not been taken on board and integrated. It is deeply frustrating. I know you want to come back on that but Baroness Bertin has a question.

Baroness Bertin: Just a final question, moving on to a slightly different point, though still consumer-based, about the costs of the delay and of the whole infrastructure. Has that been passed on to the consumer?

Simon Lejeune: Do you mean the delay in the introduction of the EES?

Baroness Bertin: The whole thing—the whole cost of it. I want an honest answer as to whether it has been passed on to the consumer.

Simon Lejeune: From our perspective, we have invested quite significantly, as I have mentioned, and our investment was within the context of the growth that we are facing. Eurostar keeps on breaking records. We are seeing year-on-year growth. Having a border capability that can support that growth, particularly at St Pancras, was paramount. Investing in the integration of the EES and in the context of future growth was paramount.

We did have some financial support from the UK Government. That was provided to the juxtaposed ports: Eurostar, Eurotunnel and the ferries.

Baroness Bertin: Am I to take that as a yes, that the tickets did go up as a consequence?

Simon Lejeune: We have not increased our ticket prices as a result of EES. We have invested and we have had contributions from UKG. We have also had investment from the French Government and the 24 kiosks that were initially provided. I do not think we could say that we have passed on that additional cost to the passenger.

Simon Calder: Looking at it from a basic business point of view, Eurostar has had a cost I estimate at £6.5 million for the installation, which is a cost to the business. Eurotunnel, or Getlink, has invested almost £100 million in the system. That being a cost, it will be ultimately met by either its shareholders or its customers, whereas the costs of the overall scheme in general are being met from EU funds, for the framework, or by member states. Down the road, they will be hoping to make savings when the whole system is up and running, because it may be more efficient than the present arrangements. A lot of that depends on e-gates, which is an entirely different story.

The Chair: The one piece of really good news is I have just been informed that in fact the iPad system, which is going to be used at Dover, is now available.

Q34 **Baroness Buscombe:** I went through Eurostar and the process from St Pancras last month. Okay, it was last month, but I was really impressed at the number of people who were working there. The relationship between both sides, France and England, felt incredibly positive. I think there is quite a good story to tell, and it felt that the preparation was very good.

The obvious question—Simon, I know you were asked this on GB News radio yesterday, or perhaps talkRADIO—is this: what is going to happen once we have all been through the system once, and had our biometrics taken and everything else? Am I then able to go through a different queue, with those who have already signed up to the system?

Simon Calder: My understanding is that you definitely will not. The only people who get a separate queue are EU and Schengen nationals, who will at all times be given priority. The only difference is that you will not need to give your fingerprints again. Once you have registered those, that should be it.

I am having discussions with the Home Office at the moment. It maintains that those fingerprints are valid for a rolling three years, so that if you go through again within three years you get another three years, but expire when your passport expires. My contention, having read the directives, is that it will know that, say, the Lord Chairman has registered, and will know his face and fingerprints, and therefore were he to get a different passport it would not matter, because they would be the same.

Baroness Buscombe: I would have to wait behind everybody doing it for the first time. I did not realise that one's fingerprints actually change after three years.

The Chair: We will ask Professor Vavoula to pick up on the rolling three years and when you renew your passport when we come to the next question. We are now going to move on. We have a series of specific issues, so we will deal with them relatively quickly.

Q35 **Baroness Hughes of Stretford:** Good morning, everybody. This question is primarily for Professor Vavoula and Simon Calder. You have touched on some of the information relevant to this question already, so perhaps it can be brief. How has the introduction of the EES varied by country? Do you have any other intelligence about which countries are the most advanced and what the timetables are for other countries? You have mentioned three that went live on day 1 to various extents, if not perfectly, but what does the whole picture look like, as far as you know?

Simon Calder: If I may pick that up ahead of the Professor, it is an interesting variation. I do not have full responses from everybody. For example, a typical case would be Romania, where it has said it is going to implement this at a quite small Transylvanian airport, Sibiu, from the first day and then extend it to other airports gradually. It has road crossings and rail crossings from Moldova, and in time Ukraine, so it will be rolling it out slowly across those. Generally, it is a matter of wait and see. Once we get some learnings—Mr Lejeune has been describing those very well—then countries will be more confident.

