

Transport Security

Commitment

“Accelerate development of international standards for the interoperability of government-issued smart chip passports and other government-issued identity documents. We will work for implementation by the 2005 Summit.”

G8 Secure and Facilitated International Travel Initiative (SAFTI)

Background

Since the September 11 terrorist attacks on the United States, transport safety has been a recurrent item on the G8 policy agenda. The 2003 Evian Summit contained a G8 Action Plan to counteract the threat posed by Man Portable Air Defense System (MANPADS), shoulder-fired missiles, to civilian aviation. At the 2004 Sea Island, the US unveiled the Secure and Facilitated Travel Initiative (SAFTI) to consolidate and harmonize G8 efforts to make civilian transport, travel documents, and airports more secure.

SAFTI measures are designed to address the current lacunas in the global integration of information systems, designed to not only share data on personal travellers, but also exchange information on commercial shipments and prevent the shipment of illicit weapons material that could threaten international security. Soon after the 2001 terrorist attacks and the subsequent crack-down on border control in the US, the American government announced it would be phasing in the issuance of bio-metric/smart-chip passports to its citizens that would contain personal information such as fingerprints or retina scans. More importantly, as a part of the campaign to control exactly who enters and exits the US, the US Congress passed legislation demanding that all 27 countries currently exempted from requiring visas to enter the United States to also implement biometric passports for their nationals or lose their visa-waiver status. They set the implementation date for October 2004. Nevertheless, after hearing testimony from Secretary of State Colin Powell who recommended a two-extension on this deadline, the US Congress extended the deadline until October 2005.⁷²⁷ Nevertheless, in February 2005, the US State Department once again conceded that major countries like Japan, France and the UK would not have biometric passports on-line until Spring 2006.⁷²⁸ Therefore the US House Judiciary Subcommittee on Immigration and Border Security is again considering the question of extending the implementation deadline on 21 April 2005. Ironically even the US itself is unlikely to be ready for the October 26 deadline since machines capable of reading biometric passports will not be available at all ports of entry by that date.⁷²⁹ Thus, with no G8 state ready to issue

⁷²⁷ Office of the Spokesman, U.S. Department of State, “Powell Urges Delay of Deadline for New Passport Technology,” 21 April 2004, online at usinfo.state.gov/gi/Archive/2004/Apr/22-962862.html , last accessed 11 May 2005

⁷²⁸ Japan, France, Britain unable to meet new U.S. passport deadline, Japan Today (Tokyo) 2 February 2005. Date of Access: 9 May 2005 www.japantoday.com/e/?content=news&id=326484

⁷²⁹ Oversight Hearing, “Testimony Of Elaine Dezenski Acting Assistant Secretary Border And Transportation Security Directorate Department Of Homeland Security Before The House Committee On The Judiciary Subcommittee On Immigration, Border Security And Claims,” Subcommittee on Immigration, Border Security and Claims, U.S. House of Representatives Committee on the Judiciary, 21 April, 2005, (Online at

biometric passports by July 2005, as stipulated at the 2004 Sea Island Summit, all countries receive a compliance score of 0.

Assessment

Country	Non- Compliance -1	Work in Progress 0	Full Compliance +1
Canada		0	
France		0	
Germany		0	
Italy		0	
Japan		0	
Russia		0	
United Kingdom		0	
United States		0	
European Union		0	
Overall: 0.00			

Individual Country Compliance Breakdown

1. Canada: 0

Canada has not achieved full compliance in the implementation of biometric passports by the 2005 Summit, despite some efforts to comply with its 2004 Sea Island commitment. Most notably, Canada has announced the intention of implementing biometric passports and scheduled plans for when this will occur, amended the *Canadian Passport Order* to legislate the inclusion of biometry in travel documents, and shown continual involvement with the Asia Pacific Economic Cooperation (APEC) in the area of travel document security. Nevertheless, Canada will be no where near ready to implement biometric passports by the time of the 2005 G8 Summit meaning it will not fulfill the SAFTI commitment from 2004.

Canada planned to start the issuance of passports In the first major initiative towards compliance, Dan Kingsbury of the Passport Office of Canada acknowledged publicly in July 2004 plans to use digitized photographs that “could allow some form of biometric identification — measuring facial features or an iris scan —” in electronic passports (e-Passports)⁷³⁰. This announcement was released by briefing notes attained by The Canadian Press⁷³¹. Other biometrics information that was also announced to be contained in the e-Passport includes holder’s name and birthdate⁷³². Kingsbury also reported that an initial trial period for this e-Passport would take place for Canadian diplomats in the first half of 2005⁷³³. Only when the trial period is successful will the

judiciary.house.gov/oversight.aspx?ID=145, last accessed 11 May 2005). See Also Greta Wodele, “U.S. will not be able to read high-tech foreign passports,” *Govexec.com*, 21 April 2005, Online at www.govexec.com/dailyfed/0405/042105tdpm1.htm, last accessed 11 May 2005).

⁷³⁰ “New passports could allow use of biometrics: report,” CBC News (Toronto) 19 July 2004. Date of Access: 7 January 2005 www.cbc.ca/story/canada/national/2004/07/19/passport_digital040719.html

⁷³¹ “Canada to begin issuing high-tech passports,” CTV News (Toronto) 18 July 2004. Date of Access: 6 January 2005 www.ctv.ca/servlet/ArticleNews/story/CTVNews/1090187452237_3?s_name=&no_ads=

⁷³² Ibid.

⁷³³ Ibid.

government plan on introducing the e-Passport to the general public⁷³⁴. The briefing notes acknowledged a budget of \$10.3 million over three years allocated by the government for developing “‘internationally respected’ travel identification.”⁷³⁵ All of these commitments were reiterated in Foreign Affairs Canada’s *Report on Plans and Priorities* (RPP) for 2005-2006. Included in the report were proposed improvements by Passport Canada (formerly *The Passport Office of Canada*) regarding “strengthening compliance”, with the commitment to ensure that Canadian passports will comply with international standards and “to improve Canadian travel documents and the integrity of the entitlement process.”⁷³⁶

The second step the Canadian government took towards compliance was the execution of an order to amend the *Canadian Passport Order* in September 2004⁷³⁷. Regarding biometrics, two subsections of section 8.1 of the Order were amended⁷³⁸. The first called for the right of the Passport Office to “convert any information submitted by an applicant into a digital biometric format” for the e-Passport, and the second amendment was for the right of the Passport Office to “convert an applicant’s photograph into a biometric template for the purpose of verifying the applicant’s identity, including nationality, and entitlement to obtain or remain in possession of a passport.”⁷³⁹ The two amendments constituted Order P.C. 2004-951⁷⁴⁰.

