Residence permits: uniform format, biometric identifiers

2003/0218(CNS) - 10/03/2006 - Legislative proposal

PURPOSE: to lay down a uniform format for residence permits for third-country nationals.

PROPOSED ACT: Council Regulation.

CONTENT: the European Commission is presenting a new proposal regarding a common format for residence permits for third-country national on the basis that it has proven technically impossible to incorporate biometrics onto a visa or residence permit in the form of a “sticker” The problems identified by the technical committee relate to the durability of the chip and the interference between several chips on one passport. Tacking these technical challenges into account the Council invited the European Commission in February 2005 to propose (within 24 months) alternatives such as incorporating biometric identifies into residence permits in the form of a separate card. In presenting this proposal the European Commission is withdrawing its initial proposal to amend Regulation 1030/2002/EC, which was first tabled in 2003.

In the proposed Annex it is stated that the residence permit will be produced as a stand-alone document and must be machine readable. The residence permit in sticker form may only be issued up to two years after the adoption of the technical specifications.

Whilst this matter was being discussed in Council, the Estonian delegation tabled a declaration stating that the Commission should take account of national developments in the field of authentication, certification, digital signature and e-Government services for third country national living legally on the territory. In response to the Estonian Declaration the Commission is proposing a new “point 16” in the Regulation’s Annex, which effectively allows for the integration of a “contact chip” into the residence permit. The use of this contact chip is dependant on it being in line with related data protection rules and is optional. Its use should not interfere with the common format of the card. In essence, the latest draft amendment includes a new prototype of uniform residence permit, which includes a box for the possible insertion of a contact chip – the so-called box (Nr. 16).

Lastly, a further feature of the new proposed Regulation is its alignment with Regulation 2252/2004/EC on common security features and biometrics for passports and other documents. The biometric identifiers will only be stored in the Visa Information System.