



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 November 2005

15000/05

LIMITE

ASIM 59

"A" ITEM NOTE

from: General Secretariat of the Council

to : the Representatives of the Governments of the Member States

Subject : Draft Conclusions of the Representatives of the Governments of the Member States on common minimum security standards for Member States' national identity cards

1. The Hague Programme of 5 November 2004 requested the development of minimum standards for national identity cards. In addition, the special Justice and Home Affairs Council of 13 July 2005, called in response to the London bombings, reinforced the need for this work in the following terms: "The Council...calls on Member States to agree common standards for security features and secure issuing procedures for ID cards (December 2005), with detailed standards agreed as soon as possible thereafter."
2. The Committee created by Article 6 of Council Regulation (EC) 1683/95 has considered the physical security features of identity cards. It has produced interim conclusions; its final conclusions will be issued in due course, in accordance with the remit of the 13 July Justice and Home Affairs Council.
3. In parallel to this work, an ad-hoc group of experts from Member States has considered the security of issuing procedures and has produced conclusions.

4. The Strategic Committee on Immigration Frontiers and Asylum (SCIFA) has also examined the attached Conclusions in the context of its meeting on 17 November 2005.

The Permanent Representatives Committee has been able to reach an agreement on the Draft Conclusions at its meeting of 25 November 2005.

BE and **CZ** have entered the following statement in the Summary Record of the Coreper:

"La Belgique et la République Czech considèrent que l'introduction de données biométriques dans les cartes d'identité nationales ne peut être examinée sous le seul angle technique. La question nécessite un débat plus large, qui englobe la protection de la vie privée, les charges budgétaires et administratives".

5. The Representatives of the Governments of the Member States meeting in the margins of the Justice and Home Affairs Council on 1-2 December 2005 are invited to adopt, as an "A" item, the Conclusions as set out in the Annex to this note.

CONCLUSIONS OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES ON COMMON MINIMUM SECURITY STANDARDS FOR MEMBER STATES' NATIONAL IDENTITY CARDS

Recognising the mandate given to Member States by the Hague Programme and the 13 July 2005 Justice and Home Affairs Council;

Recognising the importance of ensuring the security of travel and other identity documents;

Recognising that the mandate relates only to security standards, not to any domestic uses of national identity cards and that no legally binding standards or timetables are being imposed;

Without prejudging the issue of the possible legal basis for a measure harmonising minimum security standards for national identity cards and without affecting the right of each Member State to decide whether or not to issue national identity cards and whether to use biometric identifiers;

Recognising the priority to be attached to compliance with the standards established by the European Union in Council Regulation (EC) 2252/2004 on passports, and the draft regulations amending legislation on visas and residence permits. These standards are a reference point for those to be developed for identity cards;

Building upon the work already done on security features for passports, and bearing in mind the need for interoperability based on ICAO standards;

The Member States of the European Union, working together on an intergovernmental basis:

1. Have decided to accept the following interim conclusions of the experts working in the Committee created by Article 6 of Council Regulation (EC) 1683/95, which will be followed by more detailed technical standards in due course:

- as regards the security features other than biometric identifiers: to use the same minimum standards on materials to be used, ink, printing techniques, etc. as those established for passports, adapted to the card form of the identity card; and
 - as regards the biometric identifiers: to use as a starting point the technical specifications established for the integration of biometrics in the passport in accordance with Regulation (EC) 2252/2004.
2. Have decided to work towards putting in place the following minimum standards relating to the security of issuing processes:
- applicants should appear in person at least once during the issuing procedure for identity cards;
 - applications should be verified by authorised personnel against existing databases which should be regularly updated, for example, civil registers, passport and identity cards databases or driving licence registers;
 - monitoring of the issuing process is recommended, including where processes are carried out by sub-contractors, and this should include regular audits;
 - in principle, no single member of staff should carry out every part of the issuing process for an individual; and
 - secure storage, transport and transmitting of data and components of documents should be ensured.
3. Have decided to further their co-operation by exchanging information on a regular basis on their national practices, taking into account the experiences of Member States regarding electronic identity cards.