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COMMISSION STAFF WORKING DOCUMENT

Monitoring Programme for Regulation (EU) 2019/1157 of the European Parliament and of the Council of 20 June 2019 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

1. Context

In line with the Interinstitutional Agreement on Better Law-Making¹, Union legislation should be comprehensible and clear, allow citizens, administrations and businesses to easily understand their rights and obligations, include appropriate reporting, monitoring and evaluation requirements, avoid overregulation and administrative burdens, and be practical to implement.

Regulation (EU) 2019/1157 of the European Parliament and of the Council of 20 June 2019 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 movement² (the ‘Regulation’) entered into force on 1 August 2019 and will apply as of 2 August 2021.

Pursuant to Article 12 of the Regulation, the Commission is to establish a detailed programme for monitoring the outputs, results and impact of this Regulation, including its impact on fundamental rights. The monitoring programme is to set out the means by which and the intervals at which the data and other necessary evidence are to be collected. It is to specify the action to be taken by the Commission and by Member States in collecting and analysing the data and other evidence.

Pursuant to Article 13 of the Regulation, the Commission is to report to the European Parliament, to the Council and to the European Economic and Social Committee on its implementation, in particular on the protection of fundamental rights and personal data, two years, and 11 years, respectively, after the date of application of the Regulation.

Six years after the date of application of the Regulation, and every subsequent six years, the Commission will carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, to the Council and to the European Economic and Social Committee. The report will in particular focus on:

- a. the impact of this Regulation on fundamental rights;
- b. the mobility of Union citizens;
- c. the effectiveness of biometric verification in ensuring the security of travel documents;
- d. a possible use of residence cards as travel documents;
- e. a possible further visual harmonisation of identity cards;
- f. the necessity of introducing common security features of identification documents used on a provisional basis in view of their better recognition.

Member States and relevant Union agencies are required to provide the Commission with the information necessary for the preparation of these reports.

2. Aim and purpose

Monitoring is a continuous and systematic process of data collection about an intervention. It generates factual information for future evaluations and helps identify problems in the application of legislation. Monitoring is necessary to allow policy makers and stakeholders to check if policy implementation is ‘on track’ and to generate information that can be used to

¹ OJ L 123, 12.5.2016, p. 1.

² OJ L 188, 12.7.2019, p. 67.

evaluate whether it has achieved its objectives. While monitoring looks at “what” changes have occurred since the entry into force of a policy intervention, evaluation looks at “whether” the intervention has been effective in reaching its objectives, and whether the objectives have been met efficiently (that is, at the least cost), as well as the reasons for the success or otherwise of an intervention.

This monitoring programme sets out the means by which, and the intervals at which, data and other necessary evidence are to be collected to monitor the Regulation. The application of the Regulation, compliance with its obligations and its enforcement are the subject of the monitoring. To this end, it sets out the objectives of the Regulation, as well as indicators to measure the achievement of those objectives. It devises a strategy to collect reliable data and evidence on the indicators at regular intervals. It specifies the actions to be taken by the Commission and Member States in collecting and analysing those data and other evidence.

In addition, the Commission will gather contextual information, such as on challenges faced by EU citizens when using their identity cards in another Member State. This contextual information is important also to measure the wider impacts of the application of the Regulation. This monitoring programme should enable the Commission to assess progress towards the objectives by monitoring the outputs, results and, to the extent possible, the impacts of the Regulation.

3. Objectives of the Regulation

The Regulation pursues the general objectives of facilitating and promoting EU citizens and their family members’ right to move and reside freely within the EU, as well as of improving security within the EU and at its borders.

For the purpose of these general objectives, the four specific objectives of the Regulation are to:

- I. improve the acceptance of documents and improve the identification of people;
- II. improve authentication of documents and reduce document fraud;
- III. raise awareness among all stakeholders about documents, rights linked to them, including training;
- IV. simplify the daily life for EU citizens, cut red tape and lower costs for all stakeholders.

