

Dear Chairman,

Thank you for your letter of 26 February 2013, in which you address the targeted call for proposals to set up Passenger Information Units in Member States for the processing of passenger name record (PNR) data.

As stated in your letter, the call for proposals is part of the funding programme on the "Prevention of and Fight against Crime" (ISEC). As such, the call for proposals is in accordance with the objectives of the ISEC programme, namely to develop innovative methods and technologies that contribute to a high level of security for citizens. The intention of the Commission to publish this call for proposals was published since 19/09/2011 in document C(2011) 6306. While the ISEC funding programme contributes to a high level of security for citizens by preventing and combating crime, and thus to a Union priority, individual calls for proposals are not necessarily related to existing EU legislation.

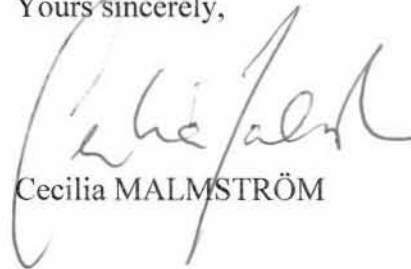
As noted in your letter, similar conditions and safeguards can be found both in the priorities of the call for proposals and in the Commission proposal for an EU PNR system (COM(2011) 32 final). This is because the call for proposals and the Commission proposal for an EU PNR system share the same dual objective, namely to foster the processing of PNR data as an effective tool to fight serious crime and terrorism in the EU, while making this processing subject to strict conditions and effective safeguards in order to comply with the Charter of Fundamental Rights and the protection of personal data.

As a stand-alone funding action within the ISEC programme to contribute to the prevention, detection, investigation and prosecution of terrorist offences and serious crime, the call for proposals is not directly linked to the on-going negotiations between the European Parliament and the Council on the Commission proposal for an EU PNR system. Unlike the Commission proposal, which would make it obligatory for all Member States to set up a competent authority to collect, store and analyse PNR data, the call for proposals aims at supporting individual Member States that voluntarily set up a national PNR system on the basis of national law. If the co-legislators adopt a Directive on an EU PNR system as proposed by the Commission, the national PNR systems might become part of an EU PNR system, provided the conditions of a future EU PNR Directive are met by the national components.

Mr Juan Fernando LÓPEZ AGUILAR
Member of the European Parliament
The Chairman of The Committee on Civil Liberties, justice and Home Affairs,
60, rue Wiertz
11G 306
1047 Brussels

I have been informed that the orientation vote of the LIBE Committee on the Commission proposal for an EU PNR system is scheduled to take place on 24 April 2013. I would welcome this as an important step to advance the work of the co-legislators on this important dossier since the publication of the Commission proposal on 2 February 2011 and the adoption of a general approach by the Council on 26 April 2012.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Cecilia Malmström', written in a cursive style.

Cecilia MALMSTRÖM