

# **DG-Home Handbook Tool**

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# List of terms and definitions

#### Accelerated procedure

An expedite procedure to examine an application for international protection which is either deemed manifestly unfounded involving serious national security or public order concerns or is a subsequent application.

## Access to data for identification

The border authorities or immigration authorities shall have access to search with the fingerprint data or the fingerprint data combined with the facial image, for the sole purpose of identifying any third-country national who may have been registered previously in the EES under a different identity or who does not fulfil or no longer fulfils the conditions for entry to, or for stay on, the territory of the Member States.

## Access to data for verification

For the purpose for verifying the identity of the third-country national, or checking or verifying whether the conditions for entry or stay on the territory of the Member States are fulfilled, or both, the immigration authorities of the Member States shall have access to search EES with the data referred in the EES Regulation (EU) 2017/2226 (points (a), (b) and (c) of Article 16(1) and point (a) of Article 17(1)).

## Additional data

The data stored in SIS and connected with alerts in SIS which are to be immediately available to the competent authorities where a person in respect of whom data has been entered in SIS is located as a result of conducting a search in SIS.

## Administrative hit

Informing another Member States that a search carried out during an administrative procedure has revealed the existence of an alert and the action to be taken could not carried out. H form is to be used.

## Admission of an application

Admission and subsequent processing of an application for residence issued by a Member State, for acquiring the nationality of a Member State or international protection from a Member State.

## Advance data erasure

Regarding the amendment of data and advance data erasure (Article 35 of the EES Regulation (EU) 2017/2226), the Member State responsible shall have the right to amend the data which it has entered in the EES by rectifying, completing or erasing the data.

## Advanced Passenger Information

Advance passenger information (API) is data collected by air carriers at check-in and sent to border control authorities in the country of destination.

# <u>AFIS</u>

Automated Fingerprint Identification System

## <u>Alert</u>

The competent authorities can refuse entry of the third-country national at the border if he/she is a person for whom an alert has been issued for the purposes of refusing entry, in the SIS and in the national register.

## <u>alert data</u>

A set of data entered into SIS allowing the competent authorities to identify the subject of the alert with a view to taking specific action.

## <u>alias</u>

'alias' refers to an identity that is suspected of being false or assumed.

## <u>Alien</u>

Any person other than a national of a Member State of the European Communities.

# <u>Alphanumeric data</u>

The data represented by letters, digits, special characters, spaces and punctuation marks.

#### <u>Alphanumeric search</u>

Search/query performed with data represented by letters, digits, special characters, spaces and punctuation marks (e.g., names, date of birth, nationality).

## Amend the data

Amending data means updating/changing/modifying the data in an EU information system according to the applicable rules of that system.

## Amendments in VIS

In case a Member State has evidence that visa-related data recorded in the EES requires changes, the Member State shall check the accuracy of those data against the VIS and, if necessary, rectify, complete or erase them from the EES. Where a decision has been taken by the visa authority, to annul or revoke a visa or extend the period of validity of a visa, the visa authority that has taken the decision shall export the required data from the VIS into the EES.

#### Annul short stay or visa

The data to be added where an authorisation for short stay or visa is annulled, i.e. the authorization is cancelled or declared as invalid, as the conditions for issuing it were not met.

## <u>ANPR</u>

Automated Number Plate Recognition Systems. To be used with exchange of information related to hits on vehicles from automatic number plate registration systems.

#### ANSI/NIST-ITL 1-2011: Update 2015 standard

The ANSI/NIST-ITL 1-2011 Standard concerns the 'Data Format for the Interchange of Fingerprint, Facial, Scar Mark & Tattoo (SMT) Information', which is accessible on the following link: <u>data format interchange fingerprint facial other</u> <u>biometric information ansinist itl-1-1</u>

#### App for mobile devices

A software application designed to run on mobile devices such as smartphones and tablet computers.

#### **Applicant**

Any third-country national (referred to in Article 2 of the ETIAS Regulation (EU) 2018/1240) who has submitted an application for a travel authorisation.

## **Application**

There are different types of usage of the term applications:

- The automated calculator in the EES shall inform the competent authorities when examining and deciding on shortstay visa applications;
- Visa authorities shall consult the EES for examining visa applications and adopting decisions relating to those applications;
- The competent authorities shall use the EES for examining applications for access to National Facilitation Programmes (NFP).

#### Application for asylum

Any application submitted in writing, orally or otherwise by an alien at an external border or within the territory of a Contracting Party with a view to obtaining recognition as a refugee (in accordance with the Geneva Convention, as amended by the New York Protocol), and as such obtaining the right of residence.

## Application for international protection

Any request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection outside the scope of <u>Directive 2011/95/EU</u>, that can be applied for separately.

## Art. 26 of Regulation (EU) 2018/1862

Alerts on persons wanted for arrest for surrender or extradition purposes.

# Art. 3 of Regulation (EU) 2018/1860

Alerts on return.

Ireland does not participate in this alert category because it does not apply the Schengen acquis related to borders and

visa.

## Art. 32 of Regulation (EU) 2018/1862

Alerts on missing persons and on vulnerable persons to be prevented from travelling.

Art. 34 of Regulation (EU) 2018/1862

Alerts on persons sought to assist with a judicial procedure.

Art. 36 of Regulation (EU) 2018/1862

Alerts on persons and objects for discreet checks, inquiry checks or specific checks.

Art. 38 of Regulation (EU) 2018/1862

Alerts on objects for seizure or use as evidence in criminal proceedings.

## Art. 40 of Regulation (EU) 2018/1862

Alerts on unknown wanted persons for the purposes of identification under national law.

Article 21 of the Treaty on the Functioning of the European Union

Under Article 21 of the Treaty on the Functioning of the European Union, every citizen of the Union has the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaty and by the measures adopted to give it effect.

## Arts. 24 and 25 of Regulation (EU) 2018/1861

Alerts for refusal of entry and stay

Ireland does not participate in this alert category because it does not apply the Schengen acquis related to borders and visa.

#### <u>Ashore</u>

In the EES context, in case a third-country national coming in a cruise ship stays, for example, 1 day trip in a Member State for touristic purposes, it is not required to be created records in the EES for the persons going ashore.

## Asylum seeker

Any alien who has lodged an application for asylum within the meaning of this Convention and in respect of which a final decision has not yet been taken.

## Attachments to SIRENE forms

Member States may add attachments to SIRENE forms. A SIRENE form can only be accompanied by a maximum of five files. There are no specific size limits for the files attached to SIRENE forms as long as the total size of the whole message does not exceed 10 MB.

## Authorisation for short stay

Concerns the third-country nationals admitted for a short stay in the EES.

# Authorised number of entries

Carriers shall launch a query to verify whether the number of entries authorised by a visa has already been used through the 'Carrier Interface'. The EES <u>Regulation (EU) 2017/2226</u> requires the carriers to use the web service to verify whether third-country nationals holding a short-stay visa issued for one or two entries have already used the number of entries authorised by their visa.

## <u>Authorised stay</u>

The exact number of days during which a third-country national is permitted to legally stay on the territory of the Member States, counting from the date of the entry in accordance with the applicable provisions.

## Automated biometric matching

The facial image shall have sufficient image resolution and quality to be used in the automated biometric matching. The fingerprint data from the right hand, where present, and otherwise the corresponding fingerprint data from the left hand, shall have sufficient resolution and quality to be used in the automated biometric matching.

# Automated Border Control System (ABC System)

A system which allows for an automated border crossing, and which is composed of a self-service system and an e-gate.

## Automated calculator

The EES shall include an automated calculator that indicates the maximum duration of authorised stay for third-country nationals registered in the EES.

## automated processing

The application files shall be automatically processed by the ETIAS Central System to identify hit(s). The ETIAS Central System shall examine each application file individually.

#### binary data

Each set of binary data (photographs, dactyloscopic data, identification documents, scanned documents, DNA profiles) attached to a SIS alert.

## Biographic data

Means the alphanumeric data stored in the EES, concerning the travel document data and/or the identity data.

#### biographic matching errors

A biographic matching error can occur in the following cases:

- Automatic comparison concluded same identity data, while in fact it is similar identity data or different identity data;
- Automatic comparison concluded similar identity data, while in fact it is same identity data or different identity data;
- Automatic comparison concluded different identity data, while in fact it is same identity data or similar identity data.

## Biometric data

'biometric data' means fingerprint data or facial images or both.

#### biometric false acceptance

A biometric false acceptance means that the MID falsely declared a match towards the biometric template of another person.

## biometric false rejection

A biometric false rejection means that the MID falsely declared that there is no match with another comparable biometric template of the same person.

# **Biometric identification**

The identification of third-country nationals using biometric data, namely fingerprint data and facial image. It is a mean of identifying or confirming the identity of the third-country national by the measurement of the person's biometric characteristics.

## biometric matching errors

The MID algorithm might lead to matching errors related to biometric data (biometric matching errors). Biometric matching errors can concern a biometric false acceptance or a biometric false rejection.

## Biometric template

A mathematical representation obtained by feature extraction from biometric data limited to the characteristics necessary to perform identifications and verifications.

## Biometric update

An update of the biometric data is necessary where, after a verification process, it is discovered that the new biometric data submitted for verification has better quality, or current one is not enough / has insufficient quality, than the one in the EES (facial image or fingerprint set), or that missing biometric data can now be captured (e.g. temporary impossibility for providing fingerprints).

#### blank official documents

Official documents which are not yet filled in or used.

## Border

A physical place where border checks are made and where the entry/exit of a third-country national is decided (by, for instance, by the border authorities (e.g. airports borders)).

## Border authority

The border guard assigned in accordance with national law to carry out border checks (as defined in point 11 of Article 2 of <u>Regulation (EU) 2016/399</u>).

## Border checks

The checks carried out at border crossing points, to ensure that persons, including their means of transport and the objects in their possession, may be authorised to enter the territory of the Member States or authorised to leave it.

## Border control

The activity carried out at a border (in accordance with and for the purposes of the EES Regulation (EU) 2017/2226) in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of border checks and border surveillance.

## Border crossing point (BCP)

Any crossing-point authorised by the competent authorities for the crossing of external borders.

