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) - 11/04/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Ignazio CORRAO (EFDD, IT) on the draft Council decision on the conclusion of the 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 committee recommended that the European Parliament give its consent to the conclusion of the protocol.

It is recalled that on 8 March 2006, the Agreement between the European Community and the Kingdom of Denmark concerning the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged by a third-country national in Denmark or any other Member State of the European Union and the 'Eurodac' system for the comparison of fingerprints for the effective application of the Dublin Convention was concluded. However, access to Eurodac for law enforcement purposes does not fall within the scope of that agreement.

The negotiations on an agreement between the European Union and Denmark on the modalities of the participation by Denmark to the procedure for comparison and data transmission for law enforcement purposes foreseen in chapter VI of the ‘recast’ Eurodac Regulation (recast) (EU Regulation No 603/2013) have been finalised and an Agreement in the form of a Protocol to the abovementioned Agreement of 8 March 2006 was initialled.

The extension, in Denmark, of the application of the provisions governing access for law enforcement purposes of the Eurodac Regulation:

- it would enable the law enforcement authorities of Denmark to request a comparison of fingerprint data against the data entered by other participating States and stored in the Eurodac database when they seek to establish the identity or get further information concerning a person who is suspected of a serious crime or terrorism or concerning a victim;

- it would enable the law enforcement authorities of all other participating States, whether other EU Member States or Associates Countries, to request a comparison of fingerprint data against the data entered by Denmark and stored in the Eurodac database, for the same purposes.