

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	respect the same requirements as set out in Article 4, 2 nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.	respect the same requirements as set out in Article 4, 2 nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.	respect the same requirements as set out in Article 4, 2nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.	requirements as set out in Article 4, 2nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.
137.	<i>Article 8</i>	<i>Article 8</i>	<i>Article 8</i>	
138.	<i>Phasing out of existing residence cards</i>	<i>Phasing out of existing residence cards</i>	<i>Phasing out of existing residence cards</i>	
139.	(1) Residence cards of family members of Union citizens who are not nationals of a Member State, which are not in a format laid down for residence permits in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008 of the European Parliament and of the Council on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [two years after the date of application of this Regulation], whichever is earlier.	(1) Residence cards of family members of Union citizens who are not nationals of a Member State, which are not in a format laid down for residence permits in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008 of the European Parliament and of the Council on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [two years after the date of application of this Regulation], whichever is earlier.	(1) [...] Residence cards of family members of Union citizens who are not nationals of a Member State which do not meet the requirements of Article 7 shall cease to be valid at their expiry or by five years after [the date of application of the Regulation], whichever is earlier.	<u>To be discussed</u> NL wil raadspositie handhaven

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140.	<p>(2) Residence cards of family members of Union citizens who are not nationals of a Member State, which are in a format laid down for residence permits for third-country nationals in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008, but which are not in a format laid down in Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954 on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [five years after the date of application of this Regulation], whichever is earlier.</p>	<p>(2) Residence cards of family members of Union citizens who are not nationals of a Member State, which are in a format laid down for residence permits for third-country nationals in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008, but which are not in a format laid down in Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954 on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [five years after the date of application of this Regulation], whichever is earlier.</p>	<p>(2) Residence cards of family members of Union citizens who are not nationals of a Member State, which are in a format laid down for residence permits for third-country nationals in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008, but which are not in a format laid down in Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954 on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [five years after the date of application of this Regulation], whichever is earlier. By way of derogation from paragraph 1 residence cards of family members of Union citizens who are not nationals of a Member State which do not meet the minimum security standards set out in ICAO document 9303 part 2 (seventh edition, 2015) or do not include a functional machine-readable zone (MRZ)</p>	To be discussed

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			<i>compliant with ICAO document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by three years after [the date of application of this Regulation], whichever is earlier.</i>	
141.	CHAPTER V COMMON PROVISIONS	CHAPTER V COMMON PROVISIONS	CHAPTER V COMMON PROVISIONS	
142.	<i>Article 9</i>	<i>Article 9</i>	<i>Article 9</i>	
143.	<i>Contact point</i>	<i>Contact point</i>	Contact <i>Point of contact</i>	<u>Presidency compromise proposal (Council mandate)</u> Contact <i>Point of contact</i>
144.	(1) Each Member State shall designate one authority as a contact point for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other Member States. If a Member State changes its designated authority, it shall inform the Commission and the other	(1) Each Member State shall designate one authority as a contact point for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other Member States. If a Member State changes its designated authority, it shall inform the Commission and the other	(1) Each Member State shall designate at least one central authority. Where a Member State has designated more than one central authority, it shall designate which of them will be the one authority as a contact point of contact for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other	<u>Presidency compromise proposal (technical amendment to Council mandate)</u> (1) Each Member State shall designate at least one central authority as a contact point for the implementation of this Regulation. Where a Member State has designated more than one central authority, it shall designate which of them will be

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	Member States accordingly.	Member States accordingly.	Member States. If a Member State changes its designated authority, it shall inform the Commission and the other Member States accordingly.	<i>the one authority as a contact point of contact for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other Member States. If a Member State changes its designated authority, it shall inform the Commission and the other Member States accordingly.</i>
145.	(2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union level, such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	(2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union level, such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	(2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union level, such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	<u>Presidency compromise proposal</u> (Technical amendment suggested by Cion) (2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union level, <i>included in the Single Digital Gateway¹ such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise</i>

¹ OJ L 295, 21.11.2018, p.1, Regulation (EU) 2018/1724

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				Europe Network and the Points-of-Single-Contact
146.		Article 9 a		
147.		Collection of biometric identifiers		
148.	(1) The biometric identifiers shall be collected solely by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards or residence permits, for the sole purpose of being integrated into the highly secure storage medium provided for in Article 3(3).	(1) The biometric identifiers shall be collected solely by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards or residence cards, for the purpose of being integrated into the highly secure storage medium provided for in Article 3(3) for identity cards and in Article 7 (1) for residence cards. In view of ensuring the consistency of biometric identifiers with the identity of the applicant, the latter shall appear in person for each application at least once during the issuance process. BZK: Dit zou het aanleveren van pasfoto's door de burger moeten uitsluiten	(1) The biometric identifiers shall be collected solely by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards or residence cards, for the purpose of being integrated into the highly secure storage medium provided for in Article 3(3) for identity cards and in Article 7 (1) for residence cards. In view of ensuring the consistency of biometric identifiers with the identity of the applicant, the latter shall appear in person for each application at least once during the issuance process. BZK: Dit zou het aanleveren van pasfoto's door de burger moeten uitsluiten	

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149.		<i>(2) Member States shall ensure that appropriate and effective procedures for the collection of biometric identifiers are in place, which comply with the rights and principles defined in the Charter of Fundamental Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms and the United Nations Convention on the Rights of the Child.</i>		<p><u>Presidency compromise proposal</u></p> <p><i>(2) Member States shall ensure that appropriate and effective procedures for the collection of biometric identifiers are in place, which comply with the rights and principles defined in the Charter of Fundamental Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms and the United Nations Convention on the Rights of the Child.</i></p> <p><i>Where difficulties are encountered in the collection of biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned.</i></p> <p>BZK: onduidelijk wat dit inhoud</p>
150.		<i>(3) Member States shall ensure that the best interest of the child is a primary consideration throughout the collection procedure. To this end, qualified staff as referred to in paragraph 1 shall receive the</i>		<p><u>To be discussed</u></p> <p>BZK: Bij het trainen van personeel zou de focus eerst moeten liggen op andere zaken zoals betrouwbaarheid. Deze worden niet benoemd</p>

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151.		<p>appropriate training on child-friendly practices for the collecting of biometric identifiers.</p> <p>(4) To avoid the risk of false matching, any biometric identifiers taken more than five years before the match and which that does not confirm the authenticity of the document or the identity of its holder, shall be subject to a compulsory manual check by a dactyloscopic expert.</p>		<p>BZK: Dit is erg onduidelijk verwoord. Zeker als het risico van fals matches wordt ingengaan is het onzinnig alleen in te grijpen als een match niet gemaakt kan worden. Beter is het te beschrijven dat als een match niet gemaakt kan worden dit altijd nader onderzoek vereist.</p> <p>Het is ook kostentechnisch onhaalbaar als bij te veel gevallen dactyloscopisch experts nodig zijn, zeker als standaard.</p>
152.		<p>(5) Biometric identifiers outside the storage medium referred to in Article 3(3), shall be stored in a highly secure manner and only for the time required to produce the national identity card or residence permit and in no case for longer than one month from the date of collection and shall be immediately erased and</p>		<p>BZK: Iegen. Onduidelijk of hiermee alleen vingerafdrukken bedoeld worden of ook de foto en handtekening.</p> <p>Mocht dit verdergaan dan vingerafdrukken maakt het historisch onderzoek bij een aanwag onmogelijk, wat uit veiligheidsoverpectief en de betrouwbaarheid van documenten mitghe onwenselijk is.</p>
				To be discussed

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153.		<i>destroyed once stored in the storage medium.</i>		
153.		<i>(6) This Regulation does not establish a legal base for the creation of a centralized database at Union level or at national level.</i>		To be discussed
154.	<i>Article 10</i>	<i>Article 10</i>	<i>Article 10</i>	
155.	<i>Protection of personal data</i>	<i>Fundamental rights and protection of personal data</i>	<i>Protection of personal data</i>	
156.	(1) Without prejudice to the application of Regulation (EU) 2016/679, persons to whom an identity card or residence document is issued shall have the right to verify the personal data contained in the documents and, where appropriate, to ask for rectification or erasure.	<i>deleted</i>	(1) Without prejudice to the application of Regulation (EU) 2016/679, persons to whom an identity card or residence document is issued shall have the right to verify the personal data contained in the documents and, where appropriate, to ask for rectification or erasure and issuance of a new document.	To be discussed
157.		(1 a) When implementing this Regulation Member States shall respect the fundamental rights and observe the principles recognised in		To be discussed

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		<i>particular by the Charter of Fundamental Rights of the European Union.</i>		
158.		<i>(2) Regulation (EU) 2016/679 applies to the processing of personal data under this Regulation.</i>		<u>To be discussed</u>
159.		<i>(3) At the time of collection of personal data, the responsible authority shall provide the person concerned with the information required pursuant to Articles 12 and 13 and 14 of Regulation (EU) 2016/679 in the manner required by those provisions.</i>		<u>To be discussed</u>
160.		<i>(4) The rights to access, rectification, completion, erasure and restriction of the processing, of the persons whose data are contained in the documents shall be exercised in accordance with Chapter III of Regulation (EU) No. 2016/679 before the national authority responsible for issuing the documents. Persons to whom an identity card or residence</i>		<u>To be discussed</u>

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		<i>document is issued shall have the right to verify the personal data contained in the documents and, where appropriate, to ask for rectification or erasure of inaccurate data and receive a new document. Member States shall put in place specific procedures that facilitate the exercise of these rights.</i>		
161.		<i>(5) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.</i>		<p><u>Text of Cion proposal (line 167)</u></p> <p><i>(5) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.</i></p> <p>BZK: onduidelijk hoe dit anders is dan regel 153: geen basis voor een database</p>
162.		<i>(6) Biometric data stored in the storage medium of identity cards and residence documents shall only be used in accordance with Union and national law, by the duly authorized staff of competent national authorities and EU</i>		<p><u>Presidency compromise proposal</u></p> <p><i>(6) Biometric data stored in the storage medium of identity cards and residence documents shall only be used in accordance with Union and national law, by the duly authorized staff of competent</i></p>

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163.				<p>national authorities and EU agencies, for the purpose of verifying:</p> <p>Text of Commission proposal (June 169)</p> <p>(a) the authenticity of the identity card or residence document;</p>
164.		<p>(b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.</p>		<p>Text of Commission proposal (June 170)</p> <p>(b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.</p>
165.		<p>(7) Member States shall maintain a register of the competent authorities with access to the biometric data stored on the chip referred to in Article 3(3) and shall communicate the register to the Commission, which shall maintain an up-to-date online register and annually publish a compilation of national registers.</p>		<p>To be discussed</p>

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166.		<i>(8) The introduction of security standards in identity cards and in residence cards of family members who are not nationals of a Member State shall not result to an undue increase in fees for EU citizens or third country nationals.</i>		<p><u>Presidency compromise proposal</u></p> <p><u>Recital XX</u></p> <p><i>XX) The introduction of security standards in identity cards and in residence cards of family members who are not nationals of a Member State should not result in an undue increase in fees for EU citizens or third country nationals.</i></p> <p><i>BZK: onmogelijk. Kaarten worden kostendekkend geproduceerd. Het toevoegen van een eventuele vinegrafdruk, het wijzigen van het design, en eventueel eerder uitsaseren zal altijd gevolgen hebben voor de kosten voor de burger. Mede hierom hechten wij op uitsasering middel regulier verloop</i></p>
167.	(2) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.	<i>deleted</i>	(2) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.	<p><u>Presidency compromise proposal</u></p> <p><i>Deleted (moved to line 161)</i></p>

Line	Commission proposal (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
168.	(3) Biometric data collected and stored in the storage medium of identity cards and residence documents shall only be used in accordance with Union and national law for verifying.	<i>deleted</i>	(3) Biometric data <i>shall be collected and stored-to be stored</i> in the storage medium of identity cards and residence documents <i>and</i> shall only be used in accordance with Union and national law for verifying.	Presidency compromise proposal <i>Deleted</i> (new provision in line 162)
169.	(a) the authenticity of the identity card or residence document;	<i>deleted</i>	(a) the authenticity of the identity card or residence document;	Presidency compromise proposal <i>Deleted</i> (text moved to line 163)
170.	(b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.	<i>deleted</i>	(b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.	Presidency compromise proposal <i>Deleted</i> (text moved to line 164)
171.		Article 10 a		
172.		Liabilities, security standards and supervision		
173.		(1) Member States shall ensure the conformity of the cards and files they issue with the security standards, format and specifications as described in Article 3, Article 6 and Article		Presidency compromise proposal (1) Member States shall ensure the conformity of the documents they issue with the provisions of BZK: we werken aan een wettekst, hoe kan een van de artikelen zijn: houd je aan de wet?

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		7.		Article 3, Article 6 and Article 7.
174.		(2) Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Regulation.		<p>Presidency compromise proposal (EP amendment)</p> <p>(2) Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Regulation.</p>
175.		(3) Member States shall work with the Commission to integrate additional features that render identity cards more accessible and user-friendly to people with disabilities.		<p>Presidency compromise proposal</p> <p>Please see the already existing text in Council recital 13 (line 42).</p> <p>13) The Regulation shall respects the obligations set in the United Nations Convention on the Rights of Persons with Disabilities ratified by all Member States and the Union¹. Therefore, the integration of additional features that render identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should</p>

¹ OJ L 23, 26.11.2009.

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176.		<p>(4) Member States shall grant the supervisory authorities referred to in Article 51(1) of Regulation (EU) 2016/679 access to their logs and maintain such access at all times to all premises used for interoperability purposes.</p>		<p>BZK: Het is onduidelijk welke logs bedoeld worden. Zijn dit de logs van het aannemen van documenten of van grenspassages? Ook blijft niet uit deze passage of uit de beschrijving van de bedoelde organisatie in de AVG welk doel het delen van deze logs moet hebben. Juisi rezien de kern van de AVG lijkt datadeling van deze orde een zeer onwenselijke stap.</p>
177.		<p>(5) Member States shall be liable for any failure to meet those obligations. Any person who has suffered material or immaterial damages as a result of any action incompatible with this Regulation, shall have the right to obtain from the issuing Member State compensation for the damages suffered.</p>		<p>Presidentcy compromise proposal (EP amendment)</p> <p>(5) Member States shall be liable for any failure to meet those obligations. Any person who has suffered material or immaterial damages as a result of any action incompatible with this Regulation, shall have the right to obtain from the issuing Member State compensation for the damages suffered.</p> <p>BZK: Aansprakelijkheidsmaatregelen volgen al uit de AVG, hoeven hier niet opnieuw benoemd.</p>

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178.		<i>Article 10 b</i>		
179.		<i>Source documents and provisional documents</i>		
180.		<i>(1) Member States shall work with the Commission to exchange best practices on the source documents used when applying for or renewing a document.</i>		<u>To be discussed</u> <i>Outside of the scope of the Regulation - already covered by Action Plan 2016 (latest report 2018/696).</i>
181.		<i>(2) Member States shall cooperate with the Commission on the minimum security features necessary for the mutual recognition of provisional documents issued in the event of theft, loss or renewal of identity document, or where it is temporarily impossible to take fingerprints or a facial image.</i>		<u>To be discussed</u>
182.		<i>(3) No later than (two years after the date of application of this Regulation), the Commission shall propose guidelines in relation to source</i>		<u>To be discussed</u>

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>documents and common features for provisional documents and present to the Council and the Parliament a report assessing the necessity to introduce common features for provisional documents.</i>		
183.	<i>Article 11</i>	<i>Article 11</i>	<i>Article 11</i>	
184.	<i>Monitoring</i>	<i>Monitoring</i>	<i>Monitoring</i>	
185.	By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the outputs, results and impacts of this Regulation.	By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the outputs, results and impacts of this Regulation, <i>including its impact on fundamental rights.</i>	By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the outputs, results and impacts of this Regulation.	<u>Presidency compromise proposal (EP amendment)</u> By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the outputs, results and impacts of this Regulation, <i>including its impact on fundamental rights.</i>
186.	The monitoring programme shall set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It shall specify the action to be taken by the Commission and by the Member	The monitoring programme shall set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It shall specify the action to be taken by the Commission and by the Member	The monitoring programme shall set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It shall specify the action to be taken by the Commission and by the Member	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	States in collecting and analysing the data and other evidence.	States in collecting and analysing the data and other evidence.	States in collecting and analysing the data and other evidence.	
187.	Member States shall provide the Commission with the data and other evidence necessary for the monitoring.	Member States shall provide the Commission with the data and other evidence necessary for the monitoring.	Member States shall provide the Commission with the data and other evidence necessary for the monitoring.	
188.	<i>Article 12</i>	<i>Article 12</i>	<i>Article 12</i>	
189.	<i>Reporting and Evaluation</i>	<i>Reporting and Evaluation</i>	<i>Reporting and Evaluation</i>	
190.	(1) Four years after its date of application, the Commission shall report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation.	(1) <i>Three years from the date of application of this Regulation and every five years thereafter, the Commission shall report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation, in particular its compliance with fundamental rights, its compliance with the data collection purposes listed in Article 10(2) and (3) and on the appropriateness of the level of security. Four years after its date of application, the</i>	(1) Four years after its date of application, the Commission shall report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation.	<u>Presidency compromise proposal (EP amendment)</u> (1) <i>Three years from the date of application of this Regulation and every five years thereafter, the Commission shall report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation, in particular its compliance with fundamental rights, its compliance with the data collection purposes listed in Article 10(2) and (3) and on the appropriateness of the level of</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		Commission shall report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation.		<i>security</i> . Four years after its date of application, the Commission shall report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation.
191.	(2) No sooner than six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines.	(2) Six years and ten years respectively after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings and particularly on its impact on fundamental rights, on the efficiency and improvement of the mobility of the Union citizens and of the level of security and on the effectiveness of biometric technology in ensuring the security of travel documents to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation	(2) No sooner than six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines.	Presidency compromise proposal (2) Six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings and particularly on its impact on fundamental rights, on the efficiency and improvement of the mobility of the Union citizens and of the level of security and on the effectiveness of biometric technology in ensuring the security of travel documents to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines.

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		Guidelines.		
192.	(3) Member States shall provide the Commission with the information necessary for the preparation of the reports.	(3) Member States <i>and relevant EU agencies</i> shall provide the Commission with the information necessary for the preparation of the reports.	(3) Member States shall provide the Commission with the information necessary for the preparation of the reports.	<u>Presidency compromise proposal (EP amendment)</u> (3) Member States <i>and relevant EU agencies</i> shall provide the Commission with the information necessary for the preparation of the reports.
193.		<i>Article 12 a</i> <i>Further technical specifications</i>	<i>Article 12a</i> <i>Further technical specification</i>	
194.		<i>In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Article 1 with future minimum security standards adopted pursuant to Council Regulation (EC) No 1030/2002 as implemented by Commission Decision C(2002)3069 as last amended by Commission Decision C(2013)6178 of 30.9.2013, the Commission shall establish, by means of implementing acts, additional technical specifications, relating to the</i>	(1) <i>In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Articles 2(a) and 2(c) with future minimum security standards the Commission shall establish, by means of implementing acts, additional technical specifications, relating to the following:</i>	<u>Presidency compromise proposal (Council mandate)</u> (1) <i>In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Articles 2(a) and 2(c) with future minimum security standards the Commission shall establish, by means of implementing acts, additional technical specifications, relating to the following:</i>

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195.		following:	(a) additional security features and requirements, including enhanced anti-forgery, -counterfeiting and - falsification standards;	(a) additional security features and requirements, including enhanced anti-forgery, counterfeiting and falsification standards; Presidency compromise proposal (joint text)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
196.		<i>(b) technical specifications for the storage medium of the biometric features and their security, including prevention of unauthorised access and facilitated validation;</i>	<i>(b) technical specifications for the storage medium of the biometric features referred to in Article 3(3) and their security, including prevention of unauthorised access and facilitated validation;</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>(b) technical specifications for the storage medium of the biometric features referred to in Article 3(3) and their security, including prevention of unauthorised access and facilitated validation;</i>
197.		<i>(c) requirements in relation to quality and in relation to common technical standards for the facial image and the fingerprints.</i>	<i>(c) requirements for quality and common technical standards for the facial image and the fingerprints.</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>(c) requirements for quality and common technical standards for the facial image and the fingerprints.</i>
198.		<i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12b(2). In accordance with the procedure referred to in Article 12b(2), the Committee established by Article 6 of Regulation (EC) No. 1683/95 may decide that the specifications referred to in this Article shall be secret and not</i>	<i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12b(2).</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12b(2).</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>published. In that case they shall be made available only to the point of contact referred to in Article 9(1).</i>		

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
199.			<p>(2) <i>In accordance with the procedure referred to in Article 12b(2), it may be decided that the specifications referred to in this Article shall be secret and not be published. In that case, they shall be made available only to the bodies designated by the Member States as responsible for printing and to persons duly authorised by a Member State or the Commission.</i></p>	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p>(2) <i>In accordance with the procedure referred to in Article 12b(2), it may be decided that the specifications referred to in this Article shall be secret and not be published. In that case, they shall be made available only to the bodies designated by the Member States as responsible for printing and to persons duly authorised by a Member State or the Commission.</i></p>
200.			<p>(3) <i>Each Member State shall designate one body having responsibility for printing identity cards and one body for printing residence cards of family members of Union citizens and shall communicate the names of such bodies to the Commission and the other Member States. Member States shall be entitled to change their designated bodies and shall inform the Commission and the</i></p>	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p>(3) <i>Each Member State shall designate one body having responsibility for printing identity cards and one body for printing residence cards of family members of Union citizens and shall communicate the names of such bodies to the Commission and the other Member States. Member States shall be entitled to</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>other Member States accordingly.</i>	<i>change their designated bodies and shall inform the Commission and the other Member States accordingly.</i>
201.			<i>Member States may also decide to designate the same body for printing identity cards and residence cards of family members of Union citizens and shall communicate the name of this body to the Commission and the other Member States.</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>Member States may also decide to designate the same body for printing identity cards and residence cards of family members of Union citizens and shall communicate the name of this body to the Commission and the other Member States.</i>
202.			<i>Two or more Member States may also decide to designate the same body and shall inform the Commission and the other Member States accordingly.</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>Two or more Member States may also decide to designate the same body and shall inform the Commission and the other Member States accordingly.</i>
203.		<i>Article 12 b</i>	<i>Article 12b</i>	
204.		<i>Committee procedure</i>	<i>Committee procedure</i>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
205.		<i>(1) The Commission shall be assisted by the Committee established by Article 6 of Regulation (EC) No. 1683/95. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>	<i>(1) The Commission shall be assisted by the Committee established by Article 6 of Regulation (EC) No. 1683/95. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>	<u>Presidency compromise proposal (joint text)</u> <i>(1) The Commission shall be assisted by the Committee established by Article 6 of Regulation (EC) No. 1683/95. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>
206.		<i>(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</i>	<i>(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i>
207.	<i>Article 13</i>	<i>Article 13</i>	<i>Article 13</i>	
208.	<i>Entry into force</i>	<i>Entry into force</i>	<i>Entry into force</i>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
209.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	
210.	It shall apply from 12 months after its entry into force.	It shall apply from 12 months after its entry into force.	It shall apply from 42-24 months after its entry into force.	To be discussed BZK: 24 maanden is nodig om de wet te wijzigen
211.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
212.	Done at Strasbourg.	Done at Strasbourg.	Done at Strasbourg.	
213.	For the European Parliament For the Council	For the European Parliament For the Council	For the European Parliament For the Council	
214.	The President The President	The President The President	The President The President	
215.		ANNEX I		<u>Presidency compromise proposal</u> delete
216.		NATIONAL IDENTITY CARDS TEMPLATE		<u>Presidency compromise proposal</u> delete

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
217.	FRONT:		<i>delete</i> Presidency compromise proposal	<i>delete</i> Presidency compromise proposal
218.				<i>delete</i> Presidency compromise proposal
219.		Zone I on the front of the MROTD identifies the issuing State or organization and the document.	<i>delete</i> Presidency compromise proposal	<i>delete</i> Presidency compromise proposal
220.		Data elements shall appear in a standard sequence in Zones II and III. Zones II and III each contain a field in which optional data elements may be included. The optional field in Zone II shall be used for personal data elements and the optional field in Zone III for document-related data elements. Where an issuing State or organization does not use the optional fields in Zones	<i>delete</i> Presidency compromise proposal	<i>delete</i> Presidency compromise proposal

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
221.	Zone IV contains the holder's signature or usual mark. The issuing State or organization shall decide the acceptability of a holder's usual mark.	II and III, there is no need to reserve the space for them on the ID1.		Presidency compromise proposal <i>delete</i>
222.	Zone V shall contain the personal identification feature(s) which shall include a portrait solely of the holder. At the discretion of the issuing State or organization, the name fields in Zone II and the holder's signature or usual mark in Zone IV may overlay Zone V provided this does not hinder recognition of the data in any of the three zones.		Presidency compromise proposal <i>delete</i>	
223.		BACK:	Presidency compromise proposal <i>delete</i>	

10.2e

Van: 10.2.e
Verzonden: dinsdag 22 januari 2019 15:08
Aan: 10.2.e
CC:
Onderwerp: RE: FLITS Radengroep Grenzen

Ha 10.2.e

Inmiddels heb ik het een en ander uitgezocht. Ik reageer per punt. Idealiter zou ik willen voorstaan dat wij ons verharderen op de designeisen, omdat het de voorzitter dit wil uitwisselen voor verplichte vingerafdrukken. Als wij kunnen voorkomen dat het EP het design er door krijgt houden we de vingerafdrukken misschien ook optioneel. Ik zal deze overweging aan de stass voorleggen.

