Basic information

2003/0217(CNS) CNS - Consultation procedure Regulation	Procedure lapsed or withdrawn
Visa: uniform format with photograph in 2005, biometric identification **Subject** 7.10.04 External borders crossing and controls, visas	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	COELHO Carlos (PPE-DE)	26/07/2004

Former committee responsible	Former rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	COELHO Carlos (PPE-DE)	26/07/2004

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2548	2003-11-27
Justice and Home Affairs (JHA)	2725	2006-04-27
Justice and Home Affairs (JHA)	2538	2003-11-06

European Commission

Commission DG	Commissioner
Justice and Consumers	FRATTINI Franco

Key events

Date	Event	Reference	Summary
24/09/2003	Legislative proposal published	COM(2003)0558	Summary
08/10/2003	Committee referral announced in Parliament		
06/11/2003	Debate in Council		
27/11/2003	Debate in Council		Summary
16/09/2004	Committee referral announced in Parliament		

25/10/2004	Vote in committee		
28/10/2004	Committee report tabled for plenary, 1st reading/single reading	A6-0029/2004	
25/03/2009	Additional information		Summary

Technical information	
Procedure reference	2003/0217(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 062
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/6/22556

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0029/2004	28/10/2004	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2003)0558	24/09/2003	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Visa: uniform format with photograph in 2005, biometric identification

2003/0217(CNS) - 24/09/2003 - Legislative proposal

PURPOSE: to amend Council Regulation 1683/95/EC and integrate biometric identifiers into the uniform format for visas. PROPOSED ACT : Council Regulation. CONTENT : Due to concerns about security in the aftermath of 11 September 2001, Member States stated that they would like to see further enhancement of the security standards of the uniform format for visas and travel documents in general. Member States are already required to incorporate a photograph into these travel documents by 2007. They have indicated that they are in favour of including biometric identifiers in the visa and the residence permit for third country nationals in order to establish a more reliable link between holder, passport and visa. This proposal is linked to the proposal to amend Regulation 1030/2002/EC on the uniform format for residence permits for third country nationals. (See CNS/2003/0218.) The aim of these two proposals is: - to bring forward the final date for the implementation of the photograph from 2007 to 2005 and at the same time, - require Member States to integrate biometric identifiers into the visa and the residence permit for third country nationals in a harmonised way, thus

ensuring interoperability. It must be added that these proposals will have a decisive impact on the choice of biometric identifiers to be used in the VIS (Visa Information System), as they should be the same in order to ensure coherence. Furthermore, the enrolment of the biometric identifiers must be in line with the requirements of the VIS in order to enable identification (one-to-many searches). The digital photograph will be integrated into the visa and used for the integration of the facial image as the primary interoperable biometric identifier, to be stored among other information on a storage medium with sufficient capacity. The bringing forward of the final date of implementation is a logical consequence. Some Member States have already anticipated the final date by implementing the Regulations early i.e. before 2007. The proposals provide for the mandatory storage of the facial image as a primary biometric identifier in order to ensure interoperability. A secondary biometric identifier is added. The fingerprint provides the best solution for "background checks", the identification (one-to-many searches) in databases. The number of fingerprint images stored is limited to two. The fingerprint images will be taken from flat fingers and not be 'rolled'. The main purpose of the chosen identifiers is to achieve a solution, which guarantees a very high level of security and the best technical results. The choice of technology is left to Member States. The two Regulations provide only for the legal basis for Member States to store biometric data on the uniform format for visas and the residence permit for third country nationals. The implementation of such action is left to the Member States in accordance with the technical specifications set out by the Committee created by Article 6 of Regulation 1683/95/EC. Member States will carry out the processing of the biometric data. Directive 95/46/EC on data protection applies to the processing of personal data, including biometric data. It must be added that the proposals have impact on the Schengenacquis, and Denmark will not take part in the proposals on the uniform format for residence permits. FINANCIAL IMPLICATIONS : this is uncertain as the exact requirements are not yet known and will be established by the Committee created by Article 6 of Regulation 1683/95/EC. In any event, it should be recalled that the necessary technical equipment has to be installed for the integration of the photograph according to high security standards into the visa and the residence permit for third country nationals and for the VIS system. The following technical requirements seem to be necessary: - storage medium; - enrolment equipment; - verification systems; - data management.

