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OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	15134/25 + COR 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing an application for the electronic submission of travel data ("EU Digital Travel application') and amending Regulations (EU) 2016/399 and (EU) 2018/1726 of the European Parliament and of the Council and Council Regulation (EC) No 2252/2004, as regards the use of digital travel credentials. - Mandate for negotiations with the European Parliament

Delegations will find in the Annex the text of the mandate for negotiations with the European Parliament on the above-mentioned file as agreed by the Permanent Representatives Committee at its meeting on 19 November 2025.

Changes compared to the Commission proposal are marked in ***bold/italics*** for additions and in ~~strikethrough~~ for deletions.

ANNEX

2024/0670 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing ~~an application for the electronic submission of travel data ("~~*the* **EU Digital Travel application~~")~~ and ***on the use of digital travel credentials (DTC) for the purpose of crossing external borders,*** **amending Regulations (EU) 2016/399 and (EU) 2018/1726 of the European Parliament and of the Council and Council Regulation (EC) No 2252/2004~~, as regards the use of digital travel credentials~~**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article ~~77(2)(b)~~***77(2)(a), (b)*** and (d) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) The carrying out of effective and efficient border checks at the external borders contributes to the proper functioning of the area without internal border controls ('the Schengen area') and the internal security of the Union. The inclusion in travel documents issued by Member States of a storage medium (chip), with a facial image of the holder, by Council

Regulation (EC) 2252/2004[1] and Regulation (EU) ~~2019/1157~~***2025/1208***[2], and the entry into force of Regulation (EC) No 562/2006 of the European Parliament and of the Council[3] have significantly contributed to high security standards and robust external border management. ***Furthermore,*** border checks carried out in accordance with Regulation (EU) 2016/399 of the European Parliament and of the Council[4], serve the purposes of reliably identifying travellers, preventing threats to the internal security, public policy, public health and international relations of Member States as well as combatting irregular migration while respecting fundamental rights.

(2) With the current reliance on physical travel documents and physical interactions for the examination of travel documents and the carrying out of border checks, Member States' border authorities are unable to remotely verify the authenticity and integrity of travel documents and to carry out the relevant checks against databases before travellers arrive at the physical border crossing point, with the exception of air passengers for whom advance passenger information has been transmitted and processed. In light of increasing traveller flows across the external borders of the Schengen area as well as the entry into operation of the Entry/Exit System ***(EES)*** established by Regulation (EU) 2017/2226 of the European Parliament and of the Council[5] ~~that will require~~ ***that requires*** third-country nationals to whom it applies to provide additional data as part of border checks, it is essential to enable

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1 Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States (OJ L 385, 29.12.2004, p. 1).

2 ***Council*** Regulation (EU) ~~2019/1157 of the European Parliament and of the Council of 20 June 2019~~***2025/1208 of 12 June 2025*** on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement ~~(OJ L 188, 12.7.2019, p. 67, ELI: http://data.europa.eu/eli/reg/2019/1157/oj).~~

3 Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 105, 13.4.2006, p. 1).

4 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (***codification) (***OJ L 77, 23.3.2016, p. 1).

5 Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20, ELI…)

border authorities to use secure technical solutions to carry out relevant ***preliminary*** checks before travellers arrive at the border-crossing points. ***Therefore, for the purpose of crossing the external borders, the existing legal framework should be updated to ensure that both travellers and border authorities can benefit from more efficient and effective border checks using digital travel credentials based on a digital representation of the person's travel document that is derived from the information stored in the storage medium (chip) of their travel document. The validity of a digital travel credential should not be longer than the travel document on which it is based. The modalities of the validity period should be laid down in an implementing act. It should be ensured that the level of security of digital travel credentials remains constant over time, for example by limitations on validity without prejudice to the possibility to allow for successive recreation of digital travel credentials based on the same underlying physical travel document.***

(2a) While the use of digital travel credentials should be voluntary for travellers, in order to achieve the objectives of increasing security throughout the EU, of facilitating travel and of reaching a minimum level of digital maturity among all Member States in the area of border management, all Member States should allow travellers to use digital travel credentials in conjunction with the possession of a valid physical travel document as required by Regulation (EU) 2016/399 for the purpose of crossing external borders once an EU technical solution is operational. Before that, Member States may develop national solutions for the use of digital travel credentials, in accordance with the uniform format. Travellers with a valid travel document should be able to create a digital travel credential regardless of age based on that travel document, also, for a person exercising permanent or temporary parental authority or legal guardianship, on behalf of a minor with a valid travel document. Requests to create digital travel credentials and any use of the mobile component in relation to a minor shall be electronically signed by a person exercising permanent or temporary parental authority or legal guardianship. Member States should be able to introduce age limits for minors for the purpose of preliminary border checks at their external borders.

(3) The existing legal framework on travel documents and border checks, consisting notably of Regulations (EC) No 2252/2004, (EU) ~~XXXX/XXXX[6] [COM(2024) 316 final]~~ ***2025/1208*** and (EU) 2016/399, does not allow for the use of data contained in the storage medium of travel documents for the purpose of carrying out such ~~advance~~***preliminary*** border checks ~~and pre-clearing travellers or using that data for other purposes~~. Following recent developments at international level, namely in the context of standardisation work carried out by the International Civil Aviation Organization (ICAO), and on the capabilities and reliability of facial recognition, that technology is available and responds to the calls for facilitating cross-border travel while ensuring high levels of security in full respect of fundamental rights, including the right to privacy and the protection of personal data.

(4) ~~Therefore, the existing legal framework should be updated to ensure that both~~ Travellers ~~and border authorities can benefit from more efficient and effective border checks using so-called~~ ***should always be in possession of their physical travel document when crossing the external borders with a digital travel credential. In order to ensure a consistent approach at international level and global interoperability of*** digital travel credentials, ~~that is, a~~***the updated legal framework should as far as possible be based on the relevant international standards and practices agreed upon in the framework of ICAO. The crossing of the external borders using*** digital ~~representation of the person's identity that is derived from the information stored in the storage medium (chip) of the~~***travel credentials with lesser reliance on the underlying physical*** travel document ~~(i.e. passport or EU identity card) and that can be validated, leading ultimately~~***in accordance with relevant ICAO standards should not be possible without further legislation. It should be possible to use digital travel credentials for the purpose of preliminary border checks in accordance with Regulation (EU) 2016/399, without prejudice to the powers of the competent authorities at the border crossing points. The use of digital travel credentials should contribute*** to shorter waiting and processing times at border-crossing points and ~~improving~~***improve*** the authorities' ability to pre-screen travellers, plan and manage resources and focus on higher risk travellers ***while maintaining a high level of security***.

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6 ~~Council Regulation (EU) XXXX/XXXX of XXX on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (OJ LXX, XXX, p. X, ELI XXX)~~

Member States may set up specific lanes for travellers using digital travel credentials. The use of e-gates at all border crossing points should remain voluntary for Member States.

(5) In order to achieve its objectives, this Regulation should cover persons enjoying the right of free movement under Union law as well as third-country nationals.

(6) In the interest of achieving a uniform approach at Union level and maximising gains in travel facilitation and economies of scale, a common technical solution for the submission of electronic ~~travel~~ data should be established, as opposed to each Member State developing their own. This application for the electronic submission of ~~travel~~ data ('the EU Digital Travel application') should consist of a user-friendly mobile ~~application~~ ***component***, a backend validation service that can verify the authenticity and integrity of travel documents and match the facial image of the user to the image stored on the travel document's chip***, unless the person's identity can be authenticated using an electronic identification means conforming to assurance level high in accordance with the requirements of Regulation (EU) No 910/2014[7],*** and a technical component for the secure communication of ~~travel~~ data from the application to the receiving authority ('Traveller Router'). ~~In the longer term, the EU Digital Travel application should be developed with new functionalities with a view to establishing a comprehensive one-stop shop application at Union level to support external border management.~~

(6a) To ensure interoperability and to facilitate travel by providing travellers with a single user-friendly solution, the EU Digital Travel application should provide a comprehensive solution at Union level to support external border management. To this end, the EU Digital Travel application should constitute a self-service system within the meaning Regulation (EU) 2016/399 which travellers may use for the purposes of pre-enrolling data in the EES and for the purpose of border crossings by persons whose border crossing is subject to a registration in the EES. The Digital Travel application should also include an interface to the webservice referred to in Article 13 of (EU) 2017/2226 allowing third–country nationals to inter alia verify at any moment the

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[7] ***Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).***

remaining authorised stay in accordance with Commission Implementing Regulation (EU) 2022/1409. The EU Digital Travel application should also provide interfaces for the purposes of using the mobile apps foreseen in Regulations (EU) 2018/1240 and (EC) 767/2008 allowing travellers to use the EU Digital Travel application to access the apps foreseen in these regulations in a user-friendly manner without the need for additional mobile apps on the traveller's mobile device. The procedures and requirements laid down in Regulation (EU) 2018/1240 and Regulation (EC) 767/2008 should continue to apply when a traveller uses the EU Digital Travel application to submit a travel authorisation application or a digital visa application. Unlike Regulation (EU) 2018/1240 and Regulation (EC) 767/2008, Regulation (EU) 2017/2226 does not foresee the use of an app for mobile devices for the purpose of EES pre-enrolment. It is therefore not possible to include an interface in the EU Digital Travel app for this purpose. Instead, it is necessary to include provisions in this Regulation on the submission of EES pre-enrolment data through the EU Digital Travel application.

(6b) In the longer term, and once operational, the EU Digital Travel application could replace other standalone apps at the EU level for the purpose of crossing the external borders.

(6c) The source code of the mobile component should be made available for public scrutiny and inspection, for example as open source. The details should be laid down in an implementing act.