Internationally, Canada participated in the sixth meeting of the Counter-Terrorism Task Force (CTTF) in Seoul, Korea, in March 2005⁷⁴¹. The outcome of the Canada-held document security training workshop in Kuala Lumpur from November 29 to December 3, 2004 was presented⁷⁴². The workshop was sponsored by the CTTF and was attended by “a total of 26 participants from eleven economies” and involved the discussion of biometry⁷⁴³. Hosted by Canadian document security experts, and with Canadian Migration Integrity officers and Canadian Border Services Agency officers, immigration authorities of the APEC countries received capacity building

⁷³⁴ Ibid.

⁷³⁵ Ibid.

⁷³⁶ RPP 2005-2006 Foreign Affairs Canada, Treasury Board of Canada Secretariat Website (Ottawa). Date of Access: 10 May 2005 www.tbs-sct.gc.ca/est-pre/20052006/FAC-AEC/FAC-AECr5602_e.asp

⁷³⁷ “Order Amending the Canadian Passport Order,” Canada Gazette (Ottawa) 1 September 2004. Date of Access: 7 January 2005 canadagazette.gc.ca/partII/2004/20040922/html/si113-e.html

⁷³⁸ Ibid.

⁷³⁹ Ibid.

⁷⁴⁰ Ibid.

⁷⁴¹ CTTF Chair’s Summary of The 6th Counter-Terrorism Task Force Meeting, Asia Pacific Economic Cooperation 3-4 March 2005. Date of Access: 10 May 2005 search.apec.org/cs.html?charset=iso-8859-1&url=http%3A//www.apec.org/content/apec/documents_reports/senior_officials_meetings/2005.MedialibDownload.v1.html%3Furl%3D/etc/medialib/apec_media_library/downloads/som/mtg/2005/pdf.Par.0026.File.v1.1&qt=e-passport&col=apec&n=8&la=en

⁷⁴² CTTF Chair’s Summary of The 6th Counter-Terrorism Task Force Meeting, Asia Pacific Economic Cooperation 3-4 March 2005. Date of Access: 10 May 2005 search.apec.org/cs.html?charset=iso-8859-1&url=http%3A//www.apec.org/content/apec/documents_reports/senior_officials_meetings/2005.MedialibDownload.v1.html%3Furl%3D/etc/medialib/apec_media_library/downloads/som/mtg/2005/pdf.Par.0026.File.v1.1&qt=e-passport&col=apec&n=8&la=en

⁷⁴³ Document Security Training Workshop Summary Report, Counter Terrorism Task Force Meeting in Asia Pacific Economic Cooperation 1 March 2005. Date of Access: 10 May 2005 search.apec.org/cs.html?charset=iso-8859-1&url=http%3A//www.apec.org/apec/documents_reports/counter_terrorism_task_force/2005.MedialibDownload.v1.html%3Furl%3D/etc/medialib/apec_media_library/downloads/taskforce/cttf/mtg/2005/word.Par.0002.File.v1.1&qt=e-passport&col=apec&n=2&la=en

assistance from Canada⁷⁴⁴. Also, Canada, through APEC, has committed to developing systems for sharing passport alerts to help combat terrorism and improve travel safety for business and other travellers in the region. This system, called the Regional Movement Alert List (RMAL), will “automatically share data on lost and stolen passports” between APEC countries⁷⁴⁵.

Although Canada is far from e-Passport implementation by the 2005 Summit, through this international participation, Canada has somewhat helped to promote the development of biometry and international standards in passports globally.

2. France: 0

France has demonstrated partial compliance with its G8 commitment. On April 11th, 2005 the Prime Minister, Jean-Pierre Raffarin, approved the *Identité National Électronique Sécurisée* (INES) program during an inter-ministerial meeting.⁷⁴⁶ INES involves the implementation of biometric passports in France in accordance with European Union legislation agreed upon on 13 December 2004.⁷⁴⁷ The General Affairs Council meeting on that day adopted a regulation mandating the inclusion of biometric information in future passports and travel documents issued by Schengen-party EU Member States — which includes France.⁷⁴⁸ The regulation states, “Passports and travel documents shall include a storage medium which shall contain a facial image. Member States shall also include fingerprints in interoperable formats”⁷⁴⁹. National identity cards, temporary passports and travel documents issued by member states are not bound by these regulations.⁷⁵⁰ The regulation entered into force twenty days after its publication in the Official Journal of the European Union on December 29th, 2004.⁷⁵¹ EU Member states are now

⁷⁴⁴ Document Security Training Workshop Summary Report, Counter Terrorism Task Force Meeting in Asia Pacific Economic Cooperation 1 March 2005. Date of Access: 10 May 2005 http://www.apec.org/apec/documents_reports/counter_terrorism_task_force/2005.MedialibDownload.v1.html%3Furl%3D/etc/medialib/apec_media_library/downloads/taskforce/cttf/mtg/2005/word.Par.0002.File.v1.1&qt=e-passport&col=apec&n=2&la=en

⁷⁴⁵ Joint statement by U.S. Secretary of State Colin Powell, Chilean Minister of Interior Jose Miguel Insulza and Australian Foreign Minister Alexander Downer, “APEC Economies to Develop a Regional Movement Alert List System,” Office of the Spokesman, Department of State, Washington, DC, November 19, 2004. Date of Access: 2 January 2005 www.state.gov/r/pa/prs/ps/2004/38495.htm.

⁷⁴⁶ “Feu vert pour la carte d’identité électronique.” *Le Monde Online* (Paris) 12 April 2005. Date of Access: 8 May 2005 [www.lemonde.fr/web/article/0,1-0@2-3244,36-638179@51-627772,0.html]

⁷⁴⁷ *Official Journal of the European Union* (Issue L 385). *Council Regulation (EC) 2252/2004 of December 13th 2004 on Standards for Security Features and Biometrics in Passports and Travel Documents Issued by Member States* (Brussels) 29 December 2004. Date of Access: 8 May 2005 [europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/l_385/l_38520041229en00010006.pdf]; Page 3.

⁷⁴⁸ “Council of the EU adopts biometric passports regulation”; eGovernment News; europa.eu.int/ida/en/document/3669/194 ; 17 December 2004.

⁷⁴⁹ Council of the European Union; Council Regulation on standards for security features and biometrics in passports and travel documents issued by Member States; regier.consilium.eu.int/pdf/en/04/15/15152.en04.pdf; Brussels; 10 December 2004; Page 6.

⁷⁵⁰ *Ibid.* Page 6.

