







Basic information	
<p>2018/0419(NLE) NLE - Non-legislative enactments</p> <p>EC/Iceland/Norway Agreement: criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding the access to Eurodac for law enforcement purposes. Protocol</p> <p>Subject</p> <p>7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF) 7.30 Police, judicial and customs cooperation in general</p> <p>Geographical area</p> <p>Iceland Norway</p>	Procedure completed

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs		WINIEWSKA Jadwiga (ECR)	24/09/2019
	Former committee responsible		Former rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs			
Council of the European Union	Council configuration	Meetings	Date	
	Foreign Affairs	3747	2020-02-17	
European Commission	Commission DG		Commissioner	
	Migration and Home Affairs		KING Julian	

Key events			
Date	Event	Reference	Summary
13/12/2018	Preparatory document	COM(2018)0826 	
27/02/2019	Legislative proposal published	15791/2018	
13/11/2019	Committee referral announced in Parliament		
09/12/2019	Vote in committee		
11/12/2019	Committee report tabled for plenary, 1st reading/single reading	A9-0053/2019	Summary

15/01/2020	Decision by Parliament	T9-0002/2020	
15/01/2020	Results of vote in Parliament		
17/02/2020	Act adopted by Council after consultation of Parliament		
17/02/2020	End of procedure in Parliament		
03/03/2020	Final act published in Official Journal		

Technical information	
Procedure reference	2018/0419(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a Treaty on the Functioning of the EU TFEU 087-p2 Treaty on the Functioning of the EU TFEU 088-p2-a1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/00409

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE642.884	14/10/2019	
Committee report tabled for plenary, 1st reading/single reading		A9-0053/2019	11/12/2019	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0002/2020	15/01/2020	
Council of the EU				
Document type	Reference	Date	Summary	
Document attached to the procedure	15792/2018	27/02/2019		
Legislative proposal	15791/2018	27/02/2019		
European Commission				
Document type	Reference	Date	Summary	
Preparatory document	COM(2018)0826 	13/12/2018	Summary	
Document attached to the procedure	COM(2018)0827 	13/12/2018		

Final act

EC/Iceland/Norway Agreement: criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding the access to Eurodac for law enforcement purposes. Protocol

2018/0419(NLE) - 13/12/2018

PURPOSE: to conclude the Protocol between the European Union, Iceland and Norway to the Agreement between the European Community, Iceland, and Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding the access to Eurodac for law enforcement purposes.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council can adopt the act only if the European Parliament has approved it.

BACKGROUND: on 19 January 2001, the Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway was concluded.

On 14 May 2014, Denmark, Switzerland, Liechtenstein, Norway and Iceland confirmed their interest in entering into negotiations with the European Union to extend the law enforcement provisions of the Regulation (EU) No. 603/2013 to them via an international agreement. Regulation (EU) No. 603/2013 (which recasts Regulation No 2725/2000) allows for the consultation of Eurodac by law enforcement authorities for the purpose of prevention, detection and investigation of terrorist offences and other serious criminal offences.

The negotiations have been finalised and an Agreement in the form of a Protocol to the Agreement of 19 January 2001, extending the application of the Agreement of 19 January 2001 to law enforcement was initialised.

In order to support and strengthen police cooperation between the competent authorities of the Member States and those of Norway and Iceland for the purpose of prevention, detection and investigation of terrorist offences and other serious criminal offences, the involvement of the EU is required to enable Norway and Iceland to participate in the law-enforcement-related aspects of Eurodac. The Protocol should now be approved on behalf of the European Union.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the Union, the Protocol between the European Union, Iceland and Norway to the Agreement between the European Community, Iceland, and Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding the access to Eurodac for law enforcement purposes.

The extension to Iceland and Norway of the application of the provisions governing access for law enforcement purposes to Regulation (EU) No 603/2013 will

- enable the law enforcement authorities of Iceland and Norway 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;
- 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 Iceland and Norway and stored in the Eurodac database, for the same purposes.