4. Indicators

An indicator is a quantitative or qualitative measure of how close one is to achieving a set goal (e.g. policy outcome). They help to analyse and compare performance and can be useful for determining policy priorities. Indicators should only give one perspective of the performance of a policy intervention, which is highly dependent on the type of indicator selected, data, other influences, etc. It is important, therefore, to use other complementary approaches to monitoring, such as qualitative analysis or surveys.

This section identifies a number of indicators for measuring the achievement of the specific objectives of the Regulation. These indicators are divided into outputs on the one hand, and results and impacts on the other hand.

The Commission will assess all of these indicators over time to identify trends.

4.1 Improve the acceptance of documents and improve the identification of people

Implementation – Outputs

- a. Number of new identity cards issued by the Member States pursuant to the requirements of the Regulation³;
- b. Number of new registration certificates⁴ and documents certifying permanent residence⁵ issued by the Member States pursuant to the requirements of the Regulation⁶;
- c. Number of new residence cards⁷ and permanent residence cards⁸ issued by the Member States pursuant to the requirements of the Regulation⁹.

Application – Results and impacts

- d. Number and type of complaints received from citizens about problems related to the acceptance of their documents as well as alleged impacts on fundamental rights, in particular data protection and equality;
- e. Number of Member States that offer automated border control systems that can be accessed using identity cards pursuant to the requirements of the Regulation.
- f. Number of Member States experiencing issues with the verification or authentication of identity cards issued by other Member States.

4.2 Improve authentication of documents and reduce document fraud

Implementation – Outputs

- a. Number of Member States that authenticate and verify the storage medium of identity cards and residence documents issued by other Member States under the Regulation for the purpose of verifying the authenticity of the document concerned.
- b. Number of Member States that authenticate and verify the biometric identifiers in identity cards and residence documents issued by other Member States under the Regulation for the purpose of verifying the identity of the holder.

Application – Results and impacts

- c. Number of fraudulent identity cards and residence documents reported by Member States;
- d. Number of fraudulent identity cards and residence documents reported by EU bodies and agencies;

³ Applicable to those Member States that issue identity cards to their nationals.

⁴ Issued in accordance with Article 8 of Directive 2004/38/EC.

⁵ Issued in accordance with Article 19 of Directive 2004/38/EC.

⁶ Where no detailed issuance numbers are available, estimates, based on production numbers, may be provided.

⁷ Issued in accordance with Article 10 of Directive 2004/38/EC.

⁸ Issued in accordance with Article 20 of Directive 2004/38/EC.

⁹ Where no detailed issuance numbers are available, estimates, based on production numbers, may be provided.

- e. Where available, number of reported imposters using identity cards or residence documents issued in accordance with the requirements of the Regulation;
- f. Where available, number of people who self-report being victims of identity theft;
- g. Analyses carried out by EU bodies and agencies (e.g. Frontex, Europol) of practices linked to forged documents and identity theft.

4.3 Raise awareness about documents, rights linked to them, including training among all stakeholders

Implementation – Outputs

- a. Information on awareness-raising campaigns (e.g. number and types of campaigns);
- b. Number and type of relevant training sessions (FRONTEX, etc.) and number and type of participants from different Member States. Indicators on the training session include: number and type of participants, length and content of sessions, feedback on ‘lessons learned’ from the sessions.

Application – Results and impacts

- c. Awareness among EU citizens about the rights linked to the documents covered by the Regulation, measured through a representative survey;
- d. Awareness and acceptance of the documents covered by the Regulation among the private sector, measured through a representative survey (such as airlines, hotels, banks etc.).

4.4 Simplify the daily life for EU citizens, cut red tape and lower costs for all stakeholders

- a. Perceived reduction in hassle, costs and administrative barriers for mobile EU citizens and their family members when using a document covered by the Regulation as compared to when using previous documents, measured through a representative survey;
- b. Perceived enhanced access to public services for EU citizens residing in Member States other than their nationality when using document covered by the Regulation as compared to when using previous documents, measured through a representative survey;
- c. Perceived reduction in hassle, costs and benefits to private sector entities (airlines, banks, etc.) and their customers when using document covered by the Regulation as compared to when using previous documents, measured through a representative survey.
- d. Percentage of mobile EU citizens who indicate that they face no, very minimal or minimal obstacles when using their document covered by the Regulation, measured through a representative survey.