Germany, for instance, said that on day 1 it would be Dusseldorf Airport, and that is all it would be doing—clearly, it does not want possibly to contaminate Frankfurt and Munich, their main hubs, by having problems there. Elsewhere, I have my eye on Charles de Gaulle Airport in Paris. Between 5.45 am and 6 am there are nine wide-bodied arrivals from all parts of the world outside the Schengen area, so you are looking at maybe 2,500, 3,000 people all converging on those kiosks. That is going to be quite lively.

Baroness Hughes of Stretford: Thank you. Before I invite Professor Vavoula to come in, is there an ambition of a time when this will be a universal system?

Simon Calder: Sure—170 days is when everybody is supposed to have completed everything, and then you have 10 days for people who are a little slower to catch up. On 10 April next year, analogue processing will be switched off, although my understanding is that there will then be the opportunity within the next 60 days to swerve the EES if queues are building up. There is a lot of flexibility if you are a member state, and my understanding is that many of them are taking advantage of it. It is only places such as Estonia and Luxembourg, which has one international Schengen frontier, the airport, that are moving ahead immediately.

Associate Professor Niovi Vavoula: I would like to make one comment on the Frontex app that was mentioned earlier. Sweden has already indicated its interest in the use of the app at selected border points, including Arlanda Airport, but a series of other member states—particularly Portugal, Italy, Hungary and Greece—have indicated their wish to use the app. France, Germany and the Netherlands will do pilot testing in the next year.

My understanding is that this has slowed down because they want first to make use of the kiosks and see how the phased approach to the EES will take place at the actual border crossing points before going into working on the app. However, there is further information in non-public EU documents. That is a problem with transparency, because we cannot find much information.

That brings me to the second point, which has to do with the readiness and preparedness of member states. I have talked with various representations within the Council of the EU. In specific documents, all participating countries have, in principle, declared their preparedness in operationalising the EES. However, to back up with additional information, we know that the three most prepared countries were supposedly the Czech Republic, Estonia and Luxembourg. As mentioned by Mr Calder, Luxembourg has only one border crossing point, so that was easier on their part. There is no land border or sea border, which are far more complicated. That explains also the phased approach.

In other countries, the operation of the EES has started in single airports. For Germany, this is Düsseldorf. For Norway, this is Oslo. In Spain, the EES has been first operational in the airport in Madrid. Other airports will follow, and then Spain's land borders, and at the end the sea borders. However, it is not clear if the crossing from Gibraltar will be included. Under a new treaty, the British Overseas Territory will soon be subsumed into the Schengen area in all but name. From that perspective, it may not be a border crossing point there.

Spain has been a country that is very much of interest for the United Kingdom, but it has taken a very phased approach to the EES, with a lot of flexibility. The timeline is unclear as to when the other major airports are going to operationalise the EES. As you know, the regulation on the phased approach to the EES provides a lot of flexibility. It gives some goals—the number of days and what participating members states need to do within those specific timeframes—but at the end of the day it is a

matter for member states to have a national rollout plan as to when, where exactly and how the EES is going to be operational.

The Chair: Before we move on, on the issue of the three years, can you tell us your understanding of what the requirement is? Is it going to be that after three years, you will have to do it all again, or is it a rolling three years, so that if you have not been into the Schengen area for three years you will have to do it again?

Associate Professor Niovi Vavoula: It is the latter. Article 34 of the EES regulation says that the data will be kept for three years following the last exit records and will be deleted after that if there is no further entry. For regular travellers, the data will be continuously kept and the three-year period will be renewed every time a person exits and has an exit record on the Entry/Exit System. There is the possibility, on the basis of consent, for individuals to say that they want their data to be kept for five years if there is no exit record, but that is a whole other question. In principle, the data are being kept for three years following the last exit record.

The Chair: It is a rolling three-years. That is very helpful to clarify that and helpful for people travelling to know, which is the next issue.

Q36 **Baroness Prashar:** Have the UK Government done enough to communicate the changes to British travellers?

Simon Calder: That is a good question. It is a very difficult one for the UK Government because their hands are completely tied. I hate to mention the EU referendum but obviously the UK was fully engaged with the initial stages of the Entry/Exit System. I am not sure that, during the exit negotiations, the fact of the Entry/Exit System was really considered.

