

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			institutions of the Union.	one other official language of the institutions of the Union.
78.		(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><u>Presidency compromise proposal</u></p> <p><i>(2 a) The identity card shall contain the two-letter country code of the Member State issuing the card printed in negative in a blue rectangle encircled by twelve yellow stars.</i></p> <p>BZK: Akkoord met compromis</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 in interoperable formats, 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>BZK: Studievoorboud RVIG? wat is het effect van de dit implementatiebesluit op het afnemen van biometrie voor identiteitskaarten?</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<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: Is voorstander van Live-enrollment</p>
80.	(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	<i>deleted</i>	(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	<p><u>Presidency compromise proposal (technical adaptation)</u></p> <p>(4) The storage medium shall have sufficient capacity and capability to guarantee the</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	contactless and secured as provided for in the Commission Implementing Decisions adopted in accordance with Article 2 of Regulation (EC) 1030/2002.		<p>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>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.</i></p>	<p>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 shall exchange the information necessary to authenticate the storage medium and to access and verify the biometric data referred to in paragraph 3.</p>
81.		<p><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>		<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</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<i>fingerprints (line 79)</i>
82.		<i>Children under the age of 6 years shall in all cases be exempt from the requirement to give fingerprints.</i>		<u>Presidency compromise proposal</u> <i>Children under the age of 6 years shall be exempt from the requirement to give fingerprints.</i>
83.		<i>Persons in respect of whom fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i>		<u>Presidency compromise proposal</u> [moved from line 86] <i>Where it is temporarily impossible to take fingerprints of any of the fingers, <u>Member States</u> shall issue an identity card having a validity of <u>twelve months</u> or less.</i> p Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints. BZK: Akkoord met compromis
84.	(5) The following persons shall be exempt from the requirement to give fingerprints:	<i>deleted</i>	(5) <i>Children under the age of 12 years may</i> The following persons shall be exempt from the requirement to give fingerprints.	<i>deleted – see provision in lines 81 and 82</i>
85.	(a) children under the age of 12 years;	<i>deleted</i>	(a) children under the age of 12 years;	<i>deleted</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
86.			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 fingerprints of any of the other fingers, they may issue an identity card having a validity of twelve months or less.	deleted - Council text moved to line 83 and modified
87.	(b) persons whose fingerprinting is physically impossible.	deleted	Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.	deleted - Council text moved to line 83
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	<u>Presidency compromise proposal</u> Delete (covered in 80)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>Decision C(2013) 6178 of 30.9.2013.]</i>	
89.		<p>(5 a) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the security, the 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. 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.</p> <p>Formats used for the secure storage medium shall be interoperable, including in respect of automated border crossing points.</p>		<p><u>Presidency compromise proposal</u></p> <p><i>Delete (covered in line 80)</i></p>
90.	(6) Member States may enter	(6) When necessary and proportionate to the aim to be	(6) Member States may enter	<u>Presidency compromise proposal</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	details and observations for national use as required in the light of their national provisions.	achieved, Member States may enter details and observations for national use as required in the light of their national provisions. <i>The effectiveness of minimum security standards and the cross-border interoperability of identity cards shall not be diminished as a result.</i>	details and observations for national use as required in the light of their national provisions.	(EP text [modified]) (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 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	(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	(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	(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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	biometric data referred to in paragraph 3.	from the biometric data referred to in paragraph 3.	from the biometric data referred to in paragraph 3.	referred to in paragraph 3.
93.	(9) Where Member States add national security features to the identity cards, the cross-border interoperability of the identity cards and the efficiency of the minimum security standards shall not be diminished.	(9) Where Member States add <i>further</i> security features to the identity cards, the cross-border interoperability of the identity cards and the efficiency of the minimum security standards shall not be diminished.	(9) Where Member States add national security features to the identity cards, the cross-border interoperability-compatibility of the identity cards and the efficiency of the minimum security standards shall not be diminished.	<u>Presidency compromise proposal</u> (9) Where Member States add <i>further</i> security features to the identity cards, the cross-border 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 <i>persons aged 70 and above. Identity cards issued to children under the age of 12 shall have a maximum period of validity of 5</i>	<u>Presidency compromise proposal</u> <i>Deleted</i> (see lines 98 and 102)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			years.	
96.		Article 3 a		
97.		Period of validity		
98.		(1) Identity cards shall have a period of validity of ten years.		<u>Presidency compromise proposal</u> (1) Identity cards shall have a minimum period of validity of five years and a maximum period of validity of ten years. BZK: akkoord
99.		(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.		<u>Presidency compromise proposal</u> Delete
100.		(3) Identity cards issued to minors may have a period of validity of five years.		<u>Presidency compromise proposal</u> (3) By derogation from paragraph 1 Member States may provide for a period of validity of: a) less than five years for identity cards issued to minors. BZK: Akkoord

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
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> <i>Deleted</i> (covered in line 83)
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>b) more than 10 years for identity cards issued to persons aged 70 and above.</i> BZK- Akkoord
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</i>	<u>To be discussed</u> <i>Deleted</i> (covered in lines 147-153)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>each application at least once during the issuance process.</i>	
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 (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
107.	<i>Article 5</i>	<i>Article 5</i>	<i>Article 5</i>	
108.	<i>Phasing out</i>	<i>Phasing out</i>	<i>Phasing out</i>	
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 <i>eight</i> 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 <i>five</i> 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: Kaarten moeten natuurlijk vervallen om nodeloze kosten te voorkomen. Er moet voor deze verordening nog het een en ander geïmplementeerd worden (live enrollment, vingerafdrukken, vlag, etc. we zullen alle tijd nodig hebben dit op tijd te regelen. Een strakke deadline van 8 jaar is onhaalbaar. We zullen hierdoor nodeloos veel kaarten eerder uitfasen, terwijl deze kaarten nu al aan ICAO voldoen.
110.			(2) <i>By way of derogation from paragraph 1:</i>	<u>Presidency compromise proposal</u> (2) <i>By way of derogation from paragraph 1:</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
111.			<p>(a) identity cards 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), 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;</p>	<p><u>Presidency compromise proposal</u></p> <p>(a) identity cards 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), 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;</p>
112.			<p>(b) 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.</p>	<p><u>Presidency compromise proposal</u></p> <p>(b) 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.</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:
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;

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 <u>reference</u> that the document is issued <u>to an EU citizen</u> in accordance with Directive 2004/38/EC;</p> <p>JenV7</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;	Presidency compromise proposal (Council mandate) deleted
127.	(g) place of issue.	(g) place of issue.	(g) place of issuing authority.	Presidency compromise proposal (Council mandate) (g) place of issuing authority.
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>		Presidency compromise proposal (g a) <i><u>the two-letter country code of the Member State issuing the document printed in negative in a blue rectangle encircled by twelve yellow stars.</u></i>
129.		<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</i>		Presidency compromise proposal <i>If a Member State decides to take fingerprints, Art 3(4a) [lines 81- 83] shall apply accordingly.</i> <i>Where fingerprinting of the designated fingers is temporarily impossible, Member States shall allow the fingerprinting of the</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>physically impossible shall be exempt from the requirement to give fingerprints.</i>		<i>other fingers. Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i>
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>Proposal for a new recital</u> <i>Article 5(4) of Directive 2004/38/EC addresses the situation where Union citizens or family members of Union citizens who are not nationals of a Member State not having the necessary travel documents, such as a valid identity card or passport, should be given every reasonable opportunity to prove</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p><i>by other means that they are covered by the right of free movement. Such means include identification documents used on a provisional basis and residence cards issued to family members of Union citizens.</i></p> <p>JenV?</p>
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</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</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 <i>and conditions for the taking of biometric identifiers</i> 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</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</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	amended by Commission Decision C(2013) 6178 of 30.9.2013.	amended by Commission Decision C(2013) 6178 of 30.9.2013.	format for residence permits for third country nationals as last amended by [Commission Decision C(2013) 6178 of 30.9.2013]. - -	<i>permits for third country nationals.</i>
135.	(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.	(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.	(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 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	<u>Presidency compromise proposal</u> (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 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 ' <u>Family Member EU</u> ' Art 10 DIR 2004/38/EC' or ' <u>Family Member EU</u> ' Art 20 DIR 2004/38/EC', respectively in data field [10] as referred to in the Annex of Council

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954.</i>	<i>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> JenV?
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	(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	(1) [...] <i>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</i>	<u>Presidency compromise proposal</u> <u>[no change vs Cion and EP - 5 years phase out period as in line 140]</u> (1) [...] <i>Residence cards of family members of Union citizens</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Regulation (EC) No 380/2008 of the European Parliament and of the Council on <i>[the date of entry into force of this Regulation]</i> , shall cease to be valid at their expiry or by <i>[two years after the date of application of this Regulation]</i> , whichever is earlier.	by Regulation (EC) No 380/2008 of the European Parliament and of the Council on <i>[the date of entry into force of this Regulation]</i> , shall cease to be valid at their expiry or by <i>[two years after the date of application of this Regulation]</i> , whichever is earlier.	<i>after [the date of application of the Regulation], whichever is earlier.</i>	<i>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.</i>
140.	(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 <i>[the date of entry into force of this Regulation]</i> , shall cease to be valid at their expiry or by <i>[five years after the date of application of this Regulation]</i> , whichever is earlier.	(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 <i>[the date of entry into force of this Regulation]</i> , shall cease to be valid at their expiry or by <i>[five years after the date of application of this Regulation]</i> , whichever is earlier.	(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	<u>Presidency compromise proposal</u> (2) <i>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) compliant with ICAO document 9303 part 3 (seventh edition, 2015) shall cease to be valid at their expiry or by <u>two</u> years after [the date of application of this Regulation], whichever is earlier.</i> JENV?

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>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) 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.	Article 9	Article 9	Article 9	
143.	Contact point	Contact point	Contact Point of contact	Presidency compromise proposal (Council mandate) Contact Point of contact
144.	(1) Each Member State shall designate one authority as a	(1) Each Member State shall designate one authority as a	(1) Each Member State shall designate at least one central	Presidency compromise proposal (technical amendment to Council)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	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 Member States accordingly.	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 Member States accordingly.	authority. <i>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</i> 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.	<u>mandate)</u> (1) Each Member State shall designate at least one central authority <i>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 the one-authority-as-a-contact-point of contact</i> 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.
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	(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	(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	<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
	of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	of Directive 2014/54/EU, 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 Networks 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 OJL 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><u>cards. Fingerprints shall be collected by qualified and duly authorised staff of the competent authorities of the Member States.</u></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>
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</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<i>biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned.</i>
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>		<u>Presidency compromise proposal New recital:</u> <u>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 collection of biometric identifiers.</u>
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</i>		<u>Presidency compromise proposal New recital:</u> <u>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</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>manual check by a dactyloscopic expert.</i>		<i>carried out by qualified staff.</i>
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 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.</p>			<p>Presidency compromise proposal</p> <p>(5) Biometric identifiers stored for the purpose of production of identity cards or residence documents shall be kept in a highly secure manner and only until the date of collection and in any case no longer than three months from the date of issuance. After this period, they shall be immediately erased or destroyed.</p> <p>BZK: niet akkoord, onvolledigheid. Een foto biedt goede historische context bij de aanvraag van een nieuw document. De foto moet dan ook tweemaal de geldigheid van een identiteitskaart bewaard kunnen worden.</p> <p>De stappen die deze verordening zet voor veiliger documenten zijn modeloos als de fraude zich verplaatst naar het moment van uitgifte door bijvoorbeeld lookalike fraude</p>
153.	<p>(6) This Regulation shall not represent a legal basis for the creation of a centralised database at Union level or at national level.</p>			<p>To be discussed</p> <p><i>Deleted</i></p> <p><i>Already covered in Council recital 19aa, line 51.</i></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</u> <i>delete</i>
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>Presidency compromise proposal</u> <i>delete</i>

