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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending Commission Delegated Regulation (EU) 2021/2223 supplementing Regulation (EU) 2019/817 of the European Parliament and of the Council with detailed rules on the operation of the central repository for reporting and statistics

Delegations will find attached document C(2025) 8494 final.

Encl.: C(2025) 8494 final



EUROPEAN
COMMISSION

Brussels, 11.12.2025
C(2025) 8494 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 11.12.2025

amending Commission Delegated Regulation (EU) 2021/2223 supplementing Regulation (EU) 2019/817 of the European Parliament and of the Council with detailed rules on the operation of the central repository for reporting and statistics

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

In May 2019, the European Parliament and the Council adopted Regulation (EU) 2019/817 of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa.

The Regulation requires the Commission to adopt a delegated act laying down rules on the operation of the central repository for reporting and statistics, including specific safeguards for the processing of personal data, and security rules. Commission Delegated Regulation (EU) 2021/2223 was adopted on 30 September 2021. On 7 July 2021, the European Parliament and the Council adopted Regulation (EU) 2021/1134 for the purpose of reforming the Visa Information System. In 2024, the European Parliament and the Council adopted Regulation (EU) 2025/12 on the collection and transfer of advance passenger information for enhancing and facilitating external border checks. Since the statistical data stemming from these new Regulations will be stored in the central repository, it is necessary to amend the Commission Delegated Regulation (EU) 2021/2223.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

All Member States were invited to nominate experts to participate in the Interoperability Subgroup of the Expert Group on Information Systems for Borders and Security, in accordance with Article 73(4) of Regulation (EU) 2019/817 and with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

This delegated act takes into account the advice of the Expert Group provided between September and December 2024. The experts were also able to provide the Commission with oral and written comments throughout this period.

In addition, the European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) advised the Commission on the technical requirements and feasibility of the proposed measure.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Under Article 39(1) of Regulation (EU) 2019/817 a central repository for reporting and statistics should be established to provide cross-system statistical data and analytical reporting for policy, operational and data quality purposes. Under Article 39(3) of Regulation (EU) 2019/817, the central repository should only contain anonymised data extracted from the underlying systems, so that individuals cannot be identified. Access to the repository should be granted only to specific user profiles as set out in the legal instruments governing the underlying systems, in a secure and controlled manner, and solely for the purpose of reporting and statistics.

The draft delegated act was subject to the interoperability assessment according to Article 3 of Regulation (EU) 2024/903 of the European Parliament and of the Council of 13 March 2024 laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act) which identified digital and interoperable nature of the proposed measures.

COMMISSION DELEGATED REGULATION (EU) .../...

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amending Commission Delegated Regulation (EU) 2021/2223 supplementing Regulation (EU) 2019/817 of the European Parliament and of the Council with detailed rules on the operation of the central repository for reporting and statistics

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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/JHA¹, and in particular Article 39(5) thereof,

Whereas:

- (1) Regulation (EU) 2019/817, together with Regulation (EU) 2019/818 of the European Parliament and of the Council² establishes a framework to ensure interoperability between the EU information systems in the field of borders, visa, police and judicial cooperation, asylum and migration.
- (2) That framework includes a number of components and tools supporting interoperability, including a central repository for reporting and statistics ('the central repository'). The central repository stores anonymised data extracted from the underlying EU information systems, the shared biometric matching service, the common identity repository and the multi-identity detector, in order to provide cross-system statistical data and analytical reporting for policy, operational and data quality purposes.
- (3) In order to enable the central repository to to fulfill its role, Delegated Regulation (EU) 2021/2223³ lays down detailed rules on the operation of the central repository, including specific standards for the processing of personal data, and security rules.
- (4) Following the adoption of Regulation (EU) 2021/1134 of the European Parliament and of the Council⁴, and Regulation (EU) 2025/12 of the European Parliament and of the

¹ OJ L 135, 22.5.2019, p. 27, ELI: <http://data.europa.eu/eli/reg/2019/817/oj>.

² Regulation (EU) 2019/818 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 police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816 (OJ L 135, 22.5.2019, p. 85, ELI: <http://data.europa.eu/eli/reg/2019/818/oj>).

³ Commission Delegated Regulation (EU) 2021/2223 of 30 September 2021 supplementing Regulation (EU) 2019/817 of the European Parliament and of the Council with detailed rules on the operation of the central repository for reporting and statistics, (OJ L 448, 15.12.2021, p.7).