10.2.

-Reikwijdte richtlijn.

Ons document dat wij aan uitreizigers uitgeven is 5 jaar geldig, maar vermeld expliciet dat deze 'not valid for travel' is. Hiermee valt hij niet onder de verordening. Ons enige argument is dat 6 maanden inconsequent is ten opzichte van paspoorten en de regeldruk voor mensen met een ziekte. Voor zover ik nu heb kunnen uitzoeken ontstaat er met 6 maanden geen probleem, zowel voor documenten die dan buiten de verordening vallen als documenten die uitgegeven worden zonder vingerafdruk als deze tijdelijk niet afgenomen kan worden.

-6 maanden bij geen vingerafdrukken

zie bovenstaande

-Opnemen EU vlag, blauwe kleur en titel 'EU citizen'

Volgens mij is de appendix 1 en dus de EU design komen te vervallen. Ook is het voor mij nog even de vraag in hoeverre het uitwerkingsvoorstel 7767 (voor vreemdelingendocumenten) voor identiteitskaarten gaat gelden. Dat zou limitaties opleggen voor veiligheidskenmerken. Ik de vraag uitstaan bij RVIG in hoeverre dit limieten oplegt, maar aan de PV even de vraag hoe ik regel 88 moet lezen: Geldt uitwerkingsvoorstel 7767 voor alle documenten van de verordening? Of alleen het vreemdelingendocument.

Voor wat betreft de blauwe kleur heb ik begrepen dat dit een een lastig pigment is in combinatie met lasergraveren. Mij is gevraagd dit niet als discussiepunt in Brussel op te werpen, maar te vragen om een onderzoek naar de effecten van blauw op het personalisatieproces en de betrouwbaarheid.

Heel basaal vind ik dat de designregels uit de EU geen reden voor eerder uitfasen kunnen zijn. Het kan niet zo zijn dat we tegen een burger moeten zeggen: je kaart is niet meer geldig omdat deze een vlag moet bevatten.

-uitfasen

We komen tot de volgende rekenom. Als we vingerafdrukken moeten toevoegen en de wet moeten wijzigen zullen we met 8 jaar uitfasen de kaarten die de komende twee jaar worden uitgegeven eerder moeten vervangen. Dit zijn 420.000 kaarten. Dit zou nog steeds een aardige kostenpost kunnen opleveren. Zeker als de reden voor vervanging enkel de kleur en een vlag is ook moeilijk uit te leggen.

-opslag biometrie

Het langer opslaan van de foto is nodig voor historische vergelijking. Juist als de EU werkt aan betrouwbaarheid van het document en uitgifte kan het niet zo zijn dat hierop ingeboet wordt.

-Layout

Volgens mij heeft de voorzitter dit geschrapt. De anex bestaat in elk geval niet meer?

Van: 10.2.e
Verzonden: zondag 20 januari 2019 17:22
Aan: 10.2.e
cc: 10.2.e
Onderwerp: FW: FLITS Radengroep Grenzen

Beste allen, bijgaand de flits en het verslag:

Er zijn aantal belangrijke beslispunten waarop we snel positie moeten innemen. Ook zullen onze positie goed moeten onderbouwen zodat Roemeense voorzitterschap onze punten kan binnenhalen in overleg met EP. Er zal enige flexibiliteit nodig zijn. EP zit volgens voorzitterschap geharnast in de discussie. Ik ben maandag slecht bereikbaar en 10.2.e heeft volgens mij ook –in elk geval in ochtend raadswerkgroep Commentaren moeten uiterlijk

dinsdag worden ingediend. Aantal nogal politiek gevoelige punten (vlag, eu kleur) die mi aan stass moeten worden voorgelegd. Verder ook zeker overleg met RIVG/leverancier nodig ivm ontwerp vragen.

- Reikwijdte richtlijn (voorgesteld was documenten met geldigheidsduur langer dan 12 maanden, voorstel 6 mnd). Meeste lidstaten willen hierop bewegen: wat zijn onze argumenten om het op 12 mnd te houden (afgezien van consistentie gelet op onze wens om in geval van onmogelijkheid afnemen vingerafdrukken document voor 12 maanden te kiezen). Zat hier nog niet iets mbt onze kaart voor uitreizigers?? Of wilden we deze gebruiken om burgers kans te geven id kaart te krijgen zonder vingerafdrukken? 10.2.a.

Argumenten zijn nodig om EP te overtuigen dat het 12 mnd moet blijven. Meeste andere lidstaten willen hierop bewegen.

- Mbt tijdelijke onmogelijkheid vingerafdrukken te geven. Ook hier wil men naar 6 mnd. Hier behoefte toelichting om welke gevallen het precies gaat (mi vooral kankermedicijnen het probleem) en aantallen: hoe vaak geven we iemand document voor 1 jaar om deze reden? Welke problemen ondervindt deze doelgroep als we er 6 mnd van maken?
- Opnemen EU vlag, en kleur (EU)blauw: Kan dat? Veel lidstaten opperden problemen ivm ruimte op kaart (achterzijde??) eigenlijke probleem is volgens mij dat we geen expliciet EU signaal op onze nationale kaart willen, maar dat is lastig argument richting EP. Mbt EU kleur (hard blauw??): is denk ik ongeschikt, maar variaties van blauw kunnen mogelijk wel?? Ook hier argumenten nodig waarom vastleggen (blauwe) kleur ongunstig is (bv ivm veiligheid?)
- Idem eigen EU format (inclusief EU layout!) ipv verwijzing naar ICAO doc dat nog veel ruimte biedt. Wat levert dat ons voor problemen op?
- Uitfasen: men stelt nu voor 24 mnd implementatie plus 8 jaar uitfasen: nb dan komen we op voorjaar 2029. Volgens mij is dat voor ons wel acceptabel toch? In 2 jaar kunnen we wel nieuw model ontwikkelen en evt. aanpassing paspoortwet mbt vingerafdrukken implementatie rond krijgen. En dan kunnen we vanaf 2021/22 gaan uitgeven. Maw iedereen die van 2024 tot 2029 kaart krijgt (de piek) zit goed. Je moet dan alleen de kaarten die tussen 2019 en 2021 zijn uitgegeven vervroegd vervangen. Dat lijkt mij behapbaar.
- Opslag biometrie: voorgesteld art 9a EP kiest formuleringen op grond waarvan ook opslag foto buiten kaart niet lijkt toegestaan. Onduidelijk of men dat echt niet wil of alleen niet voor vingerafdrukken. We moeten dus argumenten opschrijven waarom de foto in elk geval echt nodig is. Idem voor andere punten in voorgestelde tekst 9a
- Layout: EP wil hiervoor vast europees format (wat komt waar te staan in vaste volgorde). ICAO staat variatie toe. Ook hier argumenten nodig waarom we niet zouden kunnen instemmen.
- Mbt art 10a: Vzs licht toe dat hun compromisteksten zijn bedoeld als recitals, niet als wetteksten. Men zal nog met JDR kijken of het mogelijk is formuleringen aan te passen zodat ze minder dwingend zijn. Inhoudelijk was er geen tijd meer deze te bespreken.

Gelet op feit dat dinsdag laatste moment is waarop toelichtingen, argumenten kunnen worden ingebracht voor vzs politieke dialoog voert, handig om of maandagmiddag (dan vrees ik alleen met 10.2.a) of dinsdagochtend een belafsprak te hebben om eea door te spreken. 10.2.a heeft meer ervaringen met onderhandelingen in dit stadium maar de druk zal hoog worden is mijn inschatting omdat zowel wij als EP dit willen afronden.

Kind regards/met vriendelijke groet

10.2.e

Email: 10.2.e @minbuza.nl

10.2.e

From: 10.2.e @minbzk.nl>

Sent: vrijdag 18 januari 2019 20:14

To: 10.2.e @minbuza.nl>

Subject: FW: FLITS Radengroep Grenzen

Van: 10.2.e

Verzonden: vrijdag 18 januari 2019 20:14:12 (UTC+01:00) Amsterdam, Berlin, Bern, Rome, Stockholm, Vienna

Aan: 10.2.e

CC: 10.2.e

Onderwerp: 10.2.e

Beste 10.2e

Uit de Radengroep Grenzen van vandaag:

EGKW (informatiepunt CRP 23/1):

- VZ wil dat CRP richting geeft op het standing corps en de uitvoerende bevoegdheden. Verder geen inhoudelijke discussie.
- CIE presenteert non-paper waarin diverse scenario's worden geschetst. Kernboodschap is dat de aantallen voorgesteld door VZ amper genoeg zijn om lopende operaties, nieuwe taken op ETIAS en terugkeer uit te voeren. Er is dus geen capaciteit om te reageren op andere ontwikkelingen en dat zou toch een van de doelen moeten zijn van de nieuwe EGKW.
- 10.2.a

Schengengrenscore (eerste Radengroep in triloog):

- VZ geeft aan dat vandaag minst controversiële punten worden besproken. 10.2.a
- In volgende triloog worden de rol van de Raad en de termijnen besproken.

ID-documenten (eerste Radengroep in triloog)

- 10.2.a
- 10.2.a
- Kleur/vlag ID-kaarten en verblijfsdocs: bijna alle LS zijn tegen de verplichte opname van het EU logo en de blauwe kleur. VZ vraagt LS hier op te bewegen in ruil voor vingerafdrukken of uitfaseertermijn.
- Reikwijdte: VZ stelt voor om kaarten met een geldigheid van max 6 mnd uit te zonderen. 10.2.a
- Volgende triloog 24/1. Volgende bespreking in RG 29/1. Schriftelijk commentaar tot 22/1.

Bijgaand, met dank aan 10.2e het verslag.

Groet,

10.2.a

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10.2e

3648
30/01

Ministerie van Binnenlandse Zaken en Koninkrijksrelaties

Aan
Van

Staatssecretaris van BZK
DG00

DIO/identiteit

Contactpersoon

[redacted]

[redacted]

[redacted]

[redacted]

Datum: ?

nota

Voortgang triloog identiteitskaarten

Aanleiding/probleemstelling

Het Europees Parlement heeft verregaande wensen ten aanzien van de verordening identiteitskaarten. De verordening is eerder aan de orde geweest, voornamelijk vanwege de verplichte afname van vingerafdrukken.

Opmerking 10.2a

Advies/actie

Graag uw akkoord op:

- De voorgestelde onderhandelingstactiek.

Betrokken BZK onderdelen

RvG, CZW, FEZ

Toelichting

Inmiddels is er een Raadsconclusie bereikt. Het Europees Parlement heeft ook positie ingenomen op de verordening. De eerste triloog tussen de Raad, de Commissie en het Parlement vond plaats op 24 januari. In de raadswerkgroepen voorafgaand aan trilogieën kan Nederland de voorzitter van de raad instrueren. Het tempo is hoog met om de twee a drie weken een triloog, voorafgegaan door een raadswerkgroep.

De eerste compromisteksten tussen de Commissie, Raad en Parlement zijn reeds gedeeld.

Het Europees Parlement wil:

- geen verplichte maar optionele vingerafdrukken. Nederland steunt dit, maar krijgt hiervoor onvoldoende bijval in de Raad;
- een blauwe kaart;
- een EU-vlag op de kaart;
- mogelijk aanvullende eisen voor een standaardontwerp. Deze zijn nog niet nader uitgewerkt;
- dat aanvraaggegevens binnen een maand na uitgifte worden verwijderd. Nederland steunt dit niet, omdat bij een aanvraag historische context belangrijk is voor betrouwbare uitgifte;
- een uitfaseertermijn van kaarten in 8 jaar. Nederland kan dit niet steunen zolang de Nederlandse kaart vanwege designeisen of verplichte vingerafdrukken niet aan de verordening voldoet.

Welke opties hebben we om de lidstaten danwel te overtuigen?

Wat gaat dit kosten? Overgangskosten?

Datum
24 januari 2019
Kenmerk
2019-0000044116

Uitfaseren

Als Nederland eerder moet uitfaseren, betekent dit dat ID-kaarten uitgegeven in de twee jaar voor de inwerkingtreding van de verordening die in principe tien jaar geldig zouden moeten zijn nu maar acht jaar geldig zijn. Dit betreft +/- 400.000 kaarten. Hoewel andere landen meer kaarten moeten vervangen voor de verordening is het onwenselijk alleen kaarten te moeten vervangen vanwege design-maatregelen.

Design

Er bestaat al langer de wens om voor een EU-document. Reisdocumenten worden door de landen gezien als nationale competentie. De design-wensen voegen ook weinig toe aan de doelen van de verordening. Deze zaken zijn reeds opgebracht door Nederland en andere lidstaten, maar de wensen blijven staan. De complicaties voor de uitvoering, los van de wenselijkheid, worden nog uitgezocht. Diverse zaken zijn nog niet concreet uitgewerkt zodat het lastig is de implicaties in de uitvoering in te schatten.

Krachtenveld en tactiek

De meeste landen willen graag vingerafdrukken verplicht stellen. Tegelijkertijd is er bij veel landen weerstand op de voorgestelde design-eisen. Er lijkt weinig weerstand te zijn tegen het uitfaseren in acht jaar van kaarten die niet aan de verordening voldoen. Lidstaten hebben nog niet veel tijd gehad hun visie op de inbreng van het Parlement te ontwikkelen. Hierdoor zijn nog niet alle posities duidelijk.

De voorzitter heeft lidstaten opgeroepen te bewegen op het design, in de hoop dat het Parlement overstag gaat voor verplichte vingerafdrukken. Het is ons voorstel om dit te voorkomen door vast te houden aan ons eigen design. Hoe dan ook moet ingezet worden op het voorkomen van eerder uitfaseren van geldige kaarten. Het ligt voor de hand de termijn van acht op te rekken naar tien jaar (de normale geldigheidsduur), maar ook door te bedingen dat de design-wensen geen reden voor eerder uitfaseren zijn.

Politieke context

Verplichte vingerafdrukken liggen gevoelig in de Tweede Kamer. De verordening doet veel goeds voor de betrouwbaarheid van de Europese identiteitsdocumenten.

Communicatie
n.v.t.

Parafenoverzicht

Werkmap

Onderwerp:

Nummer:

Algemeen taakverzoek:

Voortgang Triloog Identiteitskaarten

2019-0000003648

30/01 10.2e

30/01 10.2e Printen voor stassBZK via DGOO.

30/01 10.2e PBA akkoord

29/01 10.2e gedeeld met PBA

28/01 10.2e Zie opmerkingen PBA 10.2e

28/01 10.2e PBA zie opmerkingen

25/01 10.2e Gedeeld met PBA. Zie reactie op vragen.

25/01 10.2e Gedeeld met steller. Zie opmerkingen PBA.

25/01 10.2e paar opmerkingen

25/01 10.2e Gedeeld met PBA voor advies.

Doorlooptijd?

Document: Nota voortgang triloog identiteitskaarten (2019-0000044116)

Naam	Datum en Tijd	Inbox
10.2e	24-01-2019, 18:37	DIO
	24-01-2019, 16:22	DIO/AI
	30-01-2019, 10:19	DGOO

10.2e

Van: 10.2e
Verzonden: maandag 28 januari 2019 18:44
Aan: 10.2e
Onderwerp: RE: Instructie raads werkgroep verordening identiteitskaarten
Bijlagen: Instructie raads werkgroep triloog II (002) JenV.docx

Zie nog kleine aanvulling op de instructie vwbt line120/121. Graag nog check van de IND. Gr 10.2e

Van: 10.2e
Verzonden: maandag 28 januari 2019 18:33
Aan: 10.2e

Onderwerp: Instructie raads werkgroep verordening identiteitskaarten

Beste 10.2e,

Hierbij dit keer van mijn hand (als achtervang) de instructie voor de RWG over de verordening identiteitsdocumenten.

Daarin een red line:

- Line 152: NL wil de gezichtsopname op kunnen slaan en langer bewaren dan alleen de productie. Dit is belangrijk voor fraudebestrijding.

Verder o.a. de volgende highlights:

- NL wil geen blauwe kleur of blauwe vlag op de identiteitskaart of verblijfsdocumenten (voor BZK is dat onder voorbehoud van politieke steun).
- We willen niet dat we documenten moeten uit faseren, daarom willen we vasthouden aan de 10 jaarstermijn voor implementatie (helemaal al niet wanneer uit faseren moet vanwege het ontbreken van een blauwe vlag).

Tot slot:

- In de instructie ontbrak de inbreng van VNG (die is niet ontvangen vandaag).
- Op line 120/121 ontbreekt de reactie van JenV nog.

Wanneer je vragen of opmerkingen hebt dan hoor ik dat graag van je.

Met vriendelijke groet,

10.2e

Directie Informatiesamenleving en Overheid
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Ministry of Justice and Security



Council of the European Union
General Secretariat

Interinstitutional files:
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1086/2019 INIT LIMITE

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WORKING PAPER

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WORKING DOCUMENT

From:	Presidency
To	JHA Counsellors (Visa, Frontiers, Schengen)
Subject:	Proposal for a Regulation of the European Parliament and of the Council on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement

Following the first trilogue on 24 January 2019 and with a view to the meeting of JHA Counsellors on 29 January 2019, delegations will find attached the latest version of the four-column table on the strengthening of the security of identity cards and residence documents.

WK 1086/2019 INIT

LIMITE

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REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
1.	<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (Text with EEA relevance)</p>	<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (Text with EEA relevance)</p>		
2.	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p>	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p>	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
3.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	
4.	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
5.	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
6.	Having regard to the opinion of the European Economic and Social Committee ¹ ,	Having regard to the opinion of the European Economic and Social Committee ² ,	Having regard to the opinion of the European Economic and Social Committee ³ ,	
7.	Having regard to the opinion of the Committee of the Regions ⁴ ,	Having regard to the opinion of the Committee of the Regions ⁵ ,	Having regard to the opinion of the Committee of the Regions ⁶ ,	

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- 1 OJ C... p. .
2 OJ C... p. .
3 OJ C... p. .
4 OJ C... p. .
5 OJ C... p. .
6 OJ C... p. .

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
8.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
9.	Whereas:	Whereas:	Whereas:	
10.	(1) The EU Treaties resolved to facilitate the free movement of persons while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of the Treaty on the Functioning of the European Union.	(1) The EU Treaties resolved to facilitate the free movement of persons while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of the Treaty on the Functioning of the European Union.	(1) The EU Treaties resolved to facilitate the free movement of persons while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of the Treaty on the Functioning of the European Union.	
11.	(2) Citizenship of the Union confers on every citizen of the Union the right to free movement subject to certain limitations and conditions. Directive 2004/38/EC of the European Parliament and of the	(2) Citizenship of the Union confers on every citizen of the Union the right to free movement subject to certain limitations and conditions. Directive 2004/38/EC of the European Parliament and of the	(2) Citizenship of the Union confers on every citizen of the Union the right to free movement subject to certain limitations and conditions. Directive 2004/38/EC of the European Parliament and of the	

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	Council gives effect to that right. ¹ Article 45 of the Charter also provides for the freedom of movement and residence. Freedom of movement entails the right to exit and enter Member States with a valid identity card or passport.	Council gives effect to that right. ² Article 45 of the Charter also provides for the freedom of movement and residence. Freedom of movement entails the right to exit and enter Member States with a valid identity card or passport.	Council gives effect to that right. ³ Article 45 of the Charter also provides for the freedom of movement and residence. Freedom of movement entails the right to exit and enter Member States with a valid identity card or passport.	
12.	(3) Pursuant to Article 4 of Directive 2004/38/EC, Member States are to issue and renew identity cards or passports to their nationals in accordance with national laws. Furthermore, Article 8 of Directive 2004/38/EC provides that they may require citizens of the Union and their family members to register with the relevant	(3) Pursuant to Article 4 of Directive 2004/38/EC, Member States are to issue and renew identity cards or passports to their nationals in accordance with national laws. Furthermore, Article 8 of Directive 2004/38/EC provides that they may require citizens of the Union and their family members to register with the relevant	(3) Pursuant to Article 4 of Directive 2004/38/EC, Member States are to issue and renew identity cards or passports to their nationals in accordance with national laws. Furthermore, Article 8 of Directive 2004/38/EC provides that they may require citizens of the Union and their family members to register with the relevant	

¹ 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 (OJ L 158, 30.4.2004, p. 77).