⁷⁵¹ *Official Journal of the European Union* (Issue L 385). *Council Regulation (EC) 2252/2004 of December 13th 2004 on Standards for Security Features and Biometrics in Passports and Travel Documents Issued by Member States* (Brussels) 29 December 2004. Date of Access: 8 May 2005 [europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/l_385/l_38520041229en00010006.pdf]; Page 3.

obliged to apply these regulations in a time frame of 18 months for facial images and 36 months for fingerprints.⁷⁵²

France was a participant in the 6th International Porvoo Group Conference in Rome, held on November 9th and 10th, 2004. The conference was centered on the topic of “Interoperable European Electronic Identities.”⁷⁵³ Resolutions 4 and 6 of the conference recognized, “the important developments underway in the high interest topic area ‘Biometrics in Passports and ID-cards,’” and, “support for interoperability standards.”⁷⁵⁴ All of the conference’s resolutions passed unanimously.⁷⁵⁵ There is no evidence of such a card being launched at the present time; however this statement of intentions is proof that France is intent on fulfilling its G8 commitment. Furthermore, France, more specifically its Ministry of the Economy, Finance and Industry, has shown support for smart card technology through its patronage of the Cartes & IT Security 2004 industrial fair that took place in Paris-Nord Villepintes, France on 2-4 November 2004.⁷⁵⁶

3. Germany: 0

Germany has only achieved partial compliance with its Sea Island commitments concerning the development of biometric/smartship passports by July 2005. According to a statement by the German Federal Ministry of the Interior, the Federal Government is “pushing for the use of biometric procedures in border controls at the EU level, [such as] inclusion of biometric features in visa and residence permits, as well as in passports for EU nationals.”⁷⁵⁷ Furthermore, in the Keynote Speech by Federal Minister of the Interior Otto Schily for the 4th International Conference “The Global Impact of Terrorism” at the Interdisciplinary Center (IDC) in Herzliya, Israel, on 11 September 2004, the German approach was re-iterated: “for a comprehensive approach to fighting terrorism, we must take coordinated action in a wide variety of areas: for example, in law concerning foreigners and private associations, in the area of border control and visa policy, in document security and biometrics, and, not least, in opposing money laundering and the financing of terrorism.”⁷⁵⁸ In the spirit of this commitment, “PG PMB” (Project Group on Identity Documents, Registration and Biometrics) was created within the Ministry of the

⁷⁵² Ibid., Page 3.

⁷⁵³ Porvoo 6 Invited Seminar on Electronic Identity Homepage; www.neor.uniroma2.it/porvoo6/.

⁷⁵⁴ Resolutions of the Porvoo 6eID Group Meeting; www.neor.uniroma2.it/porvoo6/doc/Resolutions-Porvoo-6-eIDGroup-Meting-FINAL.PDF ; Rome; 9–10 November 2004; Page 2.

⁷⁵⁵ Ibid. Page 1.

⁷⁵⁶ Cartes 2004 & IT Security 2004 Website; Institutional Partners; www.cartes.com/en/frameset_dyn.htm?URL=E_partenaires/E1_initutionnels.htm.

⁷⁵⁷ “Combating Terrorism,” statement on the Federal Ministry of the Interior Website. Date of Access: 3 January 2005

www.bmi.bund.de/cln_011/nn_148716/Internet/Content/Themen/Innere__Sicherheit__allgemein/DatenundFakten/Combating_terrorism_en.html.

⁷⁵⁸ Keynote Speech by Federal Minister of the Interior Otto Schily for the 4th International Conference "The Global Impact of Terrorism" at the Interdisciplinary Center (IDC) in Herzliya, Israel, on 11 September 2004, Monday 13 September 2004. Date of Access: 3 January 2005

www.bmi.bund.de/cln_006/nn_148716/Internet/Content/Nachrichten/Reden/2004/09/4th__International__Conference_the_global_impact_of_terrorism.html.

Interior to, among other things, “implement the Federal Government’s overall strategy on the use of biometrics to increase security in Germany.”⁷⁵⁹

Indeed, according to Germany’s Ministry of the Interior, Otto Schily, the plan to begin issuing biometric passports by the US deadline is still in place.⁷⁶⁰ However, officials from other departments within the German government are more skeptical about the implementation than Mr. Schily. On 19 April, for instance, “Federal Data Protection Commissioner Peter Schar called for a moratorium on the introduction of biometric passports in light of the still immature state of the technology and of a number of unresolved data protection issues.”⁷⁶¹ In addition, two MPs from the ruling Social Democratic Party, Ulla Burchardt and Jörg Tauss, publicly supported the proposed moratorium, stating “passports with biometric features are becoming a personal obsession of the Ministry of the Interior’s, and in the process he is disrespecting the German Parliament, data protectionists, and scientific experts.”⁷⁶²

Despite these challenges, the German Government has been actively engaged with the biometric passport initiative. During a panel discussion at the 9th IT Security Congress of the Federal Office for Information Security (BSI) in Bonn on 12 May 2005, the BSI President, Udo Helmbrecht, “declared that the BSI working closely together with German industry had managed, by inducing the international authority responsible for passports, ICAO, to adopt the cryptographic principle of *Basic Access Control*, to enshrine some basic principles of data security and protection.”⁷⁶³ Germany is clearly moving forward to address the technical challenges associated with implementing this new technology.

Finally, as a party to the Schengen Agreement, Germany is bound by the decision of the General Affairs Council meeting in Brussels on December 13th, 2004 where the Council adopted a regulation mandating the inclusion of biometric information in future passports and travel documents issued by Schengen-party EU Member States.⁷⁶⁴ The regulation states, “Passports and travel documents shall include a storage medium which shall contain a facial image. Member States shall also include fingerprints in interoperable formats”⁷⁶⁵. National identity cards,

⁷⁵⁹ “Functions of the PG PMB,” statement on the Federal Ministry of the Interior Website. Date of Access: 3 January 2005

www.bmi.bund.de/cln_011/nn_148716/Internet/Content/Ministerium/Organigramm/Referate/PG_PMB_Aufgaben_engl.html.

⁷⁶⁰ “EU interior ministers agree on introducing passports that include biometric data,” EFMS Migration Report, October 2004, online at www.uni-bamberg.de/~ba6ef3/dokt04_e.htm, last accessed 9 May 2005).

⁷⁶¹ “US lawmakers question need for microchips in European passports,” *eGovernment News (IDABC)*, Interoperable Delivery of European eGovernment Services to public Administrations, Businesses and Citizens, 26 April 2005, online at europa.eu.int/idabc/en/document/4220/355, last accessed 11 May 2005.

⁷⁶² Richard Sietmann and Craig Morris, “Dispute about biometric passports heating up,” Heise Online, 21 April 2005, online at www.heise.de/english/newsticker/news/58841, last accessed 11 May 2005.

⁷⁶³ Christian Schulzki-Haddouth and Robert W. Smith, “Germany succeeds in setting international standards for biometric passports,” *Heise Online*, 13 May 2005, online at www.heise.de/english/newsticker/news/59525, last accessed 13 May 2005.

⁷⁶⁴ “Council of the EU adopts biometric passports regulation”; *eGovernment News*; europa.eu.int/ida/en/document/3669/194; 17 December 2004.

