Press release | 15.06.2011

Data protection/PNR

Damning legal analyses underline need for Commission to drop its obsession with PNR

The release of two new legal analyses has raised fresh concerns about the European Commission's approach to the retention of sensitive passenger name records (PNR) from flights. Their release comes just days after EU home affairs ministers expressed their concerns with proposed EU agreements on PNR with the US and other third countries. The Commission's own legal service has issued an opinion and leaked drafts have made clear that the service believes the proposed EU-US PNR agreement is not in line with the Charter of Fundamental Rights. Meanwhile, the EU's Fundamental Rights Agency has also issued an analysis expressing concerns with proposed legislation by the European Commission on the retention of passenger data within the EU (1).

The Greens have repeated their calls on the Commission to drop the proposed legislation on retaining PNR in the EU and to renegotiate the proposed EU PNR agreements with the US, Australia and Canada. Speaking in the context of a debate in the EP civil liberties committee on PNR, Green home affairs expert **Jan Philipp Albrecht** said:

"The disproportionate retention of sensitive passenger data, as proposed by the Commission, is at odds with legal rulings in EU member states, and these latest analyses make clear that the Commission is even acting against its own legal advice. Despite all the evidence against the proposed PNR agreements and EU PNR legislation, and ever-mounting opposition from the EP and EU governments, the Commission is like a dog with a bone, refusing to give up no matter what.

"The Commission cannot simply continue to stick its fingers in its ears however, and it is high time that the Commission dropped its obsession with PNR. This means going back to the drawing board and renegotiating the draft agreements with the US, Australia and Canada on passenger record retention, ensuring these agreements are in line with EU data protection law. It also means dropping the proposed legislation on the retention of passenger data within the EU."

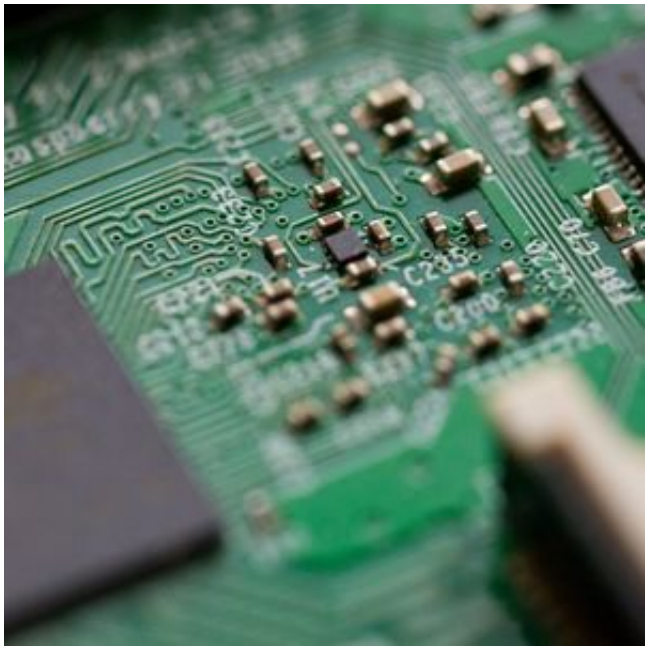
(1) The Fundamental Rights Agency analysis is available at: http://www.nopnr.org/wp-content/uploads/2011/06/FRA_PNR_Opinion_14-June-2011.pdf

For further details on this and the leaked Commission analysis, you can reach Jan Philipp Albrecht on his mobile: 0049 (0) 175 1656 698

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Jan Philipp Albrecht

Member

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