

Brussels, 1st October 2006

Airline passenger data – European Commission statement on negotiations with the United States

Although the negotiations on a PNR agreement between the EU and the US could not be concluded before 1st October 2006, the timeframe provided for by the European Court of Justice in its 30th May 2006 ruling (see [CJE/06/46](#)), European Commission Vice-President Franco Frattini and US Homeland Security Secretary Michael Chertoff have agreed that the negotiations will continue in a constructive atmosphere with a view to concluding an agreement as soon as possible. Much progress has already been made.

It is in the interests of all concerned, travellers, airlines, law enforcement agencies and data protection authorities, that a new agreement is concluded as soon possible. Vice-President Frattini is in regular contact with Secretary Chertoff and agrees on the need to reach a rapid and satisfactory agreement.

In the meantime, the Commission urges the US to continue to apply the safeguards for PNR data that were laid down in the now-lapsed 2004 agreement (see [IP/04/650](#)) until such time as a new agreement is reached so as to minimise the risk of legal uncertainty and disruption to EU-US flights.

The draft agreement sent on 30th September by Homeland Security Secretary Chertoff to Vice President Frattini and to the Finnish Minister for Foreign Affairs Erkki Tuomioja may be discussed during the 6th October meeting of the Council of Justice and Home Affairs Ministers in Luxembourg in the hope of having an agreement the same day.