



Brussels, 30.11.2018
C(2018) 7774 final

COMMISSION IMPLEMENTING DECISION

of 30.11.2018

**laying down the technical specifications regarding the standards for security features
and biometrics in passports and travel documents issued by Member States and
repealing Decisions C(2006) 2909 and C(2008) 8657**

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laying down the technical specifications regarding the standards for security features and biometrics in passports and travel documents issued by Member States and repealing Decisions C(2006) 2909 and C(2008) 8657

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States¹, and in particular points (b) and (c) of Article 2 thereof,

Whereas:

- (1) Regulation (EC) No 2252/2004 lays down only the general technical specifications for passports and travel documents which are not secret and must be supplemented by additional technical specifications which may remain secret.
- (2) Commission Decision C(2006) 2909² established the technical specifications for the implementation and the protection of the biometric data in passports issued by Member States. It has been amended by Commission Decision C(2011) 5499, introducing a higher level of protection of the biometric data and further amended by Commission Implementing Decision C(2013) 6181, introducing further updates of reference documents, but also test specifications in order to ensure interoperability among Member States.
- (3) Commission Decision C(2008) 8657³ complemented Commission Decision C(2006) 2909 by laying down a certificate policy. It has been amended by Commission Decision C(2009) 7476, in order to create a single point of contact (SPOC) in each Member State.
- (4) Due to the continuous development of the reference documents, mainly emanating from the International Civil Aviation Organisation, to which the technical specifications for passports refer, those technical specifications need to be updated to correspond to the latest technical standards.
- (5) For reasons of clarity Decision C(2006) 2909 and Decision C(2008) 8657 should be repealed.
- (6) In order to allow for the necessary testing of the Single Point of Contact ('SPOC') version 2, a transitional period of six months is necessary for the implementation of norm ČSN 36 9791 version 2.0, that is relevant in that regard.

¹ OJ, L 385, 29.12.2004, p.1.

² Commission Decision C(2006) 2909 final of 28.6.2006 laying down the technical specifications on the standards for security features and biometrics in passports and travel documents issued by Member States

³ Commission Decision C(2008) 8657 final of 22.12.2008 laying down a certificate policy as required in the technical specifications on the standards for security features and biometrics in passports and travel documents issued by Member States and updating the normative reference documents.

- (7) Given that Regulation (EC) No 2252/2004 builds upon the Schengen *acquis*, in accordance with Article 5 of the Protocol on the Position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark notified by letter of 6 June 2005 the transposition of that *acquis* into its national law. It is therefore bound under international law to implement this Decision.
- (8) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC⁴; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (9) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC⁵; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (10) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*⁶, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC⁷.
- (11) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁸, which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC⁹.
- (12) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*¹⁰, which fall within the area referred to in Article

⁴ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

⁵ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

⁶ OJ L 176, 10.7.1999, p. 36.

⁷ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁸ OJ L 53, 27.2.2008, p. 52.

⁹ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

¹⁰ OJ L 160, 18.6.2011, p. 21.

1, point B of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2011/350/EU¹¹.

- (13) The measures provided for in this Decision are in accordance with the opinion of the Committee set up by Article 6 of Council Regulation (EC) 1683/95¹²,

HAS ADOPTED THIS DECISION:

Article 1

The technical specifications regarding the standards for security features and biometrics in passports and travel documents issued by Member States which supplement those laid down by Regulation (EC) 2252/2004 shall be those set out in the Annex to this Decision.

Article 2

The norm ČSN 36 9791 version 2.0, referred to in the Common Certificate policy, reference number [13] in the Annex, shall be implemented at the latest six months after the notification of this Decision.

Article 3

Decisions C(2006) 2909 final and C(2008) 8657 final are repealed.

¹¹ Council Decision of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p.19).

¹² Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164, 14.7.1995, p. 1).

Article 4

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Croatia, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden.

Done at Brussels, 30.11.2018

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