(6d) The mobile component and backend validation service should, where appropriate and to the extent technically feasible, reuse the technical components of the Travel to Europe application developed and hosted by the European Border and Coast Guard Agency which constitutes a self-service system within the meaning of articles 8a and 8b of Regulation (EU) 2016/399. The Traveller Router should, where appropriate and to the extent technically feasible, reuse the technical components of the web service referred to in Article 13 of Regulation (EU) 2017/2226, the carrier gateway referred to in Article 6(2), point (k), of Regulation (EU) 2018/1240, the carrier gateway referred to in Article 45c of Regulation (EC) No 767/2008 and the router referred to in Article 11 of Regulation (EU) 2025/12 and Article 9 of Regulation (EU) 2025/13.

(6e) Travellers should be able to allow carriers to access digital travel credentials stored locally on the traveller's mobile device for the purpose of accessing the carrier gateway referred to in point (k) of Article 6(2) of Regulation (EU) of 2018/1240 to verify whether or not third-country nationals subject to the travel authorisation requirement are in possession of a valid travel authorisation or for the purpose of collecting API data by automated means. The collection of API data by automated means should be carried out outside the scope of the EU Digital Travel application in accordance with Regulations (EU) 2025/12 and (EU) 2025/13.

(7) The EU Digital Travel application should allow travellers to create a digital travel credential ~~for single or multiple use and to retrieve of an already created~~***based on travel documents issued in accordance with Regulation (EC) 2252/2004, identity cards issued in accordance with Regulation (EU) 2025/1208 and other compatible travel documents. Interoperability between*** digital travel ~~credential~~***credentials based on different types of travel documents should be ensured in the respective implementing acts***. For reasons of security and for combatting identity fraud, the EU Digital Travel application***'s*** backend validation service should be able to verify, before the creation of the digital travel credential, the authenticity and integrity of the travel document and verify that the user is the legitimate holder of the travel document by comparing the facial image stored on the chip of the travel document to the user's live facial image~~. Digital travel credentials to be used several times should be able to be stored in the user's European Digital~~***, unless the person's*** identity ~~Wallet that complies with~~***can be authenticated using an electronic identification means conforming to assurance level high in accordance with the requirements of*** Regulation (EU) No 910/2014~~ of the European Parliament and of the Council~~[8]~~. Persons not having a European Digital Identity Wallet established by that Regulation should be able to store the digital travel credential locally in the mobile application~~***.***

(7a) To promote the use of digital travel credentials, digital travel credentials created in the mobile component of the application should be able to be issued to the user's European Digital Identity Wallet following the format of electronic attestation of attributes.

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[8] ~~Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).~~

Moreover, the backend validation service should enable the use of its functionalities by the mobile component and by European Digital Identity Wallets. Digital travel credentials issued to an EU Digital identity Wallet following the format of electronic attestation of attributes should not have the same legal effect as the physical documents. The European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)[9] should issue digital travel credentials following the format of electronic attestations of attributes to the European Digital Identity wallet using the functionalities of the EU Digital Travel App on behalf of the Member States that have issued the physical travel documents. Where necessary, Member States should be able to provide for specific rules on the recognition and issuance of digital travel credentials following the format of electronic attestations of attributes to European Digital Identity Wallets in national law to ensure the secure issuance, on the basis of the relevant ICAO technical specifications. In the long run, a legal basis could potentially be established in Union law on issuance of electronic attestations from Union institutions, bodies, offices and agencies, including eu-LISA.

(7b) ***This Regulation should not affect the possibility to provide, under national law, for the use of digital travel credentials for other purposes than the crossing of the external borders, provided that such national law complies with Union law.***

(7c) ***The EU Digital Travel application should allow authorities to provide travellers with standardised information that the competent authorities consider necessary. This may include information about national age limits for preliminary border checks for minors, acknowledgment of receipt or confirmation that preliminary border checks have been completed. This information could also include which border crossing points to use or current waiting times at specific border crossing points. The information should not include legally binding obligations for the travellers.***

(8) In order to support the carrying out of ~~advance~~***preliminary*** border checks ~~on persons enjoying the right of free movement under Union law when these apply to them and the~~

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[9] ***Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99).***

~~pre-clearance of third-country nationals~~***and EES pre-enrolment***, travellers using ***the EU*** Digital Travel ~~credentials~~***application for these purposes*** should also declare certain relevant ~~travel~~ data, such as the intended time of crossing the border and the Member State in which the external border is crossed. Such data should be limited to what is necessary for the purpose of carrying out the border check, including for the purposes of supporting the verification of the fulfilment of entry conditions.

(9) The Traveller Router should transmit the ~~travel~~ data submitted by the traveller to the ~~border~~***competent*** authorities for the ~~advance~~***purposes of preliminary*** border ~~check and pre-clearance~~***checks or EES pre-enrolment***. Consequently, Member States should be obliged to designate the ~~border~~***competent*** authorities authorised to receive such data. ***Member States should verify the EES pre-enrolment data submitted by the traveller before the EES pre-enrolment data is recorded in the EES. Personal data should be temporarily and securely stored and should be deleted permanently no later than 24 hours after a traveller has crossed the external borders or, if a traveller does not cross the external borders, 24 hours after the intended crossing of the external borders as indicated in the travel data submitted to the competent authorities. Travellers who submit travel data, but do not cross the external borders within 24 hours of the intended crossing, should be referred to regular border checks.***

(10) The creation~~, submission~~ and use of digital travel credentials for the purpose of ~~carrying out border checks~~***crossing the external borders*** impacts the right to privacy and the protection of personal data. In order to fully respect the fundamental rights of travellers, adequate limits and safeguards should be in place. Any data that is submitted by travellers to border authorities ahead of travel, and in particular personal data, should be limited to what is necessary and proportionate to the objectives of increasing security, facilitating travel and ensuring the well-functioning of the Schengen area pursued by this Regulation. It should be guaranteed that the processing of data under this Regulation does not lead to any form of discrimination. No personal data should be stored at EU level beyond the stage that is necessary for its submission to the border authority. ***As long as the personal data in the mobile component is only accessible to and remains under the sole control of the user, the temporary storage of personal data in the mobile component should not be***

considered as processing of personal data within the meaning of Regulation (EU) 2016/679[10] and Regulation (EU) 2018/1725[11].

(11) Travellers should be free to choose whether they use a digital travel credential ~~or~~***alongside*** a physical travel document for the purpose of ~~undergoing border checks~~***crossing the external borders*** and should be able to withdraw their consent for the processing of their personal data at any time without it affecting the eligibility to cross external borders. Any processing of personal data under this Regulation should be carried out in compliance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council[12] and Regulation (EU) 2018/1725 of the European Parliament and of the Council[13], within their respective scope of application. ***The processing of personal data is necessary for the performance of tasks carried out in the public interest or in the exercise of official authority vested in the controller in accordance with Article 6 of Regulation (EU) 2016/679 and Article 5 of Regulation (EU) 2018/1725, respectively.***

(12) ***Given the optional nature of digital travel credentials, personal data should only be processed for the purposes of this Regulation if the user of the EU Digital Travel application has given consent to the processing for the purposes of this Regulation or the specific purposes set out in Union law or national law.*** In the interest of ensuring compliance with the fundamental right to privacy and the protection of personal data and to

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10 ***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. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).***

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

12 ~~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. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).~~

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

promote legal clarity, the ~~controller and~~***data controllers for the backend validation service and the Traveller Router and the data*** processor ***for the Traveller Router*** should be identified. To ensure adequate safeguards and security, all communication between the ~~Traveller Router~~***technical components of the EU Digital Travel application*** and the competent authority should be protected by strong encryption methods ***and be protected in terms of integrity, authenticity and confidentiality against high potential attackers*** so that any potential data breaches would not involve the disclosure of data that can be traced back to a person. Member States should also provide adequate training, covering data security and data protection aspects, to border authorities before they can process data transmitted through the EU Digital Travel application.

(13) ~~The European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) established by Regulation (EU) 2018/1726 of the European Parliament and of the Council~~[14]***eu-LISA*** should be responsible for the development and maintenance of the EU Digital Travel application. Consequently, eu-LISA should put in place the necessary measures for the operational management of the EU Digital Travel application, including for the development, monitoring and reporting of the ~~system~~***application. The security of the EU Digital Travel application shall be ensured by eu-LISA in close coordination with the national entities in charge of cybersecurity***. Before the start of operation of the EU Digital Travel application, ~~a test~~***successive test phases*** should be carried out ***using a multilevel test architecture*** in accordance with the technical specifications by eu-LISA in cooperation with the relevant authorities. eu-LISA should also collect statistics on the use of the EU Digital Travel application. ***The Commission should determine when the EU Digital Travel application starts operations by means of an implementing act once eu-LISA has completed the test phases and after a positive assessment of the test results by the Management Board of eu-LISA. The implementing act should be able to allow for a gradual start of operations, including for air, sea, and land borders.***

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14 ~~Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99).~~

(14) While eu-LISA should be responsible for the overall development, operation and maintenance of the EU Digital Travel application, including the Traveller Router that transmits the travel data ***and EES pre-enrolment data, protected in terms of integrity, authenticity and confidentiality,*** to the competent authorities, each Member State should be responsible for ensuring, at national level, a secure connection in its national system in order to receive the travel ***data and the EES pre-enrolment*** data, including the development, operation and maintenance of that connection. Member States should also be responsible for the management and arrangements for access of duly authorised staff of border authorities to the ~~travel~~ data.

(15) In order to increase public awareness of digital travel credentials and to promote the uptake of their use, the Commission should, together with eu-LISA, the European Border and Coast Guard Agency and national border authorities ***and in consultation with the European Data Protection Supervisor,*** carry out information campaigns on the objectives, use and other important aspects, including on data protection and data security, of the EU Digital Travel application.

