

# Enhanced Biometric Security Partnership (EBSP)/ International Biometric Information Sharing (IBIS)



Image: CPB

Matthias Monroy  
[digit.so36.net](http://digit.so36.net)  
[digit.site36.net](http://digit.site36.net)  
[@matthimon](https://twitter.com/matthimon)  
[@matthimon@chaos.social](https://twitter.com/matthimon)  
27th December 2022

## EBSP/ IBIS

Letter from the US embassy to (almost all)  
EU states in February 2022

Demand for direct access to fingerprints and  
facial images

Data on suspected or convicted criminals and  
terrorists; asylum seekers

Later mentioned: residents' registration data

# EBSP/ IBIS

For all travellers (and asylum seekers)  
before entry into USA

Hit/ No hit query of the foreign  
databases

On hit: retrieval of existing data record  
in pull procedure

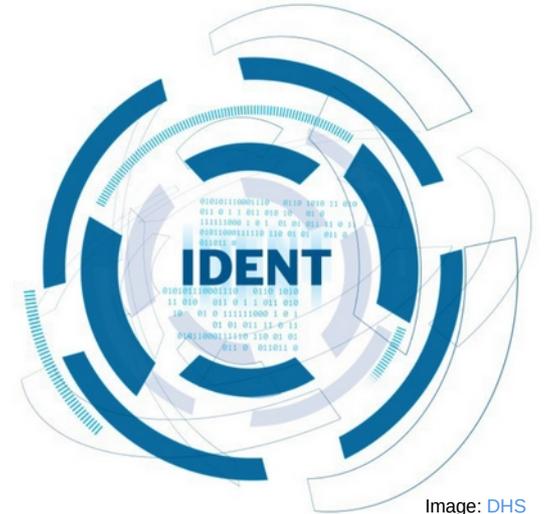


Image: DHS

# EBSP/ IBIS

Use in the IDENT system at the  
Department of Homeland Security  
275 million entries on individuals  
Foreign nationals, (delinquent) US citizens  
1 billion faces, 7 million iris pairs

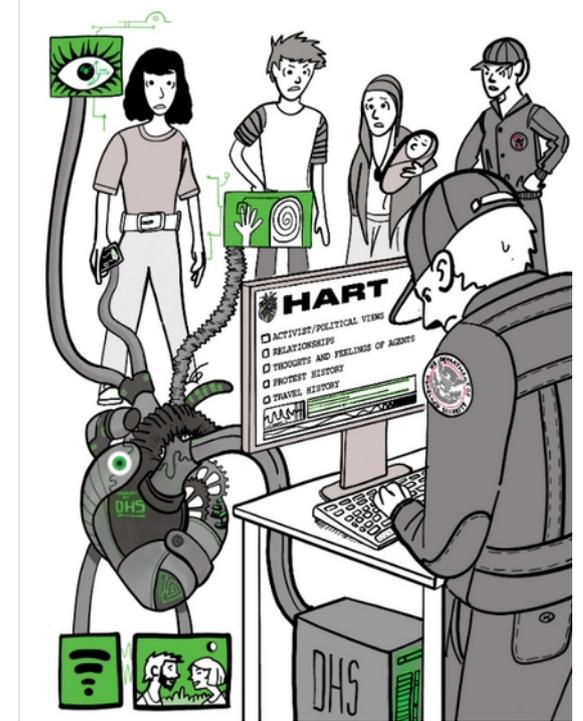


Image: Study „Hart Attack“

# EBSP/ IBIS

IDENT is being transformed into HART (Homeland Advanced Recognition Technology).

Storage then in commercial cloud

„Continuously improved algorithms“



Image: DHS

## EBSP/ IBIS

Willingness to participate of at least five governments (e.g. Israel, Great Britain).

Also reportedly 3 EU states

Similar cooperation by US authorities already with Croatia, Bulgaria, Poland (as well as Greece, Italy)

# EBSP/ IBIS

Participation in EBSP/ IBIS at beginning voluntary

From 2027, participation mandatory in Visa Waiver Program (VWP)

Otherwise no more visa-free entry



Image: [U.S. government](#)

# US Visa Waiver Program

Since 1986, principle of reciprocity

Existing requirements:

- Biometric passports (2006)
- Pre-registering in the ESTA travel authorisation system (2008)
- Preventing and Combating Serious Crime Agreements (PCSC), query of biometric data for police investigations



Image: U.S. government

# EU competence with EBSP/ IBIS?

Joint EU response by French Presidency  
US authorities to specify demand  
Talks with US government since March  
Discussed at EU Council working groups  
„Exchange of Information JHA Area“, „Visa“