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>		<p>Presidency compromise proposal</p> <p><i>(1) <u>Regulation (EU) 2016/679 applies to the processing of personal data under this Regulation.</u></i></p> <p>BZK: studievoorboud (CZW?)</p>
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>		<p>Presidency compromise proposal</p> <p><i>(1a) <u>For the purpose of this Regulation, the authorities responsible for issuing identity cards and residence documents shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have central responsibility for the processing of personal data.</u></i></p> <p>BZK: studievoorboud (CZW?)</p>
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</i>		<p>Presidency compromise proposal</p> <p><i>(1b) The rights to access, rectification, 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)</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		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 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.		No. 2016/679 in relation to the competent authority responsible for issuing the documents. Persons to whom an identity card or residence document are 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. BZK: JenV: brondocumenten, burgerlijke stand?
161.		(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.		Text of Cion proposal (line 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.
162.		(3) Biometric data stored in the storage medium of identity cards and residence documents shall only be used in		Presidency compromise proposal (3) Biometric data stored in the storage medium of identity cards

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>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>		<i>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 verifying:</i>
163.		<i>(a) the authenticity of the identity card or residence document;</i>		<u>Text of Cion proposal (line 169)</u> <i>(a) the authenticity of the identity card or residence document;</i>
164.		<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.</i>		<u>Text of Cion proposal (line 170)</u> <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.</i>
165.		<i>(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</i>		<u>Presidency compromise proposal</u> <i>(3a) Member States shall maintain and 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</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>maintain an up-to-date online register and annually publish a compilation of national registers.</i>		<i>Commission, which shall publish online a compilation of national lists.</i> BZK: akkoord.
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>		<u>Presidency compromise proposal</u> <u>Recital XX</u> <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 a disproportionate increase in fees for EU citizens or third country nationals. Member States are to take this principle into consideration when carrying out calls for tender.</i> BZK: akkoord.
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.	<u>Presidency compromise proposal</u> <i>Deleted (moved to line 161)</i>

Line	Commission proposal (8175/18)	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</i> collected and stored-to be stored 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.	<u>Presidency compromise proposal</u> <i>Deleted (new provision in line 162)</i>
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>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
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 - covered in new recital in line 177</i>
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>		<u>Presidency compromise proposal</u> <i>Modified recital 13)</i> 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 Union ¹ . Therefore, <i>Member States are to work with the Commission to integrate</i> additional features that render identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged. <i>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.</i> BZK: Het toegankelijk maken van documenten voor mensen met een handicap is iets dat eenvoudiger is voor lidstaten, gezien de vaak nationale specifieke context

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>Presidency compromise proposal</u> <u>Delete - covered in new recital in line 177</u>
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>New recital 18a</i> <i>Member States are to pay particular attention to the respective data protection rules <u>given the importance of the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Regulation.</u></i> <i>New recital 18b</i> <i><u>Member States are to ensure that supervisory authorities can fully</u></i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p><u>exercise their tasks as referred to in Regulation (EU) 2016/679 including access to all personal data and all necessary information as well as access to any premises or data processing equipment of the competent authorities.</u></p> <p>New recital 18c</p> <p><u>Special consideration is to be given by Member States 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.</u></p> <p>BZK: akkoord (CZW: AVG?)</p>
178.		Article 10 b		
179.		Source documents and provisional documents		
180.		(1) Member States shall work with the Commission to exchange best practices on the source documents used when applying for or renewing a		<p>Presidency compromise proposal New recital:</p> <p>Issuing authentic and secure</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
		document.		identity cards require a reliable identity verification process and secure documents to support the application. The Commission is supporting the Member States in this regard.
181.	(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.			Presidency compromise proposal Delete – covered in recital in line 133
182.	(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			Presidency compromise proposal delete

Line	Commission proposal (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>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>		
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, including its impact on fundamental rights.	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.	<p><u>Presidency compromise proposal (EP amendment)</u></p> <p>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, including its impact on fundamental rights.</p>
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	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

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.	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 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, 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</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>To be discussed</u> (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>in particular on the protection of fundamental rights and personal data.</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		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 <i>and ten years respectively</i> 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 <i>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</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	(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.	<u>Presidency compromise proposal</u> (2) Six years <i>and twelve years</i> 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. <i>This report shall particularly focus on:</i> - <i>fundamental rights;</i> - <i>the mobility of Union citizens;</i> - <i>the effectiveness of biometric</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		Guidelines.		<p><i>verification in ensuring the security of travel documents;</i></p> <p><i>- a possible use of residence cards as travel documents;</i></p> <p><i>- a possible further visual harmonisation of identity cards.</i></p> <p>BZK: zowel verdere harmonisatie als het gebruik van verblijfsdocumenten als reisdocumenten is onwenselijk</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) Member States <i>and relevant EU agencies</i> shall provide the Commission with the information necessary for the preparation of the reports.</p>
193.		<p><i>Article 12 a</i></p> <p><i>Further technical specifications</i></p>	<p><i>Article 12a</i></p> <p><i>Further technical specification</i></p>	
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</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</i>	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p>(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</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>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>	<i>technical specifications, relating to the following:</i>	<i>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>
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</i>	<i>(c) requirements for quality and common technical</i>	<u>Presidency compromise proposal</u>

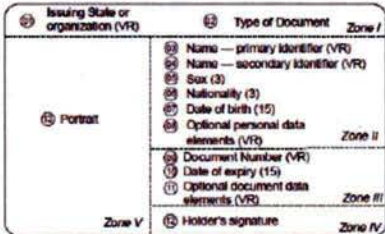
Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>common technical standards for the facial image and the fingerprints.</i>	<i>standards for the facial image and the fingerprints.</i>	<u>(Council mandate)</u> (c) <i>requirements for 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. 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 published. In that case they shall be made available only to the point of contact referred to in Article 9(1).</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>
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</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</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<p>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.</p>	<p>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.</p>
200.			<p>(3) 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 other Member States accordingly.</p>	<p>(3) 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 other Member States accordingly.</p>
201.			<p>Member States may also decide to designate the same body for</p>	<p>Presidency compromise proposal (Council mandate)</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>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>	<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>	
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</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</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.</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		182/2011.	182/2011.	<i>That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>
206.		(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	(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.	<u>Presidency compromise proposal (Council mandate)</u> (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.
207.	Article 13	Article 13	Article 13	
208.	Entry into force	Entry into force	Entry into force	
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	It shall apply from 12 months	It shall apply from 12-24 months	<u>Presidency compromise proposal</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	after its entry into force.	after its entry into force.	after its entry into force.	It shall apply from 42-24 months after its entry into force. BZK: voor implementatie in wetgeving en uitvoering (vingerafdruk, live enrollment, vlag, uitwisselen certificaten, enz) is echt twee jaar nodig.
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
217.		FRONT:		<u>Presidency compromise proposal</u> delete

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
218.				<u>Presidency compromise proposal</u> delete
219.		<p><i>Zone I on the front of the MROTD identifies the issuing State or organization and the document.</i></p>		<u>Presidency compromise proposal</u> delete
220.		<p><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 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 TDI.</i></p>		<u>Presidency compromise proposal</u> delete

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.		delete Presidency compromise proposal
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.		delete Presidency compromise proposal
223.		BACK:		delete Presidency compromise proposal

10.2e

Van: 10.2e
Verzonden: woensdag 6 februari 2019 15:19
Aan: 10.2e
CC: 10.2e
Onderwerp: RE: Flits Radengroep Grenzen: versterking veiligheid ID-kaarten en verblijfsdocumenten

Ho 10.2e,

Voor het schriftelijk bevestigen van de posities.

NL is akkoord met optionele vingerafdrukken

NL is niet akkoord met opname EU vlag a la rijbewijs. Eerder was dit de minst lastige van twee opties. Nu is het enkel een reden om potentieel uit te moeten faseren

NL wil vasthouden aan 2 plus 10 jaar. (als we geen reden hebben eerder uit te faseren (vingerafdrukken, vlag, andere designwensen) dan kunnen we wel instemmen)

Heb je hier voldoende aan?

10.2e

Van: 10.2e
Verzonden: dinsdag 5 februari 2019 20:53
Aan: 10.2e

Onderwerp: Flits Radengroep Grenzen: versterking veiligheid ID-kaarten en verblijfsdocumenten

Beste allen,

Uit de Radengroep Grenzen vanmiddag;

- De Rapporteur is, tot ieders verrassing, van onderhandelingsinzet veranderd. De Rapporteur heeft VZ vanmiddag laten weten onvoldoende steun onder schaduwrapporteurs te hebben om akkoord te kunnen gaan met de wens van de Raad om verplichte opname van vingerafdrukken op ID-kaarten. In ruil daarvoor vroeg VZ tot op heden aan de LS om flexibiliteit op de EP wensen om visuele harmonisatie (EU-vlag, kleur en/of format);
- VZ vraagt nu de Raad om akkoord te gaan met de wens van het EP om een optionele (per LS besluit over al dan niet opnemen) opname van vingerafdrukken te accepteren. Hiermee ligt alles weer open;
- VZ vraagt in de Radengroep te reageren op drie punten:
 - Akkoord met optionele vingerafdrukken; NL, 10.2a geven (veelal onder voorbehoud) een optioneel systeem te kunnen accepteren. 10.2a geven aan vast te willen houden aan een verplichte opname, 10.2a
 - Akkoord met opname EU vlag (a la rijbewijs), waarbij EP wens om blauwe achtergrond en geharmoniseerde indeling opgeeft: NL, 10.2a kunnen dit accepteren. 10.2a

- Akkoord met overgangstermijn van 24 maanden en uitfaseertermijn van 8 i.p.v. 10 jaar; 10.2a

NL, 10.2a

willen vasthouden aan 10 jaar.

- Verder veel discussie over (on)mogelijkheid om biometrie op te slaan in nationale databanken. VZ en JDR leggen uit dat dit idd kan (daarvoor is overweging 19aa bedoeld). Diverse LS vragen om een duidelijkere tekst. VZ zal daarmee aan de slag gaan;
- VZ geeft aan de vraag voor optionele vingerafdrukken voor te leggen aan CRP op 13 feb. VZ vraagt bovenstaande posities morgen COB schriftelijk te bevestigen.

Uitgebreid verslag volgt.

Groet,

10/28

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



Council of the European Union
General Secretariat

Interinstitutional files:
2018/0104(COD)

Brussels, 08 February 2019 WK

1898/2019 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
----------	--

With a view to the meeting of JHA Counsellors on 12 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 1898/2019 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.	<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>		<p><u>Presidency compromise proposal</u></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.	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,	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,	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,	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,	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 ,	Having regard to the opinion of the European Economic and Social Committee ⁴ ,
7.	Having regard to the opinion of the Committee of the Regions ⁵ ,	Having regard to the opinion of the Committee of the Regions ⁶ ,	Having regard to the opinion of the Committee of the Regions ⁷ ,	Having regard to the opinion of the Committee of the Regions ⁸ ,

- 1 OJ C...p..
- 2 OJ C...p..
- 3 OJ C...p..
- 4 OJ C...p..
- 5 OJ C...p..
- 6 OJ C...p..
- 7 OJ C...p..
- 8 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,	Acting in accordance with the ordinary legislative procedure,
9.	Whereas:	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.	(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	(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 Council gives effect to that

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.	right. ⁴ 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	(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	(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	(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

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).

⁴ 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>Union and their family members to register with the relevant 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>Union and their family members to register with the relevant 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>Union and their family members to register with the relevant 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>family members to register with the relevant 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 forgery or false presentation of a material fact concerning the conditions attached to the right of residence</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 forgery or false presentation of a material fact concerning the conditions attached to the right of residence</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 forgery or false presentation of a material fact concerning the conditions attached to the right of residence</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 forgery or false presentation of a material fact concerning the conditions attached to the right of residence have been identified as</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	have been identified as typical cases of fraud under the Directive ¹ .	have been identified as typical cases of fraud under the Directive ² .	have been identified as typical cases of fraud under the Directive ³ .	typical cases of fraud under the Directive ⁴ .
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</p>		<p><u>Presidency compromise proposal</u></p> <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 identity cards have</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.

