



Requested by alexandra apalopoulou on 22 September 2020

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Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden plus Norway (24 in Total)

Disclaimer:

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1. Background information

Residence permits issued by the competent Authorities of Member States to accredited members of diplomatic missions and consular representations as well as their family members grant third country nationals the right to reside in a Member State and ensure their free movement rights within the Schengen area, provided that national authorities communicate the necessary documents to the border authorities of the other Member States, in accordance with the Schengen Borders Code. Identity Cards, entitled "SPECIAL ID CARD" issued by the Ministry of Foreign Affairs of Greece, upon request, have equivalent value to a residence permit. Nevertheless, the above mentioned documents do not meet the specifications of electronic documents as defined by the

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International Civil Aviation Organization (ICAO). Given the fact that various difficulties have been reported at the entry points of different Member States, related to the authenticity of those documents, the competent Greek authorities are in the process of deliberations regarding the possibility of issuing a new model card of residence permits to accredited members of diplomatic missions and consular representations and members of their families, containing increased security standards. In this respect, Greek authorities have expressed various opinions within the context of the new model of the card (either national format or 1030/02 format / either biometric included or not included). It is important to emphasize that we are not dealing this issue from the Vienna convention perspective but from the migration perspective in order to facilitate free movement and residence within the Schengen Area for those third country nationals. In order to reach an interministerial decision on the appropriate model for the new card, we would like to raise the following questions:

2. Questions

1. What type of residence document ensuring both rights of residence and free movement within the Schengen area is granted to the accredited members of diplomatic missions and consular representations and members of their families by your competent authorities? Kindly specify the title of the document (residence permit, diplomatic ID etc).

2. Are those documents issued according to the EU uniform format (Regulation 1030/2002) or according to national security standards as defined by the International Civil Aviation Organization (ICAO)?

3. In case you grant residence permits according to the EU uniform format (Regulation 1030/2002), do you receive fingerprint images of the holder?

4. In case you grant residence permits according to national security standards, do you receive fingerprint images of the holder?

We would very much appreciate your responses by **16 October 2020**.

3. Responses

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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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		Wider Dissemination ²	
=	EMN NCP Austria	Yes	1. In Austria, persons who have been issued a photo ID for holders of privileges and immunities under Art. 95 Aliens Police Act are excluded from the scope of application of the Settlement and Residence Act (§ 1 para. 2 Z 2 Settlement and Residence Act). This exception only arises from the issuance of the photo ID according to Art. 95 Aliens Police Act, the so-called legitimation card. Members of this group of persons are therefore not entitled to stay ex lege but are obliged to take care of the issue of an identification card. Their residence is otherwise unlawful (Supreme Administrative Court, 26.6.2013, 2011/01/0280), even if expulsion will not be possible due to the immunities existing under international law or international conventions. In particular, ambassadors, professional and honorary consuls, employees and experts of international organizations as well as their official and private domestic staff are entitled to such privileges and immunities. In addition, a photo ID in accordance with Art. 95 Aliens Police Act can be issued for family members of the aforementioned groups of persons living in the same household (Abermann et al, Niederlassungs- und Aufenthaltsgesetz, Art 1 marginal number 15et seqq.). The legitimation card is to be issued for a maximum of three years (Art. 1 para. 2 Regulation of the Federal Minister for Europe, Integration and Foreign Affairs on the issuing of photo IDs to members of those groups of persons who enjoy privileges and immunities in Austria). The legitimation card will be issued with different color codes depending on membership to a specific