(16) In view of the Union interests at stake, the costs incurred by eu-LISA for the performance of its tasks under this Regulation and Regulation (EU) 2018/1726 in respect of the development, operation, maintenance and overall management of the EU Digital Travel application should be borne by the Union budget. ***The Instrument for Financial Support for Border Management and Visa Policy, established, as part of the Integrated Border Management Fund, by Regulation (EU) 2021/1148 of the European Parliament and of the Council, in particular, or, where relevant, any other dedicated Union funding made available to the*** Member States ~~should remain liable for the costs incurred at national level for developing, operating and maintaining the secure connection for the reception of the travel data transmitted via the Traveller Router~~***with the clear objective of supporting European Integrated Border Management, could be mobilised to provide support to Member States' actions falling under this Regulation***.

(17) eu-LISA should regularly report on the progress of the design and development of the EU Digital Travel application to the European Parliament and to the Council, including on costs, financial impacts and any possible technical problems and risks that may arise. A separate report should be submitted to the European Parliament and the Council once the development of the EU Digital Travel application is finalised.

(18) As the EU Digital Travel application should be designed, developed, hosted and technically managed by eu-LISA, it is necessary to amend Regulation (EU) 2018/1726 by adding the necessary tasks.

(19) In order to establish the Union standard specification for digital travel credentials based on travel documents, it is necessary to amend Regulation (EC) No 2252/2004. To boost the uptake of digital travel credentials, ~~when applying for or renewing~~***Member States may issue at the request of an applicant or holder of a passport or*** a travel document~~,~~ ~~applicants should be allowed to request that the competent authority issues,~~ together with the physical document, a corresponding digital travel credential~~. Holders of valid travel documents should also be able to create a digital travel credential based on their existing physical~~ ***to the applicant or the holder of the passport or*** travel document. ~~The~~ ***These*** digital travel credentials should ~~also~~ be storable in ~~the~~ European Digital Identity ~~Wallet~~***Wallets in accordance with Regulation (EU) No 910/2014***.

~~(20) In order to ensure a consistent approach at international level and global interoperability of digital travel credentials, the updated legal framework should as far as possible be based on the relevant international standards and practices agreed upon in the framework of ICAO.~~

~~(21) While the use of digital travel credentials should be voluntary for travellers, in order to achieve the objectives of increasing security throughout the Schengen area, of facilitating travel and of reaching a minimum level of digital maturity among all Member States in the area of border management, all Member States should be obliged to allow travellers to use digital travel credentials for the purpose of crossing external borders once the EU Digital Travel application is operational. Before that, Member States may develop national solutions for the use of digital travel credentials, in accordance with the uniform format, for the purpose of border checks.~~

(22) ***Regulation (EU) 2016/399 already provides for the use of self-service systems for pre-enrolling data in the EES and the use of self-service systems and e-gates for the border crossing by persons whose border crossing is subject to a registration in the EES.*** To further speed up processes and reduce overall time spent at border-crossing points~~, third-country nationals subject to the Entry/Exit System should be allowed to use the EU Digital Travel application for pre-enrolling certain data required for the border-crossing. For third-country nationals whose data are not yet recorded in the Entry/Exit system, as an~~

~~alternative to being referred to a border guard for the physical verification of identity~~, Member States should be allowed to use effective and proportionate technical measures, including self-service systems and e-gates, for the verification of identity as long as physical verifications are performed at random and as long as the alternative verification is not based solely on the EU Digital Travel application. ***Member States should also be allowed to use technical solutions to detect any inappropriate, fraudulent or abnormal use of the self-service system. Member States should continue to ensure that e-gates are monitored by a border guard to detect any inappropriate, fraudulent or abnormal use of the e-gate.***

(23) The Commission should, ~~five~~***three*** years after the start of operations of the EU Digital Travel application, carry out an evaluation of that application and its use and prepare a report, including recommendations***, with particular regard to maximising gains in the facilitation of travel while maintaining a high level of security in the context of preliminary border checks***, to be submitted to the European Parliament, the Council, the European Data Protection Supervisor and the European Union Agency for Fundamental Rights. The evaluation and report should consider how the objectives of this regulation have been met and how~~, if at all,~~ fundamental rights have been impacted.

(24) In order to ensure uniform conditions for the implementation of this Regulation, as regards the technical standard for digital travel credentials, the technical architecture and technical specifications for the EU Digital Travel application and its testing, the collection of statistics as well as the start of operations of the EU Digital Travel application and how checks are done on travel documents and digital travel credentials, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[15].

~~(25) This Regulation should not affect the possibility to provide, under Union or national law, for the use of digital travel credentials for other purposes than the carrying out of border checks, provided that such national law complies with Union law.~~

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[15] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

(26) Since the objectives of this Regulation, notably increasing security and facilitating travel in the context of external border management cannot be sufficiently achieved by the Member States, but can rather, by reason of their inherently cross-border nature, be better achieved at Union level, the Union may therefore adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

(27) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen acquis, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it in its national law.

(28) This Regulation does not constitute a development of the provisions of the Schengen acquis in which Ireland takes part in accordance with Council Decision 2002/192/EC[16]; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

(29) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis[17] which fall within the area referred to in Article 1, ~~point A~~***points A and B*** of Council Decision 1999/437/EC[18].

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16 Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7.3.2002, p. 20).

17 OJ L 176, 10.7.1999, p. 36.

18 Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).

(30) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis[19] which fall within the area referred to in Article 1, ~~point A~~***points A and B*** of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC[20].

(31) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis[21] which fall within the area referred to in Article 1, ~~point A~~***points A and B***, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU[22].

(32) As regards Cyprus, this Regulation constitutes an act building upon, or otherwise relating to, the Schengen acquis within the meaning of Article 3(1) of the 2003 Act of Accession.

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19 OJ L 53, 27.2.2008, p. 52.

20 Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).

21 OJ L 160, 18.6.2011, p. 21.

22 Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

(33) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on ~~[XX]~~[23] ***4 December 2024***,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation establishes ~~an application for the electronic submission of travel data (~~'the EU Digital Travel application'~~) for:~~ ***and rules on the voluntary creation and use of digital travel credentials for the purpose of crossing external borders, without prejudice to Member States' competence to issue travel documents. The EU Digital Travel application shall provide a comprehensive digital solution to support the management of the external borders. The EU Digital Travel application shall allow for the voluntary use of digital travel credentials. Digital travel credentials may be created by travellers using the functionalities of the EU Digital Travel application. Alternatively, digital travel credentials may be issued by Member States in accordance with Article 1(1a) of Regulation (EC) No 2252/2004 or Article 2 of Regulation (EU) XXXX/XXXX[1] [COM(2024) 671 final]. Digital travel credentials created using the functionalities of the EU Digital Travel application may be issued following the format of electronic attestations of attributes to European Digital Identity wallets. Digital travel credentials issued by Member States may be issued to European Digital Identity Wallets in accordance with Regulation (EU) No 910/2014.***

~~(a) the creation of digital travel credentials as defined in Article 2, point 31 of Regulation (EU) 2016/399;~~

~~(b) the entry of self-declared travel data;~~

~~(c) the secure submission of digital travel credentials and the self-declared travel data to the competent authority for the purposes of facilitating travel and of carrying out border checks on persons in accordance with Article 8(2g) and (3), point (j), of Regulation (EU) 2016/399.~~

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[23] ~~[OJ C…]~~

2. This Regulation lays down the conditions under which the EU Digital Travel application shall be developed, operated ~~and~~***,*** maintained ***and evaluated without prejudice to Regulation (EU/Euratom) 2023/2841 of the European Parliament and of the Council***.

2a. This Regulation applies to persons enjoying the right of free movement under Union law and to third-country nationals.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

(a) 'border checks' means the checks as defined in Article 2, point (11) of Regulation (EU) 2016/399;

(aa) 'preliminary border checks' means the the checks as defined in Article 2, point (34) of Regulation (EU) 2016/399;

(b) 'persons enjoying the right of free movement under Union law' means the persons as defined in Article 2, point (5) of Regulation (EU) 2016/399;

(c) 'third-country national' means the persons as defined in Article 2, point (6) of Regulation (EU) 2016/399;

(ca) 'EU Digital Travel application' means an application composed of the mobile component, the backend validation service and the Traveller Router.

(d) 'Traveller Router' means the technical component referred to in Article ~~5.~~***3c allowing for the secure submission of travel data and EES pre-enrolment data and their secure transmission to the competent authority;***

(e) 'mobile component' means a software application referred to in Article 3a enabling travellers to create and store their digital travel credentials locally on a traveller's mobile device and to enter self-declared travel data and EES pre-enrolment data;

(f) 'backend validation service' means a software system referred to in Article 3b that verifies the authenticity and integrity of travel documents and compares the live facial

image of the user to the image stored in the electronic storage medium (chip) of the travel document;

(g) 'digital travel credential' means the digital representation of a travel document created or issued pursuant to Article 4 of this Regulation, Article 1(1a) of Regulation (EC) No 2252/2004, or Article 2 of Regulation (EU) XXXX/XXXX [COM(2024) 671 final];

(ga) 'travel data' means the data referred to in Article 5(1) and Article 5(2);

(h) 'self-declared travel data' means the data referred to in Article 5(1), points (b) to (f) and Article 5(2);

(ha) 'Entry/Exit System (EES)' means the system established by Regulation (EU) 2017/2226;

(i) 'EES pre-enrolment data' means the data referred to in Article 5(2b):

(j) 'travel authorisation' means the decision as defined in Article 3(1), point (5) of Regulation (EU) 2018/1240;

(k) 'European Digital Identity Wallet' means the electronic identification means as defined in Article 3(42) of Regulation (EU) No 910/2014;

(l) 'minor' means a person below the age of 18 years;

(m) 'facial image' means digital images of the face;

(n) 'verification' means the process of comparing sets of data to establish the validity of a claimed identity (one-to-one check);

(o) 'identification' means the process of determining a person's identity through a database search against multiple sets of data (one-to-many check).

