

11.4.2016

A8-0248/56

Amendment 56

Jan Philipp Albrecht, Judith Sargentini,
on behalf of the Verts/ALE Group

Report

A8-0248/2015

Timothy Kirkhope

Use of Passenger Name Record data (EU PNR)
COM(2011)0032 – C7-0039/2011 – 2011/0023(COD)

Proposal for a directive

Recital 10

Text proposed by the Commission

Amendment

(10) To prevent, detect, investigate and prosecute terrorist offences and serious crime, it is therefore essential that all Member States introduce provisions laying down obligations on air carriers operating *international flights to or from the territory of the Member States of the European Union.*

(10) To prevent, detect, investigate and prosecute terrorist offences and serious crime, it is therefore essential that all Member States introduce provisions laying down obligations on air carriers operating *extra EU-flights to transfer any collected PNR and API data. Those provisions should be without prejudice to Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data.*

Or. en

Justification

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A8-0248/57

Amendment 57

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Report

A8-0248/2015

Timothy Kirkhope

Use of Passenger Name Record data (EU PNR)
COM(2011)0032 – C7-0039/2011 – 2011/0023(COD)

Proposal for a directive

Recital 32

Text proposed by the Commission

(32) In particular, the scope of the Directive is as limited as possible, it allows retention of PNR data for period of time not exceeding **5 years**, after which the data must be deleted, the data must be anonymised after a very short period, the collection and use of sensitive data is prohibited. In order to ensure efficiency and a high level of data protection, Member States are required to ensure that an independent national supervisory authority is responsible for advising and monitoring how PNR data are processed. All processing of PNR data must be logged or documented for the purpose of verification of the lawfulness of the data processing, self-monitoring and ensuring proper data integrity and security of the data processing. Member States must also ensure that passengers are clearly and precisely informed about the collection of PNR data and their rights.

Amendment

(32) In particular, the scope of the Directive is as limited as possible, it allows retention of PNR data for period of time not exceeding **12 months**, after which the data must be deleted, the data must be anonymised after a very short period, the collection and use of sensitive data is prohibited. In order to ensure efficiency and a high level of data protection, Member States are required to ensure that an independent national supervisory authority is responsible for advising and monitoring how PNR data are processed. All processing of PNR data must be logged or documented for the purpose of verification of the lawfulness of the data processing, self-monitoring and ensuring proper data integrity and security of the data processing. Member States must also ensure that passengers are clearly and precisely informed about the collection of PNR data and their rights.

Or. en

Justification

11.4.2016

A8-0248/58

Amendment 58

Jan Philipp Albrecht, Judith Sargentini,
on behalf of the Verts/ALE Group

Report

A8-0248/2015

Timothy Kirkhope

Use of Passenger Name Record data (EU PNR)
COM(2011)0032 – C7-0039/2011 – 2011/0023(COD)

Proposal for a directive

Article 2 – paragraph 1 – point i

Text proposed by the Commission

(i) ‘serious transnational crime’ means the offences under national law referred to in Article 2(2) of Council Framework Decision 2002/584/JHA if they are punishable by a custodial sentence or a detention order for a maximum period of at least three years under the national law of a Member State, and if :

- (i) They are committed in more than one state;
- (ii) They are committed in one state but a substantial part of their preparation, planning, direction or control takes place in

Amendment

(i) ‘serious transnational crime’ means the ***following*** offences under national law: ***trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims; illicit trafficking in narcotic drugs as defined in Article 2 of Council Framework Decision 2004/757/JHA of 25 October 2004 laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking; and illicit trafficking in weapons, munition and explosives as defined in Article 2b of Council Directive 2008/51/EC of 21 May 2008 on control of the acquisition and possession of weapons***, if they are punishable by a custodial sentence or a detention order for a maximum period of at least three years under the national law of a Member State, and if:

- (i) They are committed in more than one state;
- (ii) They are committed in one state but a substantial part of their preparation, planning, direction or control takes place in

another state;

(iii) They are committed in one state but involve an organised criminal group that engages in criminal activities in more than one state; or

(iv) They are committed in one state but have substantial effects in another state.

another state;

(iii) They are committed in one state but involve an organised criminal group that engages in criminal activities in more than one state; or

(iv) They are committed in one state but have substantial effects in another state.

Or. en

Justification