The UK Government are in the difficult position of this being done to us and there is nothing that we can do. You can turn up at London St Pancras and find that you may or may not have to go through the EES process during the first six months, but after that you will. Crucially, you do not need to prepare anything in advance. I think there has been a lot of confusion about the Entry/Exit System, which is a necessary condition for the ETIAS scheme. A lot of people think that from 12 October they need to do something. They do not need to do anything.

The Chair: Can we leave that, because we are going to come on to it in a second?

Baroness Prashar: Is there anything you wish to add, Mr Lejeune?

Simon Lejeune: We have been working very closely with the Department for Transport and the Home Office around that, particularly in the context of juxtaposed controls and the potential impact on UK soil that the EES will have. Communicating with passengers has been a feature of that preparation. We have seen that awareness has increased. We did our own polling just last week to gauge the awareness out there for London and the south-east. We are seeing a pretty good awareness around the EES and more specifically, prospective passengers

understanding more what it means for them and the process that they have to conform to when travelling to Europe.

Baroness Prashar: Could the Government have done something better? You say this has been done to us. On the other hand, passengers are affected and so the Government have published some information.

Simon Calder: It is really difficult. First of all, the Government have obviously got lots and lots to do. Secondly, in my experience, travellers, and I include myself in this, are a bit muddled about the EES, ETIAS, EST and the ETA—nobody quite knows what is happening. A lot of people think that they are going to have to be fingerprinted coming into the UK, which is clearly not going to happen. I would say that the Home Office comms have been pretty reasonable and well-timed, saying to people a few days ahead that this is coming in, they do not need to worry about it but there will be changes.

The overall message, which includes the travel industry, was to allow extra time. We had a senior figure from the travel industry, Julia Lo Bue-Said, the chief executive of the Advantage Travel Partnership, warning on Radio 4 that you could have to wait up to four hours. I think we are a long way short of that, but it emphasises that all you can do is be patient.

Baroness Prashar: Are there misconceptions about the EES and e-gates?

Simon Calder: Yes. I am not sure that the Government particularly helped. Coming back from a meeting in Brussels, I think—forgive me—the Prime Minister said something to the effect of, “I have great news. You will be able to get on your holidays faster because the EU has agreed to improve access to e-gates”. That was an unusual thing, I felt, for the Prime Minister to say, because that is now for the EU member states.

One of the many questions—I am sure Professor Vavoula has done this as well—I have made to the member states is about whether, when this starts, there will be any change to e-gates. They are saying no. For instance, Estonia, which is way ahead in its IT, said, “We are hoping that Brits may be able to use them by 2027”.

A lot of people will see these kiosks, cameras and so on and think it is an e-gate. It is not. It is a kiosk. The e-gates are over there, and if you are lucky you may be able to go through them—and all those smiling people rushing to the bar or the beach are the lucky people who have Irish ancestry and therefore an Irish passport.

Simon Lejeune: On the topic of e-gates, we are very lucky in that non-EU passengers, UK nationals, can use e-gates in St Pancras and in Paris. With the EES, that will not stop. There will be an additional step in the kiosk process, but UK nationals will still be able to enjoy the use of the e-gates that we have invested in and which are fully EES compatible.

Q37 **Lord Tope:** Do you expect that the introduction of ETIAS will follow EES smoothly and on time or do you have concerns about this and, if so, what are they?

Simon Calder: I do not really have concerns except in making sure that people understand what they have to do. If the EES is running on time and has been successfully launched then there is a very clear pathway for ETIAS, which is that it will come in six months after the EES is fully operational. It will be optional for the first six months, which is very nice of them, and then, even when it is not optional, you will still get a free pass. If you turn up at London St Pancras and have not got your ETIAS, there is still scope for you to be allowed one strike before you are out.

If the EES works, the ETIAS should be just an extra layer of red tape on top and something that I cannot see necessarily any problems with. It is more about communicating to people that the EES is up and running and this is the next thing, for which you are going to have to prepare something in advance and pay €20.

Associate Professor Niovi Vavoula: I agree that there are some concerns. I am a little more pessimistic about how smooth travelling will be following the subsequent and concurrent operation of the EES and the ETIAS, and at the same time the visa for visa-requiring travellers. There are going to be too many databases operational at the same time at border crossing points.