(p) 'electronically signed' means the confirmation of agreement through the ticking of an appropriate box in the request for consent;

Article 3

~~General structure~~*Functions* of the EU Digital Travel application

1. The EU Digital Travel application shall be composed of ***a mobile component, a backend validation service and a Traveller Router. The EU Digital Travel application shall allow for the functions referred to in this article.***

2. The EU Digital Travel application shall be a self-service system within the meaning of articles 8a and 8b of Regulation (EU) 2016/399 which travellers may use for the purposes of pre-enrolling data in the EES and for the purpose of border crossings by persons whose border crossing is subject to a registration in the EES.

3. The EU Digital Travel application shall provide an interface that allows travellers to use an app for mobile devices in accordance with article 6(2)(e) of Regulation (EU) 2018/1240, including to submit a travel authorisation application.

4. The EU Digital Travel application shall provide an interface that allows travellers to use an app for mobile devices in accordance with article 2a of Regulation (EC) 767/2008, including to submit an application for a digital visa.

4a. The EU Digital Travel application shall provide an interface to the webservice referred to in Article 13 of (EU) 2017/2226.

5. The EU Digital Travel application shall allow for:

a) the creation of digital travel credentials;

b) the issuance of digital travel credentials created in the EU Digital Travel application for use in the European Digital Identity Wallet following the format of electronic attestations of attributes;

c) the entry of self-declared travel data pursuant to Article 5 of this Regulation;

d) the submission of digital travel credentials and the self-declared travel data to the competent authority for the purpose of supporting the carrying out of preliminary border checks on persons in accordance with Articles 8(2g) and 3a of Regulation (EU) 2016/399;

6. The EU Digital Travel application shall be free of charge and easily accessible for users. Specific attention shall be paid to the accessibility of the mobile component for persons with disabilities. The accessibility for persons with disabilities shall be ensured in accordance with Directive (EU) 2016/2102.

Article 3a

Mobile component

1. The mobile component shall enable users to create digital travel credentials and enter self-declared travel data or EES pre-enrolment data. Digital travel credentials created in the mobile component shall be stored locally on the traveller's mobile device.

2. The mobile component shall include an interface allowing travellers to use an app for mobile devices in accordance with article 6(2)(e) of Regulation (EU) 2018/1240, including to submit a travel authorisation application.

3. The mobile component shall include an interface allowing travellers to use an app for mobile devices in accordance with article 2a of Regulation (EC) 767/2008, including to submit an application for a digital visa.

4. The mobile component shall provide an interface to the webservice referred to in Article 13 of (EU) 2017/2226 allowing third–country nationals to inter alia verify at any moment the remaining authorised stay in accordance with Commission Implementing Regulation (EU) 2022/1409.

5. The mobile component shall be available in all the official languages of the Member States and other languages in accordance with the implementing act referred to in article 16(1a).

6. The mobile component shall contain practical information regarding the creation of a digital travel credential as well as the processing of personal data.

7. Any use of the mobile component in relation to minors shall be electronically signed by a person exercising permanent or temporary parental authority or legal guardianship.

Article 3b

Backend validation service

1. The backend validation service shall enable the electronic verification of the chip of a travel document referred to in Article 4(1) to confirm that:

(a) the travel document in question was issued by a legitimate authority;

(b) the data extracted from a chip has not been altered since the issuance of the travel document;

2. The backend validation service shall, in accordance with the implementing act referred to in Article 16(1a), verify the liveness of the user of the mobile component and enable the comparison of a live facial image taken by the user of the mobile component against the facial image extracted from the chip of the travel document. The confidentiality, integrity and authenticity of the live facial image shall be protected against high potential attacks in accordance with Commission Implementing Regulation (EU) 2015/1502.

3. The backend validation service shall enable the issuance of digital travel credentials to European Digital Identity Wallets following the format of electronic attestations of attributes.

4. The backend validation service shall enable the use of its functionalities by the mobile component and by European Digital Identity Wallets.

Article 3c

Traveller Router

1. The Traveller Router shall provide users of European Digital Identity Wallets with an interface for the purposes of obtaining digital travel credentials from those Wallets and entering self-declared travel data.

2. The Traveller Router shall enable receiving travel data and EES pre-enrolment data from the mobile component.

3. The Traveller Router shall enable transmitting travel data and EES pre-enrolment data to the competent authority.

4. All personal data transmitted to or via the Traveller Router shall be end-to-end encrypted according to encryption standards appropriate to the level of protection required for the processed data.

5. The Traveller Router shall enable standardised information to be sent automatically to travellers as set out in the implementing act referred to in Article 16(1a).

~~(a) a mobile application, enabling the creation of digital travel credentials for single or multiple use and the entry of self-declared travel data;~~

~~(b) a backend validation service, ensuring the confirmation of the authenticity and integrity of the chip data or the digital travel credential using available certificates and where applicable, the matching of the facial image taken from the user to the travel document or digital travel credential;~~

~~(c) a Traveller Router, which shall ensure secure and encrypted communication between the mobile application and the receiving authority.~~

Article ~~8~~3d

Establishment and operation of the EU Digital Travel application

-1. The European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) established by Regulation (EU) 2018/1726 of the European Parliament and of the Council[24] shall be responsible for the development, operation, maintenance and hosting of the EU Digital Travel application.

1. eu-LISA shall develop the EU Digital Travel application and its components in accordance with ***this Regulation and*** the technical specifications adopted pursuant to Article 16(1), point (a).

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[24] ***Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99).***

1a. ***eu-LISA shall issue digital travel credentials in the format of electronic attestations of attributes as defined in the implementing acts of Regulation (EU) No 910/2014. Where necessary, Member States may introduce specific rules on the recognition and issuance of digital travel credentials following the format of electronic attestations of attributes to European Digital Identity Wallets in national law, on the basis of the relevant ICAO technical specifications.***

2. ~~The~~***A*** Programme Management Board ~~referred to in Article 54 of Regulation (EU) 2019/817~~ shall ensure the adequate management of the development phase of the EU Digital Travel application. The Programme Management Board shall meet regularly and submit written reports every month to eu-LISA's Management Board on the progress of that phase.

3. eu-LISA shall ensure the operational management of the EU Digital Travel application ~~as well as its adequate~~***, a high level of*** security ***and the technical capability for detecting any inappropriate, fraudulent or abnormal use***. The EU Digital Travel application shall be hosted by eu-LISA.

~~4. eu-LISA shall ensure that the EU Digital Travel application is interoperable with the European Digital Identity Wallet established under Regulation (EU) No 910/2014.~~

5. Where eu-LISA considers that the development of the EU Digital Travel application has been completed, it shall~~, without undue delay,~~ conduct ~~a test~~***successive tests*** of the application in cooperation with the competent ~~border~~ authorities ~~and other relevant Member States' authorities~~***using a multilevel test architecture***, in accordance with the technical specifications adopted pursuant to Article 16(1), point (c), and inform the Commission***, the European Parliament and the Council*** of the outcome of ***the tests. In the event that the results of the tests do not meet the requirements set out in the technical specifications, further tests shall be conducted as soon as eu-LISA considers that the necessary remedial steps have been taken*** ~~that test~~.

6. eu-LISA shall ***keep logs of all processing operations relating to the transmission of travel data and EES pre-enrolment data and*** collect ***and publish*** statistics on the use of the EU Digital Travel application in accordance with Article 16(1), point (b). ***The log data shall not include any personal data other than the information necessary to identify the***

relevant member of eu-LISA's staff who has accessed that log data. The statistics shall not include any personal data.

7. eu-LISA shall perform tasks related to provision of training of the competent ~~national~~ authorities on the technical use of the EU Digital Travel application.

Article 4

Creation and ~~use~~*issuance* of digital travel credentials

1. Persons enjoying the right of free movement under Union law ***and third-country nationals*** who are in possession of any of the following travel documents may use the EU Digital Travel application to create a digital travel credential based on that travel document ~~for single or multiple use~~***, provided that valid certificates are available to eu-LISA in accordance with the technical specifications adopted in accordance with Article 16 to confirm the authenticity and integrity of the chip data in the travel document through the backend validation service***:

   (a) a travel document issued in accordance with Regulation (EC) No 2252/2004;

   (b) an identity card issued in accordance with Regulation (EU) ~~XXXX/XXXX [COM(2024) 316 final]~~***2025/1208***;

   (c) a travel document ~~that contains the same data and that is based on technical specifications compatible with those provided for by Regulation (EC) No 2252/2004~~***containing a storage medium subject to the availability of valid certificates at eu-LISA in accordance with Article 16*** and allowing for the verification of its authenticity, validity and integrity.

1a. The validity period of a digital travel credential shall not be longer than the travel document on which it is based. The modalities of the validity period shall be determined in the implementing act referred to in Article 16(1f) of this Regulation.
Member States shall not consider a digital travel credential based on a stolen, lost, invalid or revoked travel document valid for the purposes of this Regulation.

1b. Requests from minors to create a digital travel credential shall be electronically signed by a person exercising permanent or temporary parental authority or legal guardianship.

