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**First annual report to the Council and the European Parliament  
on the activities of the EURODAC Central Unit**

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## 1. INTRODUCTION

### 1.1. Scope of this report

Council Regulation 2725/2000<sup>1</sup> of 11 December 2000 concerning the establishment of 'EURODAC' for the comparison of fingerprints for the effective application of the Dublin Convention stipulates in Article 23(4) that *"One year after the EURODAC starts operations, the Commission shall produce an evaluation report on the Central Unit, focusing on the level of demand compared with expectation and on operational and management issues in the light of experience, with a view to identifying possible short-term improvements to operational practice"*.

Three years after its launch, the Commission will, in accordance with Article 24(5) produce an overall evaluation of EURODAC, *"examining results achieved against objectives and assessing the continuing validity of the underlying rationale and any implications for future operations"*.

The present report will therefore be limited to an objective evaluation of the activities of the EURODAC Central Unit. Following a detailed description of the established system, the factual data produced during the first year of activity will be highlighted and analysed. The Central Unit will be evaluated, in the light of its cost-effectiveness, the quality of its service and its respect for data protection regulations.

### 1.2. Background

Following the signature in Dublin on 15 June 1990 of the Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities<sup>2</sup>, the Member States realised that they would have difficulties in identifying third country nationals who had already lodged an asylum application in another Member State. For that reason, the Ministers responsible for immigration agreed, in 1991, to establish a Community-wide system for the comparison of the fingerprints of asylum applicants, named EURODAC.

Negotiations therefore began in March 1996 on the basis of Title VI of the Treaty on European Union (the third pillar) for a new convention. In 1998, it was decided that the scope of EURODAC needed to be reviewed so as to facilitate the implementation of certain obligations arising from the Dublin Convention. A draft protocol extending the convention to these persons was drawn up. However, in view of the forthcoming entry into force of the Amsterdam Treaty, which altered the legal basis and procedure for asylum policy, the Council then decided in December 1998 to freeze these two instruments which had not yet come into force and replace it by a Community instrument.

The Commission was requested to prepare a proposal as soon as the new Treaty came into force. It was drafted in the form of a Regulation and associated the draft Convention and draft Protocol based on the new Title IV of the EC Treaty, in particular Article 63. A Regulation was preferred to a directive in view of the need to

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<sup>1</sup> JO L 316, 15.12.2000, p.1.

<sup>2</sup> JO C 254, 19.8.1997, p.1.

apply strictly defined and harmonised rules in all the Member States in relation to the storage, comparison and deletion of fingerprints.

The conclusions of the Tampere European Council of 1999 state that a common European asylum system should include, in the short term, *inter alia*, a clear and workable determination of the state responsible for the examination of an asylum application lodged in a Member state by a third country national. These rules or mechanisms were laid down in Council Regulation (EC) N° 343/2003 of 18 February 2003<sup>3</sup> (Dublin II) and its implementing Commission Regulation (EC) N°1560/2003 of 2 September 2003<sup>4</sup>, which together replace the Dublin Convention of 15 June 1990.

The Council Regulation (EC) N°2725/2000 of 11 Dec 2000 for the establishment of 'EURODAC' hereinafter called the EURODAC Regulation came into force on 15 December 2000.

The Dublin II Regulation and its implementing rules have been applicable since September 2003. Consistency has been ensured between these Regulations and the EURODAC Regulation.

The United Kingdom and Ireland, in accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and the Treaty establishing the European Community, have given notice of their wish to take part in this Regulation. An agreement between the European Community and the Republic of Iceland and the Kingdom of Norway, signed on 19 January 2005 makes the Dublin II Regulation and the EURODAC Regulation applicable to these states. Therefore, when this report refers to 'Member States', it includes Iceland and Norway, as being members of the EURODAC Regulation.

The Dublin II Regulation and the EURODAC Regulation do not apply to Denmark, in accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community. The Council has given a mandate to the Commission to negotiate with Denmark the conclusion of an agreement concerning the criteria and mechanisms for establishing the state responsible for examining a request for asylum lodged in Denmark or any other EU Member State, and to negotiate with Iceland and Norway the conclusion of a Protocol pursuant to Article 12 of the aforementioned Agreement between the EC and Norway and Iceland. An Agreement between the EC and Denmark, which will cover the substance of the EURODAC Regulation, is currently being negotiated and as long it is not signed, the Dublin Convention remains applicable to Denmark and the EURODAC Regulation is not applicable in this State.

In accordance with Article 22 of the EURODAC Regulation, the Council adopted certain provisions for the transmission and comparison of fingerprints and the definition of the tasks of the central Unit in Council Regulation (EC) N°407/2002 of 28 Feb 2002<sup>6</sup>.

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<sup>3</sup> JO L 50, 25.2.2003, p.1.

<sup>4</sup> JO L 222, 5.9.2003, p.3.

<sup>5</sup> JO L 93, 3.4.2001, p.40.

<sup>6</sup> JO L 62, 5.3.2002, p.1.

The Central Unit of EURODAC began operating on 15 January 2003<sup>7</sup> with an empty database, meaning that only asylum applications lodged after this date should be stored in EURODAC.

## **2. THE EURODAC CENTRAL UNIT**

### **2.1. General Description**

The EURODAC Regulation provides for the implementation of a Central Unit managed by the European Commission containing an Automated Fingerprint Identification System (AFIS) which shall receive data and transmit “hit – no hit” replies to the national Units (National Access Points) in each Member State.