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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		authorized group of persons (Art. 2 para. 1 Regulation of the Federal Minister for Europe, Integration and External Affairs on the issuing of photo IDs to members of those groups of persons who enjoy privileges and immunities in Austria). A sample of the legitimation card can be found here: https://www.ris.bka.gv.at/Dokumente/Bundesnormen/NOR40191488/II 60 2017 Anlage.pdf Source: Ministry of the Interior 2. No information was provided by the Federal Ministry of the Interior. 3. No information was provided by the Federal Ministry of the Interior. 4. No information was provided by the Federal Ministry of the Interior.
EMN NCP Belgium	Yes	 The Protocol Directorate of the Federal Public Service Foreign Affairs issues a special residence permit to the accredited members of the diplomatic missions and consular representations and their family members. This residence permit is issued free of charge and is a temporary residence permit containing information on the identity and status of the staff of the diplomatic mission and their family members. The Belgian law obliges the person to carry this permit with them at all times and to present it at the request of the competent Belgian authorities (such as the local police). This document is not in itself a travel document, but can serve as visa for Belgium and for the Schengen Area Member States, if it is presented in conjunction with a valid passport. There are 5 types of special residence permits according to the status of the holder: Special residence permit D for diplomatic officials, holders of diplomatic passports and their family members;

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		 Special residence permit C for consular officers and their family members; Special residence permit P for the administrative and technical staff and their family members, consular employees and their family members; Special residence permit S for members of the service staff of the diplomatic mission or consular post and their family members, private servants and their family members, civilian servants on a mission and their family members, seconded national experts and their family members; Special residence permit E for children under the age of 5. The models of the special residence permit can be found at: https://diplomatie.belgium.be/sites/default/files/downloads/bat_cartes_p The layout of the new Belgian identity cards has been adapted to the recommendations made by the International Civil Aviation Organization. However, this is not yet the case for the special residence permits delivered by the Protocol Directorate. N/A No.
EMN NCP Bulgaria	Yes	 Bear in mind that Bulgaria is not part of the Schengen area. The Law on Foreigners in the Republic of Bulgaria (Article 23a thereof) provides for that the Ministry of Foreign Affairs shall issue the following types of residence documents to the above-mentioned categories of persons: Card of a member of the diplomatic staff of a diplomatic representation or of the staff of an international organisation accredited to the Republic of Bulgaria (a "diplomatic card");

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			 Card of a consular officer in a consular representation ("consular card"); Card of a member of the administrative and technical staff of a diplomatic or consular representation, or of a representation of an international organisation accredited to the Republic of Bulgaria (a "card of administrative and technical staff"); Card of a member of the service staff of a diplomatic or consular representation, or of a representation of an international organisation accredited to the Republic of Bulgaria (a "card of a service staff of a diplomatic or consular representation, or of a representation of an international organisation accredited to the Republic of Bulgaria (a "card of a service staff"). Those documents are not issued according to the EU uniform format (Regulation 1030/2002). Residence documents of the diplomatic or consular staff or of members of the representation of an international organisation accredited to the Republic of Bulgaria, as well as of the members of their families, are issued according to the provisions of the Law on Foreigners in the Republic of Bulgaria (Article 23a thereof), the Law on the Bulgarian Identity Documents (Article 59, paragraph 5 thereof) and the Regulations on the issuance of Bulgarian Identity Documents (Article 44 thereof). N/A Fingerprints are not collected when applying for diplomatic card, consular card, card of administrative and technical staff or card of service staff.
Η	EMN NCP Croatia	Yes	1. In Croatia, in accordance with articles 4-13 of the By-Law on the special identity card of 27 December 2017 for the members of the diplomatic and consular corps and agents of the

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			 Affairs. They constitute proof of non-permanent residence in Croatia but they do not constitute a travel document. The maximum validity of these documents is 4 years. 2. The special identity cards for the members of the resident diplomatic and consular corps and agents of the European Union and international organizations having their seat in Croatia are issued in accordance with the standard ISO 14298 and ISO 27001. 3. N/A 4. N/A
•	EMN NCP Cyprus	Yes	 The Ministry of Foreign Affairs of Cyprus issues Diplomatic and Non Diplomatic Identity Cards to all staff accredited in cyprus and working : Diplomatic Missions /International Organizations/Consulates etc. This is equivalent to resident permit in Cyprus and not free movement within the Schengen area According to national security standards N/A No.

