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NOTE

From:	General Secretariat of the Council
To:	Working Party on Frontiers/Mixed Committee (EU-Iceland/Liechtenstein/Norway/Switzerland)
Subject:	Proposal for a Regulation of the European Parliament and of the Council introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 - Four-column table

Delegations will find in the annex the four-column table regarding the above-mentioned proposal.

ANNEX

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1	2020/0278 (COD)	2020/0278 (COD)	2020/0278 (COD)	
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817	
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
4	Having regard to the Treaty on the Functioning of the European Union, and in particular points (b) and (d) of Article 77(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular points (b) and (d) of Article 77(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular points (b) and (d) of Article 77(2) thereof~~,~~	

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5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
7	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
8	Whereas:	Whereas:	Whereas:	
9	(1) The Schengen area was created to achieve the Union's objective of establishing an area without internal frontiers in which the free movement of persons is ensured, as set out in Article 3(2) of the Treaty on European Union (TEU). The good functioning of this area relies on mutual trust between the Member States and efficient management of the external border.	(1) The Schengen area was created to achieve ~~the Union's objective of establishing~~ an area without internal frontiers in which the free movement of persons is ensured, as set out in Article 3(2) of the Treaty on European Union (TEU). The good functioning of this area relies on mutual trust between the Member States and efficient management of the external border.	(1) The Schengen area was created to achieve the Union's objective of establishing an area without internal ~~frontiers~~ **borders** in which the free movement of persons is ensured, as set out in Article 3(2) of the Treaty on European Union (TEU). The good functioning of this area relies on mutual trust between the Member States and efficient management of the	

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			external border.	
10	(2) The rules governing border control of persons crossing the external borders of the Member States of the Union are laid down in Regulation (EU) 2016/399 of the European Parliament and of the Council (Schengen Borders Code)[1] as adopted under Article 77(2)(b) of the Treaty on the Functioning of the European Union (TFEU). To further develop the Union's policy with a view to carrying out checks on persons and efficiently monitoring the crossing of external borders referred to in the first paragraph of Article 77 TFEU, additional measures should address situations where third-country nationals manage to avoid border checks at the external borders, or where third-country nationals are disembarked following search and rescue operations as well as where third-country nationals request international protection at a border crossing point without fulfilling entry conditions. The present regulation complements and specifies Regulation (EU) 2016/399 with regard to those three	(2) The rules governing border control of persons crossing the external borders of the Member States of the Union are laid down in Regulation (EU) 2016/399 of the European Parliament and of the Council (Schengen Borders Code)[1] as adopted under Article 77(2)(b) of the Treaty on the Functioning of the European Union (TFEU). To further develop the Union's policy with a view to carrying out checks on persons and efficiently monitoring the crossing of external borders referred to in the first paragraph of Article 77 TFEU, additional measures should address situations where third-country nationals ~~manage to avoid border checks at~~**are apprehended in connection with an irregular crossing of** the external borders,~~ or~~ where third-country nationals are disembarked following search and rescue operations ~~as well as~~**and** where third-country nationals request international protection at a border crossing point without fulfilling entry conditions. ~~The present~~**This** Regulation	(2) The rules governing border control of persons crossing the external borders of the Member States of the Union are laid down in Regulation (EU) 2016/399 of the European Parliament and of the Council (Schengen Borders Code)[1] as adopted under Article 77(2)(b) of the Treaty on the Functioning of the European Union (TFEU). **However, despite the applied border surveillance measures, Member States could be confronted to unauthorised border crossings by third country nationals trying to avoid border checks.** To further develop the Union's policy with a view to carrying out checks on persons and efficiently monitoring the crossing of external borders referred to in the first paragraph of Article 77 TFEU, additional measures should address situations where third-country nationals manage to avoid border checks at the external borders **in accordance with Article 5(1) of Regulation (EU) 2016/399**, or where third-country nationals are disembarked	

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	sets of situations. _____ 1. Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, 23.3.2016, p.1.	complements and ~~specifies~~**clarifies** Regulation (EU) 2016/399 **[Schengen Borders Code]** with regard to those three sets of situations. _____ 1. Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, 23.3.2016, p.1.	following search and rescue operations as well as where third-country nationals **make an application for** ~~request~~ international protection at a border crossing point without fulfilling entry conditions**, and third country nationals who make an application for international protection and benefit from an authorisation to enter on humanitarian grounds or international obligations under Article 6(5)c of Regulation (EU) 2016/399**. The present regulation complements and specifies Regulation (EU) 2016/399 with regard to those three sets of situations. _____ 1. Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, 23.3.2016, p.1.	
11	(3) It is essential to ensure that in those three sets of situations, the third country nationals are screened, in order to facilitate a proper identification and to allow for them being referred efficiently	(3) It is essential to ensure that **where third-country nationals are apprehended in connection with an irregular crossing of the external borders, where third-country nationals are**	(3) It is essential to ensure that in those three sets of situations, the third country nationals are screened, in order to facilitate a proper identification and to allow for them being referred efficiently	

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	to the relevant procedures which, depending on the circumstances, can be procedures for international protection or procedures respecting Directive 2008/115/EC of the European Parliament and of the Council (the "Return Directive")[1]. The screening should seamlessly complement the checks carried out at the external border or compensate for the fact that those checks have been circumvented by the third country nationals when crossing the external border. _____ 1. Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, OJ L 348, 24.12.2008, p. 98.	**disembarked following search and rescue operations and where third-country nationals request international protection at a border crossing point without fulfilling entry conditions, such third-country**~~in those three sets of situations, the third country~~ nationals are screened, in order to facilitate a proper identification and to ~~allow for them being referred efficiently~~**enable an efficient referral** to the ~~relevant procedures~~**correct procedure,** which, depending on the circumstances, ~~can be procedures~~**might be the procedure** for international protection ~~or~~**as laid down in Regulation (EU) XXXX/202X of the European Parliament and of the Council [Asylum** Procedures **Regulation] or the procedure** respecting Directive 2008/115/EC of the European Parliament and of the Council (the "Return Directive")[1] **without prejudice to Member States' discretion in accordance with Article 6(5) of Regulation (EU) 2016/399 [Schengen Borders Code]. Persons identified as stateless persons or at risk of becoming**	to the relevant procedures which, depending on the circumstances, can be procedures for international protection or procedures respecting Directive 2008/115/EC of the European Parliament and of the Council (the "Return Directive")[1]. The screening should seamlessly complement the checks carried out at the external border or compensate for the fact that those checks have been circumvented by the third country nationals when crossing the external border. _____ 1. Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, OJ L 348, 24.12.2008, p. 98.	

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		stateless persons during the screening should be referred to the competent authorities which should determine whether the individual is a stateless person and offer adequate protection, in accordance with national law. The screening should seamlessly complement the checks carried out at the external border**. Where applicable, the checks carried out in the context of the screening may also form part of the checks to be performed in the context of subsequent procedures** ~~or compensate for the fact that those checks have been circumvented by the third country nationals when crossing the external border~~. _____ 1. Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, **(**OJ L 348, 24.12.2008, p. 98**)**.		
12	(4) Border control is in the interest not only of the Member States at whose external borders it is carried out but of all Member States which have abolished internal border	(4) Border control is **not only** in the interest ~~not only~~ of the Member States at whose external borders it is carried out but of all Member States ~~which have abolished~~	(4) Border control is in the interest not only of the Member States at whose external borders it is carried out but of all Member States which have abolished internal border	

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	control. Border control should help to combat illegal migration and trafficking of human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations. As such, measures taken at the external borders are important elements of a comprehensive approach to migration, allowing to address the challenge of mixed flows of migrants and persons seeking international protection.	~~internal border control~~. Border control should help ~~to combat illegal migration and~~**reduce irregular migration, protect victims of** trafficking of human beings and ~~to~~ prevent any threat to the Member States' internal security, public ~~policy, public~~ health and international relations. ~~As such, measures taken at the external borders are important elements of a comprehensive approach to migration, allowing to address the challenge of mixed flows of migrants and persons seeking international protection~~**At the same time, when carrying out border control, Member States should act in compliance with relevant Union and international law, including the Geneva Convention Relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967 ("the Geneva Convention"), obligations related to international protection, in particular the principle of non-refoulement, and fundamental rights. As such, measures taken at the external borders are important elements of a**	control. Border control should help to combat illegal migration**, smuggling** and trafficking of human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations. As such, measures taken at the external borders are important elements of a comprehensive approach to migration, allowing to address the challenge of mixed flows of **irregular** migrants and persons **in need of** ~~seeking~~ international protection.	

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		comprehensive approach to asylum and migration.		
12a		**(4a) As part of a comprehensive approach to migration and border management and in accordance with Article 80 TFEU, Union law should contain appropriate measures to give effect to the principle of solidarity and fair sharing of responsibility.**		
13	(5) In accordance with Article 2 of Regulation (EU) 2016/399, border control consists of border checks carried out at the border crossing points and border surveillance, which is carried out between the border crossing points, in order to prevent third-country nationals from circumventing border checks. In accordance with Article 13 of Regulation (EU) 2016/399 a person who has crossed a border in an unauthorised manner and who has no right to stay on the territory of the Member State concerned shall be apprehended and made subject to procedures respecting Directive	(5) In accordance with Article 2 of Regulation (EU) 2016/399 **[Schengen Borders Code]**, border control consists of border checks carried out at the border crossing points and border surveillance, which is carried out between the border crossing points~~, in order to prevent third-country nationals from circumventing border checks~~. In accordance with Article 13 of Regulation (EU) 2016/399 **[Schengen Borders Code]** a person who has crossed a border in an ~~unauthorised~~**irregular** manner and who has no right to stay on the territory of the Member State	(5) In accordance with Article 2 of Regulation (EU) 2016/399, border control consists of border checks carried out at the border crossing points and border surveillance, which is carried out between the border crossing points, in order to prevent third-country nationals from **border crossing not authorised under Article 5 of Regulation (EU) 2016/399 and thereby** circumventing border checks. In accordance with Article 13 of Regulation (EU) 2016/399 a person who has crossed a border in an unauthorised manner and who has no right to stay on the territory	

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	2008/115/EC. In accordance with Article 3 of Regulation (EU) 2016/399, border control should be carried out without prejudice to the rights of refugees and persons requesting international protection, in particular as regards non-refoulement.	concerned shall be apprehended and made subject to procedures respecting Directive 2008/115/EC. ~~In accordance with~~**However,** Article 3 of Regulation (EU) 2016/399~~,~~ **[Schengen Borders Code] clarifies that** border control should be carried out without prejudice to the rights of refugees and persons requesting international protection, in particular as regards non-refoulement.	of the Member State concerned shall be apprehended and made subject to procedures respecting Directive 2008/115/EC. In accordance with Article 3 of Regulation (EU) 2016/399, border control should be carried out without prejudice to the rights of refugees and persons requesting international protection, in particular as regards non-refoulement.	
14	(6) Border guards are often confronted with third-country nationals who are requesting international protection without travel documents, both following apprehension during border surveillance and during checks at the border crossing points. Moreover, at some border sections the border guards are confronted with large numbers of arrivals at the same time. In such circumstances, it is particularly difficult to ensure that all relevant databases are consulted and to immediately determine the appropriate asylum or return procedure.	(6) Border guards are often ~~confronted~~**faced** with third-country nationals who **have no travel or identification documents and who** are requesting international protection~~ without travel documents~~, both following apprehension during border surveillance and during checks at the border crossing points. Moreover, **it is possible that** at some border sections the border guards are ~~confronted~~**faced** with large numbers of arrivals at the same time. In such circumstances, it is particularly ~~difficult~~**important** to ensure that~~ all~~ relevant databases are consulted and to ~~immediately~~	(6) Border guards are often confronted with third-country nationals who are requesting international protection without travel documents, both following apprehension during border surveillance and during checks at the border crossing points. Moreover, at some border sections the border guards are confronted with~~ large numbers of arrivals~~ **mass influx of people** at the same time. In such circumstances, it is particularly difficult to ensure that all relevant databases are consulted and to immediately determine the appropriate asylum or return procedure.	

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		determine the appropriate ~~asylum or return procedure~~**procedure as quickly as possible**.		
15	(7) In order to ensure a swift handling of third-country nationals who try to avoid border checks or who request international protection at a border crossing point without fulfilling the entry conditions or who are disembarked following a search and rescue operation, it is necessary to provide a stronger framework for cooperation between the different national authorities responsible for border control, the protection of public health, the examination of the need for international protection and the application of return procedures.	(7) In order to ensure ~~a~~**an improved and** swift handling of third-country nationals who ~~try to avoid~~**have not been subject to** border checks or who request international protection at a border crossing point without fulfilling the entry conditions or who are disembarked following a search and rescue operation, it is necessary to provide a stronger framework for cooperation between the different national authorities responsible for border control, the protection of public health**, child protection**, the examination of the need for international protection and the application of return procedures.	(7) In order to ensure a swift handling of third-country nationals ~~who try to avoid border checks or who request international protection at a~~**at the external borders or within the territory of the Member States, who have not been subject to** border ~~crossing point without fulfilling the entry conditions or who are disembarked following a search and rescue operation~~**checks at the external borders of the Member States, as well as those who have made an application for international protection at border crossing points or in transit zones, without fullfilling the entry conditions** , it is necessary to provide a stronger framework for cooperation between the different national authorities responsible for border control, the protection of public health, the examination of the need for international protection and the application of return procedures.	

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16	(8) In particular, the screening should help to ensure that the third-country nationals concerned are referred to the appropriate procedures at the earliest stage possible and that the procedures are continued without interruption and delay. At the same time, the screening should help to counter the practice whereby some applicants for international protection abscond after having been authorised to enter the territory of a Member State based on their request for international protection, in order to pursue such requests in another Member State or not at all.	(8) In particular, the screening should help to ensure that the third-country nationals concerned are referred to the appropriate procedures at the earliest stage possible and that the procedures are continued without interruption and delay. At the same time, the screening ~~should help to counter the practice whereby some applicants for international protection abscond after having been authorised to enter the territory of a Member State based on their request for international protection, in order to pursue such requests in another Member State or not at all~~**could help discourage secondary movements in the Schengen area**.	(8) In particular, the screening should ~~help to ensure~~ **contribute to ensuring** that the third-country nationals concerned are referred to the appropriate procedures at the earliest stage possible and that the procedures are continued without interruption and delay. At the same time, the screening should ~~help to counter~~ **contribute to countering** the practice whereby ~~some~~ applicants for international protection abscond **in order to pursue applications in another Member State or not at all. Taking into consideration that the screening should contribute to ensuring the referral to the appropriate procedures, obligations stemming from this Regulation should be without prejudice to the applicable rules under Union law concerning international protection or return** ~~after having been authorised to enter the territory of a Member State based on their request for international protection, in order to pursue such requests in another Member State or not at all~~.	
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	(9) With regard to those persons who apply for international protection, the screening should be followed by an examination of the need for international protection. It should allow to collect and share with the authorities competent for that examination any information that is relevant for the latter to identify the appropriate procedure for the examination of the application, thus speeding up that examination. The screening should also ensure that persons with special needs are identified at an early stage, so that any special reception and procedural needs are fully taken into account in the determination of and the pursuit of the applicable procedure.	(9) With regard to those persons who apply for international protection, ~~the screening should be followed by an examination of the need for international protection. It~~**and without prejudice to Regulation (EU) No XX/XXX [Asylum and Migration Management Regulation], the screening** should ~~allow to collect and share with the~~ **enable the screening** authorities ~~competent for that examination any information that is~~ **to collect and share any** relevant ~~for the latter to identify the appropriate procedure for the examination of the application, thus speeding up that examination~~**information with the competent authorities for examining an application for international protection without assessing the value of that information**. The screening should also ~~ensure that~~**contribute to identifying vulnerable persons and** persons with special needs ~~are identified~~ at an early stage, so that any **medical,** special reception ~~and~~**or** procedural needs are fully taken into account in the determination of and the pursuit of the applicable procedure.	(9) With regard to those persons who apply for international protection, the **registration of the application should be determined by Article 6 of Asylum Procedure Directive 2013/32. The** screening should be followed by an examination of the need for international protection. It should allow to collect and share with the authorities competent for that examination any information that is relevant for the latter to identify the appropriate procedure for the examination of the application, thus speeding up that examination. The screening should also ensure that ~~persons with special needs~~**vulnerable persons** are identified at an early stage, so that any ~~special reception and procedural~~ **specific** needs are fully taken into account in the determination of and the pursuit of the applicable procedure.	

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18	(10) The obligations stemming from this Regulation should be without prejudice to the provisions concerning responsibility for examining an application for international protection regulated in Regulation (EU) No XX/XXX [Asylum and Migration Management Regulation].	*deleted*	(10) The obligations stemming from this Regulation should be without prejudice to the provisions concerning responsibility for examining an application for international protection regulated in Regulation (EU) ~~No XX/XXX [Asylum and Migration Management~~**No 604/2013 (Dublin III** Regulation**)**].	
19	(11) This Regulation should apply to third-country nationals and stateless persons who are apprehended in connection with the unauthorised crossings of the external border of a Member State by land, sea or air, except third country nationals for whom the Member State is not required to take the biometric data pursuant to Article 14(1) and (3) of the Eurodac Regulation for reasons other than their age, as well as to persons who have been disembarked following search and rescue operations, regardless of whether they apply or not for international protection. This	(11) This Regulation should apply to third-country nationals and stateless persons who are apprehended in connection with ~~the unauthorised crossings~~**an irregular crossing** of the external border of a Member State by land, sea or air, except ~~third country nationals~~**those** for whom the Member State is not required to take the biometric data pursuant to Article 14(1) and (3) of ~~the~~ **Regulation (EU) xxxx/202x /**Eurodac Regulation**/** for reasons other than their age, as well as to ~~persons~~**those third-country nationals** who have been disembarked following search and	(11) This Regulation should apply to third-country nationals and stateless persons who are apprehended in connection with the unauthorised crossings of the external border of a Member State by land, sea or air, except third country nationals for whom the Member State is not required to take the biometric data pursuant to **[**Article ~~14(1)~~**13(1)** and (3) of the ~~Eurodac~~**Regulation (EU) XXX/XXX (EURODAC III** Regulation**)]** for reasons other than their age, as well as to persons who have been disembarked following search and rescue operations, regardless of whether ~~they~~ **they**	

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	Regulation should also apply to those who seek international protection at the border crossing points or in transit zones without fulfilling the entry conditions	rescue operations~~, regardless of whether they apply or not for international protection. This~~ **and do not fulfil the entry conditions set out in Article 6 of** Regulation ~~should also apply~~**(EU) 2016/399 [Schengen Borders Code] and** to those **third-country nationals who apply for**~~who seek~~ international protection at the border crossing points or in transit zones without fulfilling the entry conditions **set out in Article 6 of Regulation (EU) 2016/399 [Schengen Borders Code].**	apply or not for international protection. **For the latter category of persons, the application of this Regulation should be without prejudice to the obligations of Member States according to international law regarding search and rescue operations.** This Regulation should also apply to those who seek international protection at the border crossing points or in transit zones without fulfilling the entry conditions**.**	
20	(12) The screening should be conducted at or in proximity to the external border, before the persons concerned are authorised to enter the territory. The Member States should apply measures pursuant to national law to prevent the persons concerned from entering the territory during the screening. In individual cases, where required, this may include detention, subject to the national law regulating that matter.	(12) The screening ~~should~~**may** be conducted at ~~or in proximity to the external border, before the persons concerned are authorised to enter the territory. The~~ **any appropriate and adequate location within the territory of a Member State.** Member States should ~~apply measures pursuant to national law to prevent the persons concerned from entering the territory during the screening. In individual cases, where required, this may include detention, subject to the national law regulating that matter~~**designate any location used**	(12) The screening should **in principle** be conducted at or in proximity to the external border**. However, notably where there are no adequate facilities at the border or they are already occupied, it can be conducted in other designated locations**~~, before the persons concerned are authorised to enter the territory~~. The Member States should **lay down in their**~~apply measures pursuant to~~ national law **provisions to ensure the presence of those third-country nationals in the designated locations**~~to prevent the~~	

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		for the screening, which may be located at or in proximity to the external border taking into account geography and existing infrastructures.	~~persons concerned from entering the territory~~ during the screening **in order to prevent absconding**. In individual cases, where required, this may include detention, **as well as other alternative measures that can ensure the same objective,** subject to the national law regulating that matter. **Detention should always be necessary, proportionate and subject to an effective remedy, in line with national, EU and international law and should not exceed the duration provided for by the national regulatory framework. Beyond this duration, alternative measures would apply. The third country nationals subject to screening should remain, for the duration of the screening, at the disposal of the screening authorities. Should they abscond from these authorities, they could be subject to penalties if it is provided for under national law, in line with EU law. Those penalties would complement the framework set out by Regulation (EU) 2016/399 and should be effective, proportionate and dissuasive. Screening within the territory**	

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			should be conducted in any appropriate location.	
20a		**(12a) In individual cases, where required, the screening may include detention, subject to the relevant Union and national law regulating that matter, in particular Directive (EU) xxxx/xxxx [Reception Conditions Directive]. The provisions regarding detention set out in that directive should apply mutatis mutandis to all persons subject to the screening.**		
21	(13) Wherever it becomes clear during the screening that a third-country national subject to it fulfils the conditions of Article 6 of Regulation (EU) 2016/399, the screening should end and the third-country national concerned should be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article 5(3) of that regulation.	(13) Wherever it becomes clear during the screening ~~that~~**of** a third-country national ~~subject to it~~**that such third-country national** fulfils the conditions of Article 6 of Regulation (EU) 2016/399 **[Schengen Borders Code]**, the screening should end and**, if it is not already the case, the person** ~~the third-country national~~ concerned should be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article	(13) Wherever it becomes clear during the screening that a third-country national subject to it fulfils the conditions of Article 6 of Regulation (EU) 2016/399, the screening should **be discontinued** ~~end~~ and the third-country national concerned should be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article 5(3) of that regulation.	