The EURODAC Regulation and its Implementing Rules identify the responsibilities for the collection, transmission and comparison of the fingerprint data, the means through which the transmission can take place, the statistical tasks of the Central Unit and the standards that are used for the data transmission.

The Central Unit processes the fingerprints of the following types of data on individuals over the age of 14:

- Category 1: data of asylum applications. Fingerprints (full 10 fingerprints and 4 control images) of asylum applicants are sent for comparison against fingerprints of other asylum applicants who have previously lodged their application in another Member State. The same data will also be compared against the “category 2” data (see below). This data will be kept for 10 years with the exception of one specific case (an individual who obtains the nationality of one of the Member States, in which case the data of the person concerned will be erased);
- Category 2: data of aliens apprehended in connection with the irregular crossing of an external border and who were not turned back. This data (full 10 fingerprints and 4 control images) will be sent for storage only, in order to be compared against data of asylum applicants submitted subsequently to the Central Unit. This data will be kept for two years. However, they are deleted promptly when the individual receives a residence permit, leaves the territory of the Member State or obtains the nationality of one of them;
- Category 3: data relating to aliens found illegally present in a Member State. These data, which are not stored, are searched against the data of asylum applicants stored in the central database. The transmission of this category of data is optional for the Member States.

Before accepting any fingerprint data from the Member States, the Central Unit performs a quality check and is allowed to reject data and ask for that fingerprint data to be re-submitted.

Once fingerprints from Category 1 or 3 are processed, the Central Unit returns the result. A “no hit” result means that no match to this data was found, a “hit” result

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<sup>7</sup> Commission communication regarding the implementation of Council Regulation (EC) No 2725/2000 „Eurodac“ (2003/C 5/03) OJ C 5 of 10.1.2003.

means the existence of a match or matches between fingerprint data recorded in the databank and those transmitted by a Member State with regard to a person, without prejudice to the requirement that Member States shall immediately check the results of the comparison. A hit is called “local”, when matching data (submitted data and stored data) are from the same Member State and is called “foreign” when the data belong to different Member States. Once a Category 2 data is processed the Member State receives a confirmation of the storage of the data.

The Central Unit can transmit three types of “hits”:

- “Category 1 against category 1” hit

A “category 1 against category 1” hit means that the fingerprints of an asylum seeker have been recognised by the Central Unit as a match against the stored fingerprints of an existing asylum applicant. This hit is ‘local’ when the asylum seeker has already applied for asylum in the same Member State and ‘foreign’ when he/she has already applied for asylum in another Member State.

- “Category 1 against category 2” hit

A “category 1 against category 2” hit means that the fingerprints of an asylum seeker match the stored fingerprints of an alien who has illegally crossed the border and who could not be turned back.

- “Category 3 against category 1” hit

A “category 3 against category 1” hit means that the fingerprints of an alien found illegally present within a Member State are being recognised by the Central Unit as a match against the stored fingerprints of an asylum seeker.

Although a Member State may collect the different types of EURODAC data from many different locations, the Central Unit currently works with only one National Unit or Access Point (NAP) in each Member State which is responsible for the collection, transmission and receipt of results. The Member States are also responsible for checking the comparison results returned by the Central Unit.

## **2.2. The setting up of the EURODAC Central Unit**

The Central Unit in the Commission was set up via a Restricted Call for Tender (DG JAI A2/2000/A2) which resulted in a contract being signed between the Commission and the successful tenderer in March 2001. The Call for Tender was to implement an AFIS that was capable of handling 7,500 transactions per day, 500 transactions per hour with an availability of 99.9%. In terms of accuracy >99.9% certainty for all returned submissions was a requirement with a probability of <0.5% of missing a match where a match should happen. Another requirement was that it had to be capable of storing up to 800,000 full 10 print images per year. In addition to these important requirements, the contract included the delivery of a reference client that could emulate a Member State to prove that the AFIS was capable of handling transactions from a Member State for all data types. System Management Tools have been implemented as well to help the Central Unit monitor the activities of the AFIS and produce statistics to match the statistical requirements identified in the

Regulation. The Monitoring System had also to include a logging system so that Central Unit personnel activities could be monitored.

In addition, a Business Continuity System (BCS) was established in case of unavailability of the Central Unit. The BCS has also testing capabilities to allow Member States or Accession Countries to test any new solutions being implemented at a National Access Point and therefore prevent issues arising with the 'live' Central Unit.

The network infrastructure that links the Central Unit to the National Access Points is provided through the TESTA II network (Trans-European Services for Telematics between Administrations) which is a Generic Service of the Community IDA Programme (Interchange of Data between Administrations). This is an encrypted private network for public administrations, providing a secure telecommunications infrastructure based on IP networking, similar to the Internet.

Security is an important element of all data transmission and this is ensured by using the TESTA network and the use of PKI (Public Key Infrastructure) services again provided through the Generic Services of the IDA Programme.

### **2.3. Management of the system**

#### *2.3.1. Direct management by the Commission in consultation with the Member States.*

Responsibility for the Central Unit was given to the Commission. In practice, the day-to-day operations are managed by Directorate General Justice and Home Affairs (DG JAI) with the help of other Commission Services such Directorate General Personnel and Administration (Informatics Directorate) and Directorate General Enterprise (IDA Unit).

