



COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS
SECRETARIAT

To the President of the Council of the European Union
Minister for Foreign Affairs
Mr. Erkki Tuomioja

réf. D(2006)45136

312089 23.08.2006

Re: EU-US Agreement on PNR

Your Excellency,

On 22 June the Council, at COREPER level, adopted the mandate for the negotiations with the US on a new agreement on the transfer of Passenger Name Records (PNR). The Council stated its intention to closely involve the European Parliament. However, to date the Presidency has not contacted the European Parliament regarding the proceedings.

On July 13th, the European Parliament's Civil Liberties, Justice and Home Affairs (LIBE) committee adopted its recommendation on the agreement on PNR, to be concluded with the US before the end of September. LIBE expressed an opinion both on the procedure and the substance of the agreement. We would be very interested to learn from the Council if it intends to include the views of the European Parliament in the negotiations.

LIBE requested that a representative of the European Parliament be present during the talks with the US delegation. During the Austrian Presidency, in a letter dated 14 June, 2006, you may recall that the LIBE committee was assured that the Presidency fully supports an active dialogue and cooperation with the Parliament. The Finnish Presidency, in the 13 July LIBE meeting, agreed that the Parliament's presence at the talks would be beneficial. Regrettably, however, to date we have not received a reaction to that effect.

It has been brought to our attention that on 18 July 2006 an informal meeting took place with the US negotiators. A formal negotiating session has apparently been scheduled for the first week of September. It seems the matter has also been discussed during the informal meeting, convened by the Home Secretary, Mr Reid, in London on Wednesday, August 16th, where the Finnish Presidency, several future presidencies and the European Commission were present. We note with regret that the Council has not informed the European Parliament on these meetings, nor has the Parliament been invited to attend the meetings.

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Furthermore, we have received information that a document has been produced for the September negotiations with the US, which has been forwarded to all the Member States. We regret that the European Parliament has not received this document, nor has it been informed on the contents. With a view to closely involving the European Parliament, we kindly request to receive a copy of this document.

To this date, the Parliament has received information only from the Commission and through the media. We therefore kindly request that the Presidency closely involve the European Parliament in all the proceedings, and to keep us informed throughout the process.

Yours sincerely,



Sophie in't Veld
Rapporteur



Jean Marie CAVADA
Chairman

cc : President of the European Parliament
Mr Josep Borrell Fontelles

cc : Permanent Representation to the European Union
Mr. Eikka Kosonen

cc : Commission Vice-President and Commissioner for Freedom, Security and Justice
Mr Franco Frattini