Basic information

2004/0205(CNS) CNS - Consultation procedure Decision	Procedure completed
Asylum: agreement extending to Denmark the criteria for determining the state responsible for examining applications for asylum and establishment of the Eurodac system (Regulations (EC) No 343/2003 and (EC) No 2725/2000) **Subject** 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF) **Geographical area** Denmark	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	ROURE Martine (PSE)	10/01/2005

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2709	2006-02-21
Competitiveness (Internal Market, Industry, Research and Space)	2645	2005-03-07

European Commission

Commission DG	Commissioner
Justice and Consumers	

Key events

Date	Event	Reference	Summary
17/09/2004	Legislative proposal published	COM(2004)0594	Summary
22/06/2005	Committee referral announced in Parliament		
24/11/2005	Vote in committee		Summary
30/11/2005	Committee report tabled for plenary, 1st reading/single reading	A6-0379/2005	
13/12/2005	Decision by Parliament	T6-0490/2005	Summary
13/12/2005	Results of vote in Parliament		
21/02/2006	Act adopted by Council after consultation of Parliament		

21/02/2006	End of procedure in Parliament		
08/03/2006	Final act published in Official Journal		

Technical information

Procedure reference	2004/0205(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1 EC Treaty (after Amsterdam) EC 063-p1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/23888

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0379/2005	30/11/2005	
Text adopted by Parliament, 1st reading/single reading		T6-0490/2005	13/12/2005	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary legislative basic document	14787/2004	21/12/2004	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0594	17/09/2004	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2006/0188
OJ L 066 08.03.2006, p. 0037-0043

Asylum: agreement extending to Denmark the criteria for determining the state responsible for examining applications for asylum and establishment of the Eurodac system (Regulations (EC) No 343/2003 and (EC) No 2725 /2000)

2004/0205(CNS) - 17/09/2004 - Legislative proposal

PURPOSE : to conclude the Agreement between the EC and Denmark extending to Denmark the provisions of council Regulation 343/2003/EC and Council Regulation 2725/2000/EC.

PROPOSED ACT : Council Decision.

CONTENT : By Decision of 6 May 2003 the Council authorised the Commission to negotiate an

Agreement between the EC and Denmark extending to Denmark the provisions of Council Regulation 343/2003/EC establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, and Council Regulation 2725/2000/EC concerning the establishment of "Eurodac" for the comparison of fingerprints for the effective application of the Dublin Convention.

The final contents of the Agreement can be summarised as follows:

- the Agreement consists of 11 articles in total. It also has an Annex, which forms an integral part of it;

- it makes the provisions determining the State responsible for examining applications for asylum lodged in Denmark or in another Member State by a third-country national applicable in Denmark;

- it makes the Court of Justice responsible for ensuring the uniform interpretation and validity of the provisions of the Agreement and the Regulations to which it refers;

- it confers on the Court of Justice jurisdiction to hear and determine questions referred for a preliminary ruling by the Danish courts regarding the interpretation of the provisions of the Agreement under the same arrangements as those applicable to the courts and tribunals of the other Member States;

- it confers on the Court of Justice jurisdiction to give a ruling, at Denmark's request, on questions concerning the interpretation of the provisions governed by the Agreement, under the same circumstances and with the same effects as in respect of the other Member States, the Council or the Commission on questions concerning the interpretation of the Regulations adopted pursuant to Article 63 TEC;

- the infringement procedures established by the TEC apply;

- under the Agreement Denmark is bound to accept any amendments to the Regulations to which it refers and their implementing measures;

- the Agreement regulates the mutual obligations of the contracting parties in cases where one contracting party wishes to conclude an international agreement which affects the provisions governed by the Agreement;

- the Agreement contains provisions obliging Denmark to make an annual contribution to the operational costs associated with the establishment and operation of the Central Unit of Eurodac based on its gross national product as a percentage of the overall gross national product of all the Member States;

- the recitals of the Agreement provide for the Dublin Convention to be replaced by the Agreement as regards relations between Denmark and the other Member States;

- the Agreement contains provisions concerning its termination.

