



27.3.2023

# COMPROMISE AMENDMENTS

Amending Regulation (EU) 2019/816 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and Regulation (EU) 2019/818 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816 for the purpose of introducing a screening of third country nationals at the external borders

Proposal for a regulation  
(COM(2021)0096 – C9-0088/2021 – 2021/0046(COD))

Rapporteur: Birgit Sippel

## Compromise amendment 1

Compromise amendment replacing Amendment(s): 9 (Strik)

### Proposal for a regulation

#### Recital 1

*Text proposed by the Commission*

(1) Regulation (EU) .../... [Regulation on Screening]<sup>15</sup> provides for identity, security **and** health checks of third country nationals who **are at the external border** without fulfilling the entry conditions **or who are apprehended within the territory, and where there are no indications that they have been subject to controls at external borders. Regulation (EU) .../... [Regulation on Screening]<sup>16</sup> addresses the challenges of managing mixed flows of migrants and creates uniform rules allowing for a quick identification of third country nationals and referral to the applicable procedures.**

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<sup>15</sup> Regulation (EU) .../...of the European Parliament and of the Council introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817, OJ [...]

<sup>16</sup> Op. cit. 15.

*Amendment*

(1) Regulation (EU) .../... [Regulation on Screening]<sup>15</sup> provides for identity, security, health **and vulnerability** checks of third country nationals who **have crossed** the external border **irregularly, those who have applied for international protection at external border crossing points or in transit zones** without fulfilling the entry conditions **and those who have been disembarked following a search and rescue operation.**

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<sup>15</sup> Regulation (EU) .../...of the European Parliament and of the Council introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817, OJ [...]

**deleted**

Or. en

## Compromise amendment 2

Compromise amendment replacing Amendment(s): 2 (Sippel), 10 (Strik)

### Proposal for a regulation

#### Recital 2

*Text proposed by the Commission*

(2) The Regulation (EU) .../... [Regulation on Screening]<sup>17</sup> provides that

*Amendment*

(2) The Regulation (EU) .../... [Regulation on Screening]<sup>17</sup> provides that **a**

*verifications* for security purposes in the framework of the screening should be carried out against *the same systems as for applicants for visas or for travel authorisations under the European Travel Information and Authorisation System. In particular, Regulation (EU) .../... [Regulation on Screening]*<sup>18</sup> provides that *the personal data of the persons submitted to the screening should be checked against Europol data, Interpol Stolen and Lost Travel Documents database (SLTD) and Interpol Travel Documents Associated with Notices database (TDAWN), as well as the European Criminal Records Information System for third country nationals (ECRIS-TCN) as regards persons convicted in relation to terrorist offences and other forms of serious criminal offences.*

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<sup>17</sup> Op. cit. 15.

<sup>18</sup> Op. cit. 15.

*verification* for security purposes in the framework of the screening should be carried out against the European Criminal Records Information System for third country nationals (ECRIS-TCN) as regards persons convicted in relation to terrorist offences and other forms of serious criminal offences.

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<sup>17</sup> Op. cit. 15.

<sup>18</sup> Op. cit. 15.

Or. en

### Compromise amendment 3

Compromise amendment replacing Amendment(s): 3 (Sippel), 11 (Strik), 12 (Oetjen, in 't Veld, Körner, Šimečka, Vautmans, Azmani, Tudorache)

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

(3) Access to the ECRIS-TCN is necessary for the authorities designated to carry out the screening provided for in Regulation (EU) .../... [Regulation on Screening]<sup>19</sup> in order to establish whether a person could pose a threat to internal security *or to public policy*.

*Amendment*

(3) **Limited access** to the ECRIS-TCN is necessary for the authorities designated to carry out the screening provided for in Regulation (EU) .../... [Regulation on Screening]<sup>19</sup> in order to establish whether a person could pose a threat to internal security.

