Council of the European Union

Interinstitutional File:
2016/0132 (COD)

NOTE

From:	Presidency
To:	Delegations
No. prev. doc.:	15119/16 ASILE 86 EURODAC 23 ENFOPOL 448 CODEC 1801
No. Cion doc.:	8765/16 REV 1 ASILE 13 EURODAC 3 ENFOPOL 132 CODEC 630
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of [Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person] , for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast)
	- Possible inclusion of colour copies of passport or ID documents in Eurodac

During the discussion on the draft Eurodac Regulation under the Slovak Presidency, certain Member States requested the inclusion in the Eurodac database of coloured copies of travel or identity documents, if available, in order to facilitate the identification of third country nationals during the return process. Due to the additional costs that this would have on the Central System, an impact assessment was requested from eu-LISA and the issue was therefore, not part of the Partial General Approach.

On 26 January 2017, eu-LISA organised a technical workshop with the Eurodac Advisory Group in order to gather more detailed input from the Member States on the associated business need, use cases and other constraints.

In March 2017, eu-LISA finalised its Impact Assessment on the Inclusion of Passport Copies (and other scanned documents) to Eurodac. In view of this Assessment, delegations are encouraged to:

I.   Consider whether coloured copies of passports or ID documents should be included in Eurodac

–   Capacity

The inclusion of coloured copies of passports or ID documents has an impact on the capacity of the database. With today's traffic, the current Eurodac capacity of 7 million records will be enough to sustain the volume of transaction if coloured copies or ID documents are included, without considering the additions foreseen in the Proposal. On the other hand, if all proposed changes in the Eurodac Proposal are applied in parallel with the addition of coloured copies or ID documents, the system should be sized closer to 13 million records to be able to sustain the traffic of the next 5 years. Moreover, it is pertinent to note that this Assessment does not take into account the possible inputting of data on admitted persons.[1]

–   Cost

The Assessment has indicated an implementation effort cost of 118,993.50Euro. This only covers 3M's[2] effort and does not include FAT or PPE testing[3]. The pure implementation effort to develop the core functionality is estimated to 118 man days.

With regard to the hardware storage cost, eu-LISA has differentiated between the different types of compressions. Depending on the type of compressions used, the cost would be affected, namely the lower the compression which would result in more storage being used, the higher the cost.

---

[1]   The request to eu-LISA to prepare an Assessment on the inclusion of colour copies in EURODAC was done towards the end of 2016, before the Maltese Presidency decided to put forward the proposal to include data on resettled persons in EURODAC. In view of this, eu-LISA could not factor in this scenario in the Assessment.

[2]   3M is a member of the EURODAC Consortium responsible for the delivery of the core EURODAC functionalities and biometric matching mechanism.

[3]   FAT – Factory Acceptance Tests; PPE – Pre-Production Tests in eu-LISA premises.

The overall cost is likely to be between 300,000Euro and 500,000Euro[4] depending on the exact volume of transactions and file size.[5]

– Member States need to consider the impact that the inclusion of such colour copies would have on their national databases, in terms of financial and IT resources, which is not covered by the Assessment.

Should it be clear from the Counsellors meeting, that the majority of the Member States would like to have colour copies in EURODAC, the discussion can proceed as follows:

II. Consider whether the documents to be included in Eurodac should be:

(i) Passports and/or ID documents,

   OR

(ii) Passports and/or ID documents <u>and</u> additional documents. Delegations are invited to give a justification as to why additional documents should populate the database.

During the Counsellors meeting, some delegations called for the inclusion of coloured copies of travel or identity documents. However, during the workshop a number of Member States called for the possibility to store additional documents – apart from passports and ID documents – including marriage certificates, family books, etc.

---

[4] This does not include the cost of a number of items/horizontal services, as Network link upgrade costs, testing in factory and pre-production environments and other horizontal activities as project management services, reporting, trainings, documentation etc. Due to these horizontal services, the additional costs could lead to an increase of 35-40% (leading to a total cost of 420,000-700,000Euro), however, assuming that the development will be done in parallel with other EURODAC updates, these additional costs will be partially covered and 'shared' between updates.

[5] The Assessment identified 3 types of file size/compressions.

While the aim to have passports or ID documents is to facilitate return purposes, the inclusion of additional documents could serve other purposes, namely should the third-country national not have a passport and/or ID document, but would be in possession of other documents, the latter would be able to be inserted in Eurodac. The delegations are invited to provide clear justifications as to why additional documents should populate the database. The input of additional documents beyond passports or ID documents would have a substantial impact on the capacity of the database and the costs of maintaining and running the database. Should Member States decide to go for option (ii), a maximum number of documents per person that can be uploaded in the system would need to be set.

III. Consider whether the validation of the documents put in Eurodac should be:

(i) Carried out prior to uploading in Eurodac;

OR

(ii) Done at a later stage, i.e. the scanned document is uploaded immediately and validated at a later stage.

To ensure that Eurodac is populated with documents that are authentic with a view to helping the Member States with their return procedures, these documents should be validated. Authenticating a document is time consuming especially if a Member State is faced with many individuals who need to be registered in Eurodac. In view of this, it might be opportune to consider that the documents are either uploaded in the system immediately and then authenticated at a later stage, or else, to avoid unnecessary traffic and limit storage capacity, are uploaded in the system only once they are verified as authentic. The authentication of the document or otherwise would be marked in the file of the individual so that it could be seen by the other Member States.

IV. Consider whether to allow for comments to be included when uploading documents

Member States may wish to consider allowing for the inclusion of comments when uploading documents, akin to a small description.

V. Consider whether the uploading of the documents in Eurodac could be done retrospectively

Member States might have stored in their national database scanned documents of individual files. In this case, Member States may wish to consider allowing for these scanned documents to be uploaded in Eurodac retrospectively.

VI. Other issues

Resolution/quality of scanned documents – In the Assessment, eu-LISA makes the general assumption that most coloured document scans (of a passport or an identity document card size) will be taken using dedicated document scanners at an industry standard resolution of 400ppi. Being that at the Workshop of 26 January 2017, Member States indicated that 200ppi would be sufficient for larger documents, this is enough to allow visual checking of the document. Therefore, a range between 200ppi-400ppi will support the requested functionalities.

_____