

# Visa Information System: Council Presidency and European Parliament reach provisional agreement on main elements



In response to changing migration and security challenges, the EU is improving its Visa Information System (VIS), a tool used by authorities to register and check persons applying for a short-stay visa to enter the Schengen area.

The German Council Presidency and the European Parliament today reached a provisional agreement on the main political elements of a draft regulation amending the Visa Information System regulation. Discussions will now continue at technical level on the remaining aspects, which are expected to be agreed by the end of this year.

The main aims of the amending regulation are to:

- further strengthen the security of the short-stay visa procedure
- include long-stay visas and residence permits in the VIS database
- ensure interoperability between the VIS and other relevant EU systems and databases

## **Information in the VIS**

Under the proposed new rules, the VIS will not only include information on short-stay visas as before, but will also cover long-stay visas and residence permits, as these documents allow for free movement within the Schengen area. Registering these documents in a centralised database will help the authorities to verify their authenticity and validity.

In addition, a scan of the biographical data page of the travel document will be included in the VIS. This will also facilitate the return of illegally staying third-country nationals whose data may be stored in the VIS: if their travel document is no longer available at the time of return, a copy of it may be recognised by third countries as proof of nationality.

## **Checks and access**

Before issuing a visa or residence permit, the new rules would allow for enhanced background checks on the applicant in relevant security and migration databases, including the Schengen Information System (SIS), the Entry-Exit System (EES), European Travel Information Authorisation System (ETIAS), Eurodac, Europol data, ECRIS-TCN and relevant Interpol databases on travel documents. The VIS would automatically launch a query of these databases and any hits would be manually verified and followed up by the

competent authority.

The access of Europol and law enforcement authorities to VIS data, currently regulated under a 2008 Council decision, would also be integrated into the VIS regulation. Access to VIS data can help law enforcement authorities to identify victims of crime or make progress in their investigations.

In order to fulfil their obligations under Schengen rules, international carriers will be able to verify whether or not third-country nationals who are required to hold a valid short-stay visa, long-stay visa or residence permit have one. The carriers will not have access to the VIS as such, but will be provided with an ok/not ok answer as to the existence of a valid short-stay visa, long-stay visa or residence permit.

## **Biometrics**

With a view to combating child trafficking, under the new regulation the age for fingerprinting children will be lowered from 12 to 6 (with all the necessary safeguards). An upper limit will also be introduced, with fingerprints of persons above the age of 75 not included in the VIS. The current paper photo will be replaced by a live facial image with sufficient image resolution and quality to be used in automated biometric matching.

## **Background**

The Visa Information System, which has been operational since 2011, is a database to facilitate the short-stay visa procedure. It helps visa, border, asylum and migration authorities to check third-country nationals who need a short-stay visa to travel to the Schengen area. It connects member states' consulates around the world, as well as all external border crossing points.

An overall evaluation of the VIS was carried out in 2016 by the European Commission. It concluded that the system meets its objectives, but that new challenges in visa, border and migration management require further development in a number of areas. On 16 May 2018, the Commission submitted a proposal to amend the VIS regulation.

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## **Migration: Fundamental rights challenges at borders**

FRA's report '[Migration: Fundamental rights issues at land borders](#)' first describes the applicable EU law governing border controls. It then clarifies how EU countries' duty to protect their borders can affect fundamental rights.

It reviews different aspects of border management, such as border surveillance, preventing irregular border crossings, and checks at border crossing points. It also illustrates the impact. This ranges from people dying at borders to allegations of pushbacks or the use of excessive force.

To ensure full respect for fundamental rights at the EU external borders, FRA suggests:

- enhancing the fundamental rights component of existing oversight mechanisms, such as the Schengen evaluation and monitoring mechanism;
- supporting border guards in their daily work through practical guidance, tools and training;
- fully embracing a victim-focused approach, and mainstreaming child and gender aspects, when combating organised crime at external land borders;
- increasing the transparency and effectiveness of investigations into pushbacks and ill-treatment allegations at external land borders;
- establishing independent and effective fundamental rights monitoring mechanisms at borders.

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## [Payment Service Directive 2, Increased Security for Online Payments](#)

December 08, 2020 [General](#)

Payment Service Directive 2, Increased Security for Online Payments



New security requirements for online payments will come into effect in the European Economic Area in January 2021 as consequence of the second Payment Services Directive ([PSD2](#)).

