



2016/0126(NLE)

16.11.2016

AMENDMENTS

1 - 2

Draft recommendation
Jan Philipp Albrecht
(PE592.131v02-00)

on the draft Council decision on the conclusion, on behalf of the European Union, of the Agreement between the United States of America and the European Union on the protection of personal information relating to the prevention, investigation, detection, and prosecution of criminal offenses

Draft decision
(08523/2016 – C8-0329/2016 – 2016/0126(NLE))

Amendment 1

Marina Albiol Guzmán, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat
on behalf of the GUE/NGL Group

Draft legislative resolution

Paragraph 1

Draft legislative resolution

1. ***Gives its consent*** to conclusion of the agreement;

Amendment

1. ***Declines to give its consent*** to conclusion of the agreement;

Or. en

Justification

The agreement does not meet the requirements of the Charter and EU law. The wording is ambiguous regarding core DP provisions and does not provide effective judicial redress as the Charter requires. Furthermore, the agreement will serve as a form of adequacy decision, creating a false legal presumption of compliance of the US with EU data protection standards. Finally we regret that the committee did not wait for the ECJ ruling on the EU-Canada PNR agreement.

Amendment 2

Sophia in 't Veld

Draft legislative resolution

Paragraph 1

Draft legislative resolution

1. ***Gives its consent*** to conclusion of the agreement;

Amendment

1. ***Declines to give its consent*** to conclusion of the agreement;

Or. en

Justification

While the Umbrella Agreement strengthens the data protection safeguards regarding existing law enforcement data transfers to the U.S, serious legal concerns persist and there is no guarantee that the level of protection afforded by the Agreement is fully consistent with EU law. The Agreement is deemed to fulfil the requirements of 'appropriate safeguards' as in Article 37 of the new Data Protection Directive (DPD), allowing for transfers under this Article to be automatically authorised. Furthermore, the US is not likely to (fully) implement the Agreement.