⁷⁶⁵ Council of the European Union; Council Regulation on standards for security features and biometrics in passports and travel documents issued by Member States; regier.consilium.eu.int/pdf/en/04/15/15152.en04.pdf; Brussels; 10 December 2004; Page 6.

temporary passports and travel documents issued by member states are not bound by these regulations.⁷⁶⁶ The regulation entered into force twenty days after its publication in the Official Journal of the European Union on December 29th, 2004.⁷⁶⁷ EU Member states are now obliged to apply these regulations in a time frame of 18 months for facial images and 36 months for fingerprints.⁷⁶⁸

4. Italy: 0

As previously outlined in the Interim Report, Italy's contribution to the SAFTI initiative is integrated within the European Union. While this might be considered evidence of compliance, there remains doubts about Italy's actual commitment to the SAFTI initiative.

Recently, European Justice Commissioner Franco Frattini, himself Italian, asked the United States Congress to extend its deadlines on requiring biometric identifiers on passports from October 2005 to August 2006.⁷⁶⁹ Italy was absent from the list of countries that were considered "prepared" for implementation of new forms of identification.⁷⁷⁰ Nevertheless, there have also been national efforts to improve the interoperability of Italian biometric systems. In October 2004 the National Center for Information Technology In The Public Sector (CNIPA) published a set of biometric guidelines for the Italian government. Part of the aim was to ensure that further progress in the field would be in line with international standards.⁷⁷¹ Both the report and the conference which followed were designed to provide some guidance as to how Italy could learn from other countries, especially EU members.⁷⁷²

Finally, as a party to the Schengen Agreement, Italy is bound by the decision of the General Affairs Council meeting in Brussels on December 13th, 2004 where the Council adopted a regulation mandating the inclusion of biometric information in future passports and travel documents issued by Schengen-party EU Member States.⁷⁷³ The regulation states, "Passports and travel documents shall include a storage medium which shall contain a facial image. Member States shall also include fingerprints in interoperable formats"⁷⁷⁴. National identity cards,

⁷⁶⁶ Ibid. Page 6.

⁷⁶⁷ *Official Journal of the European Union* (Issue L 385). *Council Regulation (EC) 2252/2004 of December 13th 2004 on Standards for Security Features and Biometrics in Passports and Travel Documents Issued by Member States* (Brussels) 29 December 2004. Date of Access: 8 May 2005 [europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/l_385/l_38520041229en00010006.pdf]; Page 3.

⁷⁶⁸ Ibid., Page 3.

⁷⁶⁹ The European Union has called on the United States to delay the deadline for the introduction of biometric passports for visitors without visas. Retrieved May, 9th, 2005. From: news.zdnet.com/2100-1009_22-5650149.html?part=rss&tag=feed&subj=zdnet

⁷⁷⁰ Ibid.

⁷⁷¹ Centro Nazionale Per L'Informatica Nella Pubblica Amministrazione, "Linee Guida Per Le Tecnologie Biometriche" www.cnipa.gov.it/site/_files/Linee%20guida-%20tecnologie%20biometriche.pdf, Pg 9.

⁷⁷² Centro Nazionale Per L'Informatica Nella Pubblica Amministrazione "2004 La Biometria Entra Nell' e-Government [November 23, 2004] www.cnipa.gov.it/Site/it/IT/Eventi/i_convegni_-Cnipa/Convegno/Biometria.html

⁷⁷³ "Council of the EU adopts biometric passports regulation"; eGovernment News; europa.eu.int/ida/en/document/3669/194; 17 December 2004.

⁷⁷⁴ Council of the European Union; Council Regulation on standards for security features and biometrics in passports and travel documents issued by Member States; regier.consilium.eu.int/pdf/en/04/15/15152.en04.pdf; Brussels; 10 December 2004; Page 6.

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Though Italy might be acting through the EU it does not seem to have followed through in living up to its Sea Island commitment, but has rather demonstrated a work in progress, earning it a mark of 0.

5. Japan: 0

Japan has not shown full compliance in implementing biometric passports by the 2005 Summit. Nevertheless, Japan's considerable efforts throughout this year has shown a moderate level of compliance, primarily through the consistent acknowledgement of its SAFTI commitment, the involvement with the Asia IC Card Forum (AICF) and the conducting of interoperability test sessions.

The Asia IC Card Forum (AICF) was founded in part by Japan and was officially inaugurated in June of 2004.⁷⁷⁸ At the AICF full session meeting on July 29, 2004 and July 30, 2004, the status of Japan's electronic passport (e-passport) was presented⁷⁷⁹, and a measure to follow a common pace for the standardization of "an Asian area" e-passport to meet the International Standardization Organization (ISO), and the International Civil Aviation Organization (ICAO), was also planned⁷⁸⁰.

Japan showed a major step in compliance at the first Standards Committee Working Meeting of the AICF in Singapore on October 26-28, 2004, at which projects of biometric passports were discussed⁷⁸¹. Japan announced that e-passports would be introduced starting March of 2006⁷⁸². Various ministries of the government of Japan are being involved in the Pilot Project Committee

⁷⁷⁵ Ibid. Page 6.

⁷⁷⁶ *Official Journal of the European Union* (Issue L 385). *Council Regulation (EC) 2252/2004 of December 13th 2004 on Standards for Security Features and Biometrics in Passports and Travel Documents Issued by Member States* (Brussels) 29 December 2004. Date of Access: 8 May 2005 [europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/l_385/l_38520041229en00010006.pdf]; Page 3.

⁷⁷⁷ Ibid., Page 3.

⁷⁷⁸ The Inaugural General Meeting, Asia IC Card Forum Official Website (Seoul) 11 June 2004. Date of Access: 7 January 2005 www.asiaiccardforum.org/~ENG/news/newslst.htm

⁷⁷⁹ About holding of the 1st steering committee, News on Asia IC Card Forum Official Website (Tokyo) 30 July 2004. Date of Access: 7 January 2005 www.asiaiccardforum.org/~ENG/news/news2004073001.htm

⁷⁸⁰ About the Asia Integrated Circuit Card Forum Secretariat Establishment, News on Asia IC Card Forum Official Website (Tokyo) 30 July 2004. Date of Access: 7 January 2005 www.asiaiccardforum.org/~ENG/news/news2004073003.htm

⁷⁸¹ AICF Inaugural Standards Working Meeting & Conference, Infocomm Development Authority (IDA) of Singapore Official Website (Singapore) 1 November 2004. Date of Access: 7 January 2005 www.ida.gov.sg/idaweb/techdev/infopage.jsp?infopagecategory=&infopageid=I3084&versionid=5

