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From:	Presidency
To:	Delegations
Subject:	AOB for the meeting of the Justice and Home Affairs Council on 12-13 June 2025: Regulation on a progressive start of operations of the Entry/Exit System - *Information from the Presidency*

On 4 December 2024, the Commission presented a proposal for a Regulation of the European Parliament and of the Council on a temporary derogation from certain provisions of Regulation (EU) 2017/2226 and Regulation (EU) 2016/399 as regards a progressive start of operations of the Entry/Exit System (EES)[1].

[1] 16639/24

This proposal aimed to facilitate the operationalisation of the EES Regulation by enabling a progressive start of the EES operations through temporary derogations from certain provisions of Regulation (EU) 2017/2226 ('EES Regulation')[2] and Regulation (EU) 2016/399 ('Schengen Borders Code')[3]. Both Regulations required all Member States to use the EES fully, from day one (the so-called "big bang" approach).

Legislative steps on this file have taken place particularly swiftly. The Council reached a general approach on the proposal at its meeting on 6 March 2025, while the European Parliament adopted its position on 7 May 2025. On 19 May 2025, the Council and European Parliament found a provisional institutional compromise agreement.

This pace has aimed to ensure the EES can start operating progressively from October 2025, in line with the interoperability roadmap endorsed at the March 2025 Justice and Home Affairs Council.

The EES will make important contributions to border management and internal security, while at the same time facilitating bona fide travel.

The Presidency will provide information on the state of play on the Regulation as AOB.

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[2] Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing 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, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20–82).

[3] 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 (OJ L 77, 23.3.2016, p. 1–52).