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		5(3) of that Regulation.		
22	(14) In view of the purpose of the derogation referred to in Article 6(5) of Regulation (EU) 2016/399, persons whose entry has been authorised by a Member State under that provision in an individual decision should not be submitted to the screening despite the fact that they do not fulfil all entry conditions.	(14) In view of the purpose of the derogation referred to in Article 6(5) of Regulation (EU) 2016/399, persons whose entry has been authorised by a Member State under that provision in an individual decision should not be submitted to the screening despite the fact that they do not fulfil all entry conditions.	(14) In view of the purpose of the derogation referred to in Article 6(5) of Regulation (EU) 2016/399, persons whose entry has been authorised by a Member State under that provision in an individual decision should not be submitted to the screening despite the fact that they do not fulfil all entry conditions**, unless they make an application for international protection**.	
22a		**(14a) Persons applying for international protection to whom Member States may not apply or may no longer apply a border procedure in accordance with Article 41(3a) of Regulation (EU) xxxx/202x [Asylum Procedure Regulation], should be authorised to enter the territory.**		
23	(15) All persons subject to the screening should be submitted to checks in order to establish their	(15) All persons subject to the screening should be submitted to checks in order to **verify or**	(15) All persons subject to the screening should be submitted to checks**, including, where**	

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	identity and to ascertain that they do not pose a threat to internal security or public health. In the case of persons requesting international protection at border crossing points, the identity and security checks carried out in the context of border checks should be taken into account to avoid duplication.	establish their identity and to ~~ascertain that they do not~~**verify whether they might** pose a threat to internal security or public health. In the case of persons requesting international protection at border crossing points, the identity and security checks carried out in the context of border checks should be taken into account to avoid duplication.	**appropriate, interviews,** in order to establish **or verify** their identity and to ascertain that they do not pose a **security risk or a threat to** ~~threat to internal security or~~ public health. In the case of persons **making an application for** ~~requesting~~ international protection at border crossing points, the identity and security checks carried out in the context of border checks should be taken into account to avoid duplication.	
24	(16) On completion of the screening, the third-country nationals concerned should be referred to the relevant procedure to establish responsibility for examining an application for and to assess the need for international protection, or be made subject to procedures respecting Directive 2008/115 (return directive), as appropriate. The relevant information obtained during the screening should be provided to the competent authorities to support the further assessment of each individual case, in full respect of fundamental rights. The procedures established by Directive 2008/115	(16) On completion of the screening, the third-country nationals concerned should be **either** referred to the ~~relevant~~ procedure to establish responsibility for examining an application for and to assess the need for international protection, or be made subject to procedures respecting Directive ~~2008/115 (~~**2008/115/EC [**Return Directive**] without prejudice to Article 6(5) of Regulation (EU)**~~, as appropriate. The relevant information obtained during the screening~~ **2016/399 [Schengen Borders Code]. The screening form containing the collected**	(16) On completion of the screening, the third-country nationals concerned should be referred to the relevant procedure to establish responsibility for examining an application ~~for and to assess the need for international protection, or be made subject to procedures respecting Directive 2008/115 (return directive~~**respecting the Regulation (EU)**~~, as appropriate. The relevant information obtained during the screening should be provided to the competent authorities to support the further assessment of each individual case, in full respect of fundamental~~	

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	should start applying only after the screening has ended. Article 26 and 27 of the Asylum Procedures Regulation should apply only after the screening has ended. This should be without prejudice to the fact that the persons applying for international protection at the moment of apprehension, in the course of border control at the border crossing point or during the screening, should be considered applicants.	**information** should be provided to the competent authorities to support the further assessment of each individual case, in full respect of fundamental rights. The procedures established by Directive ~~2008/115~~**2008/115/EC** should start applying only after the screening has ended. ~~Article 26 and 27 of the Asylum Procedures Regulation should apply only after the screening has ended. This should be without prejudice to the fact that the persons~~**Persons expressing a wish to apply or** applying for international protection at the moment of apprehension, in the course of border control at the border crossing point or during the screening, should be considered applicants **for international protection from the moment they express their wish to apply for international protection and Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation] and Directive (EU) xxxx/xxxx [Reception Conditions Directive] should apply to them**.	~~rights. The procedures established by Directive 2008/115 should start applying only after the screening has ended. Article 26 and 27 of the Asylum Procedures Regulation should apply only after the screening has ended. This should be without prejudice to the fact that the persons applying~~ **No 604/2013 (Dublin III Regulation) for and to assess the need** for international protection ~~at the moment of apprehension, in the course of border control at the border crossing point or during the screening, should be considered applicants.~~**respecting the Directive 2013/32/EU (asylum directive procedure), or be made subject to procedures respecting recast Directive 2008/115 (return directive), as appropriate.**	
25	(17) The screening could also be	(17) ~~The screening could also be~~	(17) The screening could also be	

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	followed by relocation under the mechanism for solidarity established by Regulation (EU) XXX/XXX [Asylum and Migration Management] where a Member State is contributing to solidarity on a voluntary basis or the applicants for international protection are not subject to the border procedure pursuant to Regulation (EU) No. XXX/XXX (Asylum Procedures Regulation), or under the mechanism addressing situations of crisis established by Regulation (EU) XXX/XXX [Regulation on situations of crisis].	~~followed by relocation~~ Under the mechanism for solidarity established by Regulation (EU) XXX/XXX [Asylum and Migration Management] ~~where a Member State is contributing to solidarity on a voluntary basis or the applicants for international protection are not subject to the border procedure pursuant to~~**or under the mechanism addressing situations of crisis established by** Regulation (EU) ~~No. XXX/XXX (Asylum Procedures~~**XXX/XXX [Crisis** Regulation~~), or under the mechanism addressing situations of crisis established by Regulation (EU) XXX/XXX [Regulation on situations of crisis]~~**], Member States are encouraged to relocate applicants for international protection swiftly and without undue delay after the screening**.	followed by relocation under ~~the~~ **a** mechanism for solidarity ~~established by Regulation (EU) XXX/XXX [Asylum and Migration Management] where a Member State is contributing to solidarity on a voluntary basis or the applicants for international protection are not subject to the border procedure pursuant to Regulation (EU) No. XXX/XXX (Asylum Procedures Regulation), or under the mechanism addressing situations of crisis established by Regulation (EU) XXX/XXX [Regulation on situations of crisis].~~**.**	
26	(18) In accordance with Article 12 of Regulation (EU) 2016/399, the fulfilment of entry conditions and the authorisation of entry are expressed in an entry stamp in a travel document. The absence of such entry stamp or the absence of a travel document may therefore be	*deleted*	(18) In accordance with Article 12 of Regulation (EU) 2016/399, the fulfilment of entry conditions and the authorisation of entry are expressed in an entry stamp in a travel document. The absence of such entry stamp or the absence of a travel document may therefore be	

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	considered as an indication that the holder does not fulfil the entry conditions. With the start of the operation of the Entry/Exit System leading to substitution of the stamps with an entry in the electronic system, that presumption will become more reliable. Member States should therefore apply the screening to third-country nationals who are already within the territory and who are unable to prove that they fulfilled the conditions of entry into the territory of the Member States. The screening of such third-country nationals is necessary in order to compensate for the fact that they presumably managed to evade entry checks upon arrival in the Schengen area and therefore could have not been either refused entry or referred to the appropriate procedure following screening. Applying the screening could also help in ascertaining, through the consultation of the databases referred to in this Regulation, that the persons concerned do not pose a threat to internal security. By the end of the screening within the territory, the third-country nationals concerned should be		considered as an indication that the holder does not fulfil the entry conditions. With the start of the operation of the Entry/Exit System leading to substitution of the stamps with an entry in the electronic system, that presumption will become more reliable. Member States should therefore apply the screening to third-country nationals who are already within the territory and who are unable to prove that they fulfilled the conditions of entry into the territory of the Member States. The screening of such third-country nationals is necessary in order to compensate for the fact that they presumably managed to evade entry checks upon arrival in the Schengen area and therefore could have not been either refused entry or referred to the appropriate procedure following screening. Applying the screening could also help in ascertaining, through the consultation of the databases referred to in this Regulation, that the persons concerned do not pose a ~~threat to internal security~~ **security risk**. By the end of the screening within the territory, the third-country nationals concerned	

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	subject to a return procedure or, where they apply for international protection, to the appropriate asylum procedure. Submitting the same third-country national to repeated screenings should be avoided to the utmost extent possible.		should be subject to a return procedure or, where they apply for international protection, to the appropriate asylum procedure. Submitting the same third-country national to repeated screenings should be avoided to the utmost extent possible.	
26a			**(18a) If an illegally staying third-country national is apprehended or intercepted at or in the immediate vicinity of an internal border, and there is no indication that the person has crossed the external border in an authorized manner or that the person has already been subject to screening, the apprehending Member States may not apply the screening if that person is taken back by another Member State under bilateral agreements or arrangements or under a specific cooperation framework, such as the transfer procedure set out in Article 23a of Regulation (EU) 2016/399. The Member State which has taken back the third-country national should apply the screening. However, in this case,**	

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			the transfer of the third-country national has to occur immediately after the apprehension or interception, in order to ensure that screening should start without delay.	
26b			**(18b) This Regulation is without prejudice to provisions of national law covering the identification of third-country nationals suspected of staying in a Member State illegally in order to research, within a brief but reasonable time, the information enabling a determination of the illegality or legality of the stay.**	
26c			**(18c) Without prejudice to the rules on border control applicable at the internal borders of the Member States where a decision to lift such controls has not been taken yet, screening of third country nationals apprehended in connection with unauthorised crossing of such internal borders where the controls have not yet been lifted should follow the rules**	

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			established by this Regulation for screening within the territory and not the rules established for screening at the external borders.	
27	(19) The screening should be completed as soon as possible, and should not exceed 5 days where it is conducted at the external border and 3 days where it is conducted within the territory of a Member State. Any extension of the 5 days' time limit should be reserved for exceptional situations at the external borders, where the capacities of the Member State to handle screenings are exceeded for reasons beyond its control such as crisis situations referred to in Article 1 of Regulation XXX/XXX [crisis proposal].	(19) The screening should be completed as soon as possible, and should not exceed ~~5 days where it is conducted at the external border and 3 days where it is conducted within the territory of a Member State. Any extension of the 5 days' time limit should be reserved for exceptional situations at the external borders, where the capacities of the Member State to handle screenings are exceeded for reasons beyond its control such as crisis situations referred to in Article 1 of Regulation XXX/XXX [crisis proposal]~~**five days**.	(19) The screening should be completed as soon as possible, and should not exceed 5 days**. Member States may set a shorter period in their national legislation, provided that this ensures that the checks provided for in this Regulation are carried out** ~~where it is conducted at the external border and 3 days where it is conducted within the territory of a Member State~~. Any extension of the 5 days' time limit should be reserved for exceptional situations at the external borders, where the capacities of the Member State to handle screenings are exceeded for reasons beyond its control ~~such as crisis situations referred to in Article 1 of Regulation XXX/XXX [crisis proposal].~~	
27a		**(19a) In a situation of crisis in accordance with Regulation (EU)**		

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		XXX/XXXX [Crisis Regulation] the screening should be carried out at the latest within ten days. Member States should still always carry out the screening without delay and as quickly as possible.		
28	(20) The Member States should determine appropriate locations for the screening at or in proximity to the external border taking into account geography and existing infrastructures, ensuring that apprehended third-country nationals as well as those who present themselves at a border crossing point can be swiftly submitted to the screening. The tasks related to the screening may be carried out in hotspot areas as referred to in point (23) of Article 2 of Regulation (EU) 2019/1896 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard, OJ L 295, 14.11.2019, p. 1.	*deleted*	(20) The Member States should determine appropriate locations for the screening at or in proximity to the external border **or, in any other designated location,** taking into account geography and existing infrastructures, ensuring that apprehended third-country nationals as well as those who present themselves at a border crossing point can be swiftly submitted to the screening. The tasks related to the screening may be carried out in hotspot areas as referred to in point (23) of Article 2 of Regulation (EU) 2019/1896 of the European Parliament and of the Council[1]. **For the screening within the territory Member States should determine appropriate locations in the territory.** _____ 1. Regulation (EU) 2019/1896 of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard, OJ L 295, 14.11.2019, p. 1.	
29	(21) In order to achieve the objectives of the screening, close cooperation should be ensured between the competent national authorities referred to in Article 16 of Regulation 2016/399, those referred to in Article 5 of the [Asylum Procedures Regulation] as well as those responsible for carrying out return procedures respecting Directive 2008/115. Child protection authorities should also be closely involved in the screening wherever necessary to ensure that the best interests of the child are duly taken into account throughout the screening. Member States should be allowed to avail themselves of the support of the relevant agencies, in particular the European Border and Coast Guard Agency and the [European Union Agency for Asylum], within the limits of their mandates. Member States should involve the national Rapporteurs for Anti-trafficking wherever the screening reveals	(21) In order to achieve the objectives of the screening, close cooperation should be ensured between the competent national authorities referred to in Article 16 of ~~Regulation 2016/399~~**Regulation (EU) 2016/399 [Schengen Borders Code]**, those referred to in Article 5 of ~~the~~**Regulation (EU) xxxx/xxxx** [Asylum Procedures Regulation] as well as those responsible for carrying out return procedures respecting Directive ~~2008/115. Child protection authorities should also be closely involved in the screening wherever necessary to ensure that the best interests of the child are duly taken into account throughout the screening~~**2008/115/EC. In that regard, it is important to avoid the duplication of obligations on Member States and applicants for international protection regarding the procedures in place, and the duplication of rules concerning reception**	(21) In order to achieve the objectives of the screening, close cooperation should be ensured between the competent national authorities referred to in Article 16 of Regulation 2016/399, those ~~referred to in Article 5 of the [Asylum Procedures Regulation]~~**involved in asylum procedures and responsible for reception of applicants,** as well as those responsible for carrying out return procedures respecting Directive 2008/115. Child protection authorities should also be closely involved in the screening wherever necessary to ensure that the best interests of the child are duly taken into account throughout the screening. Member States should be allowed to avail themselves of the support of the relevant agencies, in particular the European Border and Coast Guard Agency and the [European Union Agency for Asylum], within the limits of their mandates. Member	

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	facts relevant for trafficking in line with Directive 2011/36/EU of the European Parliament and of the Council[1]. _____ 1. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, OJ L 101, 15.4.2011, p. 1.	**conditions and grounds on which persons might be detained**. Member States should be allowed **and are encouraged** to avail themselves of the support of the relevant agencies, in particular the European Border and Coast Guard Agency and the ~~[~~European Union Agency for Asylum~~]~~, within the limits of their mandates. Member States should involve the national Rapporteurs for Anti-trafficking wherever the screening reveals facts relevant for trafficking in line with Directive 2011/36/EU of the European Parliament and of the Council[1]. _____ 1. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, OJ L 101, 15.4.2011, p. 1.	States should involve the national Rapporteurs for Anti-trafficking **or equivalent mechanisms** wherever the screening reveals facts relevant for trafficking in line with Directive 2011/36/EU of the European Parliament and of the Council[1]. _____ 1. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, OJ L 101, 15.4.2011, p. 1.	
29a		**(21a) During the screening procedure, the best interests of the child should always be a primary consideration in accordance with Article 24(2) of the Charter of Fundamental Rights of the European Union (the 'Charter'). Child protection authorities should, wherever**		

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		necessary, be closely involved in the screening to ensure that the best interests of the child are duly taken into account throughout the screening. A representative should be appointed to represent and assist the unaccompanied minor during the screening. Where applicable, this representative should be the same as the representative to be appointed in accordance with Article 23 of Directive (EU) XXX/XXX [Reception Conditions Directive].		
30	(22) When conducting the screening, the competent authorities should comply with the Charter of Fundamental Rights of the European Union and ensure the respect for human dignity and should not discriminate against persons on grounds of sex, racial, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinions, membership of a national minority, disability, age or sexual orientation. Particular attention should be paid to the best interests of the child.	(22) When ~~conducting the screening, the competent authorities~~**applying this Regulation, the Member States** should comply with the Charter**, relevant international law, including the Convention Relating to the Status of Refugees done at Geneva on 28 July 1951 ('the Geneva Convention'),**~~ of Fundamental Rights of the European Union~~ and ensure the respect for human dignity and should not discriminate against persons on grounds of sex, racial, colour, ethnic or social	(22) When conducting the screening, the competent authorities should comply with the Charter of Fundamental Rights of the European Union and ensure the respect for human dignity and should not discriminate against persons on grounds of sex, racial, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinions, membership of a national minority, disability, age or sexual orientation. Particular attention should be paid to the best interests of the child.	

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		origin, genetic features, language, religion or belief, political or any other opinions, membership of a national minority, disability, age or sexual orientation. Particular attention should be paid to the best interests of the child.		
31	(23) In order to ensure compliance with EU and international law, including the Charter of Fundamental Rights, during the screening, each Member State should establish a monitoring mechanism and put in place adequate safeguards for the independence thereof. The monitoring mechanism should cover in particular the respect for fundamental rights in relation to the screening, as well as the respect for the applicable national rules regarding detention and compliance with the principle of non-refoulement as referred to in Article 3(b) of Regulation (EU) 2016/399. The Fundamental Rights Agency should establish general guidance as to the establishment and the independent functioning of such monitoring mechanism. Member States should furthermore	(23) In order to ensure compliance with ~~EU~~**Union** and international law, including the Charter**, during border surveillance and** ~~of Fundamental Rights, during~~ the screening **procedure**, each Member State should establish **or designate** a monitoring mechanism and put in place adequate safeguards for the independence ~~thereof. The monitoring~~**of that** mechanism ~~should cover in particular the respect for fundamental rights in relation to the screening~~**in accordance with the Paris Principles**, ~~as well as the respect for the applicable national rules regarding detention and compliance with the principle of non-refoulement as referred to in Article 3(b) of Regulation (EU) 2016/399. The Fundamental Rights Agency should establish general guidance as to the establishment~~	(23) In order to ensure compliance with EU and international law, including the Charter of Fundamental Rights, during the screening, each Member State should **provide for** ~~establish~~ a monitoring mechanism and put in place adequate safeguards for the independence thereof. **For this purpose Member States may resort to already existing national fundamental rights monitoring mechanisms which foresee safeguards that ensure their independences.** The monitoring mechanism should cover in particular the respect for fundamental rights in relation to the screening, as well as the respect for the applicable national rules regarding detention and compliance with the principle of non-refoulement as referred to in Article 3(b) of Regulation (EU)	

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	be allowed to request the support of the Fundamental Rights Agency for developing their national monitoring mechanism. Member States should also be allowed to seek advice from the Fundamental Rights Agency with regard to establishing the methodology for this monitoring mechanism and with regard to appropriate training measures. Member States should also be allowed to invite relevant and competent national, international and non-governmental organisations and bodies to participate in the monitoring. The independent monitoring mechanism should be without prejudice to the monitoring of fundamental rights provided by the European Border and Coast Guard Agency's fundamental rights monitors provided for in Regulation (EU) 2019/1896. The Member States should investigate allegations of the breach of the fundamental rights during the screening, including by ensuring that complaints are dealt with expeditiously and in an appropriate way.	~~and the independent functioning of such monitoring mechanism. Member States should furthermore be allowed to request the support of the Fundamental Rights Agency for developing their national monitoring~~ **the Venice Principles, the United Nations General Assembly Resolution of 28 December 2020 on the role of the Ombudsman, and the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, in particular by involving national human rights institutions, national ombudspersons or international organisations in the management and operation of the** mechanism. Member States ~~should also be allowed to seek advice from the Fundamental Rights Agency with regard to establishing the methodology for this monitoring~~**may also involve relevant non-governmental organisations. The bodies responsible for the** mechanism ~~and with regard to appropriate training measures. Member States~~ should ~~also be allowed to invite relevant and competent~~**establish**	2016/399. The Fundamental Rights Agency should establish general guidance as to the establishment and the independent functioning of such monitoring mechanism. Member States should furthermore be allowed to request the support of the Fundamental Rights Agency for developing their national monitoring mechanism. Member States should also be allowed to seek advice from the Fundamental Rights Agency with regard to establishing the methodology for this monitoring mechanism and with regard to appropriate training measures. Member States should also be allowed to invite relevant and competent national, international and non-governmental organisations and bodies to participate in the monitoring. The independent monitoring mechanism should be without prejudice to the monitoring of fundamental rights provided by the European Border and Coast Guard Agency's fundamental rights monitors provided for in Regulation (EU) 2019/1896. The Member States should investigate allegations of the breach of the fundamental rights during the	

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		and maintain close links with the national~~, international and non-governmental organisations and bodies to participate in the monitoring. The independent monitoring~~ **data protection authorities and the European Data Protection Supervisor. The** mechanism should ~~be without prejudice to the monitoring of~~**monitor the respect for** fundamental rights ~~provided by the European~~**in relation to** border **surveillance and the screening procedure, as well as the respect for the applicable rules regarding detention and compliance with the principle of non-refoulement as referred to in Article 3(b) of Regulation (EU) 2016/399 [Schengen Borders Code]**~~and Coast Guard Agency's fundamental rights monitors provided for in Regulation (EU) 2019/1896. The Member States should investigate allegations of the breach of the fundamental rights during the screening, including by ensuring that complaints are dealt with expeditiously and in an appropriate way~~.	screening, including by ensuring that complaints are dealt with expeditiously and in an appropriate way.	

