



**Brussels, 1 December 2017
(OR. en)**

15216/17

**FAUXDOC 68
ENFOPOL 590
COMIX 809**

'I/A' ITEM NOTE

From:	Presidency
To:	Permanent Representatives Committee (Part 2)
No. prev. doc.:	14822/1/17 REV 1
Subject:	Draft Council conclusions on identity management

1. Building on the Council's Conclusions of 27 March 2017¹ on the Commission Action plan to strengthen the European response to travel document fraud², which prioritise the importance of more secure breeder documents to prevent fraud when used as evidence of identity, and the Council's Conclusions of 18 May 2017 on setting the EU's priorities for the fight against organised and serious crime between 2018 and 2021³, the Presidency decided to organise, on 16 November 2017, a special thematic meeting of the Working party on Frontiers / False Documents on the registration of identity, in an effort to bring together Member States' experts in the field of identity management to exchange information and good practices.

2. As a result of this meeting and in order to encourage Member States to ensure an appropriate follow-up of the implementation of the measures listed in the Action plan notably as regards registering the identity and issuing documents as a means of tackling the phenomenon of identity fraud, enhancing internal security and fighting against terrorism and organised crime, the Presidency drew up the draft Council Conclusions on identity management in the Annex.

¹ Doc. 7696/17.
² Doc. 15502/16.
³ Doc. 9450/17.

3. On 29 November 2017 the Working Party on Frontiers/False Documents discussed the draft Council conclusions and subsequently, by 1 December 2017, agreed to the draft conclusions in a silence procedure, subject to a waiting reservation by one delegation.

4. On this basis, Coreper is asked to:

- agree to the draft Council conclusions as set out in the Annex, and
- invite Council to adopt them.

Draft Council conclusions on identity management

THE COUNCIL OF THE EUROPEAN UNION,

HAVING REGARD to the Communications from the Commission on "Stronger and Smarter Information Systems for Borders and Security"⁴, "Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders "⁵ and to the Commission's "Action plan to strengthen the European response to travel document fraud"⁶,

HAVING REGARD to the Conclusions on the Commission Action plan to strengthen the European response to travel document fraud, adopted by the Council at its 3528th meeting held on 27 March 2017⁷ which prioritise the importance of more secure breeder documents to prevent fraud when used as evidence of identity, and the Conclusions on setting the EU's priorities for the fight against organised and serious crime between 2018 and 2021, adopted by the Council at its 3539th meeting held on 18 May 2017⁸,

1. *Recognising* the crucial importance of safe processes for registering the identity and issuing breeder and identity documents in the broader framework of identity management, tackling the phenomenon of identity fraud, enhancing internal security and fighting against terrorism and organised crime,
2. *Recalling* that, while security standards and biometrics for travel documents are set at EU level, Member States are responsible for registering the identity and issuing documents; that measures and policies in these domains should therefore be based on robust and sound identity infrastructures,

⁴ COM(2016) 205 final.

⁵ Doc. 12307/16.

⁶ Doc. 15502/16.

⁷ Doc. 7696/17.

⁸ Doc. 9450/17.

3. *Acknowledging* the efforts made by the European Commission to facilitate discussions and promote cooperation among Member States on these issues, including by its recent assessment of the current situation on the basis of a questionnaire on identity registration issues,
4. *Congratulating* the Estonian Presidency for its efforts to bring together Member States' experts in the field of identity management to exchange information and good practices by organising a special thematic meeting of the Working party on Frontiers / False Documents on the Registration of Identity on 16 November 2017,
5. *Welcoming* the ongoing work on identity management issues by international organisations and agencies such as the International Civil Aviation Organisation (ICAO), the Organisation for Security and Co-operation in Europe (OSCE) and Europol,
6. *Urges* Member States to ensure an appropriate follow-up of the implementation of the measures listed in the Action plan, notably in the area of registering the identity and of issuing documents, as a means of tackling the phenomenon of identity fraud, enhancing internal security and fighting against terrorism and organised crime, in particular by:
 - further improving information sharing mechanisms and administrative cooperation as a means of identifying potential loopholes and continuously improving efficiency and security across the entire identity chain;
 - examining how to best guarantee the integrity of national issuing processes whilst avoiding issuing authentic documents based on false identities, including rendering breeder documents more fraud-resistant;
 - agreeing on aligning best practices in the European Union, notably on issues related to the registration of identity, as an incentive towards improving national systems;
 - striving to achieve a certain degree of standardisation to mitigate risks and ensure a common approach to anti-fraud measures across the European Union;

- taking into account identity management related projects such as ORIGINS, ARIES and the Compendium of Good Practices in Identity Management in the OSCE Region, and striving to provide an appropriate follow up thereto at national level;
- providing the necessary information on breeder documents using information channels such as iFado and the Europol Handbook on ID and Breeder Documents, as well as promoting their continued use;
- swiftly and fully implementing Regulation 2016/1191 on promoting the free movement of citizens and exploiting its potential to enhance public document security through use of the Internal Market Information (IMI) system including the new data protection legislation⁹;
- enhancing bilateral cooperation with key partner third countries to promote and support the introduction of biometric identifiers in their population registers;
- ensuring full implementation of the 2005 Council Conclusions on Common minimum security standards¹⁰ as regards the security of issuing processes.

⁹ Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

¹⁰ Council conclusions of 1-2 December 2005 on Common minimum security standards for national identity cards