



Brussels, 16 May 2018
(OR. en)

**Interinstitutional File:
2017/0144 (COD)**

**8767/18
ADD 1**

LIMITE

**COPEN 138
EJUSTICE 53
JURINFO 32
DAPIX 133
CODEC 728**

NOTE

From:	Presidency
To:	CATS
No. prev. doc.:	8669/18, 8670/18
No. Cion doc.:	10940/17 + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing a centralised system for the identification of Member States holding conviction information on third country nationals and stateless persons (TCN) to supplement and support the European Criminal Records Information System (ECRIS-TCN system) and amending Regulation (EU No 1077/2011) - Selected issues

Further to informal contacts with the European Parliament, and in relation with question 3 in 8767/18, the Presidency invites Member States to reflect on the following compromise solution for the issue of "dual nationals":

- 1) While dual nationals will, for the time being, not be included in the ECRIS-TCN system, the Commission will be asked to carry out a study on the advisability of inclusion of dual nationals in the ECRIS-TCN system in the future and, where appropriate, present a legislative proposal in that respect;
- 2) However, a facility will be created in the text of the Regulation under which the competent authorities of the Member States can consult the ECRIS-TCN system in order to ascertain whether an EU national has previous convictions as a national of a third country;
- 3) On the issue of fingerprints, the text will be identical or close to the text of the Council general approach.