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31a		**(23a) The Fundamental Rights Agency (FRA) should establish general guidance as to the establishment and the independent functioning of such monitoring mechanism. Member States should furthermore be allowed to request the support of the FRA for developing their national monitoring mechanism. Member States should also be allowed to seek advice from the FRA with regard to establishing the methodology for this monitoring mechanism and appropriate training measures.**		
31b		**(23b) The independent monitoring mechanism should be in addition and without prejudice to the monitoring of fundamental rights provided by the European Border and Coast Guard Agency's fundamental rights monitors provided for in Regulation (EU) 2019/1896 of the European Parliament and of the Council[1a], the monitoring mechanism for the purpose of monitoring the operational and technical application of the**		

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		Common European Asylum System (CEAS) as set out in Article 14 of Regulation (EU) 2021/2303 of the European Parliament and of the Council [1b][EU Asylum Agency Regulation], the Schengen Evaluation and Monitoring Mechanism provided for in Council Regulation (EU) 2022/922 of the European Parliament and of the Council [1c] and monitoring carried out by existing national or international monitoring bodies. Member States should investigate all allegations of non-respect of fundamental rights during border surveillance and the screening procedure, including by ensuring that complaints are dealt with promptly, expeditiously and are capable of leading to the identification and sanction of those responsible in an appropriate manner. _____ **1a. Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1).** **1b. Regulation (EU) 2021/2303 of the**		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, p. 1). **1c. Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis, and repealing Regulation (EU) No 1053/2013 (OJ L 160, 15.6.2022, p. 1).**		
31c		**(23c) Member States should ensure that the implementation of the screening procedure, and the set up and operation of the independent monitoring mechanism, are adequately financed and resourced. To that end, Member States may request funding for the establishment and operation of the independent monitoring mechanism from Union funding sources, in particular the Integrated Border Management Fund (IBMF) provided for in Regulation (EU) 2021/1148.**		
31d		**(23d) The obligations on Member States to establish or**		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		designate an existing independent monitoring mechanism during border surveillance and the screening procedure set out in this Regulation as well as during the asylum and return border procedure set out in Article [XX] of Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation] should be fulfilled through the establishment or designation of one mechanism that covers all relevant phases and procedures specified in the respective regulations.		
32	(24) By the end of the screening, the authorities responsible for the screening should fill in a de-briefing form. The form should be transmitted to the authorities examining applications for international protection or to the authorities competent for return – depending on whom the individual is referred to. In the former case, the authorities responsible for the screening should also indicate any elements which may seem to be relevant for determining whether the competent authorities should	(24) By the end of the screening, the authorities responsible for the screening should fill in a ~~de-briefing~~**screening** form. The form should be transmitted to the authorities examining applications for international protection or to the authorities competent for return – depending ~~on~~**to** whom the ~~individual~~**person** is referred ~~to. In the former case, the authorities responsible for the screening should also indicate any elements which may seem to be relevant for determining whether the competent~~	(24) **As soon as possible and, at latest** by the end of the screening, the authorities responsible for the screening should fill in a **screening form with all relevant information gathered or include such information in the relocation** ~~de-briefing~~ form. The form should be transmitted **by any appropriate means, including digital tools,** to the authorities examining applications for international protection or to the authorities competent for return **procedures**– depending on whom	

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	submit the application of the third-country national concerned to an accelerated examination procedure or to the border procedure.	~~authorities should submit the application of the third-country national concerned to an accelerated examination procedure or to the border procedure~~.	the individual is referred to.~~ In the former case, the authorities responsible for the~~ **The end of** screening should ~~also indicate any elements which may seem to be relevant for determining whether the competent authorities should submit the application~~**not prevent authorities, where appropriate, to continue actions to determine the identity** of the ~~third-country national~~**person** concerned ~~to an accelerated examination procedure or to the border procedure~~**and assess possible security risks**.	
32a		**(24a) The information in the screening form should be recorded in such a way that it is amenable to administrative and judicial review during any subsequent asylum or return procedure. The person subject to the screening should have the possibility to indicate to the competent authorities that the information contained in the form is incorrect. Any such indication should be recorded in the screening form without delaying the completion of the screening.**		

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32b		**(24b) The person concerned should be provided with a copy of the screening form before it is transmitted to the relevant authorities. In the case of minors, the copy of the form should be provided to the adult or adults responsible for the child. In the case of unaccompanied minors, the form should be provided to the representative of the child.**		
32c		**(24c) The processing of data during the screening procedure should always be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council[1a] [GDPR], Regulation 2018/1725 of the European Parliament and of the Council[1b] or, where relevant, Directive 2016/680 of the European Parliament and of the Council [1c][Police Directive], including the general principles of data minimisation and purpose limitation. Particular attention should be given to Article 13 of Regulation (EU)**		

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		2016/679 [GDPR], Article 13 of Directive (EU) 2016/680 [Police Directive] and Article 15 of Regulation (EU) 2018/1725, including the right to request from the data controller access to and rectification or erasure of personal data and the right to lodge a complaint with a supervisory authority. When implementing this Regulation, all relevant opinions and recommendations of the European Data Protection Board and European Data Protection Supervisor should be taken into account. _____ **1a. 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).** **1b. 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).**		

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		1c. Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).		
33	(25) The biometric data taken during the screening should, together with the data referred to in Articles [12, 13, 14 and 14a] of the Eurodac Regulation be transmitted to Eurodac by the competent authorities in accordance with the deadlines provided for in that Regulation.	*deleted*	(25) The biometric data taken during the screening should, together with the data referred to in Articles **] [10** ~~[12~~, 13, 14 and 14a~~]~~ of the Eurodac **III** Regulation**]** be transmitted to Eurodac by the competent authorities in accordance with the deadlines provided for in that Regulation.	
34	(26) A preliminary health examination should be carried out on all persons submitted to the screening at the external borders with a view to identifying persons in need of immediate care or requiring other measures to be taken, for instance isolation on	(26) A preliminary health examination should be carried out on all persons submitted to the screening ~~at the external borders~~ with a view to identifying persons in need of immediate care or requiring other measures to be taken, for instance isolation on	(26) A preliminary health ~~examination~~ **check** should be carried out on ~~all~~ persons submitted to the screening at the external borders with a view to identifying persons in need of immediate care or requiring other measures to be taken, for instance	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	public health grounds. The specific needs of minors and vulnerable persons should be taken into account. If it is clear from the circumstances that such examination is not needed, in particular because the overall condition of the person appears to be very good, the examination should not take place and the person concerned should be informed of that fact. The preliminary health examination should be carried out by the health authorities of the Member State concerned. With regard to third-country nationals apprehended within the territory, the preliminary medical examination should be carried out where it is deemed necessary at first sight.	public health grounds. The specific needs of minors and vulnerable persons should be taken into account. ~~If it is clear from the circumstances that such examination is not needed, in particular because the overall condition of the person appears to be very good, the examination should not take place and the person concerned should be informed of that fact.~~ The preliminary health examination should be carried out by **qualified medical professionals of** the health authorities of the Member State concerned. ~~With regard to third-country nationals apprehended within the territory, the preliminary medical examination should be carried out where it is deemed necessary at first sight.~~	isolation on public health grounds. ~~The specific needs of minors and vulnerable persons should be taken into account.~~ If it is clear from the circumstances that such examination **check** is not needed, in particular because the overall condition of the person appears to be very good, the ~~examination~~ **check** should not take place and the person concerned should be informed of that fact. **By way of derogation and in exceptional circumstances linked to the number of third-country nationals needing to be subject to the screening, and based on the overall condition of the person, the decision on the absence of the necessity of such a** ~~The~~ preliminary health ~~examination should be carried out~~**check may be taken** by the ~~health~~**screening** authorities **under the supervision of qualified medical staff.** ~~of~~ The Member ~~State concerned. With regard to third-country nationals apprehended within the territory,~~**States should notify the Commission where they make use of such a possibility.** The preliminary ~~medical examination~~**health check** should	

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			be carried out ~~where it is deemed necessary at first sight~~**by qualified medical staff of the Member State concerned**.	
34a		**(26a) A preliminary vulnerability check should be carried out on all persons submitted to the screening with a view to identifying persons who are in a vulnerable situation, are victims of torture or other inhuman or degrading treatment, are stateless persons or at risk of becoming stateless persons, or have special reception or procedural needs within the meaning of Article [21] of Directive (EU) xxxx/xxxx [Reception Conditions Directive] and Article [20] of Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation]. The vulnerability check should be carried out by qualified professionals of the Member State concerned.**		
34b			**(26a) During screening, a vulnerability check should be**	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			carried out to identify any indications of vulnerability without prejudice to further assessment in subsequent procedures following the completion of screening. The specific needs of minors and vulnerable persons should be taken into account.	
35	(27) During the screening, all persons concerned should be guaranteed a standard of living complying with the Charter of Fundamental Rights of the European Union and have access to emergency health care and essential treatment of illnesses. Particular attention should be paid to individuals with vulnerabilities, such as pregnant women, elderly persons, single parent families, persons with an immediately identifiable physical or mental disability, persons visibly having suffered psychological or physical trauma and unaccompanied minors. In particular, in case of a minor, information should be provided in a child-friendly and age appropriate manner. All the authorities involved in the	(27) During the screening, all persons concerned should be guaranteed a standard of living complying with the Charter ~~of Fundamental Rights of the European Union~~ and have access to emergency health care and essential treatment of illnesses. **Directive (EU) XXX/XXX [Reception Conditions Directive] applies to applicants for international protection.** Particular attention should be paid to individuals with vulnerabilities, such as **minors, unaccompanied minors,** pregnant women, elderly persons, single parent families, **victims of trafficking in human beings,** persons with ~~an immediately identifiable~~**a serious illness, persons with a mental disorder, persons with a** physical	(27) During the screening, all persons concerned should be guaranteed a standard of living complying with the Charter of Fundamental Rights of the European Union and have access to emergency health care and essential treatment of illnesses. Particular attention should be paid to individuals with vulnerabilities, such as pregnant women, elderly persons, single parent families, persons with an immediately identifiable physical or mental disability, persons visibly having suffered psychological or physical trauma and unaccompanied minors. In particular, in case of a minor, information should be provided in a child-friendly and age appropriate manner. All the authorities involved in the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	performance of the tasks related to the screening should respect human dignity, privacy, and refrain from any discriminating actions or behaviour.	or mental disability, persons ~~visibly having suffered psychological or physical trauma and unaccompanied minors~~**who have been subjected to torture, rape or other serious forms of psychological physical or sexual violence**. In particular, in **the** case of a minor, information should be provided in a child-friendly and age appropriate manner **and should also be provided to the representative of the minor**. All the authorities involved in the performance of the tasks related to the screening should respect human dignity, privacy, and refrain from any discriminating actions or behaviour.	performance of the tasks related to the screening should **report any situation of vulnerabilities observed or reported to them,** respect human dignity, privacy, and refrain from any discriminating actions or behaviour.	
36	(28) Since third-country nationals subject to the screening may not carry the necessary identity and travel documents required for the legal crossing of the external border, an identification procedure should be provided for as part of the screening.	(28) Since third-country nationals subject to the screening may not ~~carry~~**have** the necessary identity and travel documents required for the legal crossing of the external border, **a verification of identity or** an identification procedure should be ~~provided for~~**carried out** as part of the screening.	(28) Since third-country nationals subject to the screening may not carry the necessary identity and travel documents required for the legal crossing of the external border, an identification **or verification** procedure should be provided for as part of the screening.	
37				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(29) The Common Identity Repository (“CIR”) was established by Regulation (EU) 2019/817 of the European Parliament and of the Council (Interoperability Regulation)[1] to facilitate and assist in the correct identification of persons registered in the Entry/Exit System (“EES”), the Visa Information System (“VIS”), the European Travel Information and Authorisation System (“ETIAS”), Eurodac and in the European Criminal Records Information System for third country nationals (“ECRIS-TCN”), including of unknown persons who are unable to identify themselves. For that purpose, the CIR contains only the identity, travel document and biometric data recorded in EES, VIS, ETIAS, Eurodac and ECRIS-TCN, logically separated. Only the personal data strictly necessary to perform an accurate identity check is stored in the CIR. The personal data recorded in the CIR is kept for no longer than strictly necessary for the purposes of the underlying systems and should automatically be deleted where the data are deleted from the underlying systems. Consultation	(29) The Common Identity Repository ("CIR") was established by Regulation (EU) 2019/817– of the European Parliament and of the Council (Interoperability Regulation)[1] to facilitate and assist in the correct identification of persons registered in the Entry/Exit System ("EES"), the Visa Information System ("VIS"), the European Travel Information and Authorisation System ("ETIAS"), Eurodac and in the European Criminal Records Information System for ~~third country~~**third-country** nationals ("ECRIS-TCN"), including of unknown persons who are unable to identify themselves. For that purpose, the CIR contains only the identity, travel document and biometric data recorded in EES, VIS, ETIAS, Eurodac and ECRIS-TCN, logically separated. Only the personal data strictly necessary to perform an accurate identity check is stored in the CIR. The personal data recorded in the CIR ~~is kept for no longer than strictly necessary for the purposes of the underlying systems and should~~**are** automatically ~~be~~ deleted where the data are deleted from the	(29) The Common Identity Repository ("CIR") was established by Regulation (EU) 2019/817– of the European Parliament and of the Council (Interoperability Regulation)[1] to facilitate and assist in the correct identification of persons registered in the Entry/Exit System ("EES"), the Visa Information System ("VIS"), the European Travel Information and Authorisation System ("ETIAS"), Eurodac and in the European Criminal Records Information System for third country nationals ("ECRIS-TCN"), including of unknown persons who are unable to identify themselves. For that purpose, the CIR contains only the identity, travel document and biometric data recorded in EES, VIS, ETIAS, Eurodac and ECRIS-TCN, logically separated. Only the personal data strictly necessary to perform an accurate identity check is stored in the CIR. The personal data recorded in the CIR is kept for no longer than strictly necessary for the purposes of the underlying systems and should automatically be deleted where the data are deleted from the underlying systems. Consultation of the CIR	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the CIR enables a reliable and exhaustive identification of persons, by making it possible to consult all identity data present in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in one go, in a fast and reliable manner, while ensuring a maximum protection of the data and avoiding unnecessary processing or duplication of data. _____ 1. Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA, OJ L 135, 22.5.2019, p. 27.	underlying systems. Consultation of the CIR enables a reliable and exhaustive **verification of identity or** identification of persons, by making it possible to consult all identity data present in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in one go, in a fast and reliable manner, while ensuring ~~a maximum~~**the** protection of the data and avoiding unnecessary processing or duplication of data. _____ 1. Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA, OJ L 135, 22.5.2019, p. 27.	enables a reliable and exhaustive identification of persons, by making it possible to consult all identity data present in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in one go, in a fast and reliable manner, while ensuring a maximum protection of the data and avoiding unnecessary processing or duplication of data. _____ 1. Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA, OJ L 135, 22.5.2019, p. 27.	
38	(30) In order to establish the identity of the persons subject to the screening, a verification should be initiated in the CIR in the presence of the person during the screening. During that verification, the biometric data of the person should be checked against the data	(30) In order to **verify or** establish the identity of the persons subject to the screening, a verification should be initiated in the CIR in the presence of the person during the screening. During that verification, the biometric data of the person should be checked	(30) In order to establish the identity of the persons subject to the screening, a verification should be initiated in the CIR in the presence of the person during the screening. During that verification, the biometric data of the person should be checked against the data	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	contained in the CIR. Where the biometric data of a person cannot be used or if a query with that data fails, the query could be carried out with identity data of the person in combination with travel document data, where such data are available. In accordance with the principles of necessity and proportionality, and where the query indicates that data on that person are stored in the CIR, Member State authorities should have access to the CIR to consult the identity data, travel document data and biometric data of that person, without the CIR providing any indication as to which EU information system the data belong to.	against the data contained in the CIR. Where the biometric data of a person cannot be used or if a ~~query~~**consultation** with that data fails, the ~~query~~**consultation** could be carried out with identity data of the person in combination with travel document data, where such data are available. In accordance with the principles of necessity and proportionality, and where the ~~query~~**consultation** indicates that data on that person are stored in the CIR, Member State authorities should have access to the CIR to consult the identity data, travel document data and biometric data of that person, without the CIR providing any indication as to which EU information system the data belong to.	contained in the CIR. Where the biometric data of a person cannot be used or if a query with that data fails, the query could be carried out with identity data of the person in combination with travel document data, where such data are available. In accordance with the principles of necessity and proportionality, and where the query indicates that data on that person are stored in the CIR, Member State authorities should have access to the CIR to consult the identity data, travel document data and biometric data of that person, without the CIR providing any indication as to which EU information system the data belong to.	
39	(31) Since the use of the CIR for identification purposes has been limited by Regulation (EU) 2019/817 to facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in situations of police checks within the territory of the Member States, that	(31) Since the use of the CIR for identification purposes has been limited by Regulation (EU) 2019/817 to facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in situations of police checks within the territory of the Member States, that	(31) Since the use of the CIR for identification purposes has been limited by Regulation (EU) 2019/817 to facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in situations of police checks within the territory of the Member States, that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation needs to be amended to provide for the additional purpose of using the CIR to identify persons during the screening established by this Regulation.	Regulation needs to be amended to provide for the additional purpose of using the CIR to identify persons during the screening established by this Regulation.	Regulation needs to be amended to provide for the additional purpose of using the CIR to identify persons during the screening established by this Regulation.	
40	(32) Given that many persons submitted to the screening may not carry any travel documents, the authorities conducting the screening should have access to any other relevant documents held by the persons concerned in cases where the biometric data of such persons are not usable or yield no result in the CIR. The authorities should also be allowed to use data from those documents, other than biometric data, to carry out checks against the relevant databases.	(32) Given that many persons submitted to the screening may not ~~carry~~**have** any travel documents, the authorities conducting the screening should have access to any other relevant documents held by the persons concerned **for the verification of identity or identification** in cases where the biometric data of such persons are not usable or yield no result in the CIR. The authorities should also be allowed to use data from those documents, other than biometric data, to carry out checks against the relevant databases.	(32) Given that many persons submitted to the screening may not carry any travel documents, the authorities conducting the screening should have access to any other relevant documents held by the persons concerned in cases where the biometric data of such persons are not usable or yield no result in the CIR. The authorities should also be allowed to use data from those documents, other than biometric data, to carry out checks against the relevant databases.	
41	(33) The identification of persons during border checks at the border crossing point and any consultation of the databases in the context of border surveillance or police checks in the external border area by the authorities who referred the	(33) The identification of persons during border checks at the border crossing point and any consultation of the databases in the context of border surveillance or police checks in the external border area by the authorities who referred the	(33) The identification of persons during border checks at the border crossing point and any consultation of the databases in the context of border surveillance or police checks in the external border area by the authorities who referred the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	person concerned to the screening should be considered as part of the screening and should not be repeated, unless there are special circumstances justifying such repetition.	person concerned to the screening should be considered as part of the screening and should not be repeated, unless there are special circumstances justifying such repetition. **It is neither necessary nor proportionate to consult the same database multiple times in respect of the same person. The collection of personal data, and in particular the taking of biometric data for the purpose of both verification or identification and of the registration in accordance with the requirements of Regulation (EU) xxxx/xxxx [Eurodac Regulation], should take place once as part of the screening.**	person concerned to the screening should be considered as part of the screening and should not be repeated, unless there are special circumstances justifying such repetition.	
42	(34) In order to ensure uniform conditions for the implementation of Articles 11(5) and 12(5) of this Regulation, 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[1]. For the adoption of relevant implementing acts, the examination procedure should be	(34) In order to ensure uniform conditions for the implementation of ~~Articles 11(5) and 12(5)~~**Article 11(5)** of this Regulation, 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[1]. For the adoption of relevant implementing acts, the examination	(34) In order to ensure uniform conditions for the implementation of Articles ~~11(5) and 12(5)~~**11(4) and 12(8)** of this Regulation, 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[1]. For the adoption of relevant implementing acts, the examination	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	used. _____ 1. 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 the Member States of the Commission's exercise of implementing power (OJ L 55, 28.2.2011, p. 13).	procedure should be used. _____ 1. 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 the Member States of the Commission's exercise of implementing power (OJ L 55, 28.2.2011, p. 13).	procedure should be used. _____ 1. 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 the Member States of the Commission's exercise of implementing power (OJ L 55, 28.2.2011, p. 13).	
43	(35) The screening should also assess whether the entry of the third-country nationals into the Union could pose a threat to internal security or to public policy.	*deleted*	(35) The screening should also assess whether the entry of the third-country nationals into the Union could pose a ~~threat to internal~~ security ~~or to public policy~~**risk** .	
44	(36) As the screening concerns persons present at the external border without fulfilling entry conditions, or disembarked after a search and rescue operation, the security checks as part of the screening should be at least of a similar level as the checks performed in respect of third country nationals that apply on beforehand for an authorisation to enter the Union for a short stay, whether they are under a visa	(36) As the screening concerns ~~persons~~**third-country nationals** present at the external border ~~without fulfilling~~**who may not fulfil** entry conditions, or **who have been** disembarked after a search and rescue operation, the security checks as part of the screening should be ~~at least~~ of a similar level ~~as~~**to** the checks performed in respect of ~~third country~~**third-country** nationals ~~that~~**who** apply ~~on~~ beforehand for	(36) As the screening concerns persons present at the external border without fulfilling entry conditions, or disembarked after a search and rescue operation, the security checks as part of the screening should be at least of a similar level as the checks performed in respect of third country nationals that apply on beforehand for an authorisation to enter the Union for a short stay, whether they are under a visa	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	obligation or not.	an authorisation to enter the Union for a short stay, whether they are under a visa obligation or not.	obligation or not.	
45	(37) For third-country nationals who are on the basis of their nationality exempt from the visa requirement under Regulation (EU) 2018/1806 of the European Parliament and the Council[1], Regulation (EU) 2018/1240 of the European Parliament and of the Council[2] (ETIAS Regulation) provides that they have to apply for a travel authorisation to come to the EU for short stay. Before receiving that travel authorisation, the persons concerned are submitted to security checks of the personal data they submit against a number of EU databases – the Visa Information System (VIS), the Schengen Information System (SIS), the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), the Europol data processed for the purpose referred to in Article 18(2)(a) of Regulation (EU) 2016/794[3], ECRIS-TCN[4] – as well as Interpol's Stolen and Lost Travel Document database	(37) For third-country nationals who are on the basis of their nationality exempt from the visa requirement under Regulation (EU) 2018/1806 of the European Parliament and the Council[1], Regulation (EU) 2018/1240 of the European Parliament and of the Council[2] (ETIAS Regulation) provides that they have to apply for a travel authorisation to come to the EU for short stay. Before receiving that travel authorisation, the persons concerned are submitted to security checks of the personal data they submit against a number of EU databases – the Visa Information System (VIS), the Schengen Information System (SIS), the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), the Europol data processed for the purpose referred to in Article 18(2)(a) of Regulation (EU) 2016/794[3], ECRIS-TCN[4] – as well as Interpol's Stolen and Lost Travel Document database	(37) For third-country nationals who are on the basis of their nationality exempt from the visa requirement under Regulation (EU) 2018/1806 of the European Parliament and the Council[1], Regulation (EU) 2018/1240 of the European Parliament and of the Council[2] (ETIAS Regulation) provides that they have to apply for a travel authorisation to come to the EU for short stay. Before receiving that travel authorisation, the persons concerned are submitted to security checks of the personal data they submit against a number of EU databases – the Visa Information System (VIS), the Schengen Information System (SIS), the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), the Europol data processed for the purpose referred to in Article 18(2)(a) of Regulation (EU) 2016/794[3],– ECRIS-TCN[4] – as well as Interpol's Stolen and Lost Travel Document database	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(SLTD) and Travel Documents Associated with Notices database (Interpol TDAWN). _____ 1. Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 303, 28.11.2018, p. 39). 2. Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1). 3. Regulation (EU) 2016/794 of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53–114) 4. Regulation (EC) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1–26)	(SLTD) and Travel Documents Associated with Notices database (Interpol TDAWN). _____ 1. Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 303, 28.11.2018, p. 39). 2. Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1). 3. Regulation (EU) 2016/794 of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53–114) 4. Regulation (EC) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1–26)	(SLTD) and Travel Documents Associated with Notices database (Interpol TDAWN). _____ 1. Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 303, 28.11.2018, p. 39). 2. Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1). 3. Regulation (EU) 2016/794 of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53–114)**.** 4. Regulation (EC) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1–26)**.**	

