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**Interinstitutional File:
2018/0423(NLE)**

**EURODAC 13
ENFOPOL 206**

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Council decision on the conclusion of a 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 extending that agreement to law enforcement and its Annex - Adoption

1. On 14 December 2015, the Council adopted a Decision authorising the Commission to open negotiations on agreements between the European Union, on the one part, and the Kingdom of Denmark, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein, on the other part, on the modalities of the participation by those States in Eurodac for law enforcement purposes¹.
2. Following the completion of the negotiations, the Commission submitted on 14 December 2018 proposals for the Council decisions on the signing and on the conclusion of the Protocol between the European Community and Denmark regarding access to Eurodac for law enforcement purposes and its Annex².

¹ 14035/15 EU RESTREINT

² 15680/18 and 15676/18 + ADD 1

3. The Council decision on the signing of the Protocol was adopted on 7 March 2019³. The Protocol was signed by the Parties on 27 March 2019.
4. On 7 March 2019, the Council decided to forward the draft decision on conclusion as well as the text of the Protocol to the European Parliament for its consent⁴.
5. On 17 April 2019, the European Parliament gave its consent to the Council Decision on the conclusion of the Protocol.
6. In the light of the above, COREPER is asked to confirm the agreement on the conclusion of the Protocol between the European Community and Denmark regarding access to Eurodac for law enforcement purposes, and invite the Council to:
 - adopt the 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, as set out in documents 15822/18 and 15823/18 + COR 1 (it) (texts finalised by the lawyer linguist experts);
 - decide that the text of the above Decision be published in the Official Journal.

³ Published in OJ L 71, 13.3.2019, p. 9–10

⁴ 6639/19