

Proposal for a REGULATION 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

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
61	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope
62	<p>This Regulation establishes the screening at the external borders of the Member States of all third-country nationals who have crossed the external border in an unauthorised manner, of those who have applied for international protection during border checks without fulfilling entry conditions, as well as those disembarked after a search and rescue operation, before they are referred to the appropriate procedure.</p>	<p>This Regulation establishes the<u>a</u> screening <u>procedure</u> at the external borders of the Member States of all third-country nationals who have crossed the external border in an unauthorised<u>irregular</u> manner, of those who have applied for international protection during border checks without fulfilling entry conditions, as well as those disembarked after a search and rescue operation, before they are referred to the appropriate procedure.</p>	<p>This Regulation establishes the screening at theIn order to strengthen the control of persons at external borders, this Regulation establishes the screening of third country of the Member States of all third-country nationals who have crossed, at the external border in an unauthorised manner, of thoseborders or within the territory of the Member States, who have applied for international protection during not been subject to border checks without fulfilling entry conditions at the external borders of the Member States, as well as those disembarked after a search and rescue operation, before they are referred to the appropriate procedurewho have made an application for international protection at border crossing points or in transit zones, without</p>	<p>This Regulation establishes the<u>a</u> screening <u>of third-country nationals</u> at the external borders of the Member States of all third-country nationals who<u>who, without fulfilling entry conditions,</u> have crossed the external border in an unauthorised manner, of those who have applied for international protection during border checks without fulfilling entry conditions, as well as those, or have been disembarked after a search and rescue operation <u>and of third-country nationals illegally staying within the territory of the Member States where there is no indication that those third-country nationals have been subject to controls at external borders,</u> before they are referred to the appropriate procedure.</p>

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			fulfilling the entry conditions.	
63	The purpose of the screening shall be the strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures.	deleted	The purpose of the screening shall be the strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures.	The purpose of the screening shall be the strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures. <u>deleted</u>
64	The object of the screening shall be the identification of all third-country nationals subject to it and the verification against relevant databases that the persons subject to it do not pose a threat to internal security. The screening shall also entail health checks, where appropriate, to identify persons vulnerable and in the need of health care as well the ones posing a threat to public health. Those checks shall contribute to referring such persons to the appropriate procedure.	The object <u>purpose</u> of the screening shall be <u>to strengthen border checks at the external borders, to identify the identification of</u> all third-country nationals subject to it and the verification to verify against the <u>whether</u> the persons subject to it do not <u>might</u> pose a threat to internal security. The screening shall also entail <u>include a mandatory preliminary health checks, where appropriate, check and a mandatory preliminary vulnerability check, which seek</u> to identify <u>vulnerable persons</u> , persons vulnerable and in the <u>with special reception or procedural needs, and persons in</u> need of health care as well the ones posing a threat to public health. Those checks shall contribute to referring such persons to the appropriate procedure. The screening shall also seek to identify persons that possibly pose a threat	The object <u>objective</u> of the screening shall be the identification of all third-country nationals subject to it and the verification against relevant databases that the <u>those</u> persons subject to it do not pose a threat to internal security <u>security risk</u> . The screening shall also entail health checks, where appropriate, to identify persons vulnerable and in the <u>in</u> need of <u>immediate</u> health care as well and the ones posing a threat to public health, as well as <u>vulnerability checks to identify vulnerable persons</u> . Those checks shall contribute to referring such persons to the appropriate procedure.	<u>The objective</u> The object of the screening shall be <u>to strengthen the control of persons, to identify the identification of</u> all third-country nationals subject to it and the verification to verify against the <u>whether</u> the persons subject to it do not <u>might</u> pose a threat to internal security. The screening shall also entail <u>preliminary health checks, where appropriate, and vulnerability checks</u> to identify persons <u>persons, persons</u> in the need of health care as well the ones posing <u>and persons that possibly pose</u> a threat to public health. Those checks shall contribute to referring such persons to the appropriate procedure.

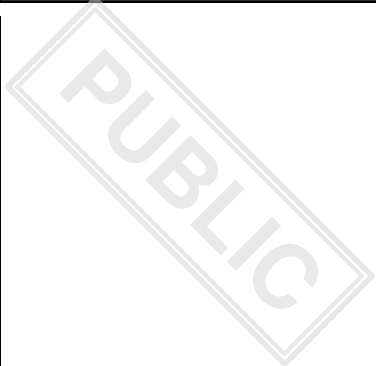
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		<u>to public health.</u>		
65	The screening shall also be carried out within the territory of the Member States where there is no indication that third-country nationals have been subject to controls at external borders.	<i>deleted</i>	The screening shall also be carried out within the territory of the Member States where there is no indication that third-country nationals have been subject to controls at external borders.	
65a		<u>This Regulation also provides for an independent mechanism to be established in each Member State to monitor compliance with Union and international law, including the Charter during border surveillance and the screening procedure.</u>		<u>This Regulation also provides for an independent mechanism in each Member State to monitor compliance with Union and international law, including the Charter during the screening.</u>
65b		<u>Article 1a</u> <u>Fundamental rights</u> <u>When applying this Regulation, Member States shall act in full compliance with relevant Union law, including the Charter, with relevant international law, including the Convention Relating to the Status of Refugees done at Geneva on 28 July 1951 ('the Geneva Convention'), and with the obligations related to access to international protection, in</u>		<u>Article 1a</u> <u>Fundamental rights</u> <u>When applying this Regulation, Member States shall act in full compliance with relevant Union law, including the Charter, with relevant international law, including the Convention Relating to the Status of Refugees done at Geneva on 28 July 1951 ('the Geneva Convention'), and with the</u>

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		<u>particular the principle of non-refoulement, and fundamental rights.</u>		<u>obligations related to access to international protection, in particular the principle of non-refoulement, and fundamental rights.</u>
66	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions
67	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:
68	1. ‘unauthorised crossing of the external border’ means crossing of an external border of a Member State by land, sea or air, at places other than border crossing points or at times other than the fixed opening hours, as referred to in Article 5(3) of Regulation (EU) 2016/399;	<i>deleted</i>	1. ‘unauthorised crossing of the external border’ means crossing of an external border of a Member State by land, sea or air, at places other than border crossing points or at times other than the fixed opening hours, as referred to in Article 5(3) of Regulation (EU) 2016/399;	1. ‘unauthorised crossing of the external border’ means crossing of an external border of a Member State by land, sea or air, at places other than border crossing points or at times other than the fixed opening hours, as referred to in Article 5(3) of Regulation (EU) 2016/399; <u>deleted</u>
69	2. ‘threat to public health’ means a threat to public health within the meaning of Article 2, point 21, of	2. ‘threat to public health’ means a threat to public health within the meaning of Article 2, point 21, of	2. ‘threat to public health’ means— a threat to public health— within the meaning of Article 2, point 21, of	2. ‘threat to public health’ means a threat to public health within the meaning of Article 2, point 21, of

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	Regulation (EU) 2016/399;	Regulation (EU) 2016/399;	Regulation (EU) 2016/399;	Regulation (EU) 2016/399;
70	3. 'verification' means the process of comparing sets of data to establish the validity of a claimed identity (one-to-one check);	3. 'verification' means the process of comparing sets of data to establish the validity of a claimed identity (one-to-one check);	3. 'verification' means the process referred to in Article 4 (5) of Regulation (EU) 2019/817;	3. 'verification' means the process of comparing sets of data to establish the validity of a claimed identity (one-to-one check) referred to in Article 4 (5) of Regulation (EU) 2019/817;
71	4. 'identification' means the process of determining a person's identity including through a database search against multiple sets of data (one-to-many check);	4. 'identification' means the process of determining a person's identity including through a database search against multiple sets of data (one-to-many check);	4. 'identification' means the process of determining a person's identity including through a database search against multiple sets of data (one-to-many check) referred to in Article 4 (6) of Regulation (EU) 2019/817;	4. 'identification' means the process of determining a person's identity including through a database search against multiple sets of data (one-to-many check) referred to in Article 4(6) of Regulation (EU) 2019/817;
72	5. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) TFEU and who is not a person enjoying the right to free movement under Union law within the meaning of Article, 2 Point 5, of Regulation (EU) 2016/399.	5. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) TFEU and who is not a person enjoying the right to free movement under Union law within the meaning of Article, 2 Point 5, of Regulation (EU) 2016/399.	5. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) TFEU and who is not a person enjoying the right to free movement under Union law within the meaning of Article, 2 Point 5, of Regulation (EU) 2016/399;	5. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) TFEU and who is not a person enjoying the right to free movement under Union law within the meaning of Article, 2 Point 5, of Regulation (EU) 2016/399.
72a				

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		<u>(5a) 'biometric data' means fingerprint data and facial image data, as defined in Article 3, point (p), of Regulation (EU) xxxx/202x [Eurodac Regulation];</u>		<u>(5a) deleted</u>
G 72b			6. 'security risk' means the risk referred to in Article 3 (1) (6) of the ETIAS Regulation (EU) 2018/1240;	<u>deleted</u>
G 72c		<u>(5b) 'stateless person' means a stateless person as defined in Article 1 of the Convention relating to the Status of Stateless Persons, signed in New York on 28 September 1954, in its original version;</u>		<u>(5b) 'stateless person' means a person who is not considered as a national by any State under the operation of its law.</u>
G 72d			7. Europol data' means data as referred to in Article 4 (16) of Regulation (EU) 2019/817;	<u>(5d) 7. Europol data' means data as referred to in Article 4 (16) of Regulation (EU) 2019/817;</u>
G 72e		<u>(5c) 'representative' means a person or an organisation, including a public authority designated by the competent authorities or bodies, with the necessary skills and expertise,</u>		<u>(5e) (5c) 'representative' means a person or an organisation, including a public authority designated by the competent authorities or bodies, with the necessary skills and</u>

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		<u>including regarding the treatment and specific needs of minors, to represent, assist and act on behalf of an unaccompanied minor, as applicable, in order to safeguard the best interests and general well-being of such an unaccompanied minor and so that the unaccompanied minor can benefit from the rights and comply with the obligations under this Regulation;</u>		<u>expertise, including regarding the treatment and specific needs of minors, to represent, assist and act on behalf of an unaccompanied minor, as applicable, in order to safeguard his of her best interests and general well-being and so that the unaccompanied minor can benefit from the rights and comply with the obligations under this Regulation;</u>
G 72f			8. 'biometric data' means data as referred to in Article 4 (11) of the Interoperability Regulation (EU) 2019/817;	<u>8. 'biometric data' means data as referred to in Article 4 (11) of the Interoperability Regulation (EU) 2019/817;</u>
G 72g		<u>(5d) 'minor' means a third-country national or stateless person below the age of 18 years;</u>		<u>(5d) 'minor' means a third-country national or stateless person below the age of 18 years;</u>
G 72h			9. 'Interpol databases' means databases as referred to in Article 4 (17) of the Interoperability Regulation (EU) 2019/817;	<u>(5h) 'Interpol databases' means databases as referred to in Article 4 (17) of the Interoperability Regulation (EU) 2019/817;</u>
G 72i				

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		<u>(5e) ‘unaccompanied minor’ means a minor who arrives on the territory of the Member State unaccompanied by an adult responsible for such minor, whether by law or by the practice of the Member State concerned, and provided that such minor is not effectively taken into the care of such an adult, including a minor who is left unaccompanied after entering the territory of a Member State;</u>		<u>(5e) ‘unaccompanied minor’ means a minor who arrives on the territory of the Member State unaccompanied by an adult responsible for such minor, whether by law or by the practice of the Member State concerned, and for as long as he or she is not effectively taken into the care of such an adult, including a minor who is left unaccompanied after he or she entered the territory of a Member State;</u>
G 72j			10. ‘vulnerable persons’ means persons as referred to in Article 3 (9) of Directive 2008/115 EC;	<u>deleted</u>
G 72k		<u>(5f) ‘detention’ means confinement of a person by a Member State within a particular place, where such person is deprived of freedom of movement.</u>		<u>(5f) ‘detention’ means confinement of a person by a Member State within a particular place, where such person is deprived of freedom of movement.</u>
G 72l			11. ‘screening authorities’ means all competent authorities designated by national law to carry out one or more of the tasks under this Regulation except for	<u>11. ‘screening authorities’ means all competent authorities designated by national law to carry out one or more of the tasks under this Regulation, except for the health</u>

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			the health checks laid down in Article 9 (1);	<u>checks laid down in Article 9(1) of this Regulation;</u>
72m			12. 'Search and Rescue Operations' means operations of search and rescue as referred in the 1979 International Convention on Maritime Search and Rescue adopted in Hamburg, Germany on 27 April 1979.	<u>(5m) 'Search and Rescue Operations' means operations of search and rescue as referred to in the 1979 International Convention on Maritime Search and Rescue adopted in Hamburg, Germany on 27 April 1979.</u>
73	Article 3 Screening at the external border	Article 3 Screening at the external border <u>Scope</u>	Article 3 Screening at the external border	Article 3 Screening at the external border
74	1. This Regulation shall apply to all third-country nationals who:	1. <u>The screening provided for in</u> this Regulation shall apply to all third-country nationals, <u>regardless of whether they have made an application for international protection</u> , who:	1. This Regulation shall apply to all third-country nationals, regardless of whether they have made an application for international protection , who:	1. <u>The screening provided for in</u> this Regulation shall apply to all third-country <u>third country</u> nationals, <u>regardless of whether they have made an application for international protection</u> , who:
75	(a) are apprehended in connection with an unauthorised crossing of the external border of a Member State by land, sea or air, except third country nationals for whom the Member State is not required to take	(a) are apprehended in connection with an unauthorised <u>irregular</u> crossing of the external border of a Member State by land, sea or air, except third-country <u>third-country</u> nationals for whom, <u>for reasons</u>	(a) are apprehended in connection with an unauthorised crossing of the external border of a Member State by land, sea or air, except third country nationals for whom the Member State is not required to take	(a) are apprehended in connection with an unauthorised crossing of the external border of a Member State by land, sea or air, except third country <u>third-country</u> nationals for whom the Member State is not

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	the biometric data pursuant to Article 14(1) and (3) of Regulation (EU) 603/2013 for reasons other than their age, or	<u>other than their age</u> , the Member State is not required to take the biometric data pursuant to Article 14(1) and (3) of Regulation (EU) 603/2013 for reasons other than their age , or	the biometric data pursuant to [Article 13 (1) and (3)] of [14(1) and (3)] of Regulation (EU) 603/2013 XXX/XXX (EURODAC III Regulation)] for reasons other than their age, or	required to take the biometric data pursuant to Article 14(1) and (3) of Regulation (EU) 603/2013 for reasons other than their age, or
76	(b) are disembarked in the territory of a Member State following a search and rescue operation.	(b) are disembarked in the territory of a Member State following a search and rescue operation <u>and do not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399 [Schengen Borders Code]</u> .	(b) are disembarked in the territory of a Member State following a search and rescue operation.	(b) are disembarked in the territory of a Member State following a search and rescue operation.
77	The screening shall apply to those persons regardless of whether they have applied for international protection.	<i>deleted</i>	The screening shall apply to those persons regardless of whether they have applied for international protection and do not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399.	The screening shall apply to those persons regardless of whether they have applied for international protection <u>and do not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399.</u>
78	2. The screening shall also apply to all third-country nationals who apply for international protection at external border crossing points or in transit zones and who do not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399.	2. The screening shall also apply to all third-country nationals who apply for international protection at external border crossing points or in transit zones and who do not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399.	2. The screening This Regulation shall also apply- to all third-country nationals who apply have made an application for international protection at external border crossing points or in transit zones and who do not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399.	2. The screening <u>provided for in this Regulation</u> shall also apply to all third-country nationals who apply <u>have made an application</u> for international protection at external border crossing points or in transit zones and who do not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399.

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79	<p>3. The screening is without prejudice to the application of Article 6(5) of Regulation (EU) 2016/399, except the situation where the beneficiary of an individual decision issued by the Member State based on Article 6(5)(c) of that Regulation is seeking international protection.</p>	<p>3. The screening is without prejudice to the application of Article 6(5) of Regulation (EU) 2016/399, except the situation where the beneficiary of an individual decision issued by the Member State based on Article 6(5)(c) of that Regulation is seeking international protection <u>[Schengen Borders Code]</u>.</p>	<p>3. The screening is without prejudice to the application of Article 6(5) 6 (5) of Regulation (EU) 2016/399, except the situation where the beneficiary of an individual decision issued by the Member State based on Article 6(5)(c) 6 (5)(c) of that Regulation is seeking international protection.</p>	<p>3. The screening is without prejudice to the application of <u>Third country nationals who have been granted entry pursuant to Article 6(5) of Regulation 2016/399 shall not be subject to screening.</u> <u>However, third country nationals who are granted entry pursuant to Article 6(5) 6(5)(c) of that Regulation (EU) 2016/399, except the situation and who make an application for international protection shall be subject to screening.</u></p> <p>Where <u>it becomes apparent during the screening that the third-country national concerned fulfils the entry conditions set out in the beneficiary of an individual decision issued by the Member State based on Article 6(5)(c) 6 of Regulation is seeking international protection (EU) 2016/399 [Schengen Borders Code], the screening shall end.</u></p>
79a			<p>Article 3a Relation with other legal instruments</p>	<p><u>Article 3a</u> <u>Relation with other legal instruments</u></p>

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79b			<p>1. For third-country nationals subject to the screening who have made an application for international protection</p> <p>a) the registration of the application for international protection in accordance with the Asylum Procedure Directive 2013/32 is determined by Article 6(1) and (5) of that Directive</p> <p>b) the application of the common standards for the reception of applicants for international protection of the Reception Conditions Directive (Directive 2013/33/EU of the European Parliament and of the Council, laying down standards for the reception of applicants for international protection (recast)) is determined by Article 3 of that Directive.</p>	<p><u>1. For third-country nationals subject to the screening who have made an application for international protection</u></p> <p><u>a) the registration of the application for international protection in accordance with Regulation (EU) xxxx/202x [Asylum Procedure Regulation] is determined by Article 27 of that Regulation</u></p> <p><u>b) the application of the common standards for the reception of applicants for international protection of the Reception Conditions Directive [Directive 2013/33/EU of the European Parliament and of the Council, laying down standards for the reception of applicants for international protection (recast)] is determined by Article 3] of that Directive.</u></p>
79c			<p>2. Without prejudice to the application of provisions on international protection, Directive 2008/115/EC or national provisions respecting Directive</p>	<p><u>2. Without prejudice to Article 6(5e), Directive 2008/115/EC (Return Directive) or national provisions respecting Directive 2008/115/EC shall only apply after</u></p>