The objective of the Protocol is to establish legally binding rights and obligations to ensure the effective participation of Iceland and Norway in the law enforcement elements of the Regulation (EU) No. 603/2013. The Protocol establishes that all participating States, whether other EU Member States, Associates Countries or Iceland and Norway, with access to Eurodac, may also access each other's data for law enforcement purposes. It 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 Iceland and Norway and of the Member States.

EC/Iceland/Norway Agreement: criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding the access to Eurodac for law enforcement purposes. Protocol

2018/0419(NLE) - 03/03/2020 - Final act

PURPOSE: to enable Iceland and Norway to participate in the law enforcement aspects of Eurodac.

NON-LEGISLATIVE ACT: Council Decision (EU) 2020/276 on the conclusion of the Protocol between the European Union, Iceland and the Kingdom of Norway to the Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding access to Eurodac for law enforcement purposes.

CONTENT: the Council decided to approve, on behalf of the Union, the Protocol between the European Union and Iceland and Norway to the Agreement between the European Community and Iceland and Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway concerning access to Eurodac for law enforcement purposes.

The negotiations on an Agreement between the European Union, on the one part, and Iceland and Norway, on the other part, on the modalities of the participation by Iceland and Norway to the procedure for comparison and data transmission for law enforcement purposes foreseen in chapter VI of the 'recast' Eurodac Regulation ([Regulation \(EU\) No 603/2013](#)) have resulted in a Protocol extending the application of the Agreement of 19 January 2001 to the law enforcement aspects of Eurodac. The Protocol was signed on 24 October 2019, subject to its conclusion at a later date.

The extension of the application of the provisions governing access for law enforcement purposes of the Eurodac Regulation to Iceland and Norway shall enable:

- the law enforcement authorities of these two countries to request the comparison of fingerprint data with fingerprint data entered by the other participating States and stored in the Eurodac database, when trying to establish the identity of a person suspected of terrorism or a serious crime, or a victim, or to obtain more information about that person;
- 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 Iceland and Norway and stored in the Eurodac database, for the same purposes.

Before consulting Eurodac, the designated authorities of Iceland and Norway shall consult, provided that the conditions for a comparison are met, the Visa Information System under [Council Decision 2008/633/JHA](#) concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences.

ENTRY INTO FORCE: 4.3.2020.

EC/Iceland/Norway Agreement: criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding the access to Eurodac for law enforcement purposes. Protocol

2018/0419(NLE) - 11/12/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Jadwiga WINIEWSKA (ECR, PL) on the draft Council decision on the conclusion of the Protocol between the European Union, Iceland and the Kingdom of Norway to the Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding access to Eurodac for law enforcement purposes.

The committee recommended that the European Parliament give its consent to the conclusion of the Protocol.

As a reminder, the Eurodac Regulation (recast) (Regulation (EU) No 603/2013) enables law enforcement authorities to consult Eurodac in order to prevent, detect and investigate terrorist offences and other serious criminal offences.

Since 2001, the Agreement between the European Community and Iceland and Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway also covers the application of the 'Dublin-related' parts of Eurodac. However, law enforcement access, which was a new element of the 'recast' Eurodac Regulation compared to the original Eurodac regime (Council Regulation (EC) No 2725/2000) has not been regulated so far by the said Agreement.

The negotiations on an agreement between the European Union, on the one part, and Iceland and Norway, on the other part, on the modalities of the participation by Iceland and Norway to the procedure for comparison and data transmission for law enforcement purposes foreseen in chapter VI of the 'recast' Eurodac Regulation have been finalised and an Agreement in the form of a Protocol to the Agreement of 19 January 2001, extending the application of the Agreement of 19 January 2001 to law enforcement was initialled.

The extension of the law enforcement provisions of the Regulation (EU) No. 603/2013 to Iceland and Norway would:

- enable the law enforcement authorities of Iceland and Norway 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;
- 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 Iceland and Norway and stored in the Eurodac database, for the same purposes.