2. The EU Digital Travel application shall provide for the possibility to ~~store~~***issue*** a digital travel credential for ~~multiple~~ use in the European Digital Identity Wallet ***following the format of an electronic attestation of attributes, on the basis of the relevant ICAO technical specifications.*** ~~, provisions for which are laid down in Regulation (EU) No 910/2014.~~

3. The EU Digital Travel application shall be able to retrieve:

   (a) a digital travel credential ~~previously issued or~~***that was*** created in accordance with ~~Article 1(1a) of Regulation (EC) No 2252/2004 or~~***paragraph 1 of this*** Article ~~2 of Regulation (EU) XXXX/XXXX[25] [COM(2024) 671 final];~~.

   (b) a digital travel credential ~~that was created~~***previously issued by Member States*** in accordance with ~~paragraph 1 of this~~***Article 1(1a) of Regulation (EC) No 2252/2004 or*** Article ~~.~~ ***2 of Regulation (EU) XXXX/XXXX[26] [COM(2024) 671 final];***

~~4. Third-country nationals who are in possession of a travel document containing a storage medium may, subject to the availability of valid certificates necessary for the checking of its authenticity, use the EU Digital Travel application to create a digital travel credential for single or multiple use.~~

5. Before the creation of a digital travel credential in accordance with ~~paragraphs 1 and 4, the EU Digital Travel application~~***paragraph 1 of this article, the backend validation service*** shall verify the integrity and authenticity of the ~~storage medium~~***chip*** of the travel document ~~and match the~~***. The backend validation service shall, in accordance with Article 3b, compare the live*** facial image of the person seeking to create the digital travel credential ~~against~~***with*** the facial image stored on the ~~storage medium~~***chip, unless the person's identity, in accordance with the implementing act referred to in Article 16(1) (a), can be authenticated using an electronic identification means conforming to assurance level high in accordance with the requirements of Regulation (EU) No 910/2014***. ***If any of the verifications fail, the EU Digital Travel application shall not issue a digital travel***

~~25 Council Regulation (EU) XXXX/XXXX of XXX on the issuance of and technical standards for digital travel credentials based on identity cards (OJ L […],[…], p. […], ELI: XXXX).~~

26 Council Regulation (EU) XXXX/XXXX of XXX on the issuance of and technical standards for digital travel credentials based on identity cards (OJ L […],[…], p. […], ELI: XXXX).

credential to the European Digital Identity Wallet or create a digital travel credential in the mobile component.

~~6. The use of the EU Digital Travel application and the creation and use of digital travel credentials by persons enjoying the right of free movement under Union law and third-country nationals shall be voluntary and based on their consent.~~

7. Digital travel credentials created ***or issued*** pursuant to this Article shall not include the fingerprints of the holder.

8. If, for technical reasons, a traveller who fulfills the conditions for creating a digital travel credential is not able to create a digital travel credential in the mobile component, the mobile component shall direct the traveller to regular border checks. eu-LISA shall, with the aim of troubleshooting and in accordance with the implementing act foreseen in Article 16(1a), provide effective assistance through a standard contact form and maintain a list of frequent questions and answers available online and in the EU Digital Travel application.

Article 4a

Use of digital travel credentials

1. Travellers shall always be in possession of their physical travel document when crossing the external borders with a digital travel credential.

2. The EU Digital Travel application shall provide the possibility for persons enjoying the right of free movement under Union law and third-country nationals to use their digital travel credential for the purpose of preliminary border checks before they arrive at a border crossing point, in accordance with Regulation (EU) 2016/399.

3. Third-country nationals whose border crossing is subject to a registration in the EES in accordance with Article 6a of Regulation (EU) 2016/399 and Article 2 of Regulation (EU) 2017/2226 shall be able to use their digital travel credentials created in the EU Digital Travel application for the purpose of providing the relevant EES pre-enrolment data.

4. Third-country nationals required to be in possession of a travel authorisation in accordance with Article 2 of Regulation (EU) 2018/1240 shall be able to use their digital

travel credentials created in the EU Digital Travel application for the purpose of filling in their application for a travel authorisation, in accordance with Regulation (EU) 2018/1240.

5. Third-country nationals required to be in possession of a visa in accordance with Regulation (EU) 2018/1806 shall be able to use their digital travel credential created in the EU Digital Travel application for the purpose of filling in a digital visa application in accordance with Regulation (EC) 810/2009.

6. Digital travel credentials may, subject to the traveller's consent, be used by carriers for the purpose of accessing the carrier gateway referred to in point (k) of Article 6(2) of Regulation (EU) of 2018/1240 to verify whether or not third-country nationals subject to the travel authorisation requirement are in possession of a valid travel authorization or for the purposes of collecting advance passenger information in accordance with Regulation (EU) 2025/12 and Regulation (EU) 2025/13.

7. The use of the EU Digital Travel application and the use of digital travel credentials by persons enjoying the right of free movement under Union law and third-country nationals shall be voluntary. The choice not to use the EU Digital Travel application shall not prevent the traveller from crossing the external borders nor lead to any other unjustified disadvantages for that traveller.

Article 5

Travel data ~~to be submitted by travellers~~*and EES pre-enrolment data*

1. ***If a traveller uses the EU Digital*** ~~The~~ Travel ~~data~~***application for the purpose of preliminary border checks in accordance with Articles 8(2g) and 3a of Regulation (EU) 2016/399, the traveller*** shall ~~consist of~~***submit*** the following ***travel*** data ~~relating to each traveller~~:

   (a) a digital travel credential ~~as defined in Article 2, point (31), of Regulation (EU) 2016/399~~***from the mobile component or European Digital Identity Wallet***;

   (b) ~~intended~~***planned*** date and ***local*** time of ~~arrival or departure~~***the intended crossing of the external border***;

   (c) the Member State in which the external border ~~is~~***will be*** crossed;

(d) the type of external border (air, land or sea), and in case of air and sea borders, the exact border crossing point;

(e) for third-country nationals, information on the purpose and conditions of the intended stay and sufficient means of subsistence as required by Article 6 of Regulation (EU) 2016/399;

(f) where applicable, flight identification number;

2. The travel data may also consist, where applicable, of the following information relating to each traveller:

(a) ~~flight identification number, cruise line registration number, ship identification number and vehicle registration number~~ ***documents justifying the purpose and conditions of the intended stay and sufficient means of subsistence as required by Article 6 of Regulation (EU) 2016/399***;

(b) ~~documents justifying the purpose and conditions of the intended stay as required by Article 6 of Regulation (EU) 2016/399.~~***cruise line registration number, ship identification number or vehicle registration number;***

(c) in case of land borders, the exact border crossing point;

(d) information relating to temporary restrictions on entry to the Member States and temporary health-related restrictions in accordance with Article 21a in Regulation (EU) 2016/399.

2a. Travel data in each case shall be limited to that which is necessary for the purpose of carrying out preliminary border checks in accordance with Article 8(2g) and 3a of Regulation (EU) 2016/399.

2b. If a traveller uses the EU Digital Travel application for the purposes of pre-enrolling data in the EES in accordance with Regulation (EU) 2017/2226 the traveller shall provide the information listed in Article 16(1) or 17(1a-b), as applicable, of that Regulation and the data referred to in Article 5(1), point (b), (c), (d) and (e) of this Regulation.

3. ~~Travel data in each case~~***Member States*** shall ~~be limited to that which is necessary for the purpose of carrying out border checks~~***verify the EES pre-enrolment data submitted by the traveller*** in accordance with ***article 8a of*** Regulation (EU) 2016/399 ***before the EES pre-enrolment data is recorded in the EES***.

Article 6

Transmission of travel data *and EES pre-enrolment data* to the competent ~~border~~ authorities

1. The Traveller Router shall ~~transmit the travel data submitted by the traveller to the competent border authority~~***,*** in accordance with ***this Regulation and*** the technical specifications adopted in accordance with Article 16(1), point (a)***, transmit to the competent authority the travel data and EES pre-enrolment data***.

2. Member States shall designate the ***single point of contact from the*** competent ~~border~~ authorities authorised to receive the travel data ~~transmitted to them from the Traveller Router~~***and EES pre-enrolment data*** in accordance with this Regulation. They shall notify, ~~by~~***no later than three months before*** [the entry into operation of the EU Digital Travel application], eu-LISA of the name and contact details of the competent ~~border~~ authorities and shall, where necessary, update the notified information.

Article 7

Processing of personal data

1. The EU Digital Travel application shall be designed with full respect to data protection principles and high security standards to protect against unauthorised access or use.

~~1~~***1a***. ***Any processing of personal data on the basis of this Regulation*** ~~The competent border authorities~~ shall be ~~data controllers, within the meaning of Article 4, point 7,~~***made under the rules*** of Regulation (EU) 2016/679 ~~in relation to the processing of travel data, constituting personal data, received through the Traveller Router~~***and Regulation (EU) 2018/1725***.

1b. Personal data shall only be processed for the purposes of this Regulation and any specific purposes set out in Union or national law if the user of the EU Digital Travel application has given consent to this processing. Users of the EU Digital Travel application shall be able, in a user-friendly manner, to withdraw their consent to process

their personal data in the EU Digital Travel application in accordance with Article 7 of Regulation (EU) 2016/679. This withdrawal shall result in the deletion of all personal data stored in the EU Digital Travel application.

