



2018/0104(COD)

3.10.2018

POSITION IN THE FORM OF AMENDMENTS

of the Committee on Women's Rights and Gender Equality

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council
on strengthening the security of identity cards of Union citizens and of
residence documents issued to Union citizens and their family members
exercising their right of free movement
(COM(2018)0212 – C8-0153/2018 – 2018/0104(COD))

On behalf of the Committee on Women's Rights and Gender Equality:
Angelika Mlinar (rapporteur)

PA_LegPosition

AMENDMENT

The Committee on Women's Rights and Gender Equality presents the following amendment to the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible:

Amendment 1

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13 a) The ID-1 format for national identity cards and for residence cards to family members of Union citizens who are not nationals of a Member State includes the category of 'sex' with the options of <F>, <M> or <X> according to ICAO guidelines.

Amendment 2

Proposal for a regulation Recital 23

Text proposed by the Commission

Amendment

(23) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union including the respect for private and family life, the right to the protection of personal data, the right to free movement and the right to an effective remedy.

(23) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union including the respect for ***human dignity, the right to the integrity of the person, the prohibition of inhuman or degrading treatment, the right to equality before the law, non-discrimination, the rights of the child and the elderly, gender equality***, private and family life, the right to the protection of personal data, the right to free movement and the right to an effective remedy.

Amendment 3

Proposal for a regulation Article 3 – paragraph 3 a (new)

(3 a) Sex shall be a mandatory category with options of <F>, <M> or <X> in national identity cards to Union citizens. Member States shall determine who is eligible for options of <F>, <M> or <X> with full respect for the principles of the Charter of Fundamental Rights of the European Union and guidelines set out in the ICAO Document 9303 (seventh edition, 2015).

Amendment 4

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

Amendment

(1) The biometric identifiers shall be collected by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards.

(1) The biometric identifiers shall be collected by qualified and duly authorised staff designated by the national authorities responsible for issuing identity cards, **taking into account any gender specificities.**

Amendment 5

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

Amendment

(2) **Where difficulties are encountered in the collection of biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned.**

deleted

Justification

moved to chapter five

Amendment 6

Proposal for a regulation

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2 a) The biometric identifiers shall be undertaken in a child-sensitive and in a gender-sensitive manner with respect for principles set out in the Charter of Fundamental Rights of the European Union, the UN Convention on the Rights of the Child and the UN Convention on the Elimination of All Forms of Discrimination against Women.

Amendment 7

Proposal for a regulation

Article 6 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(g a) sex.

Amendment 8

Proposal for a regulation

Article 10 a (new)

Text proposed by the Commission

Amendment

Article 10 a

Where difficulties are encountered in the collection of biometric identifiers, Member States shall ensure that appropriate procedures are in place to guarantee the dignity of the person concerned

Amendment 9

Proposal for a regulation

Article 10 b (new)

Text proposed by the Commission

Amendment

Article 10 b

The procedure for taking fingerprints and a facial image will take into account the specific needs of children and be applied in accordance with the safeguards laid down in Article 24 the Charter of Fundamental Rights of the European Union, in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child.

Amendment 10

**Proposal for a regulation
Article 10 c (new)**

Text proposed by the Commission

Amendment

Article 10 c

Equally, the procedure for taking fingerprints and a facial image will be gender-sensitive in accordance with the respect of the right to private life set out in Article 7 of the Charter and Article 8 of the European Convention on Human Rights. To allow national authorities to collect biometrics as far as possible in a gender-sensitive manner, particularly in case of victims of gender-based violence, sufficient female staff responsible for issuing identity cards will be present.

Amendment 11

**Proposal for a regulation
Article 11 – paragraph 1**

Text proposed by the Commission

Amendment

By 12 months after the entry into force at the latest, the Commission shall establish a detailed programme for monitoring the

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outputs, results and impacts of this Regulation.

outputs, results and impacts of this Regulation, ***including its impact on fundamental rights.***

Amendment 12

Proposal for a regulation Article 12 – paragraph 2

Text proposed by the Commission

(2) No sooner than six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines.

Amendment

(2) No sooner than six years after the date of application of this Regulation, the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted according to the Commission's better regulation Guidelines, ***which shall include a Chapter examining the impact on fundamental rights.***