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COMIX 786

NOTE

of: future Luxembourg presidency
to: "Visa" Working Group

Subject: Integration of aspects of biometric identifiers in the uniform visa format and in the uniform residence permit for third country-nationals

I. BASIC ISSUES

At its meeting on November 27, 2003, The JHA Council agreed on a general approach with regard to amendment of Council Regulations n° 1683/95 and 1030/2002 aiming to integrate biometric identifiers in the uniform visa format and residence permit format. The proposals envisaged obligatory taking of the digitized photograph of the face and of digitized fingerprints after a deadline of two and three years, respectively, following the adoption of the Regulations. A card with a contact-less chip would be the storage medium.

On November 16, 2004, the "Visa" working group had examined the report of the Article 6 technical Committee. This report notes the appearance of technical problems related to the storage of biometric identifiers on visas. The storage medium integrated into the visa could cause what could be called "problems of collision" when several visas have to be affixed on the same travel document. An identical difficulty could arise concerning the storage medium of the residence permit if this permit takes the shape of a sticker in the passport. Residence permits issued in the shape of a separate card do not pose a technical problem.

Following the conclusions of the "Visa" working group on December 7-8, 2004, the future Luxembourg presidency suggests that the following questions are submitted to the political level in order to make progress on these subjects and to respect the deadline confirmed by the JHA Council JAI on (15256/04 VISA 210 COMIX 717):

II FOLLOW-UP

1) VISAS

The "Visa" working group has identified two options for the integration of biometric identifiers in the uniform visa format, which would not pose technical problems:

- the first option would be to issue a separate smart card with the visa sticker, as a storage medium for the biometric data;
- the second option would be to store the biometric data only in the Visa Information System (VIS) (to be operational starting in 2007) and not on the sticker itself.

Considering the majority of the delegations seem to be in favour of the second solution, it is suggested that the biometric data would only be stored in the VIS and not on the visa sticker itself. If all the delegations approve this suggestion, the Commission would be invited to amend its proposal.

2) RESIDENCE PERMIT

According to the technical specifications, the residence permit can be currently issued in five different formats, including a sticker fixed in the passport of third-country nationals.

There are also two options for the integration of biometric data into the uniform residence permit:

- the first option would be to issue a separate card on which biometric data would be stored if the residence permit were issued in the form of a sticker;
- the second option would be to allow the issue of residence permits only in the form of a card.

As a large number of Member States already issue the residence permit only in the form of a separate card, and considering that a number of Member States are considering abolishing the other formats currently used, the future Luxembourg presidency suggests the adoption of the second option. If delegations approve this suggestion, the Commission would be invited to amend its proposal.