

Procedure file

Basic information		
CNS - Consultation procedure	1999/0903(CNS)	Procedure completed
Visas: detection of false or falsified documents in the diplomatic representations abroad or offices		
Subject 7.10.04 External borders crossing and controls, visas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties and Internal Affairs	PPE LEHNE Klaus-Heiner	26/01/1999
Council of the European Union	Council configuration	Meeting	Date
	Industry	2174	29/04/1999

Key events			
15/01/1999	Legislative proposal published	05271/1998	Summary
24/02/1999	Committee referral announced in Parliament		
16/03/1999	Vote in committee		
16/03/1999	Committee report tabled for plenary, 1st reading/single reading	A4-0112/1999	
23/03/1999	Decision by Parliament	T4-0210/1999	Summary
29/04/1999	Act adopted by Council after consultation of Parliament		
29/04/1999	End of procedure in Parliament		
20/05/1999	Final act published in Official Journal		

Technical information	
Procedure reference	1999/0903(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legal basis	Treaty on the European Union (after Amsterdam) M K.3-p2
Stage reached in procedure	Procedure completed

Documentation gateway					
Legislative proposal		05271/1998	15/01/1999	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0112/1999 OJ C 177 22.06.1999, p. 0003	16/03/1999	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0210/1999 OJ C 177 22.06.1999, p. 0010-0023	23/03/1999	EP	Summary
Final act					
Third pillar act 1999/520 OJ C 140 20.05.1999, p. 0001 Summary					

Visas: detection of false or falsified documents in the diplomatic representations abroad or offices

OBJECTIVE: to combat counterfeit travel documents of third-country nationals by providing for a uniform level of equipment and detection techniques in the visa departments of diplomatic representations and in the offices of authorities in the Member States dealing with the issue or extension of visas. **CONTENT:** in order to achieve more efficient prevention of document abuse by third-country nationals, this draft joint action, based on Article K.3 of the Treaty on European Union, proposes a series of preventive measures aimed at establishing uniform levels of expertise and equipment for detecting and identifying forged documents. Member States are therefore requested to step up their measures for detecting forged documents, mainly by ensuring that the staff responsible for issuing the documents in question is able to detect forged documents using suitable techniques and applying the uniform level of detection described in the joint common action. This uniform system involves applying different measures, depending on the level of risk inherent in the documents identified. Provision is made for three levels of risk (low, intermediate or high risk) and the draft joint action describes the level of training required for staff and the "ad hoc" material to be provided for detecting forged documents. Member States will need to decide whether to equip the authorities responsible in the light of these basic uniform provisions and on the basis of the amount of traffic in forged documents identified. The decisive factor on which the decision is based will not be the number of visas produced or the size of the office or diplomatic representation in question but the level of risk of abuse occurring during the visa procedure.?

Visas: detection of false or falsified documents in the diplomatic representations abroad or offices

The Parliament adopted the Draft Joint Action regarding the detection of forged visas subject to some amendments. The Rapporteur was Mr. Klaus-Heiner LEHNE (EPP, D). The amendments covered the following : - the provision of training for staff and of state of the art equipment for the detection of forged documents; - Member States to make an inventory of their visa-issuing authorities to gain an overview of the potential risk of false and falsified visas in the relevant visa departments. - criminal proceedings envisaged for anyone involved in the falsification and/or counterfeiting of passports to which visas are to be affixed. - the Commission shall forward its report on the future of the collection, transfer and processing of data within the framework of Title IIIA of the Treaty of Amsterdam to the Council and the European Parliament. - three months at the latest after the entry into force of the Treaty of Amsterdam or at least six months before the Joint Action expires, whichever shall be the earlier, the Commission shall submit a proposal for an action to replace this joint action. ?

Visas: detection of false or falsified documents in the diplomatic representations abroad or offices

PURPOSE : the combat against the counterfeiting and falsification of travel documents of nationals of third countries by providing a uniform level of equipment and detection techniques in the offices and the departments responsible for the issuing of visas in the Member States or diplomatic representations. **COMMUNITY MEASURE :** Council Recommendation 1999/C.140/01 on the provision for the detection of false or falsified documents in the visa departments of representations abroad and in the offices of domestic authorities dealing with the issue or extension of visas. **CONTENT :** With the purpose of alerting more effectively the counterfeiting of travel documents of third country nationals, the recommendation invites the Member States to take a series of measures aiming to provide expertise and equipment of a similar standard for detecting forged documents in visa issuing authorities of the Member States. The Member States are invited to improve the conditions for issuing visas using equipment of an appropriate standard and the corresponding strengthening of necessary staff competences and capacities to carry out these examinations, including systematic training measures needed for detecting false documents. The decision, which falls within national competence, on how to provide for offices engaged in the issue and extension of visas should be taken on the basis of the following determining factors: number of visa applications, known levels of falsifying and counterfeiting documents. The decisive factor for the provision of equipment shall be not so much the size of the office or the number of visas which it issues as the actual risk of falsification and counterfeiting occurring during the visa procedure. The aim shall be to detect the counterfeiting or falsification of passports on which visas are to be entered, passport substitutes, requisite invitations and other proof which is material to the visa procedure. In addition, the recommendation describes the level of technical provisions to be integrated in each of the visa-issuing services of the Member States. This equipment must be regularly adapted to technical progress and allow the application of differentiated measures as a function of the degree of risk inherent to the identified falsified documents. Three levels are provided for (low risk, intermediate risk and high risk), for which the recommendation describes the level of training required for the staff and the "ad hoc" material to provide for the detection of forged documents. Measures are also laid down with a view to sharing, in the context of local consular cooperation, equipment for the detection of forged documents, the sharing of this equipment and ad hoc training. **ENTRY INTO FORCE :** 29.04.1999.?