1d. ***eu-LISA and Member States shall be the joint data controllers within the meaning of Article 26 of Regulation (EU) 2016/679 and Article 28 of Regulation (EU) 2018/1725 for the processing of personal data in the backend validation service.***

1e. ***Any personal data processed in the backend validation service shall be deleted immediately, permanently and in an automated manner from the backend validation service as soon as the operations referred to in Article 3b have been carried out.***

1f. ***The competent authorities designated by Member States shall be joint controllers within the meaning of Article 26 of Regulation (EU) 2016/679 for the processing personal data in the Traveller Router.***

1g. ***The competent authorities designated by Member States shall be controllers, within the meaning of Article 4, point 7 of Regulation (EU) 2016/679, in relation to the personal data received in that Member State through the Traveller Router.***

1h. ***eu-LISA shall be the data processor within the meaning of Article 3, point 12, of Regulation (EU) 2018/1725 for processing personal data through the Traveller Router, including transmission of the data from the Traveller Router to the competent authorities and temporary storage for technical reasons of those data on the Traveller Router. eu-LISA shall ensure that the Traveller Router is operated in accordance with this Regulation.***

1i. ***Any personal data processed in the Traveller Router shall be deleted immediately, permanently and in an automated manner from the Traveller Router as soon as the personal data has been transmitted to the competent authority.***

1j. ***eu-LISA's staff shall not have access to any of the personal data that are stored in the mobile component. eu-LISA's staff shall not have access to any personal data transmitted through the Traveller Router. That prohibition shall not preclude eu-LISA's staff from having such access insofar as strictly necessary for the maintenance and technical management of the Traveller Router.***

2. Each Member State shall designate ~~a~~***at least one*** competent authority ~~as data controller~~***for the purposes of paragraphs (1d), (1f) and (1g)*** and communicate those authorities to the Commission, eu-LISA and the other Member States.

~~3. eu-LISA shall be the data processor within the meaning of Article 3, point 12, of Regulation (EU) 2018/1725 for the processing of travel data constituting personal data in the mobile application and through the Traveller Router. eu-LISA shall be the data controller within the meaning of Article 3, point 9, of Regulation (EU) 2018/1725 for the processing of travel data through the backend validation service.~~

3. The Commission shall in accordance with Article 16(1e) adopt an implementing act on the roles and responsibilities of eu-LISA and Member States with regard to joint controllership for the backend validation service and the processing of personal data in the Traveller Router as well as the respective obligations between the joint controllers and the data processor.

~~4. No personal data shall be stored on the backend validation service or the Traveller Router beyond what is necessary for the creation of the digital travel credential and transmission of the travel data to the competent border authorities.~~

~~5. Users of the EU Digital Travel application shall be able to revoke their consent to process their personal data on the EU Digital Travel application at any time.~~

6. For the purposes of this Regulation, the competent authorities shall temporarily and securely store the travel data and EES pre-enrolment data transmitted in accordance with this Regulation and permanently delete it no later than 24 hours after the traveller has crossed the external border. Where the traveller, who has submitted travel data or EES pre-enrolment data in accordance with this Regulation, revokes consent or does not cross the external border at the intended crossing of external borders as indicated in the travel data provided in accordance with Article 5 of this Regulation, the competent authorities shall delete the travel data or EES pre-enrolment data no later than 24 hours after the intended crossing of the external border

7. For the purpose of verification, the competent authorities shall be able to compare the live facial image of the traveller with the facial image submitted by travellers as part of the travel data and EES pre-enrolment data.

8. For the purpose of identification, border authorities may also search relevant databases using the facial image submitted by travellers as part of travel data and EES pre-enrolment data in accordance with national or EU law.

Article 9

Responsibilities of the Member States

1. Each Member State shall be responsible for:

   (a) ensuring a secure connection between its ***competent authorities'*** national system and the Traveller Router to receive data transmitted through the Traveller Router;

   (b) the development, operation and maintenance of the connection referred to in point (a);

   (c) the management of and arrangements for access of duly authorised staff of ~~border~~***competent*** authorities to the data received through the Traveller Router ~~for the purpose of carrying out border checks in accordance with Regulation (EU) 2016/399.~~ ***and the keeping of access logs;***

   (ca) informing the Commission as soon as the secure connection referred to in this paragraph has been developed.

2. Each Member State shall provide the staff of ~~border~~***competent*** authorities who have a right to access the data transmitted through the Traveller Router with appropriate training covering, in particular, data security and data protection rules and applicable fundamental rights before authorising them to process such data.

Article 10

Information campaign

The Commission shall, in cooperation with eu-LISA, the European Border and Coast Guard Agency and national border authorities ***and in consultation with the European Data Protection Supervisor***, support the start of ~~operation~~***operations*** of the EU Digital Travel application***, and the operation thereafter, with frequent*** ~~with an~~ information ~~campaign~~***campaigns*** informing the public ***and stakeholders involved in international travel*** about the objectives, purposes, the main

processing operations and other data protection and data security aspects and use cases of the EU Digital Travel application. ***The information campaign shall start no later than 90 days before the start of operations of the EU Digital Travel application.***

Article 11

Costs

1. Costs incurred by eu-LISA in relation to the development, operation, hosting and technical management of the EU Digital Travel application under this Regulation shall be borne by the general budget of the Union.

2. Costs incurred by ***the*** Member States in relation to the ***implementation of this Regulation, in particular in relation to the required equipment, software and*** development~~, operation and maintenance~~ of their secure connections to receive data transmitted through the Traveller Router***, may be supported by the general budget of the Union*** ~~shall be borne by Member States~~.

Article 12

Amendments to Regulation (EC) No 2252/2004

Regulation (EC) No 2252/2004 is amended as follows:

(1) in Article 1, the following paragraph is inserted:

"1a. Upon request from the applicant~~, passports and~~ ***or holder of a passport or*** travel ~~documents issued by~~***document, the*** Member ~~States to their own nationals shall be accompanied by~~***State having issued the passport or travel document may issue*** a digital travel credential, which shall:

(a) ***be capable of being used in the mobile component referred to in article 3a of Regulation (EU) .../... COM(2024) 670 final and*** be based on the technical specifications adopted pursuant to Article 2, point (d);

(b) ***at the request of the applicant, be issued to*** ~~be in a format that enables~~ their ~~storage in the~~ European Digital Identity ~~Wallets~~***Wallet as an electronic***

attestation of attributes, provisions for which are laid down in Regulation (EU) No 910/2014 of the European Parliament and of the Council;

(c) be free of charge;

(d) contain the same ***categories of*** personal data, ~~including facial image, as~~***with the exception of fingerprints, as the electronic storage medium (chip) of*** the passport or travel document ~~based~~ on which ~~they are issued or created.~~***it is based;***

(da) adhere to the relevant international standards, including in particular those adopted by ICAO.

Digital travel credentials may only be used for the purpose of ~~point (d),~~***crossing the external borders as set out in Union law and any specific purposes set out in Union law or national law. Personal data may only be processed for the issuance or use of*** digital travel credentials ~~issued or created pursuant to this Article shall not include the fingerprints of~~***if the applicant or*** the holder ***of a passport or travel document has given consent to the processing***. ***The applicant or holder of a passport or travel document shall be able, in a user-friendly manner, to withdraw his or her consent in accordance with Article 7 of Regulation (EU) 2016/679.***

Member States shall enable the ~~authentication and validation~~***verification of authenticity, integrity and validity*** of the digital travel credentials in accordance with the technical specifications set out pursuant to Article 2, point (d).

The validity period of a digital travel credential shall not be longer than the travel document on which it is based. The modalities of the validity period shall be determined in the implementing act referred to in Article 2(d) of this Regulation.

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* Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).;"

(2) in Article 2, the following point is added:

"(d) technical specifications, including procedures and requirements for digital travel credentials, their data schema and format, issuance, disclosure process, authentication and validation, revocation, trust model and validity.***"***."

(3) in Article 4, the following paragraph is added:

"4. Member States shall allow ~~relevant stakeholders, involved in the process of crossing the external borders~~***carriers, for the purpose of complying with Union or national law***, to access the ~~storage medium~~***chip*** in passports and travel documents, with the exception of fingerprints, with the consent of the person to whom the passport or travel document has been issued***, in accordance with Regulation (EU) 2016/679***.***""***

Article 13

Amendments to Regulation (EU) 2016/399

Regulation (EU) 2016/399 is amended as follows:

(1) in Article 2, the points 31 to 33 are added:

"31. ~~'~~digital travel credential' means the digital representation of a ~~person's identity issued or~~***travel document*** created ***or issued*** pursuant to Article 4 of Regulation (EU) XXXX/XXXX [COM(2024) 670 final]*, Article 1(1a) of Regulation (EC) No 2252/2004**, or Article 2 of Regulation (EU) XXXX/XXXX [COM(2024) 671 final]***;

32. 'EU Digital Travel application' means the system established by Regulation (EU) …/… [COM(2024) 670 final] of the European Parliament and of the Council;

33. ~~'advance border check' means the checks carried out on persons enjoying the right of free movement under Union law on the basis of a digital travel credential and other relevant data;~~ ***preliminary border checks mean the checks referred to in article 8(2g) or 8(3a).***

~~34. 'advance clearance' means the verification of the fulfilment of some or all entry conditions for third-country nationals on the basis of a digital travel credential and other relevant data and that support the carrying out of border checks.~~

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* Regulation (EU) …/… of … establishing ~~an application for the electronic submission of travel data (“~~***the*** EU Digital Travel application~~”)~~ and ***on the use of digital travel credentials (DTC) for the purpose of crossing external borders,*** amending Regulations (EU) 2016/399 and (EU) 2018/1726 of the European Parliament and of the Council and Council Regulation (EC) No 2252/2004~~, as regards the use of digital travel credentials~~ (OJ…), […], p. […], ELI: …).].

** Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States (OJ L 385, 29.12.2004, p. 1).

*** Council Regulation (EU) …./…. of … on the issuance of and technical standards for digital travel credentials based on identity cards (OJ L …], […], p. […], ELI:…).;”

(2) Article 8 is amended as follows:

(a) the following paragraph is added:

“2g. The checks referred to in paragraph 2 of this Article shall be carried out ~~in advance~~ no more than 36 hours before the intended ~~date and time of arrival or departure~~***crossing of the external border***, as referred to in Article 5 of Regulation (EU) …/… [COM(2024) 670 final]-, where data has been received in accordance with Article 8ba(1) of this Regulation. ***If these preliminary checks cannot be carried out in advance, the traveller shall be referred to regular border checks in accordance with paragraph 2 of this Article.*** Where those ***preliminary*** checks are carried out in advance, the data received may be checked at the border crossing point against the data in the physical travel document or digital travel credential. The identity of the person concerned as well as the authenticity and integrity of the physical travel document or digital travel credential shall be verified. ***Without prejudice to preliminary border checks, relevant databases, including in particular the SIS, Interpol’s Stolen and Lost Travel Documents (SLTD) database, and national databases containing information on stolen, misappropriated, lost and invalidated travel documents, shall, in accordance with paragraphs 2-2f and 8, be***

consulted at the border crossing point at the moment when a traveller crosses the external borders. For the purpose of identification, Member States may search relevant databases using the facial image submitted by travellers as part of travel data or EES pre-enrolment data in accordance with Regulation (EU) …/… [COM(2024) 670 final] to confirm the identity of the person in accordance with Article 7(4c) of Regulation (EU) …/… [COM(2024) 670 final]. "

(aa) the following paragraph is added:

"2ga. Before the start of operations of the EU Digital Travel application, as referred to in Article 15 of Regulation (EU) …/… [~~COM(2024) 670 final~~***COM(2024) 670 final***], the checks referred to in paragraph 2 of this Article may be carried out in advance no more than 36 hours before the intended ~~date and time of arrival or departure~~***crossing of the external border***, where data has been received in advance on the basis of the digital travel credential. Where those ***preliminary*** checks are carried out in advance, the data received may be checked at the border crossing point against the data in the physical travel document or digital travel credential. The identity of the person concerned as well as the authenticity and integrity of the physical travel document or digital travel credential shall be verified. ***Without prejudice to those checks, relevant databases, including in particular the SIS, Interpol's Stolen and Lost Travel Documents (SLTD) database, and national databases containing information on stolen, misappropriated, lost and invalidated travel documents, shall, in accordance with paragraphs 2-2f and 8, be consulted at the border crossing point at the moment when a traveller crosses the external borders"***;"

(b) in paragraph 3, the following point is added:

"(j) where a digital travel credential has been received in advance, paragraph 3a of this Article shall apply.;"

(c) the following paragraph is inserted:

"3a. The ~~fulfilment of entry conditions~~***checks*** referred to in ~~Article 6~~***paragraph 3*** of this ~~Regulation~~***Article*** shall be ~~verified in advance~~***carried out*** no more than 36 hours before the intended ~~date and time of arrival or departure~~***crossing of the external border***, as referred to in Article 5 of Regulation (EU) …/… [COM(2024) 670 final]~~-~~, where data has been received in accordance with Article 8ba(2) of this Regulation. Where ~~those~~***these preliminary border checks show that the entry conditions are not fulfilled or where preliminary border checks could not be carried out, the traveller shall be referred to regular border checks in accordance with paragraph 3 of this Article. Where preliminary border*** checks are carried out ~~in advance~~***before the intended crossing of the external border***, the data received may be checked at the border crossing point against the data in the physical travel document or digital travel credential***. The competent authorities may request, at the border crossing point, documents justifying the purpose and conditions of the intended stay in accordance with Article 6 of this Regulation***. The identity of the person concerned as well as the authenticity and integrity of the physical travel document or digital travel credential shall be verified. ***Without prejudice to preliminary border checks, relevant databases, including in particular the SIS, Interpol's Stolen and Lost Travel Documents (SLTD) database, and national databases containing information on stolen, misappropriated, lost and invalidated travel documents, shall, in accordance with paragraphs 3 and 8, be consulted at the border crossing point at the moment when a traveller crosses the external borders. For the purpose of identification, Member States may search relevant databases using the facial image submitted by travellers as part of travel data or EES pre-enrolment data in accordance with Regulation (EU) …/… [COM(2024) 670 final] to confirm the identity of the person in accordance with Article 7(4c) of Regulation (EU) …/… [COM(2024) 670 final]."***

(ca) the following paragraph is inserted:

"3aa. Before the start of operations of the EU Digital Travel application, as referred to in Article 15 of Regulation (EU) …/… [~~COM(2024) 670 final~~***COM(2024) 670 final***]~~, the fulfilment of entry conditions~~***, the checks*** referred to in ~~Article 6~~***paragraph 3*** of this ~~Regulation~~***Article*** may be carried out in advance

no more than 36 hours before the intended ~~date and time of arrival or departure~~***crossing of the external border***, where data has been received in advance on the basis of the digital travel credential. Where those ***preliminary border*** checks are carried out in advance, the data received may be checked at the border crossing point against the data in the physical travel document or digital travel credential***, without prejudice to the powers of the competent authorities to request at the border crossing point documents justifying the purpose and conditions of the intended stay in accordance with Article 6 of this Regulation***. The identity of the person concerned as well as the authenticity and integrity of the physical travel document or digital travel credential shall be verified. ***Without prejudice to those preliminary border checks, relevant databases, including in particular the SIS, Interpol's Stolen and Lost Travel Documents (SLTD) database, and national databases containing information on stolen, misappropriated, lost and invalidated travel documents, shall, in accordance with paragraphs 3 and 8, be consulted at the border crossing point at the moment when a traveller crosses the external borders.”***;”

(d) the following paragraph is inserted:

“10. The Commission shall adopt implementing acts to establish minimum standards with regard to technology, methods and procedures to be used for the verification of the authenticity and validity of travel documents, including residence permits, visas and long-stay visas, and digital travel credentials according to this Article.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 38(2).;”

(3) ~~in~~ Article 8a~~, the following paragraph is inserted~~ ***is amended as follows***:

“a) paragraph 2 is replaced by the following:

“2. Pursuant to paragraph 1 of this Article, the self-service system shall verify whether the person has a previous registration in the EES and shall verify the identity of the third-country national in accordance with Article 23(2) of

Regulation (EU) 2017/2226. For mobile self-service systems operated independently by the user, the verification may be carried out at the border crossing point."

b) paragraph 3 is replaced by the following:

"3. In accordance with Article 23(4) of Regulation (EU) 2017/2226, the self-service system shall carry out an identification in accordance with Article 27 of that Regulation. For mobile self-service systems operated independently by the user, the identification may be carried out at the border crossing point."

c) the following paragraph is inserted;

"4a. Alternatively to paragraph 4, point (b)(ii), the verification may be carried out:

(a) using effective and proportionate technical measures and;

(b) performing ~~random~~***the*** verifications referred to in paragraph 4, point (b)(ii) ***by referring travellers at random to checks by border guards***.

This alternative verification shall not rely only on the EU Digital Travel application.;"

(3a) paragraph 7 is replaced by the following:

"7. Self-service systems, with the exception of mobile self-service systems operated independently by the person, shall be monitored by a border guard or technical solutions to detect any inappropriate, fraudulent or abnormal use of the self-service system. Travellers shall be directed to a border guard if self-service systems detect any inappropriate, fraudulent or abnormal use. Mobile self-service systems operated independently by the person shall have technical capabilities suitable for detecting any inappropriate, fraudulent or abnormal use of that system."

(3b) in Article 8b, paragraph 8 is replaced by the following:

"8. Self-service systems, with the exception of mobile self-service systems operated independently by the person, shall be monitored by a border guard or technical solutions to detect any inappropriate, fraudulent or abnormal use of the self-

service system, e-gate, or both. E-gates shall be monitored by a border guard to detect any inappropriate, fraudulent or abnormal use of the e-gate. Travellers shall be directed to a border guard if the self-service system, e-gate, or both, detect any inappropriate, fraudulent or abnormal use. Mobile self-service systems operated independently by the person shall have technical capabilities suitable for detecting any inappropriate, fraudulent or abnormal use of that system.

(4) the following article is inserted:

"Article 8ba

Use of the EU Digital Travel application

1. Persons enjoying the right of free movement under Union law who are in possession of a digital travel credential may use the EU Digital Travel application for the purposes of ~~advance~~***preliminary*** border checks in accordance with Article 8(2g). ***Member States may introduce age limits for minors for preliminary border checks in accordance with Article 8(2g) in national law. Age limits for minors set by the Member States shall be notified to the Commission in accordance with Article 39.***

2. Third-country nationals, including those subject to registration in the EES, may use the EU Digital Travel application ***as a mobile self-service system*** for the purposes of ~~advance clearance~~***preliminary border checks*** in accordance with Article 8(3), point (j). ***Member States may introduce age limits for minors for preliminary border checks in accordance with Article 8(3), point (j) in national law. Age limits for minors set by the Member States shall be notified to the Commission in accordance with Article 39.***

2a. Persons, who have submitted travel data for the purposes of preliminary border checks, but do not cross the external borders within 24 hours of the intended crossing of the external borders indicated in the travel data provided in line with Article 5 of Regulation (EU) …/… [COM(2024) 670 final] shall be referred to regular border checks.

2b. Persons whose border crossing is subject to a registration in the EES in accordance with Article 6a may use the EU Digital Travel application as a mobile self-service system for the purposes of Articles 8a and 8b."

5. the following paragraph is inserted in Article 10: "3c. Member States shall use the signs provided for in part F of Annex III to identify the respective lanes if they introduce specific lanes for travellers using digital travel credentials in accordance with Regulation (EU) XXXX/XXXX [COM(2024) 670 final]."

5a. in Article 39, the following point is added to paragraph 1: "(i) the age limits for minors referred to in Article 8ba."

