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Press Release on the SWIFT Case

26 September 2006

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Civil Justice, Rights and Citizenship) of the European Commission, Directorate General Justice, Freedom and Security, B-1049 Brussels, Belgium, Office No LX-46 01/43.

Website: http://ec.europa.eu/justice_home/fsj/privacy/index_en.htm

The Data Protection Commissioners of the EU, represented in the Article 29 Working Party, held a first plenary discussion today (26 September) about the circumstances under which SWIFT has made personal banking information available to US authorities for the purpose of the fight against terrorism.

The Working Party heard from the Belgian Data Protection Authority about progress with its investigations, reflecting SWIFT's status as a Belgian-based entity.

This issue is complex, both factually and legally. Recognising the seriousness of the questions that have been raised, the Working Party agreed to continue fact-finding and conduct further analysis based on all relevant factual and legal elements in order to be in a position to adopt a formal position at its next Plenary meeting in November 2006. The Working Party did however express immediate concerns about the lack of transparency which has surrounded these arrangements.

The Working Party's priority is to safeguard European data protection rights.

Done in Brussels, on 26 September 2006

For the Working Party
The Vice-Chairman
José Luis Piñar Mañas