Image: DHS

# EU competence with EBSP/ IBIS?

EU Commission received information on looming VWP rule from US Ambassador to the EU

Invitation to a „technical dialogue“

Letters to EU remain secret



Image: U.S. government

## EU competence with EBSP/ IBIS?

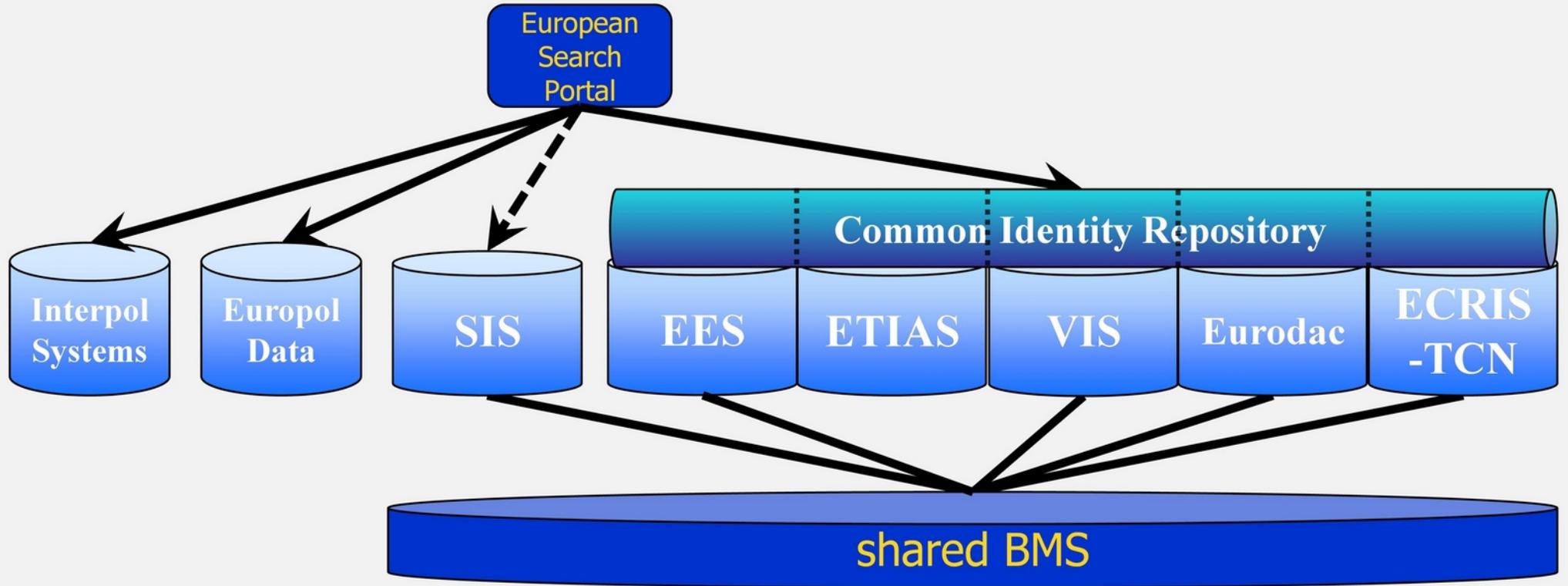
No US demand for access to EU databases

EBSP/ IBIS would only be bilateral agreements between governments

But:

If all Schengen states implement EBSP/ IBIS, there is de facto access to EU biometric data (SIS II, EES, EURODAC, Prüm 2)

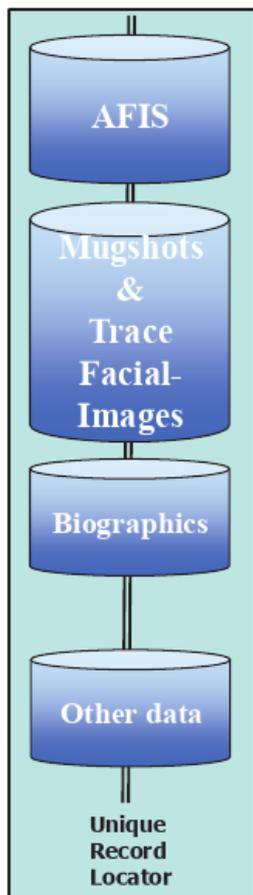
# Interoperability Package



# MS with Facial-Image databases



European  
Commission



EU Member State	Expected year of FR implementation	Database
Croatia	2021	ABIS and image repository of civil documents
Czech Republic	2021	CBIS - Central Biometric Information System
Romania	2021	NBIS - National Biometric Identification System
Spain	2021	ABIS
Sweden	2021	ABIS
Cyprus	2021–2022	ISIS Faces
Estonia	2022	ABIS