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			2008/115/EC shall apply only after the screening has ended, except for the screening referred to in Article 5, where they shall apply in parallel with the screening referred to in that Article.	<u>the screening has ended, except for the screening referred to in Article 5, where they shall apply in parallel with the screening referred to in that Article.</u>
80	Article 4 Authorisation to enter the territory of a Member State	Article 4 Authorisation to enter <u>Entry into</u> the territory of a Member State	Article 4 Authorisation to enter the territory of a Member State	Article 4 Authorisation to enter the territory of a Member State
81	1. During the screening, the persons referred to in Article 3, paragraphs 1 and 2 shall not be authorised to enter the territory of a Member State.	1. During the screening, <u>Member States may consider</u> the persons referred to in Article 3, paragraphs 1 and 2 shall not be authorised to enter <u>as not having entered</u> the territory of a Member State.	1. During the screening, the persons referred to in Article 3, paragraphs 1 and 2, shall not be authorised to enter the territory of a Member State. Member States shall lay down in their national law provisions to ensure that persons referred to in Article 3, paragraphs 1 and 2 shall remain at the disposal of the competent authorities in the locations as referred to in Article 6, for the duration of the screening to prevent any risk of absconding, potential resulting security risks or public health risks.	1. During the screening, the persons referred to in Article 3, paragraphs 1 and 2, shall not be authorised to enter the territory of a Member State. <u>Member States shall lay down in their national law provisions to ensure that persons referred to in Article 3, paragraphs 1 and 2 shall remain at the disposal of the competent authorities in the locations as referred to in Article 6, for the duration of the screening to prevent any risk of absconding, potential resulting threats to internal security or public health risks.</u>
82	2. Where it becomes apparent		2. Where it becomes apparent	2. Where it becomes apparent

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	during the screening that the third-country national concerned fulfils the entry conditions set out in Article 6 of Regulation (EU) 2016/399, the screening shall be discontinued and the third-country national concerned shall be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article 5(3) of that Regulation.	<i>deleted</i>	during The screening that the third-country national concerned fulfils the entry conditions set out in Article 6 of Regulation (EU) 2016/399, the screening shall be discontinued and the third-country national concerned shall be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article 5(3) of that Regulation may be discontinued when the third country national leaves the territory of the Member States, for the country of origin, residence or another third country to which the third-country national concerned voluntarily decides to return and where he or she is accepted.	during the screening that the third-country national concerned fulfils the entry conditions set out in Article 6 of Regulation (EU) 2016/399, the screening shall be discontinued and <u>Screening may be discontinued when the third country national leaves the territory of the Member States, for the country of origin, residence or another third country to which</u> the third-country national concerned shall be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article 5(3) of that Regulation <u>voluntarily decides to return and where he or she is accepted.</u>
82a		<u>2a. Without prejudice to Article 3(3) and Article 14(7) of this Regulation, where a Member State implements a border procedure for the examination of applications for international protection in accordance with Article 41 of Regulation (EU) xxxx/202x [Asylum Procedure Regulation], the persons referred to in Article 3(1) and (2) of this Regulation shall not be authorised to enter the territory of that Member State during the screening.</u>		<u>[...]</u>

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83	Article 5 Screening within the territory	Article 5 <i>deleted</i>	Article 5 Screening within the territory	Article 5 Screening within the territory
84	Member States shall apply the screening to third-country nationals found within their territory where there is no indication that they have crossed an external border to enter the territory of the Member States in an authorised manner.	<i>deleted</i>	Member States shall apply the screening to third-country nationals found illegally staying within their territory where there is no indication that they have crossed an external border to enter the territory of the Member States in an authorised manner and that they have already been subjected to screening in a Member State. Member States shall lay down in their national law provisions to ensure that those third country nationals remain at the disposal of the competent authorities for the duration of the screening, to prevent any risk of absconding and potential resulting security risks.	<u>1. Member States shall apply the screening to third-country nationals found illegally staying within their territory where there is no indication that only where they have crossed an external border to enter the territory of the Member States in an authorised unauthorised manner and they have not been already subjected to screening in a Member State. Member States shall lay down in their national law provisions to ensure that those third country nationals remain at the disposal of the competent authorities for the duration of the screening, to prevent any risk of absconding and potential resulting threats to internal security.</u>
84a			2. Member States may refrain from applying the screening in accordance with paragraph 1 if a third-country national staying illegally on their territory is sent	<u>2. Member States may refrain from applying the screening in accordance with paragraph 1 if a third-country national staying illegally on their territory is sent</u>

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			back, immediately after apprehension, to another Member State under bilateral agreements or arrangements or under a specific cooperation framework. In this case, the Member State to which the third-country national concerned has been sent back shall apply the screening.	<u>back, immediately after apprehension, to another Member State under bilateral agreements or arrangements or under a specific cooperation framework. In this case, the Member State to which the third-country national concerned has been sent back shall apply the screening.</u>
85	Article 6 Requirements concerning the screening	Article 6 Requirements concerning the screening	Article 6 Requirements concerning the screening	Article 6 Requirements concerning the screening
86	1. In the cases referred to in Article 3, the screening shall be conducted at locations situated at or in proximity to the external borders.	<i>deleted</i>	1. In the cases referred to in Article 3, the screening shall generally be conducted at locations situated at or in proximity to the external borders or in other designated locations within its territory.	1. In the cases referred to in Article 3, the screening shall be conducted at <u>any adequate and appropriate</u> locations <u>designated by each Member State, generally</u> situated at or in proximity to the external borders <u>or, alternatively, in other locations within the territory.</u>
87	2. In the cases referred to in Article 5, the screening shall be conducted at any appropriate location within the territory of a Member State.	<i>deleted</i>	2. In the cases referred to in Article 5, the screening shall be conducted at any appropriate location within the territory of a Member State.	2. In the cases referred to in Article 5, the screening shall be conducted at any <u>adequate and</u> appropriate location <u>designated by each Member State</u> within the territory of

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				a Member State.
88	<p>3. In the cases referred to in Article 3, the screening shall be carried out without delay and shall in any case be completed within 5 days from the apprehension in the external border area, the disembarkation in the territory of the Member State concerned or the presentation at the border crossing point. In exceptional circumstances, where a disproportionate number of third-country nationals needs to be subject to the screening at the same time, making it impossible in practice to conclude the screening within that time-limit, the period of 5 days may be extended by a maximum of an additional 5 days.</p>	<p><i>deleted</i></p>	<p>3. In the cases referred to in Article 3, the screening shall be carried out without delay and shall in any case be completed within 5 days from the apprehension in the external border area, the disembarkation in the territory of the Member State concerned or the presentation at the border crossing point. In exceptional circumstances, where a disproportionate number of third-country nationals needs to be subject to the screening at the same time, making it impossible in practice to conclude the screening within that time-limit, the period of 5 days may be extended by a maximum of an additional 5 days.</p> <p>With regard to persons referred to in Article 3(1) to whom [Article 13 (1) and (3)] of Regulation (EU) XXX/XXXX [(EURODAC III Regulation)] apply, where they subsequently remain physically at the external border for more than 72 hours, the screening shall apply and the period for the screening shall be reduced to two days.</p> <p>Last part (with regard...): duplication of line 89</p>	<p>3. In the cases referred to in Article 3, the screening shall be carried out without delay and shall in any case be completed within 57 days from the apprehension in the external border area, the disembarkation in the territory of the Member State concerned or the presentation at the border crossing point.</p> <p><u>With regard to persons referred to in Article 3(1)(a) to whom Article 14(1) and (3) of Regulation (EU) xxxx/xxxx [Eurodac Regulation] apply, where those persons remain physically at the external border for more than 72 hours, the screening shall apply to them thereafter and the period for the screening shall be reduced to four</u>In exceptional circumstances, where a disproportionate number of third-country nationals needs to be subject to the screening at the same time, making it impossible in practice to conclude the screening within that time-limit, the period of 5 days may be extended by a maximum of an additional 5 days.</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
89	With regard to persons referred to in Article 3(1)(a) to whom Article 14 (1) and (3) of Regulation (EU) 603/2013 apply, where they remain physically at the external border for more than 72 hours, the period for the screening shall be reduced to two days.	<i>deleted</i>	With regard to persons referred to in Article 3(1)(a) 3(1) to whom [Article 14 13 (1) and (3)] of Regulation (EU) 603/2013 XXX/XXXX [(EURODAC III Regulation)] apply, where they subsequently remain physically at the external border for more than 72 hours, the screening shall apply and the period for the screening shall be reduced to two days.	With regard to persons referred to in Article 3(1)(a) to whom Article 14 (1) and (3) of Regulation (EU) 603/2013 apply, where they remain physically at the external border for more than 72 hours, the period for the screening shall be reduced to two days. See line 88
90	4. Member States shall notify the Commission without delay about the exceptional circumstances referred to in paragraph 3. They shall also inform the Commission as soon as the reasons for extending the screening period have ceased to exist.	<i>deleted</i>	4. Member States shall notify the Commission without delay about the exceptional circumstances referred to in paragraph 3. They shall also inform the Commission as soon as the reasons for extending the screening period have ceased to exist.	4. Member States shall notify the Commission without delay about the exceptional circumstances referred to in paragraph 3. They shall also inform the Commission as soon as the reasons for extending the screening period have ceased to exist. See line 88
91	5. The screening referred to in Article 5 shall be carried out without delay and in any case shall be completed within 3 days from apprehension.	<i>deleted</i>	5. The screening referred to in Article 5 shall be carried out without delay and in any case shall be completed within 35 days from apprehension.	5. The screening referred to in Article 5 shall be carried out without delay and in any case shall be completed within 3 days from apprehension.
92	6. The screening shall comprise the following mandatory elements:	6. The screening shall comprise the following mandatory elements:	6. The screening shall comprise the following mandatory elements:	6. The screening shall comprise the following mandatory elements:

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93	(a) preliminary health and vulnerability check as referred to in Article 9;	(a) <u>a</u> preliminary health and vulnerability check as referred to in Article 9;	(a) preliminary health and vulnerability check as referred to in Article 9 ;	(a) <u>a</u> preliminary health and vulnerability check as referred to <u>in accordance with</u> Article 9;
93a		<u>(aa) a preliminary vulnerability check as referred to in Article 9;</u>		<u>(aa) a preliminary vulnerability check as referred to in Article 9;</u>
93b			(aa) preliminary health check as referred to in Article 9, unless, in accordance with that Article, it was not considered necessary;	
94	(b) identification as referred to in Article 10;	(b) identification <u>or verification of identity</u> as referred to in Article 10;	(b) identification as referred to in Article 10;	(b) identification <u>or verification of identity</u> as referred to in Article 10;
95	(c) registration of biometric data in the appropriate databases as referred to in Article 14(6), to the extent it has not occurred yet;	(c) registration of biometric data in the appropriate databases as referred to in Article 14(6), to the extent it has not occurred <u>yet accordance with Articles 10, 13 and 14a of Regulation (EU) xxxx/xxxx [Eurodac Regulation];</u>	(c) registration of biometric data in the appropriate databases in Eurodac as referred to in [Article 14(6)14(5)], to the extent it has not occurred yet;	(c) registration of biometric data in the appropriate databases as referred to in Article 14(6) <u>accordance with [Articles 10, 13 and 14a of Regulation (EU) xxxx/xxxx [Eurodac Regulation]]</u> , to the extent it has not occurred yet;
96				

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	(d) security check as referred to in Article 11;	(d) <u>a</u> security check as referred to in Article 11;	(d) security check as referred to in Article 11;	(d) <u>a</u> security check as referred to in Article 11;
97	(e) the filling out of a de-briefing form as referred to in Article 13;	(e) the filling out of a de-briefing screening form as referred to in Article 13;	(e) the filling out of a de-briefing screening form as referred to in Article 13;	(e) the filling out of a de-briefing screening form as referred to in Article 13;
98	(f) referral to the appropriate procedure as referred to in Article 14.	(f) referral to the appropriate procedure as referred to in Article 14.	(f) referral to the appropriate procedure as referred to in Article 14.	(f) referral to the appropriate procedure as referred to in Article 14.
98a		<u>The screening may be conducted at any appropriate and adequate location within the territory of a Member State to be designated by that Member State, including at or in proximity to the external borders.</u>		
98b		<u>6a. Organisations and persons providing advice and counselling, including legal assistance and representation, shall have effective access to third-country nationals, in particular to those held in detention facilities or present at the border crossing points, including transit zones, at external borders.</u>		<u>6a. Organisations and persons providing advice and counselling shall have effective access to third-country nationals during the screening. Member States may impose limits to such access where, by virtue of national law, they are objectively necessary for the security, public order or</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<u>administrative management of a border crossing point or of a screening facility, provided that access is not severely restricted or rendered impossible.</u>
98c		<p><u>6b. The screening shall be carried out without delay and shall in any case be completed within five days from the apprehension in the external border area, the disembarkation in the territory of the Member State concerned or the presentation at the border crossing point.</u></p> <p><u>With regard to persons referred to in Article 3(1)(a) to whom [Article 14(1) and (3)] of Regulation (EU) xxxx/xxxx [Eurodac Regulation] apply, where those persons remain physically at the external border for more than 72 hours, the screening shall apply to them thereafter and the period for the screening shall be reduced to two days.</u></p>		<u>[...] See line 88</u>
98d		<p><u>6e. When it proves necessary and on the basis of an individual assessment of each case, Member</u></p>		<u>6e. The relevant rules on detention set out in Directive 2008/115/EC (Return Directive) shall apply</u>

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		<p><u>States may detain a person subject to the screening, if other less coercive alternative measures cannot be applied effectively. Member States may, where necessary, require persons subject to the screening to report to the competent authorities at a specified time or at reasonable intervals.</u></p> <p><u>The provisions set out in Directive (EU) xxxx/xxxx [Reception Conditions Directive] regarding detention and the application of alternative measures, in particular Articles 8 to 12 and Article 16(2), second subparagraph of that Directive, shall apply mutatis mutandis to all persons subject to the screening.</u></p>	PUBLIC	<p><u>during screening in respect of third-country nationals who have not made an application for international protection.</u></p>
98e		<p><u>6c. For the duration of a situation of crisis in accordance with Regulation (EU) XXX/XXXX [Crisis Regulation], the period of five days set out in paragraph 6(b) of this Article may be extended by a maximum of five additional days.</u></p>		<p><u>[...] See line 88</u></p>
98f		<p><u>6d. Member States shall ensure that all persons subject to the screening are accorded a standard</u></p>		<p><u>6d. Member States shall ensure that all persons subject to the screening are accorded a standard</u></p>

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		<p><u>of living which guarantees their subsistence, protects their physical and mental health, and respects their rights under the Charter.</u></p> <p><u>Directive (EU) xxxx/xxxx [Reception Conditions Directive] shall apply to persons who apply for international protection, in accordance with Article 16 of that Directive, from the moment that those persons make their application for international protection.</u></p>	PUBLIC	<p><u>of living which guarantees their subsistence, protects their physical and mental health, and respects their rights under the Charter.</u></p>
98g		<p><u>6f. Third-country nationals shall not be subject to any intrusive biometric surveillance technologies nor predictive analytics and biometric categorisation in or around the reception or screening facilities or during the screening. The use of lie detection systems or long-range listening devices shall be prohibited.</u></p>		<p><u>6f deleted</u></p>
99	<p>7. Member States shall designate competent authorities to carry out the screening. They shall deploy appropriate staff and sufficient resources to carry out the screening in an efficient way.</p>	<p>7. Member States shall designate competent authorities to<u>responsible for the screening and shall ensure that the staff of those competent authorities who will</u> carry out the screening <u>have the appropriate</u></p>	<p>7. Member States shall designate the screening competent authorities and ensure that they to carry out the screening. They shall deploy appropriate staff and sufficient resources to carry out the screening</p>	<p>7. Member States shall designate competent<u>the screening</u> authorities to<u>and shall ensure that the staff of those authorities who will</u> carry out the screening <u>have the appropriate knowledge and have received the</u></p>

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		<u>knowledge and have received the necessary training in accordance with Article 8 of Regulation (EU) 2021/2303 [EU Asylum Agency Regulation].</u> Member States-They shall deploy appropriate staff and sufficient resources to carry out the screening in an efficient way.	in an efficient way.	<u>necessary training in accordance with Article 16 of Regulation (EU) 2016/399 [SBC].</u> <u>Member States-They</u> shall deploy appropriate staff and sufficient resources to carry out the screening in an efficient way.
100	Member States shall designate qualified medical staff to carry out the health check provided for in Article 9. National child protection authorities and national anti-trafficking rapporteurs shall also be involved, where appropriate.	Member States shall designate qualified medical staff <u>professionals</u> to carry out the health check provided for in Article 9 <u>and qualified professionals to carry out the vulnerability check provided for in Article 9.</u> National child protection authorities and national anti-trafficking rapporteurs shall also be involved <u>or officers shall, also be involved.</u>	Member States shall designate ensure that qualified medical staff to carry out the preliminary health check provided for in Article 9. National child protection authorities and national anti-trafficking rapporteurs or equivalent mechanisms shall also be involved, where appropriate. [Member States shall also ensure that only the screening authorities responsible for the identification or verification of identity and the security check have access to the databases foreseen in Article 10 and Article 11 of this Regulation.] Text in [] to be considered separately in line 100a	Member States shall designate <u>ensure that</u> qualified medical staff to <u>personnel carries out the preliminary health check provided for in Article 9 and that specialised personnel of the screening authorities trained for that purpose</u> carry out the health <u>preliminary vulnerability</u> check provided for in Article 9. National child protection authorities and national anti-trafficking rapporteurs <u>authorities in charge of detecting and identifying victims of trafficking or equivalent mechanisms</u> shall also be involved, where appropriate.
100a			Member States shall also ensure that only the screening authorities responsible for the identification	<u>Member States shall also ensure that only the screening authorities responsible for the identification or</u>

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			<p>or verification of identity and the security check have access to the databases foreseen in Article 10 and Article 11 of this Regulation.</p> <p>From line 100</p>	<p><u>verification of identity and the security check have access to the databases foreseen in Article 10 and Article 11 of this Regulation.</u></p>
101	<p>The competent authorities may be assisted or supported in the performance of the screening by experts or liaison officers and teams deployed by the European Border and Coast Guard Agency and the [European Union Agency for Asylum] within the limits of their mandates.</p>	<p>The competent authorities may be assisted or supported in the performance of the screening by experts or liaison officers and teams deployed by the European Border and Coast Guard Agency, <u>including as referred to in Article 40(4) of Regulation (EU) 2019/1896 [European Border and Coast Guard Regulation]</u>, and the [European Union Agency for Asylum] within the limits of their mandates <u>provided that such experts have the relevant training and qualifications as set out in the first two subparagraphs.</u></p>	<p>The competent screening authorities may be assisted or supported in the performance of the screening by experts or liaison officers and teams deployed by the European Border and Coast Guard Agency and the [European Union Agency for Asylum] within the limits of their mandates.</p>	<p>The competent screening authorities may be assisted or supported in the performance of the screening by experts or liaison officers and teams deployed by the European Border and Coast Guard Agency and the European Union Agency for Asylum within the limits of their mandates <u>provided that such experts have the relevant training as set out in the first two subparagraphs.</u></p>
101a			<p>Article 6a</p> <p>Obligations of third country nationals submitted to screening</p>	<p><u>Article 6a</u></p> <p><u>Obligations of third country nationals submitted to screening</u></p>
101b			<p>1. The third country nationals subject to screening shall remain, for its duration, at the disposal of</p>	<p><u>1. During the screening, third country nationals subject to screening shall remain available to</u></p>

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			the screening authorities, in the locations referred to in Article 6 (1) and (2) for that purpose.	<u>the screening authorities.</u>
G 101c			<p>2. They shall cooperate with the screening authorities in all elements of the screening as set in Article 6(6), in particular, by providing:</p> <p>a) Name, date of birth, gender and nationality as well as documents and information that can prove this data;</p> <p>b) fingerprints and facial image as referred to in [Regulation (EU) XXX/XXX (EURODAC III Regulation)].</p>	<p><u>2. Third-country nationals shall:</u></p> <p><u>a) indicate their name, date of birth, gender and nationality and provide related documents and information, where available, that can prove this data;</u></p> <p><u>b) provide biometric data as referred to in [Regulation (EU) XXX/XXX (EURODAC III Regulation)].</u></p>
G 101d			<p>3. Member States may introduce penalties, in accordance with their national law, in case of non-compliance with the obligations referred to in this Article. Those penalties shall be effective, proportionate and dissuasive.</p>	<u>deleted</u>
G 102	Article 7 Monitoring of fundamental rights	Article 7 Monitoring of fundamental rights	Article 7 Monitoring of fundamental rights	Article 7 Monitoring of fundamental rights


