



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 2 September 2013

**Interinstitutional File:
2008/0242 (COD)
2008/0243 (COD)**

13218/13

**ASILE 38
EURODAC 16
COMIX 482**

COVER NOTE

from: Mission of Switzerland to the European Union
date of receipt: 27 August 2013
to: Mr Rafael FERNANDEZ-PITA, Director General, Council of the European Union

Subject: REGULATION (EU) No 603/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast)
REGULATION (EU) No 604/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)

Delegations will find attached a letter from the Mission of Switzerland to the European Union related to above mentioned subjects.



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mission de la Suisse auprès de l'Union européenne

SECRETARIAT DU CONSEIL DE L'UNION EUROPÉENNE	
SGE13/ 8621	
REÇUE	27 AOÛT 2013
DEST. PRINC.	M. FERNANDEZ-PITA
DEST. COP.	CR + PO transmis le 29/8/13.

Monsieur
Rafael Fernandez-Pita y González
Directeur général a.i.
Secrétariat général du Conseil de l'Union
européenne
Direction générale D – Justice et affaires
intérieures
Rue de la Loi 175
B-1048 Bruxelles

Notre référence : 73/67/5-LET
Téléphone : 00 32 2 286 13 19
Fax: 0032 2 230 45 09
Nathalie.lecras@eda.admin.ch
Bruxelles, 14.8.2013

Monsieur,

Veillez trouver en annexe copie des notes diplomatiques envoyées aujourd'hui par notre Mission au Secrétariat général de la Commission européenne en réponse aux notifications suivantes :

- Règlement (UE) N° 603/2013 du Parlement européen et du Conseil du 26 juin 2013 relatif à la création d'Eurodac pour la comparaison des empreintes digitales aux fins de l'application efficace du règlement (UE) n° 604/2013 établissant les critères et mécanismes de détermination de l'Etat membre responsable de l'examen d'une demande de protection internationale présentée dans l'un des États membres par un ressortissant de pays tiers ou un apatride et relatif aux demandes de comparaison avec les données d'Eurodac présentée par les autorités répressives des États membres et Europol à des fins répressives, et modifiant le règlement (UE) n° 1077/2011 portant création d'une agence européenne pour la gestion opérationnelle des systèmes d'information à grande échelle au sein de l'espace de liberté, de sécurité et de justice (refonte)

Date d'adoption: 26.6.2013

- Règlement (UE) N° 604/2013 du Parlement européen et du Conseil du 26 juin 2013 établissant les critères et mécanismes de détermination de l'État membre responsable de l'examen d'une demande de protection internationale introduite dans l'un des États membres par un ressortissant de pays tiers ou un apatride (refonte)

Date d'adoption: 26.6.2013

Je vous prie de croire, Monsieur, à l'expression de mes sentiments distingués.

Le Chargé d'affaires a.i.
p.o.

Daniel Klingele
Ministre

Annexe: ment.

Place du Luxembourg 1, B-1050 Bruxelles
Téléphone: ++ 32 2 286 13 11, Fax: ++ 32 2 230 45 09
brm.vertretung@eda.admin.ch,
http://www.eda.admin.ch/mission_eu



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mission of Switzerland to the European Union

75/67/6-SD-1A/2013

The Mission of Switzerland to the European Union presents its compliments to the General Secretariat of the European Commission and herewith confirms receipt of the notification of the Commission dated 3 July 2013, issued in accordance with Article 4, paragraph 2, first sentence of the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (hereinafter referred to as « association agreement »), signed in Luxembourg on 26 October 2004. The content of the notification is as follows:

« I have the pleasure of notifying [...]

the "Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)" [Dublin Regulation] [...] »

This Regulation has been notified to Switzerland by letter Ref. Ares(2013)2567970 of 3 July 2013.

In accordance with Article 4, paragraphs 2 and 3 of the association agreement, the Mission of Switzerland herewith notifies the General Secretariat of the European Commission that Switzerland accepts, subject to the fulfilment of its constitutional requirements, the content of the enclosed appendix to the notification of the Commission, which forms an integral part of this reply, and will implement it in its internal legal order.

In accordance with Article 4, paragraph 3 of the association agreement, Switzerland shall inform the General Secretariat of the European Commission without delay about the fulfilment of its constitutional requirements.

European Commission
General Secretariat
SG.A.3 Written, Empowerment and Delegation Procedures, External Transmission
Brussels.

In accordance with Article 4, paragraph 5 of the association agreement, the notification of the Commission dated 3 July 2013 and this reply give rise to rights and obligations between Switzerland and the European Union and thus constitute an agreement between Switzerland and the European Union.

This agreement shall enter into force on the date of notification by Switzerland about the fulfilment of its constitutional requirements. It may be terminated in accordance with the provisions of Articles 4 and 16 of the association agreement.

A copy of the present note is addressed to the General Secretariat of the Council of the European Union, Directorate general D, Justice and Home Affairs, Brussels.

The Mission of Switzerland to the European Union avails itself of this opportunity to renew to the General Secretariat of the European Commission the assurances of its highest consideration. *W*

Brussels, 14 August 2013





Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mission of Switzerland to the European Union

75/67/6-SD-1B/2013

The Mission of Switzerland to the European Union presents its compliments to the General Secretariat of the European Commission and herewith confirms receipt of the notification of the Commission dated 3 July 2013, issued in accordance with Article 4, paragraph 2, first sentence of the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (hereinafter referred to as « association agreement »), signed in Luxembourg on 26 October 2004. The content of the notification is as follows:

« I have the pleasure of notifying [...]

the "Regulation of the European Parliament and of the Council on the establishment of Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No .../... establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of largescale IT systems in the area of freedom, security and justice (recast)" [Eurodac Regulation] »

This Regulation has been notified to Switzerland by letter Ref. Ares(2013)2567970 of 3 July 2013.

In accordance with Article 4, paragraphs 2 and 3 of the association agreement, the Mission of Switzerland herewith notifies the General Secretariat of the European Commission that Switzerland accepts, subject to the fulfilment of its constitutional requirements, the content of the enclosed appendix to the notification of the Commission, which forms an integral part of this reply, and will implement it in its internal legal order.

European Commission
General Secretariat
SG.A.3 Written, Empowerment and Delegation Procedures, External Transmission
Brussels.

In accordance with Article 4, paragraph 3 of the association agreement, Switzerland shall inform the General Secretariat of the European Commission without delay about the fulfilment of its constitutional requirements.

In accordance with Article 4, paragraph 5 of the association agreement, the notification of the Commission dated 3 July 2013 and this reply give rise to rights and obligations between Switzerland and the European Union and thus constitute an agreement between Switzerland and the European Union.

This agreement shall enter into force on the date of notification by Switzerland about the fulfilment of its constitutional requirements. It may be terminated in accordance with the provisions of Articles 4 and 16 of the association agreement.

A copy of the present note is addressed to the General Secretariat of the Council of the European Union, Directorate general D, Justice and Home Affairs, Brussels.

The Mission of Switzerland to the European Union avails itself of this opportunity to renew to the General Secretariat of the European Commission the assurances of its highest consideration.

Brussels, 14 August 2013