⁴ 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
		increased over time.		increased over time.
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 doubt a person's identity and announced that it would be presenting an action plan to tackle travel document fraud. 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>			<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 doubt a person's identity and announced that it would be presenting an action plan to tackle travel document fraud. 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-</p>			<p>(4 c) Three-quarters of fraudulent documents detected at the external borders and within the Union initiate identity documents issued by Member</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p><i>associated countries. National identity cards with a lower degree of security are the most 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></p>		<p><i>States and Schengen-associated countries. National identity cards with a lower degree of security are the most frequently detected as fraudulent.</i></p>
17.		<p><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></p>		<p><u>Presidency compromise proposal</u></p> <p><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 <u>sanctioned</u> by their national law.</i></p>

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.	(5) The 2016 Action Plan on document security of December addressed the risk from fraudulent identity cards and residence documents ⁴ , 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</i>		[modified recital from line 180] (5a) <i>Issuing authentic and secure identity cards requires a reliable identity registration process and secure documents to support the application. The Commission, the Member States and the relevant</i>

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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
20.	<p>most significant security threats in the European Union, as it is very difficult to detect.</p>	<p>(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.</p>		<p>[covered in line 19]</p>
21.	<p>(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</p>	<p>(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</p>	<p>(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</p>	<p>(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</p>

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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	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.	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.	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.	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.
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>	<u>Presidency compromise proposal</u> (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</i>	<u>Presidency compromise proposal</u> (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</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>scope of this Regulation.</i>	<i>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 falling within the scope of this Regulation.</i>	<u>Presidency compromise proposal</u> 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, <u>such as the passport card issued by Ireland</u>, should not be considered as falling within the scope of this Regulation.</i>
25.	(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	(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	(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	(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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	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 cards should ensure easier identification and contribute to a better access to services.	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 identity cards should ensure easier identification and contribute to a better access to services.	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 identity cards should ensure easier identification and contribute to a better access to services.	Parliament and of the Council, ⁴ 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 cards should ensure easier identification and contribute to a better access to services.
26.	(8) Proper verification of identity cards and residence documents requires that Member	(8) Proper verification of identity cards and residence documents requires that Member	(8) Proper verification of identity cards and residence documents requires that Member	<u>Presidency compromise proposal</u> (8) Proper verification of

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).

⁴ 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
	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.	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.	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>	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>

Line	Commission proposal (3175/13)	EP amendments	Council negotiating mandate (14360/13)	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>(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</p>		<p><u>Presidency compromise proposal</u></p> <p>(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</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p>the security of identity documents. 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'.</p>		<p>identification and authentication with a reduced risk of fraud, for the purpose of strengthening the security of identity documents.</p>
29.		<p>(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.</p>		<p><u>Presidency compromise proposal</u> Delete [covered by the provision in line 148]</p>
30.		<p>(9 c) This Regulation should not establish a legal basis for the creation of a database at national level as this remains</p>	<p>(19aa) This Regulation requires biometric data to be collected and stored in the storage medium of identity</p>	<p><u>Presidency compromise proposal</u> (9 c) This Regulation does not provide a legal basis for setting up</p>

Line		
Commission proposal (8175/18)	<p>an exclusive competence of the Member States.</p> <p>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>	
EP amendments		
Council negotiating mandate (14360/18)	<p>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 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.</p>	
Compromise text proposals	<p>(9 d) 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. Such a verification may only take place by duly authorised staff when the document is required to be produced by law.</p> <p>This is without prejudice to any other processing of these data in accordance with Union and national data protection legislation.</p>	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
31.		<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 in the storage medium.</i>		<p><u>Presidency compromise proposal</u></p> <p><i>(9 e) Biometric identifiers stored for the purpose of personalisation of identity cards or residence documents should be kept in a highly secure manner and only until the date of collection of the document and in any case no longer than three months from the date of issuance. After this period, they shall be immediately erased or destroyed.</i></p> <p>BZK: nog steeds onvoldoende verduidelijkt. Line 152 is beter, die stelt dat uitzonderingen geregeld dienen te worden in nationale wetgeving. Beter nog is historisch onderzoek verplichten.</p>
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.	<p><u>Presidency compromise proposal</u></p> <p>(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.</p>
33.		<i>(10 a) Where a Member State</i>		<i>[Recital agreed in line 76]</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		includes the category of 'gender' on a document it should contain options <F>, <M> or <X> according to ICAO guidelines.		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>
34.		(10 b) In order to ensure uniform conditions for the implementation of the additional technical specifications, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council. ¹		<u>Presidency compromise proposal</u> (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 BZK: Akkoord met 'can take into account'

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
				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 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.
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	(11) The procedure for taking fingerprints and a facial image should pursue a strictly limited objective, take into account the specific needs of children and vulnerable persons, 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	(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	[recital agreed in line 149 and 150] Member States should 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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	on the Rights of the Child.	<i>supervisory authority</i> 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. <i>Qualified staff responsible for the collection of biometric identifiers should be trained accordingly.</i>	Nations Convention on the Rights of the Child.	<i>Freedoms and the United Nations Convention on the Rights of the Child. 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>
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>		<i>[recital agreed in line 149]</i> <i>Where difficulties are encountered in the collection of biometric identifiers, Member States should ensure that appropriate procedures are in place to guarantee the dignity of the person concerned. Therefore, specific considerations relating to gender, and to the specific needs of children and of vulnerable persons should be taken into account.</i>

Line	Commission proposal (0175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
37.	<p>(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 possibility to provide for additional national features is maintained, it should be ensured that those 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>(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 right of free movement. <i>This Regulation provides that identity cards issued by Member States are mutually recognised as both identity and travel documents.</i> While the possibility to provide for additional national features is maintained, it should be ensured that those 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>(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. <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> While the possibility to provide for additional national features is maintained, it should be ensured that those 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>Presidency compromise proposal [including recital agreed in line 73]</p> <p>(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. <i>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>(12a) 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</p> <p>BZK. Akkoord</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				Member States other than those of issue.
38.			<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>	[pending agreement on line 79]
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>		[pending agreement on line 79]
40.		<i>(12 b) In order to promote recognition between Member States of the security features of</i>		[moved from line 37] <i>Member States should exchange with each other the information</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p><i>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.</i></p> <p><i>Formats used for the secure storage medium should be interoperable, including in respect of automated border crossing points.</i></p>		<p><i>necessary to authenticate, verify and access the information contained on the secure storage medium. Formats used for the secure storage medium should be interoperable, including in respect of automated border crossing points.</i></p>
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.</i></p> <p><i>Therefore, Member States should, in cooperation with the Commission, work towards better recognition of these documents.</i></p>		<p>[agreed recital from line 133]</p> <p><i>(12 c) Article 5(4) of Directive 2004/38/EC addresses the situation where Union citizens <u>or family members of Union citizens who are not nationals of a Member State</u> not having the necessary travel documents should be given every reasonable opportunity to prove by other means that they are covered by the right of free movement. <u>Such means can include identification documents used on a provisional basis and residence cards issued to family members of Union citizens</u></i></p> <p><i>JenV NL heeft een voorbehoud bij de uitbreiding van de doelgroep.</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
42.	(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 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.	(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 Disabilities ratified by all Member States and the Union². 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.</i>	(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 Union ³ . 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. <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>	[agreed recital from line 175] 13) The Regulation shall respects the obligations set out in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of Persons with Disabilities ratified by all Member States and the Union ⁴ . Therefore, <i>Member States are to work with the Commission to integrate</i> additional features that render identity cards more accessible and user-friendly to people with disabilities, such as visually impaired persons, should be encouraged. <i>Member States are to explore solutions, for example</i>

¹ OJ L 23, 26.11.2009
² OJ L 23, 26.11.2009
³ OJ L 23, 26.11.2009.
⁴ OJ L 23, 26.11.2009.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p><i>mobile registration devices, to issue identity cards to persons incapable of visiting the authorities responsible for issuing identity cards.</i></p> <p>BZK: Het toegankelijk maken voor mensen met een handicap kan beter op nationaal niveau gebeuren</p>
43.	<p>(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 address the weaknesses of current documents.</p>	<p>(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 address the weaknesses of current documents.</p>	<p>(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 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></p>	<p><u>Presidency compromise proposal</u></p> <p>(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 address the weaknesses of current documents. <i>Member States are free to select the format in which these documents are issued and could also issue them in a format complying with the specifications of ICAO Document 9303 (seventh edition, 2015) on machine-readable documents.</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
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 addition to a prove of the right of	(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 addition to a prove of the right	(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 ⁵ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ⁶ . In addition to a prove of the	(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 ⁷ which lays down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954 ⁸ . In addition to a prove of the right of residence they also exempt their holders who

- 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.
- 5 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.
- 6 OJ L 286 of 1.11.2017, p.9.
- 7 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.
- 8 OJ L 286 of 1.11.2017, p.9.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	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.	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.	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.	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 Union citizen should bear a standardised title and code.</i>	<u>Presidency compromise proposal</u> (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 Union citizen should bear a standardised title and code.</i>
46.	(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	(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	(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	(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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	<p>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>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>and the costs incurred by Member States. In general, a period of <i>ten</i> years for identity 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-passes-as-or are not</i> machine readability, a shorter period of <i>two-five</i> years is necessary on security grounds.</p>	<p>the costs incurred by Member States. In general, a period of <i>eight 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, <i>in-passes-as-or are not</i> machine readability, a shorter period is necessary on security grounds.</p> <p>BZK: (in geval van verplichte vingerafdrukken of designwensen EU). Niet akkoord. Pas nadat de wet is aangepast kunnen aangepaste kaarten worden uitgegeven. Minimaal 10 jaar is nodig voor het uifaseren. Dit levert modeloze kosten op voor burgers en overheid</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</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</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</p>	<p>Presidency compromise proposal</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)⁴ 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</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.
4 OJ L 119, 4 5 2016, p. 1.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	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.	biometric data including its 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>	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>by way of issuance of a new document.</i>	documents of the storage medium containing their biometric data including its 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>by way of issuance of a new document. The storage medium should be highly secure and protect personal data stored on it from unauthorised access.</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>		<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</i>		[Agreed recital from line 177] <i><u>Special consideration is to be given by Member States when</u></i>

Line	Commission proposal (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>should closely monitor the activities of the contractor to ensure compliance with all provisions of this Regulation, including in particular security, confidentiality and data protection.</i>		<i>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; Akkoord
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 respecting the principles of necessity and proportionality, Member States should store on a storage medium only such data as is essential to the identification of the holder 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</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 respecting the principles of necessity and proportionality, Member States may store 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 respecting the principles of necessity and proportionality, Member States may store 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>Union law. All national data should be physically or logically separated from biometric data referred to in this Regulation.</p> <p>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.</p> <p>Member States should explicitly inform the applicants for documents, in written form and with an exhaustive list, about all the possible extra data stored.</p>		<p>and should be processed in accordance with Regulation 2016/679.</p>
51.			<p>(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</p>	<p>[covered in line 30]</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<p><i>to be produced by law. This is without prejudice to any other processing of these data in 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.</i></p>	[covered in 34]

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<p><i>Those powers should be exercised in accordance with Regulation (EU) No 182/2011 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></p>	
53.	<p>(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.</p>	<p>(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.</p>	<p>(20) Member States should apply this Regulation at the latest 42-24 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.</p>	<p>(20) Member States should apply this Regulation at the latest 42-24 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.</p>
54.	<p>(21) The Commission should report on the implementation of this Regulation after three years</p>	<p>(21) The Commission should report on the implementation of this Regulation after three years and five years respectively, after</p>	<p>(21) The Commission should report on the implementation of this Regulation after three four</p>	<p>(21) The Commission should report on the implementation of this Regulation after three <u>two</u></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	<p>after its date of application, including on the appropriateness of the level of security. In 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>its date of application, including on the appropriateness of the level of security, <i>the possible 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</p>	<p>years after its date of application, including on the appropriateness of the level of 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</i></p>	<p>years and nine years after its date of application, including on the appropriateness of the level of security, <i>taking into account fundamental rights and data protection principles</i>. In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making⁴ the Commission should <i>after six and twelve years after the date of application of this Regulation</i> 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</p>