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EMN NCP Czech Republic	Yes	 To third country nationals, members of diplomatic missions and consular representations and their family members, the Identity card and long-term residence permit are being issued. The documents are being issued according to the national security standards as defined by the ICAO. N/A No.
EMN NCP Estonia	Yes	 In Estonia, employees of the diplomatic missions and their family members are accredited by the Ministry of Foreign Affairs and diplomatic identity cards are issued as the temporary legal base for residing in Estonia. The diplomatic identity card also grants the immunities and privileges outlined in the Vienna Convention on Diplomatic Relations according to the relevant category and entitles the bearer together with a passport to enter and travel within the territory of the Schengen States. A diplomatic identity card is issued to a foreign national who is a diplomat accredited to Estonia and a member of a diplomatic representation and consular post of a foreign state and her or his family member who is a foreign national. A service card is issued to a foreign national who is a member of the administrative and support staff of a foreign representation and her or his family member who is a foreign national, a foreign national who is a service staff or an honorary consul, a foreign national who is an employee of a representation of an international organisation or an international organisation located in Estonia or another institution established by international agreement and her or his family member who is a foreign national, an Estonian citizen or permanent resident who is employed by a foreign representation or another institution.

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		 2. The Estonian diplomatic identity card is a physical identification document and has advanced electronic functions that facilitate secure authentication and a qualified electronic signature. It is issued in accordance with the requirements of the elDAS levels of assurance, defined in the Commission Implementing Regulation (EU) 2015/1502 pursuant to article 8 (3) of the elDAS Regulation (EU) 910/2014. Physical security requirements for manufacturing are based on the ISO and ICAO standards. 3. No fingerprint images are taken from the diplomatic identity card applicants. 4. See the previous answer.
EMN NCP France	Yes	 France issues a special residence permit. The cards are of similar presentation for all. Acronyms placed on the front, top right, on a coloured background, symbolise the different attributions and assignments. Spouses and children under the age of 21, when they are not French, do not have dual nationality, French and foreign, or are not long-term residents, receive an identical document. The card is generally issued for three years. It can be renewed for two years and then a new special residence permit is issued. The same applies to those entitled to a residence permit for whom the validity of the card cannot exceed the validity of the permit granted to the holder. France's special residence permits are the legal counterpart of the ordinary residence permits issued by the prefecture to third countries nationals residing in France. However, they differ in form but include security checks. NO the only biometric element is the ID photo NO the only biometric element is the ID photo

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EMN NCP Germany	Yes	 The above-mentioned persons receive a so-called protocol card. This is not a residence permit. The design of the protocol card follows the layout recommendations of ICAO Doc 9303 part V (TD1 documents). Whereas before 2019 the protocol card was issued as a laminated paperbased document, since October 2019 it is issued as a polycarbonat card. The protocol card displays the card holder's special status granted by the Federal Republic of Germany and indicate that he or she does not require a residence permit. In combination with a valid national travel document (diplomatic, service or ordinary passport or similar document), the protocol card also entitles the bearer in principle to enter all Schengen states and remain in them for up to three months. The Regulation (EC) 1030/2002 and Regulation (EU) 2017/1954 is especially for the EU uniform format of residence permits. To prevent confusion regarding document checks, the design of the German protocol card also serves as a national residence permit. The card is produced in the ID1 credit card format and meets the requirements of a highly secure and machine readable identity document. The German protocol card is equipped with a machine readable zone but hasn't got a chip included. Fingerprints are not collected / recorded during the data collection for the purpose of issuing the protocol ID; according to our interpretation of the Vienna Convention on Diplomatic and Consular Relations, this would not be allowed. The two fingerprints of a bearer of an electronic residence permit card are stored in the chip [following Regulation (EC) 1030/2002 and Regulation (EU) 2017/1954.

