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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (first reading) - Adoption of the legislative act - Statements

Statement by Latvia

Latvia welcomes the work of Presidency on the Regulation aimed at strengthening the security of the European Union citizen's identity cards and the security of residence documents issued to the European Union citizens and their family members exercising their right to free movement.

Latvia believes that overall the compromise text agreed between the European Parliament, the Council of the European Union and the Commission will strengthen the security of identity cards and residence documents, thereby reducing crime, promoting European Union internal security, improving the identification of persons and promoting the fight against document fraud and identity theft.

Nevertheless, Latvia regrets that Article 3(4) and Article 6(h) of this Regulation prescribe the inclusion of the distinguishing sign that consists of the two-letter country code of the Member State issuing the document, printed in negative in a blue rectangle encircled by twelve yellow stars. Latvia believes that this distinguishing sign will not provide additional security feature. Therefore, clear reference in the text of the Regulation to the DOVID security element is needed to provide clear guidance for technical implementation and thus serving as an additional security feature for travel documents. Such a reference would allow printing the distinguishing sign in variable visibility on some fields of personalized information.

Additionally, Latvia is of the opinion that this distinguishing sign would occupy too much space, which otherwise could be used more efficiently, and it would not harmoniously fit in the overall design of the identity card.

Statement by the Czech Republic

The Czech Republic appreciates the development that has been made in improving the level of security of identity cards issued to Union citizens and residence documents issued to their family members.

However, we cannot agree with the mandatory introduction of biometric data in identity cards and, therefore, cannot support the proposal for a regulation as it stands now. The Czech Republic could only take the opposite view if biometric data (and specifically fingerprints) were included in identity cards on a voluntary basis only.

From the data protection perspective, obligatory storage of biometric data in identity cards is a very sensitive issue for the Czech Republic as the majority of the population is obliged to hold an identity card.

Since only half of the Member States require their citizens to hold an identity card, the Czech Republic considers the proposal for a regulation to be disproportionate.

Statement by Poland

Poland supports the general aim of the proposal of improving security within the EU by ensuring security of selected identity documents. Within that context, Poland is also in favour of implementing some level of harmonization of national identity documents. In a spirit of compromise Poland accepts the text presented by the Presidency.

However, Poland wishes to draw attention to the question it has pointed out consequently during the negotiations, namely that the Regulation cannot encroach on areas of the exclusive competence of the Member States, e.g. set out methods of determining a person's gender.

This Regulation may only stipulate how to indicate the holder's gender in the national document, provided that their gender has been previously determined in accordance with the national law. Poland expresses regret that this distinction has not been clearly set out in the negotiated text.
