

Eurodac system for the comparison of the fingerprints of applicants for asylum and certain other aliens for the effective application of the Dublin Convention

1999/0116(CNS) - 11/09/2007 - Follow-up document

Council Regulation 2725/2000/EC stipulates that the Commission is obliged to submit an annual Report to the European Parliament and to the Council on the activities of EURODAC's Central Unit. This is the fourth such Report prepared by the Commission and includes information on the management and performance of the system in 2006. It assesses the outputs and the cost-effectiveness of EURODAC as well as the quality of its service. The main findings of the Report are as follows:

Legal Background: Important changes to the geographical scope of the EURODAC Regulation have taken place in 2006. Denmark began participating in both the Dublin and EURODAC Regulations as from 1 April 2006. Similarly, negotiations were held in 2006 between the Community, Switzerland and Liechtenstein to allow Liechtenstein to participate in the two Regulations.

Management of the system: The Management of the EURODAC Central Unit by the Commission continued in 2006 without major changes. The Commission services helped prepare Romania and Bulgaria to link up with the EURODAC system commencing 1 January 2007. To recall, in 2005 the Commission services carried out a technical assessment study as part of the EURODAC Global Evaluation, which concluded that the EURODAC system needed to be updated. The planned evolution of the system has been temporarily suspended in 2006 due to the upcoming Biometric Matching System (BMS) and the integration of EURODAC with the BMS.

Figures and findings: EURODAC statistics are based on records of fingerprints from all individuals aged 14 years or over who have made applications for asylum in the Member States, who were apprehended when crossing a Member States' external border irregularly or who were found illegally present on the territory of a Member State. In 2006, the Central Unit received a total of 270 611 successful transactions, which reveals an overall increase compared to 2005 when 258 684 successful transactions were recorded. The other statistics for 2005 reveal that the Central Unit received the following sub-division of categories:

- 165 958 asylum seekers (category 1) – an 11% decrease;
- 41 312 crossing the border illegally (category 2) – a 64% increase; and
- 63 341 persons apprehended when illegally residing on the territory of a Member State (category 3), compared to 46 299 in 2005.

These figures show that the number of persons who are apprehended in connection with an irregular border-crossing continues to increase significantly. The same trend goes for the number of persons apprehended when residing illegally on the territory of a Member State. Italy, Spain and Greece share the vast majority of irregular entrants (17 953, 17 595 and 3 985 respectively), followed by the United Kingdom (546); Malta (418) and the Slovak Republic (411). Surprisingly many countries did not send any "category 2" transactions.

Successful transactions: In 2006, the Central Unit received a total of 270 611 successful transactions, which is an overall increase compared to 2005.

Transaction delay: The issue of exaggerated delays between taking fingerprints and sending them to the EURODAC Central Unit is no longer a generalised problem and is a problem which has been reported on extensively in previous reports. Some Member States continue to encounter problems in sending their transactions the result of which is long delays. The Commission reminds the Member States that a delayed transmission might result in the incorrect designation of a Member State.

Rejected transactions: In 2006, the average rate of rejected transactions for all Member States was 6,03%, which is much the same as for 2005 (6,12%).

Cost effectiveness: After four years of operations, Community expenditure on all externalised activities specific to EURODAC, totalled EUR 7.8 million. The executed payments for maintaining and operating the Central Unit amounted to EUR 244 240, 73 in 2006.

Quality of service: There was no unscheduled Central Unit down-times in 2006. The Central Unit was unable to process transactions for 1 hour on 22 September 2006 due to an unscheduled reboot of the fingerprint matching subsystem. No transactions were lost and all received transactions were replied to within the 24 hour deadline, as foreseen in the Regulation. In 2006 the EURODAC Central Unit was available 99.99% of the time. No Member State has notified the Commission of a false hit.

Data Protection: As was the case in 2005, the Commission services have become aware of the surprisingly high number of “special searches”. The number of such transactions in 2006 vary from zero to 488 per Member State. The Commission has alerted the EDPS and contacted, on a bilateral basis, the Member States concerned.

Security: Following the first phase of the EDPS security audit on the EURODAC Central Unit in 2005, the second phase (specific to IT security) was launched in 2006. It was agreed that the TESTA II connections would not be part of the audit and that the scope of the audit would be limited to the EURODAC Central Unit. Further audit actions are planned for the first quarter of 2007. In addition, the Commission services launched a risk analysis of the EURODAC premises in 2006. The findings of the exercise show that existing measures to protect the EURODAC installations comply with Commission policy.

Conclusions: The 2006 annual report concludes that the EURODAC Central Unit has, once again, performed highly satisfactorily in terms of speed, output, security and cost-effectiveness. The real impact of the EURODAC system on the efficient application of the Dublin Regulation has been assessed in the overall evaluation of the Dublin system, which was adopted on 6 June 2007.

As a logical consequence of the overall decrease of asylum applications in the EU in 2006, the amount of “category 1” transactions has continued to decrease. On the other hand, “category 2” and “category 3” transactions have increased. The number of multiple applications tends to stabilise, with only a 1% increase compared to the previous year.

An analysis of hits between data of irregular entrants and data of asylum applications shows that more than half of those apprehended in connection with an irregular border-crossing and who decide to lodge an asylum claim, so in the same Member State that they entered irregularly.

On a final point, concern remains on the excessive delay for the transmission of data to the EURODAC central Unit, as well as on the low quality of data sent by some Member States. The Commission services insist, as in previous reports, on the proper respect of data protection rules.

