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**Eurosmart, the smart card industry, supports the respect of data privacy in secure identity documents (visa and passport documents)**

European Parliament is now studying future biometrics visa and passport regulations. At the same time, the Justice and Home Affairs Council, after having assessed in June 2004, the obligation of one biometric identifier, a facial recognition, will probably obtain a political agreement on visa regulation next December and on passport a few months later. Mobility management in Europe and the control of European citizens will be reshaped for a new system to be operational for many decades.

Political and technological decisions are closely intertwined on this issue and policy makers must deepen their knowledge of available technologies corresponding to the specific and complex requirements of identity management.

Since September 2003, Eurosmart members made the identity application, their main subject on which to inform and cooperate with decision makers.

Our White Paper on identity applications, released at that time, compared smart card with other technology solutions and pointed out the security, durability and privacy respect of such a tool. This document was fully disseminated and presented to the key actors involved in the decision-making process not only in Europe.

During such exchange and presentations, the main interrogations regarding the choice of the technology was the impact on administrative cost and on the privacy of citizens. Eurosmart, as the voice of the whole industrial chain is also concerned by these issues to which interoperability and security can be added. **On all these concerns, the industry continues to affirm that the smart card technology is the answer.**

The Article 29 Working Party Report (European data protection authority) on passport regulation proposal released in August 2004 was very clear on the need to complete the existing text by 5 amendments. Eurosmart in support to the Article 29 WP recommendations would like to point out how the technology corresponds to the balanced approach suggested:

1. Strictly **opposes** the storage of all EU passport holder's biometric and other data in a **centralised data base of EU passports and travel documents**

Eurosmart wishes to point out:

The smart card's unique ability to verify the authority of the information requestor allows it to be the perfect guardian of a citizen's personal information and privacy. Its unique off-line verification capabilities eliminate the need for on-line access to a central database by restricting the data shared to an individual entity, thus controlling citizen privacy.

A smart card based secure personal ID system protects individual's personal information - that are stored in the card and provided by a voluntary action - and so ensures better acceptance by citizens.

2. The purpose for introducing biometric features in passports as defined by the regulation has to be **explicit, appropriate, proportionate and clear**.

Biometric features introduction correspond to add security in the passport. However, the tool supporting the information should meet the secure needs in a proportionate way. The smart card is a unique, portable, personal object that easily combines secure identification and authentication functions for both the physical and the digital worlds. Smart cards are well perceived by citizens, offering convenience, security, and crucial personal information privacy management features.

3. The Member States should guarantee in a technically sound way that the passports include a **storage medium with sufficient capacity and the capability to guarantee** the integrity, the authenticity and the confidentiality of the data.

Any biometric sample fits and can be handled by the smart card technology that exists today. Several such samples related to different biometrics technologies would fit easily within a relatively low-end smart card. The card memory capacity and the CPU computing power must be selected according to the data storage and processing needs, and optimised to meet the best performance/cost ratio at the time of large scale deployment.

4. The regulation should define who may have **access** to the storage medium and for which **purposes** (reading, modifying or erasing data).

All of the cardholder's personal information does not need to be revealed every time in order to prove identity. The information required for identification can vary depending on the specific "role" of the individual at a given point in time. I.e. only the data necessary for a defined identification purpose have to be presented to the government authority in question

5. The Member States set up a **register of competent authorities**.

On this final amendment suggested by the Article 29 WP, the smart card industry wishes to point out the **interoperability** of the system not only inside a Member States but between countries. It needs to be ensured through the use of a standardized Biometric Application Programming Interfaces (API).

Eurosmart, the US based "Smart Card Alliance", and several other industry associations have united their efforts towards such standardization. These efforts would be extremely accelerated by the adoption of a smart card combined with biometrics recommendation by the European Community for its visa, passport and e-government initiatives, leading to an ISO standard. A Public Key Infrastructure (PKI) needs to be used, properly architect, in order to ensure exchanges between multiple countries while maintaining the security and privacy requirements.

The smart card industry is committed to work closely with governments to put forward a long term solution. The "hybrid" system combining paper and smart card is being discussed at International level inside ICAO Working groups (meeting in Japan in September 2004). The benefits are now looked at by governments such as the possible implementation of **upgrading options** and a stronger resistance to **durability** tests.

**Smart card is the tool corresponding to the European legislation in force on the protection of personal data and on digital signature. Recommendation for smart cards in the visa and passport applications by the European Community would further support the past and current initiatives aiming at providing security and trust for commercial on-line services, while preserving the citizens privacy, and represents a straightforward progress for future development of e-government services.**

**Eurosmart Association  
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