

Procedure file

Basic information		
CNS - Consultation procedure Regulation	2003/0217(CNS)	Procedure lapsed or withdrawn
Visa: uniform format with photograph in 2005, biometric identification		
Subject 7.10.04 External borders crossing and controls, visas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		26/07/2004
		PPE-DE COELHO Carlos	
	Former committee responsible		
Council of the European Union	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs		26/07/2004
		PPE-DE COELHO Carlos	
	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2725	27/04/2006
European Commission	Justice and Home Affairs (JHA)	2548	27/11/2003
	Justice and Home Affairs (JHA)	2538	06/11/2003
	Commission DG Justice and Consumers	Commissioner FRATTINI Franco	

Key events			
24/09/2003	Legislative proposal published	COM(2003)0558	Summary
08/10/2003	Committee referral announced in Parliament		
06/11/2003	Debate in Council	2538	
27/11/2003	Debate in Council	2548	Summary
16/09/2004	Committee referral announced in Parliament		
25/10/2004	Vote in committee		Summary
28/10/2004	Committee report tabled for plenary, 1st reading/single reading	A6-0029/2004	
25/03/2009	Additional information		Summary

Technical information	
Procedure reference	2003/0217(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 062
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/6/22556

Documentation gateway					
Legislative proposal		COM(2003)0558	24/09/2003	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0029/2004	28/10/2004	EP	

Additional information	
European Commission	EUR-Lex

Visa: uniform format with photograph in 2005, biometric identification

PURPOSE: to amend Council Regulation 1683/95/EC and integrate biometric identifiers into the uniform format for visas. **PROPOSED ACT :** Council Regulation. **CONTENT :** Due to concerns about security in the aftermath of 11 September 2001, Member States stated that they would like to see further enhancement of the security standards of the uniform format for visas and travel documents in general. Member States are already required to incorporate a photograph into these travel documents by 2007. They have indicated that they are in favour of including biometric identifiers in the visa and the residence permit for third country nationals in order to establish a more reliable link between holder, passport and visa. This proposal is linked to the proposal to amend Regulation 1030/2002/EC on the uniform format for residence permits for third country nationals. (See CNS/2003/0218.) The aim of these two proposals is: - to bring forward the final date for the implementation of the photograph from 2007 to 2005 and at the same time, -require Member States to integrate biometric identifiers into the visa and the residence permit for third country nationals in a harmonised way, thus ensuring interoperability. It must be added that these proposals will have a decisive impact on the choice of biometric identifiers to be used in the VIS (Visa Information System), as they should be the same in order to ensure coherence. Furthermore, the enrolment of the biometric identifiers must be in line with the requirements of the VIS in order to enable identification (one-to-many searches). The digital photograph will be integrated into the visa and used for the integration of the facial image as the primary interoperable biometric identifier, to be stored among other information on a storage medium with sufficient capacity. The bringing forward of the final date of implementation is a logical consequence. Some Member States have already anticipated the final date by implementing the Regulations early i.e. before 2007. The proposals provide for the mandatory storage of the facial image as a primary biometric identifier in order to ensure interoperability. A secondary biometric identifier is added. The fingerprint provides the best solution for "background checks", the identification (one-to-many searches) in databases. The number of fingerprint images stored is limited to two. The fingerprint images will be taken from flat fingers and not be 'rolled'. The main purpose of the chosen identifiers is to achieve a solution, which guarantees a very high level of security and the best technical results. The choice of technology is left to Member States. The two Regulations provide only for the legal basis for Member States to store biometric data on the uniform format for visas and the residence permit for third country nationals. The implementation of such action is left to the Member States in accordance with the technical specifications set out by the Committee created by Article 6 of Regulation 1683/95/EC. Member States will carry out the processing of the biometric data. Directive 95/46/EC on data protection applies to the processing of personal data, including biometric data. It must be added that the proposals have impact on the Schengenacquis, and Denmark will not take part in the proposals on the uniform format for residence permits. **FINANCIAL IMPLICATIONS :** this is uncertain as the exact requirements are not yet known and will be established by the Committee created by Article 6 of Regulation 1683/95/EC. In any event, it should be recalled that the necessary technical equipment has to be installed for the integration of the photograph according to high security standards into the visa and the residence permit for third country nationals and for the VIS system. The following technical requirements seem to be necessary: - storage medium; - enrolment equipment; - verification systems; - data management. ?

Visa: uniform format with photograph in 2005, biometric identification

The Council, pending the opinion of the European Parliament, reached a general approach on the two draft proposals laying down a uniform format for visas and for residence permits for third country nationals. The Council:

- § confirms that the specifications for the enrolment of biometric identifiers in the Visa Information System (VIS) will be coherent and therefore in line with the specifications laid down for biometric data in the Regulation concerning a uniform format for visas;
- § considers in agreement with the Commission that the implementation of the proposal on a uniform format for visas requires an additional legal instrument, creating the obligation and specifying the exceptions to the recording of fingerprints on the storage

medium of the uniform format for visas;

- § invites the Commission to present the relevant proposal on the amendment of the Common Consular Instructions;
- § invites the Commission assisted by the Committee created under Article 6 of Regulation 1683/95 laying down a uniform format for visas to start as soon as possible with the development of the technical specifications necessary for the implementation of the measures.

The Council took note of the Commission's intention to present a proposal for biometric identifiers in passports before the end of the year. It is recalled that the Commission had been requested to prepare these two proposals by the Thessaloniki European Council in June 2003. The main objectives of the proposals are to bring forward the final date for implementation of the photograph from 2007 to 2005 and to require Member States' harmonised integration of biometric identifiers into the visa and the residence permit for third-country nationals in order to ensure interoperability.

In October 2003, the Brussels European Council called upon the JHA Council to reach political agreement by the end of 2003 on the two proposals.

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As announced in Official Journal C 71 of 25 March 2009, the Commission decided to withdraw this proposal, which had become obsolete.