



## Moraes: EP is looking not only into NSA allegations but also at EU's own backyard

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**Allegations of the US conducting a mass surveillance of Europeans continue to affect EU-US relations with some fearing it could jeopardise the ongoing free-trade agreement talks. Led by Claude Moraes, the EP's civil liberties committee launched an inquiry to find out the truth. Members from the civil liberties and foreign affairs committees met with US representatives in Washington at the end of October to discuss the allegations. We asked Mr Moraes about their findings.**

**Do you now have a better idea of what legal remedies could be created to safeguard Europeans' privacy?**

Yes. When we complete our report in February 2014 and present it to Parliament, we will present a legal framework to protect EU citizens. It will include, for example, issues like whether there should be a remedy in law for EU citizens when data is transferred to the USA. At the moment those remedies are inadequate. The report will look to at issues such as Safe Harbour, the arrangement whereby when data is transferred to the United States, companies in the US have an obligation to protect that data. It will also look at our many arrangements with the United States like SWIFT and PNR, to make sure that all these arrangements are safe and secure and do what they are supposed to do, which is to fight terrorism but protect our data while we are doing it.

**Is there still enough trust between the EU and the US to successfully conclude a free-trade agreement between them?**

The EU and the US are fundamentally allies and when it comes to important issues like trade, jobs and investment, this is where our alliance must be very strong and I have a belief that in time we will get this trade agreement. However, it is important that this trade agreement is built on trust and there's no question that the recent spying allegations and allegations of mass surveillance have done two things: they have dented trust between the EU and the US and secondly they have slightly damaged the issue of commercial trust. This is not just a question of invasion of citizens' privacy, it is also a question of unanswered allegations about the breaking of encryption, of backdoors into commercial activities, and I think this is where there was some breakdown of trust. So this is about a process of rebuilding trust. If that happens, my belief is that the EU-US trade deal is something that of course will happen.

**The first reactions to Snowden allegations caused some backlash against US security policy, but recent allegations suggest that EU countries may also be involved. Is that something that should be investigated by the Parliament?**

While we were in Washington, the NSA began, for the first time, to rebut some of the allegations of mass surveillance of EU citizens. And in doing so, they made counter allegations of EU involvement in that surveillance. I don't take that as a criticism because the Parliament inquiry was already looking not just into the NSA allegations, but also to our own backyard. From the outset we were investigating our own oversight arrangement of intelligence. We knew that the national oversight arrangements in many member states are inadequate to citizens. When I was asked this question in Washington, I said very openly that we want the truth and we need to have an answer for EU citizens. We are parliamentary legislators and we want to ensure there are transparency and oversight arrangements in place, which will make it less likely that such allegations can go unanswered in this way in the future.

*The next hearing of the EP's Inquiry into the electronic mass surveillance of Europeans will take place on 7 November. MEPS and experts will discuss national programmes for mass surveillance and the role of parliamentary oversight of intelligence services at national level. For more information and contacts, click on the link for the press release on the*

*right.*