⁴ Regulation (EU) 2021/1134 of the European Parliament and of the Council of 7 July 2021 amending Regulations (EC) No 767/2008, (EC) No 810/2009, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1860, (EU) 2018/1861, (EU) 2019/817 and (EU) 2019/1896 of the European Parliament and

Council⁵, Delegated Regulation (EU) 2021/2223 should be modified to incorporate statistical data derived from these new Regulations, which will be stored in the central repository.

- (5) Delegated Regulation (EU) 2021/2223 should therefore be amended accordingly.
- (6) Given that Regulation (EU) 2019/817 builds upon the Schengen *acquis*, in accordance with Article 4 of Protocol No 22 on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark notified the implementation of Regulation (EU) 2019/817 in its national law. It is therefore bound by this Regulation.
- (7) This Regulation does not constitute a development of the provisions of the Schengen *acquis* in which Ireland takes part in accordance with Council Decision 2002/192/EC⁶. Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.
- (8) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis*⁷, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC⁸.
- (9) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁹, which fall within the area referred to in Article 1, point A of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC¹⁰.
- (10) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of

of the Council and repealing Council Decisions 2004/512/EC and 2008/633/JHA, for the purpose of reforming the Visa Information System (OJ L 248, 13.7.2021, p. 11, ELI: <http://data.europa.eu/eli/reg/2021/1134/oj>).

⁵ Regulation (EU) 2025/12 of the European Parliament and of the Council of 19 December 2024 on the collection and transfer of advance passenger information for enhancing and facilitating external border checks, amending Regulations (EU) 2018/1726 and (EU) 2019/817, and repealing Council Directive 2004/82/EC (OJ L, 2025/12, 8.1.2025, ELI: <http://data.europa.eu/eli/reg/2025/12/oj>).

⁶ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20, ELI: <http://data.europa.eu/eli/dec/2002/192/oj>).

⁷ OJ L 176, 10.7.1999, p. 36, ELI: [http://data.europa.eu/eli/agree_internation/1999/439\(1\)/oj](http://data.europa.eu/eli/agree_internation/1999/439(1)/oj).

⁸ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31, ELI: <http://data.europa.eu/eli/dec/1999/437/oj>).

⁹ OJ L 53, 27.2.2008, p. 52, ELI: [http://data.europa.eu/eli/agree_internation/2008/178\(1\)/oj](http://data.europa.eu/eli/agree_internation/2008/178(1)/oj).

¹⁰ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1, ELI: <http://data.europa.eu/eli/dec/2008/146/oj>).

Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*¹¹ which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU¹².

- (11) As regards Cyprus, this Regulation constitutes an act building upon, or otherwise relating to, the Schengen *acquis* within the meaning of Article 3(1) of the 2003 Act of Accession,
- (12) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹³ and delivered an opinion on 5 June 2025,

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2021/2223 is amended as follows:

- (1) In Article 1, point 1 is replaced by the following:

‘(1) ‘statistical data’ means the data, which is anonymised and used solely for the purpose of producing statistical reports pursuant to Regulation (EC) No 767/2008¹⁴, Regulation (EU) 2017/2226, Regulation (EU) 2018/1240, Regulation (EU) 2018/1860, Regulation (EU) 2018/1861, Regulation (EU) 2018/1862, Regulation (EU) 2019/816, Regulation (EU) 2024/982¹⁵, Regulation (EU) 2024/1358¹⁶, Regulation (EU)

¹¹ OJ L 160, 18.6.2011, p. 21.

¹² Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19, ELI: <http://data.europa.eu/eli/dec/2011/350/oj>).

¹³ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

¹⁴ 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, ELI: <http://data.europa.eu/eli/reg/2008/767/oj>).

¹⁵ Regulation (EU) 2024/982 of the European Parliament and of the Council of 13 March 2024 on the automated search and exchange of data for police cooperation, and amending Council Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, (EU) No 2019/817 and (EU) 2019/818 of the European Parliament and of the Council (the Prüm II Regulation) (OJ L, 2024/982, 5.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/982/oj>).

¹⁶ Regulation (EU) 2024/1358 of the of 14 May 2024 on the establishment of ‘Eurodac’ for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States’ law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council (OJ L, 2024/1358, 22.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1358/oj>).

