



EUROPEAN COMMISSION

Brussels, 09 SEP. 2011  
C/2011/6295

*Dear President,*

*On behalf of the European Commission, I would like to thank you for transmitting the opinion of the Senate of the Italian Republic on the Commission's amended proposal regarding the revision of the EURODAC Regulation, adopted on 11 October 2010 {COM(2010) 555}.*

*The Commission takes due note of the conclusions contained in the opinion and appreciates the Senate's support for the rationale of this new amendment. As the Senate also points out, the Commission decided to leave aside, for the time being, the possibility to access EURODAC for law enforcement purposes, in order to facilitate an agreement on the asylum package currently being negotiated in the European Parliament and in the Council. The objective is to meet the 2012 deadline agreed upon by Heads of State and Governments in the Stockholm programme.*

*The opinion expresses hope that, even though the possibility of access to EURODAC for law enforcement purposes was deleted from the proposal, it will be ensured that Member States' law enforcement authorities can still have access to the digital fingerprints, "according to the rules and conditions established by the appropriate national and European instruments".*

*It is important to underline in this respect that access to the fingerprint data recorded in EURODAC is only granted to those authorities entitled to do so by the EURODAC Regulation.*

*The Commission has taken good note of the preference of many Member States, including Italy, to see the possibility of access for law enforcement purposes reintroduced in the EURODAC proposal. As expressed by Commissioner Malmström on several occasions and in particular during the JHA Council of 9 June 2011, the Commission could reconsider this issue as part of a balanced approach to the whole asylum package.*

*Mr Renato Schifani  
President  
Senate of the Republic of Italy  
Piazza Madama  
00186 Roma*

*The European Commission thanks the Italian Senate for its contribution and constructive approach to this issue and hopes that these explanations address the comments expressed in the above mentioned opinion.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*