Data protection notice for EURODAC (European Dactyloscopy)

Introduction

The EURODAC fingerprint identification system is an EU-wide database in which the fingerprints of asylum seekers and irregular migrants are stored. By comparing fingerprints with the Eurodac database, it is possible to determine whether asylum seekers or foreign nationals residing illegally in the territory have already applied for asylum in another member state, or whether asylum seekers have entered the country illegally.

Data protection notice

The **Migration and Passport Office** is responsible for EURODAC.

During office hours, the **Migration and Passport Office (MPO)** may compare fingerprints, facial images, or alphanumeric data in Eurodac for the purpose of preventing, detecting, or investigating terrorist or other serious crimes (in accordance with the annex to the Police Act, LGBl. 1989 Nr. 48). It may also query the data online as part of a visa procedure (Art. 10 Regulation (EU) 2024/1358). The Migration and Passport Office is obliged to record the data of foreign nationals over the age of 6 who are illegally residing in Liechtenstein within 72 hours and to transmit it to the EURODAC database for comparison. Only trained experts have access to the data and carry out the data checks.

The **National Police** are responsible for recording and transmitting the data within 72 hours outside the office hours of the Migration and Passport Office. In addition, the national police may request the comparison of fingerprints, facial images, or alphanumeric data in Eurodac for the purpose of preventing, detecting, or investigating terrorist or other serious crimes (in accordance with the annex to the Police Act). Only trained experts have access to the data and carry out the checks.

The data will be automatically destroyed by the EURODAC central unit no later than **10 years** after the biometric data has been collected. If a person obtains citizenship of a Member State before this period expires, the Migration and Passport Office will request the central unit to destroy the data.

Transfer of EURODAC data to third countries or international organizations

The data may only be transferred to a country that is not bound by the Dublin acquis in accordance with data protection legislation. Such a transfer is possible if it is necessary to prove the identity of a third-country national for the purpose of return. The conditions are set out in Article 50 of Regulation (EU) 2024/1358. The data stored in EURODAC may not be transferred to third countries, international organizations, private bodies, or natural persons.

The following **data** shall be transmitted to the central unit in accordance with Art. 73 para. 2 of the Foreign Nationals Act (LGBl. 2008 No. 311):

a) *Identity data on the third-country nationals concerned (names, aliases, date and place of birth, gender) as well as data on travel and identity documents (type and number, color copy, etc.);*
b) *Fingerprints and facial image;*
c) *Data on procedures and responsibilities in the Schengen States and Dublin States (Member State of origin, place and date of application for international protection);*
d) *Other data, including sensitive data in accordance with Chapters II to VIII of Regulation (EU) 2024/1358 on the person and their identity.*

In addition, the following data shall be stored, where applicable and available:

- *the Member State responsible;*
- *the Member State of return;*
- *the date of arrival of the person concerned after successful transfer under a reception or readmission procedure;*
- *the date on which the person concerned left the territory of the Member State or was removed from it and therefore left it;*
- *the fact that a visa has been issued, an application for international protection has been rejected, the person could pose a threat to internal security, or assistance for voluntary return and reintegration has been granted.*

Rights of a data subject in relation to data processed in EURODAC

The rights of data subjects in connection with EURODAC are governed by the General Data Protection Regulation, national data protection laws, and Regulation (EU) 2024/1358.

Accordingly, the person concerned has the right to **access** personal data concerning them in every Member State. This includes the right to know what data is stored in Eurodac, including information about whether the person could pose a threat to internal security and which country transmitted the data to Eurodac (Art. 43 (2) Regulation (EU) 2024/1358).

In addition, the data subject has the right to **rectification**, **erasure**, and **restriction** of processing if it transpires that the data stored in Eurodac are factually inaccurate or have been unlawfully stored. The competent authorities of the Member States shall actively cooperate in order to fulfill these rights.

The Migration and Passport Office will process the above applications as soon as possible, but in any case within one month of receipt of the entry. The Office is free to extend the deadline by a further two months if the complexity of the case or the number of applications so requires. The person concerned will be notified of the extension (Art. 12 (3) GDPR).

A **modal letter** can be downloaded from the EURODAC website of the Migration and Passport Office.

The Data Protection Authority is responsible for supervising the processing of EURODAC data in the Principality of Liechtenstein.

For further information, please refer to the **general data protection notice of the Migration and Passport Office**.

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