

## **The Council adopts negotiation mandate on SWIFT**

On Tuesday 11 May, the Council of the EU adopted its negotiation mandate for obtaining the conclusion of a long-term agreement between the EU and the US on the transfer of banking data in the fight against terrorism (“Swift”).

The agreement will be concluded only after the adoption by the member states of the EU at qualified majority voting and the approval of the European Parliament.

MEPs rejected the previous draft in February and recently introduced conditions on the content of a future agreement. Parliament believes that these negotiations take place in a context that is more favourable than previously. However, this opinion seems to contradict the fact that the highly opposed transfer of bulk data to the US Treasury seems likely to be left in the agreement. Indeed the Commissioner Cecilia Malmström declared so in front of the Committee on Civil Liberties, Justice and Home Affairs, which took place on Monday 10 May 2010

*“We can't avoid the fact that there has been such a transfer. The Americans will never abandon this idea because it is part of the system's architecture. We will, however, therefore try and see how we can limit the scope of these bulk transfers”.*