EC/Denmark Agreement on the establishment of the State responsible for examining a request for asylum and 'Eurodac' for the comparison of fingerprints for law enforcement purposes. Protocol

2018/0423(NLE) - 27/02/2019 - Document attached to the procedure

Protocol to the Agreement between the European Community and the Kingdom of Denmark on the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in Denmark or any other Member State of the European Union and "Eurodac" for the comparison of fingerprints for the effective application of the Dublin Convention regarding access to Eurodac for law enforcement purposes.

The objective of the present Protocol is to establish legally binding rights and obligations to ensure the effective participation of Denmark in the law enforcement elements of the Regulation (EU) No. 603/2013.

In concrete terms, the Protocol:

- enables the designated law enforcement authorities of the other participating States and Europol to request a comparison of fingerprint data against the data transmitted to the Eurodac Central System by Denmark when trying to establish the identity of, or obtain more information on, a terrorist or serious crime suspect;

- enables the designated law enforcement authorities of Denmark to request a comparison of fingerprint data against the data transmitted to the Eurodac Central System by the other participating States;

- guarantees that the current EU level of protection of personal data is applicable to the processing of personal data pursuant to the Protocol by the authorities of Denmark and of the Member States;

- conditions the access to Eurodac for law enforcement purposes by Denmark by prior legal and technical implementation of Decision 2008/615/JHA with regard to dactyloscopic data.

The Protocol provides that the mechanisms regarding amendments provided for in the Agreement of 8 March 2006 should apply to all amendments regarding the access to Eurodac for law enforcement purposes.