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46	(38) As to third-country nationals who are subject to the visa requirement under Regulation (EU) 2018/1806, they are submitted to security checks against the same databases as visa-free third country nationals, pursuant to Regulation (EU) 810/2009 and Regulation (EU) 767/2008 before a visa is issued.	(38) As to third-country nationals who are subject to the visa requirement under Regulation (EU) 2018/1806, they are submitted to security checks against the same databases as visa-free third country nationals, pursuant to Regulation (EU) 810/2009 and Regulation (EU) 767/2008 before a visa is issued.	(38) As to third-country nationals who are subject to the visa requirement under Regulation (EU) 2018/1806, they are submitted to security checks against the same databases as visa-free third country nationals, pursuant to Regulation (EU) 810/2009 and Regulation (EU) 767/2008 before a visa is issued.	
47	(39) It follows from the reasoning developed in recital (36) that as regards persons subject to the screening, automated verifications for security purposes should be carried out against the same systems as is provided for applicants for a visa or for a travel authorisation under the European Travel Information and Authorisation System: the VIS, EES, ETIAS, SIS, ECRIS-TCN, Europol and Interpol's SLTD and TDAWN. Persons submitted to the screening should also be checked against ECRIS-TCN as regards persons convicted in relation to terrorist offences and other forms of serious criminal offences, Europol data referred to in the	(39) ~~It follows from the reasoning developed in recital (36) that~~ As regards persons subject to the screening, automated ~~verifications~~**consultation** for security purposes ~~should be carried out against the same systems as is provided for applicants for a visa or for a travel authorisation under the European Travel Information and Authorisation System: the VIS, EES, ETIAS, SIS, ECRIS-TCN, Europol and Interpol's SLTD and TDAWN. Persons submitted to the screening~~**of the relevant databases** should also be ~~checked against ECRIS-TCN as regards persons convicted in relation to terrorist offences and other forms of serious criminal offences,~~	(39) It follows from the reasoning developed in recital (36) that as regards persons subject to the screening, automated verifications for security purposes should be carried out against the same systems as is provided for applicants for a visa or for a travel authorisation under the European Travel Information and Authorisation System: the VIS, EES, ETIAS, SIS, ECRIS-TCN, Europol and Interpol's SLTD and TDAWN. Persons submitted to the screening should also be checked against ECRIS-TCN as regards persons convicted in relation to terrorist offences and other forms of serious criminal offences, Europol data referred to in the	

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	preceding recital 38, the Interpol's Lost and Stolen Travel Documents database and Travel Documents Associated with Notices databases (TDAWN).	~~Europol data referred to in the preceding recital 38, the Interpol's Lost and Stolen Travel Documents database and Travel Documents Associated with Notices databases (TDAWN)~~**carried out**.	preceding recital 38, the Interpol's Lost and Stolen Travel Documents database and Travel Documents Associated with Notices databases (TDAWN).	
48	(40) Those checks should be conducted in a manner that ensures that only data necessary for carrying out the security checks is retrieved from those databases. With regard to persons who have requested international protection at a border crossing point, the consultation of databases for the security check as part of the screening should focus on the databases that were not consulted during the border checks at the external border, thus avoiding repeated consultations.	(40) ~~Those checks~~**The consultation of the relevant databases for security purposes** should be conducted in a manner that ensures that only data necessary for carrying out the security checks is retrieved from those databases. With regard to persons who have requested international protection at a border crossing point, the consultation of databases for the security check as part of the screening should ~~focus on the databases that~~**take place only insofar as any of the relevant databases** were not consulted during the border checks at the external border~~, thus avoiding repeated consultations~~.	(40) Those checks should be conducted in a manner that ensures that only data necessary for carrying out the security checks is retrieved from those databases. With regard to persons who have **made an application for** ~~requested~~ international protection at a border crossing point, the consultation of databases for the security check as part of the screening should focus on the databases that were not consulted during the border checks at the external border, thus avoiding repeated consultations.	
49	(41) Where justified for the purpose of the security check, the screening could also include	(41) Where justified for the purpose of the security check, the screening could also include	(41) Where justified for ~~the~~**its** purpose ~~of the security check~~, the screening could also include	

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	verification of objects in the possession of third-country nationals, in accordance with national law. Any measures applied in this context should be proportionate and should respect the human dignity of the persons subject to the screening. The authorities involved should ensure that the fundamental rights of the individuals concerned are respected, including the right to protection of personal data and freedom of expression.	verification of objects in the possession of third-country nationals, in accordance with national law. Any measures applied in ~~this~~**the** context **of a security check** should be proportionate and should respect the **principles of** human dignity **and of physical and psychological integrity** of the persons subject to the screening. The authorities involved should ensure that the fundamental rights of the individuals concerned are respected, including the right to protection of personal data and freedom of expression.	verification of objects in the possession of third-country nationals, in accordance with national law. Any measures applied in this context should be proportionate and should respect the human dignity of the persons subject to the screening. The authorities involved should ensure that the fundamental rights of the individuals concerned are respected, including the right to protection of personal data and freedom of expression.	
50	(42) Since access to EES, ETIAS, VIS and ECRIS-TCN is necessary for the authorities designated to carry out the screening in order to establish whether the person could pose a threat to the internal security or to public policy, Regulation (EC) No 767/2008, Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) No 2019/816, respectively, should be amended to provide for this additional access right which is currently not provided by those	(42) Since ~~access to~~ EES, ETIAS, VIS and ECRIS-TCN ~~is necessary for the authorities designated to carry out the screening~~**may include relevant information** in order to establish whether ~~the~~**a** person could pose a threat to ~~the~~ internal security ~~or to public policy~~, Regulation (EC) No 767/2008 **of the European Parliament and of the Council**[1a], Regulation (EU) 2017/2226 **of the European Parliament and of the Council**[1b], Regulation (EU)	(42) Since access to EES, ETIAS, VIS and ECRIS-TCN is necessary for the authorities designated to carry out the screening in order to establish whether the person could pose a ~~threat to the internal~~ security ~~or to public policy~~**risk**, Regulation (EC) No 767/2008, Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) No 2019/816, respectively, should be amended to provide for this additional access right which is currently not	

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	Regulations. In the case of Regulation (EU) No 2019/816, this amendment should for reasons of variable geometry take place through a different regulation than the present one.	2018/1240 **of the European Parliament and of the Council**[1c] and Regulation (~~EC~~**EU**) ~~No 2019/816~~**2019/816 of the European Parliament and of the Council**[1d], respectively, should be amended to provide for ~~this additional~~**limited** access ~~right which is currently not provided by those Regulations~~**rights for the screening authorities for this specific purpose**. In the case of Regulation (EU) ~~No 2019/816~~**2019/816**, this amendment should for reasons of variable geometry take place through a different regulation than the present one. _____ **1a. Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).** **1b. 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**	provided by those Regulations. In the case of Regulation (EU) No 2019/816, this amendment should for reasons of variable geometry take place through a different regulation than the present one.	

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		Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20). **1c. Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1).** **1d. Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1).**		
51	(43) The European search portal (ESP) established by Regulation (EU) 2019/817 should be used to carry out the searches against the European databases, EES, ETIAS, VIS and ECRIS-TCN, for identification or for the purpose of security checks, as applicable.	(43) The European search portal (ESP) established by Regulation (EU) 2019/817 should be used to carry out the searches against the European databases, EES, ETIAS, VIS and ECRIS-TCN, for identification or for the purpose of security checks, as applicable.	(43) The European search portal (ESP) established by Regulation (EU) 2019/817 should be used to carry out the searches against the European databases, EES, ETIAS, VIS and ECRIS-TCN **and Europol data**, for identification**, verification,** or for the purpose of security checks, as applicable.	
52				

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	(44) Since the effective implementation of the screening is dependent upon correct identification of the individuals concerned and of their security background, the consultation of European databases for that purpose is justified by the same objectives for which each of those databases has been established, that is to say, the effective management of the Union's external borders, the internal security of the Union and the effective implementation of the Union's asylum and return policies.	(44) ~~Since the effective implementation of the screening is dependent upon correct identification of the individuals concerned and of their~~ **The consultation of European databases for the purpose of verification of identity or identification and** security ~~background, the consultation of European databases for that purpose is justified by the same~~ **checks during the screening can be justified to the extent necessary for achieving those purposes and in accordance with the** objectives for which each of those databases has been established~~, that is to say, the effective management of the Union's external borders, the internal security of the Union and the effective implementation of the Union's asylum and return policies~~**. Information on whether the consultation of relevant databases for security purposes in accordance with Article 11 resulted in a hit or no hit should be included in the screening form**.	(44) Since the effective implementation of the screening is dependent upon correct identification of the individuals concerned and of their security background, the consultation of European databases for that purpose is justified by the same objectives for which each of those databases has been established, that is to say, the effective management of the Union's external borders, the internal security of the Union and the effective implementation of the Union's asylum and return policies.	
52a				

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		(44a) In order to supplement certain non-essential aspects of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the procedure for cooperation and the sharing of personal data between the authorities responsible for carrying out the screening and other competent authorities for determining whether a person might pose a threat to internal security. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1a]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to		

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		meetings of Commission expert groups dealing with the preparation of delegated acts. **_____** **1a. OJ L 123, 12.5.2016, p. 1.**		
52b			**(44a) National databases can also be checked in this context whenever national law authorizes such queries.**	
52c			**(44b) For the purposes of complying with the obligation to perform identity and security checks during the screening, Member States who do not yet apply some provisions of Schengen acquis in full and do not therefore have access to all Union systems and databases are responsible for the identity and security checks by carrying out searches only in those Union systems and databases to which they have access.**	
53	(45) Since the objectives of this Regulation, namely the	(45) Since the objectives of this Regulation, namely **to strengthen**	(45) Since the objectives of this Regulation, namely the	

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	strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures, cannot be achieved by Member States acting alone, it is necessary to establish common rules at Union level. Thus, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on 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.	**the border checks at the external borders and to provide for the verification of identity or for the identification of all third-country nationals subject to the screening and for the consultation of the relevant databases in order to verify whether the persons might pose a threat to internal security**~~the strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures~~, cannot be **sufficiently** achieved by **the** Member States ~~acting alone, it is necessary to establish common rules~~**, but can rather be better achieved** at Union level~~. Thus~~, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on 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.	strengthening of the control of persons~~ who are about to enter the Schengen area~~ **at the external borders** and their referral to the appropriate procedures, cannot be achieved by Member States acting alone, it is necessary to establish common rules at Union level. Thus, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on 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.	
54	(46) In accordance with Articles 1 and 2 of the Protocol No 22 on the position of Denmark, as annexed to	(46) In accordance with Articles 1 and 2 of the Protocol No 22 on the position of Denmark, as annexed to	(46) In accordance with Articles 1 and 2 of the Protocol No 22 on the position of Denmark, as annexed to	

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	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.	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.	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.	
55	(47) This Regulation constitutes a development of the provisions of the Schengen acquis, in which Ireland does not take part, in accordance with Council Decision 2002/192/EC[1]; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application. _____ 1. 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).	(47) This Regulation constitutes a development of the provisions of the Schengen acquis, in which Ireland does not take part, in accordance with Council Decision 2002/192/EC[1]; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application. _____ 1. 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).	(47) This Regulation constitutes a development of the provisions of the Schengen acquis, in which Ireland does not take part, in accordance with Council Decision 2002/192/EC[1]; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application. _____ 1. 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).	
56				

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	(48) 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, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC[1]. _____ 1. 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).	(48) 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, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC[1]. _____ 1. 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).	(48) 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, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC[1]. _____ 1. 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).	
57	(49) 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	(49) 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	(49) 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	

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	Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC[1]. _____ 1. 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).	Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC[1]. _____ 1. 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).	Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC[1]. _____ 1. 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).	
58	(50) 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	(50) 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	(50) 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	

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	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 which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU[1]. _____ 1. 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).	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 which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU[1]. _____ 1. 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).	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 which fall within the area referred to in Article 1, point A of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU[1]. _____ 1. 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).	
59	(51) As regards Cyprus, Bulgaria, Romania and Croatia, this Regulation constitutes an act building upon, or otherwise related to, the Schengen acquis within, respectively, the meaning of	(51) As regards Cyprus, Bulgaria, Romania and Croatia, this Regulation constitutes an act building upon, or otherwise related to, the Schengen acquis within, respectively, the meaning of	(51) ~~As regards Cyprus, Bulgaria, Romania and Croatia,~~ This Regulation constitutes an act building upon, or otherwise related to, the Schengen acquis within, respectively, the meaning of	

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	Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession,	Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession,	Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession,	
59a			**(51a) As regards Cyprus, Council Regulation (EC) No 866/2004 of 29 April 2004 on a regime under Article 2 of Protocol 10 to the Act of Accession provides for specific rules that apply to the line between the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus exercises effective control and those areas in which the Government of the Republic of Cyprus does not exercise effective control. Under this Regulation, although the line does not constitute an external border, checks are to be carried out on all persons crossing the line through an authorized or unauthorized crossing point with the aim to combat illegal immigration of third-country nationals and to detect and prevent any security risk. It follows that screening under Article 3 may also apply to third-**	

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			country nationals who are apprehended in connection with an unauthorized crossing of the line and to those who have made an application for international protection at the authorized crossing points.	
60	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
61	Article 1 Subject matter and scope	Article 1 Subject matter~~ and scope~~	Article 1 Subject matter ~~and scope~~	
62	This Regulation establishes the screening at the external borders of the Member States of all third-country nationals who have crossed the external border in an unauthorised manner, of those who have applied for international protection during border checks without fulfilling entry conditions, as well as those disembarked after a search and rescue operation, before they are referred to the appropriate procedure.	This Regulation establishes ~~the~~**a** screening **procedure** at the external borders of the Member States of all third-country nationals who have crossed the external border in an ~~unauthorised~~**irregular** manner, of those who have applied for international protection during border checks without fulfilling entry conditions, as well as those disembarked after a search and rescue operation, before they are referred to the appropriate procedure.	~~This Regulation establishes the screening at the~~**In order to strengthen the control of persons at** external borders**, this Regulation establishes the screening of third country**~~ of the Member States of all third-country~~ nationals~~ who have crossed~~**, at** the external ~~border in an unauthorised manner, of those~~**borders or within the territory of the Member States,** who have ~~applied for international protection during~~**not been subject to** border checks	

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			~~without fulfilling entry conditions~~**at the external borders of the Member States**, as well as those ~~disembarked after a search and rescue operation, before they are referred to the appropriate procedure~~**who have made an application for international protection at border crossing points or in transit zones, without fullfilling the entry conditions**.	
63	The purpose of the screening shall be the strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures.	*deleted*	~~The purpose of the screening shall be the strengthening of the control of persons who are about to enter the Schengen area and their referral to the appropriate procedures.~~	
64	The object of the screening shall be the identification of all third-country nationals subject to it and the verification against relevant databases that the persons subject to it do not pose a threat to internal security. The screening shall also entail health checks, where appropriate, to identify persons vulnerable and in the need of health care as well the ones posing	The ~~object~~**purpose** of the screening shall be **to strengthen border checks at the external borders, to identify**~~the identification of~~ all third-country nationals subject to it and ~~the verification~~**to verify** against **the** relevant databases ~~that~~**whether** the persons subject to it ~~do not~~**might** pose a threat to internal security. The screening shall also	The ~~object~~**objective** of the screening shall be the identification of all third-country nationals subject to it and the verification against relevant databases that ~~the~~ **those** persons ~~subject to it~~ do not pose a ~~threat to internal security~~**security risk** . The screening shall also entail health checks, where appropriate, to identify persons ~~vulnerable and in~~	

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	a threat to public health. Those checks shall contribute to referring such persons to the appropriate procedure.	~~entail~~**include a mandatory preliminary** health ~~checks, where appropriate,~~ **check and a mandatory preliminary vulnerability check, which seek** to identify **vulnerable persons,** persons ~~vulnerable and in the~~**with special reception or procedural needs, and persons in** need of health care~~ as well the ones posing a threat to public health. Those checks shall contribute to referring such persons to the appropriate procedure~~**. The screening shall also seek to identify persons that possibly pose a threat to public health**.	~~the~~ **in** need of **immediate** health care ~~as well~~ **and** the ones posing a threat to public health**, as well as vulnerability checks to identify vulnerable persons**. Those checks shall contribute to referring such persons to the appropriate procedure.	
65	The screening shall also be carried out within the territory of the Member States where there is no indication that third-country nationals have been subject to controls at external borders.	*deleted*	~~The screening shall also be carried out within the territory of the Member States where there is no indication that third-country nationals have been subject to controls at external borders.~~	
65a		**This Regulation also provides for an independent mechanism to be established in each Member State to monitor compliance with Union and international law,**		

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		including the Charter during border surveillance and the screening procedure.		
65b		**Article 1a Fundamental rights** **When applying this Regulation, Member States shall act in full compliance with relevant Union law, including the Charter, with relevant international law, including the Convention Relating to the Status of Refugees done at Geneva on 28 July 1951 ('the Geneva Convention'), and with the obligations related to access to international protection, in particular the principle of non-refoulement, and fundamental rights.**		
66	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	
67	For the purposes of this Regulation, the following	For the purposes of this Regulation, the following	For the purposes of this Regulation, the following	

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	definitions apply:	definitions apply:	definitions apply:	
68	1. ‘unauthorised crossing of the external border’ means crossing of an external border of a Member State by land, sea or air, at places other than border crossing points or at times other than the fixed opening hours, as referred to in Article 5(3) of Regulation (EU) 2016/399;	*deleted*	*1.* ‘unauthorised crossing of the external border’ means crossing of an external border of a Member State by land, sea or air, at places other than border crossing points or at times other than the fixed opening hours, as referred to in Article 5(3) of Regulation (EU) 2016/399;	
69	2. ‘threat to public health’ means a threat to public health within the meaning of Article 2, point 21, of Regulation (EU) 2016/399;	2. ‘threat to public health’ means a threat to public health within the meaning of Article 2, point 21, of Regulation (EU) 2016/399;	2. ‘threat to public health’ means a threat ~~to public health~~ within the meaning of Article 2, point 21, of Regulation (EU) 2016/399;	
70	3. ‘verification’ means the process of comparing sets of data to establish the validity of a claimed identity (one-to-one check);	3. ‘verification’ means the process of comparing sets of data to establish the validity of a claimed identity (one-to-one check);	3. ‘verification’ means the process **referred to in Article 4 (5) of Regulation (EU** ~~of comparing sets of data to establish the validity of a claimed identity (one-to-one check)~~ **2019/817**;	
71	4. ‘identification’ means the process of determining a person’s	4. ‘identification’ means the process of determining a person’s	4. ‘identification’ means the process ~~of determining a person’s~~	

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	identity including through a database search against multiple sets of data (one-to-many check);	identity including through a database search against multiple sets of data (one-to-many check);	~~identity including through a database search against multiple sets of data (one-to-many check)~~**referred to in Article 4 (6) of Regulation (EU) 2019/817**;	
72	5. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) TFEU and who is not a person enjoying the right to free movement under Union law within the meaning of Article, 2 Point 5, of Regulation (EU) 2016/399.	5. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) TFEU and who is not a person enjoying the right to free movement under Union law within the meaning of Article, 2 Point 5, of Regulation (EU) 2016/399.	5. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) TFEU and who is not a person enjoying the right to free movement under Union law within the meaning of Article~~,~~ 2 Point 5, of Regulation (EU) 2016/399~~.~~**;**	
72a		**(5a) 'biometric data' means fingerprint data and facial image data, as defined in Article 3, point (p), of Regulation (EU) xxxx/202x [Eurodac Regulation];**		
72b			**6. 'security risk' means the risk referred to in Article 3 (1) (6) of the ETIAS Regulation (EU) 2018/1240;**	
72c				

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		(5b) 'stateless person' means a stateless person as defined in Article 1 of the Convention relating to the Status of Stateless Persons, signed in New York on 28 September 1954, in its original version;		
72d			**7. Europol data' means data as referred to in Article 4 (16) of Regulation (EU) 2019/817;**	
72e		**(5c) 'representative' means a person or an organisation, including a public authority designated by the competent authorities or bodies, with the necessary skills and expertise, including regarding the treatment and specific needs of minors, to represent, assist and act on behalf of an unaccompanied minor, as applicable, in order to safeguard the best interests and general well-being of such an unaccompanied minor and so that the unaccompanied minor can benefit from the rights and comply with the obligations**		

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		under this Regulation;		
72f			**8. 'biometric data' means data as referred to in Article 4 (11) of the Interoperability Regulation (EU) 2019/817;**	
72g		**(5d) 'minor' means a third-country national or stateless person below the age of 18 years;**		
72h			**9. 'Interpol databases' means databases as referred to in Article 4 (17) of the Interoperability Regulation (EU) 2019/817;**	
72i		**(5e) 'unaccompanied minor' means a minor who arrives on the territory of the Member State unaccompanied by an adult responsible for such minor, whether by law or by the practice of the Member State concerned, and provided that such minor is not effectively**		

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		taken into the care of such an adult, including a minor who is left unaccompanied after entering the territory of a Member State;		
72j			**10. 'vulnerable persons' means persons as referred to in Article 3 (9) of Directive 2008/115 EC;**	
72k		**(5f) 'detention' means confinement of a person by a Member State within a particular place, where such person is deprived of freedom of movement.**		
72l			**11. 'screening authorities' means all competent authorities designated by national law to carry out one or more of the tasks under this Regulation except for the health checks laid down in Article 9 (1);**	
72m			**12. 'Search and Rescure**	

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			Operations' means operations of search and rescue as referred in the 1979 International Convention on Maritime Search and Rescue adopted in Hamburg, Germany on 27 April 1979.	
73	Article 3 Screening at the external border	Article 3 ~~Screening at the external border~~**Scope**	Article 3 Screening at the external border	
74	1. This Regulation shall apply to all third-country nationals who:	1. **The screening provided for in** this Regulation shall apply to all third-country nationals**, regardless of whether they have made an application for international protection,** who:	1. This Regulation shall apply to all third-country nationals who:	
75	(a) are apprehended in connection with an unauthorised crossing of the external border of a Member State by land, sea or air, except third country nationals for whom the Member State is not required to take the biometric data pursuant to Article 14(1) and (3) of Regulation (EU) 603/2013 for reasons other	(a) are apprehended in connection with an ~~unauthorised~~**irregular** crossing of the external border of a Member State by land, sea or air, except ~~third country~~**third-country** nationals for whom**, for reasons other than their age,** the Member State is not required to take the biometric data pursuant to Article	(a) are apprehended in connection with an unauthorised crossing of the external border of a Member State by land, sea or air, except third country nationals for whom the Member State is not required to take the biometric data pursuant to **[**Article **13 (1) and (3)] of [**~~14(1) and (3) of~~ Regulation (EU)	

