

To: Mr Matthias Oel

Director/ EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS
Directorate B: Borders, Interoperability and Innovation

Tallinn, 14 January 2022

Subject: Written Question [E-5262/2021], submitted by MEP Patrick Breyer (Verts/ALE) to the Commission on the Introduction of the planned Entry/Exit System and the requisite technology

Dear Mr Oel, *Dear Matthias,*

In reference to your letter ARES(2021)7766989, dated 15.12.2021, concerning the questions of MEP Patrick Breyer questions on the Introduction of the planned Entry/Exit System and the requisite technology, please find below the contribution of the Agency to the reply that DG Home needs to prepare.

Question #1. *“Which contractor is specifically responsible for the delay in launching the EES, and precisely what errors were made according to the information available?”*

EES implementation is a very complex program involving implementation of several interconnected building blocks, in particular the EES Central System (including the NUIs already deployed in the Member States), the shared Biometric Matching Service, the modifications introduced on VIS in order to comply with the EES Regulation; the web services for the carriers and for travellers. With exception of modifications of the Visa Information system all the other building blocks are being developed by the LIA consortium of companies that include IBM (leader), ATOS and Leonardo. The consortium was selected through a competitive tendering procedure executed by eu-LISA.

Since the start of implementation of the EES program eu-LISA, together with the Member States and the Commission, has done its utmost to ensure that the planned work is kept on track despite the substantial impact of the COVID-19 pandemic on the planned activities at central and national level and disruptions of the global supply chains.

Nevertheless, in the course of 2020 and 2021 the consortium accumulated substantial delays in execution of the planned tasks for development and testing of the EES central system that were not able to be compensated despite the efforts and mitigation measures put in place by the Agency, Member States and Commission. The main reasons for the accumulated delays could be summarized as follows:

- the consortium substantially underestimated the complexity of the work for development and implementation of EES;
- the allocated to the program team was not sufficiently staffed and was missing relevant expertise in key areas;
- internal coordination and planning between consortium members and information sharing with the Agency was not efficient;
- quality of key deliverables did not meet requirements and as a result more time than planned was necessary for their finalization.

Despite the numerous requests of eu-LISA the shortcomings elaborated above to be addressed, the consortium failed to respond in a timely and efficient manner.

It should be noted as well though that in addition to the building blocks of EES at central level the readiness of the relevant systems of Member States and other Agencies to be connected to the Central EES system, and preparedness of the border crossing points at the external borders of the EU to start using EES, are two other important prerequisites for successful implementation of EES.

Considering the accumulated delays at central level and the difficulties that many Member States faced with implementation of the national activities, after October 2021 it became clear that originally planned Entry-into-Operations date for EES in May 2022 could not be met. Subsequently, eu-LISA elaborated and analysed several alternative scenarios for continuation of implementation of EES. These scenarios were discussed in the governance bodies of the Agency, namely the relevant Advisory Groups, Program Boards and the Management Board of the Agency. Based on those discussions a recommendation to the JHA Council has been prepared. On 9th of December the Home Affairs Ministers agreed to move the Entry-into-Operations date of EES to the end of September 2022.

eu-LISA remains available to provide further information concerning reply of the question of MEP Breyer as needed.

Yours sincerely,

Krum Garkov

Executive Director