#### Compromise amendment 4

Compromise amendment replacing Amendment(s): 4 (Sippel), 13 (Strik)

#### Proposal for a regulation

##### Recital 4

###### *Text proposed by the Commission*

(4) Regulation (EU) .../... [Regulation on Screening]<sup>20</sup>, which constitutes a development of the Schengen acquis regarding borders, amends Regulations (EC) No 767/2008<sup>21</sup>, (EU) 2017/2226<sup>22</sup>, (EU) 2018/1240<sup>23</sup> and (EU) 2019/817<sup>24</sup>, which likewise constitute developments of the Schengen acquis regarding borders, to grant **access rights** for the purposes of the screening **to** the data contained in the Visa Information System (VIS), to the Entry-Exit System (EES) and to European Travel Information and Authorisation System (ETIAS) respectively. However, the parallel amendment of Regulation (EU) No 2019/816 to grant **access rights** for the purposes of the screening **to** ECRIS-TCN could not be part of the same regulation for reasons of variable geometry, as the regulation establishing ECRIS-TCN does not constitute a development of the Schengen acquis. Regulation 2019/816 should therefore be amended by a distinct legal instrument.

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<sup>20</sup> Op. cit. 15.

<sup>21</sup> Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) OJ L

###### *Amendment*

(4) Regulation (EU) .../... [Regulation on Screening]<sup>20</sup>, which constitutes a development of the Schengen acquis regarding borders, amends Regulations (EC) No 767/2008<sup>21</sup>, (EU) 2017/2226<sup>22</sup>, (EU) 2018/1240<sup>23</sup> and (EU) 2019/817<sup>24</sup>, which likewise constitute developments of the Schengen acquis regarding borders, to grant **a right to consult**, for the purposes of the screening, the data contained in the Visa Information System (VIS), to the Entry-Exit System (EES) and to European Travel Information and Authorisation System (ETIAS) respectively. However, the parallel amendment of Regulation (EU) No 2019/816 to grant **a right to consult**, for the purposes of the screening, **the data contained in** ECRIS-TCN could not be part of the same regulation for reasons of variable geometry, as the regulation establishing ECRIS-TCN does not constitute a development of the Schengen acquis. Regulation 2019/816 should therefore be amended by a distinct legal instrument.

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<sup>20</sup> Op. cit. 15.

<sup>21</sup> Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) OJ L

218, 13.8.2008, p. 60–81.

<sup>22</sup> Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, OJ L 327, 9.12.2017, p. 20.

<sup>23</sup> Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1).

<sup>24</sup> Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA, OJ L 135, 22.5.2019, p. 27.

218, 13.8.2008, p. 60–81.

<sup>22</sup> Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, OJ L 327, 9.12.2017, p. 20.

<sup>23</sup> Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1).

<sup>24</sup> Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA, OJ L 135, 22.5.2019, p. 27.

Or. en

## Compromise amendment 5

Compromise amendment replacing Amendment(s): 5 (Sippel), 14 (Strik)

### Proposal for a regulation

#### Recital 5

*Text proposed by the Commission*

(5) Since the objective of this

*Amendment*

(5) Since the objective of this

Regulation, namely to enable *access to the* ECRIS-TCN for the purposes of the security checks established by Regulation (EU) .../... [Regulation on Screening]<sup>25</sup>, which in turn aims at *the strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures*, cannot be sufficiently achieved by the Member States, but can only be achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.

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<sup>25</sup> Op. cit. 15.

Regulation, namely to enable *a consultation of* ECRIS-TCN for the purposes of the security checks established by Regulation (EU) .../... [Regulation on Screening]<sup>25</sup>, which in turn aims at *strengthening of the border checks at the external borders, the verification of identity or identification of all third-country nationals subject to it and the verification against the relevant databases whether the persons might pose a threat to internal security*, cannot be sufficiently achieved by the Member States, but can only be achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.

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<sup>25</sup> Op. cit. 15.