⁷⁸² Global Interoperability for e-passport, Infocomm Development Authority (IDA) of Singapore Official Website (Singapore) 1 November 2004. Date of Access: 7 January 2005 www.ida.gov.sg/idaweb/techdev/infopage.jsp?infopagecategory=articles:techdev&versionid=8&infopageid=I3070

for e-passport, including the Ministry of Foreign Affairs; the Ministry of Justice; Ministry of Land, Infrastructure and Transport; Ministry of Economy, Trade and Industry; and the National Police Office⁷⁸³. At the conference, Japan presented plans for producing a prototype of the ICAO-PKD, and also announced a planned e-passport pilot test to take place at the Narita Airport, and an e-passports interoperability test session to be hosted by the Japanese government on March 8–10, 2005⁷⁸⁴. Furthermore, in Japan's foreign policy statement on international IT issued in September 2004, Tokyo confirmed its commitment to developing the e-Passport project.⁷⁸⁵ As well, in its 2005 IT Policy Package, the government has committed to preparing specifications for a globally interoperable system to implement the use of e-Passports⁷⁸⁶. At the end of the year 2004, the Japanese government showed another significant step to compliance by announcing increased budget allocation for the e-passport project for fiscal year 2005⁷⁸⁷. The final budget that was set aside is 2.51 billion yen; it will go towards implementing passports with biometric features by April 1, 2005.⁷⁸⁸

In September of 2004, Japan received official approval from the United States' Department of State for having satisfied the Border Security Act requirement, which asked for having in place a program to produce biometric passports⁷⁸⁹. In October of 2004, Japan submitted a report of reform recommendations to the United States, in which Japan had asked for an extension of the October 26, 2004 deadline for issuing biometric passports in order to participate in the United States visa waiver program⁷⁹⁰. In response, the United States Congress passed a bill to extend the deadline by one year to October 26, 2005⁷⁹¹. However, in early 2005, it was reported that the Foreign Ministry of Japan plans to develop and issue e-Passports by Spring 2006 which the US State Department concedes may be a more realistic deadline.⁷⁹²

Japan participated in an AICF meeting earlier this year, hosted by Beijing from April 20th to April 22, 2005, at which results of Japan's e-Passport interoperability test held at the Tsukuba

⁷⁸³ Ibid.

⁷⁸⁴ Ibid.

⁷⁸⁵ Basic Concept on IT International Policy Centered on Asia, Prime Minister of Japan and His Cabinet Website (Tokyo) 10 September 2004. Date of Access: 9 May 2005 www.kantei.go.jp/foreign/policy/it/040910concept_e.pdf

⁷⁸⁶ IT Policy Package – 2005: Towards the Realization of the World's Most Advanced IT Nation, Prime Minister of Japan and His Cabinet Website (Tokyo) 24 February 2005. Date of Access: 9 May 2005 www.kantei.go.jp/foreign/policy/it/itpackage2005.pdf

⁷⁸⁷ "Budget set aside for new anticounterfeit passports in FY 2005," Kyodo News (Kyodo) 22 December 2004. Date of Access: 28 December 2004 asia.news.yahoo.com/041222/kyodo/d874lkj80.html

⁷⁸⁸ "Safer passports, U.N. staff boost eyed in FY 2005 budget," Kyodo News (Kyodo) 24 December 2004. Date of Access: 28 December 2004 asia.news.yahoo.com/041224/kyodo/d875n1u00.html

⁷⁸⁹ Recommendations by the Government of Japan to the Government of the United States regarding Regulatory Reform and Competition Policy, Japan Ministry of Foreign Affairs Official Website (Japan) 14 October 2004. Date of Access: 7 January 2005 www.mofa.go.jp/region/n-america/us/report0410-1.pdf

⁷⁹⁰ Summary of Recommendations, Japan Ministry of Foreign Affairs Official Website (Japan) 15 October 2004. Date of Access: 7 January 2005 www.mofa.go.jp/region/n-america/us/report0410-3.pdf

⁷⁹¹ Recommendations by the Government of Japan to the Government of the United States regarding Regulatory Reform and Competition Policy, Japan Ministry of Foreign Affairs Official Website (Japan) 14 October 2004. Date of Access: 7 January 2005 www.mofa.go.jp/region/n-america/us/report0410-1.pdf

⁷⁹² Japan E Passport, Central Chronicle (India) 6 February 2005. Date of Access: 9 May 2005 www.centralchronicle.com/20050206/commerce.htm

International Congress Center from March 8–10, 2005 were presented⁷⁹³. Under the auspices of the ICAO, ISO and the Japanese government, the test reflected previous ones held in the United States and Australia, and involved 23 participating nations including all of the G8 countries, for a total of 17 countries; 15 governments; and also 46 vendors of e-Passports and readers⁷⁹⁴. The interoperability of different prototypes of e-Passports (e-MRPs) and readers (PCDs) that have been purchased by passport issuing agencies, immigration controlling agencies, and vendors, were tested⁷⁹⁵, specifically, adherence to the ICAO Specification and ISO/IEC 14443–1-4 was tested⁷⁹⁶. The culmination of the test session put in place future goals of establishing a “global sample e-MRP depository center” to carry out continuous testing and will involve the NMDA; helping introduce e-MRPs to other Asian countries; producing technological support projects with METI and NMDA; providing support to the interoperability test session proposed to take place in London in September 2005; and of working towards compliance with the ICAO on interoperability and standardization⁷⁹⁷.

6. Russia: 0

Russia has been actively complying with its commitment to develop international standards for interoperable government-issued smart-chip passports and identification documents, but will not achieve implementation by the 2005 Summit. Russia’s effort has primarily come through the development of its own biometric data passport (BDP), in conjunction with the European Union and the International Civil Aviation Organisation’s (ICAO) standards for biometric passports.

In the wake of a series of terrorist attacks in September 2004, Russian President Vladimir Putin established a special interdepartmental working group with the mandate to establish the domestic regulatory and legal framework for the implementation of a biometric data passport (BDP) no later than 1 January 2006.⁷⁹⁸ Chaired by presidential aide Viktor Ivanov with deputy chairs Rashid Nurgaliyev (Interior Minister) and Leonid Reiman (Minister of Information Technology and Communication), the special working group was also mandated with the creation of “financial-economic terms for the development and introduction of technologies that would meet world standards” and “is entrusted with the development of external political measures, including in the format of meetings of G8 interior and justice ministers, as well as the framework

⁷⁹³ AICF Beijing Committee meeting is held on April 20-22, 2005 in Beijing, News on Asia IC Card Forum Website (Tokyo) 20 April 2005. Date of Access: 9 May 2005 www.asiaiccardforum.org/~ENG/news/news2005042001.htm

⁷⁹⁴ Test Results of the e-Passport Interoperability Test Session at Tsukuba in March 8–10, 2005, News on Asia IC Card Forum Website (Tokyo) 20 April 2005. Date of Access: 9 May 2005 [www.asiaiccardforum.org/~ENG/news/Document_Beijing/E-Passport_Test_NMDA\(050420\).pdf](http://www.asiaiccardforum.org/~ENG/news/Document_Beijing/E-Passport_Test_NMDA(050420).pdf)