Visa: uniform format with photograph in 2005, biometric identification

2003/0217(CNS) - 27/11/2003

The Council, pending the opinion of the European Parliament, reached a **general approach** on the two draft proposals laying down a uniform format for visas and for residence permits for third country nationals. The Council:

- § confirms that the specifications for the enrolment of biometric identifiers in the Visa Information System (VIS) will be coherent and therefore in line with the specifications laid down for biometric data in the Regulation concerning a uniform format for visas;
- § considers in agreement with the Commission that the implementation of the proposal on a uniform format for visas requires an additional legal instrument, creating the obligation and specifying the exceptions to the recording of fingerprints on the storage medium of the uniform format for visas;
- § invites the Commission to present the relevant proposal on the amendment of the Common Consular Instructions;
- § invites the Commission assisted by the Committee created under Article 6 of Regulation 1683/95 laying down a uniform format for visas to start as soon as possible with the development of the technical specifications necessary for the implementation of the measures.

The Council took note of the Commission’s intention to present a proposal for biometric identifiers in passports before the end of the year. It is recalled that the Commission had been requested to prepare these two proposals by the Thessaloniki European Council in June 2003. The main objectives of the proposals are to bring forward the final date for implementation of the photograph from 2007 to 2005 and to require Member States' harmonised integration of biometric identifiers into the visa and the residence permit for third-country nationals in order to ensure interoperability.

In October 2003, the Brussels European Council called upon the JHA Council to reach political agreement by the end of 2003 on the two proposals.

Visa: uniform format with photograph in 2005, biometric identification

2003/0217(CNS) - 27/04/2006

The Council reached political agreement on a Decision providing for an increase of the fees to be charged for the processing of visa applications from EUR 35 to EUR 60, as a consequence of the implementation of the Visa Information System and the collection of biometric data from visa applicants. The Decision will have to be formally adopted.

The Greek, Hungarian and Swedish delegations announced their intention of voting against.

This Decision will apply from 1 January 2007 at the latest. The Decision allows the fee to be waived or reduced in individual cases in accordance with national law, when this measure serves to promote cultural interests as well as interests in the field of foreign policy, development policy, other areas of vital public interest or for humanitarian reasons.

The visa fee will also be waived entirely for visa applicants belonging to one of the following categories:

- § children under 6 years;
- § school pupils, students, postgraduate students and accompanying teachers who undertake trips for the purpose of study or educational training;
- § researchers from third countries travelling within the Community for the purpose of carrying out scientific research as defined in Recommendation 2005/761/EC of the European Parliament and of the Council of 28 September 2005.

A visa fee reduction or waiver for nationals of a third country may also be the result of a visa facilitation agreement concluded between the European Community and that third country consistent with the Community's overall approach to visa facilitation agreements.

Furthermore, until 1 January 2008, this Decision will not affect the visa fees for third countries in respect of which the Council has given the Commission, by 1 January 2007, a mandate to negotiate a visa facilitation agreement.

The following statements were also agreed:

1) Statement by the Council and the Commission: The Council and Commission note that visa facilitation, that is simplification of visa issuing procedures for nationals of third countries who are under visa obligation, can provide further opportunities for promoting contacts between the EU and neighbouring countries, including by way of waiving or reducing the fees for certain categories of nationals of third countries. The Council and Commission also note that the common approach on visa facilitation provides the possibility to open, on a case by case assessment, visa facilitation negotiations with third countries, while bearing in mind the European Union's overall relationship with candidate countries, countries with a European Perspective and countries covered by the European Neighbourhood Policy as well as with strategic partners.

The Council and Commission confirm their support for the development of visa facilitation agreements with third countries in accordance with the process and considerations set down in the common approach on visa facilitation, emphasising the need to negotiate parallel agreements on readmission, with a view to the simultaneous entry into force of such agreements. The Council and Commission recall that, in the context of the promoting people to people contacts with neighbouring countries consistent with overall EU policy objectives, Member States should make use of the possibilities offered by the Schengen acquis in particular where such people to people contacts can contribute to the strengthening of civil society and democratisation in those countries. The Council and Commission also request that the impact of the new measures for this purpose is kept under review.

2) Statement by the Council: On the basis of the process and considerations laid down in the common approach on visa facilitation based on a case by case assessment of the countries concerned, and having regard to Rule II.3 of this Decision, the Council invites the Commission to bring forward recommendations for mandates for initiating negotiations on visa facilitation and readmission agreements, starting with the countries with a European Perspective as referred to in the European Council Conclusions of June 2003 and June 2005.