6. in Annex III, the following Part is added: "Part F: Lanes for digital travel credentials [graphic to be inserted] "

Article 14

Amendments to Regulation (EU) 2018/1726

Regulation (EU) 2018/1726 is amended as follows:

(1) in Article 1, the following paragraph is inserted:

"4c. The Agency shall be responsible for the development and operational management, including technical evolution, of the EU Digital Travel application."

(2) in Article 17(3), the second subparagraph is replaced by the following:

"The tasks relating to development and operational management referred to in Article 1(4), (4c) and (5), Articles 3 to 9 and Articles 11 and 13a shall be carried out at the technical site in Strasbourg, France."

~~(1)~~***(3)*** the following article is inserted:

"Article ~~8d~~***8e***

Tasks relating to the EU Digital Travel application

In relation to the EU Digital Travel application ***referred to in point (ca) of Regulation (EU) …/… [COM(2024) 670 final] of the European Parliament and of the Council**, the Agency shall perform:

(a) the tasks conferred on it by Regulation (EU) …/… [~~COM(2024) 670 final~~***COM(2024) 670 final***] ~~of the European Parliament and of the Council*~~;

(b) tasks relating to training on the technical use of the EU Digital Travel application.

_____

*– Regulation (EU) …/… of … establishing ~~an application for the electronic submission of travel data (“~~***the*** EU Digital Travel application~~”)~~ and ***on the use of digital travel credentials (DTC) for the purpose of crossing external borders,*** amending Regulations (EU) 2016/399 and (EU) 2018/1726 of the European Parliament and of the Council and Council Regulation (EC) No 2252/2004~~, as regards the use of digital travel credentials~~ (OJ…), […], p. […], ELI: …).;”

~~(2)~~***(4)*** in Article 14, paragraph 1 is replaced by the following:

“1. The Agency shall monitor developments in research relevant for the operational management of SIS II, VIS, Eurodac, the EES, ETIAS, DubliNet, ECRIS-TCN, the e-CODEX system, the JITs collaboration platform, the EU Digital Travel application and other large-scale IT systems as referred to in Article 1(5).;”

~~(3)~~***(5)*** in Article 19, paragraph 1 is amended as follows:

(a) point (ee) is replaced by the following:

“(ee) adopt the reports on the development of the EES pursuant to Article 72(2) of Regulation (EU) 2017/2226, the reports on the development of ETIAS pursuant to Article 92(2) of Regulation (EU) 2018/1240, the reports on the development of ECRIS-TCN and of the ECRIS reference implementation pursuant to Article 36(3) of Regulation (EU) 2019/816 and the reports on the development of the EU Digital Travel application pursuant to Article 18 of Regulation (EU) …/…[COM(2024) 670 final] ;;”

(b) in point (ff), the following point is inserted:

“(x) the EU Digital Travel application pursuant to Article 18(1) of Regulation (EU) …/… [COM(2024) 670 final] ;;”

(c) the following point is inserted:

"(llb) compile and publish statistics related to the use of the EU Digital Travel application pursuant to Article 8(6) of Regulation (EU) …/… [COM(2024) 670 final];;"

~~(4)~~***(6)*** in Article 22(4), the following subparagraph is inserted after the seventh subparagraph:

"The European Border and Coast Guard Agency may attend the meetings of the Management Board as an observer when a question concerning the EU Digital Travel application in relation with the application of Regulation (EU) 2016/399 is on the agenda.;"

~~(5)~~***(7)*** in Article 24(3), point (u) is replaced by the following:

"(u) preparing the reports on the development of the EES referred to in Article 72(2) of Regulation (EC) No 2017/2226, on the development of ETIAS referred to in Article 92(2) of Regulation (EU) 2018/1240 and on the development of the EU Digital Travel application referred to in Article 18 of Regulation (EU) …/… [COM(2024) 670 final] and submitting them to the Management Board for adoption;."

Article 15

Start of operations of the EU Digital Travel application

1. The Commission shall determine ~~the date from which~~***when*** the EU Digital Travel application starts operations by means of an implementing act once eu-LISA has informed the Commission***, the European Parliament and the Council*** of the successful completion of the ~~test~~***tests*** of the application referred to in Article ~~8(5)~~***3d(5) and after a positive assessment of the test results by the Management Board of eu-LISA***. ***The implementing act may allow for a gradual start of operations, including separate dates for air, sea, and land borders.***

2. The Commission shall set the ~~date~~***start of operations*** referred to in the first paragraph to be no ***earlier than 90 days and no*** later than ~~30~~***180*** days from the date of adoption of that implementing act.

2a. The implementing act referred to in Article 16(1), point (d), shall not be adopted before eu-LISA has submitted a declaration stating that the tests referred to in Article 3d(5) have been conducted successfully.

Article 16

Implementing acts

1. The Commission shall, by means of implementing acts:

(a) establish the technical architecture of the EU Digital Travel application and establish the technical specifications for***: (i)*** the mobile ~~application~~***component***, ***including available languages, the source code and the interfaces referred to in Article 3a; (ii) the*** backend ~~services and~~***validation service, including requirements for the comparison of the facial image, the certificates to confirm the authenticity and integrity of the chip data in the travel document through the backend validation service and the requirements to authenticate a person's identity using an electronic identification means conforming to assurance level high in accordance with the requirements of Regulation (EU) No 910/2014; (iii) the*** Traveller Router***, including the standardised information sent automatically to travellers***; ***(iv) the requirements for eu-LISA to provide effective assistance to travellers in cases of technical problems.***

(b) establish the statistics ***and anonymised log data*** to be ***kept and*** collected by eu-LISA on the use of the EU Digital Travel application;

(c) establish the specifications for the ~~test~~***tests*** of the EU Digital Travel application before its start of operation;

(d) determine the start of operations of the EU Digital Travel application by eu-LISA~~.~~***, with the possibility of gradual start of operations for air, sea, and land borders;***

(e) the respective responsibilities of eu-LISA and Member States as joint data controllers for the processing of personal data in the backend validation service and the processing of personal data in the Traveller Router as well as the respective obligations between the joint controllers and the data processor.

(f) establish the technical specifications, including procedures and requirements for digital travel credentials, their data schema and format, issuance, disclosure process, authentication and validation, revocation, trust model and validity.

2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 17(2).

Article 17

Committee procedure

1. The Commission shall be assisted by the committee established by Article ~~6 of Council~~***68 of*** Regulation (~~EC~~***EU***) ~~No 1683/95~~***2017/2226***. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. ***For the adoption of the implementing act set out in Article 16(1a) and (1f), the committee established by Article 68 of Regulation (EU) 2017/2226 shall consult the committee set up by Article 6(2) of Regulation (EC) No 1683/95.***

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 18

Monitoring and evaluation

1. eu-LISA shall ensure that procedures are in place to monitor the development of the EU Digital Travel application in light of the objectives relating to planning and costs and to monitor the functioning of the EU Digital Travel application in light of the objectives relating to the technical output, cost-effectiveness, security and quality of service.

2. By 1 January 2028 and every twelve months thereafter during the development phase, eu-LISA shall submit a report to the European Parliament and the Council on the state of play of the development of the EU Digital Travel application.

3. The report referred to in paragraph 2 shall include detailed information about the costs incurred and information as to any risks which may impact the overall costs of the EU Digital Travel application to be borne by the general budget of the Union. The report shall also include detailed information about the technical implementation of the project and any technical problems and risks that may impact the overall development and entry into operations of the EU Digital Travel application.

4. Once the development phase of the EU Digital Travel application is finalised, eu-LISA shall submit a report to the European Parliament and to the Council explaining how the objectives, in particular relating to planning and costs, were achieved and justifying any divergences.

5. By… [~~five~~***three*** years after the start of operations of the EU Digital Travel application], the Commission shall conduct an overall evaluation of the EU Digital Travel application and its use. The overall evaluation report established on this basis shall include an assessment of the application of this Regulation and an examination of results that have been achieved relative to the objectives that were set***, with particular regard to maximising gains in the facilitation of travel while maintaining a high level of security in the context of preliminary border checks,*** and of the impact on fundamental rights. The report shall also include an overall assessment of whether the underlying rationale for operating the EU Digital Travel application continues to hold, of the appropriateness of the technical features of the application, of the security of the application and of any implications for future operations. The evaluation shall include necessary recommendations. The Commission shall transmit the report to the European Parliament, the Council, the European Data Protection Supervisor and the European Union Agency for Fundamental Rights.

Article 19

Advisory group

~~The responsibilities of eu-LISA's Interoperability~~***eu-LISA shall designate an*** Advisory Group ~~referred to in Article 75 of Regulation (EU) 2019/817 shall be extended to cover~~***that provides eu-LISA with expertise related to*** the EU Digital Travel application ***in particular in the context of the preparation of its annual work programme and its annual activity report***. The Advisory Group shall meet regularly until the start of operations of the EU Digital Travel application. It shall report after each meeting to the Programme Management Board. ~~That Advisory Group shall provide eu-LISA with expertise related to the EU Digital Travel application in particular in the context of the preparation of its annual work programme and its annual activity report.~~ It shall also provide the technical expertise to support the tasks of the Programme Management Board and shall follow up on the state of preparation in the Member States.

Article 20

Entry into force and application

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

~~However, Article 12(1) shall apply from [twelve months after the entry into force of the implementing act referred to in Article 2, point (d) of Regulation (EC) No 2252/2004].~~

This Regulation shall apply from the date decided by the Commission in accordance with Article 16(1d), with the exception of the following provisions, which shall apply from the entry in force: Article 3d, Articles 9-11, Article 13 (2aa) and (3ca) and Articles 16-18.

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

Done at Strasbourg,

For the European Parliament	*For the Council*
The President	*The President*

Annex