



## Body scanners at airports: MEPs say that fundamental rights under threat

In adopting a resolution on the impact of security measures and body scanners on human rights, privacy, personal dignity and data protection, MEPs believe that this draft measure could exceed the implementing powers as the measures foreseen cannot be considered mere technical measures related to security, but have a serious impact on the fundamental rights of citizens. MEPs consider that the conditions for a decision have not yet been met, given that essential information is still lacking.

### Virtual strip search

Parliament points out that the Commission has proposed a draft Commission regulation supplementing the common basic standards on civil aviation security, which inserts among the permitted methods for screening of passengers in EU airports 'body scanners', i.e. machines producing scanned images of persons as if they were naked, equivalent to a virtual strip search.

The resolution was adopted with 361 votes in favour, 16 against and 181 abstentions.

The House also says that a European framework to guarantee the rights of European passengers, in the event of body scanners being used, is essential to prevent each airport from applying different regulations and the decision of the Commission to phase out the ban on liquids by April 2010 at the latest is a positive step forward.

In the debate in Strasbourg on 21 October, Philip **Bradbourne** (EPP-ED, UK, West Midlands, Conservative) said: This technology has the potential – and, I stress, the potential – to force air passengers to undergo what could be seen as undignifying treatment, and this is certainly not a small technical step. We have already seen, with the liquids rules, that the precedent is being set for extra security measures to become the norm in airports. However inconvenient these liquids rules are to passengers, it is certainly not an invasion of privacy.

Other major concerns I have are with the storage of data. As I understand, storing of images is not the initial intention, but this is not to say that it is not possible to do so. Therefore, could the Commission outline what events could lead to the storing of this data, how it would be protected, and whether (and how) it could be ruled today that this possibility would not be used, so that it could be ruled out completely, thereby greatly alleviating many of the concerns of law-abiding passengers?"

MEPs ask the Commission to:

- carry out a fundamental rights impact assessment;
- consult the EDPS, the Article 29 Working Party and the FRA;
- carry out a scientific and medical assessment of the possible health impact of such

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technologies;

- carry out an economic, commercial and cost-benefit impact assessment;

The House considers that that all aviation security measures, including use of body scanners, should respect the principle of proportionality as justified and necessary in a democratic society, and therefore asks relevant authorities, as a matter of urgency, to urgently deliver an opinion on body scanners by the beginning of November 2008.

Parliament reserves the right to verify the compatibility of such measures with human rights and fundamental freedoms with the EU legal services, and to take the necessary follow-up actions.

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