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

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79	3. The screening is without prejudice to the application of Article 6(5) of Regulation (EU) 2016/399, except the situation where the beneficiary of an individual decision issued by the Member State based on Article 6(5)(c) of that Regulation is seeking international protection.	3. The screening is without prejudice to the application of Article 6(5) of Regulation (EU) 2016/399~~, except the situation where the beneficiary of an individual decision issued by the Member State based on Article 6(5)(c) of that Regulation is seeking international protection~~ **[Schengen Borders Code]**.	3. The screening is without prejudice to the application of Article ~~6(5)~~**6 (5)** of Regulation (EU) 2016/399, except the situation where the beneficiary of an individual decision issued by the Member State based on Article ~~6(5)(c)~~**6 (5)(c)** of that Regulation is seeking international protection.	
79a			**Article 3a** **Relation with other legal instruments**	
79b			**1. For third-country nationals subject to the screening who have made an application for international protection** **a) the registration of the application for international protection in accordance with the Asylum Procedure Directive 2013/32 is determined by Article 6(1) and (5) of that Directive** **b) the application of the common standards for the**	

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			reception of applicants for international protection of the Reception Conditions Directive (Directive 2013/33/EU of the European Parliament and of the Council, laying down standards for the reception of applicants for international protection (recast)) is determined by [Article 3] of that Directive.	
79c			**2. Without prejudice to the application of provisions on international protection, Directive 2008/115/EC or national provisions respecting Directive 2008/115/EC shall apply only after the screening has ended, except for the screening referred to in Article 5, where they shall apply in parallel with the screening referred to in that Article.**	
80	Article 4 Authorisation to enter the territory of a Member State	Article 4 ~~Authorisation to enter~~**Entry into** the territory of a Member State	Article 4 Authorisation to enter the territory of a Member State	
81				

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	1. During the screening, the persons referred to in Article 3, paragraphs 1 and 2 shall not be authorised to enter the territory of a Member State.	1. During the screening, **Member States may consider** the persons referred to in Article 3, paragraphs 1 and 2 ~~shall not be authorised to enter~~**as not having entered** the territory of a Member State.	1. During the screening, the persons referred to in Article 3, paragraphs 1 and 2**,** shall not be authorised to enter the territory of a Member State. **Member States shall lay down in their national law provisions to ensure that persons referred to in Article 3, paragraphs 1 and 2 shall remain at the disposal of the competent authorities in the locations as referred to in Article 6, for the duration of the screening to prevent any risk of absconding, potential resulting security risks or public health risks.**	
82	2. Where it becomes apparent during the screening that the third-country national concerned fulfils the entry conditions set out in Article 6 of Regulation (EU) 2016/399, the screening shall be discontinued and the third-country national concerned shall be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article 5(3) of that Regulation.	*deleted*	2. ~~Where it becomes apparent during~~ The screening ~~that the third-country national concerned fulfils the entry conditions set out in Article 6 of Regulation (EU) 2016/399, the screening shall be discontinued and the third-country national concerned shall be authorised to enter the territory, without prejudice to the application of penalties as referred to in Article 5(3) of that Regulation~~**may be discontinued when the third country national leaves the**	

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			territory of the Member States, for the country of origin, residence or another third country to which the third-country national concerned voluntarily decides to return and where he or she is accepted.	
82a		**2a. Without prejudice to Article 3(3) and Article 14(7) of this Regulation, where a Member State implements a border procedure for the examination of applications for international protection in accordance with Article 41 of Regulation (EU) xxxx/202x [Asylum Procedure Regulation], the persons referred to in Article 3(1) and (2) of this Regulation shall not be authorised to enter the territory of that Member State during the screening.**		
83	Article 5 Screening within the territory	~~Article 5~~ *deleted*	Article 5 Screening within the territory	
84				

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	Member States shall apply the screening to third-country nationals found within their territory where there is no indication that they have crossed an external border to enter the territory of the Member States in an authorised manner.	*deleted*	Member States shall apply the screening to third-country nationals ~~found~~ **illegally staying** within their territory where there is no indication that they have crossed an external border to enter the territory of the Member States in an authorised manner **and that they have already been subjected to screening in a Member State. Member States shall lay down in their national law provisions to ensure that those third country nationals remain at the disposal of the competent authorities for the duration of the screening, to prevent any risk of absconding and potential resulting security risks**.	
84a			**2. Member States may refrain from applying the screening in accordance with paragraph 1 if a third-country national staying illegally on their territory is sent back, immediately after apprehension, to another Member State under bilateral agreements or arrangements or under a specific cooperation framework. In this case, the Member State to which the**	

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			third-country national concerned has been sent back shall apply the screening.	
85	Article 6 Requirements concerning the screening	Article 6 Requirements concerning the screening	Article 6 Requirements concerning the screening	
86	1. In the cases referred to in Article 3, the screening shall be conducted at locations situated at or in proximity to the external borders.	*deleted*	1. In the cases referred to in Article 3, the screening shall **generally** be conducted at locations situated at or in proximity to the external borders **or in other designated locations within its territory**.	
87	2. In the cases referred to in Article 5, the screening shall be conducted at any appropriate location within the territory of a Member State.	*deleted*	2. In the cases referred to in Article 5, the screening shall be conducted at any appropriate location within the territory of a Member State.	
88	3. In the cases referred to in Article 3, the screening shall be carried out without delay and shall in any case be completed within 5	*deleted*	3. In the cases referred to in Article 3, the screening shall be carried out without delay and shall in any case be completed within 5	

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	days from the apprehension in the external border area, the disembarkation in the territory of the Member State concerned or the presentation at the border crossing point. In exceptional circumstances, where a disproportionate number of third-country nationals needs to be subject to the screening at the same time, making it impossible in practice to conclude the screening within that time-limit, the period of 5 days may be extended by a maximum of an additional 5 days.		days from the apprehension in the external border area, the disembarkation in the territory of the Member State concerned or the presentation at the border crossing point. In exceptional circumstances, where a disproportionate number of third-country nationals needs to be subject to the screening at the same time, making it impossible in practice to conclude the screening within that time-limit, the period of 5 days may be extended by a maximum of an additional 5 days. **With regard to persons referred to in Article 3(1)to whom [Article 13 (1) and (3)] of Regulation (EU) XXX/XXXX [(EURODAC III Regulation)] apply, where they subsequently remain physically at the external border for more than 72 hours, the screening shall apply and the period for the screening shall be reduced to two days.**	
89	With regard to persons referred to in Article 3(1)(a) to whom Article 14 (1) and (3) of Regulation (EU) 603/2013 apply, where they remain physically at the external border	*deleted*	With regard to persons referred to in Article ~~3(1)(a)~~ **3(1)**to whom **[**Article~~14~~ **13** (1) and (3)**]** of Regulation (EU) ~~603/2013~~**XXX/XXXX**	

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	for more than 72 hours, the period for the screening shall be reduced to two days.		**[(EURODAC III Regulation)]** apply, where they **subsequently** remain physically at the external border for more than 72 hours, **the screening shall apply and** the period for the screening shall be reduced to two days.	
90	4. Member States shall notify the Commission without delay about the exceptional circumstances referred to in paragraph 3. They shall also inform the Commission as soon as the reasons for extending the screening period have ceased to exist.	*deleted*	*4.* Member States shall notify the Commission without delay about the exceptional circumstances referred to in paragraph 3. They shall also inform the Commission as soon as the reasons for extending the screening period have ceased to exist.	
91	5. The screening referred to in Article 5 shall be carried out without delay and in any case shall be completed within 3 days from apprehension.	*deleted*	5. The screening referred to in Article 5 shall be carried out without delay and in any case shall be completed within ~~3~~**5** days from apprehension.	
92	6. The screening shall comprise the following mandatory elements:	6. The screening shall comprise the following mandatory elements:	6. The screening shall comprise the following ~~mandatory~~ elements:	

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

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96	(d) security check as referred to in Article 11;	(d) **a** security check as referred to in Article 11;	(d) security check as referred to in Article 11;	
97	(e) the filling out of a de-briefing form as referred to in Article 13;	(e) the filling out of a ~~de-briefings~~**screening** form as referred to in Article 13;	(e) the filling out of a ~~de-briefing~~ **screening** form as referred to in Article 13;	
98	(f) referral to the appropriate procedure as referred to in Article 14.	(f) referral to the appropriate procedure as referred to in Article 14.	(f) referral to the appropriate procedure as referred to in Article 14.	
98a		**1 The screening may be conducted at any appropriate and adequate location within the territory of a Member State to be designated by that Member State, including at or in proximity to the external borders.**		
98b		**6a. Organisations and persons providing advice and counselling, including legal assistance and representation, shall have effective access to third-country**		

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		nationals, in particular to those held in detention facilities or present at the border crossing points, including transit zones, at external borders.		
98c		**6b. The screening shall be carried out without delay and shall in any case be completed within five days from the apprehension in the external border area, the disembarkation in the territory of the Member State concerned or the presentation at the border crossing point.** **With regard to persons referred to in Article 3(1)(a) to whom [Article 14(1) and (3)] of Regulation (EU) xxxx/xxxx [Eurodac Regulation] apply, where those persons remain physically at the external border for more than 72 hours, the screening shall apply to them thereafter and the period for the screening shall be reduced to two days.**		
98d				

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		6c. For the duration of a situation of crisis in accordance with Regulation (EU) XXX/XXXX [Crisis Regulation], the period of five days set out in paragraph 6(b) of this Article may be extended by a maximum of five additional days.		
98e		**6d. Member States shall ensure that all persons subject to the screening are accorded a standard of living which guarantees their subsistence, protects their physical and mental health, and respects their rights under the Charter.** **Directive (EU) xxxx/xxxx [Reception Conditions Directive] shall apply to persons who apply for international protection, in accordance with Article 16 of that Directive, from the moment that those persons make their application for international protection.**		
98f		**6e. When it proves necessary and on the basis of an individual**		

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		assessment of each case, Member States may detain a person subject to the screening, if other less coercive alternative measures cannot be applied effectively. Member States may, where necessary, require persons subject to the screening to report to the competent authorities at a specified time or at reasonable intervals. **The provisions set out in Directive (EU) xxxx/xxxx [Reception Conditions Directive] regarding detention and the application of alternative measures, in particular Articles 8 to 12 and Article 16(2), second subparagraph of that Directive, shall apply mutatis mutandis to all persons subject to the screening.**		
98g		**6f. Third-country nationals shall not be subject to any intrusive biometric surveillance technologies nor predictive analytics and biometric categorisation in or around the reception or screening facilities or during the screening. The use**		

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		of lie detection systems or long-range listening devices shall be prohibited.		
99	7. Member States shall designate competent authorities to carry out the screening. They shall deploy appropriate staff and sufficient resources to carry out the screening in an efficient way.	7. Member States shall designate competent authorities ~~to~~**responsible for the screening and shall ensure that the staff of those competent authorities who will** carry out the screening **have the appropriate knowledge and have received the necessary training in accordance with Article 8 of Regulation (EU) 2021/2303 [EU Asylum Agency Regulation]. Member States**~~. They~~ shall deploy appropriate staff and sufficient resources to carry out the screening in an efficient way.	7. Member States shall designate **the screening** ~~competent~~ authorities **and ensure that they** ~~to carry out the screening. They shall~~ deploy appropriate staff and sufficient resources to carry out the screening in an efficient way.	
100	Member States shall designate qualified medical staff to carry out the health check provided for in Article 9. National child protection authorities and national anti-trafficking rapporteurs shall also be involved, where appropriate.	Member States shall designate qualified medical ~~staff~~**professionals** to carry out the health check provided for in Article 9 **and qualified professionals to carry out the vulnerability check provided for in Article 9**. National child protection authorities and national	Member States shall ~~designate~~ **ensure that** qualified medical staff ~~to~~ carry out the **preliminary** health check provided for in Article 9. National child protection authorities and national anti-trafficking rapporteurs **or equivalent mechanisms** shall also be involved, where appropriate.	

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		anti-trafficking rapporteurs ~~shall also be involved~~**or officers shall**, where appropriate**, also be involved**.	**Member States shall also ensure that only the screening authorities responsible for the identification or verification of identity and the security check have access to the databases foreseen in Article 10 and Article 11 of this Regulation.**	
101	The competent authorities may be assisted or supported in the performance of the screening by experts or liaison officers and teams deployed by the European Border and Coast Guard Agency and the [European Union Agency for Asylum] within the limits of their mandates.	The competent authorities may be assisted or supported in the performance of the screening by experts or liaison officers and teams deployed by the European Border and Coast Guard Agency**, including as referred to in Article 40(4) of Regulation (EU) 2019/1896 [European Border and Coast Guard Regulation],** and the [European Union Agency for Asylum] within the limits of their mandates **provided that such experts have the relevant training and qualifications as set out in the first two subparagraphs**.	The ~~competent~~**screening** authorities may be assisted or supported in the performance of the screening by experts or liaison officers and teams deployed by the European Border and Coast Guard Agency and the [European Union Agency for Asylum] within the limits of their mandates.	
101a			**Article 6a** **Obligations of third country nationals submitted to screening**	

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101b			**1. The third country nationals subject to screening shall remain, for its duration, at the disposal of the screening authorities, in the locations referred to in Article 6 (1) and (2) for that purpose.**	
101c			**2. They shall cooperate with the screening authorities in all elements of the screening as set in Article 6(6), in particular, by providing:** **a) Name, date of birth, gender and nationality as well as documents and information that can prove this data;** **b) fingerprints and facial image as referred to in [Regulation (EU) XXX/XXX (EURODAC III Regulation)].**	
101d			**3. Member States may introduce penalties, in accordance with their national law, in case of non-compliance with the obligations referred to in this Article. Those penalties**	

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			shall be effective, proportionate and dissuasive.	
102	Article 7 Monitoring of fundamental rights	Article 7 Monitoring of fundamental rights	Article 7 Monitoring of fundamental rights	
103	1. Member States shall adopt relevant provisions to investigate allegations of non-respect for fundamental rights in relation to the screening.	1. Member States shall adopt relevant provisions to investigate **all** allegations of non-respect for fundamental rights ~~in relation to~~**during border surveillance and** the screening **procedure.** **They shall adopt provisions under national law to penalise a failure to respect fundamental rights. The penalties provided for shall be effective, proportionate and dissuasive**.	1. Member States shall adopt relevant provisions to investigate allegations of non-respect for fundamental rights in relation to the screening.	
104	2. Each Member State shall establish an independent monitoring mechanism	2. Each Member State shall establish an independent monitoring mechanism **or designate an existing independent mechanism, if it meets the criteria set out in this Regulation.**	2. Each Member State shall ~~establish~~**provide for** an independent monitoring mechanism	

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105	- to ensure compliance with EU and international law, including the Charter of Fundamental Rights, during the screening;	*deleted*	- to ensure compliance with EU and international law, ~~including~~ the Charter of Fundamental Rights **including in relation with the access to the asylum procedure and the principle of non-refoulement**, during the screening~~;~~**.**	
106	- where applicable, to ensure compliance with national rules on detention of the person concerned, in particular concerning the grounds and the duration of the detention;	*deleted*	- ~~where applicable, to ensure compliance with national rules on detention of the person concerned, in particular concerning the grounds and the duration of the detention;~~	
107	- to ensure that allegations of non-respect for fundamental rights in relation to the screening, including in relation to access to the asylum procedure and non-compliance with the principle of non-refoulement, are dealt with effectively and without undue delay.	*deleted*	- ~~to ensure that allegations of non-respect for fundamental rights in relation to the screening, including in relation to access to the asylum procedure and non-compliance with the principle of non-refoulement, are dealt with effectively and without undue delay.~~	
107a		**The mechanism shall monitor**		

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		compliance with Union and international law, including the Charter, during border surveillance and the screening procedure, including in relation to: **a) access to the asylum procedure;** **b) the principle of non-refoulement;** **c) the best interest of the child;** **d) the right to health care;** **e) reception conditions;** **f) the relevant rules on detention of the person concerned;** **g) the procedural safeguards applicable to the person concerned.**		
107b		**The mechanism shall ensure that allegations of non-respect for fundamental rights in all relevant activities in relation to border surveillance and the screening for all third-country**		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		nationals referred to in Article 3(1) and 3(2) are properly investigated and dealt with effectively and without undue delay, or where necessary trigger such investigations. The mechanism shall monitor the progress of such investigations.		
107c		**The independent monitoring mechanism shall issue recommendations to Member States**		
108	Member States shall put in place adequate safeguards to guarantee the independence of the mechanism.	Member States shall put in place adequate safeguards to guarantee the independence of the mechanism**, in line with criteria recognised under relevant international human rights law and standards**.	~~Member States shall put in place adequate safeguards to guarantee the independence of the mechanism.~~	
108a		**Member States shall involve national human rights institutions, national ombudspersons and international organisations in the management and operation of**		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		the mechanism. They may also involve relevant non-governmental organisations. Insofar as one or more of those institutions or organisations are not directly involved in the mechanism, the bodies responsible for the monitoring mechanism shall establish and maintain close links with them. The bodies responsible for the mechanism shall establish and maintain close links with the national data protection authorities and the European Data Protection Supervisor.		
108b		**Member States shall provide bodies responsible for the mechanism with access to all relevant locations, including reception and detention facilities, individuals and documents, insofar as such access is necessary to allow the bodies responsible for the mechanism to fulfil the obligations set out in this Article. Where information gathered on an individual case suggests that a criminal offence has been committed, that information shall be handed over**		

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		to the national prosecuting authorities or national prosecution services.		
109	The Fundamental Rights Agency shall issue general guidance for Member States on the setting up of such mechanism and its independent functioning. Furthermore, Member States may request the Fundamental Rights Agency to support them in developing their national monitoring mechanism, including the safeguards for independence of such mechanisms, as well as the monitoring methodology and appropriate training schemes.	The ~~Fundamental Rights Agency~~**FRA** shall issue general guidance for Member States on the ~~setting up of such~~**establishment of a monitoring** mechanism and its independent functioning. Furthermore, Member States may request the ~~Fundamental Rights Agency~~**FRA** to support them in developing their national monitoring mechanism, including the safeguards for independence of such mechanisms, as well as the monitoring methodology and appropriate training schemes.	The Fundamental Rights Agency shall issue general guidance for Member States on the setting up of such mechanism and its independent functioning. ~~Furthermore, Member States may request the Fundamental Rights Agency to support them in developing their national monitoring mechanism, including the safeguards for independence of such mechanisms, as well as the monitoring methodology and appropriate training schemes~~.	
109a		**The work of the independent monitoring mechanisms shall contribute to the assessment of the effective application and implementation of the Charter according to Article 15(1) and Annex III of Regulation (EU) 2021/1060 of the European Parliament and of the Council[1a][Common Provisions**		

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		Regulation]. _____ **1a. Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).**		
110	Member States may invite relevant national, international and non-governmental organisations and bodies to participate in the monitoring.	*deleted*	~~Member States may invite relevant national, international and non-governmental organisations and bodies to participate in the monitoring.~~	
110a		**2a. The mechanism referred to above shall be without prejudice to the monitoring mechanism for the purpose of monitoring the operational and technical application of the CEAS as set out in Article 14 of Regulation (EU) 2021/2303 [EU Asylum Agency Regulation] and to the**		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		role of the fundamental rights monitors in monitoring respect for fundamental rights in all activities of the European Border and Coast Guard Agency as set out in Article 80 of Regulation (EU) 2019/1896 [European Border and Coast Guard Regulation].		
111	Article 8 Provision of information	Article 8 Provision of information	Article 8 Provision of information	
112	1. Third-country nationals subject to the screening shall be succinctly informed about the purpose and the modalities of the screening:	1. **Member States shall inform** third-country nationals subject to the screening ~~shall be succinctly informed~~ about the purpose**, duration** and the modalities of the screening**, including**:	1. Third-country nationals subject to the screening shall be succinctly informed about ~~the purpose and the modalities of the screening~~:	
113	(a) the steps and modalities of the screening as well as possible outcomes of the screening;	(a) the steps ~~and modalities~~ of the screening as well as possible outcomes of the– screening;	(a) the ~~steps and modalities~~**purpose, modalities and elements** of the screening as well as possible outcomes of the screening;	
113a				

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		(aa) the right to apply for international protection, in particular in the circumstances specified in Article 30 of Regulation (EU) xxxx/202x [Asylum Procedure Regulation];		
114	(b) the rights and obligations of third country nationals during the screening, including the obligation on them to remain in the designated facilities during the screening.	(b) the rights and obligations of ~~third country~~**third-country** nationals during the screening, including the obligation on them to remain in the designated facilities during the screening~~.~~ **and the possibility to contact and be contacted by the organisations and persons referred to in Article 6(6a) of this Regulation;**	(b) the rights and obligations of third country nationals during the screening, including the obligation on them to remain in the designated facilities during the screening~~.~~**;**	
114a		**(ba) the rights referred to in Article 13 of Regulation (EU) 2016/679[GDPR], in Article 13 of Directive (EU) 2016/680 [Police Directive] and in Article 15 of Regulation (EU) 2018/1725.**		
114b			**(c) the obligations of third-country nationals referred to in Article 6A and the consequences**	

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			of non-compliance therewith, including the penalties under national law where provided for by Member States.	
115	2. During the screening, they shall also, as appropriate, receive information on:	2. ~~During the screening, they~~**Member States** shall also, as appropriate,~~ receive~~ **provide** information on:	2. During the screening, they shall also, ~~as~~**where** appropriate,~~–~~ receive **succinct** information on:	
116	(a) the applicable rules on the conditions of entry for third-country nationals in accordance with Regulation (No) 2016/399 [Schengen Border Code], as well as on other conditions of entry, stay and residence of the Member State concerned, to the extent this information has not been given already;	(a) **to the extent this information has not been given already,** the applicable rules on the conditions of entry for third-country nationals in accordance with Regulation (~~No~~**EU**) 2016/399 [Schengen ~~Border~~**Borders** Code], as well as on other conditions of entry, stay and residence of the Member State concerned~~, to the extent this information has not been given already~~;	(a) the applicable rules on the conditions of entry for third-country nationals in accordance with Regulation (No) 2016/399 [Schengen ~~Border~~**Borders** Code], as well as on other conditions of entry, stay and residence of the Member State concerned, to the extent this information has not been given already;	
117	(b) where they have applied, or there are indications that they wish to apply, for international protection, information on the obligation to apply for international	(b) where they have applied, or there are indications that they wish to apply, for international protection, information on the ~~obligation to apply for international~~	(b) ~~where they have applied, or there are indications that they wish to apply,~~**the applicable rules on applying** for international protection **and, for those having**	