Or. en

## Compromise amendment 6

Compromise amendment replacing Amendment(s): 6 (Sippel), 16-17 (Strik), 19-20 (Strik), 23 (Strik), 25 (Oetjen, in 't Veld, Körner, Šimečka, Vautmans, Azmani, Tudorache), 26 (Strik), 27 (Oetjen, in 't Veld, Körner, Šimečka, Vautmans, Azmani, Tudorache), 28 (Strik)

### Proposal for a regulation

#### Article 1

Regulation (EU) 2019/816

Articles 1, 2, 3, 5, 7, 7a, 24

#### *Text proposed by the Commission*

Amendments to Regulation (EU) 2019/816

Regulation (EU) 2019/816 is amended as follows:

1. In Article 1, the following point (e) is added:

#### *Amendment*

Amendments to Regulation (EU) 2019/816

Regulation (EU) 2019/816 is amended as follows:

1. In Article 1, the following point (f) is added:

‘  
(e) the conditions under which ECRIS-TCN shall be used *by the competent authorities* in order to perform a security check in accordance with Regulation (EU) .../...<sup>28</sup> [Regulation on Screening]\*.’

2. Article 2 is replaced by the following:

‘  
This Regulation applies to the processing of identity information of third-country nationals who have been subject to convictions in the Member States for the purpose of identifying the Member States where such convictions were handed down [as well as for the purposes of border management]<sup>29</sup> . With the exception of point (b)(ii) of Article 5(1), the provisions of this Regulation that apply to third-country nationals also apply to citizens of the Union who also hold the nationality of a third country and who have been subject to convictions in the Member States.

This Regulation also:

(a) facilitates and assists in the correct identification of persons in accordance with this Regulation and with Regulation (EU) 2019/818;

(b) supports the objectives of Regulation (EU) .../... [Regulation on Screening] as regards the carrying out of the security checks.’

3. In Article 3, point 6 is replaced by the following:

‘(6) ‘competent authorities’ means the central authorities and Eurojust, Europol, the EPPO [, the ETIAS Central Unit established within the European Border and Coast Guard Agency]<sup>30</sup> and the

‘  
(f) the conditions under which ECRIS-TCN shall be used in order to perform a security check in accordance with *Articles 11 and 12 of* Regulation (EU) .../...<sup>28</sup> [Regulation on Screening]\*.’

2. Article 2 is replaced by the following:

‘  
This Regulation applies to the processing of identity information of third-country nationals who have been subject to convictions in the Member States for the purpose of identifying the Member States where such convictions were handed down [as well as for the purposes of border management]<sup>29</sup> . With the exception of point (b)(ii) of Article 5(1), the provisions of this Regulation that apply to third-country nationals also apply to citizens of the Union who also hold the nationality of a third country and who have been subject to convictions in the Member States.

This Regulation also:

□

(c) facilitates and assists in the correct identification of persons in accordance with this Regulation and with Regulation (EU) 2019/818;

(d) supports the objectives of Regulation (EU) .../... [Regulation on Screening] as regards the carrying out of the security checks *provided for in Articles 11 and 12 of that regulation.*’

3. In Article 3, point 6 is replaced by the following:

‘(6) ‘competent authorities’ means the central authorities and Eurojust, Europol, the EPPO [, the ETIAS Central Unit established within the European Border and Coast Guard Agency]<sup>30</sup> and the

authorities referred to in Article 6(7) subparagraph 1 of Regulation (EU) .../... [Regulation on Screening], which are competent to access or query ECRIS-TCN in accordance with this Regulation;

4. Article 5 is amended as follows:

(a) in paragraph 1, the following point is added:

‘

(c) a flag indicating, for the purpose of [Regulation (EU) 2018/1240 and of Article 11 and 12 of Regulation (EU) .../... [Regulation on Screening], that the third-country national concerned has been convicted *for* a terrorist offence or any other criminal offence listed in the annex to Regulation (EU) 2018/1240 if they are punishable under national law by a custodial sentence or a detention order for a maximum period of at least three years, and in those cases the code of the convicting Member State(s).’;

(b) the following paragraph 7 is added after paragraph 6:

‘

7. ***Where hits are identified following the security checks referred to in Articles 11 and 12 of Regulation (EU) .../... [Regulation on Screening] flags and the code(s) of convicting Member State(s) as referred to in point (c) of paragraph 1 of this article shall be accessible and searchable only, respectively, by the competent authorities referred to in Article 6(7) of Regulation (EU) .../... [Regulation on Screening] for the purpose of that Regulation.***