5. Data collection and intervals

In listing this set of data for collection, and by whom and at which intervals, the Commission has considered the burden and costs on the relevant authorities.

The Commission is required to issue its first implementation report in August 2023 and carry out a first evaluation by August 2027. To gather the data necessary for these reports, data collection will start in March 2022 and subsequently take place annually.

5.1 Collection by Member States:

Member States are required to provide the Commission with the data and other evidence necessary for the monitoring (Article 12 of the Regulation). Member States are therefore asked to provide the Commission with the following data:

- The number of new documents issued pursuant to the requirements of the regulation (4.1.a-c);
- Number of fraudulent identity cards and residence documents reported by Member States (4.2.c);
- Where available, number of reported imposters using identity cards or residence documents issued in accordance with the requirements of the Regulation (4.2.e);
- Where available, number of people who self-report being victims of identity theft (4.2.f).

5.2 Collection by the Commission

With a view to obtaining further evidence, available beyond the Member States' remits, the Commission will collect the following data and information to the extent possible:

- Number and type of complaints received from citizens about problems related to the acceptance of their documents as well as alleged impacts on fundamental rights, in particular data protection and equality (4.1.d);
- Number of Member States that offer automated border control systems that can be accessed using identity cards pursuant to the requirements of the Regulation (4.1.e);
- Number of Member States experiencing issues with the verification or authentication of identity cards issued by other Member States (4.1.f);
- Number of Member States that authenticate and verify the storage medium of identity cards and residence documents issued by other Member States under the Regulation for the purpose of verifying the authenticity of the document concerned (4.2.a);
- Number of Member States that authenticate and verify the biometric identifiers in identity cards and residence documents issued by other Member States under the Regulation for the purpose of verifying the identity of the holder (4.2.b);
- Number of fraudulent identity cards and residence documents reported by EU bodies and agencies (4.2.d);
- Analyses carried out by EU bodies and agencies of practices linked to forged documents and identity theft (4.2.g);
- Information on awareness-raising campaigns (4.3.a);

- Number and type of relevant training sessions (4.3.b);
- Awareness among EU citizens about the rights linked to the documents covered by the Regulation, measured through a representative survey (4.3.c);
- Awareness and acceptance of the documents covered by the Regulation among the private sector, measured through a representative survey (4.3.d);
- Perceived reduction in hassle costs and administrative barriers for mobile EU citizens and their family members, measured through a representative survey (4.4.a);
- Perceived enhanced access to public services for EU citizens residing in Member States other than their nationality, measured through a representative survey (4.4.b);
- Perceived reduction in hassle costs and benefits to private sector entities (airlines, banks, etc.) and their customers, measured through a representative survey (4.4.c);
- Percentage of mobile EU citizens who indicate that they face no, very little or little obstacles when using their document covered by the Regulation (4.4.d).

The Commission will, subject to available resources, conduct representative surveys on the benefits and obstacles linked to using covered by the Regulation as mentioned above. The Commission will, as appropriate, share information received from Member States with external contractors in order to prepare the reports mentioned. Where data is not collected via representative surveys, it will either be gathered from the Commission's own data sources, information provided by EU bodies and agencies, or by querying Member States.

The Commission will, subject to available resources, establish a baseline by collecting data in 2021 on the situation in 2020, just ahead of the entry into application of the Regulation.

6. Review of the monitoring programme

The monitoring programme will be reviewed in the context of the evaluation that the Commission is required to conduct by August 2027.

