

# Procedure file

Basic information		
DEA - Delegated acts procedure	<a href="#">2021/2913(DEA)</a>	Procedure completed - delegated act rejected
Determining cases where identity data may be considered as same or similar for the purpose of the multiple identity detection pursuant to Regulation (EU) 2019/817		
Supplementing <a href="#">2017/0351(COD)</a>		
Subject 7.10.04 External borders crossing and controls, visas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> <a href="#">Civil Liberties, Justice and Home Affairs</a>		

Key events			
29/09/2021	Non-legislative basic document published	<a href="#">C(2021)05056</a>	
29/09/2021	Initial period for examining delegated act 2 month(s)		
06/10/2021	Committee referral announced in Parliament		
29/11/2021	Initial period for examining delegated act extended at Parliament's request by 2 month(s)		
20/01/2022	Decision by Parliament	<a href="#">T9-0007/2022</a>	Summary

Technical information	
Procedure reference	2021/2913(DEA)
Procedure type	DEA - Delegated acts procedure
Procedure subtype	Examination of delegated act
Legal basis	Rules of Procedure EP 111-p03
Stage reached in procedure	Procedure completed - delegated act rejected
Committee dossier	LIBE/9/07287

Documentation gateway					
Non-legislative basic document		<a href="#">C(2021)05056</a>	29/09/2021	EC	
Motion for a resolution objecting delegated act		<a href="#">B9-0061/2022</a>	14/01/2022	EP	
Text adopted by Parliament, single reading		<a href="#">T9-0007/2022</a>	20/01/2022	EP	Summary

Determining cases where identity data may be considered as same or similar for the purpose of the multiple identity detection pursuant to Regulation (EU) 2019/817

The European Parliament adopted by 353 votes to 336, with 4 abstentions, a resolution objecting to the Commission delegated regulation of 29 September 2021 supplementing Regulation (EU) 2019/817 of the European Parliament and of the Council as regards determining cases where identity data may be considered as same or similar for the purpose of the multiple identity detection.

As a reminder, [Regulation \(EU\) 2019/817](#) on establishing a framework for interoperability between EU information systems in the field of borders and visa requires the Commission to adopt delegated acts laying down the procedures for determining the cases in which identity data may be considered to be the same or similar.

The Delegated Commission Regulation provides that the cases in which identity data may be regarded as similar are listed in Annex II.

Annex II(2) of the Delegated Commission Regulation provides that:

(1) eu-LISA uses an algorithm to calculate the similarity between identity data across different data fields from the different EU information systems;

(2) the algorithm is based on previously established thresholds of similarity;

(3) in defining that algorithm, eu-LISA is assisted and advised by experts from the Commission, Member States and EU agencies using the EU information systems and interoperability components.

In support of Parliament's objection, Members argued that it is clear that the Commission's delegated regulation does not lay down the procedures to determine the cases in which identity data can be considered to be similar, but sub-delegates that power to eu-LISA and to experts from the Commission, the Member States and the Union agencies using the EU information systems and interoperability components.