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103	1. Member States shall adopt relevant provisions to investigate allegations of non-respect for fundamental rights in relation to the screening.	1. Member States shall adopt relevant provisions to investigate <u>all</u> allegations of non-respect for fundamental rights in relation to <u>during border surveillance and the screening procedure.</u> <u>They shall adopt provisions under national law to penalise a failure to respect fundamental rights. The penalties provided for shall be effective, proportionate and dissuasive.</u>	1. Member States shall adopt relevant provisions to investigate allegations of non-respect for fundamental rights in relation to the screening.	1. Member States shall adopt relevant provisions to investigate allegations of non-respect for fundamental rights in relation to the screening. <u>Member States shall ensure, where appropriate, referral for the initiation of civil or criminal justice proceedings in cases of failure to respect or to enforce fundamental rights in accordance with national law.</u>
104	2. Each Member State shall establish an independent monitoring mechanism	2. Each Member State shall establish an independent monitoring mechanism <u>or designate an existing independent mechanism, if it meets the criteria set out in this Regulation.</u>	2. Each Member State shall establish provide for an independent monitoring mechanism	2. Each Member State shall establish <u>provide for</u> an independent <u>mechanism in accordance with the requirements set out in this article, which shall:</u> <u>- monitor compliance with EU and international law, including the Charter of Fundamental Rights, in particular as regards access to the asylum procedure, the principle of non-refoulement, the best interest of the child and the relevant rules, including relevant provisions in national law, on detention of the person concerned, during the screening ; and</u> <u>- ensure that substantiated allegations of non-respect for</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p><u>fundamental rights in all relevant activities in relation to the screening, are dealt with effectively and without undue delay, to trigger such investigations where necessary and to monitor the progress of such investigations.</u></p> <p><u>The independent</u> monitoring mechanism <u>shall cover all activities undertaken by the Member States in implementing this Regulation.</u></p>
G	105	deleted	- to ensure compliance with EU and international law, including the Charter of Fundamental Rights including in relation with the access to the asylum procedure and the principle of non-refoulement , during the screening;.	- to ensure compliance with EU and international law, including the Charter of Fundamental Rights, during the screening; <u>deleted</u>
G	106	deleted	- where applicable, to ensure compliance with national rules on detention of the person concerned, in particular concerning the grounds and the duration of the detention;	- where applicable, to ensure compliance with national rules on detention of the person concerned, in particular concerning the grounds and the duration of the detention; <u>deleted</u>
G	107	deleted	- to ensure that allegations of non-respect for fundamental rights in	- to ensure that allegations of non-respect for fundamental rights in

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	relation to the screening, including in relation to access to the asylum procedure and non-compliance with the principle of non-refoulement, are dealt with effectively and without undue delay.		relation to the screening, including in relation to access to the asylum procedure and non-compliance with the principle of non-refoulement, are dealt with effectively and without undue delay.	relation to the screening, including in relation to access to the asylum procedure and non-compliance with the principle of non-refoulement, are dealt with effectively and without undue delay. <u>deleted</u>
107a		<u>The mechanism shall monitor compliance with Union and international law, including the Charter, during border surveillance and the screening procedure, including in relation to:</u> <u>a) access to the asylum procedure;</u> <u>b) the principle of non-refoulement;</u> <u>c) the best interest of the child;</u> <u>d) the right to health care;</u> <u>e) reception conditions;</u> <u>f) the relevant rules on detention of the person concerned;</u> <u>g) the procedural safeguards applicable to the person concerned.</u>		<u>[...]</u>
107b		<u>The mechanism shall ensure that allegations of non-respect for</u>		<u>[...] See line 104</u>

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		<u>fundamental rights in all relevant activities in relation to border surveillance and the screening for all third-country nationals referred to in Article 3(1) and 3(2) are properly investigated and dealt with effectively and without undue delay, or where necessary trigger such investigations. The mechanism shall monitor the progress of such investigations.</u>		
107c		<u>The independent monitoring mechanism shall issue recommendations to Member States</u>		<u>The independent monitoring mechanism shall have the power to issue annual recommendations to Member States.</u>
108	Member States shall put in place adequate safeguards to guarantee the independence of the mechanism.	Member States shall put in place adequate safeguards to guarantee the independence of the mechanism, <u>in line with criteria recognised under relevant international human rights law and standards.</u>	Member States shall put in place adequate safeguards to guarantee the independence of the mechanism.	Member States shall put in place adequate safeguards to guarantee the independence of the mechanism. <u>National Ombudspersons and national human rights institutions, including National Preventive Mechanisms, shall participate in the operation of the mechanism and may be appointed to act as independent monitors. The independent monitoring mechanism may also involve relevant international and non-governmental organisations and public bodies independent from the</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<u>authorities carrying out the screening.</u>
108a		<u>Member States shall involve national human rights institutions, national ombudspersons and international organisations in the management and operation of the mechanism. They may also involve relevant non-governmental organisations. Insofar as one or more of those institutions or organisations are not directly involved in the mechanism, the bodies responsible for the monitoring mechanism shall establish and maintain close links with them. The bodies responsible for the mechanism shall establish and maintain close links with the national data protection authorities and the European Data Protection Supervisor.</u>		<u>The mechanism shall establish and maintain close links with the national data protection authorities and the European Data Protection Supervisor. Insofar as one or more of those institutions or organisations are not directly involved in the mechanism, the bodies responsible for the monitoring mechanism shall establish and maintain close links with them.</u>
108b		<u>Member States shall provide bodies responsible for the mechanism with access to all relevant locations, including reception and detention facilities, individuals and documents, insofar as such access is necessary to allow the bodies responsible for the mechanism to</u>		<u>The independent monitoring mechanism provided for by this Article shall carry out its tasks on the basis of spot checks and random and unannounced checks.</u> <u>Member States shall provide the mechanism with access to all</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>fulfil the obligations set out in this Article. Where information gathered on an individual case suggests that a criminal offence has been committed, that information shall be handed over to the national prosecuting authorities or national prosecution services.</u>		<u>relevant locations, including reception and detention facilities, individuals and documents, insofar as such access is necessary to allow the mechanism to fulfil the obligations set out in this Article. Access to relevant locations or classified information shall be granted only to monitors having received the appropriate security clearance issued by a competent authority in accordance with national law.</u>
109	The Fundamental Rights Agency shall issue general guidance for Member States on the setting up of such mechanism and its independent functioning. Furthermore, Member States may request the Fundamental Rights Agency to support them in developing their national monitoring mechanism, including the safeguards for independence of such mechanisms, as well as the monitoring methodology and appropriate training schemes.	The Fundamental Rights Agency <u>FRA</u> shall issue general guidance for Member States on the setting up of such <u>establishment of a monitoring</u> mechanism and its independent functioning. Furthermore, Member States may request the Fundamental Rights Agency <u>FRA</u> to support them in developing their national monitoring mechanism, including the safeguards for independence of such mechanisms, as well as the monitoring methodology and appropriate training schemes.	The Fundamental Rights Agency shall issue general guidance for Member States on the setting up of such mechanism and its independent functioning. Furthermore, Member States may request the Fundamental Rights Agency to support them in developing their national monitoring mechanism, including the safeguards for independence of such mechanisms, as well as the monitoring methodology and appropriate training schemes.	The Fundamental Rights Agency <u>FRA</u> shall issue general guidance for Member States on the setting up of such <u>establishment of a monitoring</u> mechanism and its independent functioning. Furthermore, Member States may request the Fundamental Rights Agency <u>FRA</u> to support them in developing their national monitoring mechanism, including the safeguards for independence of such mechanisms, as well as the monitoring methodology and appropriate training schemes.
109a		<u>The work of the independent</u>		<u>The Commission shall take into</u>

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		<p><u>monitoring mechanisms shall contribute to the assessment of the effective application and implementation of the Charter according to Article 15(1) and Annex III of Regulation (EU) 2021/1060 of the European Parliament and of the Council^{1a} [Common Provisions Regulation].</u></p> <p><u>1a. Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).</u></p>	<div>PUBLIC</div>	<p><u>account the findings of the independent monitoring mechanisms in the assessment of the effective application and implementation of the Charter according to Article 15(1) and Annex III of Regulation (EU) 2021/1060 of the European Parliament and of the Council [Common Provisions Regulation].</u></p>	
G	110	Member States may invite relevant national, international and non-governmental organisations and bodies to participate in the monitoring.	deleted	Member States may invite relevant national, international and non-governmental organisations and bodies to participate in the monitoring.	Member States may invite relevant national, international and non-governmental organisations and bodies to participate in the monitoring.
G	110a				<p><u>2a. The mechanism referred to above shall be without prejudice to the monitoring mechanism for the</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>purpose of monitoring the operational and technical application of the CEAS as set out in Article 14 of Regulation (EU) 2021/2303 [EU Asylum Agency Regulation] and to the role of the fundamental rights monitors in monitoring respect for fundamental rights in all activities of the European Border and Coast Guard Agency as set out in Article 80 of Regulation (EU) 2019/1896 [European Border and Coast Guard Regulation].</u>		<u>purpose of monitoring the operational and technical application of the CEAS as set out in Article 14 of Regulation (EU) 2021/2303 [EU Asylum Agency Regulation] and to the role of the fundamental rights monitors in monitoring respect for fundamental rights in all activities of the European Border and Coast Guard Agency as set out in Article 80 of Regulation (EU) 2019/1896 [European Border and Coast Guard Regulation].</u> <u>2b. Member States shall equip the independent monitoring mechanism with appropriate financial means.</u>
G 111	Article 8 Provision of information	Article 8 Provision of information	Article 8 Provision of information	Article 8 Provision of information
G 112	1. Third-country nationals subject to the screening shall be succinctly informed about the purpose and the modalities of the screening:	1. <u>Member States shall inform</u> third-country nationals subject to the screening shall be succinctly informed about the purpose, <u>duration</u> and the modalities of the screening, <u>including</u> :	1. Third-country nationals subject to the screening shall be succinctly informed about the purpose and the modalities of the screening:	1. <u>Member States shall ensure that</u> third-country nationals subject to the screening shall be succinctly are informed about the purpose and the modalities of the screening :
G 113				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) the steps and modalities of the screening as well as possible outcomes of the screening;	(a) the steps and modalities of the screening as well as possible outcomes of the screening;	(a) the steps and modalities purpose, modalities and elements of the screening as well as possible outcomes of the screening;	(a) the steps and purpose, duration, modalities and elements of the screening as well as possible outcomes of the screening;
113a		<u>(aa) the right to apply for international protection, in particular in the circumstances specified in Article 30 of Regulation (EU) xxxx/202x [Asylum Procedure Regulation];</u>		<u>(aa) the right to apply for international protection and the applicable rules on making an application for international protection, where appropriate in the circumstances specified in Article 30 of Regulation (EU) xxxx/202x [Asylum Procedure Regulation], and, for those having made an application for international protection, the obligations and the consequences of non-compliance laid down in Articles 9 and 10 of Regulation (EU) No XXX/XXX Asylum and Migration Management Regulation];</u>
114	(b) the rights and obligations of third country nationals during the screening, including the obligation on them to remain in the designated facilities during the screening.	(b) the rights and obligations of third-country third-country nationals during the screening, including the obligation on them to remain in the designated facilities during the screening; <u>and the possibility to contact and be contacted by the organisations and persons referred to in Article 6(6a) of this Regulation;</u>	(b) the rights and obligations of third country nationals during the screening, including the obligation on them to remain in the designated facilities during the screening;	(b) the rights and obligations of third-country third-country nationals during the screening, including the obligation on them to remain in the designated facilities during the screening; <u>referred to in Article 6a and the possibility to contact and be contacted by the organisations and persons referred to in Article 6(6a) of this Regulation;</u>

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G 114a		<u>(ba) the rights referred to in Article 13 of Regulation (EU) 2016/679 [GDPR], in Article 13 of Directive (EU) 2016/680 [Police Directive] and in Article 15 of Regulation (EU) 2018/1725.</u>		<u>(ba) the rights conferred on the data subject by the applicable [EU] data protection law, in particular Regulation (EU) 2016/679 [GDPR].</u>
G 114b			(c) the obligations of third-country nationals referred to in Article 6A and the consequences of non-compliance therewith, including the penalties under national law where provided for by Member States.	<u>[...] See line 114</u>
G 115	2. During the screening, they shall also, as appropriate, receive information on:	2. During the screening, they <u>Member States</u> shall also, as appropriate, receive <u>provide</u> information on:	2. During the screening, they shall also, as <u>where</u> appropriate, – receive succinct information on:	2. During the screening, they <u>Member States</u> shall also <u>ensure, where, as</u> appropriate, receive information on that third-country nationals subject to the screening are informed about:
G 116	(a) the applicable rules on the conditions of entry for third-country nationals in accordance with Regulation (No) 2016/399 [Schengen Border Code], as well as on other conditions of entry, stay	(a) <u>to the extent this information has not been given already,</u> the applicable rules on the conditions of entry for third-country nationals in accordance with Regulation (No <u>EU</u>) 2016/399 [Schengen Border <u>Borders</u>]	(a) the applicable rules on the conditions of entry for third-country nationals in accordance with Regulation (No) 2016/399 [Schengen Border <u>Borders</u> Code], as well as on other conditions of entry,	(a) the applicable rules on the conditions of entry for third-country nationals in accordance with Regulation (No) 2016/399 [Schengen Border <u>Borders</u> Code], as well as on other conditions of entry,

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	and residence of the Member State concerned, to the extent this information has not been given already;	Code], as well as on other conditions of entry, stay and residence of the Member State concerned, to the extent this information has not been given already;	stay and residence of the Member State concerned, to the extent this information has not been given already;	stay and residence of the Member State concerned, to the extent this information has not been given already;
117	(b) where they have applied, or there are indications that they wish to apply, for international protection, information on the obligation to apply for international protection in the Member State of first entry or legal stay set out in Article [9(1) and (2)] of Regulation (EU) No XXX/XXX [ex-Dublin Regulation], the consequences of non-compliance set out in Article [10(1)] of that Regulation, and the information set out in Article 11 of that Regulation as well as on the procedures that follow the making of an application for international protection;	(b) where they have applied, or there are indications that they wish to apply, for international protection, information on the obligation to apply for international protection in the Member State of first entry or legal stay set out in Article [9(1) and (2)] of <u>obligations laid down for those seeking international protection in</u> Regulation (EU) No XXX/XXX [ex-Dublin <u>Asylum and Migration Management</u> Regulation], the consequences of non-compliance set out in Article [10(1)] of that Regulation, and the information set out in Article 11 of that Regulation as well as on the procedures that follow the making of an application for international protection;	(b) where they have applied, or there are indications that they wish to apply, the applicable rules on applying for international protection and, for those having made an application, information on the obligation to apply for international protection, all the relevant information in accordance with in the Member State of first entry or legal stay set out in Article [9(1) and (2)] of Regulation (EU) No XXX/XXX [ex-Dublin Regulation], the consequences of non-compliance set out in Article [10(1)] of that Regulation, and the information set out in Article 11 of that 604/2013 (Dublin III Regulation) as well as on the procedures that follow the making of an application for international protection;	(b) where they have applied, or there are indications that they wish to apply, for international protection, information on the obligation to apply for international protection in the Member State of first entry or legal stay set out in Article [9(1) and (2)] of Regulation (EU) No XXX/XXX [ex-Dublin Regulation], the consequences of non-compliance set out in Article [10(1)] of that Regulation, and the information set out in Article 11 of that Regulation as well as on the procedures that follow the making of an application for international protection; <u>See line 113a</u>
118	(c) the obligation for illegally staying third-country nationals to return in accordance with Directive XXXXX [Return Directive];	(c) <u>where it becomes apparent during the screening that the third-country national concerned does not fulfil the entry conditions set</u>	(c) the obligation for illegally staying third-country nationals to return in accordance with Directive XXXXX -(EU) 2008/115/EC	(c) the obligation for illegally staying third-country nationals to return in accordance with Directive XXXXX -(EU) 2008/115/EC (Return

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		<u>out in Article 6 of Regulation (EU) 2016/399 [Schengen Borders Code], the obligation</u> the obligation for illegally staying third country nationals to return in accordance with Directive XXXXX [Return Directive] <u>and the possibilities to enrol in a programme providing logistical, financial and other material or in-kind assistance for the purpose of supporting voluntary departure;</u>	(Return Directive) ;	Directive e) <u>and the possibilities to enrol in a programme providing logistical, financial and other material or in-kind assistance for the purpose of supporting voluntary departure;</u>
119	(d) the possibilities to enrol in a programme providing logistical, financial and other material or in-kind assistance for the purpose of supporting voluntary departure;	<i>deleted</i>	(d) the possibilities to enrol in a programme providing logistical, financial and other material or in-kind assistance for the purpose of supporting voluntary departure;	(d) the possibilities to enrol in a programme providing logistical, financial and other material or in-kind assistance for the purpose of supporting voluntary departure; <u>See line 119</u>
120	(e) the conditions of participation in relocation in accordance with Article XX of Regulation (EU) No XXX/XXX [ex-Dublin Regulation];	(e) the conditions of participation in relocation in accordance with Article XX of Regulation (EU) No XXX/XXX [ex-Dublin Regulation];	(e) the conditions of participation in relocation in accordance with Article XX of Regulation (EU) No XXX/XXX [ex-Dublin Regulation] an existing solidarity mechanism ;	(e) the conditions of participation in relocation in accordance with Article XX of Regulation (EU) No XXX/XXX [ex-Dublin Regulation] <u>AMMR] or another existing solidarity mechanism;</u>
121	(f) the information referred to in Article 13 of the Regulation (EU)	<i>deleted</i>	(f) the information referred to in Article 13 of the Regulation (EU)	(f) the information referred to in Article 13 of the Regulation (EU)

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	<p>2016/679¹ [GDPR].</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016</p>		<p>2016/679¹ [GDPR].</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016</p>	<p>2016/679¹ [GDPR].</p> <p><u>See line 114a</u></p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016</p>
122	<p>3. The information provided during the screening shall be given in a language which the third-country national understands or is reasonably supposed to understand. The information shall be given in writing and, in exceptional circumstances, where necessary, orally using interpretation services. It shall be provided in an appropriate manner taking into account the age and the gender of the person.</p>	<p>3. The information provided during the screening shall be given in a language which the third-country national understands or is reasonably supposed to understand. The information shall be given in writing <u>in a concise and easily accessible format, using clear and plain language and</u> and, in exceptional circumstances, where necessary, orally using interpretation services. It shall be provided in an appropriate manner taking into account the age and the gender of the person <u>and in cases of unaccompanied minors in the presence of the representative as referred to in Article 9a</u>.</p> <p><u>For those third-country nationals seeking international protection, that information may be provided at</u></p>	<p>3. The information provided during the screening shall be given in a language which the third-country national understands or is reasonably supposed to understand or, in any case, in at least five of those languages which are most frequently used or understood by illegal migrants entering the Member State concerned. The information shall be given in writing, or where necessary for the applicant's proper understanding, shall also be supplied and, in exceptional circumstances, where necessary, orally, using interpretation services where possible. Where needed, it shall be provided in an appropriate manner taking into account the age and the gender of the person in the case of vulnerable persons.</p>	<p>3. The information provided during the screening shall be given in a language which the third-country national understands or is reasonably supposed to understand. The information shall be given <u>provided</u> in writing and, in exceptional circumstances, physically or electronically, and, where necessary, orally using interpretation services.</p> <p><u>In the case of minors, the information</u> it shall be provided in an appropriate <u>a child-friendly</u> manner taking into account the age and the gender of the person <u>and with the involvement of the representative or person referred to in Article 9a, paragraph 3</u>. <u>The responsible authorities may make the necessary arrangements for cultural mediation services to be</u></p>