The Commission involved the Member States at the earliest possible phase of the project for the development of the EURODAC Central Unit. For this purpose, the Commission established an informal expert group, so-called "EURODAC national contact points" that met several times before and after the system became operational. Apart from these meetings, the Commission also put at the disposal of this group a web-tool (CIRCA) for exchanging the necessary technical documentation. This ensured that Member States always had access to the most up-to-date technical information while they made their own national preparations for exchanging data with the Central Unit.

This working method, completed by a permanent e-mail and telephone contact between national experts and the Central Unit's help-desk proved to be very successful. In addition, the whole system was delivered fully respecting the agreed tight timetable and within the budget initially foreseen. Such a success would not have been possible without the cooperation and goodwill from the side of all Member States participating in EURODAC.

Once the system started operations the "EURODAC national contact points" group became an end-user forum where Member States report on their experiences so that technical improvements can eventually be made. The EURODAC Regulation has also foreseen the creation of a Committee in accordance with Decision 1999/486/EC. However, since the Council reserved to itself the adoption of the implementing rules



and given the insignificant nature of the tasks delegated to the Commission via the “comitology” procedure, the Commission has not called for a meeting of the EURODAC Committee.

### *2.3.2. Control by the Joint Supervisory Authority*

In accordance with Article 20 of the EURODAC Regulation, a Joint Supervisory Authority composed of representatives from the data protection authorities of the Member States was set up at the end of 2002. The secretariat of this Joint Supervisory Authority was provided by the Commission services.

This Authority was competent for monitoring the activities of the Central Unit to ensure that the rights of data subjects were not violated. In addition, this Authority was competent to monitor the legality of the transmission of personal data to the Member States by the Central Unit and responsible for the examination of implementation problems in connection with the operation of EURODAC, for the examination of possible difficulties during checks by the national supervisory authorities and for drawing up recommendations for common solutions to potential problems.

The Joint Supervisory Authority held a meeting at the end of 2002 where rules of procedure were adopted. In accordance with these rules of procedure, a chairperson and vice-chairperson of the Joint Supervisory Authority were elected. The second and last meeting took place in January 2004 and led to the dissolution of the Joint Supervisory Authority as a consequence of the establishment of the European Data Protection Supervisor.

On 17 January 2004, the Joint Supervisory Authority was indeed replaced by the independent supervisory body referred to in Article 286(2) of the EC Treaty i.e. the European Data Protection Supervisor, in accordance with Article 20 of the Regulation.

As regards issues of substance, the question of security measures applied by the Commission concerning the EURODAC Central Unit and of the logging data that must be kept by the Central Unit in accordance with Article 16 of the Regulation have been presented by the Commission services and discussed by the Joint Supervisory Authority.

## **3. FIGURES AND FINDINGS**

### **3.1. Introductory remarks**

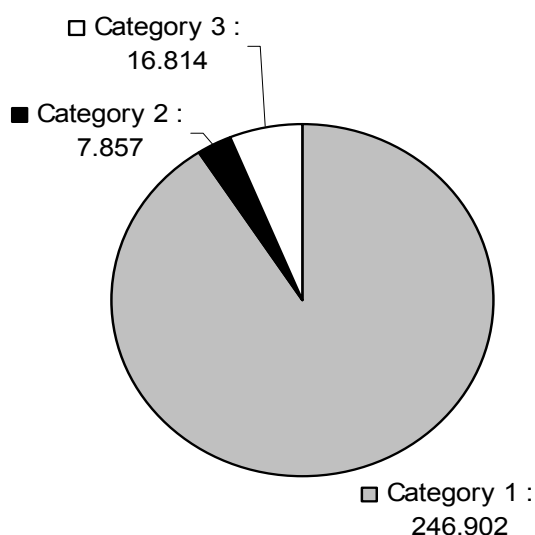
The annex contains tables with factual data as produced by the Central Unit after one year of activity. The EURODAC statistics are based on records of fingerprints taken between 15 January 2003 and 15 January 2004 from all individuals aged 14 years or over who make applications for asylum in the Member States, who are apprehended when crossing irregularly their border or, if judged necessary, who are found illegally present.

It should be noted that currently EURODAC data on asylum applications are not comparable with those produced by Eurostat, which are based on monthly statistical data returns from the Ministries of Justice and of the Interior. There are a number of

methodological reasons for the differences. The Eurostat definitions include all asylum applicants (of whatever age), with a distinction between first and repeat applications. In practice, Member States differ in terms of whether the dependants of asylum applicants are included in their asylum data. There are also differences in how repeat applications are accounted for in the statistics. Commission services are working on methodological solutions to make the data more comparable, and will aim to address and solve the anomalies in the forthcoming legislative proposals on migration statistics and the subsequent implementing measures on asylum statistics.

### 3.2. Successful transactions

A “successful transaction” is a transaction which has been correctly processed by the Central Unit, without rejection due to a data validation issue, fingerprint errors or insufficient quality.



In one year of activities, from 15 January 2003 to 15 January 2004, the Central Unit received a total of **271.573** successful transactions: 246.902 of asylum seekers (category 1), 7.857 of illegal border-crossers (category 2) and 16.814 of illegal apprehended on the territory of a Member State (category 3).