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	protection in the Member State of first entry or legal stay set out in Article [9(1) and (2)] of Regulation (EU) No XXX/XXX [ex-Dublin Regulation], the consequences of non-compliance set out in Article [10(1)] of that Regulation, and the information set out in Article 11 of that Regulation as well as on the procedures that follow the making of an application for international protection;	~~protection in the Member State of first entry or legal stay set out in Article [9(1) and (2)] of~~ **obligations laid down for those seeking international protection in** Regulation (EU) No XXX/XXX [~~ex-Dublin~~**Asylum and Migration Management** Regulation], the consequences of non-compliance ~~set out in Article [10(1)] of that Regulation, and the information set out in Article 11 of that Regulation~~ as well as on the procedures that follow the making of an application for international protection;	**made an application**~~, information on the obligation to apply~~ for international protection**, all the relevant information in accordance with** ~~in the Member State of first entry or legal stay set out in~~ Article ~~[9(1) and (2)]~~**4** of Regulation (EU) ~~No XXX/XXX [ex-Dublin Regulation], the consequences of non-compliance set out in Article [10(1)] of that Regulation, and the information set out in Article 11 of that~~**604/2013 (Dublin III** Regulation~~-~~**)** as well as on the procedures that follow the making of an application for international protection;	
118	(c) the obligation for illegally staying third-country nationals to return in accordance with Directive XXXXX [Return Directive];	(c) **where it becomes apparent during the screening that the third-country national concerned does not fulfil the entry conditions set out in Article 6 of Regulation (EU) 2016/399 [Schengen Borders Code], the obligation**~~the obligation for illegally staying third-country nationals~~ to return in accordance with Directive XXXXX [Return Directive] **and the possibilities to enrol in a programme providing logistical, financial and other**	(c) the obligation for illegally staying third-country nationals to return in accordance with Directive ~~XXXXX [~~**(EU) 2008/115/EC (**Return Directive~~]~~**)** ;	

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		material or in-kind assistance for the purpose of supporting voluntary departure;		
119	(d) the possibilities to enrol in a programme providing logistical, financial and other material or in-kind assistance for the purpose of supporting voluntary departure;	*deleted*	*(d)* the possibilities to enrol in a programme providing logistical, financial and other material or in-kind assistance for the purpose of supporting voluntary departure;	
120	(e) the conditions of participation in relocation in accordance with Article XX of Regulation (EU) No XXX/XXX [ex-Dublin Regulation];	(e) the conditions of participation in relocation in accordance with Article XX of Regulation (EU) No XXX/XXX [ex-Dublin Regulation];	(e) the conditions of participation in relocation in accordance with ~~Article XX of Regulation (EU) No XXX/XXX [ex-Dublin Regulation]~~**an existing solidarity mechanism** ;	
121	(f) the information referred to in Article 13 of the Regulation (EU) 2016/679[1] [GDPR]. _____ 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016	*deleted*	*(f)* the information referred to in Article 13 of the Regulation (EU) 2016/679[1] [GDPR]. _____ 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016	

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122	3. The information provided during the screening shall be given in a language which the third-country national understands or is reasonably supposed to understand. The information shall be given in writing and, in exceptional circumstances, where necessary, orally using interpretation services. It shall be provided in an appropriate manner taking into account the age and the gender of the person.	3. The information provided during the screening shall be given in a language which the third-country national understands~~ or is reasonably supposed to understand~~. The information shall be given in writing **in a concise and easily accessible format, using clear and plain language and**~~and, in exceptional circumstances~~, where necessary, orally using interpretation services. It shall be provided in an appropriate manner taking into account the age and the gender of the person **and in cases of unaccompanied minors in the presence of the representative as referred to in Article 9a**. **For those third-country nationals seeking international protection, that information may be provided at the same time as the information as laid down in Article 8(2) of Regulation (EU) xxxx/xxxx [Asylum Procedure Regulation].** **The responsible authorities shall make the necessary arrangements for interpretation**	3. The information provided during the screening shall be given in a language which the third-country national understands or is reasonably supposed to understand **or, in any case, in at least five of those languages which are most frequently used or understood by illegal migrants entering the Member State concerned**. The information shall be given in writing~~ and, in exceptional circumstances,~~**, or** where necessary **for the applicant's proper understanding, shall also be supplied** ~~,~~orally**,** using interpretation services **where possible. Where needed,** ~~.~~it shall be provided in an appropriate manner ~~taking into account the age and the gender of the person~~**in the case of vulnerable persons**.	

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		services and, where necessary and appropriate, for cultural mediation services to be available to facilitate access to the procedure for international protection.		
123	4. Member States may authorise relevant and competent national, international and non-governmental organisations and bodies to provide third country nationals with information under this article during the screening according to the provisions established by national law.	4. Member States may authorise relevant and competent national, international and non-governmental organisations and bodies to provide third country nationals with information under this article during the screening according to the provisions established by national law.	4. Member States may authorise relevant and competent national, international and non-governmental organisations and bodies to provide third country nationals with information under this article during the screening according to the provisions established by national law. **Such information may also be provided by leaflets developed by EU agencies, as appropriate.**	
124	Article 9 Health checks and vulnerabilities	Article 9 Health ~~checks and vulnerabilities~~**and vulnerability checks**	Article 9 **Preliminary** health checks and vulnerabilities	
125	1. Third-country nationals submitted to the screening referred to in Article 3 shall be subject to a	1. **All** third-country nationals submitted to the screening referred to in Article 3 shall be subject to a	1. Third-country nationals submitted to the screening referred to in Article 3 shall **have access to**	

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	preliminary medical examination with a view to identifying any needs for immediate care or isolation on public health grounds, unless, based on the circumstances concerning the general state of the individual third-country nationals concerned and the grounds for directing them to the screening, the relevant competent authorities are satisfied that no preliminary medical screening is necessary. In that case, they shall inform those persons accordingly.	preliminary medical examination **by qualified medical professionals** with a view to identifying any needs for immediate **or long-term** care or isolation on public health grounds~~, unless, based on the circumstances concerning the general state of the individual third-country nationals concerned and the grounds for directing them to the screening, the relevant competent authorities are satisfied that no preliminary medical screening is necessary. In that case, they shall inform those persons accordingly~~.	**emergency health care and essential treatment of illness. They shall** be subject to a preliminary ~~medical examination~~ **health check** with a view to identifying any needs for immediate **health** care or isolation on public health grounds~~,~~ unless, based on the circumstances concerning the general state of ~~the~~ **each** individual third-country ~~nationals~~**national** concerned and the grounds for directing ~~them~~ **her/him** to the screening, the ~~relevant competent~~**qualified medical staff or, by way of derogation, in exceptional circumstances, the screening** authorities ~~are satisfied~~**under the supervision of qualified medical staff consider** that no preliminary ~~medical screening~~ **health check** is necessary. **The Member States shall notify the Commission where they make use of such a possibility** ~~In that case, they shall inform those persons accordingly~~.	
125a		**1a. Without prejudice to the obligations on Member States laid down in Article 23 of Regulation (EU) xxxx/xxxx**		

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

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127	3. Where there are indications of vulnerabilities or special reception or procedural needs, the third-country national concerned shall receive timely and adequate support in view of their physical and mental health. In the case of minors, support shall be given by personnel trained and qualified to deal with minors, and in cooperation with child protection authorities.	3. Where there are indications of vulnerabilities or special reception or procedural needs, the third-country national concerned shall receive timely and adequate support in view of their physical and mental health **in adequate facilities in the Member State. Where a person claims not to have any nationality or when there are reasonable grounds to believe such person may be a stateless person, this shall be clearly registered**. In the case of minors, support shall be given **in a child-friendly manner** by personnel **properly** trained and qualified to deal with minors, and in cooperation with child protection authorities.	3. Where there are indications of vulnerabilities ~~or special reception or procedural needs,~~ the third-country national concerned shall receive timely and adequate support in view of their physical and mental health. In the case of minors, support shall be given by personnel trained and qualified to deal with minors, and in cooperation with child protection authorities. **Where a need for immediate health care was identified, such care shall be swiftly provided. Where a need for isolation on public health grounds was identified, the necessary public health measures shall be taken.**	
128	4. Where it is deemed necessary based on the circumstances, third-country nationals submitted to the screening referred to in Article 5 shall be subject to a preliminary medical examination, notably to identify any medical condition requiring immediate care, special	*deleted*	4. ~~Where it is deemed necessary based on the circumstances, third-country nationals submitted to the screening referred to in Article 5 shall be subject to a preliminary medical examination, notably to identify any medical condition requiring immediate care, special~~	

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	assistance or isolation.		~~assistance or isolation.~~	
128a		**4a. Without prejudice to the assessment of special reception needs required under Directive XXXX/XXX [Reception Conditions Directive], the assessment of special procedural needs required under Regulation XXXX/XXX [Asylum Procedures Regulation], and the vulnerability check required under Directive XXX/XXX [Return Directive], the vulnerability assessment referred to in the second and third paragraphs of this Article may form part of the vulnerability and special procedural assessments laid down in those legislative acts.**		
128b		**Article 9a Guarantees for minors 1. During the screening procedure, the best interests of the child shall always be a primary consideration in accordance with Article 24(2) of**		

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		the Charter. **2. Member States shall, as soon as possible, take measures to ensure that a representative represents and assists the unaccompanied minor during the screening. Where applicable, this representative shall be the same as the representative to be appointed in accordance with Article 23 of Directive (EU) XXX/XXX [Reception Conditions Directive]. The unaccompanied minor shall be informed immediately of the appointment of the representative. Such representatives shall perform their duties in accordance with the principle of the best interests of the child and shall have the necessary expertise to that end. In order to ensure the well-being and social development of the minor, the person acting as representative shall be changed only when necessary. Organisations or individuals whose interests conflict or could potentially conflict with those of the unaccompanied minor shall not be eligible to become**		

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		representatives. **3. Member States shall place a representative in charge of a proportionate and limited number of unaccompanied minors and, under normal circumstances, of no more than thirty at the same time to ensure that such representatives are able to perform their tasks effectively.**		
129	Article 10 Identification	Article 10 **Verification of identity or** identification	Article 10 Identification **or verification of identity**	
130	1. To the extent it has not yet occurred during the application of Article 8 of Regulation (EU) 2016/399, the identity of third-country nationals submitted to the screening pursuant to Article 3 or Article 5 shall be verified or established, by using in particular the following, in combination with national and European databases:	1. To the extent it has not yet occurred during the application of Article 8 of Regulation (EU) 2016/399 **[Schengen Borders Code]**, the identity of third-country nationals submitted to the screening pursuant to Article 3 ~~or Article 5~~**of this Regulation** shall be verified or established, by using**, where applicable,** ~~in particular~~ the following~~, in combination with national and European databases~~:	1. To the extent it has not yet occurred during the application of Article 8 of Regulation (EU) 2016/399, the identity of third-country nationals submitted to the screening pursuant to Article 3 or Article 5 shall be verified or established, by using ~~in particular~~ **, where applicable,** the following~~, in combination with national and European databases~~ **data**:	

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131	(a) identity, travel or other documents;	(a) identity, travel or other documents;	(a) identity, travel or other documents;	
132	(b) data or information provided by or obtained from the third-country national concerned; and	(b) data or information provided by ~~or obtained from~~ the third-country national concerned; and	(b) data or information provided by or obtained from the third-country national concerned; and	
133	(c) biometric data;	(c) biometric data;	(c) biometric data~~;~~**, including both facial images and fingerprints.**	
134	2. For the purpose of the identification referred to in paragraph 1, the competent authorities shall query any relevant national databases as well as the common identity repository (CIR) referred to in Article 17 of Regulation (EU) 2019/817. The biometric data of a third-country national taken live during the screening, as well as the identity data and, where available, travel document data shall be used to that end.	2. For the purpose of the **verification or** identification referred to in paragraph 1 **of this Article, the designated** ~~, the~~ competent authorities shall ~~query any relevant national databases as well as the common identity repository (CIR)~~**consult the CIR** referred to in Article 17 of Regulation (EU) 2019/817 **and the Schengen Information System (SIS)**. The biometric data of ~~a~~ third-country ~~national taken live during~~**nationals subject to** the screening~~, as well as the identity data and, where available, travel~~	2. For the purpose of the identification ~~referred to in paragraph 1, the competent~~**or verification , the screening** authorities shall query**, using the data or information refererred in paragraph 1,**~~ any relevant national databases as well as~~ the common identity repository (CIR) referred to in Article 17 of Regulation (EU) 2019/817~~. The biometric data of a third-country national taken live during the screening, as well as the identity data and,~~**, the Schengen Information System (SIS) and** where ~~available, travel document~~	

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		~~document data shall be used to that end~~ **shall be taken once for the purpose of both verification or identification and of the registration in Eurodac of that person**.	~~data shall be used to that end~~**relevant, national databases applicable in accordance with national legislation.** .	
134a		**2a. The consultation provided for in paragraph 2 shall be launched using the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and Chapter II of Regulation (EU) 2019/818.**		
135	3. Where the biometric data of the third-country national cannot be used or where the query with those data referred to in paragraph 2 fails, the query as referred to in paragraph 2 shall be carried out with the identity data of the third-country national, in combination with any identity, travel or other document data or with the identity data provided by that third-country national.	3. Where the biometric data of the third-country national cannot be used or where the ~~query~~**consultation** with those data ~~referred to in paragraph 2~~ fails, the ~~query~~**consultation** as referred to in paragraph 2 shall be carried out with the identity data of the third-country national, in combination with any identity, travel or other document data or with the identity data provided by that third-country national.	3. **Biometric data of a third-country national taken live shall be used for searches in the CIR.** Where the biometric data of the third-country national cannot be used or where the query with those data referred to in paragraph 2 fails **or returns no result**, the query as referred to in paragraph 2 shall be carried out with the identity data of the third-country national, in combination with any ~~identity,~~ travel or other document data**,** or with ~~the identity data provided by that third-country national~~**any of**	

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			the data or information referred to in paragraph 1(b).	
135a			**3a. Searches in the SIS with biometric data shall be carried out in accordance with Article 33 of Regulation (EU) 2018/1861 and Article 43 of Regulation (EU) 2018/1862. A search with the identity data of the third-country national in combination with any travel or other document data or with any of the data or information referred to in paragraph 1(b) shall in all cases be carried out in SIS.**	
136	4. The checks, where possible, shall also include the verification of at least one of the biometric identifiers integrated into any identity, travel or other document.	4. The checks, where possible, shall also include the verification of at least one of the biometric identifiers integrated into any identity, travel or other document.	4. The checks, where possible, shall also include the verification of at least one of the biometric identifiers integrated into any identity, travel or other document.	
136a		**4a. The European Border and Coast Guard Agency may support the competent authorities in the identification of third-country nationals**		

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		submitted to the screening in accordance with Regulation (EU) 2019/1896		
136b			**4a. This article is without prejudice to actions undertaken in line with national law with a view to establish the identity of the person concerned.**	
137	Article 11 Security check	Article 11 Security check	Article 11 Security check	
138	1. Third country nationals submitted to the screening pursuant to Article 3 or Article 5 shall undergo a security check to verify that they do not constitute a threat to internal security. The security check may cover both the third-country nationals and the objects in their possession. The law of the Member State concerned shall apply to any searches carried out.	1. ~~Third country~~**Third-country** nationals submitted to the screening pursuant to Article 3 ~~or Article 5~~ shall undergo a security check to verify ~~that they do not constitute~~**whether they might pose** a threat to internal security. The security check may cover both the third-country nationals and the objects in their possession. The law of the Member State concerned shall apply to any searches carried out.	1. Third country nationals submitted to the screening pursuant to Article 3 or Article 5 shall undergo a security check to verify ~~that they do not constitute a threat to internal security~~**whether they could pose a security risk** . The security check may cover both the third-country nationals and the objects in their possession. The law of the Member State concerned shall apply to any searches carried out.	

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139	2. For the purpose of conducting the security check referred to in paragraph 1, and to the extent that they have not yet done so in accordance with Article 8(3), point (a)(vi), of Regulation (EU) 2016/399, the competent authorities shall query relevant national and Union databases, in particular the Schengen Information System (SIS).	2. For the purpose of conducting the security check referred to in paragraph 1, and to the extent that ~~they have not yet done so~~**this has not already taken place in the context of checks performed** in accordance with Article 8(3)~~, point (a)(vi),~~ of Regulation (EU) 2016/399 **[Schengen Borders Code], the relevant Union databases, in particular the SIS,**~~, the competent authorities~~ shall ~~query~~**be consulted as provided for in Article 12.** Relevant national ~~and Union~~ databases~~, in particular the Schengen Information System (SIS~~ **in accordance with Article 8(3) of Regulation (EU) 2016/399 [Schengen Borders Code] may also be consulted for this purpose**.	2. For the purpose of conducting the security check referred to in paragraph 1, and to the extent **it has not been already done during the checks referred to in Article 8**~~that they have not yet done so in accordance with Article 8(3), point (a)(vi),~~ of Regulation (EU) 2016/399, the ~~competent~~**screening** authorities- shall query relevant national and Union databases, in particular the Schengen Information System (SIS)**, the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 34 of Regulation (EU) 2018/1240, the Visa Information System (VIS), the ECRIS-TCN system, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794, and the Interpol Databases with the data referred to in Article 10(1) or any identity discovered during the identification or verification of Article 10**.	
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	3. To the extent it has not been already done during the checks referred to in Article 8 of Regulation (EU) 2016/399, the competent authority shall query the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 29 of Regulation (EU) 2018/1240, the Visa Information System (VIS), the ECRIS-TCN system as far as convictions related to terrorist offences and other forms of serious criminal offences are concerned, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794, and the Interpol Travel Documents Associated with Notices database (Interpol TDAWN) with the data referred to in Article 10(1) and using at least the data referred to under point (c) thereof.	*deleted*	3. ~~To the extent it has not been already done during the checks referred to in Article 8 of Regulation (EU) 2016/399, the competent authority shall query the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), including the ETIAS watch list referred to in Article 29 of Regulation (EU) 2018/1240, the Visa Information System (VIS), the ECRIS-TCN system as far as convictions related to terrorist offences and other forms of serious criminal offences are concerned, the Europol data processed for the purpose referred to in Article 18(2), point (a), of Regulation (EU) 2016/794, and the Interpol Travel Documents Associated with Notices database (Interpol TDAWN) with the data referred to in Article 10(1) and using at least the data referred to under point (c) thereof.~~	
141	4. As regards the consultation of EES, ETIAS and VIS pursuant to paragraph 3, the retrieved data shall be limited to indicating refusals of a travel authorisation,	4. As regards the consultation of EES, ETIAS and VIS pursuant to paragraph ~~3~~**2**, the retrieved data shall be limited to indicating refusals of a travel authorisation,	4. ~~As regards the consultation~~ **The query** of EES, ETIAS**, with the exception of the ETIAS watchlist, and VIS pursuant to paragraph 2,** ~~and VIS pursuant~~	

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	refusals of entry, or decisions to refuse, annul or revoke a visa or residence permit, which are based on security grounds.	refusals of entry, or decisions to refuse, annul or revoke a visa or residence permit, which are based on security grounds.	~~to paragraph 3, the retrieved data~~ shall be limited to ~~indicating~~ refusals of ~~a travel authorisation, refusals of entry~~**entry,decisions to refuse, annul or revoke a travel authorisation**, or decisions to refuse, annul or revoke a visa or residence permit **respectively**, which are based on security grounds. **In case of a match in the SIS, the screening authority carrying out the search shall have access to all data stored in the SIS related to the matched alert.**	
141a		**4a. As regards the consultation of the ECRIS-TCN system, the data retrieved shall be limited to convictions related to terrorist offences and other forms of serious criminal offences referred to in Article 5(1)(c) of Regulation (EU) 2019/816.**		
141b		**4b. Any consultation of Interpol databases for the purposes of paragraph 1 shall be performed only when it is ensured that no information is revealed to the**		

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

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	Portal in accordance with Chapter II of Regulation (EU) 2019/817 and with Chapter II of Regulation (EU) 2019/818[1]. _____ 1. Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration, OJ L 135, 22.5.2019, p. 85.	related to ~~EU~~**Union** information systems and the CIR, the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and with Chapter II of Regulation (EU) 2019/818[1]. _____ 1. Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration, OJ L 135, 22.5.2019, p. 85.	**Databases,** and the CIR, the European Search Portal in accordance with Chapter II of Regulation (EU) 2019/817 and with Chapter II of Regulation (EU) 2019/818[1]. _____ 1. Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration, OJ L 135, 22.5.2019, p. 85.	
144a			**1a. In case of a hit pursuant to Article 10 or Article 11, the screening authority shall verify that data recorded in EU information systems or Europol correspond to the data triggering a hit.**	
145	2. Where a match is obtained following a query as provided for in Article 11(3) against data in one of the information systems, the competent authority shall have access to consult the file corresponding to that match in the respective information system in	2. Where a ~~match~~**hit** is obtained following a ~~query~~**consultation** as provided for in Article ~~11(3) against data in one of the information systems,~~**11(2), the authorities responsible in accordance with relevant Union law provisions shall provide** the	2. Where a match is obtained following a query as provided for in Article ~~11(3)~~ **11(2)** against data in one of the information systems, the ~~competent authority~~ **screening authorities** shall have access to consult**, without prejudice to provisions of the Member States**	

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

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			2018/1860, 2018/1861 or 2018/1862 including the consultation of the alert issuing Member State through the SIRENE Bureaux.	
145c		**2b. Where the consultation provided for in Article 11(2) of this Regulation reports a hit against ECRIS-TCN, the central authority of the Member State holding criminal records information on the third-country national concerned shall be notified of a request for an opinion in accordance with Article 7a of Regulation (EU) 2019/816. National criminal records shall be consulted prior to the delivery of that opinion.**		
145d			**2b. Where a third-country national corresponds to a person whose data is recorded in the ECRIS-TCN and flagged in accordance with point (c) of Article 5(1) of Regulation (EU) 2019/816, the data may only be used for the purpose of the security check referred to in**	