5. In Article 7, paragraph 7 is replaced by the following:

‘

7. In the event of a hit, the central system shall automatically provide the

authorities referred to in Article 6(7) subparagraph 1 of Regulation (EU) .../... [Regulation on Screening], which are competent to access or query ECRIS-TCN in accordance with this Regulation;

4. Article 5 is amended as follows:

(a) in paragraph 1, the following point is added:

‘

(c) a flag indicating, for the purpose of [Regulation (EU) 2018/1240 and of Article 11 and 12 of Regulation (EU) .../... [Regulation on Screening], that the third-country national concerned has been convicted [in the previous 25 years of] a terrorist offence or [in the previous 15 years of] any other criminal offence listed in the annex to Regulation (EU) 2018/1240 if they are punishable under national law by a custodial sentence or a detention order for a maximum period of at least three years, and in those cases the code of the convicting Member State(s).’;

(b) the following paragraph 7 is added after paragraph 6:

‘

7. ***For the purpose of the security checks referred to in Articles 11 and 12 of Regulation (EU) .../... [Regulation on Screening] only data records to which a flag has been added in accordance with point (c) of paragraph 1 of this article shall be searchable.***

***deleted***

‘

***deleted***



competent authority with information on the Member States holding criminal records information on the third country national, along with the associated reference numbers referred to in Article 5(1) and any corresponding identity information. Such identity information shall only be used for the purpose of verifying the identity of the third country national concerned. The result of a search in the central system may only be used for the purposes of:

- (a) making a request according to Article 6 of Framework Decision 2009/315/JHA;
- (b) making a request referred to in Article 17(3) of this Regulation;
- (c) [border management]<sup>31</sup> ;
- (d) assessing whether a third country national subject to screening checks would pose a threat to public policy or public security, in accordance with Regulation (EU) .../... [Regulation on Screening].

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*deleted*

*deleted*

*deleted*

**5 a. In Article 7, a new paragraph 7a is inserted after paragraph 7:**

***'Following a search launched by the authorities referred to in Article 6(7) of Regulation (EU) .../... [Regulation on Screening], the central system shall inform the competent authority of a hit and shall automatically notify the central authority of the Member State holding criminal records information on the third country national concerned of a request for an opinion on whether the presence of that person on the territory of the Member States would pose a threat to internal security as referred to in Article 11 of that regulation. The result of a search in the central system shall only be used for the purposes of assessing whether the third country national subject to the screening might pose a threat to internal security in accordance with Articles 11 and 12 of***

6. The following Article 7a is inserted after Article 7:

‘

Article 7a

Use of ECRIS-TCN for the purposes of the Screening

*‘The competent authorities referred to in Article 6(7) of Regulation (EU) .../... [Regulation on Screening] shall have the right to access and search the European Criminal Records Information System for third country nationals (ECRIS-TCN) database using the European Search Portal provided for in Article 6 of Regulation (EU) 2019/818, for the purpose of performing the tasks conferred upon them by Article 11 of Regulation (EU) .../... [Regulation on Screening].*

*For the purpose of the security check referred to in Article 11 of Regulation (EU) .../... [Regulation on Screening], the competent authorities referred to in the first subparagraph shall only have access to data records in the CIR to which a flag has been added in accordance with Article 5(1)(c) of this Regulation.*

*The consultation of national criminal records based on the flagged ECRIS-TCN data shall take place in accordance with national law and using national channels. The relevant national authorities shall provide an opinion to the competent authorities referred to in Article 6(7) of Regulation (EU) .../... [Regulation on Screening] within two days where the screening takes place on the territory of the Member States or within four days where the screening takes place at external borders. The absence of opinion within these deadlines shall mean that there are no security grounds to be taken into account.’*

*Regulation (EU) .../... [Regulation on Screening].’*

6. The following Article 7a is inserted after Article 7:

‘

Article 7a

Use of ECRIS-TCN for the purposes of the Screening

*deleted*

*deleted*

*In the cases referred to in Article 7, paragraph 7a, the central authority of the Member State holding criminal records information on the third country national subject to the screening shall provide an opinion to the competent authorities within four days. The absence of opinion within four days shall mean that there are no security grounds to be taken into account.*

7. In Article 24, paragraph 1 is replaced by the following:

1. The data entered into the central system and the CIR shall only be processed for the purposes of:

- (a) the identification of the Member States holding the criminal records information of third-country nationals
- (b) [border management]<sup>32</sup> or
- (c) screening pursuant to **Article 11** of Regulation (EU) .../... [Regulation on Screening].<sup>28</sup>

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<sup>28</sup> OJ ...