² 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 (OJ L 158, 30.4.2004, p. 77).

³ 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 (OJ L 158, 30.4.2004, p. 77).

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	<p>authorities. Member States are required to issue registration certificates to Union citizens under the conditions set out therein. Member States are also required to issue residence cards to family members who are not nationals of a Member State and, on application, to issue documents certifying permanent residence and permanent residence cards.</p>	<p>authorities. Member States are required to issue registration certificates to Union citizens under the conditions set out therein. Member States are also required to issue residence cards to family members who are not nationals of a Member State and, on application, to issue documents certifying permanent residence and permanent residence cards.</p>	<p>authorities. Member States are required to issue registration certificates to Union citizens under the conditions set out therein. Member States are also required to issue residence cards to family members who are not nationals of a Member State and, on application, to issue documents certifying permanent residence and permanent residence cards.</p>	
13.	<p>(4) Article 35 of Directive 2004/38/EC provides that Member States may adopt the necessary measures to refuse, terminate or withdraw any right conferred by this Directive in the case of abuse of rights or fraud. Document forger or false presentation of a material fact concerning the conditions attached to the right of residence have been identified as typical</p>	<p>(4) Article 35 of Directive 2004/38/EC provides that Member States may adopt the necessary measures to refuse, terminate or withdraw any right conferred by this Directive in the case of abuse of rights or fraud. Document forger or false presentation of a material fact concerning the conditions attached to the right of residence have been identified as typical</p>	<p>(4) Article 35 of Directive 2004/38/EC provides that Member States may adopt the necessary measures to refuse, terminate or withdraw any right conferred by this Directive in the case of abuse of rights or fraud. Document forger or false presentation of a material fact concerning the conditions attached to the right of residence have been identified as typical</p>	

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	cases of fraud under the Directive ¹	cases of fraud under the Directive ²	cases of fraud under the Directive ³	
14.		<p>(4 a) Considerable differences exist between the security levels of national identity cards issued by Member States and residence permits for EU nationals residing in another Member State and their family members, which increases the risk of falsification and document fraud and gives rise to practical difficulties for citizens when they wish to exercise their right to free movement. European Document Fraud Risk Analysis Network Statistics show that incidents of fraudulent European ID Cards have increased over time.</p>		

¹ COM (2013) 837 final of 25.11.2013, p. 7 and COM (2009) 313 final of 2.7.2009, p. 15.

² COM (2013) 837 final of 25.11.2013, p. 7 and COM (2009) 313 final of 2.7.2009, p. 15.

³ COM (2013) 837 final of 25.11.2013, p. 7 and COM (2009) 313 final of 2.7.2009, p. 15.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
15.		<p>(4 b) <i>In its Communication on "Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders", the Commission stressed the crucial importance of secure travel and identity documents where necessary to establish beyond doubt a person's identity and announced that it would be presenting an action plan to tackle travel document fraud.</i></p> <p><i>An improved approach is to rely on robust systems to prevent abuses and the threats to internal security arising from failings in document security.</i></p>		
16.		<p>(4 c) <i>Three-quarters of fraudulent documents detected at the external borders and within the Union imitate identity documents issued by Member States and Schengen- associated countries. National identity cards with a lower degree of security are the most</i></p>		

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		<i>frequently detected as fraudulent. According to Frontex, 40682 fraudulent European ID Cards and 13512 fraudulent EU residence permits (all types) were detected and reported within the European Document Fraud Risk Analysis Network (EDF- RAN) between 2013 and 2018. These figures include detections at the external EU borders as well as those arising from secondary intra-EU/Schengen movements.</i>		
17.		<i>(4 d) In order to deter identity fraud, Member States should ensure that the falsification and counterfeiting of identification documents and the use of such falsified or counterfeit documents are adequately penalised by their national law.</i>		

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18.	(5) The 2016 Action Plan on document security of December addressed the risk from fraudulent identity cards and residence documents ¹ , and the 2017 Citizenship report committed to analysing policy options to improve the security of identity cards and residence documents.	(5) The 2016 Action Plan on document security of December addressed the risk from fraudulent identity cards and residence documents ² , and the 2017 Citizenship report committed to analysing policy options to improve the security of identity cards and residence documents.	(5) The 2016 Action Plan on document security of December addressed the risk from fraudulent identity cards and residence documents ³ , and the 2017 Citizenship report committed to analysing policy options to improve the security of identity cards and residence documents.	
19.		(5 a) <i>The 2016 Action Plan on document security also noted that the obtaining of authentic documents on the basis of false 'breeder' documents (birth, marriage and death certificates) is in marked increase and remains one of the most significant security threats in the European Union, as it is very difficult to detect.</i>		

¹ COM(2016) 790 final.

² COM(2016) 790 final.

³ COM(2016) 790 final.

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20.		<i>(5 b) This Regulation calls on Member States, with the support of the Commission, to further pursue their work on the best ways of making source documents less vulnerable to fraud, in particular with reference to the Europol manual on the detection of false source documents.</i>		
21.	(6) This Regulation does not require Member States to introduce identity cards or residence documents where they are not provided for under national law, nor does it affect the competence of the Member States to issue other residence documents under national law outside the scope of Union law, for example residence cards delivered to all residents on the territory whatever their nationality.	(6) This Regulation does not require Member States to introduce identity cards or residence documents where they are not provided for under national law, nor does it affect the competence of the Member States to issue other residence documents under national law outside the scope of Union law, for example residence cards delivered to all residents on the territory whatever their nationality.	(6) This Regulation does not require Member States to introduce identity cards or residence documents where they are not provided for under national law, nor does it affect the competence of the Member States to issue other residence documents under national law outside the scope of Union law, for example residence cards delivered to all residents on the territory whatever their nationality.	

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22.			(6a) <i>This Regulation does not affect the possibility of Member States to accept, in a non-discriminatory manner, other documents which are not travel documents such as driving licences for identification purposes.</i>	
23.			(6b) <i>Identification documents issued to citizens whose free movement rights have been restricted in accordance with Union or national law and which expressly indicate that they cannot be used as travel documents should not be considered as falling within the scope of this Regulation.</i>	
24.			6(c) <i>Travel documents compliant with International Civil Aviation Organisation (ICAO) Document 9303, part 5 (seventh edition), which do not serve identification purposes in the issuing Member States, should not be considered as</i>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>falling within the scope of this Regulation.</i>	
25.	<p>(7) This Regulation does not affect the use of identity cards and residence documents with eID function by Member States for other purposes nor does it affect the rules laid down in Regulation (EU) No 910/2014 of the European Parliament and of the Council,¹ which provides for Union-wide mutual recognition of electronic identifications in access to public services and helps citizens moving to another Member State by requiring electronic identification means to be recognised in another Member State. Improved identity</p>	<p>(7) This Regulation does not affect the use of identity cards and residence documents with eID function by Member States for other purposes nor does it affect the rules laid down in Regulation (EU) No 910/2014 of the European Parliament and of the Council,² which provides for Union-wide mutual recognition of electronic identifications in access to public services and helps citizens moving to another Member State by requiring electronic identification means to be recognised in another Member State. Improved</p>	<p>(7) This Regulation does not affect the use of identity cards and residence documents with eID function by Member States for other purposes nor does it affect the rules laid down in Regulation (EU) No 910/2014 of the European Parliament and of the Council,³ which provides for Union-wide mutual recognition of electronic identifications in access to public services and helps citizens moving to another Member State by requiring electronic identification means to be recognised in another Member State. Improved</p>	

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- ¹ Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).
- ² Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).
- ³ Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	cards should ensure easier identification and contribute to a better access to services.	identity cards should ensure easier identification and contribute to a better access to services.	identity cards should ensure easier identification and contribute to a better access to services.	
26.	<p>(8) Proper verification of identity cards and residence documents requires that Member States use the correct title for each kind of document. In order to facilitate checking of the documents in other Member States, the document title should also appear in at least one other official language of the institutions of the Union.</p>	<p>(8) Proper verification of identity cards and residence documents requires that Member States use the correct title for each kind of document. In order to facilitate checking of the documents in other Member States, the document title should also appear in at least one other official language of the institutions of the Union.</p>	<p>(8) Proper verification of identity cards and residence documents requires that Member States use the correct title for each kind of document. In order to facilitate checking of the documents in other Member States, the document title should also appear in at least one other official language of the institutions of the Union. <i>Where Member States already use, for identity cards, well-established designations other than 'identity card', they should be able to continue to do so in their official language or languages. However, no new designations other than 'identity card' should be introduced in the future.</i></p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
27.	(9) Security features are necessary to verify if a document is authentic and to establish the identity of a person. The establishment of minimum security standards and the integration of biometric data in identity cards and in residence cards of family members who are not nationals of a Member State is an important step to render their use in the Union more secure. The inclusion of such biometric identifiers should allow citizens to fully benefit from their free movement rights.	(9) Security features are necessary to verify if a document is authentic and to establish the identity of a person. The establishment of minimum security standards and the integration of biometric data in identity cards and in residence cards of family members who are not nationals of a Member State is an important step to render their use in the Union more secure. The inclusion of such biometric identifiers should allow citizens to fully benefit from their free movement rights.	(9) Security features are necessary to verify if a document is authentic and to establish the identity of a person. The establishment of minimum security standards and the integration of biometric data in identity cards and in residence cards of family members who are not nationals of a Member State is an important step to render their use in the Union more secure. The inclusion of such biometric identifiers should allow citizens to fully benefit from their free movement rights.	
28.		(9 a) <i>The storage of a facial image and two fingerprints (hereinafter referred to as "biometric data") on identity documents, as already provided for in respect of biometric passports and residence permits for third country nationals, represents an appropriate combination of reliable identification and authentication with a reduced</i>		

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		<p><i>risk of fraud, for the purpose of strengthening the security of identity documents.</i></p> <p><i>Additionally, the European Court of Justice in its judgment 'Schwarz' of 2013 relating to biometric passports ruled that 'the combination of two operations designed to identify persons may not a priori be regarded as giving rise in itself to a greater threat to the rights recognised by Articles 7 and 8 of the Charter than if each of those two operations were to be considered in isolation'.</i></p>		
29.		<p><i>(9 b) This Regulation provides for the collection of biometric identifiers only by qualified and duly authorized staff of the national authorities responsible for issuing identity cards or residence permits.</i></p>		
30.		<p><i>(9 c) This Regulation should not establish a legal basis for the creation of a database at national level as this remains</i></p>		

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		<p><i>an exclusive competence of the Member States. Neither should it establish a legal basis for the creation of a centralized database at Union level. The biometric data collected for the purpose of this Regulation should only be used by qualified and duly authorised staff of the competent national authorities and EU agencies for verifying the authenticity of the document and the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.</i></p>		
31.		<p><i>(9 d) Biometric identifiers outside the storage medium, should be stored in a highly secure manner only for the time required to issue the national identity card or residence permit and in no case for longer than one month from the date of collection and should be immediately erased once stored</i></p>		

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		<i>in the storage medium.</i>		
32.	(10) The specifications of the International Civil Aviation Organisation (ICAO) Document 9303 (seventh edition, 2015) on machine-readable documents which ensure global interoperability including for machine readability and using visual inspection should be taken into account for the purpose of this Regulation.	(10) The specifications of the International Civil Aviation Organisation (ICAO) Document 9303 (seventh edition, 2015) on machine-readable documents which ensure global interoperability including for machine readability and using visual inspection should be taken into account <i>by the Commission when drawing up additional technical specifications.</i>	(10) The specifications of the International Civil Aviation Organisation (ICAO) Document 9303 (seventh edition, 2015) on machine-readable documents which ensure global interoperability including for machine readability and using visual inspection should be taken into account for the purpose of this Regulation.	
33.		<i>(10 a) Where a Member State includes the category of 'gender' on a document it should contain options <F>, <M> or <X> according to ICAO guidelines.</i>		
34.		<i>(10 b) In order to ensure uniform conditions for the implementation of the additional technical specifications, implementing powers should be conferred on</i>		

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		<i>the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council.¹</i>		
35.	(11) The procedure for taking fingerprints and a facial image should take into account the specific needs of children and be applied in accordance with the safeguards laid down in Article 24 the Charter of Fundamental Rights of the European Union, in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child.	(11) The procedure for taking fingerprints and a facial image should <i>pursue a strictly limited objective</i> , take into account the specific needs of children <i>and vulnerable persons</i> , <i>should be undertaken in a child sensitive and in a gender sensitive manner</i> , <i>be implemented by qualified staff, under the regular observation of the Commission as well as of a supervisory authority</i> and be applied in accordance with the safeguards laid down in Article 24 the Charter of Fundamental	(11) The procedure for taking fingerprints and a facial image should take into account the specific needs of children and be applied in accordance with the safeguards laid down in Article 24 the Charter of Fundamental Rights of the European Union, in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child.	

¹ Regulation (EU) No 182/2011 of the European Parliament and the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		Rights of the European Union, in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child. <i>Qualified staff responsible for the collection of biometric identifiers should be trained accordingly.</i>		
36.		<i>(11 a) It is important to ensure the dignity of the person from whom biometric information is collected throughout the collection procedure. Therefore, specific considerations relating to gender, and to the specific needs of children and of vulnerable persons should be taken into account.</i>		
37.	(12) Introducing minimum security and format standards of identity cards should allow Member States to rely on the authenticity of those documents when EU citizens exercise their free movement rights. While the	(12) Introducing minimum security and format standards of identity cards should allow Member States to rely on the authenticity of those documents when EU citizens exercise their <i>right</i> of free movement. <i>This</i>	(12) Introducing minimum security and format standards of identity cards should allow Member States to rely on the authenticity of those documents when EU citizens exercise their free movement rights.	

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	<p>possibility to provide for additional national features is maintained, it should be ensured that those features do not diminish the efficiency of the common security features or negatively affect the cross-border interoperability of the identity cards, such as the possibility that the identity cards can be read by machines used by Member States other than those of issue.</p>	<p><i>Regulation provides that identity cards issued by Member States are mutually recognised as both identity and travel documents. While the possibility to provide for additional national features is maintained, it should be ensured that those features do not diminish the efficiency of the common security features or negatively affect the cross-border interoperability of the identity cards, such as the possibility that the identity cards can be read by machines used by Member States other than those of issue.</i></p>	<p><i>Moreover, Member States should exchange the information necessary to authenticate the storage medium and to access and verify the biometric data of the holder of these documents.</i></p> <p>While the possibility to provide for additional national features is maintained, it should be ensured that those features do not diminish the efficiency of the common security features or negatively affect the cross-border interoperability-compatibility of the identity cards, such as the possibility that the identity cards can be read by machines used by Member States other than those of issue.</p>	
38.			<p><i>(12a) Member States should take all necessary steps to ensure that biometric data matches the person to whom an identity card is issued. To this end, Member States could consider collecting biometric identifiers, especially the facial</i></p>	

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			<i>image, by means of live enrolment by the national authorities issuing identity cards.</i>	
39.		<i>(12 a) The use of holograms and/or watermarks allows for preventing the forgery of the document and ensures the verification of the authenticity of an identity card or a residence document, they can therefore, contribute to data minimisation;</i>		
40.		<i>(12 b) In order to promote recognition between Member States of the security features of national identity cards, Member States should exchange among themselves such digital certificates as are required to authenticate, verify and read the information contained on the secure storage medium. Formats used for the secure storage medium should be interoperable, including in respect of automated border</i>		

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		<i>crossing points.</i>		
41.		<p><i>(12 c) Mutual recognition of identity documents is an essential element for the mobility of Union citizens. In the event of loss, theft or renewal, provisional documents issued by the Member States are not recognized and therefore no longer facilitate this mobility. Therefore, Member States should, in cooperation with the Commission, work towards better recognition of these documents.</i></p>		
42.	<p>(13) The Regulation shall respect the obligations set in the United Nations Convention on the Rights of Persons with Disabilities ratified by all Member States and the Union¹. Therefore, the integration of additional features that render</p>	<p>(13) <i>When implementing this Regulation, Member States should in particular respect the obligations set in Articles 25 and 26 of the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of Persons with</i></p>	<p>(13) The Regulation shall respects the obligations set in the United Nations Convention on the Rights of Persons with Disabilities ratified by all Member States and the Union². Therefore, the integration of additional features that render</p>	

¹ OJ L 23, 26.11.2009

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged.	Disabilities ratified by all Member States and the Union ¹ . Therefore, the integration of additional features that render identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged.	identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged. <i>Member States could also explore solutions, for example mobile registration devices, to issue identity cards to persons incapable of visiting the authorities responsible for issuing identity cards.</i>	
43.	(14) Residence documents issued to citizens of the Union should include certain information to ensure that they are identified as such in all Member States. This should facilitate the recognition of the EU mobile citizen's use of the right to free movement and of the rights inherent to this use, but harmonisation should not go beyond what is appropriate to	(14) Residence documents issued to citizens of the Union should include certain information to ensure that they are identified as such in all Member States. This should facilitate the recognition of the EU mobile citizen's use of the right to free movement and of the rights inherent to this use, but harmonisation should not go beyond what is appropriate to	(14) Residence documents issued to citizens of the Union should include certain information to ensure that they are identified as such in all Member States. This should facilitate the recognition of the EU mobile citizen's use of the right to free movement and of the rights inherent to this use, but harmonisation should not go beyond what is appropriate to	

² OJ L 23, 26.11.2009.

¹ OJ L 23, 26.11.2009

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	address the weaknesses of current documents.	address the weaknesses of current documents.	address the weaknesses of current documents. <i>Member States could issue these documents in a format complying with the specifications of ICAO Document 9303 (seventh edition, 2015) on machine-readable documents.</i>	
44.	(15) As regards residence documents issued to family members who are not nationals of a Member State it is appropriate to make use of the same format and security features as provided for in Council Regulation (EC) No 1030/2002 ¹ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ² . In	(15) As regards residence documents issued to family members who are not nationals of a Member State it is appropriate to make use of the same format and security features as provided for in Council Regulation (EC) No 1030/2002 ¹ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ² . In	(15) As regards residence documents issued to family members who are not nationals of a Member State it is appropriate to make use of the same format and security features as provided for in Council Regulation (EC) No 1030/2002 ³ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ⁴ . In	

¹ Council Regulation (EC) 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157, 15.6.2002, p. 1).

² OJ L 286 of 1.11.2017, p.9.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	addition to a prove of the right of residence they also exempt their holders who are otherwise subject to a visa obligation from the need to obtain a visa when accompanying or joining the citizen of the Union within the Union territory.	addition to a prove of the right of residence they also exempt their holders who are otherwise subject to a visa obligation from the need to obtain a visa when accompanying or joining the citizen of the Union within the Union territory.	addition to a-proveing of the right of residence they also exempt their holders who are otherwise subject to a visa obligation from the need to obtain a visa when accompanying or joining the citizen of the Union within the Union territory.	
45.	(16) Article 10 of Directive 2004/38/EC provides that documents issued to family members who are not nationals of a Member State are to be called "Residence card of a family member of a Union citizen".	(16) Article 10 of Directive 2004/38/EC provides that documents issued to family members who are not nationals of a Member State are to be called "Residence card of a family member of a Union citizen".	(16) Article 10 of Directive 2004/38/EC provides that documents issued to family members who are not nationals of a Member State are to be called "Residence card of a family member of a Union citizen". <i>In order to be easily identified as such, a residence card of a family member of a</i>	

- 1 Council Regulation (EC) 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157, 15.6.2002, p. 1.
- 2 OJ L 286 of 1.11.2017, p.9.
- 3 Council Regulation (EC) 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157, 15.6.2002, p. 1.
- 4 OJ L 286 of 1.11.2017, p.9.

