



EUROPEAN COMMISSION

MEMO

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Joint Press Statement following the EU-US-Justice and Home Affairs Ministerial Meeting of 18 November 2013 in Washington

European Commission Vice-President Viviane Reding and Commissioner Cecilia Malmström, representing the European Commission; Lithuanian Minister of Justice Juozas Bernatoniš and Lithuanian Vice Minister of Interior Elvinas Jankevičius representing the Lithuanian Presidency of the Council of the EU; Greek Minister of Justice, Transparency and Human Rights Charalampos Athanasiou representing the incoming Greek Presidency of the EU, today met with Attorney General Eric H. Holder, Jr., and Acting DHS Secretary Rand Beers during an EU-U.S. Justice and Home Affairs Ministerial in Washington.

They issued the following statement:

"Our meeting was constructive and productive. We discussed a broad array of issues critical to the European Union and the United States, including: addressing the problem of sexual abuse of children online; coordinating work on counter-terrorism and security issues; countering violent extremism; expanding cooperation in criminal matters; joint efforts in the areas of cybercrime and cybersecurity; and mobility, migration and border issues. In addition, we discussed the rights of victims of crime, the rights of persons with disabilities, and the prosecution of hate crimes.

Of special note, we discussed the threat posed by foreign fighters going to third countries, in particular Syria, and the possible response to address it. We intend to promote close information sharing between our respective agencies, as well as coordinated initiatives in third countries. We also discussed efforts of the U.S. and the EU in countering violent extremism and agreed to intensify our cooperation.

Our meeting also addressed data protection, and issues related to alleged activities of U.S. intelligence agencies. We together recognise that this has led to regrettable tensions in the transatlantic relationship which we seek to lessen. In order to protect all our citizens, it is of the utmost importance to address these issues by restoring trust and reinforcing our cooperation on justice and home affairs issues.

The EU and the U.S. are allies. Since 9/11 and subsequent terrorist attacks in Europe, the EU and U.S. have stepped up cooperation, including in the areas of police and criminal justice. Sharing relevant information, including personal data, while ensuring a high level of protection, is an essential element of this cooperation, and it must continue.

We are therefore, as a matter of urgency, committed to advancing rapidly in the negotiations on a meaningful and comprehensive data protection umbrella agreement in the field of law enforcement. The agreement would act as a basis to facilitate transfers of data in the context of police and judicial cooperation in criminal matters by ensuring a high level of personal data protection for U.S. and EU citizens. We are committed to working to resolve the remaining issues raised by both sides, including judicial redress (a critical issue for the EU). Our aim is to complete the negotiations on the agreement ahead of summer 2014.

We also underline the value of the EU-U.S. Mutual Legal Assistance Agreement. We reiterate our commitment to ensure that it is used broadly and effectively for evidence purposes in criminal proceedings. There were also discussions on the need to clarify that personal data held by private entities in the territory of the other party will not be accessed by law enforcement agencies outside of legally authorized channels. We also agree to review the functioning of the Mutual Legal Assistance Agreement, as contemplated in the Agreement, and to consult each other whenever needed.

We take stock of the work done by the joint EU-U.S. ad hoc Working Group. We underline the importance of the on-going reviews in the U.S. of U.S. Intelligence collection activities, including the review of activities by the Privacy and Civil Liberties Oversight Board ("PCLOB") and the President's Review Group on Intelligence and Communications Technology ("Review Group"). The access that has been given to EU side of the ad hoc Working Group to officials in the U.S. intelligence community, the PCLOB, the Review Group and U.S. congressional intelligence committees will help restore trust. This included constructive discussions about oversight practices in the U.S. The EU welcomes that the U.S. is considering adopting additional safeguards in the intelligence context that also would benefit EU citizens.

As these on-going processes continue, they contribute to restoring trust, and to ensuring that we continue our vital law enforcement cooperation in order to protect EU and U.S. citizens."