## Border guard

Any public official assigned, in accordance with national law, to a border crossing point or along the border or the immediate vicinity of that border who carries out, in accordance with the SBC Regulation (<u>Regulation (EU) 2016/399</u>) and national law, border control tasks.

#### Business Continuity and Disaster Recovery Plan (BC/DRP)

Any crossing-point authorised by the competent authorities for the crossing of external borders.

## Cargo ships

In the context of the EES, in the case of cargo ships transporting passengers, the passengers must be recorded in the EES and created entry/exit record(s) or refusal of entry record(s) linked to the individual file of that third-country national in the EES.

#### <u>Carrier</u>

Any natural or legal person whose occupation it is to provide passenger transport by air, sea or land.

## Carrier Interface

The web service to be developed by eu-LISA (in accordance with Article 37(1) of Regulation (EU) 2017/2226 where used for the purposes of Article 13(3) of that Regulation) and consisting of an IT interface connected to a read only database. A secure internet access to a web service (i.e. 'Carrier Interface') shall be available, allowing carriers to verify (prior to boarding/departure) whether third-country nationals holding a short-stay visa issued for one or two entries have already used the number of entries authorised by their visa, and whether the visa is valid, or has expired, or has been revoked or annulled.

## Categories of persons

The persons or categories of persons to whom the EES is not applicable, such as the ones exempt from border checks or benefiting from specific rules in relation to border checks (e.g. Heads of State, pilots of aircraft and other crew members; seamen; cross-border workers; rescue services, police, fire brigades and border guards, etc.).

## Central Access Point (CAP)

Each Member State shall designate a Central Access Point (CAP) which shall have access to the EES. The Central Access Point shall verify that the conditions to request access to the EES (laid down in Article 32 of the EES Regulation (EU) 2017/2226) are fulfilled.

## <u>Central SIS</u>

Technical support function of the Central SIS, composed of:

(i) a technical support function ('CS-SIS') containing a database, (the 'SIS database'), and including a backup CS-SIS,

(ii) a uniform national interface ('NI-SIS').

## Child combatants

Children who leave their home to travel to a conflict zone outside the Union.

## <u>Children</u>

In the EES, children under the age of 12 shall be exempt from the requirement to give fingerprints.

# CIR

A common identity repository (CIR), creating an individual file for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN containing identity, travel document and biometric data, is established for the purpose of facilitating and assisting in the correct identification of persons registered in those systems, of supporting the functioning of the MID and of facilitating access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac.

## CIR individual file

All identities within an EU information system that are considered belonging to the same person are stored in one CIR individual file for that EU information system.

## <u>Citizenship</u>

Once the third-country national obtains the nationality of a country from the Schengen area, he/she becomes a citizen of that EU country.

## **Closed-Circuit Television**

The self-service system shall be operated under the supervision of a border guard, physical supervision or via Closed-Circuit Television (CCTV) camera, but CCTV surveillance by a border guard would be sufficient.

## Colour image of facial image

When a facial image is taken live, it shall be a colour image. In exceptional cases, grayscale or near infrared capture may be used. In such a case, if the quality is sufficient, it may be used for verification or identification but not for enrolment. Grayscale images are accepted for enrolment only when they are extracted from the chip of the travel document.

## Commercial intermediary

A private administrative agency, transport company or travel agency (tour operator or retailer).

## Commission Implementing Decision (CID)

A Commission Implementing Decision (CID) is a legally binding act of the European Union directly applicable in all member states of the EU. They can address specific legal entities, in which case it is binding only to them, and are always limited in scope.

# Common Identity Repository (CIR)

An individual file created for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN. This file is established for the purpose of facilitating and assisting the correct identification of persons registered in those systems, for supporting the functioning of the MID and for facilitating access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac, where necessary for the prevention, detection or investigation of terrorist offences or other serious criminal offences. The common identity repository is established by Article 17(1) of Regulation (EU) 2019/817 and Regulation (EU) 2019/818.

## Conditions of authorised stay

Conditions relating to the duration of the third-country national's authorised short stay on the territory of the Member State (as per the EES Regulation (EU) 2017/2226). The third-country nationals must be informed that when they do not fulfil the conditions of authorised stay, the EES will automatically add their data in a list of overstayers.

# Conditions of stay not fulfilled

Conditions for the stay on the territory of the Member States are not fulfilled - e.g. overstayer (as per the EES Regulation (EU) 2017/2226). The competent authorities should give third-country nationals the possibility to present evidence to rebut the presumption that third-country national no longer fulfil the conditions of duration of authorised stay.

# **Confidentiality**

Member States must apply relevant national rules of professional secrecy or other equivalent obligations of confidentiality. This obligation must continue to apply after staff members cease their employment.

# Confirmation of the authenticity and integrity of the chip data

The process of verification through the use of certificates, the authenticity and the integrity of the data on the electronic storage medium (chip) originated from the issuing authority, which has not been changed.

#### confirmed identity

'confirmed identity' refers to an identity that has been confirmed on the basis of genuine identification documents, or as a result of biometric matching or by a statement from competent authorities.

#### <u>Consent</u>

Consent' of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

#### consultation procedure

The consultation procedure is aimed at avoiding a contradictory situation where an alert and permit exist at the same time.

## Consulting EES' data

Access to the EES for consulting the data shall be reserved exclusively for the duly authorised staff of the national authorities of each Member State which are competent, for the purposes laid down in Articles 23 to 35 of the EES Regulation (EU) 2017/2226. That access shall be limited to the extent necessary for the performance of the tasks of those national authorities in accordance with those purposes and shall be proportionate to the objectives pursued.

#### Contracting party

The stay on the territory of a Contracting Party (i.e. an EU Member State) may be extended as per a bilateral agreement, upon request of the third-country national, and lodged with the competent authorities of that Contracting Party on entry or during the stay of the third-country national at the latest on the last working day of his/her 90-day stay in any 180-day period.

## **Conviction**

Any final decision of a criminal court against a natural person in respect of a criminal offence, to the extent that the decision is entered in the criminal records of the convicting Member State.

## Counterfeit travel document / visa / residence permit

The competent authorities can refuse entry of the third-country national at the border if he/she has a counterfeit travel document or a counterfeit visa or residence permit.

# Country Signing Certification Authority (CSCA)

Each State issuing an ePassport establishes a single Country Signing Certification Authority (CSCA) as its national trust point in the context of ePassports. CSCA certificates are generated and are generally used for periods of three to five years. CSCA certificates issue the Document Signer Certificates that are then used to create the digital signatures on ePassports. The Document Signer must be validated against the CSCA to validate the digital signature. For more information consult the following link: <a href="https://www.icao.int/Security/FAL/PKD/BVRT/Pages/CSCA.aspx">www.icao.int/Security/FAL/PKD/BVRT/Pages/CSCA.aspx</a>

## Court of Justice of the European Union (CJEU)

The judicial authority of the European Union, which ensures in cooperation with the courts and tribunals of the EU Member States the uniform application and interpretation of European Union law, and which settles legal disputes between national governments and EU institutions.

## Creation of individual file

In the absence of a previous registration of a third-country national in the EES, the border authority shall create an individual file of that third-country national by entering the data referred to in Articles 16(1) and (6), 17(1) and 18(1) of the EES Regulation (EU) 2017/2226 as applicable.

#### Credible evidence

A third-country national stay may be extended pursuant to a bilateral agreement, if that third-country national presents credible evidence, which proves that during that time he/she stayed only on the territory of that Contracting Party and that he/she is exiting the territory from that Contracting Party.

## Criminal record

The national register or registers recording convictions in accordance with national law.

## Crossing the border

The EES Regulation (EU) 2017/2226 applies to third-country nationals admitted for a short stay to the territory of the Member States who are subject to border checks in accordance with Regulation (EU) 2016/399 when crossing the borders at which the EES is operated.

## <u>CRRS</u>

The central repository for reporting and statistics (CRRS) is established for the purposes of supporting the objectives of the EES, VIS, ETIAS, SIS, Eurodac and ECRIS-TCN in accordance with the respective legal instruments governing those systems, and to provide cross-system statistical data and analytical reporting for policy, operational and data quality purposes.

## <u>Cruise ship</u>

A ship which follows a given itinerary in accordance with a predetermined programme, which includes a programme of tourist activities in the various ports, and which normally neither takes passengers on nor allows passengers to disembark during the voyage.

## CS-SIS

Central System - Schengen Information System. Technical support function of the Central SIS, composed of:

(i) a technical support function ('CS-SIS') containing a database, (the 'SIS database'), and including a backup CS-SIS,

(ii) a uniform national interface ('NI-SIS').

## Dactyloscopy data

Data on fingerprints and palm prints which due to their unique character and the reference points contained therein enable accurate and conclusive comparisons on a person's identity. Also, fingerprint images, images of fingerprint latents, palm prints, palm print latents and templates of such images (coded minutiae) fall under this term when they are stored and dealt with in an automated database. Which type of Dactyloscopic data is stored depends on the rules applicable to each EU information system.

## <u>Data Controller</u>

Determines the purposes for which and the means by which personal data is processed. The data controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests.

#### <u>Data management</u>

The management of the third-country national's personal data (in accordance with Articles 15 to 20 of the EES <u>Regulation</u> (EU) 2017/2226) - identity data, travel document data and biometric data (fingerprint data and facial image).

## <u>Data ownership</u>

The act of having legal rights and complete control over a single piece or set of data elements. It defines and provides information about the rightful owner of the single piece or set of data elements, and the use and distribution policy implemented by the data owner.

## Data quality flags

The EES's data validation rules/flags being applied at the time of storing data in the EES Central System (e.g. missing facial image (FI)). Then, those data quality flags shall be returned to the border guard for action (for example, the border guard must add the missing facial image, as per the flag).

## Data subject's rights

Third-country nationals whose data are to be recorded in the EES shall be informed by the Member State responsible of their rights. The information shall be provided in writing, by any appropriate means, in a concise, transparent, intelligible and easily accessible form, and it shall be made available, using clear and plain language, in a linguistic version the person concerned understands or is reasonably expected to understand, in order to ensure that third-country nationals are informed of their rights, at the time when the individual file of the person concerned is being created.