⁷⁹⁵ Test Results of the e-Passport Interoperability Test Session at Tsukuba in March 8–10, 2005, News on Asia IC Card Forum Website (Tokyo) 20 April 2005. Date of Access: 9 May 2005 [www.asiaiccardforum.org/~ENG/news/Document_Beijing/E-Passport_Test_NMDA\(050420\).pdf](http://www.asiaiccardforum.org/~ENG/news/Document_Beijing/E-Passport_Test_NMDA(050420).pdf)

⁷⁹⁶ Japan’s IC Card System, Infocomm Development Authority (IDA) of Singapore Official Website (Singapore) 1 November 2004. Date of Access: 7 January 2005 www.ida.gov.sg/idaweb/techdev/infopage.jsp?infopagecategory=articles:techdev&versionid=4&infopageid=I3094

⁷⁹⁷ Test Results of the e-Passport Interoperability Test Session at Tsukuba in March 8–10, 2005, News on Asia IC Card Forum Website (Tokyo) 20 April 2005. Date of Access: 9 May 2005 [www.asiaiccardforum.org/~ENG/news/Document_Beijing/E-Passport_Test_NMDA\(050420\).pdf](http://www.asiaiccardforum.org/~ENG/news/Document_Beijing/E-Passport_Test_NMDA(050420).pdf)

⁷⁹⁸ “Russia to issue biometric passports.” European Communities eGovernment News. 23 September 2004. Date of Access: 30 December 2004 europa.eu.int:80/ida/en/document/3300.

of regional cooperation to ensure the unification and mutual recognition of the passport-and-visa control technologies.”⁷⁹⁹

On 17 March 2005 the Russian government published “The Conception for the Establishment of a State System for Preparing, Creating and Controlling Passport and Visa Documents of a New Generation” outlining Russian plans for the implementation of a BDP system. The conception laid out a vision where “everyone crossing the border of the Russian Federation should have documents with biometric information by 2007.”⁸⁰⁰ Under the conception, 14 billion rubles (US\$500 million) would be spent unifying Russia’s 8,000 passport and visa offices, border crossing points and Foreign Ministry consular offices and would include the establishment of a personalization center, where all biometric data will be stored and BDPs would be produced.⁸⁰¹ Under the terms of the conception, the Ministry of Information and Communications will be in charge of creating the necessary telecommunications infrastructure, and when taken together with the accompanying technological upgrades at the Federal Border Service, Federal Migration Service, Ministries of Transportation and Agriculture, the conception represents one of the largest Russian government Information Technology (IT) projects ever undertaken, at a total cost estimated to be close to US\$2 billion.⁸⁰² Deputy Head of the Federal Service for Informational Technology Alexander Pankratov stated at the time of the conception’s release that, “Funding will begin in June of this year.

Soon after the conception’s publication, Prime Minister Putin ordered that a specimen of the new Russia BDP be ready by 1 January 2006 and that a deadline for transferring all Russian citizens to the new documents by 1 January 2007.⁸⁰³ While ambitious in its envisioned speed of implementation compared to many other G8 nations, some experts have questioned the feasibility of such a dramatic transfer, given the dramatic rise in the cost of a Russian passport from the current US\$8.60 to between US\$70 and US\$90.⁸⁰⁴ Responding to the question of the speed of BDP introduction, special working group chair Viktor Ivanov cited the benefits BDPs would have in fighting terrorism and illegal migration and stated, “We should not allow our citizens to be discriminated against when passing through passport and visa control abroad.”⁸⁰⁵

Additionally, in partnership with the APEC countries, Russia has committed to developing systems for sharing passport alerts to help combat terrorism and improve travel safety for business and other travellers in the region. This system, called the Regional Movement Alert List

⁷⁹⁹ “Putin Orders Introduction of Biometric Data Passports in Russia” FindBiometrics.com/ITAR-TASS 20 September 2004. Date of Access: 30 December 2004. www.findbiometrics.com/Pages/feature%20articles/putin.html

⁸⁰⁰ “Russian Passports to Bear 3D Photos.” Kommersant. 22 April 2005. Date of Access: 23 April 2005. www.kommersant.com/page.asp?id=572474

⁸⁰¹ Ibid.

⁸⁰² Ibid.; “New Russian Passports to Contain Biometric Data on Owners.” MosNews 22 March 2005. Date of Access: 6 May 2005. www.mosnews.com/news/2005/03/22/ruspasport.shtml

⁸⁰³ “New Russian Passports to Contain Biometric Data on Owners.” MosNews 22 March 2005. Date of Access: 6 May 2005. www.mosnews.com/news/2005/03/22/ruspasport.shtml

⁸⁰⁴ Ibid.; “Concept of Russian Biometric Passports Ready.” findBiometrics.com/RIA Novosti 18 March 2005. Date of Access: 7 May 2005. www.findbiometrics.com/viewarticle.php?id=47

⁸⁰⁵ “New generation of Russian passports due.” Biometric Watch. Issue 20, April 2005. Date of Access: 7 May 2005. www.biometricwatch.com/BW_20_issue/BW_20.htm

(RMAL), will “automatically share data on lost and stolen passports” between APEC countries⁸⁰⁶.

7. United Kingdom: 0

The United Kingdom has made a significant commitment to the development of international standards for the interoperability of government-issued smart chip passports and other identity documents throughout the year, but will not achieve implementation by the 2005 Summit. This commitment has come primarily through its efforts to implement biometric passports and identity cards domestically and the United Kingdom’s work with the European Council on the development of standards for security features and biometrics in passports and travel documents issued by Member States.

First announced in 23 November 2004 Queen’s Speech to Parliament,⁸⁰⁷ the government’s Identity Card Bill would allow for the creation of a national identity register combining traditional identification information (name, address, date of birth, nationality and immigration status) with biometric identifiers (face recognition, digital fingerprinting and iris patterns) in both smart-chip passports and national identity cards.⁸⁰⁸ The Home Office minister Baroness Scotland stated during the Bill’s second reading that national identity cards would begin to be implemented on a voluntary basis in 2008.⁸⁰⁹

The United Kingdom Passport Service’s (UKPS) Corporate and Business Plans 2005-2010, published 24 March 2005, reiterated the British government’s commitment to the implementation of biometric data passports (BDPs) and smart-card national identity cards.⁸¹⁰ Among the priorities contained in the UKPS Corporate and Business Plans is the introduction of the ‘ePassport’ by the end of 2005 through the UKPS Integrated Change Programme.⁸¹¹ This BDP will include “a chip containing a scanned image of the holder’s unique facial features,”⁸¹² meeting the agreed International Civil Aviation Organisation (ICAO) standard for a biometric passport.⁸¹³ The UKPS Plans go on to state that the government “expects to add fingerprint

⁸⁰⁶ Joint Statement by U.S. Secretary of State Colin Powell, Chilean Minister of Interior Jose Miguel Insulza and Australian Foreign Minister Alexander Downer, “APEC Economies to Develop a Regional Movement Alert List System,” Office of the Spokesman, Department of State, Washington, DC, November 19, 2004. Date of Access: 2 January 2005 www.state.gov/r/pa/prs/ps/2004/38495.htm.

