



The Greens | European Free Alliance
in the European Parliament

Public Hearing hosted by MEP Jan Philipp Albrecht

Protection of Personal Data in Transatlantic Security Cooperation SWIFT, PNR & Co - which way forward?

8 April 2010, 14:00-17:00

European Parliament, Brussels, room ASP 1G-3

The European Parliament's decision to reject the so-called "SWIFT Agreement" in February 2010 was historic, as even the vice-president who was chairing the plenary session had to admit. It defended EU citizens' fundamental rights against overly intrusive measures by security agencies, but it also came at the right moment. The Parliament now has full co-decision powers in the area of Justice and Home Affairs, and it will have to set a clear path in order to use these responsibly.

In addition to an envisaged new SWIFT agreement, for which the Commission has now presented its draft negotiation mandate, the European Parliament will also have to take a decision on how to deal with the 2008 agreement on the transfer of passenger name records to the US government. The Commission will also present the outcomes of the review of the 2006 data retention directive in fall, which will be influenced by the Romanian, Bulgarian and German Constitutional courts' decisions. Last but not least, the discussion between the U.S. and the EU on a more comprehensive transatlantic agreement for data sharing and data protection in the security field will go on, based on the recent report by the High Level Contact Group.

This situation opens a historic chance for a fundamental debate on transatlantic data sharing and the protection of fundamental rights. Almost nine years after 9/11, we need to take a step back and evaluate the real use of several privacy-intrusive measures, and adjust the relation between security and freedom, as the European Parliament has done in its 2009 resolution on the Stockholm Programme.

The hearing will bring together experts and scholars on SWIFT, PNR and other data-intensive measures and their implications for fundamental rights. It will provide detailed technical and legal insight as well as an understanding of how the different processes fit together. Panellists and participants will aim at developing a common path for transatlantic data exchange and data protection.

Speakers

- Cecilia Malmström, EU Commissioner for Home Affairs (tbc)
- Peter Hustinx, European Data Protection Supervisor
- Edward Hasbrouck, PNR researcher at The Identity Project, San Francisco
- Paul de Hert, director of the research group on Fundamental Rights and Constitutionalism (FRC), Vrije Universiteit Brussel
- Patrick Breyer, legal coordinator, Working Group on Data Retention, Germany (tbc)