



Council of the
European Union

Brussels, 22 January 2020
(OR. en)

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**Interinstitutional File:
2018/0419(NLE)**

**EURODAC 2
ENFOPOL 17
COMIX 24**

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: 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
- 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 13 December 2018 proposals for the Council decisions on the signing and on the conclusion of the Protocol between the European Union, the Republic of Iceland and the Kingdom of Norway regarding access to Eurodac for law enforcement purposes².

¹ 14035/15 EU RESTREINT

² 15658/18 and 15653/18 + 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 24 October 2019.
4. On 7 March 2019, the Council decided to forward the draft decision on the conclusion as well as the text of the Protocol to the European Parliament for its consent⁴.
5. On 15 January 2020, 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 Union, Iceland and the Kingdom of Norway regarding access to Eurodac for law enforcement purposes, and invite the Council to:
 - adopt the 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, and the text of the Protocol, as set out in documents 15791/1/18 REV 1 and 15792/18 + 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. 7-8

⁴ 6639/19