Line	Commission proposal (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
46.	<p>(17) Identity cards as well as residence cards of a family member of a Union citizen with insufficient security standards should be phased out taking into account both the security risk and the costs incurred by Member States. In general, a period of five years should be sufficient to strike a balance between the frequency with which documents are usually replaced and the need to fill the existing security gap within the European Union. However, for cards which do not have important features, in particular machine readability, a shorter period of two years is necessary on security grounds.</p>	<p>(17) Identity cards as well as residence cards of a family member of a Union citizen with insufficient security standards should be phased out taking into account both the security risk and the costs incurred by Member States. In general, a period of <i>eight</i> years for ID cards should be sufficient to strike a balance between the frequency with which documents are usually replaced and the need to fill the existing security gap within the European Union. However, for cards which do not have important features, in particular machine readability, a shorter period of <i>five</i> years is necessary on security grounds.</p>	<p><i>Union citizen should bear a standardised title and code.</i></p> <p>(17) Identity cards as well as residence cards of a family member of a Union citizen with insufficient security standards should be phased out taking into account both the security risk and the costs incurred by Member States. In general, a period of <i>ten</i> years for identity cards and five years for residence cards should be sufficient to strike a balance between the frequency with which documents are usually replaced and the need to fill the existing security gap within the European Union. However, for cards which do not have important security features, <i>in-person-or are not machine readability</i>, a shorter period of <i>two-five</i> years is necessary on security grounds.</p>	<p>BZK/BZ: vasthouden aan 10 jaar geldigheids termijn zoals in council negotiating mandate staat opgenomen. NL wil geen kaarten uit moeten faseren.</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
47.	<p>(18) With regard to the personal data to be processed in the context of the application of this Regulation, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ¹ applies. It is necessary to further specify safeguards applicable to the processed personal data. Data subjects should be made well aware of the existence in their documents of the storage medium containing their biometric data including its contactless accessibility as well as of all instances where the data</p>	<p>(18) With regard to the personal data to be processed in the context of the application of this Regulation, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ² applies. It is necessary to further specify safeguards applicable to the processed personal data, <i>and in particular to sensitive data such as biometric identifiers</i>. Data subjects should be made well aware of the existence in their documents of the storage medium containing their biometric data including its</p>	<p>(18) With regard to the personal data to be processed in the context of the application of this Regulation, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ³ applies. It is necessary to further specify safeguards applicable to the processed personal data. Data subjects should be made well aware of the existence in their documents of the storage medium containing their biometric data including its contactless accessibility as well as of all instances where the data</p>	

¹ OJ L 119, 4 5 2016, p. 1.
² OJ L 119, 4 5 2016, p. 1.
³ OJ L 119, 4 5 2016, p. 1.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	contained in their identity cards and residence documents are used. In any case, data subjects should have access to personal data processed in their identity cards and residence documents and have them rectified.	contactless accessibility as well as of all instances where the data contained in their identity cards and residence documents are used. In any case, data subjects should have access to personal data processed in their identity cards and residence documents and have them rectified. <i>The storage medium should be highly secure and protect personal data stored on it from unauthorised access.</i>	contained in their identity cards and residence documents are used. In any case, data subjects should have access to personal data processed in their identity cards and residence documents and have them rectified <i>by way of issuance of a new document.</i>	
48.		<i>(18 a) Member States should be responsible for the proper processing of biometric data, from collection to integration of the data on the highly secure storage medium, in accordance with Regulation (EU) 2016/679.</i>		
49.		<i>(18 b) Where Member States cooperate with external contractors in any task related to identity documents, they should closely monitor the activities of the contractor to ensure compliance with all</i>		

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>provisions of this Regulation, including in particular security, confidentiality and data protection.</i>		
50.	<p>(19) It is necessary to specify in this Regulation the basis for the collection and storage of data on the storage medium of identity cards and residence documents. In accordance with their national legislation or Union law, Member States may store other data on a storage medium for electronic services or other purposes relating to the identity card or residence document. The processing of such data including their collection and the purposes for which they can be used should be authorised by national or Union law. All national data should be physically or logically separated from biometric data referred to in this Regulation.</p>	<p>(19) It is necessary to specify in this Regulation the basis for the collection and storage of data on the storage medium of identity cards and residence documents. In accordance with their national legislation or Union law and <i>respecting the principles of necessity and proportionality</i>, Member States <i>should</i> store on a storage medium <i>only such data as is essential to the identification of the holder</i> for electronic services or other purposes relating to the identity card or residence document. The processing of such data including their collection and the purposes for which they can be used should be authorised by national or Union law. All national data should be physically or logically separated from biometric data</p>	<p>(19) It is necessary to specify in this Regulation the basis for the collection and storage of data on the storage medium of identity cards and residence documents. In accordance with their national legislation or Union law, Member States may store other data on a storage medium for electronic services or other purposes relating to the identity card or residence document. The processing of such data including their collection and the purposes for which they can be used should be authorised by national or Union law. All national data should be physically or logically separated from biometric data referred to in this Regulation.</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p>referred to in this Regulation. <i>When entering and storing extra data in accordance with their national legislation or Union law, Member States should have performed a thorough data protection impact assessment, with a focus on processing of special categories of personal data.</i></p> <p><i>Member States should explicitly inform the applicants for documents, in written form and with an exhaustive list, about all the possible extra data stored.</i></p>		
51.			<p><i>(19aa) This Regulation requires biometric data to be collected and stored in the storage medium of identity cards and residence documents for the purposes of verifying the authenticity of the document and the identity of the holder when the document is required to be produced by law. This is without prejudice to any other processing of these data in</i></p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<p><i>accordance with Union and national data protection legislation. This Regulation does not provide a legal basis for setting up or maintaining databases for storage of those data in Member States, which is a matter of national legislation that needs to comply with EU data protection legislation.</i></p>	
52.			<p><i>(19a) In order to ensure that future security standards and technical specifications adopted pursuant to Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third country nationals as last amended by Regulation (EU) 2017/1954 can duly be taken into account, where appropriate, for identity cards and residence cards and permanent residence cards, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011</i></p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>of the European Parliament and of the Council. For this purpose, the Commission should be assisted by the Committee established by Article 6 of Council Regulation (EC) No 1683/95. Where necessary, implementing acts may remain secret in order to prevent the risk of counterfeiting and falsifications.</i>	
53.	(20) Member States should apply this Regulation at the latest 12 months after its entry into force. As from the date of application of this Regulation, Member States should issue documents respecting the requirements set out in this Regulation.	(20) Member States should apply this Regulation at the latest 12 months after its entry into force. As from the date of application of this Regulation, Member States should issue documents respecting the requirements set out in this Regulation.	(20) Member States should apply this Regulation at the latest 12-24 months after its entry into force. As from the date of application of this Regulation, Member States should issue documents respecting the requirements set out in this Regulation.	
54.	(21) The Commission should report on the implementation of this Regulation after three years after its date of application, including on the appropriateness of the level of security. In	(21) The Commission should report on the implementation of this Regulation after three years and five years respectively, after its date of application, including on the appropriateness of the level of security, <i>the possible</i>	(21) The Commission should report on the implementation of this Regulation after three four years after its date of application, including on the appropriateness of the level of	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	<p>accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making¹ the Commission should carry out an evaluation of this Regulation on the basis of information collected through specific monitoring arrangements in order to assess the actual effects of the Regulation and the need for any further action.</p>	<p><i>impact on fundamental rights, and on whether the implementation is compliant with the data collection purposes.</i> In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making² the Commission should <i>after six years after the date of application of this Regulation</i>, carry out an <i>initial</i> evaluation of this Regulation on the basis of information collected through specific monitoring arrangements in order to assess the actual effects of the Regulation and the need for any further action <i>and a further evaluation after 10 years after</i></p>	<p>security. In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making³ the Commission should carry out an evaluation of this Regulation on the basis of information collected through specific monitoring arrangements in order to assess the actual effects of the Regulation and the need for any further action. <i>For the purpose of monitoring, Member States should collect data on the number of identity cards and residence documents issued.</i></p>	

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- 1 Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.
- 2 Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.
- 3 Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p><i>the date of application of this Regulation in order to take into account the phasing out period</i></p> <p><i>. These evaluations should particularly focus on the impact of this Regulation on fundamental rights, on the efficiency and improvement of the mobility of the Union citizens and on the level of security.</i></p>		
55.	<p>(22) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</p>	<p>(22) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</p>	<p>(22) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
58.		(23b) <i>The European Data Protection Supervisor was consulted in accordance with Article 28(2) of Regulation (EC) No 45/2001¹ and delivered an opinion on....,</i>		
59.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
60.	CHAPTER I SUBJECT MATTER, SCOPE AND DEFINITIONS	CHAPTER I SUBJECT MATTER, SCOPE AND DEFINITIONS	CHAPTER I SUBJECT MATTER, SCOPE AND DEFINITIONS	
61.	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	
62.	<i>Subject matter</i>	<i>Subject matter</i>	<i>Subject matter</i>	
63.	This Regulation strengthens the security standards applicable to identity cards issued by Member States to their nationals and to residence documents issued by	This Regulation strengthens the security standards applicable to identity cards issued by Member States to their nationals and to residence documents issued by	This Regulation strengthens the security standards applicable to identity cards issued by Member States to their nationals and to residence documents issued by	<u>Text of Cion proposal</u> This Regulation strengthens the security standards applicable to identity cards issued by Member

¹ *Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (JO L 8, 12.1.2001, p. 1).*

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Member States to Union citizens and their family members when exercising their right to free movement.	Member States to Union citizens and their family members <i>in order to facilitate the exercise of their right to freedom of movement within the European Union.</i>	Member States to Union citizens and their family members when exercising their right to free movement.	States to their nationals and to residence documents issued by Member States to Union citizens and their family members when exercising their right to free movement.
64.	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>	
65.	<i>Scope</i>	<i>Scope</i>	<i>Scope</i>	
66.	This Regulation applies to:	This Regulation applies to:	This Regulation applies to:	
67.	(a) identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC;	(a) identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC;	(a) identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC <i>with a validity of more than twelve months;</i>	<u>Presidency compromise proposal</u> Identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC <i>with a validity of more than six months;</i> BZK: Omwille van consistentie aansluiten bij paspoorten.
68.	(b) registration certificates issued to Union citizens residing for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in accordance with	(b) registration certificates issued to Union citizens residing for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in	(b) registration certificates issued to Union citizens residing for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in	(b) registration certificates issued to Union citizens residing for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in accordance with

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Article 19 of Directive 2004/38/EC;	accordance with Article 19 of Directive 2004/38/EC;	accordance with Article 19 of Directive 2004/38/EC;	Article 19 of Directive 2004/38/EC;
69.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.
70.	CHAPTER II NATIONAL IDENTITY CARDS	CHAPTER II NATIONAL IDENTITY CARDS	CHAPTER II NATIONAL IDENTITY CARDS	
71.	<i>Article 3</i>	<i>Article 3</i>	<i>Article 3</i>	
72.	<i>Security standards/format/specifications</i>	<i>Security standards/format/specifications</i>	<i>Security standards/format/specifications</i>	
73.		(-1) <i>National identity cards issued by Member States to citizens of the Union shall be recognised as such by all Member States. Such cards</i>		<u>Presidency compromise proposal</u> <u>To add a new recital before line 22 or add text to Council recital in</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		shall function as both identity and travel documents and be recognised as such by all Member States.		<p>line 22:</p> <p><i>This Regulation is to ensure that citizens can exercise their right of free movement. The introduction of reinforced security standards allows public authorities and private entities to rely on the authenticity of identity cards when used by citizens for identification purposes.</i></p> <p>BZK: reinforced security standards. Wordt daarmee het voldoen van ICAO bedoeld? Of gaat dit over EU-brede veiligheidskenmerken. EU-brede veiligheidskenmerken zijn onwenselijk omdat dit ontwikkelingen remt en nodeloze governance introduceert</p> <p>In reactie op EP amendments: er wordt gesproken over "travel documents" in relatie tot de identiteitskaart. De identiteitskaart is geen reisdocument maar een identiteitsdocument waarmee EU ingezetenen zich binnen het schengengebied kunnen identificeren, er is geen sprake van reizen. Daarom het begrip "travel documents" weglaten.</p>

74.	<p>(1) Identity cards issued by Member States shall be produced in ID-1 format and shall comply with the minimum security standards set out in ICAO Document 9303 (seventh edition, 2015)</p>	<p>(1) <i>Where Member States issue identity cards having a validity period of more than 3 months, these shall be produced in ID-1 format, contain a functional machine-readable zone (MRZ) and shall comply with the minimum standards laid down in the template set out in Annex I to this Regulation. Additional technical specifications shall be established in accordance with international standards, including in particular the recommendations of the International Civil Aviation</i></p>	<p>(1) Identity cards issued by Member States shall be produced in ID-1 format and shall comply with the<i>contain a machine-readable zone (MRZ). They shall be based on the specifications and</i> minimum security standards set out in ICAO Document 9303 (seventh edition, 2015) and shall comply with the<i>requirements as set out in letters (c), (d), (f) and (g) of the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third- country nationals as last</i></p>	<p><u>Presidency compromise proposal</u></p> <p>(1) Identity cards issued by Member States shall be produced in ID-1 format and shall comply with the<i>contain a machine- readable zone (MRZ). They shall be based on the specifications and</i> minimum security standards set out in ICAO Document 9303 (seventh edition, 2015) and shall comply with the<i>requirements as set out in letters (c), (d), (f) and (g) of the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third- country nationals as last amended</i></p>
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Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>Organization (ICAO).</i>	<i>amended by Regulation (EU) 2017/1954. The inclusion of 'sex' in the visual inspection zone shall be optional.</i>	<i>by Regulation (EU) 2017/1954.</i>
75.		<i>(1 a) The cards shall be made entirely of polycarbonate or an equivalent synthetic polymer with a background colour of blue.</i>		<u>Presidency compromise proposal</u> delete <i>[the type of material (polycarbonate) is already covered by the reference in line 74 to letter (c) of the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954]</i>
76.		<i>(1 b) By derogation from paragraph 1, the field gender is not a minimum standard.</i>		<u>Presidency compromise proposal</u> <i>(1 b) The data elements included on identity cards shall comply with the specifications set out in ICAO document 9303 part 5 (seventh edition, 2015). By derogation from the first sentence, the data element 'sex' shall be optional.</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p><u>Plus to add this new recital in line 33:</u></p> <p><i>Member States should be able to decide whether to include a person's gender on a document. The specifications of ICAO Document 9303 (seventh edition, 2015) should be used for such information.</i></p>
77.	<p>(2) The document title ('Identity card') shall appear in the official language or languages of the issuing Member State and at least one other official language of the institutions of the Union.</p>	<p>(2) The document title ('Identity card') shall appear in the official language or languages of the issuing Member State and at least one other official language of the institutions of the Union.</p>	<p>(2) The document <i>shall bear the title</i> ('Identity card') shall appear in or another well-established national designation in the official language or languages of the issuing Member State, and 'identity card' in at least one other official language of the institutions of the Union.</p>	<p><u>Text of Council mandate</u></p> <p>(2) The document <i>shall bear the title</i> ('Identity card') shall appear in or another well-established national designation in the official language or languages of the issuing Member State, and 'identity card' in at least one other official language of the institutions of the Union.</p>
78.		<p>(2 a) <i>The identity card shall contain a distinguishing sign of the Member State issuing the card printed in negative in a blue rectangle encircled by 12 yellow stars.</i></p>		<p><u>Presidency compromise proposal</u></p> <p>(2 a) <i>The identity card shall include a Diffractive Optically Variable Image Device (DOVID) featuring twelve stars in a circle and the letters EU.</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p>BZK: NL wil geen blauwe vlag op de identiteitskaart. Het betreft Nationale identiteitskaarten en geen Europese identiteitskaarten. De opmaak van identiteitskaarten is een nationale aangelegenheid.</p> <p>De consequenties voor de productie van identiteitskaarten is nog onbekend en onvoldoende onderzocht. Wijziging van opmaak kan invloed hebben op het productieproces en het beveiligingsconcept van de identiteitskaarten. Toevoegingen en wijzigingen in de opmaak moeten daarom eerst goed onderzocht worden.</p>

79.	(3) Identity cards shall include a highly secure storage medium which shall contain a facial image of the holder of the card and two fingerprints in interoperable formats.	(3) Identity cards shall include a highly secure storage medium which shall contain a facial image of the holder of the card <i>taken live by the relevant authority in the Member State and, in the event a Member State so decides, may also contain a subset of the characteristics, namely minutiae or patterns, extracted from two fingerprints taken flat</i> in interoperable formats, <i>for the sole purposes set out in Article 10(3) of this Regulation.</i>	(3) Identity cards shall include a highly secure storage medium which shall contain a facial image of the holder of the card and two fingerprints in interoperable <i>digital</i> formats.	<p><u>Presidency compromise proposal</u></p> <p>(3) Identity cards shall include a highly secure storage medium which shall contain a facial image of the holder of the card and two fingerprints in interoperable <i>digital</i> formats. <i>For the capture of biometric identifiers Member States shall apply the technical specifications as established by the Commission Decision C(2018) 7767 of 30 November 2018 laying down the technical specifications for the uniform format for residence permits for third country nationals.</i></p> <p><i>[Please note Council recital in line 38 on live enrolment</i></p> <p><i>(12a) Member States should take all necessary steps to ensure that biometric data matches the person to whom an identity card is issued. To this end, Member States could consider collecting biometric identifiers, especially the facial image, by means of live enrolment by the national authorities issuing identity cards.</i></p> <p><i>And line 148</i></p> <p><i>[...] In view of ensuring the consistency of biometric identifiers with the identity of the applicant, the latter shall appear in person for each application at least once during the issuance process.]</i></p> <p>BZK: Nader onderzoek nodig naar de toepasbaarheid van Commission Decision C(2018) 7767 (voor verblijfsdocumenten) op identiteitskaarten voor afname biometrie. Hiervoor zijn reeds afspraken voor paspoorten die overgenomen kunnen worden. Verder voorstander van live enrollment.</p> <p>BZ: willen vrijheid behouden om op alternatieve wijzen verschijningsplicht in te voeren. Ruimte voor invulling aan landen zelf overlaten.</p>
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Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
80.	<p>(4) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the authenticity and the confidentiality of the data. The data stored shall be accessible contactless and secured as provided for in the Commission Implementing Decisions adopted in accordance with Article 2 of Regulation (EC) 1030/2002.</p>	<p><i>deleted</i></p>	<p>(4) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the authenticity and the confidentiality of the data. The data stored shall be accessible contactless and secured as provided for in the Commission Implementing Decisions adopted in accordance with Article 2 of Regulation (EC) 1030/2002. Member States shall exchange the information necessary to authenticate the storage medium and to access and verify the biometric data referred to in paragraph 3.</p>	<p><u>Presidency compromise proposal (technical adaptation)</u></p> <p>(4) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the authenticity and the confidentiality of the data. The data stored shall be accessible contactless and secured as provided for in the Commission Decision C(2018) 7767 of 30 November 2018 laying down the technical specifications for the uniform format for residence permits for third country nationals. Member States the information necessary to authenticate the storage medium and to access and verify the biometric data referred to in paragraph 3.</p> <p>BZK: Nader onderzoek nodig naar de toepasbaarheid van Commission Decision C(2018) 7767 (voor verblijfsdocumenten) op identiteitskaarten voor regels voor opslag in de chip. Hiervoor zijn reeds afspraken voor paspoorten die overgenomen kunnen worden.</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
81.		<i>(4 a) In the event a Member State decides to take fingerprints, children under the age of 12 years may be exempt from the requirement to give fingerprints.</i>		<p><u>Presidency compromise proposal</u></p> <p><i>[(4 a) Children under the age of 12 years may be exempt from the requirement to give fingerprints.]</i></p> <p><i>The inclusion of the sentence "In the event Member State decide to take fingerprints" at the beginning of the paragraph depends on the decision concerning the compulsory inclusion of fingerprints (line 79)</i></p>
82.		<i>Children under the age of 6 years shall in all cases be exempt from the requirement to give fingerprints.</i>		<p><u>Presidency compromise proposal</u></p> <p><i>Children under the age of 6 years shall be exempt from the requirement to give fingerprints.</i></p>
83.		<i>Persons in respect of whom fingerprinting is physically impossible shall be exempt from the requirement to give</i>		<p><u>Presidency compromise proposal</u> [moved from line 86]</p> <p><i>Where fingerprinting of the</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p>designated States shall allow the fingerprinting of the other fingers. Where it is also temporarily impossible to take fingerprints of any of the other fingers, they may issue an identity card having a validity of twelve months or less.</p> <p>Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</p> <p>BZK: Akkoord</p>
84.	<p>(5) The following persons shall be exempt from the requirement to give fingerprints:</p> <p><i>deleted</i></p>	<i>deleted</i>	<p>(5) Children under the age of 12 years may the following persons shall be exempt from the requirement to give fingerprints.</p>	<p><i>deleted – see provision in lines 81 and 82</i></p>
85.	<p>(a) children under the age of 12 years;</p> <p><i>deleted</i></p>	<i>deleted</i>	<p>(a) children under the age of 12 years;</p> <p><i>deleted</i></p>	<i>deleted</i>
86.			<p>Where fingerprinting of the designated fingers is temporarily impossible, Member States shall allow the fingerprinting of the other fingers. Where it is also temporarily impossible to take</p>	<p><i>deleted – Council text moved to line 83 and modified</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>fingerprints of any of the other fingers, they may issue an identity card having a validity of twelve months or less.</i>	
87.	(b) persons whose fingerprinting is physically impossible.	<i>deleted</i>	<i>p</i> Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.	<i>deleted - Council text moved to line 83</i>
88.			(5a) For the purposes of this article, Member States shall apply the standards as established by the provisions of Commission Decision C(2002) 3069 of 14 August 2002 establishing technical specifications for the implementation of the uniform format for residence permits for third country nationals as last amended by [Commission Decision C(2013) 6178 of 30.9.2013.]	<u>Presidency compromise proposal</u> <i>Delete (covered in 80)</i>
89.		(5 a) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the security, the		<u>Presidency compromise proposal</u> <i>Delete (covered in line 80)</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p><i>authenticity and the confidentiality of the data. The data stored shall be accessible in contactless form and secured as provided for in the Commission Implementing Decisions adopted in accordance with Article 2 of Regulation (EC) 1030/2002.</i></p> <p><i>Member States shall exchange with each other such digital certificates as are required to authenticate, verify and read the information contained on the secure storage medium.</i></p> <p><i>Formats used for the secure storage medium shall be interoperable, including in respect of automated border crossing points.</i></p>		
90.	(6) Member States may enter details and observations for national use as required in the light of their national provisions.	<p>(6) <i>When necessary and proportionate to the aim to be achieved, Member States may enter details and observations for national use as required in the light of their national provisions. The effectiveness of minimum security standards and the cross-border interoperability of</i></p>	(6) Member States may enter details and observations for national use as required in the light of their national provisions.	<p>Presidency compromise proposal (EP text [modified])</p> <p>(6) <i>When necessary and proportionate to the aim to be achieved, Member States may enter details and observations for national use as required in the light</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>identity cards shall not be diminished as a result.</i>		of their national provisions. <i>The efficiency of minimum security standards and the cross-border compatibility of identity cards shall not be diminished.</i>
91.	(7) Where Member States incorporate a dual interface or a separate storage medium in the identity card, the additional storage medium shall comply with the relevant ISO standards and not interfere with the storage medium referred to in paragraph 3.	(7) Where Member States incorporate a dual interface or a separate storage medium in the identity card, the additional storage medium shall comply with the relevant ISO standards and not interfere with the storage medium referred to in paragraph 3.	(7) Where Member States incorporate a dual interface or a separate storage medium in the identity card, the additional storage medium shall comply with the relevant ISO standards and not interfere with the storage medium referred to in paragraph 3.	(7) Where Member States incorporate a dual interface or a separate storage medium in the identity card, the additional storage medium shall comply with the relevant ISO standards and not interfere with the storage medium referred to in paragraph 3.
92.	(8) Where Member States store data for electronic services such as e-government and e-business in the identity cards, the national data shall be physically or logically separated from the biometric data referred to in paragraph 3.	(8) Where Member States store data for electronic services such as e-government and e-business in the identity cards, the national data shall be physically or logically separated from the biometric data referred to in paragraph 3.	(8) Where Member States store data for electronic services such as e-government and e-business in the identity cards, the national data shall be physically or logically separated from the biometric data referred to in paragraph 3.	(8) Where Member States store data for electronic services such as e-government and e-business in the identity cards, the national data shall be physically or logically separated from the biometric data referred to in paragraph 3.
93.	(9) Where Member States add national security features to the identity cards, the cross-border interoperability of the	(9) Where Member States add <i>further</i> security features to the identity cards, the cross-border interoperability of the	(9) Where Member States add national security features to the identity cards, the cross-border <i>interoperability</i>	Presidency compromise proposal (9) Where Member States add <i>further</i> security features to the identity cards, the cross-border