- 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.
- ⁴ 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 (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<p>arrangements in order to assess the actual effects of the Regulation and the need for any further action and a further evaluation after 10 years after the date of application of this Regulation in order to take into account the phasing out period</p> <p>. 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.</p>	<p>residence documents issued.</p>	<p>any further action. For the purpose of monitoring, Member States should collect data on the number of identity cards and residence documents issued.</p> <p>BZK. akkoord</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</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</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</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</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Regulation does not go beyond what is necessary in order to achieve those objectives.	Regulation does not go beyond what is necessary in order to achieve those objectives.	Regulation does not go beyond what is necessary in order to achieve those objectives.	go beyond what is necessary in order to achieve those objectives.
56. 1	4 (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.	(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 <i>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</i> 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>and the Member States should comply with the Charter when implementing this Regulation.</i>
57.		(23a) <i>The Fundamental Rights Agency has been consulted.</i>		(23a) <i>The Fundamental Rights Agency and the European Data Protection Supervisor have issued opinions.</i>

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>		[Covered in line 57]
59.	HAVE ADOPTED THIS REGULATION:	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	CHAPTER I SUBJECT MATTER, SCOPE AND DEFINITIONS
61.	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	Article 1
62.	<i>Subject matter</i>	<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>	<i>Article 2</i>
65.	<i>Scope</i>	<i>Scope</i>	<i>Scope</i>	<i>Scope</i>
66.	This Regulation applies to:	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>(a) 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><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></p> <p>JenV: om welke documenten gaat het dan precies?</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	CHAPTER II NATIONAL IDENTITY CARDS
71.	<i>Article 3</i>	<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>	<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>
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>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<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>	<i>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.</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>		<p><u>Presidency compromise proposal</u></p> <p><i>delete</i></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>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>not a minimum standard.</i>		<p><i>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 document number can be inserted in lane 1 and the designation of a person's gender shall be optional.</u></i></p> <p><i>Plus to add this new recital in line 33:</i></p> <p><i>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></i></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	(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	(2) The document shall bear the title ('Identity card') shall appear in or another well-established national designation in the official language or languages of the issuing Member State, and	<p><u>Text of Council mandate</u></p> <p>(2) The document shall bear the title ('Identity card') shall appear in or another well-established national designation in the official language or</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	institutions of the Union.	institutions of the Union.	'identity card' in at least one other official language of the institutions of the Union.	languages of the issuing Member State, and 'identity card' in at least one other official language of the institutions of the Union.
78.		(2 a) 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.		<u>Presidency compromise proposal</u> (2 a) The identity card shall contain, on the front side, the two-letter country code of the Member State issuing the card printed in negative in a blue rectangle encircled by twelve yellow stars.
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 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 in interoperable formats, for the sole purposes set out in Article 10(3) of this Regulation.	(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 digital formats.	<u>Presidency compromise proposal</u> (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 digital formats. 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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p>country nationals.</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 <u>are to</u> 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: Akkoord met toevoeging. Kritisch op vingerafdruk</p>
80.	(4) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the authenticity and the confidentiality of the data. The	<i>deleted</i>	(4) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the authenticity and the confidentiality of the data. The	<p>Presidency compromise proposal (technical adnotation)</p> <p>(4) The storage medium shall have sufficient capacity and</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	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.		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.	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 shall exchange the information necessary to authenticate the storage medium and to access and verify the biometric data referred to in paragraph 3.
81.		(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.		<u>Presidency compromise proposal</u> [(4 a) Children under the age of 12 years may be exempt from the requirement to give fingerprints.] 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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<i>fingerprints (line 79)</i>
82.		<i>Children under the age of 6 years shall in all cases be exempt from the requirement to give fingerprints.</i>		<u>Presidency compromise proposal</u> <i>Children under the age of 6 years shall be exempt from the requirement to give fingerprints.</i>
83.		<i>Persons in respect of whom fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i>		<u>Presidency compromise proposal</u> [moved from line 86] <i>Where it is temporarily impossible to take fingerprints of any of the fingers, <u>Member States</u> shall issue an identity card having a validity of <u>twelve</u> months or less.</i> p <i>Persons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i>
84.	(5) The following persons shall be exempt from the requirement to give fingerprints:	<i>deleted</i>	(5) <i>Children under the age of 12 years may</i> The following persons shall be exempt from the requirement to give fingerprints.	<i>deleted – see provision in lines 81 and 82</i>
85.	(a) children under the age of 12 years;	<i>deleted</i>	(a) children under the age of 12 years;	<i>deleted</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
86.			<p><i>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 fingerprints of any of the other fingers, they may issue an identity card having a validity of twelve months or less.</i></p>	deleted - Council text moved to line 83 and modified
87.	(b) persons whose fingerprinting is physically impossible.	deleted	<p><i>pPersons whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i></p>	deleted - Council text moved to line 83
88.			<p><i>(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</i></p>	<p><u>Presidency compromise proposal</u></p> <p>Delete (covered in 80)</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>Decision C(2013) 6178 of 30.9.2013.]</i>	
89.		<p>(5 a) The storage medium shall have sufficient capacity and capability to guarantee the integrity, the security, the 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. 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.</p> <p>Formats used for the secure storage medium shall be interoperable, including in respect of automated border crossing points.</p>		<p><u>Presidency compromise proposal</u></p> <p>Delete (covered in line 80)</p>
90.	(6) Member States may enter	(6) When necessary and proportionate to the aim to be	(6) Member States may enter	<u>Presidency compromise proposal</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/19)	Compromise text proposals
	details and observations for national use as required in the light of their national provisions.	achieved, Member States may enter details and observations for national use as required in the light of their national provisions. <i>The effectiveness of minimum security standards and the cross-border interoperability of identity cards shall not be diminished as a result.</i>	details and observations for national use as required in the light of their national provisions.	(EP text [modified]) (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 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	(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	(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	(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

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	biometric data referred to in paragraph 3.	from the biometric data referred to in paragraph 3.	from the biometric data referred to in paragraph 3.	referred to in paragraph 3.
93.	(9) Where Member States add national security features to the identity cards, the cross-border interoperability of the identity cards and the efficiency of the minimum security standards shall not be diminished.	(9) Where Member States add <i>further</i> security features to the identity cards, the cross-border interoperability of the identity cards and the efficiency of the minimum security standards shall not be diminished.	(9) Where Member States add national security features to the identity cards, the cross-border <i>interoperability-compatibility</i> of the identity cards and the efficiency of the minimum security standards shall not be diminished.	<u>Presidency compromise proposal</u> (9) Where Member States add <i>further</i> security features to the identity cards, the cross-border <i>interoperability-compatibility</i> 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 <i>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</i>	<u>Presidency compromise proposal</u> <i>Deleted</i> (see lines 98 and 102)

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			years.	
96.		<i>Article 3 a</i>		<i>Article 3 a</i>
97.		<i>Period of validity</i>		<i>Period of validity</i>
98.		<i>(1) Identity cards shall have a period of validity of ten years.</i>		<u>Presidency compromise proposal</u> <i>(1) Identity cards shall have a minimum period of validity of five years and a maximum period of validity of ten years.</i>
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> <i>Delete</i>
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) By derogation from paragraph 1 Member States may provide for a period of validity of:</i> <i>a) less than five years for identity</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p><i>cards issued to minors;</i></p> <p><i>(ab) exceptionally less than 5 years for identity cards issued to persons subject to special and limited circumstances where their validity is limited in compliance with national and Union law;</i></p> <p>BZK: Akkoord</p>
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>		<p><u>Presidency compromise proposal</u></p> <p><i>Deleted (covered in line 83)</i></p>
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>		<p><u>Presidency compromise proposal (Council mandate)</u></p> <p><i>b) more than 10 years for identity cards issued to persons aged 70 and above.</i></p>
103.	<i>Article 4</i>	<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>	<i>Collection of biometric identifiers</i>
105.	(1) The biometric identifiers shall be collected by qualified and duly authorised staff	(1) The biometric identifiers shall be collected by qualified and duly authorised staff	(1) The biometric identifiers shall be collected by qualified and duly authorised staff	<p><u>To be discussed</u></p> <p><i>Deleted (covered in lines 147-153)</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	designated by the national authorities responsible for issuing identity cards.	designated by the national authorities responsible for issuing identity cards.	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>	
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	<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
			place to guarantee the dignity of the person concerned.	

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
107.	<i>Article 5</i>	<i>Article 5</i>	<i>Article 5</i>	<i>Article 5</i>
108.	<i>Phasing out</i>	<i>Phasing out</i>	<i>Phasing out</i>	<i>Phasing out</i>
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 <i>eight</i> 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 <i>five</i> 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> (2) Identity cards which do not meet the requirements of Article 3 shall cease to be valid at their expiry or by <i>five-eight</i> 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: Niet akkoord. 8 jaar is te kort. Stel eventueel een uitzondering voor voor kaarten die aan ICAO voldoen niet uitgefaseerd hoeven worden. Daardoor kunnen vingerafdrukken en designwensen nooit redenen zijn voor uitfaseren
110.			(2) <i>By way of derogation from paragraph 1:</i>	<u>Presidency compromise proposal</u> (2) <i>By way of derogation from paragraph 1:</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
111.			<p>(a) identity cards 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), as defined in paragraph 3, compliant with ICAO document 9302 part 3 (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;</p>	<p><u>Presidency compromise proposal</u></p> <p>(a) identity cards 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), as defined in paragraph 3, compliant with ICAO document 9302 part 3 (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;</p>
112.			<p>(b) 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.</p>	<p><u>Presidency compromise proposal</u></p> <p>(b) 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.</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	CHAPTER III RESIDENCE DOCUMENTS FOR UNION CITIZENS
117.	<i>Article 6</i>	<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>	<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: Akkoord
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;

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>reference</i> that the document is issued to an EU citizen in accordance with Directive 2004/38/EC;</p> <p>JenV Akkoord</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>Deleted</u></p> <p><u>mandate</u></p> <p><u>Presidency compromise proposal (Council)</u></p> <p><u>IND</u> vermeld dit nu wel en wil dit blijven kunnen doen</p>
127.	(g) place of issue.	(g) place of issue.	(g) place-of-issuing authority.	<p><u>Presidency compromise proposal (Council)</u></p> <p><u>mandate</u></p> <p>(g) place-of-issuing authority.</p> <p><u>IND</u> vermeld dit nu niet en wil dit blijven kunnen doen. Evt optioneel</p>
128.		<p>(g a) 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.</p>		<p><u>Presidency compromise proposal</u></p> <p>(g a) on the front-side the two-letter country code of the Member State issuing the document printed in negative in a blue rectangle encircled by twelve yellow stars.</p> <p><u>Ind V: niet akkoord</u></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</i></p>		<p><u>Presidency compromise proposal</u></p> <p><i>If a Member State decides to take fingerprints, Art 3(4a) (lines 81- 82) shall apply accordingly.</i></p> <p><i>Persons whose fingerprinting is physically impossible shall be exempt from the requirement to</i></p>
------	--	--	--	--