You have to understand that the operationalisation of ETIAS presents additional technical challenges because it relies quite a lot on the work of ETIAS central unit within Frontex. It requires the division of algorithms. It relies on the operation of all the other large-scale IT systems to do the cross-checks of passengers—not only the entry/access system but the other databases that are operational—which means that there is a whole network of systems that need to work smoothly and at the same time. On the one hand, we have three databases that are very much operational for quite a number of years, but putting in additional layers one after the other may create a lot more glitches than one might think.

The concurrent operation of the EES and ETIAS may confuse the travellers even more. As was mentioned, for ETIAS there is a requirement to prepare something in advance. For the two systems to work well, from a technical perspective the EES must function so that it feeds data to ETIAS, so that ETIAS can do its checks on pre-screening the travellers. On top of that, the two systems need to work well together at the same time at the border crossing points in order to allow for the registration and checking of ETIAS authorisation by border guards, or the visa authorisation for visa-requiring passengers.

We see additional layers of border security, which I believe will, for some months at least, require a lot of navigation, guidance and help from the EU agency that is responsible for the operational management of the systems, and may lead to a lot of variation of practices at the national level.

The Chair: You have taken us into fascinating areas that I know Baroness Cash was actually going to raise. Is there anything further on that particular issue, while we are on it, that you want to raise, Baroness Cash?

Q38 Baroness Cash: The data sharing aspect of this is really important. Professor

Vavoula, we would love to know a bit more about the plans for data sharing. What is going to happen now as the system rolls out and what is envisaged to happen later? What is your view on the reliability of that data and the likelihood of it being successfully shared?

Associate Professor Niovi Vavoula: Thank you very much for the question. Basically, ETIAS does pre-screening of travellers. One of the requirements and criteria for that pre-screening has to do with the entry/exit record of travellers in the past. The entry/exit record, which determines whether someone is a bona fide or a mala fide traveller, creates statistical data that are then fed into the algorithms. This is one of the criteria for determining whether a traveller should get an ETIAS authorisation, as is whether someone has an alert in the second information system, for example.

The reliability of the Entry/Exit System data is crucial, because even the statistical data that are produced are not reliable enough and are not going to be able to be fed into the algorithms of ETIAS. I believe that, for some months, and considering the degree of flexibility that member states have in operationalising the Entry/Exit System, it will create inadequate and inaccurate statistical data in the Entry/Exit System.

We heard earlier in the testimony by Mr Calder that he went through the system three times. That is an example of inadequate data without an entry record at the same time. Three exit records and no entry record. Already that demonstrates that the statistical data are not going to be of good quality and any feeding of them into ETIAS will produce inaccurate results.

Baroness Cash: Crikey. While we have the benefit of your expertise in this, how serious an issue is this? What do you hope to see happen with the scale of the problem?

Associate Professor Niovi Vavoula: I believe that, for some months, the data should not be used. Already the regulation from 2025 on the phased approach demonstrates that the data, for instance, should not be used in order to determine the maximum duration of a person's stay within the Schengen area. There is already consideration that the data in the EES will be incomplete and thus inaccurate.

The degree of the problem depends on the implementation. If the implementation is with inaccuracies, is incomplete or takes a pick-and-choose approach to travellers, it will create more and more problems in the data that the Entry/Exit System produces. I believe we need a period of time for the system to fully roll out and for glitches and problems to be resolved, making sure, with an evaluation, that the data are of good quality in order to be used further in ETIAS or elsewhere.

The Chair: Professor Vavoula, this is a really important issue you have raised and I think members of the committee are clearly somewhat shocked by what you have just told us about the potential problems and the way you have described it. Rather than us asking you for further details, would you be kind enough to quite urgently give us a note on these issues? In particular, could you add to that the issue of the

sharing of data that is gathered with the UK? Following Brexit, we have lost out on access to a number of databases and clearly this database, about people moving around, would be very helpful to us.

Given that we have a number of other important questions, I hope both of our witnesses will be happy to stay for another quarter of an hour or so, if colleagues can be fairly quick. I am very anxious that we pick up the various other points. If you are happy to do that, Professor Vavoula, we will move on.