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		<p><u>the same time as the information as laid down in Article 8(2) of Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation].</u></p> <p><u>The responsible authorities shall make the necessary arrangements for interpretation services and, where necessary and appropriate, for cultural mediation services to be available to facilitate access to the procedure for international protection.</u></p>	PUBLIC	<p><u>available to facilitate access to the procedure for international protection.</u></p>
G 123	4. Member States may authorise relevant and competent national, international and non-governmental organisations and bodies to provide third country nationals with information under this article during the screening according to the provisions established by national law.	4. Member States may authorise relevant and competent national, international and non-governmental organisations and bodies to provide third country nationals with information under this article during the screening according to the provisions established by national law.	4. Member States may authorise relevant and competent national, international and non-governmental organisations and bodies to provide third country nationals with information under this article during the screening according to the provisions established by national law. Such information may also be provided by leaflets developed by EU agencies, as appropriate.	4. Member States may authorise relevant and competent national, international and non-governmental organisations and bodies to provide third country nationals with information under this article during the screening according to the provisions established by national law.
G 124	Article 9 Health checks and vulnerabilities	Article 9 Health checks and vulnerabilities <u>and vulnerability checks</u>	Article 9 Preliminary health checks and vulnerabilities	Article 9 <u>Preliminary</u> health checks and vulnerabilities

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125	<p>1. Third-country nationals submitted to the screening referred to in Article 3 shall be subject to a preliminary medical examination with a view to identifying any needs for immediate care or isolation on public health grounds, unless, based on the circumstances concerning the general state of the individual third-country nationals concerned and the grounds for directing them to the screening, the relevant competent authorities are satisfied that no preliminary medical screening is necessary. In that case, they shall inform those persons accordingly.</p>	<p>1. <u>All</u> third-country nationals submitted to the screening referred to in Article 3 shall be subject to a preliminary medical examination <u>by qualified medical professionals</u> with a view to identifying any needs for immediate <u>or long-term</u> care or isolation on public health grounds; unless, based on the circumstances concerning the general state of the individual third-country nationals concerned and the grounds for directing them to the screening, the relevant competent authorities are satisfied that no preliminary medical screening is necessary. In that case, they shall inform those persons accordingly.</p>	<p>1. Third-country nationals submitted to the screening referred to in Article 3 shall have access to emergency health care and essential treatment of illness. They shall be subject to a preliminary medical examination health check with a view to identifying any needs for immediate health care or isolation on public health grounds; unless, based on the circumstances concerning the general state of the each individual third-country national national concerned and the grounds for directing them her/him to the screening, the relevant competent qualified medical staff or, by way of derogation, in exceptional circumstances, the screening authorities are satisfied under the supervision of qualified medical staff consider that no preliminary medical screening health check is necessary. The Member States shall notify the Commission where they make use of such a possibility In that case, they shall inform those persons accordingly.</p>	<p>1. Third-country nationals submitted to the screening referred to in Article 3 <u>and article 5</u> shall be subject to a preliminary <u>health check by qualified medical examination personnel</u> with a view to identifying any needs for <u>immediate health</u> care or isolation on public health grounds; unless, Qualified medical personnel may, based on the medical circumstances concerning the general state of the each individual third-country nationals concerned and the grounds for directing them <u>national, decide that no further health check during the screening is necessary. Third-country nationals subject to the screening, the relevant competent authorities are satisfied that no preliminary medical screening is necessary. In that case, they shall inform those persons accordingly referred to in Article 3 and Article 5 shall have access to emergency health care and essential treatment of illness.</u></p>
125a		<p><u>1a. Without prejudice to the obligations on Member States laid down in Article 23 of Regulation</u></p>		<p><u>1a. Without prejudice to the obligations on Member States laid down in Article 23 of Regulation</u></p>

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		<u>(EU) xxxx/xxxx [Asylum Procedure Regulation], for those third-country nationals seeking international protection, the health check referred to in the first subparagraph of this Article may form part of the medical examination laid down in Article 23 of Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation].</u>		<u>(EU) xxxx/xxxx [Asylum Procedure Regulation], for those third-country nationals having made applications for international protection, the health check referred to in the first subparagraph of this Article may form part of the medical examination laid down in Article 23 of Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation].</u>
126	2. Where relevant, it shall be checked whether persons referred to in paragraph 1 are in a vulnerable situation, victims of torture or have special reception or procedural needs within the meaning of Article 20 of the [recast] Reception Conditions Directive.	2. Where relevant, it <u>In addition, Member States shall be checked ensure that qualified professionals assess</u> whether persons <u>submitted to the screening</u> referred to in paragraph 1 <u>Article 3</u> are in a vulnerable situation, <u>are</u> victims of torture or <u>other inhuman or degrading treatment, are stateless persons or at risk of becoming stateless persons, or</u> have special reception or procedural needs within the meaning of Article 20 of the [recast] <u>21 of Directive (EU) xxxx/xxxx</u> [Reception Conditions Directive] <u>and Article 20 of Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation].</u>	2. Where relevant, it Third-country nationals submitted to the screening referred to in Article 3 shall be checked whether persons referred to in paragraph 1 are in a vulnerable situation, victims of torture or have special reception or procedural needs within the meaning of Article 20 of the [recast] Reception Conditions Directive subject to a vulnerability check with a view to identifying any indication of vulnerability. The vulnerability check shall be conducted by a screening authority trained for that purpose which may be assisted by non-governmental organizations and where relevant by medical staff as referred to in Article 6(7).	2. Where relevant, it <u>Third-country nationals submitted to the screening referred to in Article 3 and Article 5</u> shall be checked whether persons referred to in paragraph 1 are in a vulnerable situation, victims <u>subject to a preliminary vulnerability check by specialised personnel of the screening authorities trained for that purpose with a view to identifying any indication that a third-country national may be a stateless person or any indication of vulnerability, of being a victim</u> of torture or have special reception or procedural <u>other inhuman or degrading treatment, or having special</u> needs within the meaning of <u>Directive XXX/XXX [Return Directive], Article 20 of the [recast] 21 of Directive (EU) xxxx/xxxx</u> [Reception Conditions Directive], <u>and Article 20 of Regulation (EU)</u>

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				<u>xxxx/xxxx [Asylum Procedure Regulation.] For the purpose of the vulnerability check, the screening authorities may be assisted by non-governmental organizations and, where relevant, by medical personnel [as referred to in Article 6(7)].</u>
127	3. Where there are indications of vulnerabilities or special reception or procedural needs, the third-country national concerned shall receive timely and adequate support in view of their physical and mental health. In the case of minors, support shall be given by personnel trained and qualified to deal with minors, and in cooperation with child protection authorities.	3. Where there are indications of vulnerabilities or special reception or procedural needs, the third-country national concerned shall receive timely and adequate support in view of their physical and mental health <u>in adequate facilities in the Member State. Where a person claims not to have any nationality or when there are reasonable grounds to believe such person may be a stateless person, this shall be clearly registered.</u> In the case of minors, support shall be given <u>in a child-friendly manner</u> by personnel <u>properly</u> trained and qualified to deal with minors, and in cooperation with child protection authorities.	3. Where there are indications of vulnerabilities or special reception or procedural needs, the third-country national concerned shall receive timely and adequate support in view of their physical and mental health. In the case of minors, support shall be given by personnel trained and qualified to deal with minors, and in cooperation with child protection authorities. Where a need for immediate health care was identified, such care shall be swiftly provided. Where a need for isolation on public health grounds was identified, the necessary public health measures shall be taken.	3. Where there are indications of vulnerabilities or special reception or procedural needs, the third-country national concerned shall receive timely and adequate support in view of their physical and mental health <u>in adequate facilities.</u> In the case of minors, support shall be given <u>in a child-friendly manner</u> by personnel trained and qualified to deal with minors, and in cooperation with child protection authorities.
128	4. Where it is deemed necessary based on the circumstances, third-country nationals submitted to the screening referred to in Article 5	<i>deleted</i>	4. Where it is deemed necessary based on the circumstances, third-country nationals submitted to the screening referred to in Article 5	4. Where it is deemed necessary based on the circumstances, third-country nationals submitted to the screening referred to in Article 5

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	shall be subject to a preliminary medical examination, notably to identify any medical condition requiring immediate care, special assistance or isolation.		shall be subject to a preliminary medical examination, notably to identify any medical condition requiring immediate care, special assistance or isolation.	shall be subject to a preliminary medical examination, notably to identify any medical condition requiring immediate care, special assistance or isolation. Deleted
128a		<u>4a. Without prejudice to the assessment of special reception needs required under Directive XXXX/XXX [Reception Conditions Directive], the assessment of special procedural needs required under Regulation XXXX/XXX [Asylum Procedures Regulation], and the vulnerability check required under Directive XXX/XXX [Return Directive], the vulnerability assessment referred to in the second and third paragraphs of this Article may form part of the vulnerability and special procedural assessments laid down in those legislative acts.</u>		<u>4a. Without prejudice to the assessment of special reception needs required under Directive XXXX/XXX [Reception Conditions Directive], the assessment of special procedural needs required under Regulation XXXX/XXX [Asylum Procedures Regulation], and the vulnerability check required under Directive XXX/XXX [Return Directive], the preliminary vulnerability assessment referred to in the second and third paragraphs of this Article may form part of the vulnerability and special procedural assessments laid down in those legislative acts.</u>
128b		<u>Article 9a</u> <u>Guarantees for minors</u> <u>1. During the screening procedure, the best interests of the child shall always be a primary consideration in accordance with Article 24(2) of the Charter.</u> <u>2. Member States shall, as</u>		<u>Article 9a</u> <u>Guarantees for minors</u> <u>1. During the screening, the best interests of the child shall always be a primary consideration in accordance with Article 24(2) of the</u>

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		<p><u>soon as possible, take measures to ensure that a representative represents and assists the unaccompanied minor during the screening. Where applicable, this representative shall be the same as the representative to be appointed in accordance with Article 23 of Directive (EU) XXX/XXX [Reception Conditions Directive]. The unaccompanied minor shall be informed immediately of the appointment of the representative. Such representatives shall perform their duties in accordance with the principle of the best interests of the child and shall have the necessary expertise to that end. In order to ensure the well-being and social development of the minor, the person acting as representative shall be changed only when necessary. Organisations or individuals whose interests conflict or could potentially conflict with those of the unaccompanied minor shall not be eligible to become representatives.</u></p> <p><u>3. Member States shall place a representative in charge of a proportionate and limited number of unaccompanied minors and, under normal circumstances, of no more than thirty at the same time to ensure that such representatives are able to perform their tasks</u></p>	<p>PUBLIC</p>	<p><u>Charter.</u></p> <p><u>2. During screening, the minor shall be accompanied by, where present, an adult family member.</u></p> <p><u>3. Member States shall, as soon as possible, take measures to ensure that a representative or, where a representative has not been designated, a person trained to safeguard the best interests of the minor and his or her general wellbeing accompanies and assists the unaccompanied minor during the screening in a child-friendly manner and in a language he or she can understand. The trained person shall be the person designated to provisionally act as a representative under Directive (EU) xxx/xxx [Reception Conditions Directive] where that person has been designated.</u></p> <p><u>4. The trained person in charge of accompanying and assisting an unaccompanied minor in accordance with paragraph 3 shall not be an official responsible for any elements of the screening, shall act independently and shall not receive orders either from officials</u></p>

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		<p><u>effectively.</u></p>	<p>PUBLIC</p>	<p><u>responsible for the screening or from the screening authorities. Such persons shall perform their duties in accordance with the principle of the best interests of the child and shall have the necessary expertise to that end.</u></p> <p><u>In order to ensure the well-being and social development of the minor, the trained person shall be changed only when necessary.</u></p> <p><u>5. Member States shall place a representative or person referred to in paragraph 3 in charge of a proportionate and limited number of unaccompanied minors and, under normal circumstances, of no more than thirty at the same time to ensure that they are able to perform their tasks effectively.</u></p> <p><u>6. If a representative or a person provisionally acting as a representative under Directive (EU) xxx/xxx [Reception Conditions Directive] has not been appointed, this shall not prevent an unaccompanied minor from exercising the right to apply for international protection.</u></p>

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129	Article 10 Identification	Article 10 <u>Verification of identity or</u> identification	Article 10 Identification or verification of identity	Article 10 Identification <u>or verification of</u> <u>identity</u>
130	1. To the extent it has not yet occurred during the application of Article 8 of Regulation (EU) 2016/399, the identity of third-country nationals submitted to the screening pursuant to Article 3 or Article 5 shall be verified or established, by using in particular the following, in combination with national and European databases:	1. To the extent it has not yet occurred during the application of Article 8 of Regulation (EU) 2016/399 <u>[Schengen Borders Code]</u> , the identity of third-country nationals submitted to the screening pursuant to Article 3 or Article 5 of this Regulation shall be verified or established, by using <u>where applicable, in particular</u> the following in combination with national and European databases:	1. To the extent it has not yet occurred during the application of Article 8 of Regulation (EU) 2016/399, the identity of third-country nationals submitted to the screening pursuant to Article 3 or Article 5 shall be verified or established, by using in particular, where applicable, the following in combination with national and European databases data:	1. To the extent it has not yet occurred during the application of Article 8 of Regulation (EU) 2016/399 <u>[Schengen Borders Code]</u> , the identity of third-country nationals submitted to the screening pursuant to Article 3 or Article 5 <u>of this Regulation</u> shall be verified or established, by using <u>where applicable, in particular</u> the following in combination with national and European databases:
131	(a) identity, travel or other documents;	(a) identity, travel or other documents;	(a) identity, travel or other documents;	(a) identity, travel or other documents;
132	(b) data or information provided by or obtained from the third-country national concerned; and	(b) data or information provided by or obtained from the third-country national concerned; and	(b) data or information provided by or obtained from the third-country national concerned; and	(b) data or information provided by or obtained from the third-country national

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				concerned; and
133	(c) biometric data;	(c) biometric data;	(c) biometric data, including both facial images and fingerprints.	(c) biometric data;
134	<p>2. For the purpose of the identification referred to in paragraph 1, the competent authorities shall query any relevant national databases as well as the common identity repository (CIR) referred to in Article 17 of Regulation (EU) 2019/817. The biometric data of a third-country national taken live during the screening, as well as the identity data and, where available, travel document data shall be used to that end.</p>	<p>2. For the purpose of the <u>verification or</u> identification referred to in paragraph 1 <u>of this Article, the designated</u>, the competent authorities shall query any relevant national databases as well as the common identity repository (CIR) <u>consult the CIR</u> referred to in Article 17 of Regulation (EU) 2019/817 <u>and the Schengen Information System (SIS)</u>. The biometric data of a third-country national taken live during <u>nationals subject to</u> the screening, as well as the identity data and, where available, travel document data shall be used to that end <u>shall be taken once for the purpose of both verification or identification and of the registration in Eurodac of that person.</u></p>	<p>2. For the purpose of the identification referred to in paragraph 1, the competent verification, the screening authorities shall query, using the data or information referred in paragraph 1, any relevant national databases as well as the common identity repository (CIR) referred to in Article 17 of Regulation (EU) 2019/817. The biometric data of a third-country national taken live during the screening, as well as the identity data and, the Schengen Information System (SIS) and where available, travel document data shall be used to that end relevant, national databases applicable in accordance with national legislation. .</p>	<p>2. <u>For the purpose of the identification and verification of identity</u> referred to in paragraph 1 <u>of this Article, the screening authorities</u>, the competent authorities shall query, <u>using the data or information referred to in paragraph 1</u>, any relevant national databases as well as the common identity repository (CIR) referred to in <u>pursuant to</u> Article 17 <u>20a</u> of Regulation (EU) 2019/817 <u>and pursuant to Article 20a of Regulation (EU) 2019/818, the Schengen Information System (SIS) and where relevant, national databases applicable in accordance with national legislation.</u> The biometric data of a third-country national <u>subject to the screening shall be</u> taken live during the screening, as well as the <u>once for the purpose of both verification of identity</u> data and, where available, travel document data shall be used to that end <u>or identification and</u></p>

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				<u>registration in Eurodac of that person, in accordance with Articles 10(b), 13, 14 and 14a of [the Eurodac Regulation] as applicable.</u>
134a		<u>2a. The consultation provided for in paragraph 2 shall be launched using the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and Chapter II of Regulation (EU) 2019/818.</u>		<u>2a. The consultation of the common identity repository (CIR) provided for in paragraph 2 shall be launched using the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and Chapter II of Regulation (EU) 2019/818.</u> <u>Where it is technically impossible to use the ESP to query one or several EU information systems or the CIR, the first subparagraph shall not apply and the screening authorities shall access the EU information systems or the CIR directly.</u> <u>This is without prejudice to access by screening authorities to the Schengen Information System for which the use of the ESP shall remain optional.</u>
135	3. Where the biometric data of the third-country national cannot be	3. Where the biometric data of the third-country national cannot be	3. Biometric data of a third-country national taken live shall	3. Where the biometric data of the third-country national cannot be

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	used or where the query with those data referred to in paragraph 2 fails, the query as referred to in paragraph 2 shall be carried out with the identity data of the third-country national, in combination with any identity, travel or other document data or with the identity data provided by that third-country national.	used or where the query <u>consultation</u> with those data referred to in paragraph 2 fails, the query <u>consultation</u> as referred to in paragraph 2 shall be carried out with the identity data of the third-country national, in combination with any identity, travel or other document data or with the identity data provided by that third-country national.	be used for searches in the CIR. Where the biometric data of the third-country national cannot be used or where the query with those data referred to in paragraph 2 fails or returns no result , the query as referred to in paragraph 2 shall be carried out with the identity data of the third-country national, in combination with any identity, travel or other document data, or with the identity data provided by that third-country national any of the data or information referred to in paragraph 1(b).	used or where the query with those data referred to in paragraph 2 fails; the query as referred to in paragraph 2 or returns no hit, the query shall be carried out with the identity data of the third-country national, in combination with any identity, travel or other document data, or with <u>any of the identity data provided by that third-country national data or information referred to in paragraph 1(b) of this Article.</u>
135a			3a. Searches in the SIS with biometric data shall be carried out in accordance with Article 33 of Regulation (EU) 2018/1861 and Article 43 of Regulation (EU) 2018/1862. A search with the identity data of the third-country national in combination with any travel or other document data or with any of the data or information referred to in paragraph 1(b) shall in all cases be carried out in SIS.	<u>3a. Searches in the SIS with biometric data shall be carried out in accordance with Article 33 of Regulation (EU) 2018/1861 and Article 43 of Regulation (EU) 2018/1862.</u>
136	4. The checks, where possible, shall also include the verification of at	4. The checks, where possible, shall also include the verification of at	4. The checks, where possible, shall also include the verification of at	4. The checks, where possible, shall also include the verification of at

