



Release: Immediate  
Brussels, 6 November 2007

### **Reservations over the European PNR proposal**

The European Commission has adopted a proposal for a Framework Decision on the European PNR (data retention of air passengers), which raises many questions from a legal point of view, but also from an institutional and political standpoint.

**Jean-Marie Cavada (UDF, France), Chairman of the Committee on Civil Liberties, Justice and Home Affairs** noted:

*"On a political and institutional basis, indiscriminate access to billions of air passenger data profiles, the storing of information for decades and above all their use for "data profiling" in accordance with shady criteria, has provoked serious reservations from the European Parliament. The latter has not yet received any credible information concerning the real purpose of this type of exercise and questions its compliance with Article 8 of the European Convention on Human Rights relative to the protection of data. This provision only allows for the involvement of public authorities when necessary and in accordance with the principles that underpin any democratic society."*

*"Under these circumstances, the Committee that I chair will carefully and closely examine the proposal that has just been forwarded over the coming months - alongside national parliaments - including those of the three countries which have already incorporated this type of data usage for reasons of public security. During the review, we will be discussing these issues with the national and European authorities responsible for data protection or internal security, with civil society and with airlines in order to check whether action at European level is really necessary and under what conditions."*

**Alexander Alvaro (FDP, Germany)** ALDE coordinator on the LIBE committee also warned against a heavy handed approach to fighting terrorism:

*"The implementation of an EU-PNR system similar to the EU/US-PNR system and the introduction of new elements constituting a crime in the fight against terrorism are problematic and should both be carefully assessed. The Commission does not appear to have learned anything from the previous discussions held on PNR with the European Parliament. There are no safeguards regarding the misuse of data, no right of access to personal data nor any duty of authorities to provide information to air passengers. A passing reference to the framework decision on data protection which has yet to be approved by Council is just not good enough."*

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