#### <u>deactivated</u>

It can happen that while the authority is assessing the yellow link and the linked data, the authority realises that the MID made a mistake when comparing travel document data and there is de facto no case for a yellow link. In such a case, the authority deactivates the yellow link.

## <u>DEBS</u>

Data Exchange Between SIRENEs

## Delegated Act (DA)

The Commission adopts delegated acts (DAs) based on a delegation granted in the text of an EU law, in this case a legislative act. The Commission's power to adopt delegated acts is subject to strict limits which includes:

- 1. The delegated act cannot change the essential elements of the law;
- 2. The legislative act must define the objectives, content, scope and duration of the delegation of power; and Parliament and Council may revoke the delegation or express objections to the delegated act.

## Delete individual file

Under certain circumstances, the whole third-country national's EES individual file must be deleted, namely: once a residence permit or a nationality of a Member State or the international protection is granted

## Designated authority

An authority designated by a Member State as responsible for the prevention, detection or investigation of terrorist offences or of other serious criminal offences.

# Determining authority

Any quasi-judicial or administrative body in a Member State responsible for examining applications for international protection competent to take decisions at first instance in such cases.

## DG HOME

Directorate-General for Migration and Home Affairs.

## different identity data

Identity data are considered different if the values in data fields between different EU information systems are neither same, nor similar. E.g. last name: 'Smith' corresponding with last name: 'Johnsson'.

## In contrast:

An example of same identity data would be: last name: 'Smith' corresponding with last name: 'Smith'.

An example of similar identity data would be: last name: 'Smith' corresponding with last name: 'Smieth'.

## Directive 2004/38/EC

Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/365/EEC and 93/96/EEC (Text with EEA relevance).

## Directive 2008/115/EC

Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

## discrepancy

Discrepancy means that the MID found contradictory link proposals upon which the yellow link was created.

## DNA profile

DNA profile means a letter or number code which represents a set of identification characteristics of the noncoding part of an analysed human DNA sample, namely the particular molecular structure at the various DNA locations (loci).

## <u>domicile</u>

A domicile is an individual's permanent and fixed home which they dwell in, and will return to at some point.

## Double entry visa

In order to enable carriers to fulfil their obligation to verify the use of the single and double entry visa, the carriers should have access to the web service ('Carrier Interface'). It refers to the replies to verification queries, namely where the carrier specifies that the itinerary require a double entry visa.

## dummy value

A dummy value indicates that there is no text or numbers in a certain data field (e.g. the date of birth is not known).

## **Duplicated files**

Duplicated individual files may be produced after system recovery while the data from the fall-back is entered into the EES, what requires to be corrected by amending the data. Duplicated individual files may also exist due to human error.

#### <u>e-gate</u>

Means an infrastructure operated by electronic means where an external or internal border whose controls have not yet been lifted is actually crossed.

## Early Warning & Response System

A rapid alert system for notifying alerts at EU level on serious cross-border threats to health.

## <u>EAW</u>

The European arrest warrant ("EAW")

## ECRIS-TCN

ECRIS-TCN (European Criminal Records Information System - third-country nationals) is a centralised system that allows Member State's authorities to identify which other Member States hold criminal records on the third country nationals or stateless persons being checked, so that they can then use the existing ECRIS system to address requests for conviction information only to the identified Member States.

## **EDPS**

European Data Protection Supervisor

## EES data

All data stored in the EES Central System and in the CIR.

## EES website

An information website to the third-country nationals. The third-country nationals must be informed that when they do not fulfil the conditions of authorised stay, the EES will automatically add their data in a list of overstayers. The third-country nationals should also be informed about the consequences of overstaying by the border guards directly, in the EES website and/or through other relevant channels.

# EES-VIS interoperability

The personal data of third-country nationals subject to a visa requirement may be retrieved from the VIS and imported into the EES. The retrieval of visa-related data, their importation into the EES and the updating of data from the VIS in the EES shall be an automated process (using EES-VIS interoperability) once the operation in question is launched.

## Electronic Machine Readable Travel Document (eMRTD)

An electronic Machine Readable Travel Document (eMRTD) (passport, visa or card) that has a contactless integrated circuit embedded in it and the capability of being used for biometric identification of the MRTD holder, in accordance with the specified standards. This information can be consulted in the following link: <u>Documents\_9303\_p1\_cons\_en.pdf</u>

#### **Electronically signed**

The confirmation of agreement through the ticking of an appropriate box in the application form or the request for consent.

## <u>EM</u>

**Executing Member State** 

#### <u>Enrolment</u>

Capturing of the data in the EES individual file, such as biometric data (facial image and fingerprint data) and alphanumeric data (identity data and travel document data).

#### <u>entry ban</u>

"Entry ban" means an administrative or judicial decision or act prohibiting entry into and stay on the territory of the Member States for a specified period, accompanying a return decision.

# Entry conditions

Concerns the entry conditions for third-country nationals for intended stays on the territory of the Member States for a duration of no more than 90 days in any 180-day period, as per the EES Regulation (EU) 2017/2226.

## Entry record

A record created in the EES when a third-country national enters for the first time in a Member State territory and on each subsequent entry during the authorised stay, linked to the third-country national's individual file.

#### Entry/Exit System (EES)

The EES Regulation (EU) 2017/2226 establishes an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes. This Regulation establishes the EES for:

- The recording and storage of the date, time and place of entry and exit of third-country nationals crossing the borders of the Member States at which the EES is operated;
- The calculation of the duration of the authorised stay of such third-country nationals;
- The generation of alerts to Member States when the authorised stay has expired; and
- The recording and storage of the date, time and place of refusal of entry of third-country nationals whose entry for a short stay has been refused, as well as the authority of the Member State which refused the entry and the reasons therefor.

## Erasing data

Providing the access to the EES for erasing data, which shall be reserved exclusively for the duly authorised staff of the national authorities of each Member State.

#### <u>erasure of a link</u>

Erasure (of a link): erasure means deletion of a link.

## Error messages

Type of messages set up in the EES, not allowing the user to proceed with an action, to support processes such as the replacement/update of biometric data (e.g. resolution too low, image is unreadable, etc.).

## <u>ESP</u>

The European Search Portal established by Article 6(1) of Regulation (EU) 2019/817 and Regulation (EU) 2019/818.

## ETIAS Central System

The Central System referred to in point (a) of Article 6(2) (of the ETIAS Regulation (EU) 2018/1240) together with the CIR to the extent that the CIR contains the data referred to in Article 6(2a).

## ETIAS Central Unit

The ETIAS Central Unit is established within the European Border and Coast Guard Agency, which shall be operational 24 hours a day, 7 days a week, and with the responsibilities described in the ETIAS Regulation (EU) 2018/1240 (Article 7(2)).

## ETIAS hits

Means the existence of a correspondence established by comparing the personal data recorded in an application file of the ETIAS Central System with the specific risk indicators referred to in Article 33 (of the ETIAS Regulation (EU) 2018/1240) or with the personal data present in a record, file or alert registered in the ETIAS Central System, in another EU information system or database listed in Article 20(2) of the above-mentioned ETIAS Regulation ('EU information systems'), in Europol data or in an Interpol database queried by the ETIAS Central System.

# ETIAS National Unit

Each Member State shall designate a competent authority as the ETIAS National Unit, which shall be responsible for:

- Examining and deciding on applications for travel authorisation where the automated application process has reported a hit and the manual processing of the application has been initiated by the ETIAS Central Unit;
- Ensuring that the tasks above and the corresponding results are recorded in the application files;
- Ensuring that the data they enter in the application files are up to date in accordance with the relevant provisions;
- Deciding to issue travel authorisations with limited territorial validity (LTV);
- Ensuring coordination with other ETIAS National Units and Europol concerning the consultation requests;
- Providing applicants with information regarding the procedure to be followed in the event of an appeal;
- Annulling and revoking a travel authorisation.

# ETIAS Travel authorisation

A record created in the ETIAS pursuant to a decision issued in accordance with the ETIAS Regulation (EU) 2018/1240 which is required for third-country nationals who fulfil the entry conditions.

## EU citizen

Every national of a Member State is a citizen of the Union.

#### **EU Information Systems**

Includes EES, VIS, ETIAS, Eurodac, SIS and ECRIS-TCN.

## <u>eu-LISA</u>

European Agency for the Operational Management of Large-scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) is an EU Agency established to provide a long-term solution for the operational management of large-scale IT systems, which are essential instruments in the implementation of the asylum, border management, justice and migration policies of the EU.

## <u>Eurodac</u>

Eurodac is a centralised system that helps with the management of European asylum applications by storing and processing the digitalised fingerprints of asylum seekers and irregular migrants who have entered a European country.

## European Border and Coast Guard Agency (Frontex)

The European Border and Coast Guard (the 'Agency'), commonly referred to as Frontex, has the following key roles:

- To establish a technical and operational strategy as part of the implementation of the multiannual strategic policy cycle for European integrated border management;
- To oversee the effective functioning of border control at the external borders;
- To carry out risk analysis and vulnerability assessments;
- To provide increased technical and operational assistance to Member States and third countries through joint operations and rapid border interventions;
- To ensure the practical execution of measures in a situation requiring urgent action at the external borders;
- To provide technical and operational assistance in the support of search and rescue operations for persons in distress at sea; and
- To organise, coordinate and conduct return operations and return interventions.

## European Commission (EC)

An executive branch of the European Union, responsible for proposing legislation, implementing decisions, upholding the EU treaties and managing the day-to-day business of the EU.

## European Criminal Records Information System - third-country nationals (ECRIS-TCN)

A centralised hit/no-hit system to support the existing EU Criminal Records Database on non-EU nationals convicted in the European Union. The system will provide judges, prosecutors and other relevant authorities with easy access to comprehensive information on an individual's criminal history, regardless of the Member State where that person was previously convicted.

#### European Data Protection Supervisor (EDPS)

The European Data Protection Supervisor (EDPS) shall be responsible for monitoring the personal data processing activities of eu-LISA concerning the EES.

## European Travel Information and Authorisation System (ETIAS)

European Travel Information and Authorisation System or ETIAS established by the Regulation (EU) 2018/1240. IT system for EU border management, which will improve the security and safety aspects of travelling to or through the Schengen Area. Once operational, ETIAS will require that all visa-exempt third-country nationals planning to travel to the Schengen Area apply for their pre-travel authorisation online.