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>whose fingerprinting is physically impossible shall be exempt from the requirement to give fingerprints.</i>		<i>give fingerprints.</i> JenV Akkoord (Check IND)
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	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>	<i>Article 7</i>
132.	<i>Uniform format</i>	<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>Proposal for a new recital</u> <i>Article 5(4) of Directive 2004/38/EC addresses the situation where Union citizens or family members of Union citizens who are not nationals of a Member State not having the necessary travel documents should be given every reasonable opportunity to prove by other means that they are covered by the right of free movement. Such</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p><i>members can include identification documents used on a provisional basis and residence cards issued to family members of Union citizens.</i></p> <p><i>[read in combination with line 181 on provisional documents]</i></p> <p><i>Jen V? NL heeft een voorbehoud bij het voorstel, deze groep personen moeten een geldig grensoverschrijdend document hebben.</i></p> <p><i>verblijfsdocument is dat niet niet. Om verblijf te krijgen is men meestal ook al in bezit van een geldig reisdokument.</i></p>
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 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</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 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</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</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</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	third country nationals as last amended by Commission Decision C(2013) 6178 of 30.9.2013.	third country nationals as last amended by Commission Decision C(2013) 6178 of 30.9.2013.	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]. - -	<i>permits for third country nationals.</i>
135.	(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.	(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.	(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</i>	<u>Presidency compromise proposal</u> (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</i> <i>JenV? Akkoord (check IND)</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<i>1030/2002 laying down a uniform format for residence permits for third-country nationals as last amended by Regulation (EU) 2017/1954.</i>	<i>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>
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>	<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>	<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	(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	(1) [...] <i>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</i>	<u>Presidency compromise proposal</u> <u>[no change vs Cion and EP - 5 years phase out period as in line 140]</u> (1) [...] <i>Residence cards of</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	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.	(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.	at their expiry or by five years after [the date of application of the Regulation], whichever is earlier.	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.
140.	(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].	(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].	(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].	<p><u>Presidency compromise proposal</u></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 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 two years after [the date of application of this Regulation], whichever is earlier.</p> <p>JENV: waarom 2 en geen 5. Dit staat ook niet in voorstel CIE en positive EP</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	whichever is earlier.	whichever is earlier.	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) 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.	
141.	CHAPTER V COMMON PROVISIONS	CHAPTER V COMMON PROVISIONS	CHAPTER V COMMON PROVISIONS	CHAPTER V COMMON PROVISIONS
142.	Article 9	Article 9	Article 9	Article 9
143.	Contact point	Contact point	Contact-pPoint of contact	Presidency compromise proposal (Council mandate) Contact-pPoint of contact

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
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 Member States accordingly.	(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 Member States accordingly.	(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-point of contact</i> 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.	<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 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</i> 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.
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	(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	(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	<u>Presidency compromise proposal (Technical amendment suggested by Cion)</u> (2) Member States shall ensure that the contact points are aware of

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	Your Europe, SOLVIT, EURES, bodies foreseen under Article 4 of Directive 2014/54/EU, Enterprise Europe Network and the Points of Single Contact.	and able to cooperate with the existing and relevant information and assistance services at Union 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		Article 9 a
147.		Collection of biometric identifiers		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		<u>Presidency compromise proposal</u> (1) The biometric identifiers shall be collected solely by qualified and duly authorised staff designated by the authorities responsible for issuing identity cards or residence cards, for the purpose of being integrated into the highly secure storage medium

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
		3(3).		<p><i>provided for in Article 3(3) for identity cards and in Article 7(1) for residence cards. <u>By way of derogation, fingerprints shall be collected solely by qualified and duly authorised staff of such authorities, unless for applications submitted to the diplomatic and consular authorities of the Member State.</u></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: Hoe verhoudt zich dit tot line 49, die openstaat voor external service providers? Voor BZ is werken werken met externe dienstverleners is noodzakelijk</p>
149.		(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		<p><u>Presidency compromise proposal</u></p> <p>(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</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>Convention on the Rights of the Child.</i>		<i>Freedoms and the United Nations Convention on the Rights of the Child.</i> <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>
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>		<u>Presidency compromise proposal New recital:</u> <u>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.</u> <u>BZK- akkoord</u>
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</i>		<u>Presidency compromise proposal New recital:</u> <u>Members States are to ensure that</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
152.		<p>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.</p>		<p>BZK- akkoord</p> <p>qualified staff</p> <p>document or the identity of its holder, a compulsory manual check is carried out by</p>
153.	<p>(5) Biometric identifiers outside the storage medium reserved 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.</p>	<p>(6) This Regulation shall not represent a legal basis for the creation of a centralised database at Union level or at</p>		<p>(5) Other than where required for the purpose of retention in accordance with national and Union law, biometric identifiers stored for the purpose of personalisation of identity cards or residence documents shall be kept in a highly secure manner and only until the date of collection of the document, and in any case no longer than three months from the date of issuance. After this period, they shall be immediately erased or destroyed.</p> <p>BZK- Niet akkoord. Alle landen hebben historisch onderzoek nodig voor kwalitatieve uitname van documenten. Risico's van Malware kunnen enkel op die manier effectief worden tegengestaan. (monitring, samenwerking metder folio's zodat één persoon kan aanpakken en een ander crimineel zetten)</p>
		<p>(6) This Regulation shall not represent a legal basis for the creation of a centralised database at Union level or at</p>		<p>To be discussed</p> <p>Deleted</p> <p>Already covered in Council text</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>national level.</i>		<i>19aa, line 51.</i>
154.	<i>Article 10</i>	Article 10	<i>Article 10</i>	Article 10
155.	<i>Protection of personal data</i>	<i>Fundamental rights and protection of personal data</i>	<i>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</u> <i>delete</i>
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>Presidency compromise proposal</u> <i>delete</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
158.	(1b) Regulation (EU) 2016/679 applies to the processing of personal data under this Regulation.			Presidency compromise proposal (1) Regulation (EU) 2016/679 applies to the processing of personal data under this Regulation.
159.	(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.			Presidency compromise proposal (1a) For the purpose of this Regulation, the authority responsible for issuing identity cards and residence documents shall be considered as the controller referred to in Article 4(7) of Regulation (EU) 2016/679 and shall have responsibility for the processing of personal data.
160.	(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			Presidency compromise proposal deleted

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>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 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>		<u>Text of Cion proposal (line 167)</u> <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>
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</i>		<u>Presidency compromise proposal</u> <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</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>national authorities and EU agencies, for the sole purpose of verifying:</i>		<i>duly authorized staff of competent national authorities and EU agencies, for the purpose of verifying:</i>
163.		<i>(a) the authenticity of the identity card or residence document;</i>		<u>Text of Cion proposal (line 169)</u> <i>(a) the authenticity of the identity card or residence document;</i>
164.		<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.</i>		<u>Text of Cion proposal (line 170)</u> <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.</i>
165.		<i>(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</i>		<u>Presidency compromise proposal</u> <i>(3a) Member States shall maintain and 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</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>registers.</i>		<i>lists.</i>
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>		<u>Presidency compromise proposal</u> <u>Recital XX</u> <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 a <u>disproportionate</u> increase in fees for EU citizens or third country nationals. <u>Member States are to take this principle into consideration when carrying out calls for tender.</u></i> <u>JenV Akkoord (check IND)</u>
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.	<u>Presidency compromise proposal</u> <i>Deleted (moved to line 161)</i>
168.	(3) Biometric data collected and stored in the storage medium of identity cards and residence documents shall only be used in	<i>deleted</i>	(3) Biometric data shall be collected and stored-to be stored in the storage medium of identity cards and residence	<u>Presidency compromise proposal</u> <i>Deleted (new provision in line</i>

Line	Commission proposal (3175/13)	EP amendments	Council negotiating mandate (14360/13)	Compromise text proposals
	accordance with Union and national law for verifying:		documents and shall only be used in accordance with Union and national law for verifying.	162)
169.	(a) the authenticity of the identity card or residence document;	deleted	(a) the authenticity of the identity card or residence document;	Presidency compromise proposal Deleted (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.	deleted	(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 Deleted (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 titles they issue with the security standards, format and specifications as described in Articles 3, 6 and 7.		Presidency compromise proposal delete
174.		(2) Member States shall ensure the security, integrity, authenticity and confidentiality of the data collected and stored		Presidency compromise proposal Delete - covered in new recital in line 177

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
175.	<p><i>for the purpose of this Regulation.</i></p>	<p><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>	<p><i>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 Union. Therefore, Member States are to work with the Commission to integrate 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</i></p>	<p><i>Presidency compromise proposal</i></p> <p><i>Modified recital 13)</i></p> <p><i>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 Union. Therefore, Member States are to work with the Commission to integrate 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</i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<i>identity cards.</i>
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>Presidency compromise proposal</u> <i>Delete - covered in new recital in line 177.</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>New recital 18a</i> <i>Member States are to ensure the security, integrity, authenticity and confidentiality of the data collected and stored for the purpose of this Regulation.</i> <i>New recital 18b</i> <i>Member States are to ensure that supervisory authorities can fully exercise their tasks as referred to in Regulation (EU) 2016/679, including access to all personal data and all necessary information as well as access to any premises or data processing equipment of the competent</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p><u>authorities.</u></p> <p><i>New recital 18c</i></p> <p><i><u>Special consideration is to be given by Member States 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.</u></i></p>
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>		<p><u>Presidency compromise proposal New recital:</u></p> <p><i><u>Issue authentic and secure identity cards, requires a reliable identity registration process, and secure documents to support the application. The Commission is</u></i></p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
181.				<i>summarising the Member States in this regard.</i>
181.	(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.			Presidency compromise proposal <i>Delete - covered in recital in line 133</i>
182.	(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			Presidency compromise proposal <i>delete</i>

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 (3175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>the necessity to introduce common features for provisional documents.</i>		
183.	Article 11	Article 11	Article 11	Article 11
184.	Monitoring	Monitoring	Monitoring	Monitoring
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, including its impact on fundamental rights.	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.	<p>Presidency compromise proposal (EP amendment)</p> <p>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, including its impact on fundamental rights.</p>
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.

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
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>	<i>Article 12</i>
189.	<i>Reporting and Evaluation</i>	<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, the data collection purposes listed in Article 10(2) and (3) and with the appropriateness of the level of 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	(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</u> (1) <i><u>Two and nine</u></i> 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, <i><u>in particular on the protection of fundamental rights and personal data.</u></i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		Committee on the implementation of this Regulation.		
191.	<p>(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.</p>	<p>(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 Guidelines.</p>	<p>(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.</p>	<p>Presidency compromise proposal</p> <p>(2) Six years and twelve 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. This report shall particularly focus on:</p> <ul style="list-style-type: none"> - fundamental rights; - the mobility of Union citizens; - the effectiveness of biometric verification in ensuring the security of travel documents;

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<p>– a possible use of residence cards as travel documents;</p> <p>– a possible further visual harmonisation of identity card;</p> <p>– <u>the necessity of introducing common security features of identification documents used on a provisional basis in view of their better recognition.</u></p> <p><u>BZK- de laatste drie punten zijn onnodig.</u></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) Member States <i>and relevant EU agencies</i> shall provide the Commission with the information necessary for the preparation of the reports.</p>
193.		Article 12 a Further technical specifications	Article 12a Further technical specification	Article 12a Further technical specification
194.		In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Article 1 with future minimum security	(1) In order to ensure, where appropriate, compliance of the identity cards and residence documents referred to in Articles 2(a) and 2(c) with	<p><u>Presidency compromise proposal (Council mandate)</u></p> <p>(1) In order to ensure, where appropriate, compliance of the</p>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>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>	<i>future minimum security standards the Commission shall establish, by means of implementing acts, additional technical specifications, relating to the following:</i>	<i>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>
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</i>

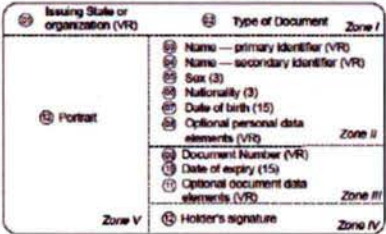
Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				<i>facilitated validation;</i>
197.		<i>(c) requirements in relation to quality and in relation to common technical standards for the facial image and the fingerprints.</i>	<i>(c) requirements 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. 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 published. In that case they shall be made available only to the point of contact referred to in Article 9(1).</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>
199.			<i>(2) In accordance with the procedure referred to in Article 12b(2), it may be decided that the specifications referred to in</i>	<u>Presidency compromise proposal (Council mandate)</u> <i>(2) In accordance with the</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
			<p><i>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><i>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 accordingly.</i></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 accordingly.</i></p> <p><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 accordingly.</i></p>