Q39 **Baroness Hughes of Stretford:** I would like to raise the question of the impact of the ETA that the UK has introduced. Do you have an impression of the impact that has had on tourism and businesses in particular? Do you sense that visitors from non-visa countries are sufficiently aware of the need to have an ETA? Do you know of any great problems with its administration?

Simon Lejeune: Thank you, Baroness Hughes. Just as we worked incredibly closely with the continental border authorities, we have worked very closely with UK Border Force around the ETA rollout and particularly how we engage with our customers and ensure that they know they have to prepare for ETA.

The good news is that our compliance levels are incredibly high. We are seeing overwhelmingly that people are arriving with the ETA before they arrive at the UK border. For us, it is a good result at this stage. We want to continue to find ways to engage with our customers to make sure they have ETA and to explore technological avenues. We ask our customers to give advance passenger information. Is there the means through that process that one can check whether they have an ETA? That is an opportunity to remove from the station or port the transaction or discussion. At the moment, we think it is going well, but let us see what technology can bring to make sure that we can remove any discussions or transactions from the station going forward.

Baroness Hughes of Stretford: From your perspective, you say that you think your customers are aware of it and are generally complying. Would you say that you have not seen a diminution in the flow of tourists or an impact on business?

Simon Lejeune: Like 2024, 2025 is seeing record-breaking volumes at Eurostar. In our stations we beat daily, weekly volumes over the summer. It has shown there is a big appetite—

The Chair: Sorry to interrupt. Am I not correct that, when the ETA was first introduced in the Gulf countries, there was a significant drop in the number of people travelling from Gulf countries to the UK?

Simon Lejeune: Forgive me, I cannot comment on that.

Simon Calder: If I may, that was largely because of—how can I put it?—the bold decision by the UK to say that you have an ETA even if you are only arriving at Heathrow, having an overpriced cup of coffee and then getting on another flight. That was dropped very early on before it was rolled out to everybody else.

The Chair: Following a recommendation of this committee.

Simon Calder: Exactly. It is very difficult to detect what impact the ETA is having on tourism because we are in the middle of a difficult time for inbound tourism because of the decision, four years ago, now to ban anybody who does not have a full passport. That has disfranchised 300 million EU and Schengen citizens, which clearly had an impact. They can go to 30 other countries without any extra bureaucracy. To come here, they have to get a full passport and then they have to pay £16 to get in. I always watch the DCMS figures on tourism with interest.

Q40 **Lord Henley:** I will move on to concerns about UK/EU dual nationals travelling between the UK and Schengen. Is the official guidance clear enough, and how are UK dual nationals resident overseas affected by ETA?

Simon Lejeune: We are fortunate and lucky to have many dual nationals travelling with us. Our communication has encompassed that particular segment of passengers, making sure that they know what is expected at the border. We engage significantly, particularly with the development of the travel checklist tools, and guide them in each of our stations. That has been a key objective for us. We designed specific communications for them to help them through that process. They have the best of both worlds, frankly, with regard to the process.

Lord Henley: That is your own guidance you are talking about. I was thinking particularly about the Government's guidance. Do you have any concerns about that?

Simon Lejeune: No concerns to report.

Simon Calder: I think that an awful lot of people with dual nationality are simply doing the fairly obvious things, which may not be entirely in line with Government advice. If, let us say, you have an Italian passport, you will always use that passport going out in order to jump all the queues and get into the Schengen area quickly, and then coming back you will use your British passport because you do not want an ETA. For anybody who has an Irish passport, that is the most valuable document in the world, because it means no ETA and it gets you through Schengen as well.

The Chair: But if you have dual French and British passports, once ETIAS is in place—ETA is already in place—will you then be able to go in with one passport and out with the other?

Simon Calder: Yes. I cannot see anything that will affect this. Crucially, if you are going with a French passport into France then all that is happening at the frontier is that they are checking that it is a valid document and it belongs to you. They are not recording your movements in and out. I believe that is correct—Professor Vavoula is nodding, which is encouraging to me. The fact that you have effectively entered but then not left is not relevant. You would need to use the same passport going out, otherwise they would say, “Where is your stamp to come in?” Then you stick to the UK one when you are coming back, but you always have to have both passports with you and remember which passport you have given to the airline.

The Chair: So why is it then that the carriers have been told that they are to check and ensure that that does not happen?