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I	EMN NCP Hungary	Yes	 Please find the whole documentation in iFADO and PRADO system under nr. HUN-HO-06004 (https://www.consilium.europa.eu/prado/hu/HUN-HO-06004/index.html) the residence permit for diplomatic missions issued by Hungary, which follows the 1030/2002/EU Regulation. Yes, those are. Yes, generally the Hungarian authorities scan the fingerprints of the holder, but regarding the COVID-19 pandemic this procedure was suspended. -
••	EMN NCP Ireland	Yes	 Ireland is not a member of the Schengen area and so we do not provide documentation in relation to free movement within the Schengen area. The Department of Foreign Affairs issues diplomatic ID cards to accredited Embassy staff and their families (spouse and dependent children) on the basis the information provided in the Article 10 forms. Applications for identity cards should be submitted to Protocol Division, Department of Foreign Affairs, on the appropriate application form which is available on the Department of Foreign Affairs website www.dfa.ie. Completed application forms, duly signed and sealed with the

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			 diplomatic mission stamp should be forwarded to Protocol Division with the applicant's passport. 2. No. DFA ID cards for diplomatic staff were developed in consultation with the Department of Justice and An Garda Síochána. 3. N/A. We don't require fingerprints for DFA ID cards issued. 4. N/A.
•	EMN NCP Italy	No	
	EMN NCP Latvia	Yes	 The accredited members of diplomatic missions and consular representations upon arrival in Latvia receive Identity cards issued by the Ministry of Foreign Affairs. The list of ID cards is included in the Annex of the Schengen Border Code. If diplomats require visa for entry into Schengen area before arrival they are granted a national long stay visa. However, the current regulation is going to be amended shortly and the accredited members of diplomatic missions and consular representations will be receiving the ID cards which will be identical to those issued to nationals of Latvia. We expect the new Regulation to be implemented in 2021. Current ID cards issued by the MFA do not meet the specifications of electronic documents as defined by the ICAO. The new ID cards will be issued in accordance with the ICAO standards.

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			 The fingerprints are not required as of yet. We issue long stay visa for diplomats who require visa in order to enter Schengen area and long stay visas do not require fingerprints as of yet. However, in accordance with the new VIS Regulation and its implementation in our National Regulations the fingerprints will be required for the long stay visas as well.
-	EMN NCP Lithuania	No	
	EMN NCP Luxembourg	Yes	 In Luxembourg, in accordance with article 2, 3 and 4 of the Law of 7 August 2012 on the identity card for the members of the resident diplomatic and consular corps and agents of the European Union and international organisations based in Luxembourg, the Ministry of Foreign and European Affairs delivers the following three documents: Diplomatic card: 1) this document is issued to any residing diplomatic agent who figures in the list of the diplomatic corps; 2) any non-residing head of mission duly accredited in Luxembourg and who has applied for it; and 3) agents of European Institutions and International organisations in Luxembourg who benefit from diplomatic status. Legitimation card – Diplomatic Missions: This document is issued to: 1) any administrative or technical agent, as well as, to service agents who have not been recruited locally, who work in the resident diplomatic missions, which arrival and status are notified to the Ministry of Foreign and European Affairs; 2) any domestic staff, non-locally recruited, who work for diplomatic or administrative agents which

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	 arrival and whose status has been notified to the Ministry of Foreign and European Affairs. 3. Legitimation card – European Institutions and International organisations: This document is issued to civil servants and other agents of European Institutions and International organisations, as well as their private staff, which are based in Luxembourg and whose arrival and status have been notified to the Ministry of Foreign and European Affairs. The family members of the diplomati or administrative agent will have the same kind of card as the principal holder of the diplomatior administrative position. These documents exempt the holder of any immigration limitation and of the registration formalities with the exemption of the notification to the Ministry of Foreign and European Affairs. They constitute proof of non-permanent residence in Luxembourg but they do not constitute a travel document, except if they are used in conjunction with a valid national passport. The Ministry of Foreign and European Affairs issues a consular card to each member of the honorary consuls' corps that have received an exequatur in Luxembourg. Honorary consuls enjoy no other immunities and privileges than those contained in the Vienna Convention of 1963 on consular affairs. The maximum validity of these documents is 5 years. 2. In accordance with article 11 of the law of 7 August 2012 in relation with article 2 of the grand ducal regulation of 2 February 2016 determining the specimen of identity cards for the members of the resident diplomatic and consular corps and agents of the European Union and international organizations having their seat in Luxembourg are issued in accordance with the standard ICAO 9303. 3. N/A.