The total annual figure of “category 2” transactions (third country nationals crossing illegally a Member State’s border and who cannot be turned back) for all Member States, 7.857, seems very low bearing in mind the initial assumptions made by the Commission for sizing the system in the tendering specifications (400.000 yearly) on which Member States’ experts were consulted.

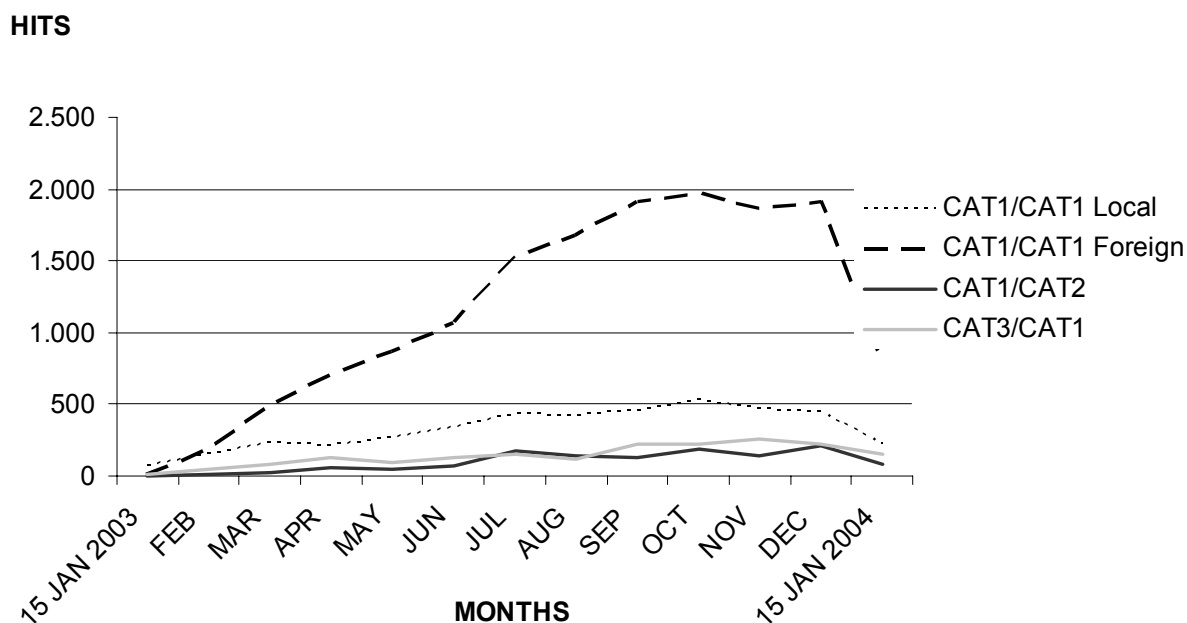
The Commission services cannot make a definitive assessment given that this category of data introduced by the Regulation was completely new and there are no statistical data against which to accurately compare the figures. However, the high illegal migratory pressure, in particular at the southern European borders, and the broad interpretation of the cases covered by article 8 that the Council made in the

form of a statement entered in its minutes<sup>8</sup>, indicates that a large number of cases may be missing from the EURODAC Central Unit.

The annexes<sup>9</sup> detail the successful transactions per Member State, with a breakdown by category and by month, between 15 January 2003 and 15 January 2004.

### 3.3. “Hits”

#### 3.3.1. General trends of the hits



Since the Central Unit had to start with an empty database – the logical trend was an increasing number of hits during the year, especially of category 1 against category 1 data. Category 1 against category 1 “foreign” hits, showed a large increase in the summer months and then became stagnant after September.

#### 3.3.2. “Category 1 against category 1” hits

Introductory remarks: The statistics concerning local hits showed in the table in annex may not necessarily correspond to the hit replies transmitted by the Central Unit and recorded by the Member States. The reason for it is that MS do not always use the option, stipulated in art. 4(4), requesting the Central Unit to search against

<sup>8</sup> Council document No 14497/00 "The Council declares that the obligation to take fingerprints of aliens apprehended "in connection with the irregular crossing of an external border" is not limited to the situation where an alien is apprehended at or close to the external border itself. This provision also covers cases where an alien is apprehended beyond the external border, where he/she is still en route and there is no doubt that he/she crossed the external border irregularly. This could be the case, for example, where, subsequently to the crossing of the external border, an alien on board a (high speed) train is detected during on board checks, or where an alien transported in a sealed commercial vehicle is apprehended at the moment of disembarkation from the vehicle."

<sup>9</sup> Annex 1, p.1-16: Successful transactions by Member State, by category and by month, between 15.01.2003 and 15.1.2004.

their own data already stored in the Central Unit database. When Member States do not make use of this option, the Central Unit, however, must for technical reasons always perform a comparison against all data (national and foreign) stored in the Central Unit. In these concrete cases, even if there is a match against national data the CU will simply reply “no hit” because the Member State was did not ask for the comparison of the data submitted against its own data.

The table<sup>10</sup> in annex shows the distribution of hits among Member States. It also gives an indication of the secondary movements of asylum seekers in the EU. Apart from the number of hits that could be expected between neighbouring countries (e.g. Austria and Germany, Belgium and Netherlands or Norway and Sweden), it is also worth noting in this first stage of application that the system identifies significant movements between States which are geographically remote, as is the case for Sweden and Italy.

