Eurodac Regulation

2016/0132(COD) - 23/09/2020 - Supplementary legislative basic document

In the context of the New Pact on Migration and Asylum which represents a fresh start on migration, the Commission presents this proposal which aims to amend the 2016 proposal for a recast Eurodac Regulation in order to fix existing loopholes and to transform Eurodac into an asylum and migration database.

New provisions of the proposal

This proposal amending the 2016 proposal for a recast Eurodac Regulation puts in place a clear and consistent link between specific individuals and the procedures they are subjected to in order to better assist with the control of irregular migration and the detection of unauthorised movements. It also supports the implementation of the new solidarity mechanism and contains consequential amendments that will allow Eurodac to function within the interoperability framework between EU information systems.

Enlarged scope and improved Eurodac database

The 2016 Commission proposal already enlarged the scope of Eurodac, adding new categories of persons for whom data should be stored, allowing its use to identify irregular migrants, lowering the age for fingerprinting, allowing the collection of identity information together with the biometric data, and extending the data storage period. This proposal builds on the provisional agreement between colegislators, complements these changes and aims at transforming Eurodac into a common European database to support EU policies on asylum, resettlement and irregular migration.

The modernised Eurodac database shall be better able to track the movements of people who have entered and stayed illegally in the EU and then moved from one Member State to another, and shall show the shift of responsibility between Member States, including in the case of relocation.

It shall ensure consistency with the proposal for a screening Regulation. Moreover, it aims at gathering more accurate and complete data to inform policy making and thus at better assisting with the control of irregular migration and the detection of unauthorised movements by counting individual applicants in addition to applications. It also aims to support the identification of appropriate policy solutions in this area by allowing statistics to be drawn up combining data from several databases.

A number of amendments have been proposed that seek to ensure that Eurodac will function properly within the new interoperability framework and with the same objective presents further necessary amendments to two other legal instruments, namely the VIS and ETIAS Regulations.

Another objective is to provide additional support to national authorities dealing with asylum applicants whose application has already been rejected in another Member State by marking rejected applications.

The new system shall also provide additional support to national authorities dealing with asylum seekers whose applications have already been rejected in another Member State. It may also monitor assistance for voluntary departure and reintegration.

Budgetary implications

The present proposal entails a technical amendment to the Eurodac central system to provide for the possibility to carry out comparisons for all categories of data and for storage of all three categories of data.

Further functionalities such as the storage of biographical data alongside a facial image will require more amendments to the Central System.

The cost estimate of EUR 29.872 million includes costs for the technical upgrade and increased storage and throughput of the Central System. It also consists of IT-related services, software and hardware and would cover the upgrade and customisation to allow searches for all categories of data covering both asylum and irregular migration purposes. It also reflects the additional staffing costs required by eu-LISA.