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	least one of the biometric identifiers integrated into any identity, travel or other document.	least one of the biometric identifiers integrated into any identity, travel or other document.	least one of the biometric identifiers integrated into any identity, travel or other document.	least one of the biometric identifiers integrated into any identity, travel or other document.
136a		<u>4a. The European Border and Coast Guard Agency may support the competent authorities in the identification of third-country nationals submitted to the screening in accordance with Regulation (EU) 2019/1896</u>		
136b			4a. This article is without prejudice to actions undertaken in line with national law with a view to establish the identity of the person concerned.	<u>To be moved to a recital</u>
137	Article 11 Security check	Article 11 Security check	Article 11 Security check	Article 11 Security check
138	1. Third country nationals submitted to the screening pursuant to Article 3 or Article 5 shall undergo a security check to verify that they do not constitute a threat to internal security. The security check may	1. Third-country <u>Third-country</u> nationals submitted to the screening pursuant to Article 3 or Article 5 shall undergo a security check to verify that they do not <u>whether they might pose a</u> constitute	1. Third country nationals submitted to the screening pursuant to Article 3 or Article 5 shall undergo a security check to verify that they do not <u>whether they could pose a</u> constitute a threat to internal security	1. Third-country <u>Third-country</u> nationals submitted to the screening pursuant to Article 3 or Article 5 - shall undergo a security check to verify that they do not <u>whether they might</u> not constitute

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	cover both the third-country nationals and the objects in their possession. The law of the Member State concerned shall apply to any searches carried out.	threat to internal security. The security check may cover both the third-country nationals and the objects in their possession. The law of the Member State concerned shall apply to any searches carried out.	security risk . The security check may cover both the third-country nationals and the objects in their possession. The law of the Member State concerned shall apply to any searches carried out.	<u>pose</u> a threat to internal security. The security check may cover both the third-country nationals and the objects in their possession. The law of the Member State concerned shall apply to any searches carried out.
139	2. For the purpose of conducting the security check referred to in paragraph 1, and to the extent that they have not yet done so in accordance with Article 8(3), point (a)(vi), of Regulation (EU) 2016/399, the competent authorities shall query relevant national and Union databases, in particular the Schengen Information System (SIS).	2. For the purpose of conducting the security check referred to in paragraph 1, and to the extent that they have not yet done so <u>this has not already taken place in the context of checks performed</u> in accordance with Article 8(3), point (a)(vi), of Regulation (EU) 2016/399 <u>[Schengen Borders Code], the relevant Union databases, in particular the SIS, the competent authorities shall query be consulted as provided for in Article 12.</u> Relevant national and Union databases, in particular the Schengen Information System (SIS) in accordance with Article 8(3) of Regulation (EU) 2016/399 <u>[Schengen Borders Code] may also be consulted for this purpose.</u>	2. For the purpose of conducting the security check referred to in paragraph 1, and to the extent it has not been already done during the checks referred to in Article 8 that they have not yet done so in accordance with Article 8(3), point (a)(vi), of Regulation (EU) 2016/399, the competent screening authorities- shall query relevant national and Union databases, in particular the Schengen Information System (SIS), the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 34 of Regulation (EU) 2018/1240, the Visa Information System (VIS), the ECRIS-TCN system, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794, and the Interpol	2. For the purpose of conducting the security check referred to in paragraph 1, and to the extent that they have not yet done so in accordance with <u>it has not been already done during the checks referred to in Article 8(3) of Regulation (EU) 2016/399</u> <u>[Schengen Borders Code], the relevant Union databases, in particular the SIS the Entry/Exit System, point (a)(vi) EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 34 of Regulation (EU) 2016/399, the competent authorities shall query relevant national and Union</u> <u>2018/1240, the Visa Information System (VIS), the ECRIS-TCN system, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794,</u>


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			Databases with the data referred to in Article 10(1) or any identity discovered during the identification or verification of Article 10.	<u>and the Interpol</u> Databases, in particular the Schengen Information System (SIS) <u>shall be consulted as provided for in Article 12. Relevant national databases may also be consulted for this purpose.</u>
140	3. To the extent it has not been already done during the checks referred to in Article 8 of Regulation (EU) 2016/399, the competent authority shall query the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 29 of Regulation (EU) 2018/1240, the Visa Information System (VIS), the ECRIS-TCN system as far as convictions related to terrorist offences and other forms of serious criminal offences are concerned, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794, and the Interpol Travel Documents Associated with Notices database (Interpol TDAWN) with the data referred to in Article 10(1) and using at least the data referred to under point (c) thereof.	<i>deleted</i>	3. To the extent it has not been already done during the checks referred to in Article 8 of Regulation (EU) 2016/399, the competent authority shall query the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 29 of Regulation (EU) 2018/1240, the Visa Information System (VIS), the ECRIS-TCN system as far as convictions related to terrorist offences and other forms of serious criminal offences are concerned, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794, and the Interpol Travel Documents Associated with Notices database (Interpol TDAWN) with the data referred to in Article 10(1) and using at least the data referred to under point (c) thereof.	3. To the extent it has not been already done during the checks referred to in Article 8 of Regulation (EU) 2016/399, the competent authority shall query the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 29 of Regulation (EU) 2018/1240, the Visa Information System (VIS), the ECRIS-TCN system as far as convictions related to terrorist offences and other forms of serious criminal offences are concerned, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794, and the Interpol Travel Documents Associated with Notices database (Interpol TDAWN) with the data referred to in Article 10(1) and using at least the data referred to under point (c) thereof. <u>deleted</u>

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141	4. As regards the consultation of EES, ETIAS and VIS pursuant to paragraph 3, the retrieved data shall be limited to indicating refusals of a travel authorisation, refusals of entry, or decisions to refuse, annul or revoke a visa or residence permit, which are based on security grounds.	4. As regards the consultation of EES, ETIAS and VIS pursuant to paragraph 3 ² , the retrieved data shall be limited to indicating refusals of a travel authorisation, refusals of entry, or decisions to refuse, annul or revoke a visa or residence permit, which are based on security grounds.	4. As regards the consultation the query of EES, ETIAS, with the exception of the ETIAS watchlist, and VIS pursuant to paragraph 2, and VIS pursuant to paragraph 3, the retrieved data shall be limited to indicating refusals of a travel authorisation, refusals of entry, entry, decisions to refuse, annul or revoke a travel authorisation, or decisions to refuse, annul or revoke a visa or residence permit respectively , which are based on security grounds. In case of a match in the SIS, the screening authority carrying out the search shall have access to all data stored in the SIS related to the matched alert.	4. As regards the consultation of EES, ETIAS <u>with the exception of the ETIAS watchlist,</u> and VIS pursuant to paragraph 3 ² , the retrieved data shall be limited to indicating refusals, <u>annulment or revocation</u> of a travel authorisation, refusals of entry, or decisions to refuse, annul or revoke a visa or residence permit <u>respectively</u> , which are based on security grounds. <u>In case of a hit in the SIS, the screening authority carrying out the search shall have access to the data contained in the alert.</u>
141a		<u>4a. As regards the consultation of the ECRIS-TCN system, the data retrieved shall be limited to convictions related to terrorist offences and other forms of serious criminal offences referred to in Article 5(1)(c) of Regulation (EU) 2019/816.</u>		<u>4a. As regards the consultation of the ECRIS-TCN system, the data retrieved shall be limited to convictions related to terrorist offences and other forms of serious criminal offences referred to in Article 5(1)(c) of Regulation (EU) 2019/816.</u>
141b		<u>4b. Any consultation of Interpol databases for the purposes of</u>		

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		<u>paragraph 1 shall be performed only when it is ensured that no information is revealed to the owner of the Interpol alert. Where it is not possible to perform such consultations in a way that no information is revealed to the owner of the Interpol alert, the screening shall not include the consultation of the Interpol databases.</u>	PUBLIC	
142	5. The Commission shall adopt implementing acts setting out the detailed procedure and specifications for retrieving data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	5. The Commission shall adopt implementing acts setting out the detailed procedure and specifications for retrieving data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	5. The Commission shall adopt implementing acts setting out the detailed procedure and specifications for retrieving data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	5. <u>If necessary</u> , the Commission shall adopt implementing acts setting out the detailed procedure and specifications for retrieving data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).
143	Article 12 Modalities for security checks	Article 12 Modalities for <u>the consultation of databases for security checks</u> purposes	Article 12 Modalities for identification and security checks	Article 12 Modalities for <u>identification and</u> security checks
144	1. The queries provided for in Article 10(2) and in Article 11(2) may be launched using, for queries related to EU information systems	1. The queries <u>consultation</u> provided for in Article 10(2) and in Article 11(2) <u>may 11(2) of this Regulation shall</u> be launched using,	1. The queries provided for in Article 10(2) and in Article 11(2) may be launched using, for queries related to EU information systems,	1. The queries provided for in Article 10(2) and in Article 11(2) may be launched using, for queries related to EU information systems.

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	<p>and the CIR, the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and with Chapter II of Regulation (EU) 2019/818¹.</p> <p>1. 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, OJ L 135, 22.5.2019, p. 85.</p>	<p>for queries<u>consultations</u> related to EU<u>Union</u> information systems and the CIR, the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and with Chapter II of Regulation (EU) 2019/818¹.</p> <p>1. 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, OJ L 135, 22.5.2019, p. 85.</p>	<p>Europol data, Interpol Databases, and the CIR, the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and with Chapter II of Regulation (EU) 2019/818¹.</p> <p>1. [1] 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, OJ L 135, 22.5.2019, p. 85.</p>	<p><u>Europol data, Interpol Databases,</u> and the CIR, the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and with Chapter II of Regulation (EU) 2019/818¹.</p> <p>1. 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, OJ L 135, 22.5.2019, p. 85.</p>
144a			<p>1a. In case of a hit pursuant to Article 10 or Article 11, the screening authority shall verify that data recorded in EU information systems or Europol correspond to the data triggering a hit.</p>	
145	<p>2. Where a match is obtained following a query as provided for in Article 11(3) against data in one of the information systems, the competent authority shall have access to consult the file corresponding to that match in the respective information system in order to determine the risk to</p>	<p>2. Where a match<u>hit</u> is obtained following a query<u>consultation</u> as provided for in Article 11(3) against data in one of the information systems,<u>11(2), the authorities responsible in accordance with relevant Union law provisions shall provide</u> the competent authority shall have access to consult the file</p>	<p>2. Where a match is obtained following a query as provided for in Article 11(3)<u>11(2)</u> against data in one of the information systems, the competent authority<u>screening authorities</u> shall have access to consult, without prejudice to provisions of the Member States on the protection of classified</p>	<p>2. Where a match<u>hit</u> is obtained following a query as provided for in Article 11(3)<u>11(2)</u> against data in one of the information systems, the competent authority<u>screening authorities</u> shall have access to consult the file<u>data</u> corresponding to that match<u>hit</u> in the respective information system in</p>

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	internal security as referred to in Article 11(1).	corresponding to that match <u>with detailed information on the grounds for the decisions recorded</u> in the respective information system in order to determine the risk <u>systems which triggered a hit or, pursuant to paragraphs 2b or 2c, an opinion on the threat</u> to internal security as referred to in Article 11(1).	information , the file corresponding to that match in the respective information system in order to determine the risk to internal security as referred to in Article 11(1)-risk	order to determine the risk to internal security as referred to in Article 11(1) <u>systems subject to the conditions laid down in the legal instruments governing such access.</u>
G 145a		<u>2a. When a hit is obtained following a consultation of the SIS, the competent authorities shall carry out the procedures set out in Regulations (EU) 2018/1860, Regulation (EU) 2018/1861 or Regulation (EU) 2018/1862 including the consultation of the alert issuing Member State through the SIRENE Bureaux.</u>		
G 145b			2a. When a hit is obtained following a query against the SIS, the screening authorities shall carry out the procedures set out in Regulations (EU) 2018/1860, 2018/1861 or 2018/1862 including the consultation of the alert issuing Member State through the SIRENE Bureaux.	<u>2a. When a hit is obtained following a query against the SIS, the screening authorities shall carry out the procedures set out in Regulations (EU) 2018/1860, 2018/1861 or 2018/1862 including the consultation of the alert issuing Member State through the SIRENE Bureaux.</u>

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145c		<p><u>2b. Where the consultation provided for in Article 11(2) of this Regulation reports a hit against ECRIS-TCN, the central authority of the Member State holding criminal records information on the third-country national concerned shall be notified of a request for an opinion in accordance with Article 7a of Regulation (EU) 2019/816. National criminal records shall be consulted prior to the delivery of that opinion.</u></p>		
145d			<p>2b. Where a third-country national corresponds to a person whose data is recorded in the ECRIS-TCN and flagged in accordance with point (c) of Article 5(1) of Regulation (EU) 2019/816, the data may only be used for the purpose of the security check referred to in Article 11 of this Regulation and for the purpose of consultation of the national criminal records which shall be in accordance with Article 7c of the Regulation 2019/816. National criminal records shall be consulted prior to the delivery of an opinion pursuant to Article 7c of that Regulation.</p>	<p><u>2b. Where a third-country national corresponds to a person whose data is recorded in the ECRIS-TCN and flagged in accordance with point (c) of Article 5(1) of Regulation (EU) 2019/816, the data may only be used for the purpose of the security check referred to in Article 11 of this Regulation and for the purpose of consultation of the national criminal records which shall be in accordance with Article 7c of the Regulation 2019/816. National criminal records shall be consulted prior to the delivery of an opinion pursuant to Article 7c of that Regulation.</u></p>

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145e		<u>2c. When a hit is obtained in the ETIAS watchlist, the provisions of Article 35a of Regulation (EU) 2018/1240 shall apply.</u>		
146	3. Where a query as provided for in Article 11(3) reports a match against Europol data, the competent authority of the Member State shall inform Europol in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation.	3. Where a query <u>consultation</u> as provided for in Article 11(3) <u>11(2)</u> reports a match <u>hit</u> against Europol data, the competent authority of the Member State shall inform Europol in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation <u>an automated notification, containing the data used for the consultation, shall be sent to Europol.</u>	3. Where a query as provided for in Article 11(3) <u>11(2)</u> reports a match against Europol data, an automated notification, containing the data used for the query, the competent authority of the Member State shall inform <u>be sent to</u> Europol in accordance with Regulation (EU) 2016/794 in order for Europol to inform, where to take, if needed, any appropriate follow-up action in accordance with the relevant legislation whether the person could pose a security risk, using the communication channels provided for in Regulation (EU) 2016/794.	3. Where a query as provided for in Article 11(3) <u>11(2)</u> reports a match against Europol data, <u>an automated notification, containing the data used for the query,</u> the competent authority of the Member State shall inform <u>be sent to</u> Europol in <u>accordance with Regulation (EU) 2016/794</u> in order <u>for Europol</u> to take, if needed, any appropriate follow-up <u>follow up</u> action, <u>using the communication channels provided for in Regulation 2016/794</u> in accordance with the relevant legislation.
147	4. Where a query as provided for in Article 11(3) reports a match against the Interpol Travel Documents Associated with Notices database (Interpol TDAWN), the competent authority of the Member State shall	<i>deleted</i>	4. Where a query <u>Queries</u> as provided for in Article 11(3) reports a match against the Interpol Travel Documents Associated with Notices database (Interpol TDAWN) <u>11(2) databases shall be performed in</u>	4. Where a query <u>Queries of Interpol databases</u> as provided for in Article 11(3) reports a match against the Interpol Travel Documents Associated with Notices database (Interpol TDAWN) <u>11(2)</u>

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	inform the Interpol National Central Bureau of the Member State that launched the query in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation.		accordance with Articles 9(5) and 72(1) of Regulation (EU), the competent authority of the Member State shall inform the Interpol National Central Bureau of the Member State that launched the query in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation 2019/817. Where it is not possible to perform such queries in a way that no information is revealed to the owner of the Interpol alert, the screening shall not include the query of the Interpol databases .	<u>shall be performed in accordance with Articles 9(5) and 72(1) of Regulation (EU), the competent authority of the Member State shall inform the Interpol National Central Bureau of the Member State that launched the query in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation 2019/817. Where it is not possible to perform such queries in a way that no information is revealed to the owner of the Interpol alert, the screening shall not include the query of the Interpol databases .</u>
G 147a			4a. When a hit is obtained in the ETIAS watchlist, the provisions of Article 35a of Regulation (EU) 2018/1240 shall apply.	<u>4a. When a hit is obtained in the ETIAS watchlist, the provisions of Article 35a of Regulation (EU) 2018/1240 shall apply.</u>
G 148	5. The Commission shall adopt implementing acts to specify the procedure for cooperation between the authorities responsible for carrying out the screening, Interpol National Central Bureaux, Europol national unit, and ECRIS-TCN central authorities, respectively, to determine the risk to internal security. Those implementing acts	5. The Commission shall adopt implementing acts <u>delegated acts in accordance with Article 14a in order</u> to specify the procedure for cooperation between the authorities responsible for carrying out the screening, Interpol National Central Bureaux, Europol national unit, and ECRIS-TCN central <u>and other competent</u> authorities, respectively,	5. The Commission shall adopt implementing acts to specify the procedure for cooperation between the authorities responsible for carrying out the screening, Interpol National Central Bureaux, and Europol national unit, and ECRIS-TCN central authorities, respectively, to determine the security risk to internal security.	5. <u>If necessary</u> , the Commission shall adopt implementing acts to specify the procedure for cooperation between the authorities responsible for carrying out the screening, Interpol National Central Bureaux, <u>and</u> Europol national unit, and ECRIS-TCN central authorities, respectively, to determine the risk <u>threat</u> to internal security. Those

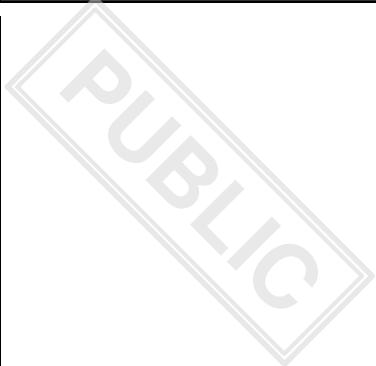
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	shall be adopted in accordance with the examination procedure referred to in Article 15(2).	to determine the risk to internal security. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) <u>to verify whether a person might pose a threat to internal security.</u>	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).
149	Article 13 De-briefing form	Article 13 De-briefing <u>Screening</u> form	Article 13 De-briefing <u>Screening</u> form	Article 13 De-briefing <u>Screening</u> form
150	On completion of the screening, the competent authorities shall, with regard to the persons referred to in Article 3 and in Article 5, complete the form in Annex I containing:	On completion of <u>To complete</u> the screening, the competent authorities shall, with regard to the persons referred to in Article 3 and in Article 5 , complete the form <u>set out</u> in Annex I containing <u>the following information</u> :	On completion of the screening, the competent During the screening and at the latest on its completion, the screening authorities shall, with regard to the persons referred to in Article 3 and in Article 5, complete the form in Annex I containing a form containing, at least, the following data:	On completion of The screening, the competent authorities shall, with regard to the persons referred to in Article 3 and in Article 5, complete <u>the form in Annex I containing a form containing the following:</u>
151	(a) name, date and place of birth and sex;	(a) name, date and place of birth and sex <u>gender</u> ;	(a) name, date and place of birth and sex;	(a) name, date and place of birth and sex <u>gender</u> ;
152	(b) initial indication of nationalities, countries of residence prior to arrival and languages spoken;	(b) <u>their</u> initial indication of nationalities <u>or statelessness</u> , countries of residence prior to arrival	(b) initial indication of nationalities , countries of residence prior to arrival nationality or statelessness and	(b) initial indication of nationalities <u>or statelessness</u> , countries of residence prior to arrival and