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	identity cards and the efficiency of the minimum security standards shall not be diminished.	identity cards and the efficiency of the minimum security standards shall not be diminished.	compatibility of the identity cards and the efficiency of the minimum security standards shall not be diminished.	interoperability-compatibility of the identity cards and the efficiency of the minimum security standards shall not be diminished.
94.		(9 a) <i>The Commission shall adopt implementing acts laying down the technical specifications referred to in paragraphs 1, 1a and 2a, in accordance with the examination procedure referred to in Article 12b.</i>		<u>Presidency compromise proposal</u> <i>Deleted</i> (already covered by lines 193-199)
95.	(10) Identity cards shall have a maximum period of validity of 10 years. Derogations may be provided for specific age groups.	<i>deleted</i>	(10) Identity cards shall have a maximum period of validity of 10 years. Derogations may be provided for specific age groups persons aged 70 and above. Identity cards issued to children under the age of 12 shall have a maximum period of validity of 5 years.	<u>Presidency compromise proposal</u> <i>Deleted</i> (see lines 98 and 102)
96.		<i>Article 3 a</i>		
97.		<i>Period of validity</i>		

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
98.		<i>(1) Identity cards shall have a period of validity of ten years.</i>		<u>Presidency compromise proposal</u> <i>(1) Identity cards issued to persons aged 18 and above shall have a minimum period of validity of five years and a maximum period of validity of ten years.</i> BZK: Akkoord
99.		<i>(2) In the event a Member State decides to take fingerprints, identity cards issued to minors that do not contain fingerprints shall cease to be valid at the latest six months after their holder has reached the age of the requirement to give fingerprints.</i>		<u>Presidency compromise proposal</u> Delete BZK: Akkoord
100.		<i>(3) Identity cards issued to minors may have a period of validity of five years.</i>		<u>Presidency compromise proposal</u> <i>(3) Identity cards issued to minors shall have a maximum period of validity of five years.</i>
101.		<i>(4) Where it is temporarily impossible to take fingerprints or a facial image, identity cards shall have a maximum period of validity of 3 months.</i>		<u>Presidency compromise proposal</u> Deleted (covered in line 83)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
102.		<i>(5) Member States may provide for a period of validity of more than 10 years for identity cards issued to persons over 75 years of age.</i>		<u>Presidency compromise proposal (Council mandate)</u> <i>(5) Member States may provide for a period of validity of more than 10 years for identity cards issued to persons aged 70 and above.</i>
103.	<i>Article 4</i>	<i>Article 4</i>	<i>Article 4</i>	
104.	<i>Collection of biometric identifiers</i>	<i>Collection of biometric identifiers</i>	<i>Collection of biometric identifiers</i>	
105.	(1) The biometric identifiers shall be collected by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards.	(1) The biometric identifiers shall be collected by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards.	(1) The biometric identifiers shall be collected by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards. <i>In view of ensuring the consistency of biometric identifiers with the identity of the applicant, the latter shall appear in person for each application at least once during the issuance process.</i>	<u>To be discussed</u> <i>Deleted (covered in lines 147-153)</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
106.	(2) Where difficulties are encountered in the collection of biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned.	(2) Where difficulties are encountered in the collection of biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned.	(2) <i>The procedure for collecting biometric identifiers shall take into account the specific needs of children and shall be carried out in accordance with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of the Child.</i> Where difficulties are encountered in the collection of biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned.	<u>To be discussed</u> <i>Deleted (covered in lines 147-153)</i>

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
107.	Article 5 <i>Phasing out</i>	Article 5 <i>Phasing out</i>	Article 5 <i>Phasing out</i>	
108.				
109.	Identity cards which do not meet the requirements of Article 3 shall cease to be valid at their expiry or by five years after [the date of application of the Regulation], whichever is earlier. However, identity cards which do not include a functional machine-readable zone (MRZ) compliant with ICAO document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by two years after [the date of application of this Regulation], whichever is earlier.	Identity cards which do not meet the requirements of Article 3 shall cease to be valid at their expiry or by eight years after [the date of application of the Regulation], whichever is earlier. However, identity cards which do not include a functional machine-readable zone (MRZ) compliant with ICAO document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by five years after [the date of application of this Regulation], whichever is earlier.	(1) Identity cards which do not meet the requirements of Article 3 shall cease to be valid at their expiry or by five-ten years after [the date of application of the Regulation], whichever is earlier. However, identity cards which do not include a functional machine-readable zone (MRZ) compliant with ICAO document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by two years after [the date of application of this Regulation], whichever is earlier.	<u>Presidency compromise proposal</u> (4) Identity cards which do not meet the requirements of Article 3 shall cease to be valid at their expiry or by five-eight years after [the date of application of the Regulation], whichever is earlier. However, identity cards which do not include a functional machine-readable zone (MRZ) compliant with ICAO document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by two years after [the date of application of this Regulation], whichever is earlier. BZK: uit faseren is onwenselijk zolang dit enkel moet vanwege designwensen (zoals het ontbreken van de blauwe kleur of EU vlag). Dus of 10 jaar, of geen blauwe vlag.
110.			(2) By way of derogation from paragraph 1:	<u>Presidency compromise proposal</u> (2) By way of derogation from paragraph 1:

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
111.			<p>(a) iIdentity cards which <i>do not meet the minimum security standards set out in ICAO document 9303 part 2 (seventh edition, 2015) or do not include a functional machine-readable zone (MRZ), as defined in paragraph 3, compliant with ICAO document 9303 part 2 (seventh edition, 2015) shall cease to be valid at their expiry or by two-five years after [the date of application of this Regulation], whichever is earlier.;</i></p>	<p><u>Presidency compromise proposal</u></p> <p>(a) iIdentity cards which <i>do not meet the minimum security standards set out in ICAO document 9303 part 2 (seventh edition, 2015) or do not include a functional machine-readable zone (MRZ), as defined in paragraph 3, compliant with ICAO document 9303 part 2 (seventh edition, 2015) shall cease to be valid at their expiry or by two-five years after [the date of application of this Regulation], whichever is earlier.;</i></p>
112.			<p>(b) <i>identity cards of persons aged 70 and above at [the date of application of the Regulation] which meet the minimum security standards set out in ICAO document 9303 part 2 and have a functional machine-readable zone (MRZ), as defined in paragraph 3, shall cease to be valid at their expiry.</i></p>	<p><u>Presidency compromise proposal</u></p> <p>(b) <i>identity cards of persons aged 70 and above at [the date of application of the Regulation] which meet the minimum security standards set out in ICAO document 9303 part 2 and have a functional machine-readable zone (MRZ), as defined in paragraph 3, shall cease to be valid at their expiry.</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
113.			(3) <i>For the purpose of paragraph 2, a functional machine-readable zone (MRZ) shall mean:</i>	<u>Presidency compromise proposal</u> (3) <i>For the purpose of paragraph 2, a functional machine-readable zone (MRZ) shall mean:</i>
114.			(a) <i>a machine-readable zone compliant with ICAO document 9303 part 3 (seventh edition, 2015),</i>	<u>Presidency compromise proposal</u> (a) <i>a machine-readable zone compliant with ICAO document 9303 part 3 (seventh edition, 2015),</i>
115.			(b) <i>or, any other machine- readable zone for which the issuing Member State notifies the rules required for reading and displaying the information contained therein, unless a Member State notifies, by [the date of application of the Regulation], the Commission about its lack of capacity to read and display this information. The Commission shall inform the concerned Member State and the Council about such a notification</i>	<u>Presidency compromise proposal</u> (b) <i>or, any other machine- readable zone for which the issuing Member State notifies the rules required for reading and displaying the information contained therein, unless a Member State notifies, by [the date of application of the Regulation], the Commission about its lack of capacity to read and display this information. The Commission shall inform the concerned Member State and the</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>accordingly.</i>	<i>Council about such a notification accordingly.</i>
116.	CHAPTER III RESIDENCE DOCUMENTS FOR UNION CITIZENS	CHAPTER III RESIDENCE DOCUMENTS FOR UNION CITIZENS	CHAPTER III RESIDENCE DOCUMENTS FOR UNION CITIZENS	
117.	<i>Article 6</i>	<i>Article 6</i>	<i>Article 6</i>	
118.	<i>Minimum information to be indicated</i>	<i>Minimum information to be indicated</i>	<i>Minimum information to be indicated</i>	
119.	Residence documents issued by Member States to citizens of the Union shall indicate at least the following:	Residence documents issued by Member States to citizens of the Union <i>are blue in colour and shall indicate in the same order as provided for in the annex of this Regulation</i> , at least the following:	Residence documents issued by Member States to citizens of the Union shall indicate at least the following:	<u>Presidency compromise proposal</u> Residence documents <i>when</i> issued by Member States to citizens of the Union shall indicate at least the following: JenV: Nederland wil geen blauwe kleur en geen EU vlag op de verblijfsdocumenten.
120.	(a) the title of the document in the official language or languages of the Member State concerned and at least one other official language of the institutions of the Union;	(a) the title of the document, ' <i>EU citizen</i> ', <i>also translated</i> in the official language or languages of the Member State concerned;	(a) the title of the document in the official language or languages of the Member State concerned and at least one other official language of the institutions of the Union;	<u>Presidency compromise proposal</u> (a) the title of the document in the official language or languages of the Member State concerned and at least one other official language of the institutions of the Union; JenV Akkoord voorstel raadspositie is overgenomen.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
121.	(b) the clear reference that the document is issued in accordance with Directive 2004/38/EC;	(b) the clear <i>statement</i> that the document is issued in accordance with Directive 2004/38/EC;	(b) the clear reference that the document is issued in accordance with Directive 2004/38/EC;	<p><u>Presidency compromise proposal</u></p> <p>(b) the clear <i>statement</i> that the document is issued <i>to an EU citizen</i> in accordance with Directive 2004/38/EC;</p> <p>Jen V? Nadere toelichting Vzschap is wenselijk wat betekent voorstel nu precies,? Betekent een extra tekst op de kaart?</p>
122.	(c) document number;	(c) document number;	(c) document number;	(c) document number;
123.	(d) name (surname and forename(s)) of the holder;	(d) name (surname and forename(s)) of the holder;	(d) name (surname and forename(s)) of the holder;	(d) name (surname and forename(s)) of the holder;
124.	(e) date of birth of the holder;	(e) date of birth of the holder;	(e) date of birth of the holder;	(e) date of birth of the holder;
125.			(ea) the information to be included on registration certificates and documents certifying permanent residence issued in accordance with Articles 8 and 19 of Directive 2004/38/EC, respectively;	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p>(ea) the information to be included on registration certificates and documents certifying permanent residence issued in accordance with Articles 8 and 19 of Directive 2004/38/EC, respectively;</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
126.	(f) date of issue;	(f) date of issue;	(f) date of issue;	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p><i>Deleted</i></p> <p>JenV: datum van afgifte is deleted: op verblijfsdocument staat nu datum afgifte (ook bij derdelanders); dit handhaven en zo ook aansluiten document derdelanders</p>
127.	(g) place of issue.	(g) place of issue.	(g) place of issuing authority.	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p>(g) place of issuing authority.</p> <p>JenV: Nederland wil plaats van afgifte handhaven om dezelfde reden als bij nr 126 en wil niet verplicht worden de uitgevende instantie erop te zetten (staat nu niet op document, zou dan ook weer anders zijn dan verblijfsdocument derdelanders). Als men dit wenst dan uitgevende instantie als optioneel te omschrijven.</p>
128.		(g a) <i>a distinguishing sign of the Member State issuing the card printed in negative in a blue rectangle encircled by 12 yellow stars. The Commission is empowered to adopt an implementing act defining the technical specifications.</i>		<p><u>Presidency compromise proposal</u></p> <p>(g a) <i>a distinguishing sign of the Member State issuing the document in a blue rectangle encircled by 12 yellow stars.</i></p> <p>BZK/JenV: NL wil geen EU vlag op identiteitskaarten of verblijfsdocumenten.</p>

129.		<p><i>In the event a Member State decides to take fingerprints, children under the age of 12 years may be exempt from the requirement to give fingerprints. Children under the age of 6 years shall be exempt from the requirement to give fingerprints. Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i></p>		<p><u>Presidency compromise proposal</u></p> <p><i>If a Member State decides to take fingerprints, Art 3(4a) [lines 81- 83] shall apply accordingly.</i></p> <p><i>Where fingerprinting of the designated fingers is temporarily impossible, Member States shall allow the fingerprinting of the other fingers. Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i></p> <p>JenV: 1) er wordt verwezen lines 81-83. bij 82 staat kinderen < 6 jaar vrijgesteld vingerafdrukken> eens voor verblijfsdocumenten geldt dat nu ook.</p> <p>2) eens om mogelijkheid te hebben om bij tijdelijke onmogelijkheid van andere vingers vingerafdrukken af te nemen (gebeurt nu ook). Er staat ook als het fysiek onmogelijk is vingerafdrukken af te nemen, vrijstelling. lijkt me prima, doch wel toevoegen blijvend fysiek onmogelijk.</p>
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Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
130.	CHAPTER IV RESIDENCE CARDS FOR FAMILY MEMBERS WHO ARE NOT NATIONALS OF A MEMBER STATE	CHAPTER IV RESIDENCE CARDS FOR FAMILY MEMBERS WHO ARE NOT NATIONALS OF A MEMBER STATE	CHAPTER IV RESIDENCE CARDS FOR FAMILY MEMBERS WHO ARE NOT NATIONALS OF A MEMBER STATE	
131.	<i>Article 7</i>	<i>Article 7</i>	<i>Article 7</i>	
132.	<i>Uniform format</i>	<i>Uniform format</i>	<i>Uniform format</i>	
133.		<i>(1 a) By way of derogation from Directive 2004/38/CE new residence cards for family members of Union citizens who are not nationals of a Member State shall be recognised as such by all Member States. Such cards shall function as both identity and travel documents and be recognised as such by all Member States.</i>		<u>Presidency compromise proposal</u> <u>See the revised evaluation clause in line 191</u>

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
134.	<p>(1) When issuing residence cards to family members of Union citizens who are not nationals of a Member State, Member States shall use the same format as established by the provisions of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954, and as implemented by the provisions of the Commission Decision C(2002) 3069 of 14 August 2002 establishing technical specifications for the implementation of the uniform format for residence permits for third country nationals as last amended by Commission Decision C(2013) 6178 of 30.9.2013.</p>	<p>(1) When issuing residence cards to family members of Union citizens who are not nationals of a Member State, Member States shall use the same format as established by the provisions of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954, and as implemented by the provisions of the Commission Decision C(2002) 3069 of 14 August 2002 establishing technical specifications for the implementation of the uniform format for residence permits for third country nationals as last amended by Commission Decision C(2013) 6178 of 30.9.2013.</p>	<p>(1) When issuing residence cards to family members of Union citizens who are not nationals of a Member State, Member States shall use the same format and conditions for the taking of biometric identifiers as established by the provisions of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954, and as implemented by the Commission Decision C(2002) 3069 of 14 August 2002 establishing technical specifications for the implementation of the uniform format for residence permits for third country nationals as last amended by [Commission Decision C(2013) 6178 of 30.9.2013].</p>	<p>Presidency compromise proposal (Council mandate and updated reference to Cion decision)</p> <p>(1) When issuing residence cards to family members of Union citizens who are not nationals of a Member State, Member States shall use the same format as established by the provisions of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954, and as implemented by the provisions of the Commission Decision C(2018) 7767 of 30 November 2018 laying down the technical specifications for the uniform format for residence permits for third country nationals.</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
135.	<p>(2) By derogation from paragraph 1, a card shall indicate clearly that it is issued in accordance with Directive 2004/38/EC and shall bear the title 'Residence card of a family member of a Union citizen' or 'Permanent residence card of a family member of a Union citizen', respectively. Member States may use the standardised code 'Art 10 DIR 2004/38/EC' or 'Art 20 DIR 2004/38/EC', respectively.</p>	<p>(2) By derogation from paragraph 1, a card shall indicate clearly that it is issued in accordance with Directive 2004/38/EC and shall bear the title 'Residence card of a family member of a Union citizen' or 'Permanent residence card of a family member of a Union citizen', respectively. Member States may use the standardised code 'Art 10 DIR 2004/38/EC' or 'Art 20 DIR 2004/38/EC', respectively.</p>	<p>(2) By derogation from paragraph 1, a card shall indicate clearly that it is issued in accordance with Directive 2004/38/EC and shall bear the title 'Residence card of a family member of a Union citizen' or 'Permanent residence card of a family member of a Union citizen', respectively. <i>Member States shall indicate that these documents are issued to a family member of a Union citizen in accordance with Directive 2004/38/EC. For this purpose, Member States may shall use the standardised code 'Art 10 DIR 2004/38/EC' or 'Art 20 DIR 2004/38/EC', respectively in data field [10] as referred to in the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954.</i></p>	<p><u>Presidency compromise proposal</u></p> <p>(2) By derogation from paragraph 1, a card shall indicate clearly that it is issued in accordance with Directive 2004/38/EC and shall bear the title 'Residence card of a family member of a Union citizen' or 'Permanent residence card of a family member of a Union citizen', respectively. <i>Member States shall indicate that these documents are issued to a family member of a Union citizen in accordance with Directive 2004/38/EC. For this purpose, Member States may shall use the standardised code 'Family Member EU Art 10 DIR 2004/38/EC' or 'Family Member EU Art 20 DIR 2004/38/EC', respectively in data field [10] as referred to in the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954.</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
136.	(3) Member States may enter data for national use in accordance with national law. When entering and storing such data, Member States shall respect the same requirements as set out in Article 4, 2 nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.	(3) Member States may enter data for national use in accordance with national law. When entering and storing such data, Member States shall respect the same requirements as set out in Article 4, 2 nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.	(3) Member States may enter data for national use in accordance with national law. When entering and storing such data, Member States shall respect the same requirements as set out in Article 4, 2 nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.	(3) Member States may enter data for national use in accordance with national law. When entering and storing such data, Member States shall respect the same requirements as set out in Article 4, 2 nd subparagraph, of Council Regulation (EC) No 1030/2002 as last amended by Regulation (EU) 2017/1954.
137.	<i>Article 8</i>	<i>Article 8</i>	<i>Article 8</i>	
138.	<i>Phasing out of existing residence cards</i>	<i>Phasing out of existing residence cards</i>	<i>Phasing out of existing residence cards</i>	
139.	(1) Residence cards of family members of Union citizens who are not nationals of a Member State, which are not in a format laid down for residence permits in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008 of the European Parliament and of the Council on [the date of entry into force of this Regulation], shall cease to be valid at their	(1) Residence cards of family members of Union citizens who are not nationals of a Member State, which are not in a format laid down for residence permits in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008 of the European Parliament and of the Council on [the date of entry into force of this Regulation], shall cease to	(1) [...] Residence cards of family members of Union citizens who are not nationals of a Member State which do not meet the requirements of Article 7 shall cease to be valid at their expiry or by five years after [the date of application of the Regulation], whichever is earlier.	<u>Presidency compromise proposal</u> [no change vs Cion and EP - 5 years phase out period as in line 140] (1) [...] Residence cards of family members of Union citizens who are not nationals of a Member State which do not meet the requirements of Article 7 shall cease to be valid at their expiry or by five years after [the date of

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	expiry or by [two years after the date of application of this Regulation], whichever is earlier.	be valid at their expiry or by [two years after the date of application of this Regulation], whichever is earlier.		application of the Regulation], whichever is earlier. Jen V: akkoord (we kunnen vervangen op moment van afloop geldigheidsduur)
140.	<p>(2) Residence cards of family members of Union citizens who are not nationals of a Member State, which are in a format laid down for residence permits for third-country nationals in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008, but which are not in a format laid down in Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954 on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [five years after the date of application of this Regulation], whichever is earlier.</p>	<p>(2) Residence cards of family members of Union citizens who are not nationals of a Member State, which are in a format laid down for residence permits for third-country nationals in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008, but which are not in a format laid down in Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954 on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [five years after the date of application of this Regulation], whichever is earlier.</p>	<p>(2) Residence cards of family members of Union citizens who are not nationals of a Member State, which are in a format laid down for residence permits for third-country nationals in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008, but which are not in a format laid down in Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954 on [the date of entry into force of this Regulation], shall cease to be valid at their expiry or by [five years after the date of application of this Regulation], whichever is earlier.</p>	<p>Presidency compromise proposal (Council mandate)</p> <p>(2) By way of derogation from paragraph 1 residence cards of family members of Union citizens who are not nationals of a Member State which do not meet the minimum security standards set out in ICAD document 9303 part 2 (seventh edition, 2015) or do not include a functional machine-readable zone (MRZ) compliant with ICAD document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by three years after [the date of application of this Regulation], whichever is earlier.</p> <p>Jen V: akkoord (we kunnen vervangen op moment van afloop geldigheidsduur)</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>minimum security standards set out in ICAO document 9303 part 2 (seventh edition, 2015) or do not include a functional machine-readable zone (MRZ) compliant with ICAO document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by three years after [the date of application of this Regulation], whichever is earlier.</i>	
141.	CHAPTER V COMMON PROVISIONS	CHAPTER V COMMON PROVISIONS	CHAPTER V COMMON PROVISIONS	
142.	<i>Article 9</i>	<i>Article 9</i>	<i>Article 9</i>	
143.	<i>Contact point</i>	<i>Contact point</i>	<i>Contact p</i> <i>Point of contact</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>Contact p</i> <i>Point of contact</i>
144.	(1) Each Member State shall designate one authority as a contact point for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other	(1) Each Member State shall designate one authority as a contact point for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other	(1) Each Member State shall designate <i>at least one central authority. Where a Member State has designated more than one central authority, it shall designate which of them will be the one authority as a contact</i>	<u>Presidency compromise proposal (technical amendment to Council mandate)</u> (1) Each Member State shall designate <i>at least one central authority as a contact point for the</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Member States. If a Member State changes its designated authority, it shall inform the Commission and the other Member States accordingly.	Member States. If a Member State changes its designated authority, it shall inform the Commission and the other Member States accordingly.	point of contact for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other Member States. If a Member State changes its designated authority, it shall inform the Commission and the other Member States accordingly.	<i>implementation of this Regulation. Where a Member State has designated more than one central authority, it shall designate which of them will be the one authority as a contact point of contact for the implementation of this Regulation. It shall communicate the name of that authority to the Commission and the other Member States. If a Member State changes its designated authority, it shall inform the Commission and the other Member States accordingly.</i>
145.	(2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union level, such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU,	(2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union level, such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU,	(2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union level, such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU,	<u>Presidency compromise proposal</u> (Technical amendment suggested by Cion) (2) Member States shall ensure that the contact points are aware of and able to cooperate with the existing and relevant information and assistance services at Union

