



Council of the
European Union

Brussels, 2 March 2017
(OR. en)

6759/17

FRONT 97
FAUXDOC 11
COMIX 159

NOTE

From: Presidency

To: JHA Counsellors/Mixed Committee
(EU-Iceland/Liechtenstein/Norway/Switzerland)

No. prev. doc.: 5152/1/17 REV 1 FRONT 8 FAUXDOC 1 COMIX 150

Subject: Action plan to strengthen the European response to travel document fraud
- Draft Council conclusions

In view of the JHA Counsellors meeting of 3 March 2017, delegations will find attached revised draft Council conclusions on the above subject.

Changes are highlighted in **bold/underline** and ~~striketrough~~ in relation to ST 5152/17 REV 1.

DRAFT COUNCIL CONCLUSIONS

THE COUNCIL OF THE EUROPEAN UNION,

HAVING REGARD to the Communications from the Commission on "Stronger and Smarter Information Systems for Borders and Security"¹, "Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders "², and "Action plan to strengthen the European response to travel document fraud"³,

1. **RECOGNISES the crucial importance of secured travel and identity documents to tackle the phenomenon of travel document fraud;**
2. UNDERLINES that breeder, identity and travel document security is a key factor for enhancing internal security, fighting against terrorism and organised crime, and improving border management; **and CALLS on Member States to accelerate the implementation of the necessary certificate exchange;**
3. **STRESSES the importance of the work carried out by the Committee created by Article 6 of Regulation (EC) N°1683/95 on a uniform format for visas and that it is best placed to discuss standards of a technical nature;**
4. **UNDERLINES the importance of** ~~RECOMMENDS that minimum~~ security standards for breeder-identity and travel documents issued by Member States; **and RECOMMENDS that breeder documents are made more fraud resistant by setting minimum security standards** ~~be set at EU level;~~

1 COM(2016) 205 final.

2 Doc. 12307/16.

3 Doc. 15502/16.

5. WELCOMES the exchange of best practices, including through workshops hosted by the European Commission, Frontex or eu-LISA, on biometrics enrolment and the security of issuing processes for breeder, identity and travel documents;
- 6. RECALLS the work done by international organisations such as the International Civil Aviation Organisation (ICAO) in the framework of evidence of identity and rendering breeder documents more secure;**
7. NOTES that FADO (False and Authentic Documents Online) currently contains about 3,000 specimen of genuine documents and anonymised examples of false documents describing the forgery techniques used, as well as about 2,000 national false document alerts;
8. RECOGNISES that FADO having been set up by the Council Joint Action of 3 December 1998⁴, its management is somewhat outdated and a centralised management at Commission level would be more appropriate ~~considering the current architecture of the Justice and Home Affairs sector~~; NOTES the ideas put forward in this context by Frontex and eu-LISA at the informal Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) in Malta on 16 February 2017 regarding the future management of FADO;
9. CONSIDERS that FADO having a key role to play in detecting document and related identity fraud, it is not entirely fit for purpose anymore; also CONSIDERS that synergies could be exploited in this regard using Frontex's expertise in the area of document fraud and the work this agency has already been carrying out in this field and eu-LISA's competence in hosting security-related IT systems;

⁴ Council Joint Action 98/700/JHA.

- ~~10. RECALLS that the legal basis of FADO, including its hosting, and future development needs to be revised, in particular with a view to ensuring a better integration into the EU's information management architecture, as also highlighted by the EU Counter Terrorism Coordinator⁵;~~
11. UNDERLINES that a major overhaul of FADO through a change of its legal basis is required in order to continue meeting the requirements of Justice and Home Affairs policies and the challenges ahead in this field, **as also highlighted by the EU Counter Terrorism Coordinator⁶**, while ensuring the continuity of the system;
12. CONSIDERS it **would be** highly beneficial that Member States upload information on a mandatory basis in FADO, **in particular when FADO is strengthened**; ~~Therefore,~~ INVITES the European Commission to take the necessary actions, including a legislative proposal establishing FADO on a more solid basis, while ensuring its continuity and development;~~;~~ ~~and~~
13. CONSIDERS in particular that in the light of the recent challenges faced by the European Union in terms of illegal migration and security, ~~the allocation of the necessary resources with a view to~~ improving the use of FADO should be considered a priority;
- ~~14. UNDERLINES that breeder, identity and travel document security is a key factor for enhancing internal security, fighting against terrorism and organised crime, and improving border management;~~
- ~~15. STRESSES the importance of the work carried out on this issue by the "Article 6" Committee and that it is best placed to discuss standards of a technical nature in this field;~~ RECOMMENDS that minimum security standards for breeder identity and travel documents issued by Member States be set at EU level;

⁵ Doc. 14260/16: "Implementation of the counter terrorism agenda set by the European Council".

⁶ Doc. 14260/16: "Implementation of the counter-terrorism agenda set by the European Council".

16. ~~WELCOMES the exchange of best practices, including through workshops hosted by the European Commission, Frontex or eu-LISA, on biometrics enrolment and the security of issuing processes for breeder, identity and travel documents;~~
17. ENCOURAGES the Commission and the European External Action Service to use the current cooperation with third countries, **including in the context of** ~~under~~ the Migration Partnership Framework, ~~and~~ the Joint Valletta Action Plan **and the visa dialogues**, to improve the security of breeder, **identity and travel** documents at international level as a matter of priority; STRESSES that such ~~negotiations~~ **cooperation** constitutes a good opportunity to improve the security of ~~identity~~ documents and **further develop** population registries **in priority third countries**; **TAKES NOTE of the bilateral cooperation between the Member States and third countries in this regard.**
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