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			Article 11 of this Regulation and for the purpose of consultation of the national criminal records which shall be in accordance with Article 7c of the Regulation 2019/816. National criminal records shall be consulted prior to the delivery of an opinion pursuant to Article 7c of that Regulation.	
145e		**2c. When a hit is obtained in the ETIAS watchlist, the provisions of Article 35a of Regulation (EU) 2018/1240 shall apply.**		
146	3. Where a query as provided for in Article 11(3) reports a match against Europol data, the competent authority of the Member State shall inform Europol in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation.	3. Where a ~~query~~**consultation** as provided for in Article ~~11(3)~~**11(2)** reports a ~~match~~**hit** against Europol data, ~~the competent authority of the Member State shall inform Europol in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation~~**an automated notification, containing the data used for the consultation, shall be sent to Europol**.	3. Where a query as provided for in Article ~~11(3)~~**11(2)** reports a match against Europol data, **an automated notification, containing the data used for the query,**~~the competent authority of the Member State~~ shall ~~inform~~**be sent to** Europol **in accordance with Regulation (EU) 2016/794** in order **for Europol to inform, where**~~to take, if~~ needed, ~~any appropriate follow-up action in accordance with the relevant legislation~~**whether the person**	

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			could pose a security risk, using the communication channels provided for in Regulation (EU) 2016/794.	
147	4. Where a query as provided for in Article 11(3) reports a match against the Interpol Travel Documents Associated with Notices database (Interpol TDAWN), the competent authority of the Member State shall inform the Interpol National Central Bureau of the Member State that launched the query in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation.	*deleted*	4. ~~Where a query~~**Queries** as provided for in Article ~~11(3) reports a match against the Interpol Travel Documents Associated with Notices database (Interpol TDAWN~~**11(2) databases shall be performed in accordance with Articles 9(5) and 72(1) of Regulation (EU**)~~, the competent authority of the Member State shall inform the Interpol National Central Bureau of the Member State that launched the query in order to take, if needed, any appropriate follow-up action in accordance with the relevant legislation~~ **2019/817. Where it is not possible to perform such queries in a way that no information is revealed to the owner of the Interpol alert, the screening shall not include the query of the Interpol databases** .	
147a			**4a. When a hit is obtained in the**	

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			ETIAS watchlist, the provisions of Article 35a of Regulation (EU) 2018/1240 shall apply.	
148	5. The Commission shall adopt implementing acts to specify the procedure for cooperation between the authorities responsible for carrying out the screening, Interpol National Central Bureaux, Europol national unit, and ECRIS-TCN central authorities, respectively, to determine the risk to internal security. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	5. The Commission shall adopt ~~implementing acts~~ **delegated acts in accordance with Article 14a in order** to specify the procedure for cooperation between the authorities responsible for carrying out the screening~~, Interpol National Central Bureaux, Europol national unit, and ECRIS-TCN central~~ **and other competent** authorities~~, respectively, to determine the risk to internal security. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2)~~ **to verify whether a person might pose a threat to internal security**.	5. The Commission shall adopt implementing acts to specify the procedure for cooperation between the authorities responsible for carrying out the screening, Interpol National Central Bureaux~~,~~ **and** Europol national unit, ~~and ECRIS-TCN central authorities,~~ respectively, to determine the **security** risk ~~to internal security~~. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	
149	Article 13 De-briefing form	Article 13 ~~De-briefing~~**Screening** form	Article 13 ~~De-briefing~~ **Screening** form	
150	On completion of the screening, the competent authorities shall,	~~On completion of~~**To complete** the screening, the competent	~~On completion of the screening, the competent~~ **During the**	

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	with regard to the persons referred to in Article 3 and in Article 5, complete the form in Annex I containing:	authorities shall, with regard to the persons referred to in Article 3 ~~and in Article 5,~~ complete the form **set out** in Annex I containing **the following information**:	**screening and at the latest on its completion, the screening** authorities shall, with regard to the persons referred to in Article 3 and in Article 5, complete ~~the form in Annex I containing~~ **a form containing, at least, the following data**:	
151	(a) name, date and place of birth and sex;	(a) name, date and place of birth and ~~sex~~**gender**;	(a) name, date and place of birth and sex;	
152	(b) initial indication of nationalities, countries of residence prior to arrival and languages spoken;	(b) **their** initial indication of nationalities **or statelessness**, countries of residence prior to arrival and languages spoken;	(b) ~~initial~~ indication of ~~nationalities, countries of residence prior to arrival~~ **nationality or statelessness** and languages spoken;	
152a			**(ba) reason to perform the screening;**	
153	(c) reason for unauthorised arrival, entry, and, where appropriate illegal stay or residence, including information on whether the person made an application for	(c) **the** reason for ~~unauthorised arrival, entry, and, where appropriate illegal stay or residence, including information on whether the person made an~~	(c) ~~reason for unauthorised arrival, entry, and, where appropriate illegal stay or residence, including information on whether the person made an application for~~	

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	international protection;	~~application for international protection~~**which the screening was performed as referred to in Article 3(1) and (2)**;	~~international protection;~~**information, where applicable, on vulnerability identified during the screening, and on health checks performed, excluding detailed medical information.**	
153a		**(ca) relevant information on the preliminary medical examination carried out in accordance with Article 9(1);**		
153b		**(cb) relevant information on the preliminary vulnerability assessment carried out in accordance with Article 9(2), in particular any vulnerability or special reception or procedural needs identified;**		
153c		**(cc) information as to whether the third-country national has applied for international protection;**		
153d				

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		(cd) information as to whether the third-country national has family members or close adult relatives located on the territory of the Member States;		
153e		**(ce) whether the consultation of relevant databases for security purposes in accordance with Article 11 resulted in a hit or no hit.**		
154	(d) information obtained on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where protection may have been sought or granted as well as the intended destination within the Union;	*deleted*	(d) ~~information obtained on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where~~**whether the third country national has made an application for international** protection~~ may have been sought or granted as well as the intended destination within the Union~~;	
155	(e) information on assistance provided by a person or a criminal organisation in relation to unauthorised crossing of the	*deleted*	(e) ~~information on assistance provided by a person or a criminal organisation in relation to unauthorised crossing of the~~	

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	border, and any related information in cases of suspected smuggling.		~~border, and any related information in cases of suspected smuggling.~~**whether there is a hit in accordance with Article 11;**	
155a			**(ea) whether the third country national has complied with its obligation to cooperate in accordance with Article 6a.**	
155b		**Where such information is available, the form shall include:** **(a) the reason for irregular arrival or entry;** **(b) information obtained on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where international protection may have been sought or granted as well as the intended destination within the Union.**		
155c		**The information in the screening form shall be recorded in such a way that it is amenable to**		

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		administrative and judicial review during any subsequent asylum or return procedure.		
155d			**The screening authorities shall also specify whether the data referred to in points (a) and (b) are confirmed or declared by the person concerned and whether the third-country national has been subject to a preliminary health check.**	
155e		**The person concerned shall be provided with a copy of the form before it is transmitted to the relevant authorities as referred to in Article 14, paragraphs 1, 2 and 3. The person subject to the screening shall have the possibility to indicate that the information contained in the form is incorrect. Any such indication shall be included under the relevant information as referred to in this Article.**		
155f			**Where available, the following**	

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			data shall be included:	
155g			**(a) reason for unauthorised arrival, entry, and, where appropriate, illegal stay or residence, including declared or confirmed information if any of the family members are located on the territory of the Member States;**	
155h			**(b) information obtained on routes travelled, including the point of departure, the places of previous residence, the third countries of transit and those where application for international protection may have been made or granted as well as the intended destination within the Union and presence and validity of travel and identity documents;**	
155i			**(c) Any other relevant information.**	

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155j			**The screening authorities shall transmit to the competent authorities any information obtained during the screening on assistance provided to the third country national by a person or an organisation in relation to the unauthorised crossing of the border, and any related information in cases of suspected smuggling or trafficking in human beings.**	
156	Article 14 Outcome of the screening	Article 14 ~~Outcome~~**Completion** of the screening	Article 14 ~~Outcome~~**Completion** of the screening	
157	1. The third country nationals referred to in Article 3(1) point (a) and (b) of this Regulation who	1. **Once the screening is completed, or when the period for carrying out the screening in accordance with Article 6(6b) or (6c) ends, third-country**~~The third country~~ nationals referred to in Article 3(1) point (a) and (b) of this Regulation who~~-~~**:**	1. **Once the screening is completed or, at the latest, when the time limits set in Article 6 expire, the following rules apply:**~~The third country nationals referred to in Article 3(1) point (a) and (b) of this Regulation who~~	
158	- have not applied for international	- have not ~~applied~~**expressed a**	- **The third country nationals**	

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	protection and	**wish to make an application** for international protection and	**referred to in Article 3(1) point (a) and (b) of this Regulation who** have not ~~applied~~ **made an application** for international protection ~~and~~	
159	- with regard to whom the screening has not revealed that they fulfil entry conditions set out in Article 6 of Regulation (EU) 2016/399,	- with regard to whom the screening has not revealed that they fulfil entry conditions set out in Article 6 of Regulation (EU) 2016/399,		
160	shall be referred to the competent authorities to apply procedures respecting Directive (EU) 2008/115/EC (Return Directive).	shall be referred to the competent authorities to apply procedures ~~respecting~~**in accordance with** Directive (EU) 2008/115/EC ~~(~~**[**Return Directive**], without prejudice to the application of Article 6(5) of Regulation (EU) 2016/399 [Schengen Borders Code]**.	shall be referred to the competent authorities to apply ~~procedures respecting~~ Directive (EU) 2008/115/EC (Return Directive) **including, where applicable procedures in line with Article 2(2)(a) of that Directive**.	
161	In cases not related to search and rescue operations, entry may be refused in accordance with Article 14 of Regulation 2016/399.	*deleted*	~~In cases not related to search and rescue operations, entry may be refused in accordance with Article 14 of Regulation 2016/399.~~	

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162	The form referred to in Article 13 shall be transmitted to the relevant authorities to whom the third country national is being referred.	The form referred to in Article 13 shall be transmitted to the relevant authorities to whom the third country national is being referred.	The form referred to in Article 13 shall be transmitted to the relevant authorities to whom the third country national is being referred.	
163	2. Third-country nationals who made an application for international protection shall be referred to the authorities referred to in Article XY of Regulation (EU) No XXX/XXX [Asylum Procedure Regulation], together with the form referred to in Article 13 of this Regulation. On that occasion, the authorities conducting the screening shall point in the de-briefing form to any elements which seem at first sight to be relevant to refer the third-country nationals concerned into the accelerated examination procedure or the border procedure.	2. Third-country nationals who **make, have made, or express the wish to make**~~made~~ an application for international protection shall be referred to the **determining** authorities referred to in Article ~~XY~~**[5]** of Regulation (EU) No XXX/XXX [Asylum Procedure Regulation], together with the form referred to in Article 13 of this Regulation. ~~On that occasion, the authorities conducting the screening shall point in the de-briefing form to any elements which seem at first sight to be relevant to refer the third-country nationals concerned into the accelerated examination procedure or the border procedure.~~	2. ~~Third-country nationals who made an application for international protection shall be referred to the authorities~~**Where the third-country nationals** referred to in Article **3) and Article 5 have made an application for international protection,** ~~XY of Regulation (EU) No XXX/XXX [Asylum Procedure Regulation~~], ~~together with~~**,** the form referred to in Article 13 of this Regulation. ~~On that occasion, the authorities conducting the screening shall point in the de-briefing form to any elements which seem at first sight to be relevant to refer the third-country nationals concerned into the accelerated examination procedure or the border procedure~~**, as soon as possible and at the latest once completed, shall be referred to the authorities competent under national law for registering application for**	

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			international protection].	
164	3. Where the third country national is to be relocated under the mechanism for solidarity established by Article XX of Regulation (EU) No XXXX/XXXX [Dublin Regulation], the third-country national concerned shall be referred to the relevant authorities of the Member States concerned together with the form referred to in Article 13.	3. Where the third country national is to be relocated under the mechanism for solidarity established by Article XX of Regulation (EU) No XXXX/XXXX [Dublin Regulation], the third-country national concerned shall be referred to the relevant authorities of the Member States concerned together with the form referred to in Article 13.	3. Where the ~~third country~~**third-country** national is to be relocated ~~under the mechanism for solidarity established by Article XX of Regulation (EU) No XXXX/XXXX [Dublin Regulation~~], the third-country national concerned shall be referred to the relevant authorities of the Member States concerned together with the ~~form~~**information** referred to in Article 13.	
165	4. The third-country nationals referred to in Article 5, who	*deleted*	4. The third-country nationals referred to in Article 5, who	
166	- have not applied for international protection and	*deleted*	- have not ~~applied~~**made an application** for international protection ~~and~~	
167	- with regard to whom the screening has not revealed that they fulfil the conditions for entry and stay	*deleted*		

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168	shall be subject to return procedures respecting Directive 2008/115/EC.	*deleted*	shall **continue to** be subject to return procedures– respecting Directive 2008/115/EC.	
169	5. Where third-country nationals submitted to the screening in accordance with Article 5 make an application for international protection as referred to in Article 25 of Regulation (EU) No XXX/XXX (Asylum Procedures Regulation), paragraph 2 of this Article shall apply accordingly.	*deleted*	5. ~~Where third-country nationals submitted to the screening in accordance with Article 5 make an application for international protection as referred to in Article 25 of Regulation (EU) No XXX/XXX (Asylum Procedures Regulation), paragraph 2 of this Article shall apply accordingly.~~	
170	6. In respect of third-country nationals to whom Regulation EU No XXX/XXX [Eurodac Regulation] applies, the competent authorities shall take the biometric data referred to in Articles [10, 13, 14 and 14a] of that Regulation (EU) and shall transmit it in accordance with that Regulation.	*deleted*	6. In respect of third-country nationals to whom Regulation EU No ~~XXX/XXX~~**XXX/XXXX** [Eurodac **III** Regulation] applies, the ~~competent~~ **screening** authorities shall take the biometric data referred to in Articles [10, 13, 14 and 14a] of that Regulation (EU) and shall transmit it in accordance with that Regulation.	
170a				

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

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

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		shall determine whether the individual is a stateless person and shall offer adequate protection, in accordance with national law.		
171b			**7a. Where, in accordance with national criminal law, a third-country national referred to in Articles 3 or 5 is apprehended under criminal law procedures, the screening may not be applied. If the screening had already started, the form referred to in Article 13 shall be sent, with indication of circumstances that ended the screening, to the authorities competent for the procedures respecting Directive (EC) 2008/115/EC (Return Directive), or, if the third-country national has made an international protection application, the authorities competent under national law for registering application for international protection].**	
171c		**7b. The Member State carrying out the screening procedure shall**		

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		ensure that all personal data collected in the context of that procedure, in particular personal data included in the screening form, is deleted at the latest when: **(i) a final decision has been taken on the application for international protection, including any and all levels of appeal;** **(ii) a final decision has been taken in respect of the return procedure, including any and all levels of appeal; or** **(iii) the person has been granted entry into the Member State concerned under Article 6 of Regulation (EU) 2016/299 [Schengen Borders Code].**		
171d		**Article 14a** **Exercise of the delegation** **1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.**		

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		2. The power to adopt delegated acts referred to in Article 12(5) shall be conferred on the Commission for a period of three years from ... [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the three-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period. **3. The delegation of power referred to in Article 12(5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the**		

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		validity of any delegated acts already in force. **4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.** **5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.** **6. A delegated act adopted pursuant to Article 12(5) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of [two months] of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That**		

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		period shall be extended by [two months] at the initiative of the European Parliament or of the Council.		
172	Article 15 Committee procedure	Article 15 Committee procedure	Article 15 Committee procedure	
173	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
174	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. **Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act, and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.**	
175	Article 16 Amendments to Regulation (EC)	Article 16 Amendments to Regulation (EC)	Article 16 Amendments to Regulation (EC)	

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	No 767/2008	No 767/2008	No 767/2008	
176	Regulation (EC) No 767/2008 is amended as follows:	Regulation (EC) No 767/2008 is amended as follows:		
176a		**(-1) In Article 2, the following point is added:** **"(ga) to allow for security checks in accordance with Article 11(2) of Regulation (EU) 2020/XXX [Screening Regulation].**		
177	(1) In Article 6, paragraph 2 is replaced by the following:	(1) In Article 6, paragraph 2 is replaced by the following:	(1) In Article 6, paragraph 2 is replaced by the following:	
178	" 2. Access to the VIS for the purposes of consulting the data shall be reserved exclusively for the duly authorised staff of the ETIAS Central Unit, of the national authorities of each Member State, including to duly authorised staff of the ETIAS	" 2. Access to the VIS for the purposes of consulting the data shall be reserved exclusively for the duly authorised staff of the ETIAS Central Unit, of the national authorities of each Member State, including to duly authorised staff of the ETIAS	" 2. Access to the VIS for ~~the purposes of~~ consulting the data shall be reserved exclusively for the duly ~~authorised~~**authorized** staff of ~~the ETIAS Central Unit,~~**:** **(a) the national authorities of each Member State and** of the ~~national authorities of each~~	

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	National Units, designated pursuant to Article 8 of Regulation (EU) 2018/1240 of the European Parliament and of the Council, which are competent for the purposes laid down in Articles 15 to 22, for the duly authorised staff of the national authorities of each Member States and of the Union agencies, which are competent for the purposes laid down in Articles 20 and 21 of Regulation 2019/817, and for the competent authorities provided under Article 6(6) of Regulation (EU) 2020/XXX of the European Parliament and of the Council[1]. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.; ” _____ 1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].	National Units, designated pursuant to Article 8 of Regulation (EU) 2018/1240 of the European Parliament and of the Council, which are competent for the purposes laid down in Articles 15 to 22, for the duly authorised staff of the national authorities of each Member States and of the Union agencies, which are competent for the purposes laid down in Articles 20**, 20a** and 21 of Regulation 2019/817~~, and for the competent authorities provided under Article 6(6) of Regulation (EU) 2020/XXX of the European Parliament and of the Council~~[1]. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.**"**; ” _____ ~~1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].~~	~~Member State, including to duly authorised staff of~~**EU bodies which are competent for the purposes laid down in Articles 15 to 22, Articles 22g to 22m, and Article 45e;** **(b) the ETIAS Central Unit and** the ETIAS National Units, designated pursuant to ~~Article~~**Articles 7 and** 8 of Regulation (EU) 2018/1240**, for the purposes laid down in Articles 18c and 18d of this Regulation and in Regulation (EU) 2018/1240;** **(c) the screening authorities, designated pursuant to Article 6(7) of Regulation (EU) 2020/XXX [screening regulation],**~~ of the European Parliament and of the Council, which are competent~~ for the purposes laid down in Articles ~~15 to 22, for the duly authorised staff of~~ **10 to 12 of that Regulation;** **(d)** the national authorities of each Member ~~States~~**State** and of the Union ~~agencies,~~**bodies** which are competent for the purposes laid down in Articles 20 and 21 of ~~Regulation 2019/817, and for the competent authorities provided under Article 6(6) of Regulation~~	

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			~~(EU) 2020/XXX of the European Parliament and of the Council~~**Regulation (EU) 2019/817.** **That access shall be limited to the extent that the data are required for the performance of their tasks in accordance with those purposes, and proportionate to the objectives pursued."**[1]. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.; " _____ 1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].	
178a		**(1a) In Article 6, the following paragraph is inserted:** **"2a. The authorities competent for the screening provided under Article 6(7) of Regulation (EU) 2020/xxxx [Screening Regulation] shall also have access**		

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

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180	Regulation (EU) 2017/2226 is amended as follows:	Regulation (EU) 2017/2226 is amended as follows:	Regulation (EU) 2017/2226 is amended as follows:	
181	(1) In Article 6(1), the following point (1) is added:	(1) In Article 6(1), the following point (1) is added:	(1) **(1)** in Article 6(1), the following point ~~(1) is added~~**(k) is inserted after point (j)**:	
182	” (1) support the objectives of the screening established by Regulation (EU) 2020/XXX of the European Parliament and of the Council[1], in particular for the checks provided under Article 10 thereof. ” _____ 1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].	” ~~(1)~~**(l)** support the objectives of the screening established by Regulation (EU) 2020/XXX of the European Parliament and of the Council[~~1~~]~~, in particular~~ **[Screening Regulation], by allowing** for the checks provided under Article 10 **and Article 11(2)** thereof. ” _____ ~~1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].~~	” (1) **"(k)** support the objectives of the screening established by Regulation (EU) 2020/XXX of the European Parliament and of the Council[1], in particular for the checks provided under ~~Article 10~~ **Articles 10 to 12** thereof.**"** ” _____ 1. ~~Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817]~~ **See footnote of the proposal**.	
183				

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	(2) Article 9 is amended as follows:	(2) Article 9 is amended as follows:	(2) Article 9 is amended as follows:	
184	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) **(a) the following** paragraph ~~1 is replaced by the following~~**2a is inserted after paragraph 2**:	
185	“ 2a. The competent authorities referred to in Article 5(6) of Regulation (EU) 2020/XXX shall have access to the EES to consult data.; ”	“ 2a. The **authorities** competent ~~authorities~~**for the screening** referred to in Article ~~5(6)~~**6(7)** of Regulation (EU) 2020/XXX shall have access to the EES to consult **the data in order to perform a security check in accordance with Article 11(2) of that Regulation**~~data~~. **A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1) of Regulation (EU) 2020/XXX [Screening Regulation] and the EES shall return a hit where a refusal of entry record based on the grounds provided for in point I of Part B of Annex V to Regulation (EU) 2016/399**	“ 2a. **"2a. The screening**~~The competent~~ authorities referred to in Article ~~5(6)~~**6(7)** of Regulation (EU) 2020/XXX shall have access to the EES to consult data.**"**; ”	

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		[Schengen Borders Code] is linked to a matching (individual) file. **Where a hit is obtained, the EES shall automatically notify the authority responsible for the refusal of entry decision referred to in the second subparagraph of a request to provide the screening authorities with detailed information on the grounds for such decision within four days of the notification of that request**; ”		
186	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:		
187	“ Access to the EES data stored in the CIR shall be reserved exclusively for the duly authorised staff of the national authorities of each Member State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of	“ Access to the EES data stored in the CIR shall be reserved exclusively for the duly authorised staff of the national authorities of each Member State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of	“ **"(4)** Access to the EES data stored in the CIR shall be reserved exclusively for the duly ~~authorised~~**authorized** staff of the national authorities of each Member State and for the duly ~~authorised~~**authorized** staff of the Union agencies that are competent for the purposes laid down in	