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Enterprise Europe Network and the Points of Single Contact.	Enterprise Europe Network and the Points of Single Contact.	Enterprise Europe Network and the Points of Single Contact.	level, included in the Single Digital Gateway ¹ such as Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.
146.		Article 9 a		
147.		Collection of biometric identifiers		
148.		(1) The biometric identifiers shall be collected solely by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards or residence permit, for the sole purpose of being integrated into the highly secure storage medium provided for in Article 3(3).		<u>Presidency compromise proposal</u> (1) The biometric identifiers shall be collected solely by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards or residence cards, for the purpose of being integrated into the highly secure storage medium provided for in Article 3(3) for identity cards and in Article 7 (1) for residence

¹ OJ L 295, 21.11.2018, p.1, Regulation (EU) 2018/1724

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p>cards.</p> <p><i>In view of ensuring the consistency of biometric identifiers with the identity of the applicant, the latter shall appear in person for each application at least once during the issuance process.</i></p> <p>BZK: Akkoord</p> <p>BZ: willen vrijheid behouden om op alternatieve wijzen verschijningsplicht in te voeren. Ruimte voor invulling aan landen zelf overlaten.</p>
149.		<p><i>(2) Member States shall ensure that appropriate and effective procedures for the collection of biometric identifiers are in place, which comply with the rights and principles defined in the Charter of Fundamental Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms and the United Nations Convention on the Rights of the Child.</i></p>		<p><u>Presidency compromise proposal</u></p> <p><i>(2) Member States shall ensure that appropriate and effective procedures for the collection of biometric identifiers are in place, which comply with the rights and principles defined in the Charter of Fundamental Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms and the United Nations Convention on the Rights of the Child.</i></p> <p><i>Where difficulties are encountered in the collection of biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned.</i></p> <p>BZK: Akkoord</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
150.		<i>(3) Member States shall ensure that the best interest of the child is a primary consideration throughout the collection procedure. To this end, qualified staff as referred to in paragraph 1 shall receive the appropriate training on child- friendly practices for the collecting of biometric identifiers.</i>		<p>Presidency compromise proposal New recital:</p> <p><u><i>Member States are to ensure that the best interest of the child is a primary consideration throughout the collection procedure. To this end, qualified staff is to receive appropriate training on child- friendly practices for the collecting of biometric identifiers.</i></u></p> <p>BZK: trainingen moeten primair focusen op kwaliteit en betrouwbaarheid. Door enkel deze training vast te leggen geeft verkeerd signaal. Verder geen inhoudelijk probleem met de suggestie.</p>
151.		<i>(4) To avoid the risk of false matching, any match concerning children under the age of 14 or people older than 75 years carried out with biometric identifiers taken more than five years before the match and which does not confirm the authenticity of the document or the identity of its holder, shall be subject to a compulsory manual check by a dactyloscopic expert.</i>		<p>Presidency compromise proposal New recital:</p> <p><u><i>Members States are to ensure that in cases where a verification of biometric data does not confirm the authenticity of the document or the identity of its holder, a compulsory manual check is carried out by qualified staff.</i></u></p> <p>BZK/KMAR: akkoord</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
152.		<i>(5) Biometric identifiers outside the storage medium referred to in Article 3(3), shall be stored in a highly secure manner and only for the time required to issue the national identity card or residence permit and in no case for longer than one month from the date of collection and shall be immediately erased and destroyed once stored in the storage medium.</i>		<p><u>Presidency compromise proposal</u></p> <p><i>(5) Biometric identifiers stored outside the storage medium provided for in Article 3(3) for identity cards and in Article 7(1) for residence cards, or stored outside of, where they exist in compliance with Union and national law, national biometric databases, shall be kept in a highly secure manner and only for the time required to produce the national identity card or residence permit and in no case longer than one month from the date of issuance. After this period, they shall be immediately erased or destroyed.</i></p> <p>BZK/I&V: <u>Niet akkoord. Red line.</u> Foto's van vorige aanvragen zijn nodig voor historische context bij nieuwe aanvragen. Dit is relevant vanwege fraudebestrijding en het voorkomen dat twee personen van 1 identiteit gebruik maken.</p>
153.		<i>(6) This Regulation shall not represent a legal basis for the creation of a centralised database at Union level or at national level.</i>		<p><u>To be discussed</u></p> <p><u>Already covered in Council recital 19aa, line 51.</u></p> <p>BZK Akkoord</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
154.	<i>Article 10</i>	Article 10	<i>Article 10</i>	
155.	<i>Protection of personal data</i>	<i>Fundamental rights and protection of personal data</i>	<i>Protection of personal data</i>	
156.	(1) Without prejudice to the application of Regulation (EU) 2016/679, persons to whom an identity card or residence document is issued shall have the right to verify the personal data contained in the documents and, where appropriate, to ask for rectification or erasure.	<i>deleted</i>	(1) Without prejudice to the application of Regulation (EU) 2016/679, persons to whom an identity card or residence document is issued shall have the right to verify the personal data contained in the documents and, where appropriate, to ask for rectification or erasure and issuance of a new document.	<u>Presidency compromise proposal [Council text]</u> (1) Without prejudice to the application of Regulation (EU) 2016/679, persons to whom an identity card or residence document is issued shall have the right to verify the personal data contained in the documents and, where appropriate, to ask for rectification or erasure and issuance of a new document.
157.		(1a) When implementing this Regulation, Member States shall respect the fundamental rights and observe the principles recognised in particular by the Charter of Fundamental Rights of the European Union.		<u>To be discussed at technical level</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
158.		<i>(1b) Regulation (EU) 2016/679 applies to the processing of personal data under this Regulation.</i>		<u>To be discussed at technical level</u>
159.		<i>(1c) At the time of collection of personal data, the responsible authority shall provide the person concerned with the information required pursuant to Articles 12, 13 and 14 of Regulation (EU) 2016/679 in the manner required by those provisions.</i>		<u>To be discussed at technical level</u>
160.		<i>(1d) The rights to access, rectification, completion, erasure and restriction of the processing, of the persons whose data are contained in the documents shall be exercised in accordance with Chapter III of Regulation (EU) No. 2016/679 in relation to the national authority responsible for issuing the documents. Persons to whom an identity card or residence document is issued shall have the right to verify the personal data contained in the</i>		<u>To be discussed at technical level</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>documents and, where appropriate, to ask for rectification or erasure of inaccurate data and receive a new document. Member States shall put in place specific procedures that facilitate the exercise of these rights.</i>		
161.		<i>(2) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.</i>		<p><u>Text of Cion proposal (line 167)</u></p> <p><i>(2) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.</i></p>
162.		<i>(3) Biometric data stored in the storage medium of identity cards and residence documents shall only be used in accordance with Union and national law, by the duly authorized staff of competent national authorities and EU agencies, for the sole purpose of verifying:</i>		<p><u>Presidency compromise proposal</u></p> <p><i>(3) Biometric data stored in the storage medium of identity cards and residence documents shall only be used in accordance with Union and national law, by the duly authorized staff of competent national authorities and EU agencies, for the purpose of</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				verifying:
163.		(a) the authenticity of the identity card or residence document;		Text of Cion proposal (line 169) (a) the authenticity of the identity card or residence document;
164.		(b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.		Text of Cion proposal (line 170) (b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.
165.		(3a) Member States shall maintain a register of the competent authorities with access to the biometric data stored on the chip referred to in Article 3(3) and shall communicate that register to the Commission, which shall maintain an up-to-date online register and annually publish a compilation of national registers.		Presidency compromise proposal (3a) Member States shall communicate annually a list of the competent authorities with access to the biometric data stored on the chip referred to in Article 3(3) to the Commission, which shall publish online a compilation of national lists. BZK: Eens met voorstel tot meer transparantie over toegang tot de chip. Wellicht gewenst met elkaar na te denken over de eisen die gesteld moeten worden aan organisaties die toegang überhaupt zouden mogen krijgen

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
166.		<i>(8) The introduction of security standards in identity cards and in residence cards of family members who are not nationals of a Member State shall not result to an undue increase in fees for EU citizens or third country nationals.</i>		<p>Presidency compromise proposal</p> <p>Recital XX</p> <p><i>XX) The introduction of security standards in identity cards and in residence cards of family members who are not nationals of a Member State should not result in an undue increase in fees for EU citizens or third country nationals.</i></p>
167.	<p>(2) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.</p>	<i>deleted</i>	<p>(2) Information in machine- readable form shall only be included in an identity card or residence document in accordance with this Regulation or the national legislation of the issuing Member State.</p>	<p>Presidency compromise proposal</p> <p><i>Deleted (moved to line 161)</i></p>
168.	<p>(3) Biometric data collected and stored in the storage medium of identity cards and residence documents shall only be used in accordance with Union and national law for verifying.</p>	<i>deleted</i>	<p>(3) Biometric data shall be collected and stored in the storage medium of identity cards and residence documents and shall only be used in accordance with Union and national law for verifying.</p>	<p>Presidency compromise proposal</p> <p><i>Deleted (new provision in line 162)</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
169.	(a) the authenticity of the identity card or residence document;	<i>deleted</i>	(a) the authenticity of the identity card or residence document;	<u>Presidency compromise proposal</u> <i>Deleted (text moved to line 163)</i>
170.	(b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.	<i>deleted</i>	(b) the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.	<u>Presidency compromise proposal</u> <i>Deleted (text moved to line 164)</i>
171.		<i>Article 10 a</i>		
172.		<i>Liabilities, security standards and supervision</i>		
173.		<i>(1) Member States shall ensure the conformity of the cards and titles they issue with the security standards, format and specifications as described in Articles 3, 6 and 7.</i>		<u>Presidency compromise proposal</u> <i>delete</i>
174.		<i>(2) Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Regulation.</i>		<u>Presidency compromise proposal</u> <i>Delete [already covered in line 80]</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
175.		<i>(3) Member States shall work with the Commission to integrate additional features that increase the accessibility of identity cards and render them more user-friendly to people with disabilities.</i>		<p><u>Presidency compromise proposal</u></p> <p><i>Modified recital</i></p> <p>13) The Regulation shall respects the obligations set in the United Nations Convention on the Rights of Persons with Disabilities ratified by all Member States and the Union¹. Therefore, Member States are to work with the Commission on the integration of additional features that render identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged. Member States are to explore solutions, for example mobile registration devices, to issue identity cards to persons incapable of visiting the authorities responsible for issuing identity cards.</p> <p>BZK/BZ: de commitment de Commissie te laten besluiten wat toepasbaar is voor gehandicapten is vergaand. Dit kan beter binnen nationale context opgelost worden. Geen one size fits all oplossingen, wel kan elke lidstaat afzonderlijk aangespoord worden rekening te houden met handicaps.</p>

¹

OJ L 23, 26.11.2009.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
176.		<i>(4) Member States shall grant the supervisory authorities referred to in Article 51(1) of Regulation (EU) 2016/679 access to their logs and maintain such access at all times to all premises used for interoperability purposes.</i>		<u>To be discussed</u> <i>Delete - double provision - already covered by GDPR</i>
177.		<i>(5) Member States shall be liable for any failure to meet those obligations. Any person who has suffered material or immaterial damages as a result of any action incompatible with this Regulation, shall have the right to obtain from the issuing Member State compensation for the damages suffered.</i>		<u>Presidency compromise proposal</u> <i>Addition to recital 18 in line 47</i> <i>Member States are to pay particular attention to the respective data protection rules when cooperating with an external service provider. Such a cooperation does not exclude any liability arising under Union or national law of the Member State for breaches of obligations with regard to personal data.</i> BZK/BZ: akkoord
178.		<i>Article 10 b</i>		
179.		<i>Source documents and provisional documents</i>		
180.		<i>(1) Member States shall work with the Commission to exchange best practices on the</i>		<u>To be discussed</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>source documents used when applying for or renewing a document.</i>		<p><i>Outside of the scope of the Regulation - already covered by Action Plan 2016 (latest report 2018/696).</i></p> <p><u>Possible recital:</u></p> <p><u>Issuing authentic and secure identity cards requires a reliable identity registration process and secure documents to support the application. The Commission is supporting the Member States in this regard¹.</u></p> <p>BZK: onduidelijk statement, lijkt niet problematisch</p> <p>_____</p>
181.		<i>(2) Member States shall cooperate with the Commission on the minimum security features necessary for the mutual recognition of provisional documents issued in the event of theft, loss or renewal of identity document, or where it is temporarily impossible to take fingerprints</i>		<p><u>Presidency compromise proposal</u></p> <p><i>New recital 6d</i></p> <p><i>Article 5(4) of Directive 2004/38/EC addresses the situation where Union citizens not having the necessary travel documents, such as a valid</i></p>

¹ Action plan to strengthen the European response to travel document fraud (COM(2016) 790 final) and the subsequent reports on the implementation of the Action plan

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>or a facial image.</i>		<i>identity card, should be given every reasonable opportunity to prove by other means that they are covered by the right of free movement.</i> J&V: Wat zijn reasonable opportunities? Is dit simpelweg contact opnemen met de autoriteiten van het thuisland van de reiziger? Graag verduidelijken.
182.		<i>(3) No later than (OJ: two years after the date of application of this Regulation), the Commission shall propose guidelines in relation to source documents and common features for provisional documents and present to the Council and the European Parliament a report assessing the necessity to introduce common features for provisional documents.</i>		<u>Presidency compromise proposal</u> <i>delete</i>
183.	<i>Article 11</i>	<i>Article 11</i>	<i>Article 11</i>	
184.	<i>Monitoring</i>	<i>Monitoring</i>	<i>Monitoring</i>	
185.	By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the outputs, results and impacts of this Regulation.	By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the outputs, results and impacts of this Regulation,	By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the outputs, results and impacts of this Regulation.	<u>Presidency compromise proposal (EP amendment)</u> By 12 months after the entry into force at the latest, the Commission shall establish a detailed

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>including its impact on fundamental rights.</i>		programme for monitoring the outputs, results and impacts of this Regulation, <i>including its impact on fundamental rights.</i> BZK: akkoord
186.	The monitoring programme shall set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It shall specify the action to be taken by the Commission and by the Member States in collecting and analysing the data and other evidence.	The monitoring programme shall set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It shall specify the action to be taken by the Commission and by the Member States in collecting and analysing the data and other evidence.	The monitoring programme shall set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It shall specify the action to be taken by the Commission and by the Member States in collecting and analysing the data and other evidence.	The monitoring programme shall set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It shall specify the action to be taken by the Commission and by the Member States in collecting and analysing the data and other evidence.
187.	Member States shall provide the Commission with the data and other evidence necessary for the monitoring.	Member States shall provide the Commission with the data and other evidence necessary for the monitoring.	Member States shall provide the Commission with the data and other evidence necessary for the monitoring.	Member States shall provide the Commission with the data and other evidence necessary for the monitoring.
188.	<i>Article 12</i>	<i>Article 12</i>	<i>Article 12</i>	
189.	<i>Reporting and Evaluation</i>	<i>Reporting and Evaluation</i>	<i>Reporting and Evaluation</i>	
190.	(1) Four years after its date of application, the Commission shall report to the European Parliament, the Council and the European Economic and Social	(1) <i>Three years from the date of application of this Regulation and every five years thereafter, the Commission shall report to the European</i>	(1) Four years after its date of application, the Commission shall report to the European Parliament, the Council and the European Economic and Social	<u>To be discussed</u> (1) Four years after its date of application and five years thereafter, the Commission shall

Line		Committee on the implementation of this Regulation.		191.
Commission proposal (8175/18)		Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation, in particular its compliance with fundamental rights, the data collection purposes listed in Article 10(2) and (3) and with the appropriateness of the level of security. Four years after its date of application, the Commission shall report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation.		(2) No sooner than six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation.
EP amendments				(2) Six years and ten years respectively after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings and particularly on its impact on fundamental rights, on the efficiency and
Council negotiating mandate (14360/18)		Committee on the implementation of this Regulation.		(2) No sooner than six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social
Compromise text proposals		report to the European Parliament, the Council and the European Economic and Social Committee on the implementation of this Regulation.		Presidency compromise proposal (2) Six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines.	<i>improvement of the mobility of the Union citizens and of the level of security and on the effectiveness of biometric technology in ensuring the security of travel documents</i> to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines.	Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines.	<p>European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines. <i>This report shall particularly focus on:</i></p> <ul style="list-style-type: none"> - <i>fundamental rights;</i> - <i>the mobility of Union citizens;</i> - <i>the effectiveness of biometric technology in ensuring the security of travel documents;</i> - <i>a possible use of residence cards as travel documents;</i> - <i>a possible further visual harmonisation of identity cards</i> <p>BZK: Verder visuele harmonisatie van identiteitskaarten is onwenselijk en voegt niets toe. Verder akkoord.</p> <p>JenV: zie punt verblijfsdoc als reisdocument</p>
192.	(3) Member States shall provide the Commission with the information necessary for the preparation of the reports.	(3) Member States <i>and relevant EU agencies</i> shall provide the Commission with the information necessary for the preparation of the reports.	(3) Member States shall provide the Commission with the information necessary for the preparation of the reports.	<p><u>Presidency compromise proposal (EP amendment)</u></p> <p>(3) <i>Member States and relevant EU agencies</i> shall provide the Commission with the information necessary for the preparation of the reports.</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
193.		<i>Article 12 a</i> <i>Further technical specifications</i>	<i>Article 12a</i> <i>Further technical specification</i>	
194.		<i>In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Article 1 with future minimum security standards adopted pursuant to Council Regulation (EC) No 1030/2002 as implemented by Commission Decision C(2002)3069 as last amended by Commission Decision C(2013)6178, the Commission shall establish, by means of implementing acts, additional technical specifications, relating to the following:</i>	(1) <i>In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Articles 2(a) and 2(c) with future minimum security standards the Commission shall establish, by means of implementing acts, additional technical specifications, relating to the following:</i>	<u>Presidency compromise proposal (Council mandate)</u> (1) <i>In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Articles 2(a) and 2(c) with future minimum security standards the Commission shall establish, by means of implementing acts, additional technical specifications, relating to the following:</i>
195.		<i>(a) additional security features and requirements, including enhanced anti forgery, counterfeiting and falsification standards;</i>	<i>(a) additional security features and requirements, including enhanced anti-forgery, -counterfeiting and - falsification standards;</i>	<u>Presidency compromise proposal (joint text)</u> <i>(a) additional security features and requirements, including enhanced anti forgery, counterfeiting and falsification standards;</i>

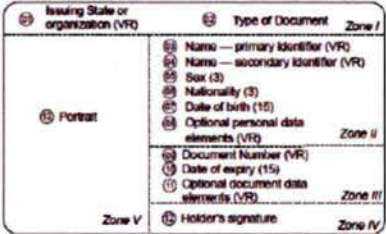
Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
196.		<i>(b) technical specifications for the storage medium of the biometric features and their security, including prevention of unauthorised access and facilitated validation;</i>	<i>(b) technical specifications for the storage medium of the biometric features referred to in Article 3(3) and their security, including prevention of unauthorised access and facilitated validation;</i>	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p><i>(b) technical specifications for the storage medium of the biometric features referred to in Article 3(3) and their security, including prevention of unauthorised access and facilitated validation;</i></p>
197.		<i>(c) requirements in relation to quality and in relation to common technical standards for the facial image and the fingerprints.</i>	<i>(c) requirements for quality and common technical standards for the facial image and the fingerprints.</i>	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p><i>(c) requirements for quality and common technical standards for the facial image and the fingerprints.</i></p>
198.		<i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12b. In accordance with the procedure referred to in Article 12b, the Committee established by Article 6 of Regulation (EC) No. 1683/95 may decide that the specifications referred to in this Article shall be secret and not</i>	<i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12b(2).</i>	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p><i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 12b(2).</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>published. In that case they shall be made available only to the point of contact referred to in Article 9(1).</i>		
199.			(2) <i>In accordance with the procedure referred to in Article 12b(2), it may be decided that the specifications referred to in this Article shall be secret and not be published. In that case, they shall be made available only to the bodies designated by the Member States as responsible for printing and to persons duly authorised by a Member State or the Commission.</i>	<u>Presidency compromise proposal (Council mandate)</u> (2) <i>In accordance with the procedure referred to in Article 12b(2), it may be decided that the specifications referred to in this Article shall be secret and not be published. In that case, they shall be made available only to the bodies designated by the Member States as responsible for printing and to persons duly authorised by a Member State or the Commission.</i>
200.			(3) <i>Each Member State shall designate one body having responsibility for printing identity cards and one body for printing residence cards of family members of Union citizens and shall communicate the names of such bodies to the</i>	<u>Presidency compromise proposal (Council mandate)</u> (3) <i>Each Member State shall designate one body having responsibility for printing identity cards and one body for printing residence cards of family members of Union citizens and</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<p>Commission and the other Member States shall communicate the names of such bodies to the Commission and the other Member States. Member States shall be entitled to change their designated bodies and shall inform the Commission and the other Member States accordingly.</p>	<p>shall communicate the names of such bodies to the Commission and the other Member States. Member States shall be entitled to change their designated bodies and shall inform the Commission and the other Member States accordingly.</p>
201.			<p>Member States may also decide to designate the same body for printing identity cards and residence cards of family members of Union citizens and shall communicate the name of this body to the Commission and the other Member States.</p>	<p>Member States may also decide to designate the same body for printing identity cards and residence cards of family members of Union citizens and shall communicate the name of this body to the Commission and the other Member States.</p> <p><u>mandate)</u></p> <p><u>Presidency compromise proposal (Council</u></p>
202.			<p>Two or more Member States may also decide to designate the same body and shall inform the Commission and the other Member States accordingly.</p>	<p>Two or more Member States may also decide to designate the same body and shall inform the Commission and the other Member States accordingly.</p> <p><u>mandate)</u></p> <p><u>Presidency compromise proposal (Council</u></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
203.		<i>Article 12 b</i>	<i>Article 12b</i>	
204.		<i>Committee procedure</i>	<i>Committee procedure</i>	
205.		<i>(1) The Commission shall be assisted by the Committee established by Article 6 of Regulation (EC) No. 1683/95. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>	<i>(1) The Commission shall be assisted by the Committee established by Article 6 of Regulation (EC) No. 1683/95. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>	<u>Presidency compromise proposal (joint text)</u> <i>(1) The Commission shall be assisted by the Committee established by Article 6 of Regulation (EC) No. 1683/95. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>
206.		<i>(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</i>	<i>(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
207.	<i>Article 13</i>	<i>Article 13</i>	<i>Article 13</i>	
208.	<i>Entry into force</i>	<i>Entry into force</i>	<i>Entry into force</i>	
209.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	
210.	It shall apply from 12 months after its entry into force.	It shall apply from 12 months after its entry into force.	It shall apply from 12-24 months after its entry into force.	<u>Presidency compromise proposal</u> It shall apply from 12-24 months after its entry into force.
211.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
212.	Done at Strasbourg.	Done at Strasbourg.	Done at Strasbourg.	
213.	<i>For the European Parliament For the Council</i>	<i>For the European Parliament For the Council</i>	<i>For the European Parliament For the Council</i>	
214.	<i>The President The President</i>	<i>The President The President</i>	The President The President	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
215.		<i>ANNEX I</i>		<u>Presidency compromise proposal</u> <i>delete</i>
216.		<i>NATIONAL IDENTITY CARDS TEMPLATE</i>		<u>Presidency compromise proposal</u> <i>delete</i>
217.		<i>FRONT:</i>		<u>Presidency compromise proposal</u> <i>delete</i>
218.				<u>Presidency compromise proposal</u> <i>delete</i>
219.		<i>Zone I on the front of the MROTD identifies the issuing State or organization and the document.</i>		<u>Presidency compromise proposal</u> <i>delete</i>
220.		<i>Data elements shall appear in a standard sequence in Zones II and III. Zones II and III each contain a field in which optional data elements may be included. The optional field in</i>		<u>Presidency compromise proposal</u> <i>delete</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>Zone II shall be used for personal data elements and the optional field in Zone III for document-related data elements. Where an issuing State or organization does not use the optional fields in Zones II and III, there is no need to reserve the space for them on the TD1.</i>		
221.		<i>Zone IV contains the holder's signature or usual mark. The issuing State or organization shall decide the acceptability of a holder's usual mark.</i>		<u>Presidency compromise proposal</u> delete
222.		<i>Zone V shall contain the personal identification feature(s) which shall include a portrait solely of the holder. At the discretion of the issuing State or organization, the name fields in Zone II and the holder's signature or usual mark in Zone IV may overlay Zone V provided this does not hinder recognition of the data in any of the three zones.</i>		<u>Presidency compromise proposal</u> delete

10.2e

Van: 10.2e
Verzonden: dinsdag 5 februari 2019 10:09
Aan: 10.2e
CC: 10.2e
Onderwerp: Instructie
Bijlagen: Instructie RWG III.docx

Ha 10.2e,

In de bijlage de instructie. Gezien de korte deadline heb ik niet van iedereen reactie gehad.