7. Timeline

Year	2019	2021	2022	2023	2024	2025	2026	2027
Milestones	20/06/19 Entry into force	Adoption Monitoring Programme	02/08/21 Date of application	March 2022 First report by Member States	Implementation report			Evaluation and review of the monitoring programme
Data collection								
- Reporting Member States				x	x	x	x	x
- Data collection Commission				x	x	x	x	x
- Surveys Commission					x		x	

8. Table linking indicators (section 4) to data collection (section 5)

Indicator	Definition	Source of data	Reporting frequency	Baseline
New identity cards	Number of new identity cards issued by the Member States pursuant to the requirements of the Regulation (4.1.a)	Collection by Member States	Annually	
New registration certificates	Number of new registration certificates and documents certifying permanent residence issued by the Member States pursuant to the requirements of the Regulation (4.1.b)	Collection by Member States	Annually	
New residence cards	Number of new residence cards and permanent residence cards issued by the Member States pursuant to the requirements of the Regulation (4.1.c)	Collection by Member States	Annually	
Citizen complaints	Number and type of complaints received from citizens about problems related to the acceptance of their documents as well as alleged impacts on fundamental rights, in particular data protection and equality (4.1.d)	Collection by the Commission	Annually	January – December 2020
Use of automated border control systems with identity cards	Number of Member States that offer automated border control systems that can be accessed using identity cards pursuant to the requirements of the Regulation (4.1.e)	Collection by the Commission	Annually	
Problems with the verification or authentication	Number of Member States experiencing issues with the verification or authentication of identity cards issued by other Member States (4.1.f)	Collection by the Commission	Annually	
Capacity to authenticate storage medium	Number of Member States that authenticate and verify the storage medium of identity cards and residence documents issued by	Collection by the Commission	Annually	

	other Member States under the Regulation for the purpose of verifying the authenticity of the document concerned (4.2.a)			
Using biometric data to verify identity	Number of Member States that authenticate and verify the biometric identifiers in identity cards and residence documents issued by other Member States under the Regulation for the purpose of verifying the identity of the holder (4.2.b)	Collection by the Commission	Annually	
Fraudulent documents	Number of fraudulent identity cards and residence documents reported by Member States (4.2.c)	Collection by Member States	Annually	January – December 2020
Fraudulent documents	Number of fraudulent identity cards and residence documents reported by EU bodies and agencies (4.2.d)	Collection by the Commission	Annually	January – December 2020
Imposters	Where available, number of reported imposters using identity cards or residence documents issued in accordance with the requirements of the Regulation (4.2.e)	Collection by the Member States	Annually	January – December 2020
Identity theft	Where available, number of people who self-report being victims of identity theft (4.2.f)	Collection by the Commission	Annually	January – December 2020
Forgeries and identity theft	Analyses carried out by EU bodies and agencies of practices linked to forged documents and identity theft (4.2.g)	Collection by the Commission	Annually	January – December 2020
Awareness-raising actions	Information on awareness-raising campaigns (4.3.a)	Collection by the Commission	Annually	
Trainings	Number and type of relevant training sessions (FRONTEX, etc.) and number and type of participants from different Member States (4.3.b)	Collection by the Commission	Annually	

Awareness among citizens	Awareness among EU citizens about the rights linked to the documents covered by the Regulation (4.3.c)	Collection by the Commission through representative surveys	Every two years	
Awareness among private sector	Awareness and acceptance of the documents covered by the Regulation among the private sector (4.3.d)	Collection by the Commission through representative surveys	Every two years	
Reduction in hassle, costs and administrative barriers for citizens	Perceived reduction in hassle, costs and administrative barriers for mobile EU citizens and their family members (4.4.a)	Collection by the Commission through representative surveys	Every two years	
Access to public services	Perceived enhanced access to public services for EU citizens residing in Member States other than their nationality (4.4.b)	Collection by the Commission through representative surveys	Every two years	
Reduction in hassle and costs for businesses and customers	Perceived reduction in hassle, costs and benefits to private sector entities (airlines, banks, etc.) and their customers (4.4.c)	Collection by the Commission through representative surveys	Every two years	
Obstacles experiences by citizens	Percentage of mobile EU citizens who indicate that they face no, very minimal or minimal obstacles when using their document covered by the Regulation (4.4.d)	Collection by the Commission through representative surveys	Every two years	