



To: Ministers of Interior and Representatives to the JHA Council

Brussels, 1 December 2017

**Re: Trilogue meeting on the Reform of the Common European Asylum System (EURODAC)**

Dear Ministers of Interior,  
Dear Representatives to the JHA Council,

In a few days, the European Parliament, Commission and Council will be discussing the EURODAC proposal, which arranges registration and identification of people arriving to Europe, including by collecting fingerprints and facial images. The proposal lowers the age at which a child can be fingerprinted and have his/her facial images registered **from the age of 14 to the age of 6**. If adopted, such proposal **would lead to a significant increase in the number of children affected by a violation of the rights provided in the International Convention on the Rights of Child**. Now discussions are **taking place on whether coercion could be applied to obtain fingerprints or facial images of children as young as 6**.

We stress that collecting the fingerprints and the biometrics of children from the age of 6 cannot be deemed proportionate or necessary especially considering the extensive use of EURODAC not only for asylum-related but also criminal investigation related matters (**EURODAC can be consulted and used by national law enforcement authorities as well as by Europol**).

**Moreover, it is shocking to see a draft proposal providing for the possible use of coercion to collect fingerprint including from children. Coercion of children in any kind of form is never acceptable.**

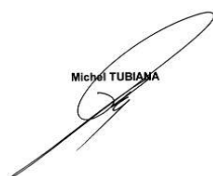
The [European Fundamental Rights Agency](#) stressed that collecting and using children's data can only be justified if it pursues a clear child protection objective. However, any collection of personal data should be duly justified against proportionality and necessity standards. A number of concerns were already expressed by the European Data Protection Supervisor ([Opinion 07/2016](#)) on this matter. The **current proposal fails to take all these aspects into account. The text thus looks away from the best interests of the child (esp. art. 16 of the International Convention on the Rights of Child)**.

Both in the political and legislative discourse, we witness an emerging trend of criminalisation of asylum-seekers and migrants. Lawmakers have a responsibility to ensure that the rights and protection of human beings, especially children, comes first.

We urge you to oppose this proposal and to defend the rights of children, both in the EURODAC proposals, and in upcoming negotiations on the Common European Asylum System reform.

Yours sincerely,

Michel Tubiana  
EuroMed Rights  
President



Michel TUBIANA

Dominique Guibert  
AEDH President