## <u>Europol</u>

European Union Agency for Law Enforcement Cooperation.

# Europol data

Personal data processed by Europol for the purpose referred to in point (a) of Article 18(2) of Regulation (EU) 2016/794 with regard to EES and ETIAS, points (a), (b) and (c) with regard to the Interoperability Regulations.

# Exit record

A record created in the EES on each third-country national's subsequent exit during the authorised stay, linked to the thirdcountry national's individual file.

# Extend short stay or visa

Regards the data to be added where an authorisation for short stay or visa is extended, due to duly justified reasons (e.g. force majeure, like sickness of the third-country national, humanitarian reasons and serious personal reasons).

#### External borders

The Member State' land borders, including river and lake borders, sea borders and their airports, river ports, sea ports and lake ports, provided that they are not internal borders.

## <u>Facial image</u>

Digital images of the face with sufficient image resolution and quality to be used in automated biometric matching.

## Facilitated Rail Transit (FRT)

A specific authorisation allowing for a facilitated transit, which may be issued by EU countries for multiple entries by any means of land transport.

## Facilitated Rail Transit Document (FRTD)

A specific authorisation allowing for facilitated transit, which may be issued by Member States for a single entry and return by rail. It is meant for the specific and direct transit by land of non-EU country nationals who must necessarily cross the territory of one or more EU countries in order to travel between two parts of their own country, which are not geographically contiguous.

#### Facilitated transit

A specific and direct transit by land of a third country national who must necessarily cross the territory of one or several Member States in order to travel between two parts of his own country which are not geographically contiguous.

#### Facilitated Transit Document (FTD)

A specific authorisation allowing for a facilitated transit, which may be issued by Member States for multiple entries by whatever means of land transport. It is meant for the specific and direct transit by land of non-EU country nationals who must necessarily cross the territory of one or more EU countries in order to travel between two parts of their own country which are not geographically contiguous.

#### Failure to Enrol Rate

The proportion of registrations with insufficient quality of the biometric enrolment.

## Fall-back procedures

The procedures that shall be adopted where it is technically impossible to enter data or in the event of failure of the EES. When it is technically impossible to enter data in both the EES Central System (EES-CS) and in the National Uniform Interface (NUI) (e.g. IT System Problems, Cyber Attacks, etc.), the data could be stored in offline mode in the national border infrastructures. If it is also not possible to store the data in the national border infrastructures due to a failure, then the data would have to be stored temporarily in offline mode at the local equipment. When it is technically impossible to temporarily store the data locally in an electronic format. In this case, the border guard should store the data manually.

## False Negative Identification Rate (FNIR)

The proportion of missed matches during a biometric search even though the traveller's biometric data were registered.

## False Positive Identification Rate (FPIR)

The proportion of returned matches during a biometric search which do not belong to the checked traveller.

## False travel document, visa or residence permit

The border authority can refuse entry of the third-country national at the border if he/she has a false travel document or a false visa or residence permit.

#### Fingerprint data

'fingerprint data' means fingerprint images and can include images of fingerprint latents, which due to their unique character and the reference points contained therein enable accurate and conclusive comparisons on a person's identity. Which types of fingerprint data is stored in an EU information system is set out in the Regulation establishing each EU information system.

## Fingerprint data quality

At the moment of enrolment, the version 2.0 (or newer) of the Fingerprint Image Quality (NFIQ) metric shall be used for verifying that the quality of the captured fingerprint data respects the thresholds. For the purpose of enrolment, the quality of fingerprint data shall be assessed: at national level at the time of capture prior to their transmission to the EES Central System, and at central level.

## Fingerprints (FP)

The digital images of the fingers.

## First line check

The first location at which all persons are checked (first line).

## <u>Flags</u>

A suspension of the validity of an alert at the national level that may be added to alerts for arrest, alerts on missing and vulnerable persons and alerts for discreet, inquiry and specific checks. In the EES context, means the type of messages set up in the EES (warning the user, implying a subsequent action) to support processes such as the replacement/update of biometric data (e.g. insufficient facial image quality, insufficient fingerprint quality, facial image taken from eMRTD, etc.).

## Force majeure

The concept of force majeure must be understood in the sense of unusual and unforeseeable circumstances beyond the operator's control, the consequences of which could not have been avoided even if all due care had been exercised.

## Forged travel document, visa or residence permit

The border authority can refuse entry of the third-country national at the border if he/she has a forged travel document or a forged visa or residence permit.

## Form for manual storing

The form that might be used by the border authorities for manual storing of entry and exit data (except biometric data) when all systems are offline.

## <u>FRA</u>

Fundamental Rights Agency

## Fully in Schengen

The Member States and associated countries that apply the Schengen acquis in full (Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland).

## Fundamental Rights

The Charter of Fundamental Rights of the European Union sets out, for the first time, the rights and liberties of the people living in the EU. The actions of all organs and institutions of the EU are measured against this yardstick. The national authorities are also bound to comply with the Charter of Fundamental Rights.

## General Data Protection Regulation (GDPR)

General Data Protection Regulation (EU) 2016/679.

## Granting MS

'granting Member State' means the Member State which is considering granting or extending or which has granted or extended a residence permit or long-stay visa.

## <u>green link</u>

A green link means that after manual verification the responsible authority concluded that data belongs to different persons and this is justified.

## Hague Convention 1996

The Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children (HCCH 1996 Child Protection Convention) is a multilateral treaty covering a broad range of civil measures to protect children in cross-border situations. The Convention provides uniform rules that prevent conflicting decisions, enable cross-border co-operation between authorities, and secure the recognition and enforcement of measures among Contracting Parties.

## High epidemic risk

Any disease with epidemic potential as defined by the International Health Regulations of the World Health Organization (WHO) or the European Centre for Disease Prevention and Control (ECDC) and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States. For more information consult the following link: <u>international-health-regulations</u>

Means the existence of a correspondence established by comparing the personal data recorded in an application file of the ETIAS Central System with the specific risk indicators referred to in Article 33 (of the ETIAS Regulation (EU) 2018/1240) or with the personal data present in a record, file or alert registered in the ETIAS Central System, in another EU information system or database listed in Article 20(2) of the above-mentioned ETIAS Regulation ('EU information systems'), in Europol data or in an Interpol database queried by the ETIAS Central System.

# <u>ICAO</u>

International Civil Aviation Organization

<u>ICD</u>

Interface Control Document

<u>ICF</u>

Identity Confirmation File

# **Identification**

The process of determining a person's identity through a database search against multiple sets of data (one-to-many check).

# Identity Confirmation Files (ICF)

Identity Confirmation File ('ICF') consists of:

- the MID link (including its colour);

- a reference to the EU information systems in which the linked data are held (including the name of the system and the 'record identifier');

- a single identification number ('SIN') allowing loading of the linked data from the corresponding EU information systems;
- the authority responsible for the manual verification of the yellow link;
- the date of creation of the link or of any update to it

# identity group

Each EU information system stores identities which it decided belong to the same person in one group. Those groups are called identity groups (IGs). An identity can consist of the combination of identity data data (e.g. first name, last name), travel document data and biometric data.

An example would be two visa applications of the same person that are stored in one identity group.

## <u>IG</u>

Identity Group

# Illegal immigration risk

The risk of a third-country national not fulfilling the conditions of entry and stay (as set out in Article 6 of Regulation (EU) 2016/399).

# <u>Illegal stay</u>

The presence on the territory of a Member State of a third-country national who does not fulfil, or no longer fulfils the conditions of entry (as set out in Article 5 of the Schengen Borders Code) or other conditions for entry, stay or residence in that Member State.

# Implementing Act (IA)

Primary responsibility for implementing EU law lies with EU countries. However, in areas where uniform conditions for implementation are needed, the Commission (or exceptionally the Council) adopts an implementing act (IA). The EES' implementing acts are adopted by the Commission (as per the EES Regulation (EU) 2017/2226, Article 36) describing specific measures (e.g. specifications for the quality, resolution and use of fingerprints for biometric verification and identification in the EES).

# In breach of EES Regulation

When the Member State has evidence to suggest that data recorded in the EES are inaccurate or incomplete or that data were processed in the EES in breach of the EES Regulation (EU) 2017/2226, it shall be rectified, completed, or erased.

#### Incomplete data

If the Member State responsible has evidence to suggest that data recorded in the EES are factually incomplete or that data were processed in the EES in breach of the EES Regulation (EU) 2017/2226, it shall check the data concerned.

#### inconsistency

Inconsistency means that information that suppose to be consistent are not. Inconsistency can happen at two levels:

- Inconsistency in the CIR & MID means that the MID refuses the end user to choose a certain colour of a link due to the pre-existence of other coloured links, e.g. when an authority is manually verifying a yellow link and wants to turn it into a colour that is inconsistent with other related MID links (i.e. stating that it is the same and a different person at the same time); in this case the steps described in Inconsistencies and Discrepancies and Manual Verification of a MID Yellow Link need to be followed. After applying these procedures the responsible authority re-tries to change the link colour.

- Inconsistency in an EU information system means that the choice of colour might indicate an inconsistency in the data stored in the EU information systems.

#### Individual file in the EES

The third-country national's traveller data should be included in the EES (identity data, travel document data and biometric data). The individual file is also called EES file or EES Traveller File.

#### Information for third-country national whose data is recorded in the EES

The "Information for third-country national whose data is recorded in the EES" is based on a template, to be prepared by the Commission, as follows:

- The generic information must be provided in writing, by any appropriate means can be on a screen, or as a poster, and a QR code is an option as well; last, the information will be available also on the EES web service.
- The template will be translated into all the EU languages. Furthermore, it is under consideration to translate it into a few other major (non-EU) languages.
- The Commission shall provide the minimum content of the information that need to be shared with the Member State, and then with the third-country nationals. The useful contacts shall be defined at national level (except for the European Data Protection Supervisor (EDPS), filled by the Commission).

#### Information mechanism

The EES shall include a mechanism that shall automatically identify which entry/exit records do not have exit data immediately following the date of expiry of an authorised stay and automatically identify records for which the maximum duration of authorised stay was exceeded.