2025/12¹⁷ and Regulation (EU) 2025/13¹⁸, of the European Parliament and of the Council;’;

(2) Article 2 is amended as follows:

(a) the following paragraph 3a is inserted:

‘3a. The central repository shall contain statistics necessary to prepare reports on the technical functioning of the systems in accordance with the Regulations referred to in Article 1(1).’;

(b) in paragraph 5, the following points are added:

‘(f) reports pursuant to Article 17 of Regulation (EC) No 767/2008;

(g) statistics pursuant to Article 45a(1) of Regulation (EC) No 767/2008;

(h) reports pursuant to Article 45a of Regulation (EC) No 767/2008, containing the following statistics on the records kept in the Visa Information System:

(i) daily reports and statistics, and quarterly customised reports in accordance with Article 45a(4) of Regulation (EC) No 767/2008, on airport transit visas, short-stay visas;

(ii) quarterly statistics on the long-stay visas applied for, issued, refused, withdrawn, revoked, annulled and extended, and on the residence permits applied for, issued, refused, withdrawn, revoked, annulled and renewed, in accordance with Article 45a(5) of Regulation (EC) No 767/2008;

(iii) regular statistics for ensuring the monitoring by eu-LISA of the development and the functioning of the Visa Information System referred to in Articles 45a(3) and 50(1) of Regulation (EC) No 767/2008.

(i) reports pursuant to Article 9j(2) of Regulation (EC) No 767/2008, containing the following statistics:

(i) statistics generated by the EES indicating abnormal rates of overstayers and refusals of entry for a specific group of visa holders;

(ii) statistics generated by the VIS in accordance with Article 45a of Regulation (EC) No 767/2008 indicating abnormal rates of refusals of visa applications due to an irregular migration, security or public health risk associated with a specific group of visa holders;

(j) statistics generated by the VIS in accordance with Article 45a of Regulation (EC) No 767/2008 and the EES indicating correlations between information collected through the application form and overstaying by visa holders or refusals of entry;

(k) reports pursuant to Article 38 of Regulation (EU) 2025/12, containing the following statistics:

¹⁷ Regulation (EU) 2025/12 of the European Parliament and of the Council of 19 December 2024 on the collection and transfer of advance passenger information for enhancing and facilitating external border checks, amending Regulations (EU) 2018/1726 and (EU) 2019/817, and repealing Council Directive 2004/82/EC (OJ L, 2025/12, 8.1.2025, ELI: <http://data.europa.eu/eli/reg/2025/12/oj>).

¹⁸ Regulation (EU) 2025/13 of the European Parliament and of the Council of 19 December 2024 on the collection and transfer of advance passenger information for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, and amending Regulation (EU) 2019/818 (OJ L, 2025/13, 8.1.2025, ELI: <http://data.europa.eu/eli/reg/2025/13/oj>).

(i) quarterly statistics on the functioning of the router and on compliance of air carriers with the obligations set out in Regulation (EU) 2025/12;

(ii) statistical information necessary for the reporting referred to in Article 45 of Regulation (EU) 2025/12 and for generating statistics in accordance with Article 38(5) of Regulation (EU) 2025/12;

(iii) regular statistics for ensuring the monitoring by eu-LISA of the development and the functioning of the router in accordance with Article 38(8) of Regulation (EU) 2025/12.’;

(c) paragraph 6 is replaced by the following:

‘6. The technical reports referred to in paragraph 3 shall contain statistics on the usage of the system, availability, incidents, performance capacity, biometric accuracy, data quality and, where applicable, pending transactions.’;

(3) In Article 6, paragraph 1 is replaced by the following:

‘1. Access to the central repository by duly authorised staff shall be granted and managed in accordance with Article 45a of Regulation (EC) No 767/2008, Article 63 of Regulation (EU) 2017/2226, Article 84 of Regulation (EU) 2018/1240, Article 16 of Regulation (EU) 2018/1860, Article 60 of Regulation (EU) 2018/1861, Article 32 of Regulation (EU) 2019/816, Article 72 of Regulation (EU) 2024/982, Article 12 of Regulation (EU) 2024/1358, Article 38 of Regulation (EU) 2025/12, Article 39 of Regulation (EU) 2025/13.’.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 11.12.2025

For the Commission
The President
Ursula VON DER LEYEN