Voor wat betreft de voorliggende pakketten:

"The Parliament is ready to give up on its most important demand to introduce visual harmonisation of ID cards (Annex I of the EP report), in return for including the EU flag on identity cards and residence documents (line 78 and line 128), without the reference to the DOVID feature. This is on top of the previous EP concession not to harmonise the colour of ID cards."

Kunnen we mee akkoord gaan

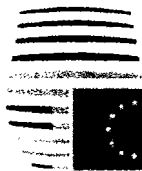
"The Parliament agreed to the Council request for a 24 month date of application (line 210) in return for a slightly shorter phase-out period of 8 years for identity cards (line 109) and 2 years for residence cards (line 140);"

Levert heel veel ongemak op. Beide opties. De 24 maanden inwerkingtreding is echt nodig om de wet te wijzigen. Maar dat niet alleen. In die tijd moet een nieuw design met vlag geïmplementeerd worden, moet live-enrollment geïmplementeerd worden, moeten de certificaten voor wederzijds uitlezen vingerafdrukken uitgewisseld worden. Er is een goede kans dat sommige zaken pas na die twee jaar daadwerkelijk gerealiseerd zijn. Als dit opgevolgd wordt door een deadline van 8 jaar uitfaseren levert een boel nodeloze kosten op voor overheid en burger. 'slightly shorter' is dan ook niet de goede term. Het is een kwestie van kaarten moeten terugroepen of niet kaarten hoeven terugroepen. Gezien de huidige kwaliteit van de Nederlandse kaart en wat de verordening daaraan toevoegt is eerder uitfaseren echt niet nodig. Wellicht kun je opnieuw oproepen tot een uitzondering voor kaarten die reeds voldoen aan ICAO 9303 en alleen geen vingerafdruk/vlag bevatten.

Daarnaast blijft een belangrijk punt het moeten verwijderen van aanvraaggegevens binnen een maand na uitgifte. Dat is nu nog steeds niet goed verwoord. Juist als met deze verordening zoveel stappen gezet worden voor het bemoeilijken van fraude is dat een vreemde zet. De fraude zal zich verplaatsen van nep-documenten naar het aanvraagproces. Juist daar is dan historisch onderzoek nodig: er moet minimaal twee oude aanvragen beschikbaar zijn voor een betrouwbare uitgifte. In Nederland gaat dit voornamelijk om de foto en handtekening. Deze verordening maakt met deze maatregel lookalike fraude bij aanvraag eenvoudiger.

10.2e

.....
Afd. Identiteit
DG Overheids Organisatie
Ministerie van Binnenlandse Zaken en Koninkrijksrelaties
Turfmarkt 147 | 2511 DP | Den Haag | Toren Zuid, 12e etage
Postbus 20011 | 2500 EA | Den Haag
.....



Council of the European Union
General Secretariat

Interinstitutional files:
2018/0104(COD)

Brussels, 01 February 2019 WK

1539/2019 INIT LIMITE

JAI FRONT
VISA
FAUXDOC
CODEC IA
FREMP

WORKING PAPER

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	Presidency
To:	JHA Counsellors (Visa, Frontiers, Schengen)

Subject:	Proposal for a Regulation of the European Parliament and of the Council on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement
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With a view to the meeting of JHA Counsellors on 5 February 2019, delegations will find attached the latest version of the four-column table on the strengthening of the security of identity cards and residence documents.

WK 1539/2019 INIT

LIMITE

EN

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement**

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
1.	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (Text with EEA relevance)		
2.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
3.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	
4.	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
5.	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
6.	Having regard to the opinion of the European Economic and Social Committee ¹ ,	Having regard to the opinion of the European Economic and Social Committee ² ,	Having regard to the opinion of the European Economic and Social Committee ³ ,	
7.	Having regard to the opinion of the Committee of the Regions ⁴ ,	Having regard to the opinion of the Committee of the Regions ⁵ ,	Having regard to the opinion of the Committee of the Regions ⁶ ,	

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- 1 OJ C , , p . .
2 OJ C , , p . .
3 OJ C , , p . .
4 OJ C , , p . .
5 OJ C , , p . .
6 OJ C , , p . .

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
8.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
9.	Whereas:	Whereas:	Whereas:	
10.	(1) The EU Treaties resolved to facilitate the free movement of persons while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of the Treaty on the Functioning of the European Union.	(1) The EU Treaties resolved to facilitate the free movement of persons while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of the Treaty on the Functioning of the European Union.	(1) The EU Treaties resolved to facilitate the free movement of persons while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of the Treaty on the Functioning of the European Union.	
11.	(2) Citizenship of the Union confers on every citizen of the Union the right to free movement subject to certain limitations and conditions. Directive 2004/38/EC of the European Parliament and of the	(2) Citizenship of the Union confers on every citizen of the Union the right to free movement subject to certain limitations and conditions. Directive 2004/38/EC of the European Parliament and of the	(2) Citizenship of the Union confers on every citizen of the Union the right to free movement subject to certain limitations and conditions. Directive 2004/38/EC of the European Parliament and of the	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Council gives effect to that right. ¹ Article 45 of the Charter also provides for the freedom of movement and residence. Freedom of movement entails the right to exit and enter Member States with a valid identity card or passport.	Council gives effect to that right. ² Article 45 of the Charter also provides for the freedom of movement and residence. Freedom of movement entails the right to exit and enter Member States with a valid identity card or passport.	Council gives effect to that right. ³ Article 45 of the Charter also provides for the freedom of movement and residence. Freedom of movement entails the right to exit and enter Member States with a valid identity card or passport.	
12.	(3) Pursuant to Article 4 of Directive 2004/38/EC, Member States are to issue and renew identity cards or passports to their nationals in accordance with national laws. Furthermore, Article 8 of Directive 2004/38/EC provides that they may require citizens of the Union and their family members to register with the relevant	(3) Pursuant to Article 4 of Directive 2004/38/EC, Member States are to issue and renew identity cards or passports to their nationals in accordance with national laws. Furthermore, Article 8 of Directive 2004/38/EC provides that they may require citizens of the Union and their family members to register with the relevant	(3) Pursuant to Article 4 of Directive 2004/38/EC, Member States are to issue and renew identity cards or passports to their nationals in accordance with national laws. Furthermore, Article 8 of Directive 2004/38/EC provides that they may require citizens of the Union and their family members to register with the relevant	

¹ 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 (OJ L 158, 30.4.2004, p. 77).

² 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 (OJ L 158, 30.4.2004, p. 77).

³ 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 (OJ L 158, 30.4.2004, p. 77).

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	<p>authorities. Member States are required to issue registration certificates to Union citizens under the conditions set out therein. Member States are also required to issue residence cards to family members who are not nationals of a Member State and, on application, to issue documents certifying permanent residence and permanent residence cards.</p>	<p>authorities. Member States are required to issue registration certificates to Union citizens under the conditions set out therein. Member States are also required to issue residence cards to family members who are not nationals of a Member State and, on application, to issue documents certifying permanent residence and permanent residence cards.</p>	<p>authorities. Member States are required to issue registration certificates to Union citizens under the conditions set out therein. Member States are also required to issue residence cards to family members who are not nationals of a Member State and, on application, to issue documents certifying permanent residence and permanent residence cards.</p>	
13.	<p>(4) Article 35 of Directive 2004/38/EC provides that Member States may adopt the necessary measures to refuse, terminate or withdraw any right conferred by this Directive in the case of abuse of rights or fraud. Document forger or false presentation of a material fact concerning the conditions attached to the right of residence have been identified as typical</p>	<p>(4) Article 35 of Directive 2004/38/EC provides that Member States may adopt the necessary measures to refuse, terminate or withdraw any right conferred by this Directive in the case of abuse of rights or fraud. Document forger or false presentation of a material fact concerning the conditions attached to the right of residence have been identified as typical</p>	<p>(4) Article 35 of Directive 2004/38/EC provides that Member States may adopt the necessary measures to refuse, terminate or withdraw any right conferred by this Directive in the case of abuse of rights or fraud. Document forger or false presentation of a material fact concerning the conditions attached to the right of residence have been identified as typical</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	cases of fraud under the Directive ¹ .	cases of fraud under the Directive ² .	cases of fraud under the Directive ³ .	
14.		<p><i>(4 a) Considerable differences exist between the security levels of national identity cards issued by Member States and residence permits for EU nationals residing in another Member State and their family members, which increases the risk of falsification and document fraud and gives rise to practical difficulties for citizens when they wish to exercise their right to free movement. European Document Fraud Risk Analysis Network Statistics show that incidents of fraudulent European ID Cards have increased over time.</i></p>		

¹ COM (2013) 837 final of 25.11.2013, p. 7 and COM (2009) 313 final of 2.7.2009, p. 15.

² COM (2013) 837 final of 25.11.2013, p. 7 and COM (2009) 313 final of 2.7.2009, p. 15.

³ COM (2013) 837 final of 25.11.2013, p. 7 and COM (2009) 313 final of 2.7.2009, p. 15.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
15.	<p>(4 b) In its Communication on "Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders", the Commission stressed the crucial importance of secure travel and identity documents where necessary to establish beyond doubt a person's identity and announced that it would be presenting an action plan to tackle travel document fraud.</p> <p>An improved approach is to rely on robust systems to prevent abuses and the threats to internal security arising from failings in document security.</p>			
16.	<p>(4 c) Three-quarters of fraudulent documents detected at the external borders and within the Union initiate identity documents issued by Member States and Schengen-associated countries. National identity cards with a lower degree of security are the most</p>			

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>frequently detected as fraudulent. According to Frontex, 40682 fraudulent European ID Cards and 13512 fraudulent EU residence permits (all types) were detected and reported within the European Document Fraud Risk Analysis Network (EDF- RAN) between 2013 and 2018. These figures include detections at the external EU borders as well as those arising from secondary intra-EU/Schengen movements.</i>		
17.		<i>(4 d) In order to deter identity fraud, Member States should ensure that the falsification and counterfeiting of identification documents and the use of such falsified or counterfeit documents are adequately penalised by their national law.</i>		

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
18.	(5) The 2016 Action Plan on document security of December addressed the risk from fraudulent identity cards and residence documents ¹ , and the 2017 Citizenship report committed to analysing policy options to improve the security of identity cards and residence documents.	(5) The 2016 Action Plan on document security of December addressed the risk from fraudulent identity cards and residence documents ² , and the 2017 Citizenship report committed to analysing policy options to improve the security of identity cards and residence documents.	(5) The 2016 Action Plan on document security of December addressed the risk from fraudulent identity cards and residence documents ³ , and the 2017 Citizenship report committed to analysing policy options to improve the security of identity cards and residence documents.	
19.		(5 a) <i>The 2016 Action Plan on document security also noted that the obtaining of authentic documents on the basis of false 'breeder' documents (birth, marriage and death certificates) is in marked increase and remains one of the most significant security threats in the European Union, as it is very difficult to detect.</i>		

1 COM(2016) 790 final.
2 COM(2016) 790 final.
3 COM(2016) 790 final.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
20.		<i>(5 b) This Regulation calls on Member States, with the support of the Commission, to further pursue their work on the best ways of making source documents less vulnerable to fraud, in particular with reference to the Europol manual on the detection of false source documents.</i>		Jen V? Burgerlijke stand?
21.	(6) This Regulation does not require Member States to introduce identity cards or residence documents where they are not provided for under national law, nor does it affect the competence of the Member States to issue other residence documents under national law outside the scope of Union law, for example residence cards delivered to all residents on the territory whatever their nationality.	(6) This Regulation does not require Member States to introduce identity cards or residence documents where they are not provided for under national law, nor does it affect the competence of the Member States to issue other residence documents under national law outside the scope of Union law, for example residence cards delivered to all residents on the territory whatever their nationality.	(6) This Regulation does not require Member States to introduce identity cards or residence documents where they are not provided for under national law, nor does it affect the competence of the Member States to issue other residence documents under national law outside the scope of Union law, for example residence cards delivered to all residents on the territory whatever their nationality.	

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22.			<p>(6a) <i>This Regulation does not affect the possibility of Member States to accept, in a non-discriminatory manner, other documents which are not travel documents such as driving licences for identification purposes.</i></p>	
23.			<p>(6b) <i>Identification documents issued to citizens whose free movement rights have been restricted in accordance with Union or national law and which expressly indicate that they cannot be used as travel documents should not be considered as falling within the scope of this Regulation.</i></p>	
24.			<p>6(c) <i>Travel documents compliant with International Civil Aviation Organisation (ICAO) Document 9303, part 5 (seventh edition), which do not serve identification purposes in the issuing Member States, should not be considered as</i></p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>falling within the scope of this Regulation.</i>	
25.	<p>(7) This Regulation does not affect the use of identity cards and residence documents with eID function by Member States for other purposes nor does it affect the rules laid down in Regulation (EU) No 910/2014 of the European Parliament and of the Council,¹ which provides for Union-wide mutual recognition of electronic identifications in access to public services and helps citizens moving to another Member State by requiring electronic identification means to be recognised in another Member State. Improved identity</p>	<p>(7) This Regulation does not affect the use of identity cards and residence documents with eID function by Member States for other purposes nor does it affect the rules laid down in Regulation (EU) No 910/2014 of the European Parliament and of the Council,² which provides for Union-wide mutual recognition of electronic identifications in access to public services and helps citizens moving to another Member State by requiring electronic identification means to be recognised in another Member State. Improved</p>	<p>(7) This Regulation does not affect the use of identity cards and residence documents with eID function by Member States for other purposes nor does it affect the rules laid down in Regulation (EU) No 910/2014 of the European Parliament and of the Council,³ which provides for Union-wide mutual recognition of electronic identifications in access to public services and helps citizens moving to another Member State by requiring electronic identification means to be recognised in another Member State. Improved</p>	

- ¹ Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).
- ² Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).
- ³ Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	cards should ensure easier identification and contribute to a better access to services.	identity cards should ensure easier identification and contribute to a better access to services.	identity cards should ensure easier identification and contribute to a better access to services.	
26.	<p>(8) Proper verification of identity cards and residence documents requires that Member States use the correct title for each kind of document. In order to facilitate checking of the documents in other Member States, the document title should also appear in at least one other official language of the institutions of the Union.</p>	<p>(8) Proper verification of identity cards and residence documents requires that Member States use the correct title for each kind of document. In order to facilitate checking of the documents in other Member States, the document title should also appear in at least one other official language of the institutions of the Union.</p>	<p>(8) Proper verification of identity cards and residence documents requires that Member States use the correct title for each kind of document. In order to facilitate checking of the documents in other Member States, the document title should also appear in at least one other official language of the institutions of the Union. <i>Where Member States already use, for identity cards, well-established designations other than 'identity card', they should be able to continue to do so in their official language or languages. However, no new designations other than 'identity card' should be introduced in the future.</i></p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
27.	<p>(9) Security features are necessary to verify if a document is authentic and to establish the identity of a person. The establishment of minimum security standards and the integration of biometric data in identity cards and in residence cards of family members who are not nationals of a Member State is an important step to render their use in the Union more secure. The inclusion of such biometric identifiers should allow citizens to fully benefit from their free movement rights.</p>	<p>(9) Security features are necessary to verify if a document is authentic and to establish the identity of a person. The establishment of minimum security standards and the integration of biometric data in identity cards and in residence cards of family members who are not nationals of a Member State is an important step to render their use in the Union more secure. The inclusion of such biometric identifiers should allow citizens to fully benefit from their free movement rights.</p>	<p>(9) Security features are necessary to verify if a document is authentic and to establish the identity of a person. The establishment of minimum security standards and the integration of biometric data in identity cards and in residence cards of family members who are not nationals of a Member State is an important step to render their use in the Union more secure. The inclusion of such biometric identifiers should allow citizens to fully benefit from their free movement rights.</p>	
28.		<p><i>(9 a) The storage of a facial image and two fingerprints (hereinafter referred to as "biometric data") on identity documents, as already provided for in respect of biometric passports and residence permits for third country nationals, represents an appropriate combination of reliable identification and authentication with a reduced</i></p>		

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		<p><i>risk of fraud, for the purpose of strengthening the security of identity documents.</i></p> <p><i>Additionally, the European Court of Justice in its judgment 'Schwarz' of 2013 relating to biometric passports ruled that 'the combination of two operations designed to identify persons may not a priori be regarded as giving rise in itself to a greater threat to the rights recognised by Articles 7 and 8 of the Charter than if each of those two operations were to be considered in isolation'.</i></p>		
29.		<p><i>(9 b) This Regulation provides for the collection of biometric identifiers only by qualified and duly authorized staff of the national authorities responsible for issuing identity cards or residence permits.</i></p>		
30.		<p><i>(9 c) This Regulation should not establish a legal basis for the creation of a database at national level as this remains</i></p>		

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p>an exclusive competence of the Member States. Neither should it establish a legal basis for the creation of a centralized database at Union level. The biometric data collected for the purpose of this Regulation should only be used by qualified and duly authorised staff of the competent national authorities and EU agencies for verifying the authenticity of the document and the identity of the holder by means of directly available comparable features when the identity card or residence document is required to be produced by law.</p>		
31.		<p>(9 d) Biometric identifiers outside the storage medium, should be stored in a highly secure manner only for the time required to issue the national identity card or residence permit and in no case for longer than one month from the date of collection and should be immediately erased once stored</p>		<p>BZK: onwenselijk, biometrie moet voor tweemaal de maximale geldigheid van een document bewaard kunnen blijven voor historisch onderzoek</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>in the storage medium.</i>		
32.	(10) The specifications of the International Civil Aviation Organisation (ICAO) Document 9303 (seventh edition, 2015) on machine-readable documents which ensure global interoperability including for machine readability and using visual inspection should be taken into account for the purpose of this Regulation.	(10) The specifications of the International Civil Aviation Organisation (ICAO) Document 9303 (seventh edition, 2015) on machine-readable documents which ensure global interoperability including for machine readability and using visual inspection should be taken into account <i>by the Commission when drawing up additional technical specifications.</i>	(10) The specifications of the International Civil Aviation Organisation (ICAO) Document 9303 (seventh edition, 2015) on machine-readable documents which ensure global interoperability including for machine readability and using visual inspection should be taken into account for the purpose of this Regulation.	
33.		<i>(10 a) Where a Member State includes the category of 'gender' on a document it should contain options <F>, <M> or <X> according to ICAO guidelines.</i>		
34.		<i>(10 b) In order to ensure uniform conditions for the implementation of the additional technical specifications, implementing powers should be conferred on</i>		

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		<i>the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council.¹</i>		
35.	(11) The procedure for taking fingerprints and a facial image should take into account the specific needs of children and be applied in accordance with the safeguards laid down in Article 24 the Charter of Fundamental Rights of the European Union, in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child.	(11) The procedure for taking fingerprints and a facial image should <i>pursue a strictly limited objective</i> , take into account the specific needs of children <i>and vulnerable persons</i> , <i>should be undertaken in a child sensitive and in a gender sensitive manner, be implemented by qualified staff, under the regular observation of the Commission as well as of a supervisory authority</i> and be applied in accordance with the safeguards laid down in Article 24 the Charter of Fundamental	(11) The procedure for taking fingerprints and a facial image should take into account the specific needs of children and be applied in accordance with the safeguards laid down in Article 24 the Charter of Fundamental Rights of the European Union, in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child.	

¹ Regulation (EU) No 182/2011 of the European Parliament and the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13)

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		Rights of the European Union, in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child. <i>Qualified staff responsible for the collection of biometric identifiers should be trained accordingly.</i>		
36.		<i>(11 a) It is important to ensure the dignity of the person from whom biometric information is collected throughout the collection procedure. Therefore, specific considerations relating to gender, and to the specific needs of children and of vulnerable persons should be taken into account.</i>		
37.	(12) Introducing minimum security and format standards of identity cards should allow Member States to rely on the authenticity of those documents when EU citizens exercise their free movement rights. While the	(12) Introducing minimum security and format standards of identity cards should allow Member States to rely on the authenticity of those documents when EU citizens exercise their <i>right of free movement. This</i>	(12) Introducing minimum security and format standards of identity cards should allow Member States to rely on the authenticity of those documents when EU citizens exercise their free movement rights.	

