


Procedure file

Basic information		
CNS - Consultation procedure	1997/0915(CNS)	Procedure lapsed or withdrawn
Asylum: Eurodac for the comparison fo fingerprints of applicants. Dublin Convention		
Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties and Internal Affairs		28/10/1997
		PSE D'ANCONA Hedy	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2146	03/12/1998
	Justice and Home Affairs (JHA)	2116	24/09/1998
	Justice and Home Affairs (JHA)	2099	28/05/1998
	Justice and Home Affairs (JHA)	2075	19/03/1998

Key events			
02/10/1997	Legislative proposal published	11079/1997	Summary
20/10/1997	Committee referral announced in Parliament		
08/12/1997	Vote in committee		Summary
08/12/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0402/1997	
15/01/1998	Debate in Parliament		
15/01/1998	Decision by Parliament	T4-0025/1998	Summary
19/03/1998	Debate in Council	2075	
28/05/1998	Debate in Council	2099	
24/09/1998	Debate in Council	2116	
01/05/1999	End of procedure in Parliament		

Technical information	
Procedure reference	1997/0915(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legal basis	Treaty on the European Union (after Amsterdam) M K.3-p2c
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/4/09348

Documentation gateway					
Legislative proposal		11079/1997	02/10/1997	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0402/1997 OJ C 014 19.01.1998, p. 0005	08/12/1997	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0025/1998 OJ C 034 02.02.1998, p. 0119-0138	15/01/1998	EP	Summary

Asylum: Eurodac for the comparison fo fingerprints of applicants. Dublin Convention

OBJECTIVE: Presentation of a draft convention establishing a 'EURODAC' system to compare the fingerprints of asylum seekers.

SUBSTANCE: the Dublin Convention Determining the State Responsible for Examining Applications for Asylum entered into force on 1 September 1997. This Convention seeks to guarantee to all asylum seekers that their applications will be considered by a Member State and prevent them from being sent to one Member State to another without any of the Member States concerned accepting responsibility for considering the application. For the Convention to work, it is essential to establish the identity of asylum seekers. With this in view the draft EURODAC convention seeks to complement the procedures under the Dublin Convention using a computerized system to compare the dactyloscopic records of asylum seekers, finger prints being a basic means of determining identity. The draft convention contains provisions regarding the protection of individuals in connection with the computer processing of personal data. ?

Asylum: Eurodac for the comparison fo fingerprints of applicants. Dublin Convention

Mrs. H. D'Ancona's (PSE, NL) report on Eurodac - a computerized system for the recognition of fingerprints of applicants for asylum - was adopted as amended. The Council made a proposal for setting up Eurodac in order to harmonize the Member States' asylum policies. Following the consultation procedure, the Committee suggested that this proposal should take the form of a Convention, which would provide a better legal basis rather than a joint action. To ensure the respect of Human Rights, the Committee suggested that the use of Eurodac must be subjected to very strict limits. In particular, it requested that the list of collectable data should not be extendable and that the recording of informations concerning the names of asylum applicants and their applications should be prohibited. Going further the proposal of the Council, the Committee proposed to appoint a European data protector. Since the ratification of the Convention could require long procedures, at the time of the entry into force of the Treaty of Amsterdam, it could not yet been approved by a majority of Member States. In this case, the Convention should be replaced by a regulation and, at any event, the Commission must submit a draft replacement for it within five years of its entry into force. ?

Asylum: Eurodac for the comparison fo fingerprints of applicants. Dublin Convention

In adopting the report by Mrs Hedy d'ANCONA (PSE, NL) on the Eurodac system, the European Parliament approved the draft Council act with the following amendments: - the system must be administered by the Commission, - stricter, binding limits must be set for its use. Fingerprints and other personal data held in the system may be processed in Eurodac only for the purposes set out in the Dublin Convention, - on no account may the use of the system be extended to cover wider areas, - the list of data provided for by the proposal must not under any circumstances be extended to include other types of information, either by means of a protocol to the convention, or in any other way, - the data may be held for only 5 years rather than 10 from the date on which the fingerprints were last taken, - if an asylum-seeker has been recognized under the 1951 Geneva Convention, the data concerning him must be removed from the Central Unit of Eurodac within one month, - the joint supervisory authority must have enough staff with adequate training, - the European Parliament should appoint a 'European protector of data on citizens', who would consider complaints and have access to the system and to the meetings of the joint supervisory authority, - the Convention concerning the establishment of Eurodac should be replaced with a Regulation if it has not been ratified by the majority of the Member States by the entry into force of the Amsterdam Treaty. At any event, the Commission must submit a proposal for replacing the Convention within five years of its entry into force.?