The Council will act by qualified majority and the European Parliament will have to be consulted officially on the conclusion of the Agreement.

Asylum: agreement extending to Denmark the criteria for determining the state responsible for examining applications for asylum and establishment of the Eurodac system (Regulations (EC) No 343/2003 and (EC) No 2725 /2000)

2004/0205(CNS) - 13/12/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Martine **ROURE** (PES, FR) approving the conclusion of the agreement.

Asylum: agreement extending to Denmark the criteria for determining the state responsible for examining applications for asylum and establishment of the Eurodac system (Regulations (EC) No 343/2003 and (EC) No 2725 /2000)

2004/0205(CNS) - 21/12/2004 - Supplementary legislative basic document

This document consists of the final version of the Agreement concluded between the EC and Denmark extending to Denmark the provisions of Council Regulation 343/2003/EC establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, and Council Regulation 2725/2000/EC concerning the establishment of "Eurodac" for the comparison of fingerprints for the effective application of the Dublin Convention.

The text of the Protocol and the Commission’s draft decision are in accordance with the initial proposal (please refer to the summary dated 17 September 2004).

Asylum: agreement extending to Denmark the criteria for determining the state responsible for examining applications for asylum and establishment of the Eurodac system (Regulations (EC) No 343/2003 and (EC) No 2725 /2000)

2004/0205(CNS) - 21/02/2006 - Final act

PURPOSE : to conclude an agreement between the EC and Denmark extending to Denmark the provisions of Council Regulation 343/2003/EC and Council Regulation 2725/2000/EC.

LEGISLATIVE ACT : Council Decision 2006/188/EC on the conclusion of the Agreement between the European Community and the Kingdom of Denmark extending to Denmark the provisions of Council Regulation 343/2003/EC establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national and Council Regulation 2725/2000/EC concerning the establishment of ‘Eurodac’ for the comparison of fingerprints for the effective application of the Dublin Convention.

CONTENT : This Decision concludes the above Agreement.

The final contents of the Agreement can be summarised as follows:

- the Agreement consists of 11 articles in total. It also has an Annex, which forms an integral part of it;

- it makes the provisions determining the State responsible for examining applications for asylum lodged in Denmark or in another Member State by a third-country national applicable in Denmark;

- it makes the Court of Justice responsible for ensuring the uniform interpretation and validity of the provisions of the Agreement and the Regulations to which it refers;

- it confers on the Court of Justice jurisdiction to hear and determine questions referred for a preliminary ruling by the Danish courts regarding the interpretation of the provisions of the Agreement under the same arrangements as those applicable to the courts and tribunals of the other Member States;

- it confers on the Court of Justice jurisdiction to give a ruling, at Denmark's request, on questions concerning the interpretation of the provisions governed by the Agreement, under the same circumstances and with the same effects as in respect of the other Member States, the Council or the Commission on questions concerning the interpretation of the Regulations adopted pursuant to Article 63 TEC;

- the infringement procedures established by the TEC apply;

- under the Agreement Denmark is bound to accept any amendments to the Regulations to which it refers and their implementing measures;

- the Agreement regulates the mutual obligations of the contracting parties in cases where one contracting party wishes to conclude an international agreement which affects the provisions governed by the Agreement;

- the Agreement contains provisions obliging Denmark to make an annual contribution to the operational costs associated with the establishment and operation of the Central Unit of Eurodac based on its gross national product as a percentage of the overall gross national product of all the Member States;

- the recitals of the Agreement provide for the Dublin Convention to be replaced by the Agreement as regards relations between Denmark and the other Member States;

- the Agreement contains provisions concerning its termination.

ENTRY INTO FORCE : The date of entry into force of the Agreement shall be the first day of the second month following notification by the contracting parties.