### 3.3.3. *“Category 1 against category 2” hits<sup>11</sup>*

Should more “category 2” transactions be registered, it would be interesting to note whether an asylum applicant applies in the same Member State which has apprehended him / her crossing the external border, or in another Member State.

### 3.3.4. *“Category 3 against category 1” hits*

The table in annex<sup>12</sup> gives a first indication as to where illegal migrants first applied for asylum before travelling to another Member State. For example, a large percentage of illegal apprehended in Germany, have applied for asylum in Austria; the same applies for the UK.

### 3.3.5. *Multiple asylum applications*

The table in annex<sup>13</sup> gives a first indication on the “asylum shopping” phenomenon.

From a total of 246.902 asylum applications, recorded by EURODAC in the first year of operations, 17.287 cases show that the same person has already made at least one asylum application before (in the same country or in other Member State). In other words, in 7 % of cases, national asylum authorities are confronted by a multiple application. However, it must be borne in mind that, in line with the comments under 3.3.1, this percentage is due to increase.

The EURODAC Central Unit has registered a high number of multiple hits (i.e. two or more hits). For instance, 1.632 cases of third application were registered.

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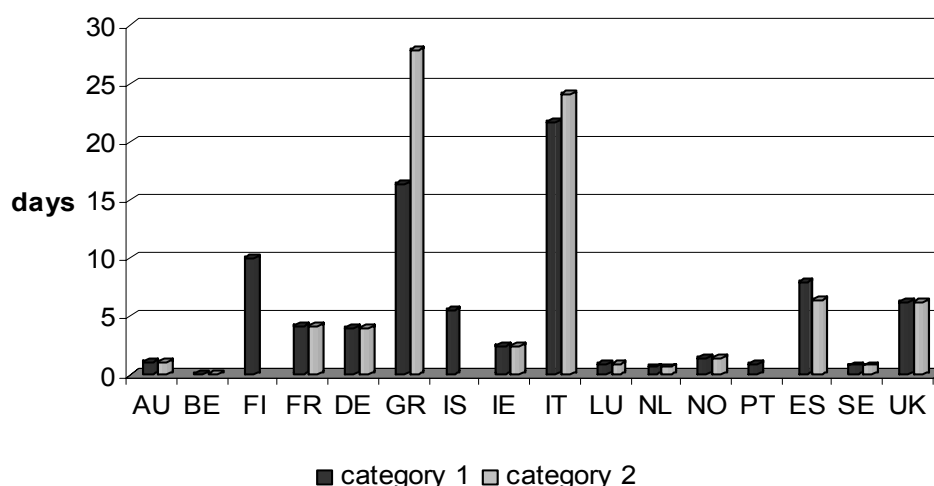
<sup>10</sup> Annex 2, p.1: Category 1 against category 1 hits, from 15.01.2003 until 15.01.2004.

<sup>11</sup> Annex 2, p.2: Category 1 against category 2 hits, from 15.01.2003 until 15.01.2004.

<sup>12</sup> Annex 2, p.3: Category 3 against category 1 hits, from 15.01.2003 until 15.01.2004.

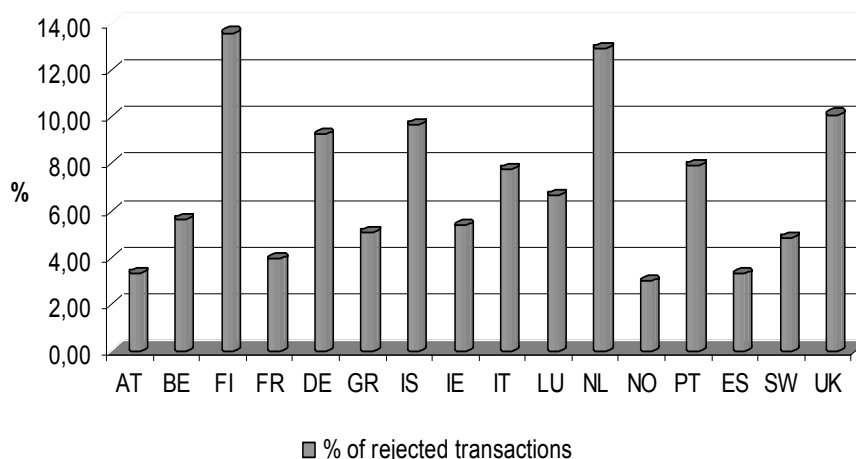
<sup>13</sup> Annex 3: Multiple asylum applications.

### 3.4. Average time in days between the date of the prints and the date of sending



Some Member States are much faster (less than 1 day) than others (over 25 days) in sending their fingerprints to the Central Unit. A delay in the transmission of fingerprints may indeed have legal consequences for the proper application of EURODAC and the Dublin II Regulation. For example: while the fingerprints of an alien who illegally crossed a border (category 2) are still on their way to the central Unit, the same person could already present himself in another Member State and ask for asylum (category 1). If this second Member State sends the fingerprints faster than the first Member State, the Central Unit would register a category 1, and the second Member State would handle the application instead of the first one. Indeed, when category 2 arrives later on, a hit will be missed because category 2 is not searchable.

### 3.5. Rejected transactions



The average rate of rejected transactions for all Member States is 7, 06%. Some experience a much higher (over 13%) rejection rate than others (less than 3%). This rejection rate is directly linked to the quality of fingerprints which is sufficient to pass the verification process carried out by the EURODAC Central Unit. Member

States have been working hard at reducing this rejection rate and are currently implementing more efficient ways of gathering the data.