⁸⁰⁷ “Full text of the 2004 Queen’s Speech” BBC News. 23 November 2004. Date of Access: 7 May 2005. news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/politics/4034947.stm

⁸⁰⁸ Identity Cards Bill, as introduced in the House of Commons on 29 November 2004 [Bill 8]. The United Kingdom Parliament. 29 November 2004. Date of Access: 28 December 2004.

www.publications.parliament.uk/pa/cm200405/cmbills/008/2005008.pdf
Identity Cards Bill Explanatory Notes [Bill 8–EN]. The United Kingdom Parliament. 29 November 2004. Date of Access: 28 December 2004. www.publications.parliament.uk/pa/cm200405/cmbills/008/en/05008x--.htm

⁸⁰⁹ “Minister stands firm on ID cards.” BBC News. 21 March 2005. Date of Access: 7 May 2005. news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/politics/4370273.stm

⁸¹⁰ “United Kingdom Passport Service Corporate and Business Plans 2005-2010.” United Kingdom Passport Service. 24 March 2005. Date of Access: 6 May 2005. www.passport.gov.uk/downloads/UKPS_CBP_2005-10.pdf

⁸¹¹ Ibid.

⁸¹² “UK Passport Service: Improving Passport Security And Tackling ID Fraud.” United Kingdom Passport Service. 24 March 2005. Date of Access: 6 May 2005. www.passport.gov.uk/press_240305.asp

⁸¹³ “Home Office statement on UK ‘biometric’ passports.” Statewatch.org 24 March 2005. Date of Access: 1 April 2005. www.statewatch.org/news/2005/mar/15uk-non-biometric-passports.htm

scans” to the ‘ePassport’ as a second biometric in late 2007.⁸¹⁴ The addition of fingerprint scan biometrics to the ‘ePassport’ is also seen as preparation for the implementation of the smart-chip national identity card plan, according to Home Office Minister Des Browne, who envisions the UKPS as “a key part of the new Home Office agency that would be established to run the [national identity card program].”⁸¹⁵

In addition, the British government has undertaken biometric identification trials on both the local and national level. During the summer of 2004 the UKPS conducted an enrolment trial where iris scans, fingerprints and facial scans were collected. The final report of the UKPS trial has not yet been released.⁸¹⁶ The British government also invested 1.5 million pounds in a ‘smart-card’ pilot program in Cornwall. Approximately 50,000 people enrolled in the program that allowed access to various public services through “the Cornish Key scheme”, but problems with the technology involved caused the trial to be withdrawn earlier than planned.⁸¹⁷ The government has also initiated ‘Project IRIS’ at two Heathrow airport terminals at the end of April 2005 with the aim of expanding the program to other British airports in the future. ‘Project IRIS’ replaces face-to-face passport interviews with instant iris scans for any non-European Union passport holders who travel through Heathrow airport regularly and wish to avoid passport verification long lines. These scans would be stored on file in a government database.⁸¹⁸

Finally, the United Kingdom has continued to work with both the ICAO and the European Union (EU) to develop international standards for BDPs other government-issued biometric identification.

The United Kingdom actively participated in the development of the Council of the European Union’s biometric passport regulations. At the 2613rd Council of the European Union Council Meeting on Justice and Home Affairs on 25-26 October 2004 in Luxembourg, the United Kingdom participated in the agreement to include digital fingerprints as a second mandatory biometric identifier in future Member States’ passports. The meeting also agreed that a digital facial image of the holder will have to be included in all EU passports issued 18 months after the date of adoption of technical specifications to implement the Council Regulations on “standards for security features and biometrics in passports and travel documents issued by Member States,” with digital fingerprints mandatory after 36 months.⁸¹⁹

⁸¹⁴ “United Kingdom Passport Service Corporate and Business Plans 2005-2010.” United Kingdom Passport Service. 24 March 2005. Date of Access: 6 May 2005. www.passport.gov.uk/downloads/UKPS_CBP_2005-10.pdf (p.17, 19)

⁸¹⁵ “UK Passport Service: Improving Passport Security And Tackling ID Fraud.” United Kingdom Passport Service. 24 March 2005. Date of Access: 6 May 2005. www.passport.gov.uk/press_240305.asp

⁸¹⁶ “UK Passport to only include a digital photo but costs set to double.” PrivacyInternational.org 29 March 2005. Date of Access: 7 May 2005. [www.privacyinternational.org/article.shtml?cmd\[347\]=x-347-168059](http://www.privacyinternational.org/article.shtml?cmd[347]=x-347-168059)

⁸¹⁷ “Trial ID card scheme is withdrawn.” BBC News. 19 April 2005. Date of Access: 7 May 2005. news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/england/cornwall/4459493.stm

⁸¹⁸ “Project IRIS’ to scan travelers at Heathrow.” Indo-Asian News Service. 20 April 2005. Date of Access: 22 April 2005. www.newz.in/large35.asp?catid=37&number=4445

⁸¹⁹ “Future EU passports to include fingerprint scans.” eGovernment News. 27 October 2004. Date of Access: 30 December 2004. europa.eu.int/ida/en/document/3421/330
Press Release, 2613rd Council Meeting, Justice and Home Affairs. Council of the European Union. 26 October 2004. Date of Access: 30 December 2004. ue.eu.int/ueDocs/cms_Data/docs/pressData/en/jha/82414.pdf

8. United States: +1

According to the U.S. Department of State and U.S. Agency for International Development's "FY 2006 Performance Summary," the United States continues to actively implement its smart chip biometric passport strategy.

In fiscal year 2004, procurement from private firms interested in developing and producing biometric passports began with initial tenders awarded on 8 October 2004. A second round of awards was made on 12 January 2005. Currently, fiscal year 2005, the Department of State continues to test its biometric passport products. According to the report named above, by mid-2005 the Department will test issuing these new passports to the public in select regions of the United States. By the end of 2006, the Department of State plans to exclusively issue biometric passports in all its domestic offices. However, Government officials concede that implementation of this new passport technology is proving more difficult than expected, at home and abroad.

