

Pat Cox
President of the European Parliament

Strasbourg, 5 May 2004

06.MAI2004 202621

Dear President-in-Office,

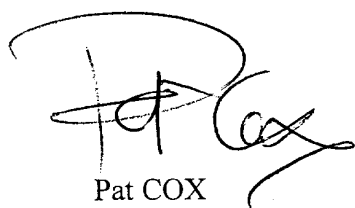
Yesterday the European Parliament rejected the urgency request from the Council on the draft Agreement between the EC and USA on the transfer of passenger data. At the same time, the European Parliament confirmed its determination to obtain an opinion of the Court of Justice on the compatibility of the Agreement with the Treaty, in accordance with Article 300, paragraph 6 of the EC Treaty.

In light of the above, the European Parliament, by a clear majority, has invited me to ask you not to proceed with the adoption of this draft Agreement pending the outcome of the Court of Justice's opinion.

Moreover, Members recalled to me, not only the very sensitive content of the issues at stake, but also the obligation of loyal cooperation between institutions.

For these reasons, I hope Council could wait for the opinion of the Court of Justice which, if I am well informed, will be delivered within a very short period of time (the Court has already fixed the beginning of June as the deadline for the submissions of all the interested parties).

Yours sincerely,



Pat COX

Mr. Brian COWEN, TD
President-in-Office of the European Council of Ministers
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