Basic information

2021/2913(DEA) DEA - Delegated acts procedure	Procedure completed - delegated act rejected
Determining cases where identity data may be considered as same or similar for the purpose of the multiple identity detection pursuant to Regulation (EU) 2019/817 Supplementing 2017/0351(COD) **Subject** 7.10.04 External borders crossing and controls, visas	

Key players

European Parliament	Committee responsible		Rapporteur	Appointed
	Committee responsible		**Rapporteur**	**Appointed**
	LIBE	Civil Liberties, Justice and Home Affairs		

Key events

Date	Event	Reference	Summary
29/09/2021	Non-legislative basic document published	C(2021)05056	
29/09/2021	Initial period for examining delegated act 2 month(s)		
06/10/2021	Committee referral announced in Parliament		
29/11/2021	Initial period for examining delegated act extended at Parliament's request by 2 month(s)		
19/01/2022	Results of vote in Parliament	🗐	
20/01/2022	Decision by Parliament	T9-0007/2022	Summary
20/01/2022	Results of vote in Parliament	🗐	

Technical information

Procedure reference	2021/2913(DEA)
Procedure type	DEA - Delegated acts procedure
Procedure subtype	Examination of delegated act
Amendments and repeals	Supplementing 2017/0351(COD)
Legal basis	Rules of Procedure EP 114-p03
Stage reached in procedure	Procedure completed - delegated act rejected
Committee dossier	LIBE/9/07287

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Motion for a resolution objecting delegated act		B9-0061/2022	14/01/2022	
Text adopted by Parliament, single reading		T9-0007/2022	20/01/2022	Summary
European Commission				
Document type		Reference	Date	Summary
Non-legislative basic document		C(2021)05056	29/09/2021	
Commission response to text adopted in plenary		SP(2022)255	12/05/2022	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Determining cases where identity data may be considered as same or similar for the purpose of the multiple identity detection pursuant to Regulation (EU) 2019/817

2021/2913(DEA) - 20/01/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 353 votes to 336, with 4 abstentions, a resolution **objecting** to the Commission delegated regulation of 29 September 2021 supplementing Regulation (EU) 2019/817 of the European Parliament and of the Council as regards determining cases where identity data may be considered as same or similar for the purpose of the multiple identity detection.

As a reminder, Regulation (EU) 2019/817 on establishing a framework for interoperability between EU information systems in the field of borders and visa requires the Commission to adopt delegated acts laying down the procedures for determining the cases in which identity data may be considered to be the same or similar.

The Delegated Commission Regulation provides that the cases in which identity data may be regarded as similar are listed in Annex II.

Annex II(2) of the Delegated Commission Regulation provides that:

(1) eu-LISA uses an algorithm to calculate the similarity between identity data across different data fields from the different EU information systems;

(2) the algorithm is based on previously established thresholds of similarity;

(3) in defining that algorithm, eu-LISA is assisted and advised by experts from the Commission, Member States and EU agencies using the EU information systems and interoperability components.

In support of Parliament's objection, Members argued that it is clear that the Commission's delegated regulation does not lay down the procedures to determine the cases in which identity data can be considered to be similar, but sub-delegates that power to eu-LISA and to experts from the Commission, the Member States and the Union agencies using the EU information systems and interoperability components.