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	Regulation (EU) 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued. ”	Regulation (EU) 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued. ”	Article 20, Article 20a and Article 21 of ~~Regulation~~**Regulations** (EU) 2019/817 **and 2019/818**. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.**"**	
187a			**(3) the following Article 24a is inserted after Article 24:** ***"Article 24a*** ***Access to data for the identification and for the security check for the purposes of screening*** **1. For the purposes of verifying or establishing the identity of a person pursuant to Article 10 of Regulation (EU) XXX/YYYY (Screening) and the carrying out of security checks pursuant to Articles 11 and 12 of that Regulation, the screening authorities referred to in Article 6(7) of that same Regulation shall have access to EES data to the extent necessary to be able to carry out searches using the data referred to in Article 10(1) of Regulation (EU) XXX/YYYY**	

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

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

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	territory of the Member States poses a security risk; ” _____ 1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].	territory of the Member States poses a security risk**, and by allowing for a security check in accordance with Article 11(2) of Regulation (EU) 2020/xxxx of the European Parliament and of the Council [Screening Regulation]**;**"** ” _____ ~~1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].~~	person on the territory of the Member States poses a security risk;**"** _____ ~~1. Regulation (EU) No XXX of the European Parliament and of the Council of [...] introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817].~~	
191a			**(2) In paragraph 2 of Article 8 a new point (h) is added:** **(h) providing opinions in accordance with Article 35a.** ”	
192	(2) In Article 13, paragraph 5 is replaced by the following:	(2) ~~In~~ Article 13~~, paragraph 5 is replaced by the following~~ **is amended as follows**:	(2) In Article 13, paragraph 5 is replaced by the following:	
192a		“ **4a. a) paragraph 4a is**		

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		replaced by the following: **"(4a) Access to the ETIAS identity data and travel document data stored in the CIR shall also be reserved exclusively for the duly authorised staff of the national authorities of each Member State and for the duly authorised staff of the Union agencies that are competent for the purposes laid down in Article 20, Article 20a and Article 21 of Regulation (EU) 2019/817. Such access shall be limited according to the extent that the data are required for the performance of their tasks for those purposes, and proportionate to the objectives pursued.";**		
192b		**4a a. (b) paragraph 4a a is inserted:** **(4a a) The authorities competent for the screening referred to in Article 6(7) of Regulation (EU) 2020/XXX [Screening Regulation] shall also have access to ETIAS to consult the data in order to perform a security check in accordance with Article**		

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		11(2) of that Regulation. **A search in accordance with this paragraph shall be performed by using the data referred to in Article 10(1), points (a) and (b), of Regulation (EU) 2020/XXX [Screening Regulation]and ETIAS shall return a hit where a decision refusing a travel authorisation based on point (b) of Article 37(1) is included in a matching (application) file.** **Where a hit is obtained, ETIAS shall automatically notify the ETIAS National Unit of the Member State responsible for a decision referred to in the second subparagraph of a request to provide the authorities competent for the screening with detailed information on the grounds thereof within four days of notification of the request.** **If the search carried out pursuant to paragraph 1 of this Article indicates that there is a correspondence between the data used for the search and the data recorded in the ETIAS watchlist referred to in Article 34 of that**		

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		Regulation, the ETIAS National Unit or Europol having entered the data in the ETIAS watchlist shall be notified of the correspondence and shall be responsible for accessing the data in the ETIAS watchlist and for providing an opinion in accordance with Article 35a of that Regulation."		
193	" 5. Each Member State shall designate the competent national authorities referred to in paragraphs 1, 2 and 4 of this Article, and the competent authority referred to in Article 5(6) of Regulation (EU) 2020/XXX, and shall communicate a list of those authorities to eu-LISA without delay, in accordance with Article 87(2) of this Regulation. That list shall specify for which purpose the duly authorised staff of each authority shall have access to the data in the ETIAS Information System in accordance with paragraphs 1, 2 and 4 of this Article. "	5. Each Member State shall designate the competent national authorities referred to in paragraphs 1, 2 and 4 of this Article, and the **authorities** competent ~~authority~~**for the screening** referred to in Article ~~5(6)~~**6(7)** of Regulation– (EU) 2020/XXX, and shall communicate a list of those authorities to eu-LISA without delay, in accordance with Article 87(2) of this Regulation. That list shall specify for which purpose the duly authorised staff of each authority shall have access to the data in the ETIAS Information System in accordance with paragraphs 1, 2 and 4 of this Article.**"**	" 5. **(a) the following paragraph 4b is inserted after paragraph 4a:** **"4b. For the purposes of Articles 10 to 12 of Regulation (EU) XXX/YYYY (Screening), the screening authorities referred to in the third sub-paragraph of Article 6(7) of that Regulation, shall have:** **(a) access to the data in the ETIAS Central System to the extent necessary to be able to carry out searches using the data referred to in Article 10(1)(a) and (b) of that Regulation against the data contained in the ETIAS Information System;** **(b) a 'read-only' access, to the**	

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			ETIAS applications files stored in the ETIAS Central system where the search carried out pursuant to point (a) reveals a match, in accordance with Article 11(3) of that Regulation. **If the search carried out pursuant to paragraph 1 indicates that there is a correspondence between the data used for the search and the data recorded in the ETIAS watchlist referred to in Article 34, the ETIAS National Unit or Europol having entered the data in the ETIAS watchlist shall be notified of the correspondence and shall be responsible for accessing the data in the ETIAS watchlist and for providing an opinion in accordance with Article 35a of this Regulation."** **(b) paragraph 5 is replaced by the following:** **"5.** Each Member State shall designate the competent national authorities referred to in paragraphs 1, 2**, 4 and 4a**~~ and 4~~ of this Article, and the~~ competent~~ **screening** authority referred to in Article ~~5(6)~~**6(7)** of Regulation (EU) 2020/XXX, and shall	

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			communicate a list of those authorities to eu-LISA without delay, in accordance with Article 87(2) of this Regulation. That list shall specify for which purpose the duly authorised staff of each authority shall have access to the data in the ETIAS Information System in accordance with paragraphs 1, 2**, 4 and 4a**~~ and 4~~ of this Article.**"**	
193a		**5a. (2a) the following Article is inserted:** **"Article 35a** **Tasks of the ETIAS National Unit and Europol regarding the ETIAS watchlist for the purpose of the screening procedure** **1. In cases referred to in the second sub-paragraph of Article13(4b), the ETIAS Central System shall send an automated notification to the ETIAS National Unit or Europol having entered the data into the ETIAS watchlist. Where the ETIAS National unit or Europol that entered the data into the watchlist consider that the third-**		

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		country national undergoing the screening could pose a security risk, they shall immediately notify the respective screening authorities and provide a reasoned opinion to the Member State performing the screening, within two days of the receipt of the notification, in the following manner: **(a) the ETIAS national units shall inform the screening authorities through a secure communication mechanism, to be set up by eu-LISA, between the ETIAS National Units on the one part and the screening authorities on the other;** **(b) Europol shall inform the screening authorities using the communication channels provided for in Regulation (EU) 2016/794. If no opinion is provided, it shall be considered that there is no security risk."** "		
193b			**5a. (4) the following Article 35a is inserted after Article 35: "*Article 35a***	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Tasks of the ETIAS National Unit and Europol regarding the ETIAS watchlist for the purpose of the screening procedure **1. In cases referred to in the second sub-paragraph of Article 13(4b), the ETIAS Central System shall send an automated notification to the ETIAS National Unit or Europol having entered the data into the ETIAS watchlist.** **Where the ETIAS National unit or Europol that entered the data into the watchlist consider that the third country national undergoing the screening could pose a security risk, they shall immediately notify the respective screening authorities and provide a reasoned opinion to the Member State performing the screening, within two days of the receipt of the notification, in the following manner:** **(a) the ETIAS national units shall inform the screening authorities through a secure communication mechanism, to be set up by eu-LISA, between the ETIAS National Units on the one part and the screening authorities on the other;**	

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			(b) Europol shall inform the screening authorities using the communication channels provided for in Regulation (EU) 2016/794. **If no opinion is provided, it should be considered that there is no security risk .** **2. The automated notification(s) referred to in paragraph 1 shall contain the data referred to in Article 11(2) of Regulation (EU) xxxx/yyyy (Screening) used for the query."** **(5) in Article 69(1), the following point (ea) is inserted after point (e):** **"(ea) where relevant, a reference to queries entered in the ETIAS Central System for the purposes of Articles 10 and 11 Regulation (EU) XXX/YYYY (Screening), the hits triggered and the results of this query."** "	
194	Article 19 Amendments to Regulation (EU) 2019/817	Article 19 Amendments to Regulation (EU) 2019/817	Article 19 Amendments to Regulation (EU) 2019/817	

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195	Regulation (EU) 2019/817 is amended as follows:	Regulation (EU) 2019/817 is amended as follows:	Regulation (EU) 2019/817 is amended as follows:	
195a			**(-1) In Article 7, paragraph 2 is replaced by the following: 'The Member State authorities and Union agencies referred to in paragraph 1 shall use the ESP to search data related to persons or their travel documents in the central systems of the EES, VIS and ETIAS in accordance with their access rights as referred to in the legal instruments governing those EU information systems and in national law. They shall also use the ESP to query the CIR in accordance with their access rights under this Regulation for the purposes referred to in Articles 20, 20a, 21 and 22.'**	
196	(1) In Article 17, paragraph 1 is replaced by the following:	(1) In Article 17, paragraph 1 is replaced by the following:	(1) ~~In~~ Article 17~~, paragraph 1 is replaced by the following~~ **is amended as follows**:	
197				

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	“ A common identity repository (CIR), creating an individual file for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN containing the data referred to in Article 18, is established for the purpose of facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in accordance with Article 20 and 20a, of supporting the functioning of the MID in accordance with Article 21 and of facilitating and streamlining access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac, where necessary for the prevention, detection or investigation of terrorist offences or other serious criminal offences in accordance with Article 22. ”	“ A common identity repository (CIR), creating an individual file for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN containing the data referred to in Article 18, is established for the purpose of facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in accordance with Article 20 and 20a, of supporting the functioning of the MID in accordance with Article 21 and of facilitating and streamlining access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac, where necessary for the prevention, detection or investigation of terrorist offences or other serious criminal offences in accordance with Article 22. ”	“ ***(a) paragraph 1 is replaced by the following:*** ***"A common identity repository (CIR), creating an individual file for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN containing the data referred to in Article 18, is established for the purpose of facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in accordance with Articles 20 and 20a of this Regulation, of supporting the functioning of the MID in accordance with Article 21 and of facilitating and streamlining access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac, where necessary for the prevention, detection or investigation of terrorist offences or other serious criminal offences in accordance with Article 22."*** **(a) paragraph 4 is replaced by the following:** **"Where it is technically impossible because of a failure of the CIR to query the CIR for the purpose of identifying a person**	

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			pursuant to Article 20 or for verifying or establishing the identity of a person pursuant to Article 20a of this Regulation, for the detection of multiple identities pursuant to Article 21 or for the purposes of preventing, detecting or investigating terrorist offences or other serious criminal offences pursuant to Article 22, the CIR users shall be notified by eu-LISA in an automated manner."~~A common identity repository (CIR), creating an individual file for each person that is registered in the EES, VIS, ETIAS, Eurodac or ECRIS-TCN containing the data referred to in Article 18, is established for the purpose of facilitating and assisting in the correct identification of persons registered in the EES, VIS, ETIAS, Eurodac and ECRIS-TCN in accordance with Article 20 and 20a, of supporting the functioning of the MID in accordance with Article 21 and of facilitating and streamlining access by designated authorities and Europol to the EES, VIS, ETIAS and Eurodac, where necessary for the prevention, detection or investigation of~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			~~terrorist offences or other serious criminal offences in accordance with Article 22.~~	
197a			**In Article 18, paragraph 3 is replaced by the following: "The authorities accessing the CIR shall do so in accordance with their access rights under the legal instruments governing the EU information systems, and under national law and in accordance with their access rights under this Regulation for the purposes referred to in Articles 20, 20a, 21 and 22."** ”	
198	(2) The following Article 20a is inserted:	(2) The following Article 20a is inserted:	(2) **(1)** the following Article 20a is inserted **after article 20**:	
199	“ Article 20a	“ Article 20a	“ ***"Article 20a***~~Article 20a~~	
200	Access to the common identity repository for identification	Access to the common identity repository for identification	***Access to the common identity repository for identification***	

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	according to Regulation (EU) 2020/XXX	according to Regulation (EU) 2020/XXX **[Screening Regulation]**	***according to Regulation (EU) 2020/XXX***~~Access to the common identity repository for identification according to Regulation (EU) 2020/XXX~~	
201	1. Queries of the CIR shall be carried out by the designated competent authority as defined in Article 6(7) of Regulation (EU) 2020/XXX, solely for the purpose of identifying a person according to Article 10 of that Regulation, provided that the procedure was initiated in the presence of that person.	1. Queries of the CIR shall be carried out by the designated competent authority as defined in Article 6(7) of Regulation (EU) 2020/XXX **[Regulation on Screening]**, solely for the purpose of **verifying the identity of a person or** identifying a person according to Article 10 of that Regulation, provided that the procedure was initiated in the presence of that person.	1. Queries of the CIR shall be carried out by the designated ~~competent~~ **screening** authority as ~~defined~~**referred to** in Article 6(7) of Regulation (EU) ~~2020/XXX~~**yyyy/XXX (Screening)**, solely for the purpose of ~~identifying~~**verifying or establishing the identity of** a person according to Article 10 of that Regulation, provided that the procedure was initiated in the presence of that person.	
202	2. Where the query indicates that data on that person are stored in the CIR, the competent authority shall have access to consult the data referred to in Article 18(1) as well as to the data referred to in Article 18(1) of Regulation (EU) 2019/818 of the European Parliament and the Council. ”	2. Where the query indicates that data on that person are stored in the CIR, the competent authority shall have access to consult the data referred to in Article 18(1) as well as to the data referred to in Article 18(1) of Regulation (EU) 2019/818 of the European Parliament and the Council. ”	2. Where the query indicates that data on that person are stored in the CIR, the ~~competent~~ **screening** authority shall have access to consult the data referred to in Article 18(1) **of this Regulation** as well as to the data referred to in Article 18(1) of Regulation (EU) 2019/818 of the European Parliament and the Council.**"**	

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202a			**2a. (1) in Article 24,** **(a) Paragraph 1 is replaced by the following:** **'1. Without prejudice to Article 46 of Regulation (EU) 2017/2226, Article 34 of Regulation (EC) No 767/2008 and Article 69 of Regulation (EU) 2018/1240, eu-LISA shall keep logs of all data processing operations in the CIR in accordance with paragraphs 2, 2a, 3 and 4 of this Article.'** **(b) the following paragraph 2a is inserted after paragraph 2:** **"2a. eu-LISA shall keep logs of all data processing operations pursuant to Article 20a in the CIR. Those logs shall include the following:** **(a) the Member State launching the query;** **(b) the purpose of access of the user querying via the CIR;** **(c) the date and time of the query;** **(d) the type of data used to launch the query;** **(e) the results of the query."** **(c) in paragraph 5, the first sub-paragraph is replaced by the**	

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			following: **"(5) Each Member State shall keep logs of queries that its authorities and the staff of those authorities duly authorised to use the CIR make pursuant to Articles 20, 20a, 21 and 22. Each Union agency shall keep logs of queries that its duly authorised staff make pursuant to Articles 21 and 22.'"** ”	
203	Article 20 Evaluation	Article 20 Evaluation	Article 20 Evaluation	
204	[Three years after entry into force, the Commission shall report on the implementation of the measures set out in this Regulation.]	[~~Three years~~**18 months** after entry into force, the Commission shall report on the implementation of the measures set out in this Regulation.]	[Three years after entry into force, the Commission shall report on the implementation of the measures set out in this Regulation.]	
205	No sooner than [five] years after the date of application of this Regulation, and every five years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall	No sooner than [~~five~~**three**] years after the date of application of this Regulation, and every five years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall	No sooner than [five] years after the date of application of this Regulation, and every five years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall	

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	present a Report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. Member States shall provide the Commission all information necessary for the preparation of that report, at the latest six months before the [five] years' time limit expires.	present a Report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. Member States shall provide the Commission all information necessary for the preparation of that report, at the latest six months before the [five] years' time limit expires.	present a Report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. Member States shall provide the Commission all information necessary for the preparation of that report~~, at the latest six months before the [five] years' time limit expires~~.	
206	Article 21	Article 21	Article 21	
207	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
207a			**This Regulation shall start to apply 18 months from its entry into force.**	
207b			**The provisions laid down in Articles 10 to 12 related to**	

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			queries to EU information systems, the CIR and the European Search Portal shall start to apply only once the relevant information systems, CIR and ESP enter into operation.	
208	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	
209	Done at Brussels,	Done at Brussels,	Done at Brussels,	
210	For the European Parliament	For the European Parliament	For the European Parliament	
211	The President	The President	The President	
212	For the Council	For the Council	For the Council	
213	The President	The President	The President	

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214	Annex	Annex	Annex	
215	Standard de-briefing form	Standard de-briefing form	Standard de-briefing form	
216	1.Name: 2.Sex: 3.Date of birth: 4.Place of birth: 5.Nationality/ies (initial indication): 6.Languages spoken:	1.Name: 2.Sex/***gender***: 3.Date of birth: 4.Place of birth: 5.Nationality/ies ***or statelessness*** (initial indication): 6.Languages spoken:	1.Name: 2.Sex: 3.Date of birth: 4.Place of birth: 5.Nationality/ies (initial indication): 6.Languages spoken:	
217	7.Reason to perform screening: A. Irregular entry Please specify also, as appropriate: no/forged/ falsified travel document, no/forged/ falsified visa or travel authorisation, other B. Arrival via search and rescue C. Application for international protection at a Border Crossing Point D. no indication of a border check	7.Reason ***for which the screening was performed*** ~~to perform screening~~: A. Irregular entry ~~Please specify also, as appropriate:~~ ~~no/forged/ falsified travel document,~~ ~~no/forged/ falsified visa or travel authorisation,~~ ~~other~~ B. Arrival via search and rescue C. Application for international protection at a Border Crossing	7.Reason to perform screening: A. Irregular entry Please specify also, as appropriate: no/forged/ falsified travel document, no/forged/ falsified visa or travel authorisation, other B. Arrival via search and rescue C. Application for international protection at a Border Crossing Point D. no indication of a border check	

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	at an external border: □ no stamp in a travel document/no entry in the Entry Exit System □ no travel document	Point ~~D. no indication of a border check at an external border:~~ ~~□ no stamp in a travel document/no entry in the Entry Exit System~~ ~~□ no travel document~~	at an external border: □ no stamp in a travel document/no entry in the Entry Exit System □ no travel document	
		7a. Has the person applied for international protection? □ ***Yes*** □ ***No***		
		7b. Are there family members or relatives located on the territory of a Member State? □ ***Yes*** □ ***No*** ***If yes, please provide details of the relevant family member(s) or relative(s) and the relevant Member State***		
218	8. Identification using IT databases was carried out: □ Yes □ No If yes, result of identification:	8. Identification using IT databases was carried out: □ Yes □ No If yes, result of identification:	8. Identification using IT databases was carried out: □ Yes □ No If yes, result of identification:	

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	9. Results of the consultation for security purposes: □ Hit (add databases and reasons) □ No Hit 10. Immediate care provided: □ Yes □ No 11. Isolation on public health grounds: □ Yes □ No If yes, please provide dates, specific grounds, location:	9. Results of the consultation for security purposes: □ Hit (add databases and reasons) ***Where there is a hit*** □ ***Possibly related to internal security*** □ ***Unrelated to internal security*** □ No Hit ***9a. Was a preliminary medical examination carried out?*** □ ***Yes*** □ ***No*** 10. Immediate care provided: □ Yes □ No 11. Isolation on public health grounds: □ Yes □ No If yes, please provide dates, specific grounds, location: ***11a. Was a preliminary vulnerability, special reception or procedural needs check carried out?*** □ ***Yes*** □ ***No*** ***If yes, special reception or procedural needs identified:*** □ ***Yes*** □ ***No*** ***Details of vulnerability, or reception or procedural needs:***	9. Results of the consultation for security purposes: □ Hit (add databases and reasons) □ No Hit 10. Immediate care provided: □ Yes □ No 11. Isolation on public health grounds: □ Yes □ No If yes, please provide dates, specific grounds, location:	
219	12. Itinerary: a) places/countries of previous	12. Itinerary: a) places/countries of previous	12. Itinerary: a) places/countries of previous	

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	residence: b) point of departure: c) third countries and places (e.g. city, province) of transit and the duration of stay: d) modalities of transit (e.g. means of transportation, with a group, individual), assistance received (e.g. facilitators, modes of communication used), payments made/to be made, etc.: e) third countries where protection was sought: f) third countries where protection was granted: g) intended destination within the Union: 13. Assistance provided for remuneration by third person or organisation in relation to irregular crossing of the border and any related information in case of suspected smuggling:	residence: b) point of departure: c) third countries and places (e.g. city, province) of transit and the duration of stay: d) modalities of transit (e.g. means of transportation, with a group, individual), assistance received (e.g. facilitators, modes of communication used), payments made/to be made, etc.: e) third countries where protection was sought: f) third countries where protection was granted: g) intended destination within the Union: ~~13. Assistance provided for remuneration by third person or organisation in relation to irregular crossing of the border and any related information in case of suspected smuggling:~~ ***13a. Screened person indicated incorrect information provided in points 1 to 12*** □ ***Yes*** □ ***No*** ***If yes, please provide details:***	residence: b) point of departure: c) third countries and places (e.g. city, province) of transit and the duration of stay: d) modalities of transit (e.g. means of transportation, with a group, individual), assistance received (e.g. facilitators, modes of communication used), payments made/to be made, etc.: e) third countries where protection was sought: f) third countries where protection was granted: g) intended destination within the Union: 13. Assistance provided for remuneration by third person or organisation in relation to irregular crossing of the border and any related information in case of suspected smuggling:	
220	14. Start of the screening: [DD/MM/YY]	14. Start of the screening: [DD/MM/YY]	14. Start of the screening: [DD/MM/YY]	

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	End of the screening: [DD/MM/YY] 15. Authority to refer the person to: 16. Comments and other relevant information:	End of the screening: [DD/MM/YY] 15. Authority to refer the person to: 16. Comments and other relevant information:	End of the screening: [DD/MM/YY] 15. Authority to refer the person to: 16. Comments and other relevant information:	
222	Signature Person filling in the form (Name + service)	Signature Person filling in the form (Name + service)	Signature Person filling in the form (Name + service)	