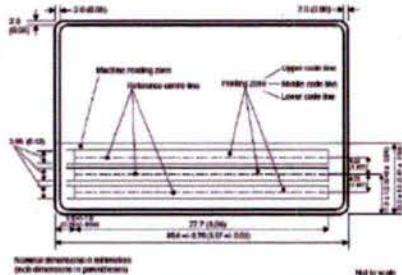
Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
201.			<i>Member States may also decide to designate the same body for printing identity cards and residence cards of family members of Union citizens and shall communicate the name of this 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>	<i>Article 12b</i>
204.		<i>Committee procedure</i>	<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</i>	<i>(1) The Commission shall be assisted by the Committee established by Article 6 of Regulation (EC) No. 1683/95.</i>	<u>Presidency compromise proposal (joint text)</u> <i>(1) The Commission shall be</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>committee within the meaning of Regulation (EU) No 182/2011.</i>	<i>That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</i>	<i>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>	<i>Article 13</i>
208.	<i>Entry into force</i>	<i>Entry into force</i>	<i>Entry into force</i>	<i>Entry into force</i>
209.	<i>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the</i>	<i>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the</i>	<i>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the</i>	<i>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
	<i>European Union</i>	<i>European Union</i>	<i>European Union.</i>	<i>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.	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.	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>	<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	The President <i>The President</i>
215.		ANNEX I		<u>Presidency compromise proposal</u> delete
216.		NATIONAL IDENTITY CARDS TEMPLATE		<u>Presidency compromise proposal</u> delete
217.		FRONT:		<u>Presidency compromise proposal</u>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
				delete
218.				<u>Presidency compromise proposal</u> delete
219.		Zone I on the front of the MROTD identifies the issuing State or organization and the document.		<u>Presidency compromise proposal</u> delete
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 II and III, there is no need to reserve the space for them on		<u>Presidency compromise proposal</u> delete

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
		<i>the TDI.</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> <i>delete</i>
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> <i>delete</i>
223.		<i>BACK:</i>		<u>Presidency compromise proposal</u> <i>delete</i>

Line	Commission proposal (8175/18)	EP amendments	Council negotiating mandate (14360/18)	Compromise text proposals
224.				<p>Presidency compromise proposal</p> <p>delete</p>
225.		<p><i>*Except from ICAO Document 9303, part 5 (seventh edition, 2015)</i></p>		<p>Presidency compromise proposal</p> <p>delete</p>

10.2e

Van: 10.2e
Verzonden: dinsdag 12 februari 2019 09:40
Aan: 10.2e
CC: 10.2e
Onderwerp: RE: Instructie
Bijlagen: Instructie RWG IV.docx

Update op line 126 tot 128

Van: 10.2e
Verzonden: dinsdag 12 februari 2019 09:26
Aan: 10.2e
CC: 10.2e
Onderwerp: Instructie

Ha 10.2e,

Instructie in de bijlage.

Voornaamste commentaar op 152 en 148.

152: het tegengaan van opslag van biometrie, met name de foto past niet bij de lijn die de verordening wil hebben. Het laat risico's voor fraude bestaan. Zoals vorige keer gezegd zal de fraude zich verplaatsen naar moment van aanvraag. Hoewel ik de achtergrond begrijp; het willen voorkomen dat de verordening wordt opgepakt als basis voor centrale opslag is ook de huidige bewoording potentieel limitatief en dus niet goed genoeg.

148: Externe dienstverleners zijn voor BZ nodig. Ik heb er gezien de deadline geen betere onderbouwing voor gekregen. Wellicht dat ik deze zo nog krijg.

Ook blijft het acht jaar uifaseren natuurlijk erg belangrijk. We willen niet eerder uifaseren als we al aan ICAO voldoen.

Verder maken mensen zich hier zorgen dat gezien de strakke deadlines steeds er onvoldoende tijd is voor kwalitatieve feedback op de nieuwe zaken. Ik weet niet of het handig is daar iets over te zeggen, maar ze hebben wel een punt. Het is een zeer ingrijpende verordening aan het worden.

10.2e
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
.....

10.2e

Van: 10.2e minbuza.nl>
Verzonden: woensdag 13 februari 2019 13:35
Aan: 10.2e
Onderwerp: Flits Radengroep ID-docs.

Beste allen,

Met dank aan 10.2e, uit de Radengroep ID-docs van gisteren:

- Opnieuw veel discussie over mogelijkheid om biometrie op te slaan in nationale databanken. CIE en VZ geven in reactie op NL aan dat het mogelijk is om de informatie die nodig is om bij een verloren ID-kaart een nieuwe kaart te verstrekken nationaal op te slaan. 10.2a
10.2a 10.2a
- Afname vingerafdrukken door ESP. Op vraag NL of dit mogelijk is, geven CIE en VZ aan deze bepaling juist is bedoeld om NL werkwijze te faciliteren. De formulering is wat omslachtig omdat CIE vreest dat het noemen van ESP op weerstand stuit in EP;
- Opname vlag op verblijfsdocumenten. VZ geeft aan dat dit onderdeel is van pakket en daarmee afhankelijk van uitkomst triloog deze week. Diverse LS verbinden flexibiliteit op dit punt aan uitfaseertermijn van 10 jaar voor ID-kaarten. 10.2a

Verslag volgt.

Groet,

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

10.2e

Van: 10.2e
Verzonden: maandag 18 februari 2019 09:25
Aan: 10.2e
Onderwerp: RE: ID cards - kind request for reactions

Hoi 10.2e

Daarbij moeten we wel de tekst over uitwisseling certificaten scherp hebben:

Line 80:

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.

Dit zet een deadline van twee jaar op die uitwisseling. Bovendien bevat het implementatiebesluit niet langer een volledige verwijzing naar het BSI-doc dat de audit verplicht stelt.

Gr,

Van: 10.2e
Verzonden: zondag 17 februari 2019 19:55
Aan: 10.2e
Onderwerp: [***MOGELIJK SPAM***] RE: ID cards - kind request for reactions

11.1

Verzonden met BlackBerry Work
(www.blackberry.com)

Van: 10.2e <@minbuza.nl>
Datum: vrijdag 15 feb. 2019 11:31 PM
Aan: 10.2e <@minbzk.nl>, 10.2e <@minbuza.nl>
Onderwerp: FW: ID cards - kind request for reactions

Ha ,

Zou je naar onderstaand tekstvoorstel willen kijken, inclusief Brusselse deadline? Dank!

Groet

From: 10.2e
Sent: vrijdag 15 februari 2019 23:10
To: 10.2e
Cc: 10.2e

10.2e

Subject: ID cards - kind request for reactions

Dear colleagues,

During the trilogue on ID cards on 12 of February, the main point on the agenda was the compulsory vs. voluntary inclusion of fingerprints on ID cards. So far, we were unable to reach an agreement, as all the sides kept their positions on this aspect.

Another political trilogue is likely to take place in the coming days, and we hope to be able to reach an agreement with the Parliament.

In view of preparing our position, I would like to know if the following addition is acceptable for you. We believe it could be used as an additional safeguard to be offered to the EP in order to keep the Council mandate on fingerprints.

In order to be sufficiently strong for the EP, it should be placed in the operative part. We already checked it with the CLS.

As far as the Presidency is aware, it should not affect your current practices, but please let us know about any objections in this regard **until Monday noon.**

Article 10 3) c)

When using the biometric identifiers for the verification of the authenticity of the document and of the identity of the holder, Member States shall in any case verify the facial image and, where necessary to confirm without doubt the authenticity of the document and the identity of the holder, Member States shall also verify the fingerprints.

A meeting at Counsellors level is scheduled for Thursday 21 of February, p.m. session, to debrief you after the trilogues.

Thank you in advance for your cooperation.

10.2e

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The

State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

10.2e

Van: 10.2e @minbuza.nl>
Verzonden: dinsdag 19 februari 2019 18:03
Aan: 10.2e
CC: 10.2e
Onderwerp: RE: Better security for ID documents: Council Presidency and European Parliament reach provisional agreement

Beste allen,

Uit de triloog vandaag over de versterking ID-kaarten en verblijfsdocumenten. Er is een akkoord:

- Verplichte vingerafdrukken
- Opname EU-vlag met landcode;
- Uitfasering 10 jaar.

Meer details volgen zsm.

Groet,

10 2e

From: 10.2e
Date: 19 February 2019 at 14:56:35 GMT+1
To: 10.2e
Subject: Better security for ID documents: Council Presidency and European Parliament reach provisional agreement
Reply-To: 10.2e

The EU is introducing tighter security for ID cards in order to reduce identity fraud. Today, representatives of the Romanian Presidency of the Council...

Having difficulty reading this email? [View it online](#)

PRESS

Council of the European Union

19/2/2019 | PRESS RELEASE

Better security for ID documents: Council Presidency and European Parliament reach provisional agreement

The EU is introducing tighter security for ID cards in order to reduce identity fraud. Today, representatives of the Romanian Presidency of the Council and the European Parliament reached an informal agreement on a regulation which will strengthen the security of identity cards of EU citizens and of residence documents issued to EU citizens and their non-EU family members. The informal agreement will now be presented to EU ambassadors for confirmation on behalf of the Council.

The proposed new rules will improve the security of these documents by introducing minimum standards both for the information contained in them and for security features common to all member states that issue them.

"Security throughout the EU can only be achieved by ensuring security in each member state. The new rules on security standards for ID documents will allow us to more easily detect document fraud and identity theft, making it harder for terrorists and criminals to act, while facilitating free movement of genuine travellers."

Carmen Daniela Dan, Romanian minister of internal affairs

Security standards for ID cards

Under the proposed new rules, identity cards will have to be produced in a uniform, credit card format (ID-1), include a machine-readable zone, and follow the minimum security standards set out by ICAO (International Civil Aviation Organisation). They will also need to include a photo and two fingerprints of the cardholder, stored in a digital format, on a contactless chip. ID cards will indicate the country code of the member state issuing them, inside an EU flag.

Identity cards will have a minimum period of validity of 5 years and a maximum period of validity of 10 years. Member states may issue ID cards with a longer validity for persons aged 70 and above. If issued, ID cards for minors may have a period of validity of less than 5 years.

Phase out of old ID cards

The negotiating mandate foresees that the new rules will enter into force 2 years after adoption, meaning that by this date all new documents issued must meet the new criteria.

In general, existing identity cards which do not meet the requirements will stop being valid 10 years after the date of application of the new rules or at their expiry, whichever is earlier. ID cards issued to citizens aged 70 or more will remain valid until their expiry, provided they meet the security standards and have a machine-readable zone.

The least secure cards which do not meet the minimum security standards or do not have a machine-readable zone will expire within five years.

Data protection safeguards

The proposed new rules include strong data protection safeguards, to ensure the information collected does not fall into the wrong hands. In particular, national authorities will have to ensure the security of the contactless chip and the data stored in it, so that it cannot be hacked or accessed without permission.

In addition, the new rules refer only to the security and information to be stored in the ID cards. They do not provide the legal basis for the creation of new databases at national or EU level, which is a matter of national legislation that needs to be in full compliance with data protection rules.

Residence documents

The proposed rules also specify the minimum information to be contained in residence documents issued to EU citizens, and harmonise the format and other specifications of residence cards issued to non-EU family members of EU citizens.

[Read more](#)

Press contacts

10.2e

You received this message because you signed up for our email alerts.

[Unsubscribe](#) | [Manage your email alerts](#) | [Legal notice](#) | [Copyright](#) | [Contact us](#)

Please do not reply to this email

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt

met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: 10.2e @minbuza.nl>
Verzonden: maandag 25 februari 2019 08:17
Aan: 10.2e
Onderwerp: RE: CRP2 27.02 - Provisional agenda

Hoi  de raad stemt in met de officieel vertaalde tekst. Daarna vindt publicatie plaats. Maar er is dus nog een formeel stemmoment (in de meeste gevallen als hamerstuk in een willekeurige raad). Net als ook het EP nog in plenair moet instemmen met de definitieve teksten.

Kind regards/met vriendelijke groet

Email: 10.2e
Phone: 10.2e

From: 10.2e
Sent: zaterdag 23 februari 2019 14:36
To: 10.2e
Subject: RE: CRP2 27.02 - Provisional agenda

Ha 10.2e,

In je eerdere mail zei je dat de raad het akkoord in April/mei zal bekrachtigen. Je bedoeld dat de publicatie? Dit is het enige moment van stemmen lijkt me?