#### Insert a notification of national facilitation programme (NFP)

In case the third-country national benefits from a national facilitation programme (NFP) of a Member State, the Member State responsible shall insert a notification in the individual file of the third-country national specifying the national facilitation programme of the Member State concerned, with the following attributes: Establishing Member State, Name and Valid Until.

## Internal borders

Internal borders means:

- The common land borders, including river and lake borders, of the Member States;
- The airports of the Member States for internal flights;
- Sea, river and lake ports of the Member States for regular internal ferry connections.

#### Internal flight

Any flight exclusively to or from the territories of the Member States and not landing in the territory of a third country.

## International Health Regulations (IHR)

Any illnesses or medical conditions, irrespective of origin or source, that present or could present significant harm to humans. Threats to global public health security can be traced to one or more causes (natural, environmental, industrial, accidental or deliberate but - more often than not - they are related to human behaviour). For more information consult the following link: <u>international-health-regulations</u>.

## **INTERPOL**

The International Criminal Police Organization

#### Interpol databases

The Interpol Stolen and Lost Travel Document database (SLTD database) and the Interpol Travel Documents Associated with Notices database (TDAWN database).

## Justified reasons for overstaying

In case the third-country national is considered as an overstayer, the competent authority must verify if the evidence of force majeure provided by the third-country national duly justify the overstay. The acceptance of these could lead to an extension of the authorised stay.

#### <u>Kiosk</u>

A self-service system (SSS) which is a touch-screen device allowing passengers to do self-check-in. Kiosks provide a valid boarding pass at the end of the check-in process. Passengers can save time by using kiosks at busy airports and avoid long queues.

#### law enforcement access

The procedure to query the CIR for the purposes of preventing, detecting or investigating terrorist offences or other serious criminal offences.

#### Law Enforcement Authority (LEA)

An authority entitled to consult the data stored in the EES in order to prevent, detect and/or investigate terrorist offences or other serious criminal offences, including Europol, Member State designated authorities and Central Access Point(s) of the Member State.

## Limited Territorial Validity (LTV)

The issue of a travel authorisation with limited territorial validity (LTV) on humanitarian grounds, for reasons of national interest or because of international obligations.

#### link proposals

Connections between an individual's identity data among different EU information systems participating in a MID link.

#### <u>linked data</u>

Identity, travel document and biometric data stored in the CIR linked by a MID link.

## linking of alerts

SIS enables the grouping of two or more alerts into a 'link' to indicate operational connections between them, without changing their content or any access rights related to them.

## List of persons

The data of the third-country national identified as overstayer shall be automatically added to a list of persons identified as overstayers in the EES. Such list shall be available to the competent national authorities in order to enable those authorities to adopt appropriate measures.

## Lodging an application

When a third-country national with or without an individual file lodges an international protection application at the Border Crossing Point (BCP) or on the on the Member State territory.

## <u>long-stay visa</u>

Visa for a stay exceeding three months are national visas issued by one of the Member States in accordance with its national law or Union law.

#### <u>LSV</u>

Long-stay Visa

## Machine Readable Zone (MRZ)

Codified element of identity documents, the purpose of which is to facilitate easier automated scanning of basic personal details of the document holder, such as their full name, document number, nationality, date of birth and the document expiration date.

## Manual storing

In case it is technically impossible to store the third-country nationals' information in electronic format and/or in the equipment present at the border, as systems are offline, then a form shall be filled in for manual storing of the information

of the third-country nationals to be later registered in the EES, when the EES is online again.

#### manual verification

Manual verification means the assessment by an authority of the outcome of an automated comparison between identities that resulted a MID link or an ETIAS or VIS hit. For this purpose, the authority responsible has access to comparison data.

## Maximum remaining duration

The maximum remaining duration of authorised stay for third-country nationals registered in the EES. Third-country nationals whose data are to be recorded in the EES shall be informed by the Member State responsible of the right to receive information about the maximum remaining duration of their authorised stay.

#### Means of subsistence

The competent authorities can refuse entry of the third-country national at the border if he/she does not have sufficient means of subsistence in relation to the period and form of stay, or the means to return to the country of origin or transit.

#### Member State (MS)

The 27 Member States which are part of the European Union (EU), and are bound by common EU/Schengen acquis regarding management and control of the EU external borders (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden). There are also 4 Associated Countries or SAC (Switzerland, Iceland, Norway and Liechtenstein).

#### Member State of Type 1

The Member States and associated countries which apply the Schengen acquis in full and operate the EES (Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland).

#### Member State of Type 2

The Member States which do not yet apply the Schengen acquis in full but operate the EES (Bulgaria and Romania).

#### <u>Member State of Type 3</u>

The Member States which do not yet apply the Schengen acquis in full and do not operate the EES (Croatia and Cyprus).

#### Member State responsible

The Member State which has entered data in the EES.

## Member State's competent authorities

Authorities designated by the Member States to control the crossing of external borders by the third-country nationals.

## Member State's designated authorities

Authorities designated by the Member States to access the EES, in order to consult the data recorded in the EES Central System.

#### merge the identity groups

Some cases might lead to the merging of Identity Groups (IGs). The CIR offers to the integrated CBS the ability to move identities within (merging) or outside (splitting) of indicated groups.

## Merging files

It might happen that, as EES was offline, the individual file has been duplicated while working on the EES in offline mode. Other situation is by mistake (e.g. human error). In both cases must be carried out the merging of the files.

## merging red link

A red link in which the linked data belong to the same person in an unjustified manner.

## MID

Multiple-identity detector (MID): The MID creates and stores links between data in the different EU information systems in order to detect multiple identities, with the dual purpose of facilitating identity checks for bona fide travellers and combating identity fraud.

## MID links

Links created during the multiple-identity detection process. MID links are colour-coded: white, yellow, red or green. Each colour has a meaning and might require follow-up action.

## MID Transitional Period (TP)

Transitional period for the multiple-identity detection process: for a period of up to one year, the ETIAS Central Unit and the SIRENE Bureaux will be responsible for manually verifying yellow links created between the EES, VIS, and SIS.

## <u>Minor</u>

A third-country national or a stateless person below the age of 18 years. In the EES, children under the age of 12 shall be exempt from the requirement to give fingerprints.

## <u>MS</u>

Member State

## multiple alerts

Several alerts on the same person or object.

#### N.SIS Office

Each Member State must designate an N.SIS Office, which is the central authority responsible for the national side of SIS in that Member State.

The N.SIS Office is also responsible for the security plan, business continuity plan and disaster recovery plan for the national side of SIS.

## National facilitation programme (NFP)

A voluntary programme established by each Member State in order to allow third-country nationals, or nationals of a specific third country, who do not enjoy the right of free movement under Union law to benefit from the facilitations made when crossing the external border of a Member State.

## National facilitation programme (NFP) Name

Name specifying the national facilitation programme (NFP) of the Member State concerned.

#### National short-stay visa

An authorisation issued by a Member State which does not apply the Schengen acquis in full with a view to an intended stay on the territory of that Member State for a duration of no more than 90 days in any 180-day period.

## National supervisor

The national supervisor shall be defined at Member State level. During fall-back procedures, the border authority shall contact the national supervisor for further guidance and exchange of information.

## National Uniform Interface (NUI)

A National Uniform Interface (NUI) is defined by the EES Regulation (EU) 2017/2226 in each Member State based on common technical specifications and identical for all Member States, enabling the connection of the EES Central System to the national border infrastructures in the Member States in a secure manner.

## Near infrared

The quality of the facial images, including near infrared ones, shall comply with the thresholds specified in the technical specifications and with the image requirements of ISO/IEC 19794-5:2011 Frontal image type. The quality of the facial image shall be assessed at national level at the time of capture prior to their transmission to the EES Central System. For more information consult the following link: <a href="http://www.iso.org/obp/ui/#iso:std:iso-iec:19794-5:ed-2:v1:en">www.iso.org/obp/ui/#iso:std:iso-iec:19794-5:ed-2:v1:en</a>

## <u>NIST</u>

National Institute of Standards and Technology

## NIST Fingerprint Image Quality 2

NIST Fingerprint Image Quality (NFIQ) 2 is open source software that links image quality of optical and ink 500 PPI fingerprints to operational recognition performance. NFIQ 2 quality features are formally standardized as part of ISO/IEC 29794-4 and serve as the reference implementation of the standard. This information can be consulted in the following link: <a href="https://www.nist.gov/services-resources/software/nfiq-2">www.nist.gov/services-resources/software/nfiq-2</a>

#### Non-Refoulement

Under international human rights law, the principle of non-refoulement guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm. This principle applies to all migrants at all times, irrespective of the migration status.

## Not fully in Schengen

The Member States which do not yet apply the Schengen acquis in full.

## Object connected with person

To be used:

1) when exchanging information about objects (alert extension) connected to alerts on persons only; or

2) when sending a G or H form to indicate that the person sought was found thanks to the object.

## object extensions

Data on objects entered in SIS in order to locate a person sought, for example the vehicle used by the person sought. Object extensions can only be added to alerts on persons under Art. 26, 32 and 34 of Regulation (EU) 2018/1862.

## <u>Offline</u>

When the systems are offline (i.e. EES Central System (EES-CS), National Uniform Interface (NUI) and national border infrastructures / local equipment), shall be applied fall-back procedures.

## OŢ

Official Journal

## **Operate the EES**

Member States and associated countries which apply the Schengen acquis in full and Member States which do not yet apply the Schengen acquis in full but all operate the EES (Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland; and Bulgaria and Romania, respectively).

## Other EU information systems

Means the Entry/Exit System ('EES'), established by Regulation (EU) 2017/2226, the Visa Information System ('VIS'), established by Regulation (EC) No 767/2008 of the European Parliament and of the Council, the Schengen Information System ('SIS'), established by Regulations (EU) 2018/1860, (EU) 2018/1861 and (EU) 2018/1862 of the European Parliament and of the Council, European established by Regulation (EU) No 603/2013 of the European Parliament and of the Council and the European Criminal Record Information System - Third-Country Nationals ('ECRIS-TCN'), established by Regulation (EU) 2019/816 of the European Parliament and of the Council.

