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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
Subject:	Draft Council Conclusions on the Action Plan to strengthen the European response to travel document fraud

INTRODUCTION

On 8 December 2016, the European Commission adopted a Communication on travel document fraud ("Action plan to strengthen the European response to document travel fraud")¹.

This Communication sets out recommendations for Member States to tackle the issue of travel document fraud, as well as a list of actions for the Commission to take. Travel document security is a key element to fight terrorism and organised crime, and to contribute to enhancing migration management and border protection, leading to an effective Security Union.

WORK CARRIED OUT BY THE COUNCIL PREPARATORY BODIES

In February 2017, the Presidency tabled draft Council Conclusions focusing on certain key elements of the Action Plan, in particular the importance of more secure breeder documents (including when issued by third countries and the need for an overhaul of FADO (False and Authentic Documents Online) through a change of legal basis to make the best use of this tool.

¹ Doc. 15502/16.

The draft Council Conclusions were examined by the Working Party on Frontiers and the JHA Counsellors on 27 February and 3, 8 and 16 March, respectively. At the JHA Counsellors meeting of 16 March, all delegations could agree to the revised text of the Council Conclusions, with a minor amendment to paragraph 2, as set out in the annex.

CONCLUSION

Coreper is on this basis invited to ask the Council to adopt the draft Council Conclusions as they appear in the annex.

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"², "Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders"³, and "Action plan to strengthen the European response to travel document fraud"⁴,

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 RECALLS the need to accelerate the implementation of the exchange of certificates for the checking of fingerprints through the Single Points of Contact (SPOC) and the ~~authentication of the document~~ **authenticity of the chip data** using Master Lists;
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 security standards for relevant residence, identity and travel documents; and RECOMMENDS that breeder documents should have minimum security standards to prevent falsification when used as evidence of identity;

² COM(2016) 205 final.

³ Doc. 12307/16.

⁴ Doc. 15502/16.

5. WELCOMES the ongoing exchange of best practices, including through workshops and expert meetings hosted by the European Commission, Frontex or eu-LISA, on secure biometrics enrolment (fingerprints or facial images) 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 specimens 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 1998⁵, its management is somewhat outdated and a centralised management at Commission level would be more appropriate; 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, is not entirely fit for purpose anymore; also CONSIDERS that synergies could be exploited in this regard using FADO User Group's experience, 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;
10. 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;

⁵ Council Joint Action 98/700/JHA.

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

11. CONSIDERS it would be highly beneficial that Member States upload information on a mandatory basis in FADO; 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;
12. CONSIDERS in particular that in the light of the recent challenges faced by the European Union in terms of illegal migration and security, improving the use of FADO is a priority;
13. ENCOURAGES the Commission and the European External Action Service, in collaboration with the Member States, to use the current cooperation with third countries, including in the context of the Migration Partnership Framework, 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 cooperation constitutes a good opportunity to improve the security of 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;
14. CALLS UPON the Commission and the Council preparatory structures to ensure appropriate follow-up of the implementation of the Action plan to strengthen the European response to travel document fraud.
