

VĚRA JOUROVÁ
Member of the European Commission

Brussels, 14 septembre 2015
Ares(2015)

Dear Chair,

Thank you for your invitation to attend the LIBE committee meeting on 14-15 September 2015 to inform the honourable Members of the latest state of play regarding the EU-US agreement on data protection in the cases of exchanges of personal data for law enforcement purposes (Umbrella agreement). I have asked my Acting Director General Mrs Paraskevi Michou to do so.

At her oral debriefing in front of the LIBE Committee on 16 July 2015, Mrs Michou informed the honourable Members extensively about the latest developments, the outstanding issue of the language clause as well as about the likelihood that the Agreement could be initialled at the 8-9 September 2015 EU-US Senior Officials meeting. As soon as the remaining issue was solved, Mrs Michou informed you by email of 4 September 2015 that the conditions for initialling the Agreement were fulfilled.

I am happy to also transmit to you the text of the draft Agreement as initialled in order to keep the European Parliament fully informed in accordance with Article 218(10) TFUE. At this stage the text is still an internal document and I would appreciate it if you could, in accordance with the principle of loyal co-operation between the Institutions, treat it like that.

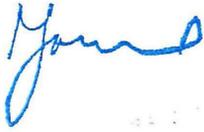
Let me once again stress that the prerequisite for the signature and conclusion of the Umbrella agreement is the adoption of the Judicial Redress Bill by the US Congress. Once the Bill is adopted, we will start the signature and conclusion procedure on the EU side in accordance with the Treaty. As on previous occasions, I would like to underline the importance of a swift adoption of the Judicial Redress Bill, and encourage the honourable Members to use their contacts in the US Congress to that effect.

As far as the schedule of the next steps is concerned: first, the Council, on the basis of a proposal by the Commission, will have to adopt a decision authorising the signing of the Agreement. The Commission will make a proposal to the Council shortly after the adoption of the Bill. Subsequently, the decision on the conclusion of the Agreement requires the consent of the European Parliament.

Mr Claude Moraes
libe-secretariat@europarl.europa.eu

I am convinced that together, we will soon bring the work on the Umbrella agreement to a successful end. It will provide safeguards and guarantees of lawfulness for data transfers for the purpose of prevention, detection, investigation and prosecution of criminal offences, including terrorism. This comprehensive high-level data protection framework for EU-US law enforcement cooperation is a substantial contribution to strengthening fundamental rights and restoring trust in transatlantic data flows.

Yours sincerely



Věra Jourová