#### **4. EVALUATION OF THE CENTRAL UNIT**

##### **4.1. Cost-effectiveness**

The Community budget allocated for EURODAC was 8,5 million € in 2000, 1,075 million in 2001, 1,1 million in 2002 and 1 million in 2003, a total of 11,67 million €. After one year of operations, Community expenditure on all externalised activities specific to EURODAC totals 7,5 millions €.

The savings have largely been made by the efficient use of existing resources and infrastructures managed by the Commission such as the use of the TESTA network and the hosting of the Central Unit within the Commission.

With regard to the national budgets, the EURODAC Central Unit enables the Member States to use the Central Unit for comparing the data submitted with their own data already stored in EURODAC in order to find out whether the applicant has already applied before for asylum in their own country. This represents important savings for the national budgets as Member States do not have to procure a national system (AFIS) for that purpose. The Community also provided via the IDA Programme the communication and security services for exchange of data between the Central and National Units. These costs initially to be borne by each Member State, in accordance with Article 21 (2) and (3) of the Regulation, were finally covered by the Community making use of common available infrastructures and generating savings for national budgets.

##### **4.2. Quality of service**

The Commission services have taken the utmost care to deliver a high quality service to the Member States which are the final end-users of the EURODAC Central Unit. These services do not only include those provided directly by the Central Unit (e.g. matching capacity, storage of data, etc), but cover also communication and security services for the transmission of data between the Central Unit and the national access point.

Regarding the Central Unit the Commission has set out very stringent availability requirements in the public procurement of the system (cf. point 2.1) and very short deadlines (maximum of 2 to 4 hours) have been foreseen for intervention of the contractor in case of an incident. Since the development and running of the system is also the result of the combined efforts of several services in the Commission, the appropriate services level agreements were signed between these services ensuring the availability of EURODAC. The actual unscheduled down-time after a year of operations hardly reached 5 hours, which meant there was 99,97 % availability of the system.

Regarding the communication and security services for the transmission of data between the Member States and the Central Unit, the EURODAC implementing rules have foreseen the use of the IDA generic services (as has been stated in point 2.1). TESTA provides networking and cryptographic services for EURODAC with

very high service level agreements that guarantee a minimum availability of 99.7% monthly and 99.9% yearly and with maximum delays for service restoration from 2 to 6 hours depending on the situation. The support covers 24 hours for 7 days a week. No Member State has notified to the Commission the existence of a false hit, i.e. a wrong identification performed by the AFIS, in accordance with Article 4 (6) of the Regulation.

#### **4.3. Data Protection issues**

During the last year the Central Unit has registered a significant number of “special searches” defined in the technical documentation provided by the Commission to the Member States for the setting-up of their NAPs. This category of special transactions is intended for the implementation of Article 18 (2 and ff) of the Regulation, i.e. for data protection purposes in order to safeguard the rights of the data subject to access his/her own data. It should be remembered that the national data protection authorities are responsible for monitoring the lawfulness of the processing of personal data by the Member States. However, representatives of these authorities gathering at their meeting in January 2004 could not corroborate this information regarding the “special searches” launched in their own countries.

It also appears that some Member States use almost always the same or a very short range of user identifiers for performing the electronic transactions with the Central Unit. Existing data protection rules require that each Member State can identify the persons or bodies responsible for the processing (controllers) of the personal data exchanged within EURODAC. In the same context, Member States must keep an up-to-date list with the designated authorities that have access to data from EURODAC and communicate it to the Commission in accordance with Article 15(2) of the Regulation.

The Commission services note that Member States never notified the penalties which would be applicable in case of a misuse of the data recorded in the Central Unit database, as stated in Article 25 of the Regulation and as reminded by the Commission when adopting the Regulation (cf Council doc. n° 14497/00).

## **5. CONCLUSIONS**

An equitable and efficient Asylum Procedure in Europe starts undoubtedly with both a quick and correct identification of the persons requesting international protection and a clear definition of Member States’ responsibilities. Directly in line with its ‘frontloading’ objective, the EU is aiming to improve the quality of the Common European Asylum System from the outset of the procedure, in the best interest of both asylum seekers and national authorities.

The Dublin Regulation and the application of the EURODAC system constitute an important building block in the construction of a Common European Asylum system. The EURODAC Central Unit is not only an essential tool for a faster and more efficient application of the Dublin II Regulation, but also a good indicator of the phenomenon of multiple asylum applications. Its impact should gradually be to discourage those who are tempted by “asylum shopping” in the EU. This should lead to a more orderly and cost-effective management of asylum flows in Member States.

The produced statistics are proof enough to show the efficiency of the EURODAC Central Unit. However, one of the most important criteria for the evaluation of the EURODAC system is its application within the frame of the Dublin Convention and the Dublin II Regulation. In a second stage, the Commission services will therefore analyse statistics gathered by Member States in the application of the Dublin Regulation, in order to draw conclusions concerning the added value of EURODAC.

Some issues, such as the excessive delay in transmission of fingerprints to the Central Unit and the too high of rejection of transactions rate due to insufficient quality need to be addressed in certain Member States. The Commission services are aware that the Member States concerned are working on finding satisfactory solutions.

Also the amount of “category 2” transactions – fingerprints of illegal border-crossers – will hopefully become more realistic once all Member States have equipped themselves with the necessary resources for carrying out their legal obligations.



