P8_TA(2019)0027

EU Emergency Travel Document *


(Special legislative procedure – consultation)

The European Parliament,

– having regard to the Commission proposal to the Council (COM(2018)0358),
– having regard to Article 23(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0386/2018),
– having regard to Rule 78c of its Rules of Procedure,
– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0433/2018),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, in accordance with Article 293(2) of the Treaty on the Functioning of the European Union;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to substantially amend the Commission proposal;
5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.
Amendment 1
Proposal for a directive
Recital 19

Text proposed by the Commission

(19) In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making, the Commission should evaluate this Directive, in particular on the basis of information collected through specific monitoring arrangements, in order to assess the effects of the Directive and the need for any further action.

Amendment

(19) In accordance with paragraphs 22 and 23 of the Interinstitutional Agreement on Better Law-Making, the Commission should evaluate this Directive, in particular on the basis of information collected through specific monitoring arrangements, in order to assess the effects of the Directive, including its impact on fundamental rights, and the need for any further action. The evaluation should be made available to the European Parliament, the European Data Protection Supervisor and the Fundamental Rights Agency.


Amendment 5
Proposal for a directive
Recital 20

Text proposed by the Commission

(20) Regulation (EU) 2016/679 of the European Parliament and of the Council applies to the processing of personal data carried out by Member States when implementing this Directive. The EU ETD system requires the processing of the personal data necessary for the purpose of verifying the identity of the applicant, printing the EU ETD sticker and facilitating travel of the data subject concerned. It is necessary to further specify safeguards applicable to the personal data.

Amendment

(20) Regulation (EU) 2016/679 of the European Parliament and of the Council applies to the processing of personal data carried out by Member States when implementing this Directive. The EU ETD system requires the processing of the personal data necessary for the purpose of verifying the identity of the applicant, printing the EU ETD sticker and facilitating travel of the data subject concerned. It is necessary to further specify safeguards applicable to the personal data.
processed, such as the maximum retention period of personal data collected. A maximum retention period of three years is necessary to prevent possible abuses. The erasure of personal data of applicants should not affect Member States’ abilities to monitor the application of this Directive.


Amendment 2

Proposal for a directive
Article 4 – paragraph 3

3. Within 36 hours after receipt of the information referred to in paragraph 2, the Member State of nationality shall respond to the consultation in accordance with Article 10(3) of Directive (EU) 2015/637 and shall confirm whether the applicant is its national. Upon confirmation of the applicant’s nationality, the assisting Member State shall provide the applicant with the EU ETD on the working day following that on which the response from the Member State of nationality is received at the latest.

Amendment 3

Proposal for a directive
Article 4 – paragraph 4

3. Within 24 hours after receipt of the information referred to in paragraph 2, the Member State of nationality shall respond to the consultation in accordance with Article 10(3) of Directive (EU) 2015/637 and shall confirm whether the applicant is its national. Upon confirmation of the applicant’s nationality, the assisting Member State shall provide the applicant with the EU ETD on the working day following that on which the response from the Member State of nationality is received at the latest.
4. In duly justified exceptional cases, the Member States may take longer than the time-limits laid down in paragraphs 1 and 3.

Amendment 6
Proposal for a directive
Article 9 – paragraph 1 – point b

Text proposed by the Commission
(b) additional security features and requirements including enhanced anti-forgery, counterfeiting and falsification standards;

Amendment
(b) additional non-biometric security features and requirements including enhanced anti-forgery, counterfeiting and falsification standards;

Amendment 7
Proposal for a directive
Article 13 – paragraph 4

Text proposed by the Commission
4. The assisting Member State and the Member State of nationality shall retain the personal data of an applicant for no longer than three years. Upon expiry of the retention period, the personal data of an applicant shall be erased.

Amendment
4. The assisting Member State and the Member State of nationality shall retain the personal data of an applicant for no longer than 90 days after the end of the validity of the EU ETD issued. Upon expiry of the retention period, the personal data of an applicant shall be erased. Anonymised data may be kept if necessary for the monitoring and evaluation of this Regulation.

Amendment 4
Proposal for a directive
Article 15 – paragraph 1
1. No sooner than **five** years after the date of transposition of this Directive, the Commission shall carry out an evaluation of this Directive and present a report on the main findings to the European Parliament and the Council, including on the appropriateness of the level of security of personal data.

**Amendment**

1. No sooner than **three** years after the date of transposition of this Directive, the Commission shall carry out an evaluation of this Directive and present a report on the main findings to the European Parliament and the Council, including on the appropriateness of the level of security of personal data *and the possible impact on fundamental rights.*