## <u>Overstayer</u>

A third-country national who does not fulfil or no longer fulfils the conditions relating to the duration of his or her authorised short stay on the territory of the Member States.

## <u>participants</u>

The MID creates a link between two identity groups. The identities stored within those linked identity groups are called participants (because they participate in the link).

## <u>Passport</u>

A travel document entitling the holder to cross the external borders and to which a visa may be affixed.

## Person in transit

A person in transit, in principle, does not need to be submitted to a border check and his/her data to be inserted in the EES. He/she has a connection flight through the area of a Member State, with an entry and exit, and does not stay in a Schengen area (the person stays in a secure zone and does not leave the international area).

## Personal data breach

A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

Persons enjoying the right of free movement under Union law

Persons enjoying the right of free movement under Union law means:

- Union citizens within the meaning of Article 20(1) TFEU, and third-country nationals who are members of the family of a Union citizen exercising his or her right to free movement to whom Directive 2004/38/EC of the European Parliament and of the Council applies;
- Third-country nationals and their family members, whatever their nationality, who, under agreements between the Union and its Member States, on the one hand, and those third countries, on the other hand, enjoy rights of free movement equivalent to those of Union citizens.

#### person's registration number

Person's registration number in a national register. The person's registration number may only be added to alerts on persons issued in accordance with SIS Regulation (EU) 2018/1862.

## police authorities

'police authority' means the competent authority as defined in point (7) of Article 3 of Directive (EU) 2016/680:

(a) any public authority competent for the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security; or

(b) any other body or entity entrusted by Member State law to exercise public authority and public powers for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

## Pre-enrolment

Where a third-country national uses a Self-Service System (SSS) for the pre-enrolment of data, the third-country national may pre-enrol the individual file data or, if applicable, pre-enrol the data in the entry/exit record that need to be updated. The data shall be confirmed by the border authorities when the decision to authorise or to refuse entry has been taken.

#### Processing

Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

#### Processing applications for asylum

All the procedures for examining and taking a decision on applications for asylum, including measures taken under a final decision thereon, with the exception of the determination of the Contracting Party responsible for processing applications for asylum pursuant to the Convention implementing the Schengen Agreement (Schengen acquis).

## Profiling

Any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

## Quality thresholds of facial image (FI)

The quality of the facial images (FI), including near infrared ones, shall comply with the thresholds specified in the technical specifications (referred to in Article 37(1) of <u>Regulation (EU) 2017/2226</u>) and with the image requirements of ISO/IEC 19794-5:2011 Frontal image type. For more information consult the following link: <u>https://www.iso.org/obp/ui/#iso:std:iso-iec:19794:-5:ed-2:v1:en</u>

## Quality thresholds of fingerprints

At the moment of enrolment, the version 2.0 (or newer version, as per the Biometrics' CID) of the Fingerprint Image Quality (NFIQ) metric defined by the NIST shall be used for verifying that the quality of the captured fingerprint data respects the thresholds that shall be specified in the technical specifications (referred to in Article 37(1) of the EES Regulation (EU) 2017/2226).

#### reason for the alert

Describes, in a structured way, why the person or object is sought.

# Reasons for refusal

The reasons for refusal of entry at the border, based on which the competent authorities can refuse the entry of a thirdcountry national for a short stay on the territory of the Member States. The reasons are present in the 'Standard form for refusal of entry at the border' (SBC Regulation (EU) 2016/399, Part A).

## <u>Rebuttal</u>

Related with the procedures to rebut the presumption that a third-country national does not fulfil the conditions of duration of authorised stay, as per the EES Regulation (EU) 2017/2226 (Article 20, 'Data to be added in case of rebuttal of the presumption that a third-country national does not fulfil the conditions of duration of authorised stay').

## **Recipient**

A natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

## rectification of a link

Rectification (of a link): rectification means choosing another colour of the link for which the criteria are met.

## red link

Red refers to the colour of a link. A red link means that after manual verification the responsible authority concluded that data belongs to the same person in an unjustified manner (merging red link) or to two different persons in an unjustified manner (non-merging red links).

## <u>Refugee</u>

A third-country national or a stateless person who fulfils the requirements of Article 2(d) of Directive 2011/95/EU.

## Refusal of entry

In case the border authority takes the decision to refuse entry to a third-country national admitted for a short stay to the territory of the Member States who does not fulfil all the entry conditions (as defined in the Schengen Borders Code), and does not belong to the category of persons who are exempt from fulfilling the entry conditions, then the border authority inserts the decision in the EES and the reasons therefor.

## <u>Refusal of entry record</u>

The refusal of entry record shall be registered as follows:

- If the reasons for refusal of entry at the border are confirmed and there is no previous individual file recorded in the EES for that third-country national, the border authority shall create an individual file and shall create the respective refusal of entry record linked to it;
- If the individual file already exists, the border authority shall link the refusal of entry record to it.

# Refusal of provision of alphanumeric data

When the third-country national refuses to provide the required alphanumeric data, or refuses to provide any documentation, for the creation/update of the individual file or to carry out border checks in the EES (for registration, verification or identification in the EES).

## Refusal of provision of biometric data

When the third-country national refuses to provide the required biometric data (facial image (FI) and fingerprint (FP) data) for the creation/update of the individual file or to carry out border checks (for registration, verification or identification in the EES).

## Refusing of entry in the SIS

The competent authorities can refuse entry of the third-country national at the border if he/she is a person for whom an alert has been issued for the purposes of refusing entry in the SIS.

## <u>Removal</u>

The enforcement of the obligation to return, namely the physical transportation out of the Member State.

## **Representative**

A natural or legal person established in the Union who, designated by the controller or processor in writing, represents the controller or processor with regard to their respective obligations.

## Residence card

A card hold by a person who has a residence permit.

## Residence permit

The residence permit means:

- All residence permits issued by the Member States according to the uniform format (laid down by Council Regulation (EC) No 1030/2002) and residence cards (issued in accordance with Directive 2004/38/EC);
- All other documents issued by a Member State to third-country nationals authorising a stay on its territory that have been the subject of a notification and subsequent publication, with the exception of:
  - Temporary permits issued pending examination of a first application for a residence permit (as referred to in the first point or an application for asylum); and
  - Visas issued by the Member States in the uniform format (laid down by Council Regulation (EC) No 1683/95).

## Resolution of facial image

The EES Central System shall receive live facial images at a resolution (in portrait mode) of minimum of 600 pixels by 800 pixels and maximum of 1 200 pixels by 1 600 pixels. The face shall occupy a sufficient space within the image in order to ensure that there is a minimum of 120 pixels between the centres of the eyes.

## **Resolution of fingerprints**

The EES Central System shall receive fingerprint data of a nominal resolution of either 500 or 1000 ppi (with an acceptable deviation of +/- 10 ppi) with 256 grey levels. The fingerprint data shall be submitted in accordance with the ANSI/NIST-ITL 1-2011 Update 2015 standard (or newer version) and as specified in the technical specifications (referred to in Article 37(1) of Regulation (EU) 2017/2226). For further information consult the following link: <u>data-format-interchange-fingerprint-facial-other-biometric-information-ansinist-itl-1-1</u>

#### restrictive measures

Restrictive measures and travel bans issued by the Council of the European Union or by the United Nations. The Member State holding the Presidency of the Council of the European Union is responsible for entering alerts based on all Union restrictive measures and UN travel bans adopted under its Presidency.

## <u>Return</u>

The process of a third-country national going back - whether in voluntary compliance with an obligation to return, or enforced - to:

- His or her country of origin; or
- A country of transit in accordance with Community or bilateral readmission agreements or other arrangements; or
- Another third country, to which the third-country national concerned voluntarily decides to return and in which he or she will be accepted.

## Return decision

An administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return.

## <u>Return Handbook</u>

Commission Recommendation (EU) 2017/2338 of 16 November 2017 establishing a common 'Return Handbook' to be used by Member States' competent authorities when carrying out return-related tasks

## <u>Revoke short stay or visa</u>

The data to be added where an authorisation for short stay or visa is revoked, meaning that is no longer effective.

## <u>RFID</u>

## Radio Frequency Identification

## Right to mobility

The EES is not applicable to third-country nationals exercising their right to mobility:

- Third-country nationals and of their family members in the framework of an intra-corporate transfer;
- Third-country nationals, and where applicable their family members, for the purpose of research, studies, training or voluntary service in the European Voluntary Service, and where Member States so decide, pupil exchange schemes or educational projects, voluntary service other than the European Voluntary Service or au pairing.

## Right to remedy

The third-country nationals have the right to an effective remedy, having the right to bring an action or a complaint before the competent authorities or courts of that Member State which refused the right of access to, or right of rectification, completion or erasure of data. It also applies in cases where requests for access, rectification, completion or erasure were

not responded to within the deadlines or were never dealt with by the Data Controller.

# <u>RP</u>

Residence Permit

# <u>SAB</u>

The SIRENE Address Book (SAB) contains the contact details of the SIRENE Bureaux and relevant information for communication and cooperation between them.

# <u>SAC</u>

Schengen Associated Countries

# same identity data

Identity data are considered the same if the values in corresponding data fields between different EU information systems are the same. E.g. last name: 'Smith' corresponding with last name: 'Smith'.

## In contrast:

An example of different identity data would be: last name: 'Smith' corresponding with last name: 'Johnsson'.

An example of similar identity data would be: last name: 'Smith' corresponding with last name: 'Smieth'.

## Schengen Agreement

The treaty that led toward Europe's most important borderless zone, the Schengen Agreement, was signed on June 14, 1985. It was named after the village of Schengen in Luxembourg, where France, Germany, Belgium, Luxemburg, and the Netherlands initially signed the agreement. Its main purpose was to build a Europe without borders known as "Schengen Area". This information can be consulted in the following link: <a href="https://www.schengenvisainfo.com/schengen-acquis/">www.schengenvisainfo.com/schengen-acquis/</a>

# Schengen Area

The main purpose of the Schengen Area is to enable people to freely move throughout the 26 Member States. This includes traveling without going through internal border checks, no queuing at airports, sea or land borders. In addition, third-country nationals in need of a visa to any of the participating countries can travel throughout the 26 of them with a single Schengen visa. This information can be consulted in the following link: <a href="https://www.schengenvisainfo.com/schengen-acquis/">www.schengenvisainfo.com/schengen-acquis/</a>

## Schengen associated countries

There are 4 Associated Countries or SAC: Switzerland, Iceland, Norway and Liechtenstein.