The United States Congress extended its deadline requiring implementation of smart chip passports for all Visa Waiver Programme (VWP) member countries from October 2004 to October 2005. That one year extension, only half of the two year recommendation by then Secretary of State Colin Powell, has not been long enough to fully implement the new passports in the US or elsewhere.⁸²⁰ Indeed, in February 2005, the US State Department once again conceded that major countries like Japan, France and the UK would not have biometric passports on-line until Spring 2006.⁸²¹ Therefore the US House Judiciary Subcommittee on Immigration and Border Security again considered the question of extending the implementation deadline on 21 April 2005. The Subcommittee heard testimony from Elaine Dezenski, Acting Assistant Secretary for Policy and Planning, Border and Transportation Security Directorate, U.S. Department of Homeland Security, who acknowledged that contrary to stated goals, the US itself likely would not be ready for the October 26 deadline since machines capable of reading biometric passports will not be available at all ports of entry by that date.⁸²²

In addition, the US has backed away from the need for VWP countries to have fully biometric passports, instead allowing passports with Digital photographs to meet America's requirements: "In written comments submitted to the hearing, both the committee and subcommittee chairmen said that VWP countries could comply with the US Border Security Act as long as their

⁸²⁰ Office of the Spokesman, U.S. Department of State, "Powell Urges Delay of Deadline for New Passport Technology," 21 April 2004, online at usinfo.state.gov/gi/Archive/2004/Apr/22-962862.html, last accessed 11 May 2005

⁸²¹ Japan, France, Britain unable to meet new U.S. passport deadline, Japan Today (Tokyo) 2 February 2005. Date of Access: 9 May 2005 www.japantoday.com/e/?content=news&id=326484

⁸²² Oversight Hearing, "Testimony Of Elaine Dezenski Acting Assistant Secretary Border And Transportation Security Directorate Department Of Homeland Security Before The House Committee On The Judiciary Subcommittee On Immigration, Border Security And Claims," Subcommittee on Immigration, Border Security and Claims, U.S. House of Representatives Committee on the Judiciary, 21 April, 2005, (Online at judiciary.house.gov/oversight.aspx?ID=145, last accessed 11 May 2005). See Also Greta Wodele, "U.S. will not be able to read high-tech foreign passports," *Govexec.com*, 21 April 2005, Online at www.govexec.com/dailyfed/0405/042105tdpm1.htm, last accessed 11 May 2005).

passports would contain a printed, secure digital photograph of the holder.”⁸²³ In other words, citizens of the 27 VWP would still be able to enter the United States as long as they would carry a machine-readable passport featuring a digital facial photograph, a step back from the technology governments are trying to implement.

9. European Union: 0

The European Union has partially complied with its G8 commitment concerning smartchip documentation. At the General Affairs Council meeting in Brussels on December 13th, 2004, the Council adopted a regulation mandating the inclusion of biometric information in future passports and travel documents issued by EU Member States.⁸²⁴ The regulation states, “Passports and travel documents shall include a storage medium which shall contain a facial image. Member States shall also include fingerprints in interoperable formats”⁸²⁵. National identity cards, temporary passports and travel documents issued by member states are not bound by these regulations.⁸²⁶ The regulation entered into force twenty days after its publication in the Official Journal of the European Union on December 29th, 2004.⁸²⁷ EU Member states are now obliged to apply these regulations in a time frame of 18 months for facial images and 36 months for fingerprints.⁸²⁸ The directive is an extension of the Schengen ‘acquis’, therefore the United Kingdom, Ireland and Denmark are not bound by it.⁸²⁹ These member states have a six-month period to decide whether or not implement the regulation.⁸³⁰ The European Parliament had on December 2nd, 2004, prior to the Council’s decision, voted in favour of biometric passport regulations.⁸³¹ However, it sustained that only facial images should be compulsive biometric identifiers.⁸³² As of April 28th, 2005 Hewlett Packard announced that the EU signed a 48.5 million dollar contract to create the second generation Schengen Information System.⁸³³

In March 2005 Franco Frattini, the European Justice, Freedom and Security Commissioner, officially asked US Congress to extend the deadline for introducing biometric passports until 28 August 2006: “We would urge the Congress to consider a second extension of the deadline, as

⁸²³“US lawmakers question need for microchips in European passports” eGovernment News, 26 April 2005, Date of Access 17 May 2005 europa.eu.int/ida/en/document/4220/355

⁸²⁴ “Council of the EU adopts biometric passports regulation”; eGovernment News; europa.eu.int/ida/en/document/3669/194 ; 17 December 2004.

⁸²⁵ Council of the European Union; Council Regulation on standards for security features and biometrics in passports and travel documents issued by Member States; regier.consilium.eu.int/pdf/en/04/15/15152.en04.pdf; Brussels; 10 December 2004; Page 6.

⁸²⁶ Ibid. Page 6.

⁸²⁷ *Official Journal of the European Union* (Issue L 385). *Council Regulation (EC) 2252/2004 of December 13th 2004 on Standards for Security Features and Biometrics in Passports and Travel Documents Issued by Member States* (Brussels) 29 December 2004. Date of Access: 8 May 2005 [europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/l_385/l_38520041229en00010006.pdf]; Page 3.

⁸²⁸ Ibid., Page 3.

⁸²⁹ “Council of the EU adopts biometric passports regulation”; eGovernment News; europa.eu.int/ida/en/document/3669/194; 17 December 2004.

⁸³⁰ Ibid.

⁸³¹ Ibid.

⁸³² Ibid.

⁸³³ HP Wins \$48.5 Million Contract with European Commission: Deal to increase EU cross-border security and combat terrorism and crime (April 28th, 2005) Retrieved May 11th, 2005. From: www.hp.com/hpinfo/newsroom/press/2005/050428a.html

Member States would need until 28 August 2006 for the implementation of the facial image in their passports. The Commission and the EU Presidency can assure you that all possible efforts are made by Member States to start handing out biometrically enhanced passports to their citizens as soon as possible.”⁸³⁴ The request for an additional deadline extension was made after it emerged that only six EU countries — Belgium, Germany, Austria, Finland, Sweden and Luxembourg — were in a position to meet the deadline set by US Congress for VWP countries to start issuing biometric passports to their citizens.”⁸³⁵

The European Union itself also recently produced a report, *Biometric at the Frontiers: Assessing The Impact On Society*. The report reiterates the EU’s commitment to interoperability, “and the availability of widely accepted standards and specifications.”⁸³⁶

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⁸³⁴ Online copy of letter available at [op.bna.com/pl.nsf/id/dapn-6aysud/\\$File/Let%20Frattini-Frieden%20-%20Sensenbrenner.pdf](http://op.bna.com/pl.nsf/id/dapn-6aysud/$File/Let%20Frattini-Frieden%20-%20Sensenbrenner.pdf), last accessed 10 May 2005.

⁸³⁵ “US lawmakers question need for microchips in European passports,” *eGovernment News (IDABC)*, Interoperable Delivery of European eGovernment Services to public Administrations, Businesses and Citizens, 26 April 2005, online at europa.eu.int/idabc/en/document/4220/355, last accessed 11 May 2005.

⁸³⁶ Institute for Prospective Technological Studies. Technical Report Series. *Biometric At The Frontier: Assessing The Impact On Society*. (EUR 21585 EN), Retrieved May 10th 2005. www.foruminternet.org/telechargement/forum/etude-biometrie-commission-euro-200504.pdf