Security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members

2018/0104(COD) - 12/07/2019 - Final act

PURPOSE: to strengthen the security standards applicable to identity cards and to residence documents issued by Member States to Union citizens and their family members respectively.

LEGISLATIVE ACT: Regulation (EU) 2019/1157 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.

CONTENT: the Regulation strengthens the security standards applicable to identity cards issued by Member States to their nationals and to residence documents issued by Member States to Union citizens and their family members when exercising their right to free movement.

This Regulation does not require Member States to introduce identity cards or residence documents where they are not provided for under national law, nor does it affect the competence of the Member States to issue, under national law, other residence documents which fall outside the scope of Union law, for example residence cards issued to all residents on the territory regardless of their nationality.

This Regulation does not prevent Member States from accepting, in a non-discriminatory manner, documents other than travel documents, for identification purposes, such as driving licences.

Security standards/format/specifications

Under the proposed new rules, identity cards shall be produced in a uniform credit card format (ID-1), have a machine-readable zone (MRZ) and comply with the minimum security standards set by ICAO (International Civil Aviation Organisation). The designation of a person's gender shall be optional.

The identity card shall contain, on the front side, the two-letter country code of the Member State issuing the card, printed in negative in a blue rectangle and encircled by 12 yellow stars. It shall include a highly secure storage medium which shall contain a facial image of the holder of the card and two fingerprints in interoperable digital formats.

Children under the age of 12 years may be exempt from the requirement to give fingerprints whereas children under the age of 6 years shall be exempt from this.

When necessary and proportionate to the aim to be achieved, Member States may enter such details and observations for national use as may be required in accordance with national law.

Period of validity

Identity cards shall have a minimum period of validity of five years and a maximum period of validity of ten years. Member States may provide for a period of validity of less than five years, for identity cards issued to minors; in exceptional cases, less than five years, for identity cards issued to persons in special and limited circumstances and where their period of validity is limited in compliance with Union and national law; more than 10 years, for identity cards issued to persons aged 70 and above.

Member States shall issue an identity card having a validity of 12 months or less where it is temporarily physically impossible to take fingerprints of any of the fingers of the applicant.

Phasing out of old cards

Identity cards which do not meet the requirements shall cease to be valid at their expiry or by ten years after the date of application of this Regulation, whichever is earlier.

Identity cards which do not meet the minimum security standards or which do not include a functional MRZ shall cease to be valid at their expiry or by five years after the date of application of this Regulation, whichever is earlier.

Identity cards of persons aged 70 and above, which meet the minimum security standards and which have a functional MRZ shall cease to be valid at their expiry.

Residence cards

The rules also specify the minimum information to be indicated on the residence documents issued to Union citizens and harmonise the format and other characteristics of residence cards issued to family members of Union citizens who are not nationals of a Member State.

Collection of biometric identifiers

The biometric identifiers shall be collected solely by qualified and duly authorised staff designated by the authorities responsible for issuing identity cards or residence cards, for the purpose of being integrated into the highly secure storage medium.

With a view to ensuring the consistency of biometric identifiers with the identity of the applicant, the applicant shall appear in person at least once during the issuance process for each application.

Data protection guarantees

The new rules include data protection safeguards. In particular, national authorities shall ensure the security of the contactless chip and the data stored on it, so that it cannot be hacked or accessed without permission.

Without prejudice to the General Data Protection Regulation (EU Regulation 2016/679), Member States shall ensure the security, integrity, authenticity and confidentiality of data collected and stored for the purposes of the Regulation.

ENTRY INTO FORCE: 1.8.2019.

APPLICATION: from 2.8.2021.