<sup>29</sup> COM/2019/3 final.

<sup>30</sup> Op. cit. 29.

<sup>31</sup> **Op. cit. 29.**

<sup>32</sup> Op. cit. 29.

7. In Article 24, paragraph 1, **subparagraph 1** is replaced by the following:

1. The data entered into the central system and the CIR shall only be processed for the purposes of:

- (a) the identification of the Member States holding the criminal records information of third-country nationals
- (b) [border management]<sup>32</sup> or
- (c) screening pursuant to **Articles 11 and 12** of Regulation (EU) .../... [Regulation on Screening].<sup>28</sup>

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<sup>28</sup> OJ ...

<sup>29</sup> COM/2019/3 final.

<sup>30</sup> Op. cit. 29.

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<sup>32</sup> Op. cit. 29.

Or. en

## Compromise amendment 7

Compromise amendment replacing Amendment(s): 30 (Strik), 31 (Oetjen, in 't Veld, Körner, Šimečka, Vautmans, Azmani, Tudorache)

### Proposal for a regulation

#### Article 2

Regulation (EU) 2019/818

Articles 7, 17, 18, 20a, 24

#### *Text proposed by the Commission*

Amendments to Regulation (EU) 2019/818

Regulation (EU) 2019/818 is amended as follows:

1. In Article 7, paragraph 2 is replaced by the following:

#### *Amendment*

Amendments to Regulation (EU) 2019/818

Regulation (EU) 2019/818 is amended as follows:

1. In Article 7, paragraph 2 is replaced by the following:

‘

(2) The Member State authorities and Union agencies referred to in paragraph 1 shall use the ESP to search data related to persons or their travel documents in the central systems of Eurodac and ECRIS-TCN in accordance with their access rights as referred to in the legal instruments governing those EU information systems and in national law. They shall also use the ESP to query the CIR in accordance with their access rights under this Regulation for the purposes referred to in Articles 20, 20a, 21 and 22.

2. Article 17 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘

A common identity repository (CIR), creating an individual file for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN containing the data referred to in Article 18, is established for the purpose of facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in accordance with Articles 20 and 20a of this Regulation, of supporting the functioning of the MID in accordance with Article 21 and of facilitating and streamlining access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac, where necessary for the prevention, detection or investigation of terrorist offences or other serious criminal offences in accordance with Article 22.

(b) paragraph 4 is replaced by the following:

‘

Where it is technically impossible because of a failure of the CIR to query the CIR for the purposes of identifying a person

‘

(2) The Member State authorities and Union agencies referred to in paragraph 1 shall use the ESP to search data related to persons or their travel documents in the central systems of Eurodac and ECRIS-TCN in accordance with their access rights as referred to in the legal instruments governing those EU information systems and in national law. They shall also use the ESP to query the CIR in accordance with their access rights under this Regulation for the purposes referred to in Articles 20, 20a, 21 and 22.

2. Article 17 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘

A common identity repository (CIR), creating an individual file for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN containing the data referred to in Article 18, is established for the purpose of facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in accordance with Articles 20 and 20a of this Regulation, of supporting the functioning of the MID in accordance with Article 21 and of facilitating and streamlining access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac, where necessary for the prevention, detection or investigation of terrorist offences or other serious criminal offences in accordance with Article 22.

(b) paragraph 4 is replaced by the following:

‘

Where it is technically impossible because of a failure of the CIR to query the CIR for the purposes of identifying a person

pursuant to Article 20 or of verifying or establishing the identity of a person pursuant to Article 20a of this Regulation, for the detection of multiple identities pursuant to Article 21 or for the purposes of preventing, detecting or investigating terrorist offences or other serious criminal offences pursuant to Article 22, the CIR users shall be notified by eu-LISA in an automated manner.