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		and languages spoken;	languages spoken;	languages spoken;
G 152a			(ba) reason to perform the screening;	<u>(ba) the reason for which the screening was performed;</u>
G 153	(c) reason for unauthorised arrival, entry, and, where appropriate illegal stay or residence, including information on whether the person made an application for international protection;	(c) <u>the</u> reason for unauthorised arrival, entry, and, where appropriate illegal stay or residence, including information on whether the person made an application for international protection <u>which the screening was performed as referred to in Article 3(1) and (2);</u>	(c) reason for unauthorised arrival, entry, and, where appropriate illegal stay or residence, including information on whether the person made an application for international protection; information, where applicable, on vulnerability identified during the screening, and on health checks performed, excluding detailed medical information.	(c) reason for unauthorised arrival, entry, and, where appropriate illegal stay or residence <u>information on the preliminary health check carried out in accordance with Article 9(1), including information on whether the person made an application for international protection where, based on the circumstances concerning the general state of each individual third-country national, no further health check was necessary;</u>
G 153a		<u>(ca) relevant information on the preliminary medical examination carried out in accordance with Article 9(1);</u>		<u>See line 153</u>
G 153b		<u>(cb) relevant information on the preliminary vulnerability assessment carried out in accordance with Article 9(2), in particular any vulnerability or</u>		<u>(cb) relevant information on the preliminary vulnerability check carried out in accordance with Article 9(2), in particular any vulnerability or special reception or</u>

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		<u>special reception or procedural needs identified;</u>		<u>procedural needs identified;</u>
G	153c	<u>(cc) information as to whether the third-country national has applied for international protection;</u>		<u>(cc) information as to whether the third-country national has made an application for international protection;</u>
G	153d	<u>(cd) information as to whether the third-country national has family members or close adult relatives located on the territory of the Member States;</u>		<u>(cd) information provided by the subject as to whether the third-country national has family members located on the territory of any Member State;</u>
G	153e	<u>(ce) whether the consultation of relevant databases for security purposes in accordance with Article 11 resulted in a hit or no hit.</u>		<u>(ce) whether the consultation of relevant databases in accordance with Article 11 resulted in a hit or no hit.</u>
G	154	deleted	(d) information obtained on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where whether the third country national has made an application for international protection may have been sought or granted as well as the intended destination within the Union;	

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155	(e) information on assistance provided by a person or a criminal organisation in relation to unauthorised crossing of the border, and any related information in cases of suspected smuggling.	<i>deleted</i>	(e) information on assistance provided by a person or a criminal organisation in relation to unauthorised crossing of the border, and any related information in cases of suspected smuggling. whether there is a hit in accordance with Article 11;	
155a			(ea) whether the third country national has complied with its obligation to cooperate in accordance with Article 6a.	<u>(ea) whether the third country national has complied with its obligation to cooperate in accordance with Article 6a.</u>
155b		<u>Where such information is available, the form shall include:</u> <u>(a) the reason for irregular arrival or entry;</u> <u>(b) information obtained on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where international protection may have been sought or granted as well as the intended destination within the Union.</u>		<u>Where available, the form shall include:</u> <u>(a) the reason for irregular arrival or entry;</u> <u>(b) information on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where international protection may have been sought or granted as well as the intended destination within the Union;</u> <u>(ba) travel or identity document(s) the subject carried with them;</u> <u>(bb) any comments and other</u>

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				<u>relevant information, including any related information in cases of suspected smuggling or trafficking in human beings.</u>
G 155c		<u>The information in the screening form shall be recorded in such a way that it is amenable to administrative and judicial review during any subsequent asylum or return procedure.</u>		<u>The information in the screening form shall be recorded in such a way that it is amenable to administrative and judicial review during any ensuing asylum or return procedure.</u>
G 155d			The screening authorities shall also specify whether the data referred to in points (a) and (b) are confirmed or declared by the person concerned and whether the third-country national has been subject to a preliminary health check.	<u>It shall be specified whether the information referred to in point (a) and (b) is confirmed by the screening authorities or declared by the person concerned.</u>
G 155e		<u>The person concerned shall be provided with a copy of the form before it is transmitted to the relevant authorities as referred to in Article 14, paragraphs 1, 2 and 3. The person subject to the screening shall have the possibility to indicate</u>		<u>Information contained in the form shall be made available either in paper or electronic format to the person concerned. Information referred to in paragraph 1, point (ce) shall be redacted. Before the form is transmitted to</u>

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		<u>that the information contained in the form is incorrect. Any such indication shall be included under the relevant information as referred to in this Article.</u>		<u>the relevant authorities as referred to in Article 14, paragraphs 1, 2, 3 and 4, the person subject to the screening shall have the possibility to indicate that the information contained in the form is incorrect. The screening authorities shall record any such indication under the relevant information as referred to in this Article.</u>
	155f		Where available, the following data shall be included:	<u>deleted</u>
G	155g		(a) reason for unauthorised arrival, entry, and, where appropriate, illegal stay or residence, including declared or confirmed information if any of the family members are located on the territory of the Member States;	<u>deleted</u>
G	155h		(b) information obtained on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where application for international protection may have	<u>deleted</u>

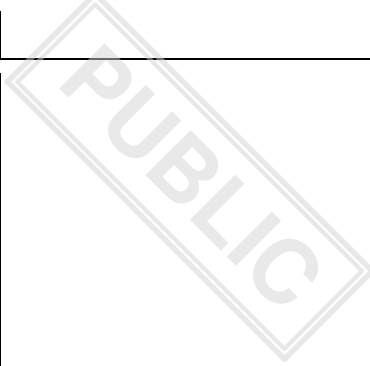
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			been made or granted as well as the intended destination within the Union and presence and validity of travel and identity documents;	
155i			(c) Any other relevant information.	deleted
155j			The screening authorities shall transmit to the competent authorities any information obtained during the screening on assistance provided to the third country national by a person or an organisation in relation to the unauthorised crossing of the border, and any related information in cases of suspected smuggling or trafficking in human beings.	deleted
156	Article 14 Outcome of the screening	Article 14 Outcome <u>Completion</u> of the screening	Article 14 Outcome <u>Completion</u> of the screening	Article 14 Outcome <u>Completion</u> of the screening
157	1. The third country nationals referred to in Article 3(1) point (a) and (b) of this Regulation who	1. <u>Once the screening is completed, or when the period for carrying out the screening in accordance with Article 6(6b) or (6c) ends, third-</u>	1. Once the screening is completed or, at the latest, when the time limits set in Article 6 expire, the following rules	1. <u>Once the screening is completed or, at the latest, when the time limits set in Article 6 expire, third-country</u> The third-country nationals

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		country The third country nationals referred to in Article 3(1) point (a) and (b) of this Regulation who ;	apply: The third country nationals referred to in Article 3(1) point (a) and (b) of this Regulation who	referred to in Article 3(1) point (a) and (b) of this Regulation who <u>have not made an application for international protection shall be referred to the competent authorities to apply procedures respecting Directive (EU) 2008/115/EC (Return Directive), without prejudice to the application of Article 6(5) of Regulation (EU) 2016/399 [Schengen Borders Code].</u>
158	- have not applied for international protection and	- have not applied <u>expressed a wish to make an application</u> for international protection and	- The third country nationals referred to in Article 3(1) point (a) and (b) of this Regulation who have not applied <u>made an application</u> for international protection and .	- have not applied for international protection and <u>See line 157</u>
159	- with regard to whom the screening has not revealed that they fulfil entry conditions set out in Article 6 of Regulation (EU) 2016/399,	- with regard to whom the screening has not revealed that they fulfil entry conditions set out in Article 6 of Regulation (EU) 2016/399,		- with regard to whom the screening has not revealed that they fulfil entry conditions set out in Article 6 of Regulation (EU) 2016/399, <u>See line 157</u>
160	shall be referred to the competent authorities to apply procedures respecting Directive (EU) 2008/115/EC (Return Directive).	shall be referred to the competent authorities to apply procedures respecting <u>in accordance with</u> Directive (EU) 2008/115/EC f [Return Directive], <u>without</u>	shall be referred to the competent authorities to apply procedures respecting Directive (EU) 2008/115/EC (Return Directive) including, where applicable	shall be referred to the competent authorities to apply procedures respecting Directive (EU) 2008/115/EC (Return Directive). <u>See line 157</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>prejudice to the application of Article 6(5) of Regulation (EU) 2016/399 [Schengen Borders Code]</u> .	procedures in line with Article 2(2)(a) of that Directive.	
161	In cases not related to search and rescue operations, entry may be refused in accordance with Article 14 of Regulation 2016/399.	<i>deleted</i>	In cases not related to search and rescue operations, entry may be refused in accordance with Article 14 of Regulation 2016/399.	In cases not related to search and rescue operations, entry may be refused in accordance with Article 14 of Regulation 2016/399. <u>deleted</u>
162	The form referred to in Article 13 shall be transmitted to the relevant authorities to whom the third country national is being referred.	The form referred to in Article 13 shall be transmitted to the relevant authorities to whom the third country national is being referred.	The form referred to in Article 13 shall be transmitted to the relevant authorities to whom the third country national is being referred.	The form referred to in Article 13 shall be transmitted to the relevant authorities to whom the third country national is being referred.
163	2. Third-country nationals who made an application for international protection shall be referred to the authorities referred to in Article XY of Regulation (EU) No XXX/XXX [Asylum Procedure Regulation], together with the form referred to in Article 13 of this Regulation. On that occasion, the authorities conducting the screening shall point in the de-briefing form to any elements which seem at first sight to be relevant to refer the third-country nationals concerned into the accelerated examination procedure or the border procedure.	2. Third-country nationals who <u>make, have made, or express the wish to make</u> made an application for international protection shall be referred to the <u>determining</u> authorities referred to in Article XY <u>5</u> of Regulation (EU) No XXX/XXX [Asylum Procedure Regulation], together with the form referred to in Article 13 of this Regulation. On that occasion, the authorities conducting the screening shall point in the de-briefing form to any elements which seem at first sight to be relevant to refer the third-country nationals concerned	2. Third-country nationals who made an application for international protection shall be referred to the authorities Where the third-country nationals referred to in Article 3) and Article 5 have made an application for international protection, XY of Regulation (EU) No XXX/XXX [Asylum Procedure Regulation], together with, the form referred to in Article 13 of this Regulation. On that occasion, the authorities conducting the screening shall point in the de-briefing form to any elements which seem at first sight to be relevant to refer the third-	2. Third-country nationals who made an application for international protection shall be referred to the authorities referred to in Article XY of Regulation (EU) No XXX/XXX [Asylum Procedure Regulation], together with the form referred to in <u>3 and</u> Article 13 of this Regulation. On that occasion, the authorities conducting the screening <u>5 who have made an application for international protection</u> shall point in the de-briefing form to any elements which seem at first sight to be relevant to refer the third-country nationals

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		into the accelerated examination procedure or the border procedure.	country nationals concerned into the accelerated examination procedure or the border procedure, as soon as possible and at the latest once completed, shall be referred to the authorities competent under national law for registering application for international protection].	concerned into the accelerated examination procedure or the border procedure <u>be referred to the authorities competent for registering the application for international protection.</u>
164	3. Where the third country national is to be relocated under the mechanism for solidarity established by Article XX of Regulation (EU) No XXXX/XXXX [Dublin Regulation], the third-country national concerned shall be referred to the relevant authorities of the Member States concerned together with the form referred to in Article 13.	3. Where the third country national is to be relocated under the mechanism for solidarity established by Article XX of Regulation (EU) No XXXX/XXXX [Dublin Regulation], the third-country national concerned shall be referred to the relevant authorities of the Member States concerned together with the form referred to in Article 13.	3. Where the third-country third-country national is to be relocated under the mechanism for solidarity established by Article XX of Regulation (EU) No XXXX/XXXX [Dublin Regulation] , the third-country national concerned shall be referred to the relevant authorities of the Member States concerned together with the form information referred to in Article 13.	3. <u>Where the third country national is to be relocated</u> under the mechanism for solidarity established by <u>in accordance with</u> Article XX of Regulation (EU) No XXXX/XXXX <u>XXX/XXX</u> [Dublin Regulation] <u>[AMMR] or with any other existing mechanism for solidarity</u> , the third-country national concerned shall be referred to the relevant authorities of the Member States concerned together with the form referred to in Article 13.
165	4. The third-country nationals referred to in Article 5, who	<i>deleted</i>	4. The third-country nationals referred to in Article 5, who	4. The third-country nationals referred to in Article 5, who
166	- have not applied for international protection and	<i>deleted</i>	- have not applied made an application for international protection and	- - have not applied <u>made an application</u> for international protection and


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
167	- with regard to whom the screening has not revealed that they fulfil the conditions for entry and stay	<i>deleted</i>		
168	shall be subject to return procedures respecting Directive 2008/115/EC.	<i>deleted</i>	shall continue to be subject to return procedures– respecting Directive 2008/115/EC.	shall <u>continue to</u> be subject to return procedures– respecting Directive 2008/115/EC.
169	5. Where third-country nationals submitted to the screening in accordance with Article 5 make an application for international protection as referred to in Article 25 of Regulation (EU) No XXX/XXX (Asylum Procedures Regulation), paragraph 2 of this Article shall apply accordingly.	<i>deleted</i>	5. Where third-country nationals submitted to the screening in accordance with Article 5 make an application for international protection as referred to in Article 25 of Regulation (EU) No XXX/XXX (Asylum Procedures Regulation), paragraph 2 of this Article shall apply accordingly.	
170	6. In respect of third-country nationals to whom Regulation EU No XXX/XXX [Eurodac Regulation] applies, the competent authorities shall take the biometric data referred to in Articles [10, 13, 14 and 14a] of that Regulation (EU) and shall transmit it in accordance with that Regulation.	<i>deleted</i>	6. In respect of third-country nationals to whom Regulation EU No XXX/XXXXXXX/XXXX [Eurodac III Regulation] applies, the competent screening authorities shall take the biometric data referred to in Articles [10, 13, 14 and 14a] of that Regulation (EU) and shall transmit it in accordance with that Regulation.	6. In respect of third-country nationals to whom Regulation EU No XXX/XXX [Eurodac Regulation] applies, the competent authorities shall take the biometric data referred to in Articles [10, 13, 14 and 14a] of that Regulation (EU) and shall transmit it in accordance with that Regulation. <u>deleted</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
170a		<p><u>6a. In order to be in a position to effectively exercise the rights referred to in Article 13 of Regulation (EU) 2016/679 [GDPR], in Article 13 of Directive (EU) 2016/680 [Police Directive] and in Article 15 of Regulation (EU) 2018/1725, in particular the right to request from the data controller access to and rectification or erasure of personal data and the right to lodge a complaint with a supervisory authority, the person concerned shall be provided with a copy of the form before it is transmitted to the relevant authorities as referred to in paragraphs 1, 2 and 3 of this Article. In the case of minors the copy of the form shall be provided to the adult or adults responsible for the child. In the case of unaccompanied minors, the form shall be provided to the representative of the child in accordance with Article 9a.</u></p>		<u>deleted</u>
171	<p>7. Where the third country nationals referred to in Article(s) 3(1) and Article 5 are referred to an appropriate procedure regarding</p>	<p>7. Where the third country<u>third-country</u> nationals referred to in Article(s) 3(1) and Article 5(2) of this Regulation are referred to an</p>	<p>7. Where the third country nationals referred to in Article(s) 3(1) and Article 5- are referred to an appropriate procedure regarding</p>	<p>7. Where the third country<u>third-country</u> nationals referred to in Article(s) 3(1), <u>3(2)</u> and Article 5 <u>of this Regulation</u> are referred to an</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>asylum or return, the screening ends. Where not all the checks have been completed within the deadlines referred to in Article 6(3) and (5), the screening shall nevertheless end with regard to that person, who shall be referred to a relevant procedure.</p>	<p>appropriate procedure regarding asylum, <u>relocation</u> or return, the screening ends. Where not all the checks have been completed within the deadlines referred to in Article 6(3) and (5) <u>6(6b) or (6c)</u>, the screening shall nevertheless end with regard to that person, who shall be referred to a relevant procedure. <u>Where it becomes apparent during the screening that the third-country national concerned fulfils the entry conditions set out in Article 6 of Regulation (EU) 2016/399 [Schengen Borders Code], the screening shall end.</u></p>	<p>asylum or international protection, a procedure respecting Directive 2008/115/EC (Return directive), including Article 2(2)(a) thereof, or where the form referred to in Article 13 was passed to these authorities concerning the third-country nationals referred to in Article 3(2), Article 3(3) and Article 5, or to the relevant authorities of another Member State concerning third-country nationals to be relocated, the screening ends. Where not all the checks have been completed within the deadlines referred to in Article 6(3) and (5), the screening shall nevertheless end with regard to that person, who shall be referred to a relevant procedure. Where necessary, the checks set forth under this Regulation shall continue within the subsequent procedure by the respective competent authorities.</p>	<p>appropriate procedure regarding asylum or return <u>international protection, a procedure respecting Directive 2008/115/EC (Return Directive) or to the relevant authorities of another Member State concerning third-country nationals to be relocated</u>, the screening ends. Where not all the checks have been completed within the deadlines referred to in Article 6(3) and (5) <u>6</u>, the screening shall nevertheless end with regard to that person, who shall be referred to a relevant procedure.</p>
171a		<p><u>7a. Persons identified as stateless persons or at risk of becoming stateless persons during the screening shall be referred to the competent authorities, which shall determine whether the individual is a stateless person and shall offer adequate protection, in accordance</u></p>		<p><u>7a. deleted</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>with national law.</u>		
G 171b			<p>7a. Where, in accordance with national criminal law, a third-country national referred to in Articles 3 or 5 is apprehended under criminal law procedures, the screening may not be applied. If the screening had already started, the form referred to in Article 13 shall be sent, with indication of circumstances that ended the screening, to the authorities competent for the procedures respecting Directive (EC) 2008/115/EC (Return Directive), or, if the third-country national has made an international protection application, the authorities competent under national law for registering application for international protection].</p>	<p><u>7b. Where, in accordance with national criminal law, a third-country national referred to in Articles 3 or 5 is subject to national criminal law procedures, or to an extradition procedure, the screening may not be applied. If the screening had already started, the form referred to in Article 13 shall be sent, with an indication of circumstances that ended the screening, to the authorities competent for the procedures respecting Directive (EC) 2008/115/EC (Return Directive), or, if the third-country national has made an international protection application, the authorities competent under national law for registering applications for international protection].</u></p>
G 171c		<p><u>7b. The Member State carrying out the screening procedure shall ensure that all personal data collected in the context of that procedure, in particular personal data included in the screening form, is deleted at the latest when:</u></p>		<p><u>7c. The personal data stored pursuant to this Regulation shall be deleted in accordance with the timelines set out in the Eurodac Regulation.</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>(i) a final decision has been taken on the application for international protection, including any and all levels of appeal;</u></p> <p><u>(ii) a final decision has been taken in respect of the return procedure, including any and all levels of appeal; or</u></p> <p><u>(iii) the person has been granted entry into the Member State concerned under Article 6 of Regulation (EU) 2016/299 [Schengen Borders Code].</u></p>	PUBLIC	
171d		<p><u>Article 14a</u> <u>Exercise of the delegation</u></p> <p><u>1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.</u></p> <p><u>2. The power to adopt delegated acts referred to in Article 12(5) shall be conferred on the Commission for a period of three years from ... [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the three-year</u></p>		<u>Article 14a</u> <u>deleted</u>