10.2e

Van: 10.2e [REDACTED]@minbuza.nl>
Verzonden: zaterdag 23 februari 2019 08:40
Aan: 10.2e [REDACTED]@minbzk.nl>; 10.2e [REDACTED]@minbuza.nl>;
10.2e [REDACTED]@minbuza.nl>
Onderwerp: FW: CRP2 27.02 - Provisional agenda

Ha ,

Vz heeft besloten de id-kaarten als hamerpunt op CRP te zetten. Best opvallend, gezien de bezwaren van een aantal LS. Scheelt ons een CRP instructie. Zou je me kunnen laten weten dat wij definitief ok zijn met tekst?

Groet, 10:20

Verzonden met BlackBerry Work
(www.blackberry.com)

Van: 10.2e @minbuza.nl>
Datum: vrijdag 22 feb. 2019 6:50 PM
Aan: 10.2e @minbuza.nl>, 10.2e @minbuza.nl>, 10.2e @minbuza.nl>, 10.2e @minbuza.nl>, 10.2e @minbuza.nl>, 10.2e @minbuza.nl>, 10.2e @minbuza.nl>

10.2e @minbuza.nl>, 10.2e @minbuza.nl>, 10.2e
@minbuza.nl>, 10.2e @minbuza.nl>, 10.2e
@minbuza.nl>, 10.2e @minbuza.nl>, 10.2e
@minbuza.nl>, 10.2e @minbuza.nl>

Onderwerp: FW: CRP2 27.02 - Provisional agenda

Van: 10.2e

Verzonden: vrijdag 22 februari 2019 18:50:41 (UTC+01:00) Brussel, Kopenhagen, Madrid, Parijs

Aan: 10.2e

CC: 10.2e

Onderwerp: FW: CRP2 27.02 - Provisional agenda

Allen,

Bijgaand de Coreper-agenda voor volgende week woensdag. Het wordt weer een volle dag met o.a. de voorbereiding van de JBZ-raad. Dit keer veel a-punten, graag ook checken. Dank!

Goed weekend,

10.2e

++++

Discussion Items (II)

General Affairs

Meeting of the Council (General Affairs) on 19 March 2019: Agenda

Multiannual Financial Framework 2021-2027 - Consolidation of progress achieved with the European Parliament on sectoral proposals

Exchange of views

Guidance for further work

6428/19

RPS Adaptation - General Omnibus

Confirmation of the final compromise text with a view to agreement

6666/19 + ADD 1
+ ADD 2

(poss.) IIA on Better Law-Making – International agreements

Guidance for further work

Procedure for the selection of the seat of the European Labour Authority
Information from the Presidency

6791/19

Foreign Affairs

Meeting of the Council (Foreign Affairs) on 18 March 2019: Agenda

EU-Japan Summit (Brussels, date tbc)

Orientation debate

6624/19

CFSP Legal bases in decisions concerning international agreements

Exchange of views

6075/19

Economic and Financial Affairs

Meeting of the Council (Economic and Financial Affairs) on 12 March 2019:

Preparation

Other items in connection with the Council meeting

Justice and Home Affairs

Meeting of the Council (Justice and Home Affairs) on 7-8 March 2019: Preparation

a) Reform of the Common European Asylum System and Resettlement	6600/
i) Dublin Regulation	
ii) Reception Conditions Directive (recast)	
iii) Qualification Regulation	
iv) Asylum Procedure Regulation	
v) Eurodac Regulation (recast)	
vi) EU Asylum Agency Regulation	
vii) Resettlement Framework Regulation	
<i>Progress report</i>	
b) Migration: EU cooperation with third countries	6599/
<i>State of play</i>	
<i>Exchange of views</i>	
c) EU response to terrorism - state of play and way forward	6684/
<i>Policy debate</i>	
d) Enhancing democratic resilience: securing free and fair elections and countering disinformation	6573/
<i>Information from the Presidency</i>	REV 1
e) Directive on legal representatives for gathering evidence	6284/
<i>General approach</i>	
f) Directive on whistleblowers	6631/
<i>Progress report</i>	
g) Council Decision on the opening of negotiations for EU-US agreement on cross-border access to e-evidence	6569/
<i>Policy debate</i>	
h) Council Decision authorising the participation in the negotiations on a second additional protocol to the Budapest Convention	6569/19
<i>Policy debate</i>	
i) EPPO Regulation: Implementation	6688/19
<i>Information from the Commission on the state of play</i>	

j) Other items in connection with the Council meeting

Any other business

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



ONTWERPAGENDA

Vergadering

Maandag 25 februari 2019, 16.00 - 18.30 uur

Brussel, Zaal: Paul-Henri Spaak (3C050)

Dinsdag 26 februari 2019, 9.00 - 12.30 uur

Brussel, Zaal: Paul-Henri Spaak (3C050)

Dinsdag 26 februari 2019, 14.30 - 18.30 uur

Brussel, Zaal: József Antall (4Q2)

1. Aanneming van de agenda

2. Mededelingen van de voorzitter

ER ZIJ OP GEWEZEN DAT ALLE TIJDSBLOKKEN INDICATIEF ZIJN EN IN DE LOOP VAN DE VERGADERING KUNNEN VERANDEREN.

3. Goedkeuring van notulen van vergaderingen

- | | |
|-----------------------|----------------------|
| • 10 december 2018 | PV – PE632.121v01-00 |
| • 4 juni 2018 | PV – PE626.681v01-00 |
| • 26-27 februari 2018 | PV – PE620.852v02-00 |
| • 11-12 oktober 2017 | PV – PE612.181v01-00 |

25 februari 2019, 16.00 - 16.25 uur

4. Vaststelling van het programma Rechten en waarden

LIBE/8/13473

***I 2018/0207(COD) COM(2018)0383 – C8-0234/2018

Rapporteur:

Bodil Valero (Verts/ALE)

AM – PE629.631v01-00

Bevoegd:

LIBE*

Adviezen:

BUDG – Jordi Solé (Verts/ALE)	AD – PE625.488v03-00 AM – PE628.543v01-00
EMPL – Jean Lambert (Verts/ALE)	AD – PE627.615v02-00 AM – PE627.707v01-00 AM – PE629.469v01-00
ENVI – Besluit: geen advies	
CULT* – Sylvie Guillaume (S&D)	AD – PE627.931v03-00 AM – PE629.484v01-00
JURI – Sylvia-Yvonne Kaufmann (S&D)	AD – PE627.900v02-00 AM – PE629.393v01-00
AFCO – Josep-Maria Terricabras (Verts/ALE)	AD – PE628.563v03-00 AM – PE629.622v01-00
FEMM* Sirpa Pietikäinen (PPE)	AD – PE627.907v02-00 AM – PE629.417v01-00
–	
PETI – Besluit: geen advies	

- Verslaggeving aan de commissie over de onderhandelingen (artikel 69 septies, lid 3)

25 februari 2019, 16.25 - 16.45 uur

5. Versterking van de beveiliging van identiteitskaarten van burgers van de Unie en van verblijfsdocumenten afgegeven aan burgers van de Unie en hun familieleden die hun recht van vrij verkeer uitoefenen

LIBE/8/12832

***I 2018/0104(COD) COM(2018)0212 – C8-0153/2018

Rapporteur:

Gérard Deprez (ALDE)

Bevoegd:

LIBE

Adviezen:

AFET – Besluit: geen advies
TRAN – Besluit: geen advies
CULT – Besluit: geen advies
JURI – Besluit: geen advies
PETI – Besluit: geen advies

Standpunt in de vorm van amendementen:

FEMM – Angelika Mlinar (ALDE)	AD – PE628.429v03-00 AM – PE627.919v01-00
-------------------------------	--

- Verslaggeving aan de commissie over de onderhandelingen (artikel 69 septies, lid 3)

25 februari 2019, 16.45 - 17.30 uur

6. Onderwijs en opleiding op het gebied van rechtshandhaving in Europa

PE636.101v01-00

2/7

OJ\1177583NL.rtf

LIBE/8/15594

- Gedachtewisseling met Detlef Schröder, uitvoerend directeur van Cepol

25 februari 2019, 17.30 - 18.30 uur

7. Gemeenschappelijke normen en procedures in de lidstaten voor de terugkeer van onderdanen van derde landen die illegaal op hun grondgebied verblijven (herschikking)

LIBE/8/14604

***I 2018/0329(COD) COM(2018)0634 – C8-0407/2018

Rapporteur:

Judith Sargentini (Verts/ALE)

PR – PE632.950v01-00

AM – PE634.774v01-00

AM – PE634.773v01-00

Bevoegd:

LIBE

Adviezen:

AFET – Besluit: geen advies

DEVE – Besluit: geen advies

JURI

CM – PE632.978v01-00

- Behandeling amendementen

26 februari 2019, 9.00 - 9.45 uur

8. Europese Toezichthouder voor gegevensbescherming (EDPS)

LIBE/8/01545

- Presentatie van het jaarverslag 2018 door Giovanni Buttarelli, EDPS

26 februari 2019, 9.45 - 11.15 uur

9. De tenuitvoerlegging van de AVG met bijzondere aandacht voor de rol en de middelen van de gegevensbeschermingsautoriteiten (follow-up van de vergadering van LIBE van mei 2018)

LIBE/8/15575

- Gedachtewisseling met Andrea Jelinek, voorzitter van het Europees Comité voor gegevensbescherming (EDPB), Willem Debeuckelaere, voorzitter van de Belgische gegevensbeschermingsautoriteit en vicevoorzitter van de EDPB, en Emmanuel Crabit, DG JUST, Europese Commissie

26 februari 2019, 11.15 - 11.30 uur

10. Ad-hocdelegatie van de Commissie burgerlijke vrijheden, justitie en binnenlandse zaken naar Seoul, Zuid-Korea, van 29 oktober t/m 2 november 2018

LIBE/8/15576

- Presentatie van een ontwerpverslag over het werkbezoek

26 februari 2019, 11.30 - 11.50 uur

Gezamenlijke behandeling

- 11. Sluiting van een protocol tussen de Europese Unie, de Republiek IJsland en het Koninkrijk Noorwegen inzake de toegang tot Eurodac voor rechtshandavingsdoeleinden bij de overeenkomst tussen de Europese Gemeenschap, de Republiek IJsland en het Koninkrijk Noorwegen betreffende de criteria en de mechanismen voor de vaststelling van de staat die verantwoordelijk is voor de behandeling van een asielverzoek dat in een lidstaat, in IJsland of in Noorwegen wordt ingediend**

LIBE/8/15223

*** 2018/0419(NLE) COM(2018)0826

Rapporteur:

Ignazio Corrao (EFDD)

Bevoegd:

LIBE

- Behandeling ontwerpverslag

- 12. Sluiting van een protocol bij de overeenkomst tussen de Europese Gemeenschap en het Koninkrijk Denemarken betreffende de criteria en instrumenten om te bepalen welke staat verantwoordelijk is voor de behandeling van een asielverzoek dat wordt ingediend in Denemarken of een andere lidstaat van de Europese Unie en „Eurodac” voor de vergelijking van vingerafdrukken ten behoeve van een doeltreffende toepassing van de Overeenkomst van Dublin, waarbij die overeenkomst wordt uitgebreid tot rechtshandhaving**

LIBE/8/15224

*** 2018/0423(NLE) COM(2018)0835

Rapporteur:

Ignazio Corrao (EFDD)

Bevoegd:

LIBE

- Behandeling ontwerpverslag

- 13. Sluiting van een protocol tussen de Europese Unie, de Zwitserse Bondsstaat en het Vorstendom Liechtenstein inzake de toegang tot Eurodac voor rechtshandavingsdoeleinden bij de overeenkomst tussen de Europese Gemeenschap en de Zwitserse Bondsstaat inzake de criteria en mechanismen voor de vaststelling van de staat die verantwoordelijk is voor de behandeling van een asielverzoek dat in een lidstaat of in Zwitserland wordt ingediend**

LIBE/8/15225

*** 2018/0418(NLE) COM(2018)0828

Rapporteur:

Ignazio Corrao (EFDD)

Bevoegd:

LIBE

- Behandeling ontwerpverslag

26 februari 2019, 11.50 - 12.00 uur

- 14. Vaststelling van de lijst van derde landen waarvan de onderdanen bij overschrijding van de buitengrenzen in het bezit moeten zijn van een visum en de lijst van derde landen waarvan de onderdanen van die plicht zijn vrijgesteld, met betrekking tot de terugtrekking van het Verenigd Koninkrijk uit de Unie**

LIBE/8/15008

***I 2018/0390(COD) COM(2018)0745 – C8-0483/2018

Rapporteur:

Claude Moraes (S&D)

Bevoegd:

LIBE

- Verslaggeving aan de commissie over de onderhandelingen (artikel 69 septies, lid 3)

26 februari 2019, 12.00 - 12.15 uur

***** Elektronische stemming *****

- 15. Regels ter vergemakkelijking van het gebruik van financiële en andere informatie voor het voorkomen, opsporen, onderzoeken of vervolgen van bepaalde strafbare feiten**

LIBE/8/12849

***I 2018/0105(COD) COM(2018)0213 – C8-0152/2018

Rapporteur:

Emil Radev (PPE)

Bevoegd:

LIBE

Adviezen:

AFET – Besluit: geen advies

ECON – Bernd Lucke (ECR)

AD – PE628.491v02-00

AM – PE629.754v01-00

- Stemming over het tijdens interinstitutionele onderhandelingen bereikte voorlopige akkoord

- 16. Vaststelling van een gemeenschappelijke visumcode (Visumcode)**

LIBE/8/12554

***I 2018/0061(COD) COM(2018)0252 – C8-0114/2018

Rapporteur:

Juan Fernando López Aguilar (S&D)

Bevoegd:

LIBE

Adviezen:

TRAN – István Ujhelyi (S&D)

AD – PE625.431v02-00

AM – PE627.689v01-00

- Stemming over het tijdens interinstitutionele onderhandelingen bereikte voorlopige akkoord

Eventueel

- 17. Vaststelling van de lijst van derde landen waarvan de onderdanen bij overschrijding van de buitengrenzen in het bezit moeten zijn van een visum en de lijst van derde landen waarvan de onderdanen van die plicht zijn vrijgesteld, met betrekking tot de terugtrekking van het Verenigd Koninkrijk uit de Unie**

LIBE/8/15008

***I 2018/0390(COD) COM(2018)0745 – C8-0483/2018

Rapporteur:

Claude Moraes (S&D)

Bevoegd:

LIBE

- Stemming over het tijdens interinstitutionele onderhandelingen bereikte voorlopige akkoord

***** Einde elektronische stemming *****

26 februari 2019, 14.30 - 18.30 uur

***** Wijziging vergaderzaal: József Antall (4Q2) *****

26 februari 2019, 14.30 - 15.20 uur

Gezamenlijke behandeling met de Commissie ontwikkelingssamenwerking en de Subcommissie mensenrechten

- 18. Gezamenlijke ad-hocdelegatie van LIBE, DEVE en DROI naar de IGC voor de goedkeuring van het mondiaal pact voor veilige, ordelijke en reguliere migratie in Marrakesh, Marokko, op 10 en 11 december 2018**

LIBE/8/15577

- Presentatie van het gezamenlijk ontwerpverslag over het werkbezoek

- 19. Follow-up naar aanleiding van de goedkeuring van de mondiale pacten inzake migratie en vluchtelingen**

LIBE/8/15578

- Gedachtewisseling in aanwezigheid van vertegenwoordigers van de EDEO en DG HOME

26 februari 2019, 15.30 - 18.30 uur

Gezamenlijke behandeling met de Commissie begrotingscontrole

- 20. Benoeming van de Europese hoofdaanklager**

LIBE/8/15579

- Hoorzitting met de kandidaten die op de shortlist van het selectiepanel staan

21. Rondvraag

22. Volgende vergaderingen

- 7 maart 2019, 14.00 - 17.00 uur

Ministerie van Binnenlandse Zaken en
KoninkrijksrelatiesAan
VanStaatssecretaris BZK
DG00

Contactpersoon

10.2e

Datum

16 mei 2019

Kenmerk

2019-0000252447

nota

Besluitvorming EU verordening biometrie op
identiteitskaarten

Aanleiding/probleemstelling

De verordening biometrie op identiteitskaarten is geagendeerd voor formele besluitvorming in de JBZ-raad van 6/7 juni.

Met opmerkingen [MS1]: 16/5
10.2e

Advies/actie

Kennismemen van het vervolgproces

Betrokken BZK onderdelen

DIO, KIEM

Toelichting

- Op woensdag 22 mei zal in het Coreper de agenda van de JBZ-raad van 6 juni worden behandeld. Op deze JBZ-agenda staat de verordening biometrie op identiteitskaarten als hamerpunt geagendeerd.
- Met het oog daarop worden lidstaten verzocht in Coreper op de 22^{ste} aan te geven of zij zich willen onthouden of tegenstemmen. Er zal geen inhoudelijke bespreking plaatsvinden.
- Het voorzitterschap heeft eerder het onderhandelingsresultaat van deze verordening voorgelegd aan alle lidstaten en u hebt hiermee ingestemd. Op 30 april hebt u de Kamer geïnformeerd dat Nederland kan instemmen met de uiteindelijke tekst van de verordening.
- NL zal daarom in het Coreper van 22 mei as. conform Kamerbrief instemmen met agenderen als hamerstuk waarbij NL instemt.
- Op JBZ-raad van 6 juni zal de verordening als hamerstuk formeel worden aangenomen.
- Na publicatie (vermoedelijk kort na de JBZ-raad) gaat de inwerkingstredingstermijn van twee jaar in. Samen met CZW en RvIG is reeds een traject gestart voor de uitvoering en aanpassing van de Paspoortregelgeving.

Politieke context

Er is politieke aandacht voor de vingerafdrukken. Met name D66 is kritisch.

Communicatie

Mogelijk zal er aandacht in de media komen nav de formele aanname door de Raad. COM is daarom op de hoogte gebracht van proces en tzt de publicatiedatum.

10.2e

Van: 10.2e @minbuza.nl>
Verzonden: donderdag 6 juni 2019 10:38
Aan: 10.2e
CC: 10.2e
Onderwerp: Vo ID-kaarten en verblijfsdocs

Met dank aan 10.2e voor live-berichtgeving uit JBZ-Raad: VO ID-kaarten is zojuist aangenomen!

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Ministerie van Binnenlandse Zaken en
KoninkrijksrelatiesAan
VanStaatssecretaris BZK
DGOODatum
19 juni 2018
Kenmerk
2018-0000381048

Contactgegevens

BZK

DIO

nota

Kamerbrief: Verzoek informatie over rechtsgrondslag
verordening inzake identiteitskaarten en
verblijfsdocumenten

Aanleiding/probleemstelling

De Eerste Kamer heeft u verzocht om een uitgebreide reactie op haar stelling dat de rechtsgrondslag van de verordening inzake identiteitskaarten en verblijfsdocumenten niet juist is. De Kamer meent dat een andere rechtsgrondslag, die de bijzondere wetgevingsprocedure en daardoor éénparigheid van stemmen vereist, moet worden gekozen.

Opmerking [SM1]: 21/6

Advies/actie

U wordt verzocht aan te geven welke lijn u wilt kiezen voor de brief:

- Ons advies: Neutrale opstelling met nadruk op beperkte mogelijkheden om gelijk te halen
- Alternatief: Duidelijk stelling nemen tegen de gekozen grondslag
- Alternatief: De argumenten voor de gekozen grondslag ondersteunen.

Betrokken BZK onderdelen
CZW, DIO, PV

Toelichting

De vraag van de Eerste Kamer is of artikel 77 derde lid verkozen had moeten worden boven de huidige gekozen grondslag; artikel 21 tweede lid. Beide bieden de mogelijkheid om maatregelen te treffen gericht op het bevorderen van het vrije verkeer. Artikel 77 noemt reisdocumenten en identiteitskaarten specifiek, vereist unanimiteit, artikel 21, is algemener en volgt de gewone wetgevingsprocedure.

Inmiddels heeft de PV in Brussel gesproken met de juridische dienst van de Raad (JDR). De JDR ondersteunt de keuze van de Commissie en heeft daarvoor een aantal argumenten aangedragen. Deze argumenten worden in de bijgaande brief behandeld. Zowel de EU-recht afdeling van BZ, als CZW vinden de argumenten niet overtuigend. De schijn wordt gewekt dat de Commissie bewust wil wegblijven van de unanimiteit die artikel 77 derde lid specificiert.

Bij het opbrengen in de Raadswerkgroep werd de twijfel over de rechtsgrondslag niet gesteund door andere lidstaten. Het lijkt er dan ook niet op dat Nederland zijn gelijk kan halen in Brussel. Het handelingsperspectief is vervolgens beperkt: tegenstemmen (maar het effect daarvan is beperkt in geval van de gewone wetgevingsprocedure). Daarna kan, als de verordening is aangenomen, Nederland naar het Europese Hof van Justitie in Luxemburg stappen om de verordening ongeldig te laten verklaren. Gelet op het feit dat Nederland het doel van de

11.1

Datum
19 juni 2018
Kenmerk
2018-0000381048

Nederlandse rechter en vermoedelijk het EU-Hof in Luxemburg hierover tot een oordeel moeten komen waarbij de stellingname nu ook dan aan bod kan komen.

Graag vernemen wij uw weging.

Politieke context
Reeds verwerkt in de nota

Communicatie
nvt

Ministerie van Binnenlandse Zaken en
Koninkrijksrelaties

Aan
Van

stass BZK
DGOO

Directoraat Generaal
Overheidsorganisaties
Ministerie van Binnenlandse
Zaken en Koninkrijksrelaties

Contactpersoon

10.2e

10.2e

Datum
25 juni 2018

Kenmerk
2018-0000493014

nota

nota nav uw reactie op de brief aan de EK over de
rechtsgrondslag van de verordening identiteitskaarten

Aanleiding/probleemstelling

U heeft in uw reactie bij de brief aan de Eerste Kamer over rechtsgrondslag aangegeven dat het in de brief niet duidelijk is *wat feit is en wat pleit is* (en van wie). De brief is deels conform aangepast voor zover het de Nederlandse positie betreft. Voor het overige wordt hieronder aangegeven waarom dit niet is gebeurd.

Advies/actie

U wordt verzocht in te stemmen met deze brief door deze te ondertekenen.

Betrokken BZK onderdelen
DGOO/DIO en CZW

Toelichting

Op verzoek van de PV-EU in Brussel er voor gekozen om grotendeels in het midden te laten wie welk argument precies heeft opgebracht. Dit omdat het ongebruikelijk is om naar buiten te brengen hoe de onderhandelingen verlopen. Met name de Juridische dienst van de Raad acht het niet wenselijk dat zij opgevoerd wordt als bron, terwijl de argumenten wel met haar gewisseld zijn. Alleen waar de Commissie zelf expliciet haar grondslag onderbouwt (namelijk dat artikel 21 de grondslag is omdat de vrij verkeer richtlijn daarop is gebaseerd) wordt de Commissie in de brief expliciet genoemd. Indien u het wenselijk acht dat de Juridische dienst van de Raad toch expliciet als bron wordt genoemd, kan dit alleen door de brief formeel voor te leggen aan de Juridische Dienst van de Raad en daarop een officiële reactie te vragen. Dit zal echter de nodige tijd kosten.

Verder heeft u gevraagd wat feit is en wat pleit is. Het gaat hier niet om feiten, maar om opvattingen. Met de Europees rechtelijke afdeling met het ministerie van Buitenlandse Zaken is afgestemd dat de Nederlandse opvattingen juridisch hout snijden. De Commissie zal er van overtuigd zijn dat dit voor haar opvattingen ook geldt. Wie uiteindelijk gelijk heeft is te zijner tijd aan het Hof van Justitie in Luxemburg om te bepalen. De kans is substantieel dat de kwestie daar terecht komt, ook als Nederland niet besluit om daar de verordening voor te dragen voor vernietiging. Immers bij het eerder invoeren van vingerafdrukken in 2011 hebben burgers tot en met dit Hof geprocedeerd.

Politieke context

Zie de eerdere nota

Communicatie

Nvt