In line with this directive, from January 2021, all online payments by credit card to EUIPO will have an additional layer of security involving strong customer authentication (SCA). Customers will be asked to confirm payments by entering a secret number received by SMS or a code generated by a smartphone app or with a biometric identifier like a fingerprint or facial recognition. These customers will be informed about the elements needed to confirm the payment by their financial institution (personal telephone number, smartphone app, etc.).

The EUIPO welcomes this new layer of security in online payments which aims to protect the rights of consumers and to limit liability in the event of fraudulent use of cards.

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## [Press release – InvestEU Fund agreed: Boosting strategic, sustainable and innovative investments](#)



InvestEU will foster strategic, sustainable and innovative investments and address market failures, sub-optimal investments and the investment gap in targeted sectors, for the period 2021-27.

### **Support for companies and strategic investments**

Recognising that many companies are at risk of insolvency due to the COVID-19 crisis, EP negotiators from the Budgetary and Economic and Monetary Affairs committees insisted that capital support be provided to SMEs that have been

negatively affected by the crisis.

They were also able to ensure that strategic investments will be made in manufacturing of pharmaceuticals, medical devices and supplies – crucial in the midst of a pandemic – as well as the production of Information and Communication Technology, components and devices in the EU. InvestEU will therefore be able to build on the support provided by its predecessor, the European Fund for Strategic Investments, for the BioNTech and Curevac coronavirus vaccines.

### **Support for sustainable investments**

Negotiators agreed that InvestEU support should finance sustainable projects that can prove their positive environmental, climate and social impact. Investment projects should also be subject to the principle of “do no significant harm”, meaning they must not negatively affect the EU’s environmental and social objectives .

Additionally, MEPs made sure that InvestEU contributes to achieving the target of spending at least 30% of the EU funds on climate objectives until 2027.

### **Additional investments of around €400 billion**

The EU guarantee of around €26 billion (current prices) is expected to mobilise €400 billion in additional investment across the European Union and will be allotted to the following policy objectives:

1. Sustainable infrastructure: 37,8% (around €9,9 billion);
2. Research, Innovation and Digitalisation: 25,1% (around € 6,6 billion);
3. SMEs: 26,4% (around € 6,9 billion)
4. Social investment and Skills: 10,6% (around € 2,8 billion).

Moreover, the European investment Fund (EIF), which will contribute to the implementation of the InvestEU programme, will get an additional €375 million.

### **Quotes**

[José Manuel Fernandes](#) (EPP, PT), lead MEP from the Budgets Committee said: “InvestEU will generate more investment, create better jobs, enhance competitiveness and productivity, while promoting territorial cohesion and inclusion. We have managed to provide solvency support to SMEs and will help save companies negatively affected by the pandemic crisis”.

[Irene Tinagli](#) (S&D, IT) leading the negotiations on behalf of the Economic and Monetary Affairs Committee said: “The economic recovery needs not only public but also private investment, and InvestEU will be able to mobilize about €400 billion on key projects for the EU. I am particularly proud of the fact that we have managed to include investments in social infrastructure, to dedicate a significant share to SMEs, and included the option of providing capital support for the firms most affected by COVID-19. All this, while

keeping the EU's environmental targets high".

### Next steps

The agreement reached by the EP negotiating team will now have to be approved first by the Economic and Monetary Affairs and the Budgets committees, followed by a plenary vote. The Council also has to approve the deal.

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## The EUIPO signs a collaboration agreement with 4iP Council

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The EUIPO signs a collaboration agreement with 4iP Council



The recent collaboration agreement between [4iP Council](#) and the EUIPO enables both organisations to join forces in pursuit of a common goal: to empower SMEs and promote the benefits of intellectual property (IP) protection.

4iP Council, a non-profit organisation with the aim to deliver academic insight and empirical research on topics related to IP, recognises the gap between entrepreneurship and the invention process and the decisions underpinning European policy, job creation and growth. One of 4iP Council's principal areas of activity is to give guidance to innovators and investors to improve their understanding of intellectual property.

As part of [EUIPO's Strategic Plan](#), the SME Programme, under the 'Ideas Powered for business' brand aims to support and empower SMEs on their business journey. The recently launched ['Ideas Powered for business'](#) hub offers made-to-measure information for SMEs, as well as the possibility

to [sign up for free personalised legal advice](#) on their intellectual property questions.

Both organisations aim to unite their efforts and create synergies in the benefit of SMEs. This agreement covers activities such as generating educational content and promoting joint webinars on intellectual property among SMEs, as well as sharing information on IP on the respective websites.