3. In Article 18, paragraph 3 is replaced by the following:

‘

(3) The authorities accessing the CIR shall do so in accordance with their access rights under the legal instruments governing the EU information systems, and under national law and in accordance with their access rights under this Regulation for the purposes referred to in Articles 20, 20a, 21 and 22.

4. The following Article 20a is inserted after Article 20:

‘

#### Article 20a

Access to the common identity repository for identification according to Regulation (EU) .../... [Regulation on Screening]

1. Queries of the CIR shall be carried out by the designated competent authority as referred to in Article 6(7) of Regulation (EU) .../... [Regulation on Screening], solely for the purpose of **verifying or establishing the** identity of a person according to Article 10 of that Regulation, provided that the procedure was initiated in the presence of that person.

2. Where the query indicates that data on that person are stored in the CIR, the competent authority referred to in paragraph 1 shall have access to consult the data referred to in Article 18(1) of this Regulation.

pursuant to Article 20 or of verifying or establishing the identity of a person pursuant to Article 20a of this Regulation, for the detection of multiple identities pursuant to Article 21 or for the purposes of preventing, detecting or investigating terrorist offences or other serious criminal offences pursuant to Article 22, the CIR users shall be notified by eu-LISA in an automated manner.

3. In Article 18, paragraph 3 is replaced by the following:

‘

(3) The authorities accessing the CIR shall do so in accordance with their access rights under the legal instruments governing the EU information systems, and under national law and in accordance with their access rights under this Regulation for the purposes referred to in Articles 20, 20a, 21 and 22.

4. The following Article 20a is inserted after Article 20:

‘

#### Article 20a

Access to the common identity repository for identification according to Regulation (EU) .../... [Regulation on Screening]

1. Queries of the CIR shall be carried out by the designated competent authority as referred to in Article 6(7) of Regulation (EU) .../... [Regulation on Screening], solely for the purpose of **verification of identity or identification** of a person according to Article 10 of that Regulation, provided that the procedure was initiated in the presence of that person.

2. Where the query indicates that data on that person are stored in the CIR, the competent authority referred to in paragraph 1 shall have access to consult the data referred to in Article 18(1) of this Regulation.

5. Article 24 is amended as follow:

(a) paragraph 1 is replaced by the following:

‘

1. Without prejudice to Article 29 of Regulation (EU) 2019/816, eu-LISA shall keep logs of all data processing operations in the CIR in accordance with paragraphs 2, 2a, 3 and 4 of this Article.

(b) the following paragraph 2a is inserted after paragraph 2:

‘

2a. eu-LISA shall keep logs of all data processing operations pursuant to Article 20a in the CIR. Those logs shall include the following elements:

(a) the Member State launching the query;

(b) the purpose of access of the user querying via the CIR;

(c) the date and time of the query;

(d) the type of data used to launch the query;

(e) the results of the query.

(c) in paragraph 5, the first subparagraph is replaced by the following:

‘

(5) Each Member State shall keep logs of queries that its authorities and the staff of those authorities duly authorised to use the CIR make pursuant to Articles 20, 20a, 21 and 22. Each Union agency shall keep logs of queries that its duly authorised staff make pursuant to Articles 21 and 22.

5. Article 24 is amended as follow:

(a) paragraph 1 is replaced by the following:

‘

1. Without prejudice to Article 29 of Regulation (EU) 2019/816, eu-LISA shall keep logs of all data processing operations in the CIR in accordance with paragraphs 2, 2a, 3 and 4 of this Article.

(b) the following paragraph 2a is inserted after paragraph 2:

‘

2a. eu-LISA shall keep logs of all data processing operations pursuant to Article 20a in the CIR. Those logs shall include the following elements:

(a) the Member State launching the query;

(b) the purpose of access of the user querying via the CIR;

(c) the date and time of the query;

(d) the type of data used to launch the query;

(e) the results of the query.

(c) in paragraph 5, the first subparagraph is replaced by the following:

‘

(5) Each Member State shall keep logs of queries that its authorities and the staff of those authorities duly authorised to use the CIR make pursuant to Articles 20, 20a, 21 and 22. Each Union agency shall keep logs of queries that its duly authorised staff make pursuant to Articles 21 and 22.

Or. en