Simon Calder: I cannot comment on that, but the fact is that the—

The Chair: Mr Lejeune, you can probably help us. Is it the case, as we understood from earlier evidence, that carriers are told that they have to check that somebody who travels one way on one passport travels the other way on the same passport? Professor Vavoula, you know the legislation. Perhaps you can tell us.

Associate Professor Niovi Vavoula: As far as I understand, this should not be the correct guidance given to the carriers. As mentioned earlier, whoever goes into the EU, they are travelling as EU travellers and EU citizens. They demonstrate that with their EU passport, which shows they have the right to enter the EU. They go back to the UK on their UK passport, and therefore they also are not registered on the ETA. Therefore, unfortunately, they need to carry both. Any other advice is contrary to EU free movement law.

The Chair: I think this is really important. Once all the systems are in place, is it not the case that, when you book a return flight, for example, you can use only one passport?

Simon Calder: Operationally, there is absolutely no problem. I fly, for example, on Ryanair a lot. If I were lucky enough to have two passports, I would give them my European passport for the journey out and the British one for the journey coming back. Because I have the opportunity when checking in online to declare what document I want to use, they are perfectly happy with that. They are running an airline; they just want to know that it is me. They are agnostic about which passport I am using.

Associate Professor Niovi Vavoula: If I could add one last point before moving on, if a UK national is residing in the EU then they will have to use their British passport from the UK to enter the EU, but if they live in the EU they may also have to show the EU passport to the carrier to show that they have a right to live in the EU. For dual UK nationals living in the EU, they may have to show to the carrier both passports at the same time.

The Chair: I think we will put a towel over our head and go into a dark room and think that through. It is even more complicated in the common travel area. Let us move on to that.

Q41 **Baroness Cash:** Professor Vavoula, I would like to go back to data sharing, specifically in relation to the United Kingdom and Ireland, and the border there. This has been troubling the Irish Government, as well as British politicians. The Irish Justice Minister has been quoted as saying that something like 87% of asylum seekers or protected status seekers in the south of Ireland are coming in through the border with Northern Ireland. What I am trying to understand here is whether this will make any difference. Will the common shared agreement from 2025 make

any difference to improving that situation?

Associate Professor Niovi Vavoula: To clarify, you are talking about the potential data sharing between Ireland and the United Kingdom if Ireland has an ETA of its own. This is a very interesting question and I have given good thought to it, because we see that Ireland is progressively integrating EU asylum law. You may be aware that the vast majority of the new EU pact on migration has been integrated by Ireland. The two legislative instruments have not been integrated—the screening regulation and the return border procedure regulation—are none the less integrated without opting in. Even if Ireland is not officially opting in to the instruments, they are still going to implement in practice. We see a lot of rapprochement between Ireland and the EU as regards asylum. At the same time Ireland, will not be a member of the Schengen area anyway.

If it operates an ETA, that database will have a series of data that will be of interest to the United Kingdom. The main limitation and constraint will be that Ireland will still be bound by EU data protection law, in particular the GDPR, as regards data transfers to third countries. To the extent to which the United Kingdom is a third country to Ireland, which is not bound by the GDPR but at the same time has an adequacy decision by the European Commission that basically says that the UK has an adequate data protection framework, this will be the framework within which the data sharing should take place. The limitation on EU law will be precisely that. The UK needs to remain a country that offers an adequate data protection framework. For now, this is the case, but this is subject to review every four years.

It is in the interest of the UK to remain a country with an adequate data protection regime, which means basically equivalent to the EU one, in order to be able to profit from potential exchanges of personal data with Ireland on that front.

Baroness Cash: Can I check I have understood that correctly? The common understanding between the EU and the UK requires the UK to have a proper data protection regime, and at the moment we satisfy that so we should be receiving the information. That applies to the border between southern and Northern Ireland, or should do?

Associate Professor Niovi Vavoula: The common understanding says that there is a commitment to exchange further data between the EU and the UK. This is very important. As you know, the UK has lost access to both Eurodac and the Schengen Information System. Therefore, whatever additional information it can have on immigration—especially to tackle human smuggling—is very important for the UK.

For now, the common understanding from a few months ago is the basis under which the UK and the EU could work on an additional agreement on exchanges of personal data. In this particular field, the UK needs to retain the adequacy decision at all costs.