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			4. N/A.
	EMN NCP Malta	Yes	 Malta issues a document entitled Diplomatic ID Card 2. The documents issued are not in the format of Regulation 1030/2002. The security features incorporated on the card are the embossed logo which is partly on the photo and partly on the text so that there can be no tampering with applicant's data or photo, as well as logo and text holograms on the plastic sealing of the card and MRZ. 3. Not applicable 4. Not applicable.
Π	EMN NCP Netherlands	Yes	 According to the Regeling identiteitsbewijs geprivilegieerden (Regulation on identity documents for privileged persons), the Ministry of Foreign Affairs provides diplomatic IDs for privileged persons, comprising members of the diplomatic corps, the consular corps and certain international organisations, and members of their family depending on the function of the diplomat. The document issued to third-country nationals have equivalent value to a residence permit. Moreover, there are privileged persons (diplomats) with a regular residence permit for labour. Their family members receive residence based on family reunification. https://wetten.overheid.nl/BWBR0008859/2020-06-27 The identity documents for privileged persons are issued according to the EU uniform format.

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		3. No 4. Not applicable
EMN NCP Poland	Yes	 For accredited in PL diplomats and members of their families diplomatic identity cards (diplomatic ID) are being issued. A per information received all documents are standardized according to PRADO and the patterns can be found under the following links: DIPLOMATIC IDENTITY CARD - https://www.consilium.europa.eu/prado/en/POL-HLD-03003/index.html OFFICIAL IDENTITY CARD - https://www.consilium.europa.eu/prado/en/POL-HS-03001/index.html SPECIAL IDENTITY CARD - https://www.consilium.europa.eu/prado/en/POL-HS-03002/index.html CONSULAR IDENTITY CARD - https://www.consilium.europa.eu/prado/en/POL-HD-03001/index.html CONSULAR IDENTITY CARD FOR HONORARY CONSUL - https://www.consilium.europa.eu/prado/en/POL-HD-03001/index.html S PECIAL IDENTITY CARD FOR HONORARY CONSUL - https://www.consilium.europa.eu/prado/en/POL-HD-03001/index.html A no, the fingerprints are not taken at any time during the procedure. N/A

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EMN NCP Portugal	Yes	 According to Law No. 23/2007, of 4 July, Article 87 on Foreigners exempted from residence permit; Residence permits are not required for diplomatic and consular agents accredited in Portugal, for administrative and domestic or equivalent personnel who come to serve in diplomatic missions or consular posts of the respective States, for employees of international organizations based in Portugal, nor to their family members. The persons mentioned in the previous number are authorized with an identification document issued by the Ministry of Foreign Affairs, upon SEF (Portuguese Immigration and Borders Service)'s consultation. Therefore, Portugal issues a "Diplomatic Identity Card" (CID) to the accredited members of diplomatic missions and consular representations and members of their family. Decree Law No. 81/2019, issued on the Republic Diary No. 114/2019, Series I of 2019-06-17, came to regulate this subject. Further information in English can be found at https://dre.pt/web/en/home/-/contents/122592083/details/normal. The new model of identification document takes the form of an optical reading document, within the scope of enhanced security identity and travel documents, thus respecting the guidelines established by both the European Union and the International Civil Aviation Organization (ICAO). The new model complies with the requirements and technical specifications whose parameters and fixing procedures are defined by: Regulation (EC) No. 2452/2004, of the Council, of December 13, 2004, amended by Regulation (EC) No. 2452/2004, of the Council, of December 13, 2004, amended by Regulation (EC) No. 2452/2004, of the Council, of December 13, 2004, amended by Regulation (EC) No. 2452/2004, of the Council, of December 13, 2004, amended by Regulation (EC) No. 2452/2004, of the Council, of December 13, 2004, amended by Regulation (EC) No. 2452/2004, of the Counci
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EMN NCP Slovakia	Yes	 Based on the notification of arrival and request of the embassy where the staff is posted to, the Diplomatic Protocol of the Ministry of Foreign and European Affairs of the Slovak Republic issues an identity card for eligible persons. Together with a valid passport (diplomatic, service etc.), the identity card entitles its holder to reside in the territory of the Slovak Republic and to enter the territory of member states of the Schengen area. The Ministry delivers six documents: Type "D" Identity Card is issued for heads of diplomatic missions, members, onsular officers, members of atfif of international organizations who enjoy the same privileges and immunities as members of staff of international organizations who enjoy the same privileges and immunities as members of the Slovak Republic of the sending state; consular employees – persons employed in administrative or technical services by the Ministry of Foreign and European Affairs of the Slovak Republic of the sending state; consular office and their family members. Type "SP" Identity Card is issued for members of the service staff of the diplomatic mission or consular office employed by the sending state and their family members. Type "SP" Identity Card is issued for private servants – persons employed by members of the diplomatic staff or a members of the administrative and technical staff. Type "MO" Identity Card is issued for private servants – persons employed by members of the staff of international organizations – officers in an international bureau or offices and their family members. Type "MO" Identity Card for honorary consular officers is issued for authorized persons who are Slovak nationals or have permanent residence in the Slovak Republic and who act in the capacity of honorary consular officers. Type "HK" Identity Card for honorary consular officers is issued for authorized person