## Annex 1

### Successful transactions per Member State

#### Introduction: Definitions

Following tables show the number of transactions which have been sent by each Member State to the EURODAC Central Unit and successfully processed by the Central Unit.

#### Successful transaction

A “successful transaction” is a transaction which has been correctly processed by the Central Unit, without rejection due to a data validation issue, fingerprint errors or insufficient quality.

#### Types of categories

- Category 1: data of **asylum applications**. Fingerprints (full 10 print images) of asylum applicants sent for comparison against fingerprints of other asylum applicants who have previously lodged their application in another Member State. The same data will also be compared against the “category 2” data (see below). This data will be kept for 10 years with the exception of some specific cases foreseen in the Regulation (for instance an individual who obtains the nationality of one of the Member States) in which cases the data of the person concerned will be erased;
- Category 2: data of **aliens apprehended in connection with the irregular crossing of an external border and who were not turned back**. This data (full 10 print images) are sent for storage only, in order to be compared against data of asylum applicants submitted subsequently to the Central Unit. This data will be kept for two years with the exception that cases are deleted promptly when the individual receives a residence permit, leaves the territory of the Member State or obtains the nationality of one of them;
- Category 3: data relating to **aliens found illegally present in a Member State**. These data, which are not stored, are searched against the data of asylum applicants stored in the central database. The transmission of this category of data is optional for the Member States.

**Annex 1**

**Number of Successful Transactions per Member State - 2003**

See separate document

## Annex 2

### ”Category 1 against Category 1” – Hits from 15/01/2003 – 15/01/2004

HIT countries	AT	BE	FI	FR	DE	GR	IS	IE	IT	LU	NL	NO	PT	ES	SE	UK	Total	Total
Sender																	Local	Foreign (2)
AT	775	30	4	25	182	9	1	0	15	3	18	22	1	10	34	15	775	369
BE	371	289	4	81	248	13	0	1	39	23	230	28	1	17	56	43	289	1.155
FI	19	25	23	1	48	7	0	0	8	0	6	215	2	1	272	4	23	608
FR	519	209	5	166	281	35	0	1	134	12	84	20	2	40	63	38	166	1.443
DE	1.338	297	20	124	730	84	0	0	199	29	231	138	4	31	286	39	730	2.820
GR	0	3	2	4	22	22	0	0	8	0	3	13	0	0	8	11	22	74
IS	0	1	1	0	0	0	0	0	0	0	2	2	0	0	1	0	0	7
IE	4	7	1	18	10	0	0	87	3	1	10	5	0	2	4	99	87	164
IT	33	13	0	22	40	20	0	2	321	1	13	37	0	6	66	40	321	293
LU	18	64	2	12	35	3	0	0	2	14	41	3	0	1	10	1	14	192
NL	85	117	3	26	159	32	0	0	90	6	131	31	2	4	55	29	131	639
NO	240	106	59	23	264	45	0	1	308	8	116	72	0	10	533	9	72	1.722
PT	0	1	0	0	2	0	0	0	0	0	1	0	1	1	0	0	1	5
ES	6	5	3	19	15	5	0	0	1	0	4	12	1	32	12	19	32	102
SE	276	96	122	26	403	58	2	2	567	20	142	866	0	37	104	16	104	2.633
UK	624	281	13	280	438	124	0	52	537	7	212	39	0	22	105	1.520	1.520	2.734
<b>Total Foreign (1)</b>	<b>3.533</b>	<b>1.255</b>	<b>239</b>	<b>661</b>	<b>2.147</b>	<b>435</b>	<b>3</b>	<b>59</b>	<b>1.911</b>	<b>110</b>	<b>1.113</b>	<b>1.431</b>	<b>13</b>	<b>182</b>	<b>1.505</b>	<b>363</b>	<b>4.287</b>	<b>14.960</b>

A "category 1 against category 1" hit means that the fingerprints of an asylum seeker which have been sent have been recognised by the Central Unit as a match against the stored fingerprints of an existing asylum applicant. This hit is 'local' when the asylum seeker has already applied for asylum in the same Member State and 'foreign' when he/she has already applied for asylum in another Member State.

	:	0 hit
	:	number of fingerprints sent by Member State X matching with stored fingerprints from Member State Y - "foreign" hit
	:	number of fingerprints sent by Member State X matching with stored fingerprints from Member State X - "local" hit
(1)	:	total number of "category 1" transactions sent by all Member States (but Member State X) matching with "category 1" transactions previously sent by Member State X
(2)	:	total number of "category 1" transactions sent by Member State X matching with "category 1" transactions previously sent by all Member States (but Member State X)

