

Summary

In this statement, the Committee considers the Communication from the Commission, A European terrorist finance tracking system: available options, COM (2011) 429.

In July 2010, the EU and the USA entered an agreement to transfer data on bank transactions to the USA with the aim of combatting terrorism, including funding of terrorism in accordance with the American Terrorist Finance Tracking Program (TFTP). At the same time the Council decided to invite the Commission to submit, within one year, a proposal for how a corresponding European system could be designed, an EU-TFTS (Terrorist Finance Tracking System). The current communication does not present a final proposal for an EU-TFTS. It is drafted as a basis for discussion in which the Commission weighs up the advantages and disadvantages of various options. The Commission does not recommend any of the proposed options but notes instead that each option will require further important choices and decisions before a final proposal can be drafted. In view of how politically important and complicated this issue is from a legal and technical point of view, the Commission considers that more time should be set aside to give both the European Council and the Parliament an opportunity for preparation and debate. The Commission states that when the European Parliament and the Council have submitted their opinions, the Commission will take a decision on how to proceed.

In the communication, the Commission gives an account of the main functions that an EU system should include, important principles - such as appropriateness, data protection, data security and data storage - as well as a number of issues relating to the scope of the system. The question of the cost of an EU-TFTS is also significant.

The Committee on Justice welcomes the Commission's initiative to launch a discussion on whether an EU-TFTS should be introduced and how, in this case, it should best be formulated. The Committee shares the Government's opinion that the American Program has been an effective and important instrument in the fight against terrorism. If a corresponding system is introduced in the EU it is, in the opinion of the Committee on Justice, important to ensure a carefully considered balance between the need for such a system to counter terrorism effectively and respect for fundamental rights, especially for personal integrity. In the opinion of the Committee, it is also important to thoroughly consider what should be included in the scope of an EU-TFTS, and the Committee therefore welcomes the discussion on the scope of the system highlighted by the Commission in its communication. The Committee further stresses that there should be a thorough examination of whether the costs are proportionate to the benefits of introducing an EU-TFTS and underlines the importance of thorough and clear regulation where exacting minimum rules in the field of data protection may be a possible model. Finally, the Committee emphasises that every opportunity to strengthen the protection of personal integrity must be taken.

The Statement contains two explanatory reservations (from the Social Democratic Party, Green Party, Sweden Democrats and the Left Party).