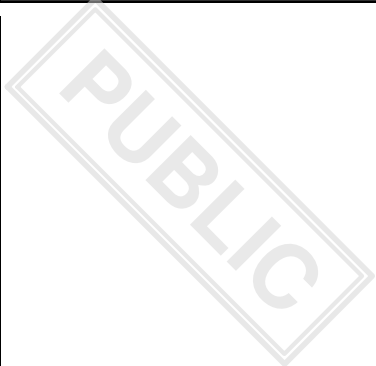
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</u></p> <p><u>3. The delegation of power referred to in Article 12(5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</u></p> <p><u>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.</u></p> <p><u>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>6. A delegated act adopted pursuant to Article 12(5) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of [two months] of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by [two months] at the initiative of the European Parliament or of the Council.</u></p>	PUBLIC	
172	Article 15 Committee procedure	Article 15 Committee procedure	Article 15 Committee procedure	Article 15 Committee procedure
173	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
174	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act, and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.	<u>Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act, and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</u>
175	Article 16 Amendments to Regulation (EC) No 767/2008	Article 16 Amendments to Regulation (EC) No 767/2008	Article 16 Amendments to Regulation (EC) No 767/2008	Article 16 Amendments to Regulation (EC) No 767/2008
176	Regulation (EC) No 767/2008 is amended as follows:	Regulation (EC) No 767/2008 is amended as follows:		Regulation (EC) No 767/2008 is amended as follows:
176a		<u>(-1) In Article 2, the following point is added:</u> <u>"(ga) to allow for security checks in accordance with Article 11(2) of Regulation (EU) 2020/XXX [Screening Regulation]."</u>		
177	(1) In Article 6, paragraph 2 is replaced by the following:	(1) In Article 6, paragraph 2 is replaced by the following:	(1) In Article 6, paragraph 2 is replaced by the following:	(1) In Article 6, paragraph 2 is replaced by the following:
178				

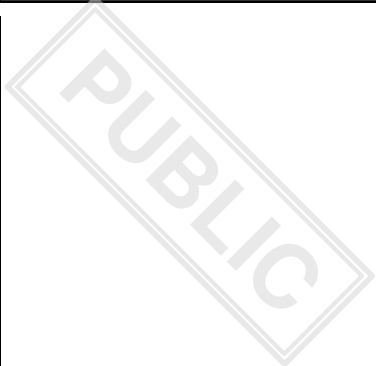
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>“</p> <p>2. Access to the VIS for the purposes of consulting the data shall be reserved exclusively for the duly authorised staff of the ETIAS Central Unit, of the national authorities of each Member State, including to duly authorised staff of the ETIAS National Units, designated pursuant to Article 8 of Regulation (EU) 2018/1240 of the European Parliament and of the Council, which are competent for the purposes laid down in Articles 15 to 22, for the duly authorised staff of the national authorities of each Member States and of the Union agencies, which are competent for the purposes laid down in Articles 20 and 21 of Regulation 2019/817, and for the competent authorities provided under Article 6(6) of Regulation (EU) 2020/XXX of the European Parliament and of the Council¹. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.;</p> <p>”</p> <p>¹. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008,</p>	<p>“</p> <p>2. Access to the VIS for the purposes of consulting the data shall be reserved exclusively for the duly authorised staff of the ETIAS Central Unit, of the national authorities of each Member State, including to duly authorised staff of the ETIAS National Units, designated pursuant to Article 8 of Regulation (EU) 2018/1240 of the European Parliament and of the Council, which are competent for the purposes laid down in Articles 15 to 22, for the duly authorised staff of the national authorities of each Member States and of the Union agencies, which are competent for the purposes laid down in Articles 20, <u>20a</u> and 21 of Regulation 2019/817, and for the competent authorities provided under Article 6(6) of Regulation (EU) 2020/XXX of the European Parliament and of the Council¹. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.”;</p> <p>”</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008,</p>	<p>“</p> <p>2. Access to the VIS for the purposes of consulting the data shall be reserved exclusively for the duly authorised staff of the ETIAS Central Unit;</p> <p>(a) the national authorities of each Member State and of the national authorities of each Member State, including to duly authorised staff of EU bodies which are competent for the purposes laid down in Articles 15 to 22, Articles 22g to 22m, and Article 45e;</p> <p>(b) the ETIAS Central Unit and the ETIAS National Units, designated pursuant to Article 7 and 8 of Regulation (EU) 2018/1240, for the purposes laid down in Articles 18c and 18d of this Regulation and in Regulation (EU) 2018/1240;</p> <p>(c) the screening authorities, designated pursuant to Article 6(7) of Regulation (EU) 2020/XXX [screening regulation], of the European Parliament and of the Council, which are competent for the purposes laid down in Articles 15 to 22, for the duly authorised staff of 10 to 12 of that Regulation;</p> <p>(d) the national authorities of each Member States and of the Union agencies, bodies which are competent for the purposes laid</p>	<p>“</p> <p>2. <u>2.</u> Access to the VIS for the purposes of consulting the data shall be reserved exclusively for the duly authorised <u>authorized</u> staff of :</p> <p>(a) <u>the national authorities of each Member State and the ETIAS Central Unit,</u> of the national authorities of each Member State, <u>including to duly authorised staff of EU bodies which are competent for the purposes laid down in Articles 15 to 22, Articles 22g to 22m, and Article 45e of this Regulation;</u></p> <p>(b) <u>the ETIAS Central Unit and</u> the ETIAS National Units, designated pursuant to Article 7 and 8 of <u>Articles 7 and 8 of</u> Regulation (EU) 2018/1240, <u>for the purposes laid down in Articles 18c and 18d of this Regulation;</u></p> <p>(c) <u>the screening authorities of</u> the European Parliament and of the Council, which are competent for the purposes laid down in Articles 15 to 22, for the duly authorised staff of <u>11 and 12 of that Regulation;</u></p> <p>(d) the national authorities of each Member States <u>State</u> and of the Union agencies, bodies which are competent for the purposes laid down in Articles 20 and 21 of <u>Regulation 2019/817, and for the competent authorities provided</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].	(EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].	down in Articles 20 and 21 of Regulation 2019/817, and for the competent authorities provided under Article 6(6) of Regulation (EU) 2020/XXX of the European Parliament and of the Council Regulation (EU) 2019/817. That access shall be limited to the extent that the data are required for the performance of their tasks in accordance with those purposes, and proportionate to the objectives pursued.”¹. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.;	under Article 6(6), 20a and 21 of Regulation (EU) 2020/XXX of the European Parliament and of the Council¹ 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.; ” 1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].
178a		<u>(1a) In Article 6, the following paragraph is inserted:</u> <u>“2a. The authorities competent for the screening provided under Article 6(7) of Regulation (EU)</u>		<u>2a. The screening authorities shall also have access to the VIS for consulting the data in order to perform a security check in accordance with Article 11(2) of</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>2020/xxxx [Screening Regulation] shall also have access to the VIS for consulting the data in order to perform a security check in accordance with Article 11(2) of that Regulation.</u></p> <p><u>A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1) of Regulation (EU) 2020/xxxx [Screening Regulation] and the VIS shall return a hit where a decision to refuse, annul or revoke a visa or residence permit based on the grounds provided for in Article 12(2)(a)(v) and (vi) is recorded in a matching file.</u></p> <p><u>Where a hit is obtained, the VIS shall automatically notify the authorities responsible for a decision referred to in the second subparagraph of a request to provide the authorities competent for the screening with detailed information on the grounds thereof within four days of notification of the request.</u></p>		<p><u>that Regulation.</u></p> <p><u>A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1) of Regulation (EU) 2020/xxxx [Screening Regulation] and the VIS shall return a hit where a decision to refuse, annul or revoke a visa, long-stay visa or residence permit based on the grounds provided for in Article 12(2)(a)(i),(v) and (vi) is recorded in a matching file.</u></p> <p><u>Where a hit is obtained, the screening authorities shall have access to all relevant data in the file.</u></p>
179	Article 17 Amendments to Regulation (EU) 2017/2226	Article 17 Amendments to Regulation (EU) 2017/2226	Article 17 Amendments to Regulation (EU) 2017/2226	Article 17 Amendments to Regulation (EU) 2017/2226

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
180	Regulation (EU) 2017/2226 is amended as follows:	Regulation (EU) 2017/2226 is amended as follows:	Regulation (EU) 2017/2226 is amended as follows:	Regulation (EU) 2017/2226 is amended as follows:
181	(1) In Article 6(1), the following point (1) is added:	(1) In Article 6(1), the following point (1) is added:	(1) (1) in Article 6(1), the following point (1) is added (k) is inserted after point (j):	(1) <u>(1) (1)</u> in Article 6(1), the following point (1) is added <u>(1) is inserted after point (k):</u>
182	<p>”</p> <p>(1) support the objectives of the screening established by Regulation (EU) 2020/XXX of the European Parliament and of the Council¹, in particular for the checks provided under Article 10 thereof.</p> <p>”</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].</p>	<p>”</p> <p>(1) <u>(1)</u> support the objectives of the screening established by Regulation (EU) 2020/XXX of the European Parliament and of the Council¹, in particular <u>[Screening Regulation], by allowing</u> for the checks provided under Article 10 <u>and Article 11(2)</u> thereof.</p> <p>”</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].</p>	<p>”</p> <p>(1) “(k) support the objectives of the screening established by Regulation (EU) 2020/XXX of the European Parliament and of the Council¹, in particular for the checks provided under Article 10 Articles 10 to 12 thereof.”</p> <p>”</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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] See footnote of the proposal.</p>	<p>‘</p> <p>(1) <u>(1) “(1)</u> support the objectives of the screening established by Regulation (EU) 2020/XXX of the European Parliament and of the Council¹, in particular for the checks provided under Article 10 <u>Articles 10 to 12</u> thereof.”</p> <p>’</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].</p>
183	(2) Article 9 is amended as follows:	(2) Article 9 is amended as follows:	(2) Article 9 is amended as follows:	(2) Article 9 is amended as follows:

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184	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) (a) the following paragraph 1 is replaced by the following 2a is inserted after paragraph 2:	(a) paragraph 1 is replaced by the following <u>the following paragraph is inserted after paragraph 2:</u>
185	<p>“</p> <p>2a. The competent authorities referred to in Article 5(6) of Regulation (EU) 2020/XXX shall have access to the EES to consult data.;</p> <p>”</p>	<p>“</p> <p>2a. The <u>authorities</u> competent authorities <u>for the screening</u> referred to in Article 5(6) <u>6(7)</u> of Regulation (EU) 2020/XXX shall have access to the EES to consult <u>the data in order to perform a security check in accordance with Article 11(2) of that Regulation</u> data.</p> <p><u>A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1) of Regulation (EU) 2020/XXX [Screening Regulation] and the EES shall return a hit where a refusal of entry record based on the grounds provided for in point I of Part B of Annex V to Regulation (EU) 2016/399 [Schengen Borders Code] is linked to a matching (individual) file.</u></p> <p><u>Where a hit is obtained, the EES shall automatically notify the authority responsible for the refusal of entry decision referred to in the</u></p> <p>”</p>	<p>“</p> <p>2a. “2a. The screening The competent authorities referred to in Article 5(6) <u>6(7)</u> of Regulation (EU) 2020/XXX shall have access to the EES to consult data.”;</p> <p>”</p>	<p>“</p> <p>2a. <u>“ 2a. The screening authorities as defined in Article 2(11) of Regulation (EU) 2020/XXX shall have access to the EES to consult data”;</u></p> <p><u>(aa) the following Article is inserted after Article 24:</u></p> <p><u>Article 24a</u></p> <p><u>Access to data for the security check for the purposes of screening</u></p> <p><u>The screening</u> The competent authorities referred to in Article 5(6) <u>2(11)</u> of Regulation (EU) 2020/XXX shall have access to the EES to consult <u>the data in order to perform a security check in accordance with Article 11(2) of that Regulation</u></p> <p><u>A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1) of Regulation (EU) 2020/XXX</u></p> <p>”</p>


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		<u>second subparagraph of a request to provide the screening authorities with detailed information on the grounds for such decision within four days of the notification of that request;</u>		<u>[Screening Regulation] and the EES shall return a hit where a refusal of entry record based on the grounds provided for in points B, D, H, I and J of Part B of Annex V to Regulation (EU) 2016/399 [Schengen Borders Code] is linked to a matching (individual) file</u> data. <u>Where a hit is obtained, the screening authority shall have access to all relevant data in the file.</u> <u>If the individual file does not include any biometric data, the screening authorities may proceed to access the biometric data of that person and verify correspondence in VIS in accordance with Article 6 of Regulation (EC) No 767/2008.”</u>
186	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:		(b) <u>(b)</u> paragraph 4 is replaced by the following:
187	“ Access to the EES data stored in the CIR shall be reserved exclusively for the duly authorised staff of the national authorities of each Member	“ Access to the EES data stored in the CIR shall be reserved exclusively for the duly authorised staff of the national authorities of each Member	“ “(4) Access to the EES data stored in the CIR shall be reserved exclusively for the duly authorised authorized staff of the	“ “(4) Access to the EES data stored in the CIR shall be reserved exclusively for the duly authorised authorized staff of the


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	State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of Regulation (EU) 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.”	State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of Regulation (EU) 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.”	national authorities of each Member State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of Regulation (EU) 2019/817 and 2019/818. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.”	national authorities of each Member State and for the duly authorised <u>authorized</u> staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of Regulation <u>Regulations</u> (EU) 2019/817 <u>and 2019/818</u> . Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.”
187a			<p>(3) the following Article 24a is inserted after Article 24:</p> <p>“Article 24a</p> <p><i>Access to data for the identification and for the security check for the purposes of screening</i></p> <p>1. For the purposes of verifying or establishing the identity of a person pursuant to Article 10 of Regulation (EU) XXX/YYYY (Screening) and the carrying out of security checks pursuant to Articles 11 and 12 of that Regulation, the screening authorities referred to in Article 6(7) of that same Regulation shall have access to EES data to the extent necessary to be able to carry out searches using the data referred to in Article 10(1) of</p>	deleted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Regulation (EU) XXX/YYYY (Screening) against the data stored in the EES in accordance with points (a) to (d) of Article 16(1) and points (a) to (c) of Article 17(1) of this Regulation.</p> <p>2. If the search carried out pursuant to paragraph 1 indicates that data on the person are stored in the EES, the screening authorities referred in paragraph 1 shall be given access to the data of the individual file, the entry/exit records and refusal of entry records linked to it.</p> <p>If the individual file referred to in the first subparagraph does not include any biometric data, the screening authorities may proceed to access the biometric data of that person and verify correspondence in VIS in accordance with Article 6 of Regulation (EC) No 767/2008.”</p>	
187b			<p>(4) in Article 46(1), point (a) is replaced by the following: “(a) The purpose of the access referred to in Article 9 and Article 9(2a).”</p>	<p><u>(4) in Article 46(1), point (a) is replaced by the following: “(a) The purpose of the access referred to in Article 9(2a) and 9(2b).”</u></p>

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188	Article 18 Amendments to Regulation (EU) 2018/1240	Article 18 Amendments to Regulation (EU) 2018/1240	Article 18 Amendments to Regulation (EU) 2018/1240	Article 18 Amendments to Regulation (EU) 2018/1240
189	Regulation (EU) 2018/1240 is amended as follows:	Regulation (EU) 2018/1240 is amended as follows:	Regulation (EU) 2018/1240 is amended as follows:	Regulation (EU) 2018/1240 is amended as follows:
190	(1) In Article 4, point (a) is replaced by the following:	(1) In Article 4, point (a) is replaced by the following:		(1) <u>(1) In Article 4, point (a) is replaced by the following a new point is inserted after point (e):</u>
191	“(a) contribute to a high level of security by providing for a thorough assessment of applicants as regards the risk they may pose to internal security, prior to their arrival at external border crossing points, and of persons subject to the screening referred to in Regulation (EU) 2020/XXX of the European Parliament and of the Council ¹ [Screening Regulation], in order to determine whether there are factual indications or reasonable grounds based on factual indications to conclude that the presence of the	“(a) contribute to a high level of security by providing for a thorough assessment of applicants as regards the risk they may pose to internal security, prior to their arrival at external border crossing points, and of persons subject to the screening referred to in Regulation (EU) 2020/XXX of the European Parliament and of the Council¹ [Screening Regulation], in order to determine whether there are factual indications or reasonable grounds based on factual indications to conclude that the presence of the	“(a) “(a) contribute to a high level of security by providing for a thorough security risk assessment of applicants as regards the risk they may pose to internal security, prior to their arrival at external border crossing points, and of persons subject to the screening referred to in Regulation (EU) 2020/XXX of the European Parliament and of the Council ¹ [Screening Regulation], in order to determine whether there are factual indications or reasonable grounds based on factual indications to conclude that the presence of the	“(a) contribute to a high level of security by providing for a thorough assessment of applicants as regards the risk they may pose to internal security, prior to their arrival at external border crossing points, and of persons subject to the screening referred to in “ (ea) “ support the purposes of Regulation (EU) 2020/XXX 2020/xxxx of the European Parliament and of the Council ¹ [Screening Regulation], in order to determine whether there are factual indications or reasonable grounds based on factual indications