# Schengen Borders Code (SBC)

Schengen Borders Code means the Union Code on the rules governing the movement of persons across borders, as per Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders.

# <u>Schengen ID</u>

The Schengen ID is the unique identification number of each alert in SIS generated by the issuing Member State.

## Schengen Visa

A Schengen Visa is an authorization to enter the Schengen territory through the Member State that granted the visa. It permits its holder to stay in the Schengen territory for a maximum of 90 days within six months. There are several Schengen visa types depending on applicant's purpose of traveling to the territory, the period of intended stay and the number of visits one is applying for. However, none of the Schengen visa types permits the holder to work in Europe. Long-term study is also not possible on a Schengen visa.

# Second line

A further check which may be carried out in a special location away from the location at which all persons are checked (first line).

## secondary movements

The phenomenon of migrants, including refugees and asylum seekers, who for various reasons move from the country in which they first arrived, to seek protection or permanent resettlement elsewhere.

# Security Plan

The security plan facilitates the implementation of the security obligations necessary to ensure the security of an EU information system. Each Regulation establishing an EU information system has provisions on the requirements of a security plan for Member States and eu-LISA to take.

## Security risk

The risk of a threat to public policy, internal security or international relations for any of the Member States.

## <u>seizure order</u>

A seizure (or freezing) order is a temporary measure ordered by a competent authority to prevent the destruction, transformation, removal, transfer or disposal of an object (property) in view of further measures, for example confiscation of proceeds or instrumentalities of crime.

# Self-service System (SSS)

An automated system which performs all or some of the border checks that are applicable to a person and which may be used for pre-enrolling data in the EES.

# Shared Biometric Matching Service (sBMS)

Shared Biometric Matching Service (sBMS): a service for storing biometric templates obtained from the biometric data that are stored in the CIR and SIS and enabling querying with biometric data across several EU information systems.

## <u>Short stay</u>

Stay on the territory of the Member States for a duration of no more than 90 days in any 180-day period.

## Short-stay visa

The authorisation or decision of an EU Member State with a view to transit through or an intended stay on the territory of one or more or all the EU Member States of a duration of no more than 90 days in any 180-day period.

## similar identity data

Identity data are considered similar if the values in corresponding data fields between different EU information systems are considered almost identical, subject to the rules described in Commission Delegated Regulation (EU) 2023/332 and 2023/333. E.g. last name: 'Smith' corresponding with last name: 'Smieth'.

In contrast:

An example of different identity data would be: last name: 'Smith' corresponding with last name: 'Johnsson'.

An example of same identity data would be: last name: 'Smith' corresponding with last name: 'Smith'.

## <u>SIN</u>

Single identification number ('SIN'): Number allowing loading of the linked data from the corresponding EU information systems.

# single identification number

Single identification number ('SIN'): Number allowing retrieval of the linked data from the corresponding EU information systems.

## <u>SIRCoP</u>

SIRENE Contact Person

## SIRENE Address Book

The SIRENE Address Book (SAB) contains the contact details of the SIRENE Bureaux and relevant information for communication and cooperation between them.

# SIRENE Bureau

Each Member State shall designate a national authority which shall be operational 24 hours a day, 7 days a week and which shall ensure the exchange and availability of all supplementary information in accordance with the SIRENE Manual. SIRENE stands for "Supplementary Information Exchange at the National Entries" .

# SIRENE Contact Person (SIRCoP)

In cases where standard procedures may be insufficient, the SIRENE Contact Person (SIRCoP) may deal with files that are complex, problematic or sensitive and for which a degree of quality assurance and/or longer term contact with another

SIRENE Bureaux may be required to resolve the issue. The SIRCoP is not responsible for urgent cases; in principle the 24/7 front desk services should deal with these.

## SIRENE forms

SIRENE forms must be used primarily for the exchange of supplementary information, unless another procedure is laid down in the SIRENE Manual (for example, the exchange of supplementary information on return decisions and entry bans before an alert is created which are carried out through the 'consult' mailbox).

The rules and procedures for using and completing the SIRENE forms are laid down in the SIRENE Manual, including its Annex

#### SIRENE Manual

The SIRENE Manual is a set of instructions which describes in detail the rules and procedures governing the bilateral or multilateral exchange of supplementary information.

#### SIRENE Manual (Borders)

Commission Implementing Decision of 18 November 2021 laying down detailed rules for the tasks of the SIRENE Bureaux and the exchange of supplementary information regarding alerts in the Schengen Information System in the field of border checks and return (C(2021) 7900).

#### SIRENE Manual (Police)

Commission Implementing Decision of 18 November 2021 laying down detailed rules for the tasks of the SIRENE Bureaux and the exchange of supplementary information regarding alerts in the Schengen Information System in the field of police cooperation and judicial cooperation in criminal matters (C(2021) 7901).

#### SIRENE sub-forms

Sub-forms are used for several specific purposes. Each sub-form reflects a particular use of the form.

#### <u>SIS</u>

The Schengen Information System (SIS) is the most widely used and largest information sharing system for security and border management in Europe. As there are no internal borders between Schengen countries in Europe, SIS compensates for border controls and is the most successful cooperation tool for border, immigration, police, customs and judicial authorities in the EU and the Schengen associated countries. Since 1995, the system has helped Europe preserve its security in the absence of internal border checks. In 2013, the second generation of SIS (SIS II) was rolled out, with additional functionalities, such as the possibility of adding fingerprints and photographs to alerts. In March 2023, SIS was renewed with new alerts, upgraded data and enhanced functionalities.

#### <u>SIS alert</u>

A 'SIS alert' means a set of data entered into SIS allowing the competent authorities to identify a person or an object with a view to taking specific action.

## SIS non-sensitive/non-police alert

The SIS 'non-sensitive alerts' or 'non-police alerts' concern:

- alert for refusal of entry and stay
- alert on return

## SIS sensitive/police alert

The SIS 'sensitive/police alerts' concern:

- persons wanted for arrest, for surrender or extradition purposes,
- missing or vulnerable persons,
- persons sought to assist with a judicial procedure or
- persons for discreet checks, inquiry checks or specific checks

# SIS-AFIS

Schengen Information System-Automatic Fingerprint Identification System

# **SIS-AFIS** notification

According to the specific type of operation, the notification is: sent to the Member State that entered the last new alert in SIS, and to other involved Member States, if they subscribed to the service or sent to the mark issuing Member State and to the Member State that entered the last new alert, if the latter subscribed to the service or sent to the executing Member State and to the mark issuing Member State, if the latter subscribed to the service.

## SIS-SIRENE Committee

The Commission is responsible for the general oversight of SIS and works with the Member States, eu-LISA and other Union agencies in managing the evaluation of the system and to adopt implementing measures. The body that supports the Commission in these tasks is the SIS-SIRENE Committee, in which all Member States are represented. Its role is to assist the Commission in drafting and adopting implementing acts that set common standards and procedures on the operation of SIS in accordance with the examination procedure. The SIS-SIRENE Committee also discusses and agrees on technical and operational matters.

#### specific check

A specific action to be taken on the basis of the alert if national law so allows. If allowed, the end user is required to take action which is similar to what would normally be categorised under national law as a 'stop and search' and therefore the subject must be given all the procedural rights to which they are entitled under national law. A specific check involves a thorough search of the described person, any vehicle they might be using, the persons accompanying the subject, luggage and other objects. It also involves gathering the same information as a discreet check or inquiry checks.

#### **Stamping**

Use of stamps in travel documents (e.g. passport), which must be checked by the competent authorities of a Member State. The affixing of stamps related with EES occurs during the fall-back procedures and during the EES's transitional period.

#### Standard form for refusal of entry

A standard form to be filled at the border crossing point, by the border authority, as per the Schengen Borders Code Regulation (EU) 2016/399.

#### Stolen and Lost Travel Documents (SLTD)

Stolen and Lost Travel Documents (SLTD): A Interpol database containing lost, stolen and revoked travel documents – such as passports, identity cards, visas and UN laissez-passer– and also stolen blank travel documents included in a database that helps police to catch terrorists and criminals who often use fraudulent travel documents to cross borders.

#### **Stopover**

The competent authorities must not conduct entry or exit checks:

- In the context of organised touristic excursions or daytrips during a stopover at a Schengen port;
- On passengers remaining on board the cruise ship during a stopover at a Schengen port.

# Subsequent entry

After the creation of the third-country national's individual file in the EES and the procedures for his/her first entry, and on each subsequent entry, the border authority shall enter an entry record for each entry. The entry record shall be linked to the individual file in the EES.

# Subsequent exit

After the creation of the third-country national's individual file in the EES, and on each subsequent exit, the border authority shall enter an exit record for each exit. The exit record shall be linked to the individual file in the EES.

## <u>summons</u>

An order to appear before a judge or magistrate, or the writ containing such an order.

# Supervision

Monitoring and controlling others activities - e.g. supervision of the enrolment of data by the third-country national, using a self-service system, by the border guard.

# Supervision of a border guard

The Self-Service Systems (SSS) shall be operated under the supervision of a border guard, who shall be in charge of detecting any inappropriate, fraudulent or abnormal use of the same. However, surveillance with Closed-Circuit Television (CCTV) cameras would be sufficient (for self-service system, e-gate, or both). Therefore, a border guard should be in the proximity of the camera in order to be able to intervene, in a reasonable time, if necessary.

# Supervisory authorities

One or more independent public authorities in a Member State that is/are responsible for monitoring the application of the GDPR on and from the national territory, in order to protect the fundamental rights and freedoms of natural persons in relation to processing and to facilitate the free flow of personal data within the Union.

## supplementary information exchange

Supplementary information must always be exchanged between SIRENE Bureaux in a written format, using standardised SIRENE forms or free text messages. If an urgent response is required, communication may also be made by telephone, in addition to the written exchange of supplementary information.

