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European Union

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### COVER NOTE

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**From:** Sir Ivan ROGERS, the Permanent Representative of the UK  
Representation to the EU Brussels

**date of receipt:** 17 November 2016

**To:** Ms Lucia ZITNANSKA and Mr Robert KALINAK, Presidents of the Justice  
and Home Affairs Council

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**Subject:** Proposal for a 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 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] , for  
identifying an illegally staying third-country national or stateless person and  
on requests for the comparison with Eurodac data by Member States' law  
enforcement authorities and Europol for law enforcement purposes (recast)

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Delegations will find attached a copy of a letter concerning the above mentioned subject.



UK Representation  
to the EU Brussels

SECRETARIAT GÉNÉRAL DU  
CONSEIL DE L'UNION EUROPÉENNE

SGE16/11251

Reçu le 17 -11- 2016

DEST. PRINC. Mme ROGER  
DEST. COPISTES

The Permanent Representative  
Sir Ivan Rogers

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17 November 2016

Ms Lucia Žitňanská and Mr Robert Kaliňák  
Presidents of the Justice and Home Affairs Council  
Council of the European Union  
Rue de la Loi 175  
B1048 Brussels

*Dear Ministers Žitňanská and Kaliňák,*

**Proposal for a 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 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 stateless person] for identifying an illegally staying third-country national or stateless person and on requests for the comparisons with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast), reference: COM(2016) 272 final.**

The purpose of this letter is to communicate the United Kingdom's formal notification, in accordance with Article 3(1) of the Protocol (No 21) to the Treaties on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, that it intends to take part in the adoption and application of the **Proposal for a 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 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 stateless person] for identifying an illegally staying third-country national or stateless person and on requests for the comparisons with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast), reference: COM(2016) 272 final.**



UK Representation  
to the EU Brussels

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I am copying this letter to Alexander Italianer, Secretary General of the Commission and Jeppe Tranholm-Mikkelsen, Secretary General of the Council.

Yours,  
*Ivan Rogers*

**SIR IVAN ROGERS**