Expected

EU Member State	Year of impl.	Database	No. of images	No. of persons	Person categories
Austria	2020	EDE - Criminal identification database	1.25 M	620 000	criminals
Finland	2020	RETU - registered persons identifying features database and Aliens database			suspects, asylum seekers and aliens
France	2013	TAJ - criminal case history database	6 M	21 M	suspects and victims (i.e. unknown dead bodies, seriously injured and missing persons)
Germany	2008	INPOL - criminal case management system	5.5 M	6.2 M	suspects, convicts, arrestees, missing persons, wanted persons and asylum seekers
Greece	2019	mugshot database	Not specified	377 000	suspects who have been arrested and convicts who have been sentenced to imprisonment
Hungary	2016	Facial Image Registry	30 M	Not specified	civil document applicants
Italy	2017	AFIS	17 M	9 M	convicts, arrested suspects, unidentified persons, immigrants and asylum seekers
Lithuania	2019	HDR - Habitoscopic Data Register	400 000	185 000	suspects, convicts, arrested persons, wanted persons, unidentified dead bodies and unidentified helpless persons
Latvia	2012	BDAS - Biometric Data Processing System (criminal data array)	Not specified	Not specified	detained, suspected, accused and convicted individuals, and unidentified dead bodies
Netherlands	2016	CATCH criminal and CATCH alien	Not specified	8.3 M	suspects, convicts, visa and asylum applicants
Slovenia	2015	the record of photographed persons	Not specified	110 000	suspects, missing persons and unidentified dead bodies

Operational

# EU competence with EBSP/ IBIS?

European data protection law affected:

- General Data Protection Regulation
- EU-US Framework Agreement for Police Information Sharing
- ECJ case law on EU-US data sharing
- AI Act (planned)

Proportionality?

# EU competence with EBSP/ IBIS?

EU-US visa regime affected „as a whole“

EU Commission to establish equal VWP treatment of all MS (since 2008)

Not yet: Bulgaria, Romania, Cyprus

EU Parliament sues COM for inaction

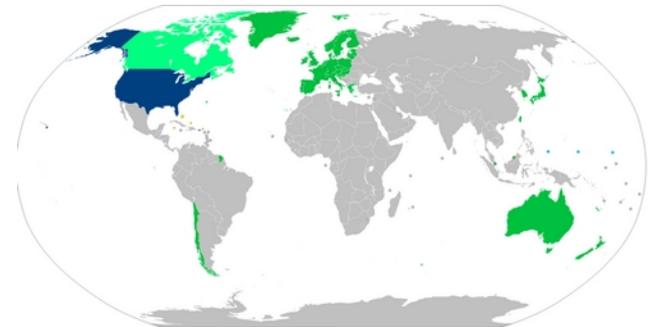


Image: [Wikipedia](#)

# What next?

Council wants COM to examine open questions

Will a decision on a mandate for negotiations with the US follow? When?

What is the critical digital community doing?

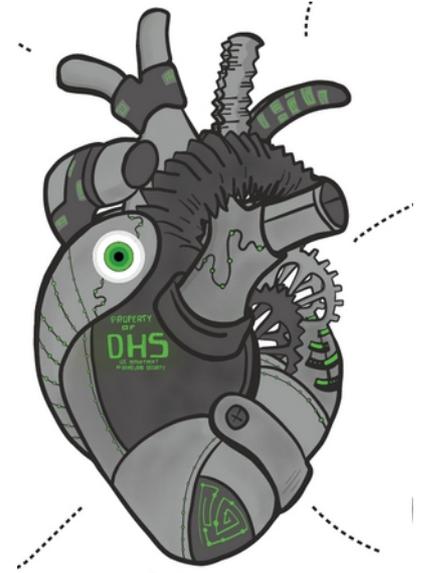


Image: Study „Hart Attack“

# Enhanced Biometric Security Partnership (EBSP)/ International Biometric Information Sharing (IBIS)



Image: CPB

Matthias Monroy  
[digit.so36.net](http://digit.so36.net)  
[digit.site36.net](http://digit.site36.net)  
[@matthimon](https://twitter.com/matthimon)  
[@matthimon@chaos.social](https://twitter.com/matthimon)  
27th December 2022