## Annex 2

### ”Category 1 against Category 2” – Hits from 15/01/2003 – 15/01/2004

HIT countries	AT	BE	FI	FR	DE	GR	IS	IE	IT	LU	NL	NO	PT	ES	SE	UK	Total
Sender																	Foreign (2)
AT		0	0	0	6	8	0	0	3	0	0	0	0	2	0	0	19
BE	3		0	0	2	14	0	0	5	0	0	0	0	4	0	0	28
FI	0	0		0	0	2	0	0	0	0	0	0	0	0	0	0	2
FR	4	0	0		1	27	0	0	5	0	0	0	0	14	0	1	52
DE	17	0	0	0		78	0	0	15	0	0	0	0	2	0	2	114
GR	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0	0
IS	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0
IE	0	0	0	0	1	1	0		3	0	0	0	0	0	0	3	8
IT	1	0	0	0	0	13	0	0		0	0	0	0	1	0	0	15
LU	0	0	0	0	1	0	0	0	1		0	0	0	2	0	0	4
NL	0	0	0	0	3	17	0	0	4	0		0	0	0	0	1	25
NO	1	0	0	0	7	60	0	0	36	0	0		0	1	0	1	106
PT	0	0	0	0	0	0	0	0	0	0	0	0		0	0	0	0
ES	0	0	0	0	0	3	0	0	0	0	0	0	0		0	0	3
SE	0	0	0	0	6	96	0	0	63	0	0	0	0	1		2	168
UK	7	0	0	0	11	84	0	0	23	0	0	0	0	4	0		129
<b>Total Foreign (1)</b>	<b>33</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>38</b>	<b>403</b>	<b>0</b>	<b>0</b>	<b>158</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>31</b>	<b>0</b>	<b>10</b>	<b>673</b>

A "category 1 against category 2" hit means that the fingerprints of an asylum seeker which have been sent match the stored fingerprints of an alien who has illegally crossed the border and who could not be turned back.

	:	0 hit
	:	number of fingerprints of an asylum seeker by Member State X matching with stored fingerprints of an illegal border-crosser in Member State Y
(1)	:	total number of "category 1" transactions sent by all Member States (but Member State X) matching with "category 2" transactions previously sent by Member State X
(2)	:	total number of "category 1" transactions sent by Member State X matching with "category 2" transactions previously sent by other Member States (but Member State X)

**Annex 2**

**”Category 3 against Category 1” – Hits from 15/01/2003 – 15/01/2004**

HIT countries	AT	BE	FI	FR	DE	GR	IS	IE	IT	LU	NL	NO	PT	ES	SE	UK	Total
Sender																	Foreign (2)
AT		1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	3
BE	3		0	2	3	0	0	0	0	1	8	1	0	0	3	5	26
FI	0	0		0	0	0	0	0	0	0	0	0	0	0	2	0	2
FR	0	0	0		0	0	0	0	0	0	0	0	0	0	0	0	0
DE	574	55	7	56		16	1	0	47	8	56	40	0	7	114	4	985
GR	0	0	0	0	0		0	0	0	0	0	0	0	0	1	0	1
IS	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0
IE	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0
IT	0	1	0	2	1	0	0	0		0	0	0	0	0	0	0	4
LU	3	15	0	6	5	0	0	0	1		8	1	0	0	4	0	43
NL	4	10	1	6	8	0	0	0	3	1		2	1	0	3	3	42
NO	1	1	0	0	0	1	0	0	0	0	0		0	0	2	0	5
PT	0	0	0	0	0	0	0	0	0	0	0	0		0	0	0	0
ES	0	0	0	0	0	0	0	0	0	0	1	0	0		0	4	5
SE	1	2	1	0	4	1	0	1	0	0	0	6	0	0		0	16
UK	13	7	0	8	7	1	0	3	4	0	4	1	0	0	1		49
<b>Total Foreign (1)</b>	<b>599</b>	<b>92</b>	<b>9</b>	<b>80</b>	<b>29</b>	<b>19</b>	<b>1</b>	<b>4</b>	<b>55</b>	<b>10</b>	<b>77</b>	<b>51</b>	<b>1</b>	<b>7</b>	<b>131</b>	<b>16</b>	<b>1.181</b>

A "category 3 against category 1" hit means that the fingerprints which have been sent of an alien found illegally present within a Member State are being recognised by the Central Unit as a match against the stored fingerprints of an asylum seeker.

- |     |   |  |
|-----|---|--|
|     | : | 0 hit  |
|     | : | number of fingerprints of an illegal apprehended in Member State X matching with stored fingerprints of an asylum seeker in Member State Y                           |
| (1) | : | total number of "category 3" transactions sent by all Member States (but Member State X) matching with "category 1" transactions previously sent by Member State X   |
| (2) | : | total number of "category 3" transactions sent by Member State X matching with "category 1" transactions previously sent by other Member States (but Member State X) |

**Annex 3**

**Multiple asylum applications\***  
**From 15/01/2003 – 15/01/2004**

	<b>1 Hit</b>	<b>2 Hits</b>	<b>3 Hits</b>	<b>4 Hits</b>	<b>5 Hits</b>
Austria	871	122	15	0	0
Belgium	1094	127	26	5	0
Finland	392	83	23	1	0
France	1412	90	3	1	0
Germany	2974	261	30	0	0
Greece	67	18	3	0	0
Iceland	5	1	0	0	0
Ireland	195	30	0	0	0
Italy	473	60	7	1	2
Luxembourg	156	22	1	1	0
Netherlands	549	93	8	4	0
Norway	1402	163	24	2	0
Portugal	4	1	0	0	0
Sweden	2235	208	31	0	1
Spain	124	5	0	0	0
United Kingdom	3474	348	37	2	0

<b>ALL</b>	<b>1 Hit</b>	<b>2 Hits</b>	<b>3 Hits</b>	<b>4 Hits</b>	<b>5 Hits</b>	
<b>Total "category 1"</b>	15.427	1.632	208	17	3	<b>17.287</b>

\*Number of "category 1 against category 1" hits per transaction