## surrounding links

These are the links that connect the same identity group to at least two other identity groups in different EU information systems that are themselves also linked to one another creating a closed series of links in the form of a geometrical shape (e.g. triangle, rectangle). This means that the relation between those linked identity groups are connected to one another. If some of them are considered the same (and connected by white links), that means that it is impossible to also have a difference between them (connected by a green link). When a new link closes the series, inconsistencies might become apparent and will need to be resolved.

#### System recovery

The data collected during the fall-back period must be entered in the EES Central System as soon as technically possible, meaning when the technical impossibility or failure has been remedied and the system has been recovered.

#### **TDAWN**

Interpol Travel Documents Associated with Notices (TDAWN).

#### technical architecture

From a technical point of view, SIS consists of three components:

1) a central system managed by eu-LISA;

2) national systems managed by the N.SIS Office of each Member State using SIS;

3) a secure communication infrastructure (network) managed by eu-LISA that enables Member States and agencies to transmit and search for SIS data and to exchange supplementary information.

# Terrorist offence

An offence under national law which corresponds or is equivalent to one of the offences referred to in the legal basis (Directive (EU) 2017/54).

## Third-country national

Third-country national: any person who is not a citizen of the Union, with the exception of persons who enjoy the right of free movement equivalent to that of Union citizens under agreements between the Union and its Member States, on the one hand, and third countries, on the other.

## **Threat**

The competent authorities can refuse entry of the third-country national at the border if he/she is considered to be a threat to public policy, internal security, public health or the international relations of one or more of the Member States of the European Union (each state must indicate the references to national law).

## Transitional measures

Must be followed the transitional measures to be applied during the transitional period (as per the EES Regulation (EU) 2017/2226, Article 22). Therefore, the competent border authorities shall take into account the stays in the territory of the Member States during the 180 days preceding the entry or the exit by checking the stamps in the travel documents. Where a third-country national has entered the territory of the Member States before the EES has started operations and exits it after the EES has started operations, an individual file shall be created on exit and the date of entry as stamped in the passport shall be entered in the entry/exit record, This rule shall not be limited to the 180 days after the EES has started operations. In case of a discrepancy between the entry stamp and the EES data, the stamp shall prevail.

## Transitional period

A period of 180 days after the EES has started operations. During this period, in order to verify, on entry and exit, that third-country nationals admitted for a short stay have not exceeded the maximum duration of authorised stay and, where relevant, to verify on entry that third-country nationals have not exceeded the number of entries authorised by the short-stay visa issued for one or two entries, the competent border authorities shall take into account the stays in the territory of the Member States during the 180 days preceding the entry or the exit by checking the stamps in the travel documents in

addition to the entry/exit data recorded in the EES.

## **Travel authorisation**

A decision issued in accordance with the ETIAS Regulation (EU) 2018/1240 which is required for third-country nationals (referred to in Article 2(1) of this Regulation) to fulfil the entry condition.

## Travel document (TD)

Travel document means a passport or other equivalent document entitling the holder to cross the external borders and to which a visa can be affixed.

# Travel document data

Travel document data means the type, number and country of issuance of the travel document, the date of expiry of the validity of the travel document and the three-letter code of the country issuing the travel document.

## True positive match

The proportion of returned matches during a biometric search which belong to the checked traveller.

## Type of offence

When a person or object is connected to a criminal offence, it is also required to add the 'type of offence' to the alert. This is mainly relevant for alerts for arrest (where it is mandatory) and alerts for discreet checks, inquiry checks or specific checks (where it is not strictly mandatory but should be added when available). This should also be done for alerts for refusal of entry and stay and alerts on return based on a criminal offence.

## <u>UK</u>

United Kingdom

## UK Withdrawal Agreement

The UK residents in the Schengen Area before Brexit are beneficiaries of the UK Withdrawal Agreement since they may have specific documents to show their residence status. The UK Withdrawal Agreement's beneficiaries are exempt from EES registration. The persons from the UK who have not yet applied or finalised the necessary paper work could provide alternative proofs to the border guard (registration certificate of the commune).

## <u>UN</u>

United Nations

## UN travel ban

United Nations travel ban, its purpose is to limit the mobility of listed individuals.

## Unaccompanied children or unaccompanied minor

Who arrives on the territory of an EU Member unaccompanied by the adult responsible for them by law or by the practice of the EU Member State concerned, and for as long as they are not effectively taken into the care of such a person or who is left unaccompanied after they have entered the territory of the EU Member State.

## Unforeseeable and serious events

A third-country national can bring evidence that was forced to exceed the duration of authorised stay due to unforeseeable and serious events. However, those events only would be acceptable under circumstances which are not within the reach of the third-country national, i.e. force majeure (e.g. accident implying hospitalization, serious illness or injury, medical appointment; judicial decision; impediment due to natural causes; infectious diseases; revolutions and wars; strikes in airplanes, buses, trains, cancellation of a travel, etc.).

## <u>Union citizen</u>

Any person holding the nationality of a Member State.

## United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (commonly abbreviated as the CRC or UNCRC) is an international human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children. The convention defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation. Nations that have ratified this convention or have acceded to it are bound by international law. When a state has signed the treaty but not ratified it, it is not yet bound by the treaty's provisions but is already obliged to not act contrary to its purpose.

## Update individual file

The third-country national's individual file in the EES is updated due to a justified reason - e.g. changes according to bilateral agreements, new travel document (e.g. third-country national has more than 1 nationality), biometric data updates, merging individual files, verification of issues during the offline mode and the need of corrections.

## Update of biometric data

An update of third-country national's biometric data in the EES (fingerprint data and facial image).

## <u>User Software Kit (USK)</u>

A quality assessment toolkit for biometric images (fingerprints data, facial images, and, in the future, palm prints).

## Valid until

The validity date of a record. It is applicable, for instance, to the end period of validity of a national facilitation programme.

## Valid visa

The competent authorities can refuse entry of the third-country national at the border if he/she has no valid visa.

## **Validation**

Checking the accuracy, completeness, lawfulness and reliability of the data.

## **Verification**

The process of comparing sets of data to establish the validity of a claimed identity (one-to-one check).

## Verification query

A verification query to be introduced by the carriers in the Carrier Interface at the earliest 48 hours prior to the scheduled time of departure. Therefore, the only obligation is that any carrier transporting persons into the Schengen area to check the web service anytime between 48 hours prior to departure and the departure.

## <u>VIN</u>

Vehicle Identification Number

## VIS automated processing

The application files shall be automatically processed by the VIS to identify hit(s). The authorities responsible shall examine each hit individually.

## VIS data

All the data stored in the VIS Central System and in the CIR.

## <u>Visa</u>

An authorisation issued by a Member State.

## <u>Visa authority</u>

The authorities which in each Member State are responsible for examining and for taking decisions on visa applications or for decisions whether to annul, revoke or extend visas, including the central visa authorities.

## Visa Code

Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code).

## Visa Facilitation Agreement

Agreements between the EU and a non-EU country that facilitate the issuance by an EU State of authorisations to the citizens of that non-EU country for transiting through or an intended stay in the territory of EU States for a duration of no more than 3 months in any six-month period from the date of first entry into the territory of the EU States.

## <u>Visa holder (VH)</u>

While there are categories and nationals of countries that are privileged with entering the Schengen visa-free zone, there are also other categories and nationals which have to go through all the process of meeting requirements and attending interviews, in order to obtain a visa that grants them with the permission to enter the Schengen Area. After obtaining the visa become a third-country national holding a visa issued by a Member State.

#### <u>Visa holder traveller</u>

A third-country national traveller holding a visa issued by a Member State.

## Visa Information System

Visa Information System ('VIS') is a centralised system that allows Schengen States to exchange visa data. It connects consulates in non-EU countries and all external border crossing points of Schengen States. It processes data and decisions relating to applications for short-stay visas to visit, or to transit through, the Schengen Area. The revision of the system, currently being implemented, will expand the scope of VIS by adding long stay-visas and residence permits to the system. It will also introduce more thorough background checks on visa applicants.

# Visa Information System (VIS)

Visa Information System or VIS means the Visa Information System established by Regulation (EC) No 767/2008. The VIS allows Schengen States to exchange visa data. It connects consulates in non-EU countries and all external border crossing points of Schengen States. It processes data and decisions relating to applications for short-stay visas to visit, or to transit through, the Schengen Area.

## <u>Visa sticker</u>

Visas issued by the Member States in conformity with Article 5 and produced in the form of a uniform format (sticker) - COUNCIL REGULATION (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas.

# <u>Visa with limited territorial validity (LTV)</u>

A visa valid for the territory of one or more Member States but not all Member States (i.e. with limited territorial validity (LTV)).

## Visa-exempt (VE)

The categories and nationals of countries that are privileged with entering the Schengen visa-free zone.

## <u>Visa-exempt traveller</u>

A third-country national traveller not holding a visa.

## <u>Voluntary departure</u>

Compliance with the obligation to return within the time-limit fixed for that purpose in the return decision.

## Vulnerability of morphing

Morphing attacks is a threat to biometric systems where the biometric reference in an identity document can be altered. This form of attack presents an important issue in applications relying on identity documents such as border security or access control.

## vulnerable persons

Persons who, due to their age, disabilities, or their family circumstances require protection.

## Warning markers

Person related remarks: an important element of the description of the alert subject (also called 'warning markers'). The purpose of these markers is to warn end users in other Member States about the nature of the risks or special circumstances they may face when they find the person or object. They do not form part of the 'action to be taken' in the alert.

## <u>Warnings</u>

The type of messages (warning the user) set up in the EES to support processes such as the replacement/update of biometric data (e.g. duplicate finger, resolution higher than expected, etc.).

## Web Service (WS)

A secure internet access to a web service shall be available, allowing the third-country nationals to verify, at any moment, the remaining authorised stay, by providing them the required data.

## white link

A white link means that the MID concluded that the data belong to the same person (automated white link) or that after manual verification the responsible authority concluded that data belongs to the same person in a justified manner.

Extensible Markup Language: An Extensible Markup Language file is a plain text file that describes the transportation, structure, and storage of data.

# XML format

An XML file or Extensible Markup Language file is a plain text file that describes the transportation, structure, and storage of data.

## yellow link

Yellow refers to the colour of a link. A yellow link means that the MID concluded that there is discrepancy between the linked data, which has to be manually verified by the responsible authority.