Line	Commission proposal (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	<p>possibility to provide for additional national features is maintained, it should be ensured that those features do not diminish the efficiency of the common security features or negatively affect the cross-border interoperability of the identity cards, such as the possibility that the identity cards can be read by machines used by Member States other than those of issue.</p>	<p><i>Regulation provides that identity cards issued by Member States are mutually recognised as both identity and travel documents. While the possibility to provide for additional national features is maintained, it should be ensured that those features do not diminish the efficiency of the common security features or negatively affect the cross-border interoperability of the identity cards, such as the possibility that the identity cards can be read by machines used by Member States other than those of issue.</i></p>	<p><i>Moreover, Member States should exchange the information necessary to authenticate the storage medium and to access and verify the biometric data of the holder of these documents.</i></p> <p>While the possibility to provide for additional national features is maintained, it should be ensured that those features do not diminish the efficiency of the common security features or negatively affect the cross-border interoperability-compatibility of the identity cards, such as the possibility that the identity cards can be read by machines used by Member States other than those of issue.</p>	
38.			<p><i>(12a) Member States should take all necessary steps to ensure that biometric data matches the person to whom an identity card is issued. To this end, Member States could consider collecting biometric identifiers, especially the facial</i></p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>image, by means of live enrolment by the national authorities issuing identity cards.</i>	
39.		<i>(12 a) The use of holograms and/or watermarks allows for preventing the forgery of the document and ensures the verification of the authenticity of an identity card or a residence document, they can therefore, contribute to data minimisation;</i>		
40.		<i>(12 b) In order to promote recognition between Member States of the security features of national identity cards, Member States should exchange among themselves such digital certificates as are required to authenticate, verify and read the information contained on the secure storage medium. Formats used for the secure storage medium should be interoperable, including in respect of automated border</i>		

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>crossing points.</i>		
41.		<p><i>(12 c) Mutual recognition of identity documents is an essential element for the mobility of Union citizens. In the event of loss, theft or renewal, provisional documents issued by the Member States are not recognized and therefore no longer facilitate this mobility. Therefore, Member States should, in cooperation with the Commission, work towards better recognition of these documents.</i></p>		
42.	<p>(13) The Regulation shall respect the obligations set in the United Nations Convention on the Rights of Persons with Disabilities ratified by all Member States and the Union¹. Therefore, the integration of additional features that render</p>	<p>(13) <i>When implementing this Regulation, Member States should in particular respect the obligations set in Articles 25 and 26 of the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of Persons with</i></p>	<p>(13) The Regulation shall respects the obligations set in the United Nations Convention on the Rights of Persons with Disabilities ratified by all Member States and the Union². Therefore, the integration of additional features that render</p>	

¹ OJ L 23, 26.11.2009

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged.	Disabilities ratified by all Member States and the Union ¹ . Therefore, the integration of additional features that render identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged.	identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged. <i>Member States could also explore solutions, for example mobile registration devices, to issue identity cards to persons incapable of visiting the authorities responsible for issuing identity cards.</i>	
43.	(14) Residence documents issued to citizens of the Union should include certain information to ensure that they are identified as such in all Member States. This should facilitate the recognition of the EU mobile citizen's use of the right to free movement and of the rights inherent to this use, but harmonisation should not go beyond what is appropriate to	(14) Residence documents issued to citizens of the Union should include certain information to ensure that they are identified as such in all Member States. This should facilitate the recognition of the EU mobile citizen's use of the right to free movement and of the rights inherent to this use, but harmonisation should not go beyond what is appropriate to	(14) Residence documents issued to citizens of the Union should include certain information to ensure that they are identified as such in all Member States. This should facilitate the recognition of the EU mobile citizen's use of the right to free movement and of the rights inherent to this use, but harmonisation should not go beyond what is appropriate to	

² OJ L 23, 26.11.2009.

¹ OJ L 23, 26.11.2009

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	address the weaknesses of current documents.	address the weaknesses of current documents.	address the weaknesses of current documents. <i>Member States could issue these documents in a format complying with the specifications of ICAO Document 9303 (seventh edition, 2015) on machine-readable documents.</i>	
44.	(15) As regards residence documents issued to family members who are not nationals of a Member State it is appropriate to make use of the same format and security features as provided for in Council Regulation (EC) No 1030/2002 ¹ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ² . In	(15) As regards residence documents issued to family members who are not nationals of a Member State it is appropriate to make use of the same format and security features as provided for in Council Regulation (EC) No 1030/2002 ¹ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ² . In	(15) As regards residence documents issued to family members who are not nationals of a Member State it is appropriate to make use of the same format and security features as provided for in Council Regulation (EC) No 1030/2002 ³ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ⁴ . In	

¹ Council Regulation (EC) 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157, 15.6.2002, p. 1.

² OJ L 286 of 1.11.2017, p.9.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	addition to a prove of the right of residence they also exempt their holders who are otherwise subject to a visa obligation from the need to obtain a visa when accompanying or joining the citizen of the Union within the Union territory.	addition to a prove of the right of residence they also exempt their holders who are otherwise subject to a visa obligation from the need to obtain a visa when accompanying or joining the citizen of the Union within the Union territory.	addition to a-proveing of the right of residence they also exempt their holders who are otherwise subject to a visa obligation from the need to obtain a visa when accompanying or joining the citizen of the Union within the Union territory.	
45.	(16) Article 10 of Directive 2004/38/EC provides that documents issued to family members who are not nationals of a Member State are to be called "Residence card of a family member of a Union citizen".	(16) Article 10 of Directive 2004/38/EC provides that documents issued to family members who are not nationals of a Member State are to be called "Residence card of a family member of a Union citizen".	(16) Article 10 of Directive 2004/38/EC provides that documents issued to family members who are not nationals of a Member State are to be called "Residence card of a family member of a Union citizen". <i>In order to be easily identified as such, a residence card of a family member of a</i>	

- 1 Council Regulation (EC) 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJL 157, 15.6.2002, p. 1.
2 OJ L 286 of 1.11.2017, p.9.
3 Council Regulation (EC) 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJL 157, 15.6.2002, p. 1.
4 OJ L 286 of 1.11.2017, p.9.

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>Union citizen should bear a standardised title and code.</i>	
46.	<p>(17) Identity cards as well as residence cards of a family member of a Union citizen with insufficient security standards should be phased out taking into account both the security risk and the costs incurred by Member States. In general, a period of five years should be sufficient to strike a balance between the frequency with which documents are usually replaced and the need to fill the existing security gap within the European Union. However, for cards which do not have important features, in particular machine readability, a shorter period of two years is necessary on security grounds.</p>	<p>(17) Identity cards as well as residence cards of a family member of a Union citizen with insufficient security standards should be phased out taking into account both the security risk and the costs incurred by Member States. In general, a period of <i>eight years for ID cards</i> should be sufficient to strike a balance between the frequency with which documents are usually replaced and the need to fill the existing security gap within the European Union. However, for cards which do not have important features, in particular machine readability, a shorter period of <i>five</i> years is necessary on security grounds.</p>	<p>(17) Identity cards as well as residence cards of a family member of a Union citizen with insufficient security standards should be phased out taking into account both the security risk and the costs incurred by Member States. In general, a period of <i>ten years for identity cards and five years for residence cards</i> should be sufficient to strike a balance between the frequency with which documents are usually replaced and the need to fill the existing security gap within the European Union. However, for cards which do not have important security features, in particular <i>or are not</i> machine readability, a shorter period of two <i>five</i> years is necessary on security grounds.</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
47.	<p>(18) With regard to the personal data to be processed in the context of the application of this Regulation, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ¹ applies. It is necessary to further specify safeguards applicable to the processed personal data. Data subjects should be made well aware of the existence in their documents of the storage medium containing their biometric data including its contactless accessibility as well as of all instances where the data</p>	<p>(18) With regard to the personal data to be processed in the context of the application of this Regulation, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ² applies. It is necessary to further specify safeguards applicable to the processed personal data, <i>and in particular to sensitive data such as biometric identifiers</i>. Data subjects should be made well aware of the existence in their documents of the storage medium containing their biometric data including its</p>	<p>(18) With regard to the personal data to be processed in the context of the application of this Regulation, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ³ applies. It is necessary to further specify safeguards applicable to the processed personal data. Data subjects should be made well aware of the existence in their documents of the storage medium containing their biometric data including its contactless accessibility as well as of all instances where the data</p>	

¹ OJ L 119, 4 5 2016, p. 1.
² OJ L 119, 4 5 2016, p. 1.
³ OJ L 119, 4 5 2016, p. 1.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	contained in their identity cards and residence documents are used. In any case, data subjects should have access to personal data processed in their identity cards and residence documents and have them rectified.	contactless accessibility as well as of all instances where the data contained in their identity cards and residence documents are used. In any case, data subjects should have access to personal data processed in their identity cards and residence documents and have them rectified. <i>The storage medium should be highly secure and protect personal data stored on it from unauthorised access.</i>	contained in their identity cards and residence documents are used. In any case, data subjects should have access to personal data processed in their identity cards and residence documents and have them rectified <i>by way of issuance of a new document.</i>	
48.		<i>(18 a) Member States should be responsible for the proper processing of biometric data, from collection to integration of the data on the highly secure storage medium, in accordance with Regulation (EU) 2016/679.</i>		
49.		<i>(18 b) Where Member States cooperate with external contractors in any task related to identity documents, they should closely monitor the activities of the contractor to ensure compliance with all</i>		

Line	Commission proposal (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>provisions of this Regulation, including in particular security, confidentiality and data protection.</i>		
50.	<p>(19) It is necessary to specify in this Regulation the basis for the collection and storage of data on the storage medium of identity cards and residence documents. In accordance with their national legislation or Union law, Member States may store other data on a storage medium for electronic services or other purposes relating to the identity card or residence document. The processing of such data including their collection and the purposes for which they can be used should be authorised by national or Union law. All national data should be physically or logically separated from biometric data referred to in this Regulation.</p>	<p>(19) It is necessary to specify in this Regulation the basis for the collection and storage of data on the storage medium of identity cards and residence documents. In accordance with their national legislation or Union law and <i>respecting the principles of necessity and proportionality</i>, Member States should store on a storage medium <i>only such data as is essential to the identification of the holder</i> for electronic services or other purposes relating to the identity card or residence document. The processing of such data including their collection and the purposes for which they can be used should be authorised by national or Union law. All national data should be physically or logically separated from biometric data</p>	<p>(19) It is necessary to specify in this Regulation the basis for the collection and storage of data on the storage medium of identity cards and residence documents. In accordance with their national legislation or Union law, Member States may store other data on a storage medium for electronic services or other purposes relating to the identity card or residence document. The processing of such data including their collection and the purposes for which they can be used should be authorised by national or Union law. All national data should be physically or logically separated from biometric data referred to in this Regulation.</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		referred to in this Regulation. When entering and storing extra data in accordance with their national legislation or Union law, Member States should have performed a thorough data protection impact assessment, with a focus on processing of special categories of personal data. Member States should explicitly inform the applicants for documents, in written form and with an exhaustive list, about all the possible extra data stored.		
51.			(19aa) This Regulation requires biometric data to be collected and stored in the storage medium of identity cards and residence documents for the purposes of verifying the authenticity of the document and the identity of the holder when the document is required to be produced by law. This is without prejudice to any other processing of these data in	

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			<p><i>accordance with Union and national data protection legislation. This Regulation does not provide a legal basis for setting up or maintaining databases for storage of those data in Member States, which is a matter of national legislation that needs to comply with EU data protection legislation.</i></p>	
52.			<p><i>(19a) In order to ensure that future security standards and technical specifications adopted pursuant to Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third country nationals as last amended by Regulation (EU) 2017/1954 can duly be taken into account, where appropriate, for identity cards and residence cards and permanent residence cards, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011</i></p>	

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			<i>of the European Parliament and of the Council. For this purpose, the Commission should be assisted by the Committee established by Article 6 of Council Regulation (EC) No 1683/95. Where necessary, implementing acts may remain secret in order to prevent the risk of counterfeiting and falsifications.</i>	
53.	(20) Member States should apply this Regulation at the latest 12 months after its entry into force. As from the date of application of this Regulation, Member States should issue documents respecting the requirements set out in this Regulation.	(20) Member States should apply this Regulation at the latest 12 months after its entry into force. As from the date of application of this Regulation, Member States should issue documents respecting the requirements set out in this Regulation.	(20) Member States should apply this Regulation at the latest 12 24 months after its entry into force. As from the date of application of this Regulation, Member States should issue documents respecting the requirements set out in this Regulation.	
54.	(21) The Commission should report on the implementation of this Regulation after three years after its date of application, including on the appropriateness of the level of security. In	(21) The Commission should report on the implementation of this Regulation after three years and five years respectively , after its date of application, including on the appropriateness of the level of security, <i>the possible</i>	(21) The Commission should report on the implementation of this Regulation after three-four years after its date of application, including on the appropriateness of the level of	

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	accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making ¹ the Commission should carry out an evaluation of this Regulation on the basis of information collected through specific monitoring arrangements in order to assess the actual effects of the Regulation and the need for any further action.	<i>impact on fundamental rights, and on whether the implementation is compliant with the data collection purposes.</i> In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making ² the Commission should <i>after six years after the date of application of this Regulation</i> , carry out an <i>initial</i> evaluation of this Regulation on the basis of information collected through specific monitoring arrangements in order to assess the actual effects of the Regulation and the need for any further action <i>and a further evaluation after 10 years after</i>	security. In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making ³ the Commission should carry out an evaluation of this Regulation on the basis of information collected through specific monitoring arrangements in order to assess the actual effects of the Regulation and the need for any further action. <i>For the purpose of monitoring, Member States should collect data on the number of identity cards and residence documents issued.</i>	

¹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

² Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

³ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

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		<p><i>the date of application of this Regulation in order to take into account the phasing out period</i></p> <p><i>. These evaluations should particularly focus on the impact of this Regulation on fundamental rights, on the efficiency and improvement of the mobility of the Union citizens and on the level of security.</i></p>		
55.	<p>(22) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</p>	<p>(22) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</p>	<p>(22) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
56.	(23) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union including the respect for private and family life, the right to the protection of personal data, the right to free movement and the right to an effective remedy.	(23) <i>When implementing this Regulation Member States should respect the fundamental rights and observe the principles recognised in particular by the Charter of Fundamental Rights of the European Union including human dignity, the right to the integrity of the person, the prohibition of inhuman or degrading treatment, the right to equality before the law and non-discrimination, the rights of children, the rights of the elderly, the respect for private and family life, the right to the protection of personal data, the right to free movement and the right to an effective remedy.</i>	(23) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union including the respect for private and family life, the right to the protection of personal data, the right to free movement and the right to an effective remedy.	
57.		(23a) <i>The Fundamental Rights Agency has been consulted.</i>		

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58.		(23b) <i>The European Data Protection Supervisor was consulted in accordance with Article 28(2) of Regulation (EC) No 45/2001¹ and delivered an opinion on....,</i>		
59.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
60.	CHAPTER I SUBJECT MATTER, SCOPE AND DEFINITIONS	CHAPTER I SUBJECT MATTER, SCOPE AND DEFINITIONS	CHAPTER I SUBJECT MATTER, SCOPE AND DEFINITIONS	
61.	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	
62.	<i>Subject matter</i>	<i>Subject matter</i>	<i>Subject matter</i>	
63.	This Regulation strengthens the security standards applicable to identity cards issued by Member States to their nationals and to residence documents issued by	This Regulation strengthens the security standards applicable to identity cards issued by Member States to their nationals and to residence documents issued by	This Regulation strengthens the security standards applicable to identity cards issued by Member States to their nationals and to residence documents issued by	<u>Text of Cion proposal</u> This Regulation strengthens the security standards applicable to identity cards issued by Member

¹ *Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (JO L 8, 12.1.2001, p. 1).*

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Member States to Union citizens and their family members when exercising their right to free movement.	Member States to Union citizens and their family members <i>in order to facilitate the exercise of their right to freedom of movement within the European Union.</i>	Member States to Union citizens and their family members when exercising their right to free movement.	States to their nationals and to residence documents issued by Member States to Union citizens and their family members when exercising their right to free movement.
64.	Article 2	Article 2	Article 2	
65.	Scope	Scope	Scope	
66.	This Regulation applies to:	This Regulation applies to:	This Regulation applies to:	
67.	(a) identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC;	(a) identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC;	(a) identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC <i>with a validity of more than twelve months;</i>	<p><u>Presidency compromise proposal</u></p> <p>Identity cards delivered by Member States to their own nationals as referred in Article 4 (3) of Directive 2004/38/EC.</p> <p><i>New paragraph 2)</i></p> <p><u><i>The requirements of this Regulation shall not apply to identification documents used on a provisional basis with a validity of less than six months.</i></u></p> <p>BZK: Akkoord (wel inconsistent met paspoorten)</p>
68.	(b) registration certificates issued to Union citizens residing	(b) registration certificates issued to Union citizens residing	(b) registration certificates issued to Union citizens residing	(b) registration certificates issued to Union citizens residing

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in accordance with Article 19 of Directive 2004/38/EC;	for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in accordance with Article 19 of Directive 2004/38/EC;	for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in accordance with Article 19 of Directive 2004/38/EC;	for more than three months in a host Member State in accordance with Article 8 of Directive 2004/38/EC and documents certifying permanent residence issued to Union citizens upon application in accordance with Article 19 of Directive 2004/38/EC;
69.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.	(c) residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 10 of Directive 2004/38/EC and permanent residence cards issued to family members of Union citizens who are not nationals of a Member State in accordance with Article 20 of Directive 2004/38/EC.
70.	CHAPTER II NATIONAL IDENTITY CARDS	CHAPTER II NATIONAL IDENTITY CARDS	CHAPTER II NATIONAL IDENTITY CARDS	
71.	<i>Article 3</i>	<i>Article 3</i>	<i>Article 3</i>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
72.	<i>Security standards/format/specifications</i>	<i>Security standards/format/specifications</i>	<i>Security standards/format/specifications</i>	
73.		<i>(-1) National identity cards issued by Member States to citizens of the Union shall be recognised as such by all Member States. Such cards shall function as both identity and travel documents and be recognised as such by all Member States.</i>		<p><u>Presidency compromise proposal</u></p> <p><u>To add a new recital before line 22 or add text to Council recital in line 22:</u></p> <p><i>This Regulation is to ensure that citizens can exercise their right of free movement. The introduction of reinforced security standards provides sufficient guarantees to public authorities and private entities to rely on the authenticity of identity cards when used by citizens for identification purposes.</i></p> <p>BZK: Onduidelijk of hier nu echt een EU-veiligheidskenmerken mee bedoeld worden. Eén EU-breed veiligheidskenmerk is een goede stap om het laagste niveau controle te verbeteren. Tegelijkertijd zijn zulke kenmerken door brede standaardisatie zeer vatbaar voor fraude. Landen moeten voldoende ruimte op de kaart overhouden eigen veiligheidskenmerken te ontwikkelen.</p>
74.	(1) Identity cards issued by Member States shall be produced in ID-1 format and shall comply with the minimum security standards set out in ICAO Document 9303 (seventh edition, 2015).	(1) <i>Where Member States issue identity cards having a validity period of more than 3 months, these shall be produced in ID-1 format, contain a functional machine-readable zone (MRZ) and shall comply with the minimum standards laid down in the template set out in</i>	(1) Identity cards issued by Member States shall be produced in ID-1 format and shall comply with the contain a machine-readable zone (MRZ). They shall be based on the specifications and minimum security standards set out in ICAO Document 9303 (seventh	<p><u>Presidency compromise proposal</u></p> <p>(1) Identity cards issued by Member States shall be produced in ID-1 format and shall comply with the contain a machine-readable zone (MRZ). They shall be based on the specifications and minimum security standards set</p>

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		<i>Annex I to this Regulation. Additional technical specifications shall be established in accordance with international standards, including in particular the recommendations of the International Civil Aviation Organization (ICAO).</i>	<i>edition, 2015) and shall comply with the requirements as set out in letters (c), (d), (f) and (g) of the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third- country nationals as last amended by Regulation (EU) 2017/1954. The inclusion of 'sex' in the visual inspection zone shall be optional.</i>	<p>out in ICAO Document 9303 (seventh edition, 2015) and shall comply with the requirements as set out in letters (c), (d), (f) and (g) of the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third- country nationals as last amended by Regulation (EU) 2017/1954.</p> <p>BZK: Studievoorbereid RVIG? wat is het effect van de annex van dit implementatiebesluit op identiteitskaarten?</p>
75.		<i>(1 a) The cards shall be made entirely of polycarbonate or an equivalent synthetic polymer with a background colour of blue.</i>		<p><u>Presidency compromise proposal</u></p> <p>delete</p> <p><i>[the type of material (polycarbonate) is already covered by the reference in line 74 to letter (c) of the Annex of Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954]</i></p>
76.		<i>(1 b) By derogation from paragraph 1, the field gender is</i>		<p><u>Presidency compromise proposal</u></p> <p><i>(1 b) The data elements</i></p>

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		<i>not a minimum standard.</i>		<p>included on identity cards shall comply with the specifications set out in ICAO document 9303 part 5 (seventh edition, 2015). <u>By derogation from the first sentence, the designation of a person's gender shall be optional.</u></p> <p>Plus to add this new recital in line 33:</p> <p>Member States should be able to decide whether to include a person's gender on a document. <u>Where a Member State includes a person's gender on a document, the specifications of ICAO Document 9303 (seventh edition, 2015) 'F', 'M' or 'X'/'<' should be used for such information.</u></p> <p>BZK: groot voorstander van het optioneel maken van geslacht in de visuele inspectiezone. Dit is conform regeerakkoord.</p> <p>Nu staat meer omschreven dan enkel visuele inspectie zone. Let op dat geslacht volgens ICAO ook in MRZ en chip moet voorkomen. Dit is belangrijk voor het functioneren van het document. Mocht die discussie komen hecht NL alleen aan de visuele inspectiezone, niet aan de MRZ en chip. Dan graag voorstellen de uitzondering alleen voor visuele inspectiezone te laten gelden, conform raadsmandaat</p>
77.	(2) The document title ('Identity card') shall appear in the official language or languages of the issuing Member State and at least one other official language of the institutions of the Union.	(2) The document title ('Identity card') shall appear in the official language or languages of the issuing Member State and at least one other official language of the institutions of the Union.	(2) The document <i>shall bear the title</i> ('Identity card') shall appear in or another well-established national designation in the official language or languages of the issuing Member State, and 'identity card' in at least one other official language of the	<p><u>Text of Council mandate</u></p> <p>(2) The document <i>shall bear the title</i> ('Identity card') shall appear in or another well-established national designation in the official language or languages of the issuing Member State, and 'identity card' in at least</p>