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	<p>person on the territory of the Member States poses a security risk;”</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].</p>	<p>person on the territory of the Member States poses a security risk, <u>and by allowing for a security check in accordance with Article 11(2) of Regulation (EU) 2020/xxxx of the European Parliament and of the Council [Screening Regulation].”</u></p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].</p>	<p>person on the territory of the Member States poses a security risk;”</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].</p>	<p>to conclude that the presence of the person on the territory of the Member States poses a security risk;”</p> <p>1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] 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].</p>
191a			<p>(2) In paragraph 2 of Article 8 a new point (h) is added: (h) providing opinions in accordance with Article 35a.</p>	<p><u>(a) (2) In paragraph 2 of Article 8 a new point (h) is added: (h) providing opinions in accordance with Article 35a.</u></p>
192	<p>(2) In Article 13, paragraph 5 is replaced by the following:</p>	<p>(2) In Article 13, paragraph 5 is replaced by the following <u>is amended as follows:</u></p>	<p>(2) In Article 13, paragraph 5 is replaced by the following:</p>	<p>(2) In Article 13, paragraph 5 is replaced by the following <u>is amended as follows:</u></p>
192a		<p>“ <u>4a. a) paragraph 4a is replaced by the following:</u> <u>“(4a) Access to the ETIAS identity</u></p>		<p>“ -1. 4a. a) <u>paragraph 4a is replaced by the following:</u> <u>“(4a) Access to the ETIAS identity</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>data and travel document data stored in the CIR shall also be reserved exclusively for the duly authorised staff of the national authorities of each Member State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of Regulation (EU) 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued."</u></p>		<p><u>data and travel document data stored in the CIR shall also be reserved exclusively for the duly authorised staff of the national authorities of each Member State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of Regulation (EU) 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued."</u></p>
192b		<p><u>4a a. (b) paragraph 4a a is inserted:</u></p> <p><u>(4a a) The authorities competent for the screening referred to in Article 6(7) of Regulation (EU) 2020/XXX [Screening Regulation] shall also have access to ETIAS to consult the data in order to perform a security check in accordance with Article 11(2) of that Regulation.</u></p> <p><u>A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1), points (a) and (b), of Regulation (EU) 2020/XXX</u></p>		<p><u>"</u> <u>(b) paragraph 4a a is inserted:</u></p> <p><u>(4a a) The screening authorities shall also have access to ETIAS to consult the data in order to perform the checks in accordance with Articles 10(1) and 11(2) of Regulation xxxx/xxxx (Screening Regulation).</u></p> <p><u>A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1), points (a) and (b), of Regulation (EU) 2020/XXX [Screening Regulation]and ETIAS</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>[Screening Regulation]and ETIAS shall return a hit where a decision refusing a travel authorisation based on point (b) of Article 37(1) is included in a matching (application) file.</u></p> <p><u>Where a hit is obtained, ETIAS shall automatically notify the ETIAS National Unit of the Member State responsible for a decision referred to in the second subparagraph of a request to provide the authorities competent for the screening with detailed information on the grounds thereof within four days of notification of the request.</u></p> <p><u>If the search carried out pursuant to paragraph 1 of this Article indicates that there is a correspondence between the data used for the search and the data recorded in the ETIAS watchlist referred to in Article 34 of that Regulation, the ETIAS National Unit or Europol having entered the data in the ETIAS watchlist shall be notified of the correspondence and shall be responsible for accessing the data in the ETIAS watchlist and for providing an opinion in accordance with Article 35a of that Regulation.”</u></p>		<p><u>shall return a hit where a decision refusing, annulling or revoking a travel authorisation based on points (a), (b) and (e) of Article 37(1) or Article 28(7) is included in a matching application file.</u></p> <p><u>Where a hit is obtained, the screening authorities shall have access to all relevant data in the file.</u></p> <p><u>If the search carried in accordance with this paragraph indicates that there is a correspondence between the data used for the search and the data recorded in the ETIAS watchlist referred to in Article 34, the ETIAS National Unit or Europol having entered the data in the ETIAS watchlist shall be notified of the correspondence and shall be responsible for accessing the data in the ETIAS watchlist and for providing an opinion in accordance with Article 35a.</u></p>

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193	<p>“</p> <p>5. Each Member State shall designate the competent national authorities referred to in paragraphs 1, 2 and 4 of this Article, and the competent authority referred to in Article 5(6) of Regulation (EU) 2020/XXX, and shall communicate a list of those authorities to eu-LISA without delay, in accordance with Article 87(2) of this Regulation. That list shall specify for which purpose the duly authorised staff of each authority shall have access to the data in the ETIAS Information System in accordance with paragraphs 1, 2 and 4 of this Article.”</p>	<p>5. Each Member State shall designate the competent national authorities referred to in paragraphs 1, 2 and 4 of this Article, and the <u>authorities</u> competent authority for the screening referred to in Article 5(6)6(7) of Regulation—(EU) 2020/XXX, and shall communicate a list of those authorities to eu-LISA without delay, in accordance with Article 87(2) of this Regulation. That list shall specify for which purpose the duly authorised staff of each authority shall have access to the data in the ETIAS Information System in accordance with paragraphs 1, 2 and 4 of this Article.”</p>	<p>“</p> <p>5. (a) the following paragraph 4b is inserted after paragraph 4a: “4b. For the purposes of Articles 10 to 12 of Regulation (EU) XXX/YYYY (Screening), the screening authorities referred to in the third sub-paragraph of Article 6(7) of that Regulation, shall have:</p> <p>(a) access to the data in the ETIAS Central System to the extent necessary to be able to carry out searches using the data referred to in Article 10(1)(a) and</p> <p>(b) of that Regulation against the data contained in the ETIAS Information System;</p> <p>(b) a ‘read-only’ access, to the ETIAS applications files stored in the ETIAS Central system where the search carried out pursuant to point (a) reveals a match, in accordance with Article 11(3) of that Regulation.</p> <p>If the search carried out pursuant to paragraph 1 indicates that there is a correspondence between the data used for the search and the data recorded in the ETIAS watchlist referred to in Article 34, the ETIAS National Unit or Europol having entered the data in the ETIAS watchlist shall be</p>	<p>5. <u>Each</u> Member State shall designate the competent national authorities referred to in paragraphs 1, 2, <u>4 and 4a</u> and 4 of this Article, and the competent screening authority referred to in Article 5(6)2(11) of Regulation—(EU) 2020/XXX, and shall communicate a list of those authorities to eu-LISA without delay, in accordance with Article 87(2) of this Regulation. That list shall specify for which purpose the duly authorised staff of each authority shall have access to the data in the ETIAS Information System in accordance with paragraphs 1, 2, <u>4 and 4a</u> and 4 of this Article.”</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>notified of the correspondence and shall be responsible for accessing the data in the ETIAS watchlist and for providing an opinion in accordance with Article 35a of this Regulation.”</p> <p>(b) paragraph 5 is replaced by the following: “5. Each Member State shall designate the competent national authorities referred to in paragraphs 1, 2, 4 and 4a and 4 of this Article, and the competent screening authority referred to in Article 5(6)6(7) of Regulation– (EU) 2020/XXX, and shall communicate a list of those authorities to eu-LISA without delay, in accordance with Article 87(2) of this Regulation. That list shall specify for which purpose the duly authorised staff of each authority shall have access to the data in the ETIAS Information System in accordance with paragraphs 1, 2, 4 and 4a and 4 of this Article.”</p>	
193a		<p><u>5a. (2a) the following Article is inserted:</u></p> <p><u>“Article 35a</u> <u>Tasks of the ETIAS National Unit and Europol regarding the ETIAS watchlist for the purpose of the</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>screening procedure</u></p> <p><u>1. In cases referred to in the second sub-paragraph of Article13(4b), the ETIAS Central System shall send an automated notification to the ETIAS National Unit or Europol having entered the data into the ETIAS watchlist. Where the ETIAS National unit or Europol that entered the data into the watchlist consider that the third-country national undergoing the screening could pose a security risk, they shall immediately notify the respective screening authorities and provide a reasoned opinion to the Member State performing the screening, within two days of the receipt of the notification, in the following manner:</u></p> <p><u>(a) the ETIAS national units shall inform the screening authorities through a secure communication mechanism, to be set up by eu-LISA, between the ETIAS National Units on the one part and the screening authorities on the other;</u></p> <p><u>(b) Europol shall inform the screening authorities using the communication channels provided for in Regulation (EU) 2016/794. If no opinion is provided, it shall be</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>considered that there is no security risk."</i></u>		
193b			<p>5a. (4) the following Article 35a is inserted after Article 35:</p> <p><i>"Article 35a</i> <i>Tasks of the ETIAS National Unit and Europol regarding the ETIAS watchlist for the purpose of the screening procedure</i> 1. In cases referred to in the second sub-paragraph of Article 13(4b), the ETIAS Central System shall send an automated notification to the ETIAS National Unit or Europol having entered the data into the ETIAS watchlist. Where the ETIAS National unit or Europol that entered the data into the watchlist consider that the third country national undergoing the screening could pose a security risk, they shall immediately notify the respective screening authorities and provide a reasoned opinion to the Member State performing the screening, within two days of the receipt of the notification, in the following manner:</p> <p>(a) the ETIAS national units shall inform the screening authorities through a secure</p>	<p><u><i>5a. 5a. (4) the following Article 35a is inserted after Article 35:</i></u> <u><i>"Article 35a</i></u> <u><i>Tasks of the ETIAS National Unit and Europol regarding the ETIAS watchlist for the purpose of screening:</i></u> <u><i>1. In cases referred to in the second sub-paragraph of Article 13(4b), the ETIAS Central System shall send an automated notification to the ETIAS National Unit or Europol having entered the data into the ETIAS watchlist. Where the ETIAS National unit or Europol that entered the data into the watchlist consider that the third country national undergoing the screening might pose a threat to internal security, they shall immediately notify the respective screening authorities and provide a reasoned opinion to the Member State performing the screening, within two days of the receipt of the notification, in the following manner:</i></u> <u><i>(a) the ETIAS national units shall inform the screening authorities through a secure communication</i></u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>communication mechanism, to be set up by eu-LISA, between the ETIAS National Units on the one part and the screening authorities on the other;</p> <p>(b) Europol shall inform the screening authorities using the communication channels provided for in Regulation (EU) 2016/794. If no opinion is provided, it should be considered that there is no security risk .</p> <p>2. The automated notification(s) referred to in paragraph 1 shall contain the data referred to in Article 11(2) of Regulation (EU) xxxx/yyyy (Screening) used for the query.”</p> <p>(5) in Article 69(1), the following point (ea) is inserted after point (e):</p> <p>“(ea) where relevant, a reference to queries entered in the ETIAS Central System for the purposes of Articles 10 and 11 Regulation (EU) XXX/YYYY (Screening), the hits triggered and the results of this query.”</p>	<p><u>mechanism, to be set up by eu-LISA, between the ETIAS National Units on the one part and the screening authorities on the other;</u></p> <p><u>(b) Europol shall inform the screening authorities using the communication channels provided for in Regulation (EU) 2016/794. If no opinion is provided, it should be considered that there is no security risk .</u></p> <p><u>2. The automated notification(s) referred to in paragraph 1 shall contain the data referred to in Article 11(2) of Regulation (EU) xxxx/yyyy (Screening) used for the query.”</u></p> <p><u>(5) in Article 69(1), the following point (ea) is inserted after point (e): “(ea) where relevant, a reference to queries entered in the ETIAS Central System for the purposes of Articles 10 and 11 Regulation (EU) XXX/YYYY (Screening), the hits triggered and the results of this query.”</u></p>
194	Article 19 Amendments to Regulation (EU) 2019/817	Article 19 Amendments to Regulation (EU) 2019/817	Article 19 Amendments to Regulation (EU) 2019/817	Article 19 Amendments to Regulation (EU) 2019/817

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
195	Regulation (EU) 2019/817 is amended as follows:	Regulation (EU) 2019/817 is amended as follows:	Regulation (EU) 2019/817 is amended as follows:	Regulation (EU) 2019/817 is amended as follows:
195a			<p>(-1) In Article 7, paragraph 2 is replaced by the following: ‘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 the EES, VIS and ETIAS 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.’</p>	<p><u>(-1) In Article 7, paragraph 2 is replaced by the following: ‘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 the EES, VIS and ETIAS 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.’</u></p>
196	(1) In Article 17, paragraph 1 is replaced by the following:	(1) In Article 17, paragraph 1 is replaced by the following:	(1) In Article 17, paragraph 1 is replaced by the following is amended as follows:	(1) In Article 17, paragraph 1 is replaced by the following <u>is amended as follows:</u>
197	“	“	“	“

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>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 Article 20 and 20a, 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.</p>	<p>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 Article 20 and 20a, 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.</p>	<p><i>(a) paragraph 1 is replaced by the following:</i> <i>“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.”</i></p> <p><i>(a) paragraph 4 is replaced by the following:</i> <i>“Where it is technically impossible because of a failure of the CIR to query the CIR for the purpose of identifying a person pursuant to Article 20 or for verifying or establishing the identity of a person pursuant to Article 20a of this Regulation, for the detection</i></p>	<p><i><u>“ (a) paragraph 1 is replaced by the following:</u></i> <i>“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 ArticleArticles 20 and 20a <u>of this Regulation</u>, 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.”</i></p> <p><i><u>(a) paragraph 4 is replaced by the following:</u></i> <i><u>“Where it is technically impossible because of a failure of the CIR to query the CIR for the purpose of identifying a person pursuant to Article 20 or for verifying or establishing the identity of a person pursuant to Article 20a of this Regulation, for the detection of multiple identities pursuant to</u></i></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>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.” 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 Article 20 and 20a, 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.</p>	<p><u>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.”</u></p>
197a			<p>In Article 18, paragraph 3 is replaced by the following: “The authorities accessing the CIR shall do so in accordance with</p>	<p><u>In Article 18, paragraph 3 is replaced by the following: “The authorities accessing the CIR shall do so in accordance with their</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			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.”	<u>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.”</u>
198	(2) The following Article 20a is inserted:	(2) The following Article 20a is inserted:	(2) (1) the following Article 20a is inserted after article 20 :	(2) the following Article 20a is inserted <u>after article 20</u> :
199	“ Article 20a	“ Article 20a	“ Article 20a Article 20a	“ <u>Article 20a</u>
200	Access to the common identity repository for identification according to Regulation (EU) 2020/XXX	Access to the common identity repository for identification according to Regulation (EU) 2020/XXX <u>[Screening Regulation]</u>	Access to the common identity repository for identification according to Regulation (EU) 2020/XXX Access to the common identity repository for identification according to Regulation (EU) 2020/XXX	Access to the common identity repository for <u>verification of identity</u> <u>or</u> identification according to Regulation (EU) 2020/XXX
201	1. Queries of the CIR shall be carried out by the designated competent authority as defined in Article 6(7) of Regulation (EU)	1. Queries of the CIR shall be carried out by the designated competent authority as defined in Article 6(7) of Regulation (EU)	1. 1. Queries of the CIR shall be carried out by the designated screening authority as defined referred to in Article 6(7) of	1. Queries of the CIR shall be carried out by the <u>screening authorities solely for the purpose of verifying the identity or</u> designated

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2020/XXX, solely for the purpose of identifying a person according to Article 10 of that Regulation, provided that the procedure was initiated in the presence of that person.	2020/XXX <u>[Regulation on Screening]</u> , solely for the purpose of <u>verifying the identity of a person or</u> identifying a person according to Article 10 of that Regulation, provided that the procedure was initiated in the presence of that person.	Regulation (EU) 2020/XXX/yyyy/XXX (Screening), solely for the purpose of identifying, 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.	competent authority as defined in Article 6(7) of Regulation (EU) 2020/XXX, solely for the purpose of identifying a person according to Article 10 of that Regulation, provided that the procedure <u>process</u> was initiated in the presence of that person.
202	2. Where the query indicates that data on that person are stored in the CIR, the competent authority shall have access to consult the data referred to in Article 18(1) as well as to the data referred to in Article 18(1) of Regulation (EU) 2019/818 of the European Parliament and the Council.	2. Where the query indicates that data on that person are stored in the CIR, the competent authority shall have access to consult the data referred to in Article 18(1) as well as to the data referred to in Article 18(1) of Regulation (EU) 2019/818 of the European Parliament and the Council.	2. 2. Where the query indicates that data on that person are stored in the CIR, the competent screening authority shall have access to consult the data referred to in Article 18(1) of this Regulation as well as to the data referred to in Article 18(1) of Regulation (EU) 2019/818 of the European Parliament and the Council.”	2. Where the query indicates that data on that person are stored in the CIR, the competent <u>screening</u> authority shall have access to consult the data referred to in Article 18(1) <u>of this Regulation</u> as well as to the data referred to in Article 18(1) of Regulation (EU) 2019/818 of the European Parliament and the Council.”
202a			2a. (1) in Article 24, (a) Paragraph 1 is replaced by the following: ‘1. Without prejudice to Article 46 of Regulation (EU) 2017/2226, Article 34 of Regulation (EC) No 767/2008 and Article 69 of Regulation (EU) 2018/1240, eu-LISA shall keep logs of all data processing operations in the CIR in accordance with paragraphs 2,	<u>2a. (1) in Article 24,</u> <u>(a) Paragraph 1 is replaced by the following:</u> <u>‘1. Without prejudice to Article 46 of Regulation (EU) 2017/2226, Article 34 of Regulation (EC) No 767/2008 and Article 69 of Regulation (EU) 2018/1240, eu-LISA shall keep logs of all data processing operations in the CIR in accordance with paragraphs 2, 2a,</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>2a, 3 and 4 of this Article.’</p> <p>(b) the following paragraph 2a is inserted after paragraph 2:</p> <p>“2a. eu-LISA shall keep logs of all data processing operations pursuant to Article 20a in the CIR. Those logs shall include the following:</p> <p>(a) the Member State launching the query;</p> <p>(b) the purpose of access of the user querying via the CIR;</p> <p>(c) the date and time of the query;</p> <p>(d) the type of data used to launch the query;</p> <p>(e) the results of the query.”</p> <p>(c) in paragraph 5, the first sub-paragraph is replaced by the following:</p> <p>“(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.””</p>	<p><u>3 and 4 of this Article.’</u></p> <p><u>(b) the following paragraph 2a is inserted after paragraph 2:</u></p> <p><u>“2a. eu-LISA shall keep logs of all data processing operations pursuant to Article 20a in the CIR. Those logs shall include the following:</u></p> <p><u>(a) the Member State launching the query;</u></p> <p><u>(b) the purpose of access of the user querying via the CIR;</u></p> <p><u>(c) the date and time of the query;</u></p> <p><u>(d) the type of data used to launch the query;</u></p> <p><u>(e) the results of the query.”</u></p> <p><u>(c) in paragraph 5, the first sub-paragraph is replaced by the following:</u></p> <p><u>“(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.””</u></p>
203	Article 20 Evaluation	Article 20 Evaluation	Article 20 Evaluation	Article 20 Evaluation

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204	[Three years after entry into force, the Commission shall report on the implementation of the measures set out in this Regulation.]	[Three years] 18 months after entry into force, the Commission shall report on the implementation of the measures set out in this Regulation.]	[Three years after entry into force, the Commission shall report on the implementation of the measures set out in this Regulation.]	Three Two years after entry into force application, the Commission shall report on the implementation of the measures set out in this Regulation.
205	No sooner than [five] years after the date of application of this Regulation, and every five years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall present a Report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. Member States shall provide the Commission all information necessary for the preparation of that report, at the latest six months before the [five] years' time limit expires.	No sooner than five three years after the date of application of this Regulation, and every five years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall present a Report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. Member States shall provide the Commission all information necessary for the preparation of that report, at the latest six months before the [five] years' time limit expires.	No sooner than [five] years after the date of application of this Regulation, and every five years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall present a Report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. Member States shall provide the Commission all information necessary for the preparation of that report, at the latest six months before the [five] years' time limit expires.	No sooner than five Five years after the date of application of this Regulation, and every five years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall present a Report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. Member States shall provide the Commission all information necessary for the preparation of that report, at the latest six months before the five five years' time limit expires.
206	Article 21	Article 21	Article 21	Article 21
207				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	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 enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	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 enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
G 207a			This Regulation shall start to apply 18 months from its entry into force.	<u><i>This Regulation shall start to apply 24 months from its entry into force.</i></u>
G 207b			The provisions laid down in Articles 10 to 12 related to queries to EU information systems, the CIR and the European Search Portal shall start to apply only once the relevant information systems, CIR and ESP enter into operation.	<u><i>The provisions laid down in Articles 10 to 12 related to queries to EU information systems, the CIR and the European Search Portal shall start to apply only once the individual relevant information systems, CIR and ESP enter into operation.</i></u>
G 208	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.
G 209	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels,
G 210	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament

		Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	211	The President	The President	The President	The President
G	212	For the Council	For the Council	For the Council	For the Council
G	213	The President	The President	The President	The President



Council of the European Union
General Secretariat

**Interinstitutional files:
2020/0278 (COD)**

Brussels, 31 January 2024

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NOTE

From:	Presidency
To:	Delegations
N° Cion doc.:	11224/20
Subject:	Proposal for a Regulation 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 - four-column table

Delegations will find attached the four-column table on the above-mentioned proposal.

The provisions marked green have been agreed by the Rapporteur and the Presidency and reflect the overall agreement that was made between the Spanish Presidency and the Rapporteur on 20 December 2023.