There are some concerns, because there is an exception on immigration data in the UK data protection regime, so that is, for me, a thorny topic. The UK may need to

provide adequate safeguards as to how they will use data on migration because of this particular exception in the data protection regime. But it is likely that this will be sped up, because we see two developments that are very important. First, the EU is already entering negotiations on an agreement with the United States on the exchange of data for identification and security screenings. Immigration information in the future is to be potentially shared with the United States. That is a very important development.

In the past, the European Commission has consulted on the potential introduction of legislation that will involve reciprocal cross-border exchanges of data between the EU front-line guards and selected third countries. I believe the UK, with the adequacy decision, is a prime contender to be a key player in that field. This has not been followed up; in the last two years I have never seen any proposal, but we see movement with the United States. The common understanding may provide the impetus for future developments in this field.

The Chair: That is very helpful, and an issue we shall pursue. We are grateful to you for raising it.

Baroness Cash: The converse of what you are saying, Professor, is that if the Irish Justice Minister has said they are concerned that 87% of inbound asylum seekers are coming from the border with the north, that is an incentive for them to share information and to look at this from that perspective. Am I right?

Associate Professor Niovi Vavoula: Yes, but Eurodac data cannot be shared by Ireland with the United Kingdom. There is no possibility of doing that with third countries. With the new Eurodac rules, it may be feasible, but I will have to look at that, as it involves only returns. However, this is definitely an incentive.

Baroness Cash: We will follow that up.

The Chair: If we can, we will be in touch to discuss that further outside the meeting.

Q42 **Lord Tope:** The last question. Can you tell us what the lessons the UK and the EU can learn from their approach to the introduction of EES and ETA over the last few years? Mr Calder, do you want to go first?

Simon Calder: Thank you. It is an absolutely revolutionary step, which we have never as third-country nationals ever experienced. Bear in mind that, when the EES was first talked about, this was going to affect people from Venezuela, America and Australia and would never involve the UK, which by far will be the main customers of the EES.

Given that we have had quite a lot of years, it is slightly disheartening, but rather beyond the control of the UK Government, that here we are, as Professor Vavoula has been saying, with so much divergence across the EU. For example, I have just discovered—and am delighted to learn—that if I go to St Pancras I will not be asked to prove that I have somewhere to stay, whereas if I go to the Czech Republic they

want to know what sort of spa break I am on. It is an exercise in demonstrating that the Schengen area member states are indeed sovereign and will do what they like.

I hope that, a year from now, we are all in a position where it has worked and we are moving on to the next stage, hoping—given Professor Vavoula’s concerns—that ETIAS will work. But let us get through this bit first.

Simon Lejeune: Lessons learned from the Eurostar perspective include that preparation will enable an optimal solution for these big steps that travellers will be faced with only if there is close co-ordination and collaboration between the transporter and the border authorities. Something we are very proud of at Eurostar is working hand-in-hand with French border police, UK Border Force, Belgian federal police and the Dutch Marechaussee, making sure that there is close collaboration around our challenges of maintaining flow and giving a customer experience within the context of secure borders. That is absolutely key.

Another lesson learned—we have touched upon it several times during this session—is digitalisation and how tech can help move some of these processes that are having to happen at St Pancras, Paris, Brussels, Amsterdam, Rotterdam and Lille. Tech can enable securely moving those away from there, with the advent of the Frontex app. I think we will be in a much better position in the next few years.

Associate Professor Niovi Vavoula: I think it is a little early to say what lessons are to be learned. We have to see how things go. I believe that this phased approach has helped. There is a need for more co-ordination and clearer communication with the travellers who ultimately feel the impact of these new measures. We must see further oversight of these new systems and, most of all, monitor the impact on individuals, how the systems work and whether they are, in the end, worth the huge investment.

The Chair: But you would at least agree that the decision to have a phased introduction of EES is probably a very sensible lesson to learn, having initially tried a big bang approach.

Thank you to all of our witnesses. We have gone well over time as a result of the fascinating information that you have given us and your thoughts. It has been enormously helpful. Thank you very much indeed.

Professor Vavoula, we will be in touch with you rapidly, and thank you for offering to give us some further information. If either of the Simons have anything further they would like to have said but did not, please get in touch with us as quickly as possible. With that we must bring the session to an end.