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		 3. These documents are not issued according to the EU uniform format. 4. The Diplomatic protocol of the Ministry of Foreign and European Affairs of the Slovak Republic receives only photographs of the holders, not fingerprints.
EMN NCP Slovenia	Yes	 Diplomatic, consular and service ID cards are issued to the accredited members of diplomatic missions and consulates and their accreditev family members. The cards are issued by Ministry ofForeign Affairs. The identity card forms shall meet the following standards: Form dimensions for the ID-1 format of card shall be in compliance with ISO 7810; Physical characteristics of the form shall be in compliance with ISO 7810; Placement of information boxes on the form shall be in compliance with ISO 7501-3, TYPE 1; and Graphic implementation of inscriptions on the form shall be in compliance with ISO 1831: 1980 (quality of inscriptions), ISO 3166 (emblem of the issuing state and the sending state of the holder), ISO 1073/II and ISO 1831 (OCR-B inscription). A. Diplomatic, consular and service ID cards are issued in accordance with national legislation and above mentioned ISO stabdards are respected. Fingerprints are not required.

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8	EMN NCP Spain	Yes	 The document is a diplomatic ID that proves official residence in Spain. It is not a travel document therefore holders of the diplomatic ID travelling out of Spain need to bring along their passports. It does not contain fingerprint images. The diplomatic ID is issued according to national security standards. It is not a travel document therefore holders of the diplomatic ID travelling out of Spain need to bring along their passports. The diplomatic ID is issued according to national security standards. It is not a travel document therefore holders of the diplomatic ID travelling out of Spain need to bring along their passports. This document does not contain fingerprint images.
	EMN NCP Sweden	Yes	 Identity cards are issued to all staff at diplomatic missions, career consular posts and international organisations, as well as to family members who form part of their household and to private servants stationed in Sweden. After arrival and notification, the Protocol Department issues residence permits to mission staff and family members who form part of their regular households and private servants. The residence permit cards allow travel in the Schengen area. Mission members from EU/EEA countries, and family members who form part of their regular households, do not need to hold residence permits. Instead, they will receive identity cards from the Protocol Department. EU uniform format Residence permit cards for service staff and private servants contain biometrics (photo and fingerprints of two fingers) and an electronic signature. Diplomatic agents, members of the administrative and technical staff, consuls, consular agents and their family members are exempt from biometrics.

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		4. Not applicable
EMN NCP Norway	Yes	 Norway issues both diplomatic ID to members of diplomatic missions and consular representations, and their dependent family members, who are holders of official passports, and Residence Cards Foreign Missions to personnel who require a visa to enter Norway which allows them to cross the Schengen border without hindrance. The Residence Card Foreign Missions is a customized Schengen residence permit-card. We receive fingerprints only from service personnel and private servants. According to Norwegian Immigration Regulations, diplomats, consular officers and administrative and technical personnel are exempt from the requirement of capture of fingerprints. N/A
