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Privacy and data protection - PNR

Misguided home affairs ministers ignore concerns and give EU-US PNR thumbs-up

EU home affairs ministers today gave the go-ahead to a controversial agreement between the EU and the US on passenger data retention (PNR), with the deal now set to be considered by the European Parliament (1). On the same day, the European Data Protection Supervisor (EDPS) has outlined concerns with the agreement (2). The Greens have hit out at the agreement as failing to address the fundamental rights concerns raised by the European Parliament, various European courts and now the EDPS. Commenting on the Council decision, Green home affairs spokesperson **Jan Philipp Albrecht** said:

"Today's decision by EU home affairs ministers to give the go-ahead to a new EU-US PNR agreement is misguided. This agreement fails to address the fundamental rights concerns repeatedly raised by the European Parliament and various European courts. It is particularly ironic that home affairs ministers should take this decision today, the same day that the European Data Protection Supervisor has outlined concerns with the agreement and its incompatibility with EU law."

"It is astounding that an agreement containing such far-reaching provisions on mass storage of private data for extended periods by US authorities would be bulldozed through Council with little discussion. In the meantime, transatlantic negotiations on common data protection rules proceed at snail's pace."

"Passenger data will be stored for up to 15 years under this agreement and there are insufficient provisions to protect against the odious practice of profiling. This flies in the face of court rulings across Europe and is at odds with EU data protection rules."

"This new agreement would compromise the data protection of EU citizens and as such is unacceptable. The European Parliament must not endorse any agreement under these conditions and the Greens will push to ensure it does not. The EP has already shown that it can play the role of defending the rights of EU citizens during the SWIFT agreement debacle. It must again rise to the challenge."

(1) The agreement, which was given the green light at the Justice and Home Affairs Council today, will now be sent to the European Parliament for its consent before it can be adopted:

http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/jha/126892.pdf

(2) EDPS opinion on the new EU-US Passenger Name Record agreement:

<http://europa.eu/rapid/pressReleasesAction.do?reference=EDPS/11/12&format=HTML&aged=0&language=EN&guiLanguage=en>

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Jan Philipp Albrecht

Member

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