

Amendment 1**Axel Voss**

on behalf of the PPE Group

Motion for a resolution**Claude Moraes**on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Adequacy of the protection afforded by the EU-US Privacy Shield**B8-0305/2018****Motion for a resolution****Paragraph 7***Motion for a resolution*

7. Reiterates its position that the Ombudsperson mechanism set up by the US Department of State *is not sufficiently independent and* is not endowed with sufficient effective powers to carry out its tasks and provide effective redress to EU citizens; stresses that the exact powers of the Ombudsperson mechanism need to be clarified, especially with regard to his/her powers vis-à-vis the intelligence community and the level of effective remedy of his/her decisions; regrets that the Ombudsperson can only request action by and information from US governmental bodies, and cannot order the authorities to cease and discontinue unlawful surveillance, or to permanently destroy information; points out that, while there is an acting Ombudsperson, to date the US administration has still not appointed a new permanent Ombudsman, which does not contribute to mutual trust; takes the view that in the absence of an appointed independent, experienced and sufficiently empowered Ombudsperson, the US assurances with regard to the provision of effective redress to EU citizens would be null and void;

Amendment

7. Reiterates its position that the Ombudsperson mechanism set up by the US Department of State is *currently* not endowed with sufficient effective powers to carry out its tasks and provide effective redress to EU citizens; stresses that the exact powers of the Ombudsperson mechanism need to be clarified, especially with regard to his/her powers vis-à-vis the intelligence community and the level of effective remedy of his/her decisions; regrets that the Ombudsperson can only request action by and information from US governmental bodies, and cannot order the authorities to cease and discontinue unlawful surveillance, or to permanently destroy information; points out that, while there is an acting Ombudsperson, to date the US administration has still not appointed a new permanent Ombudsman, which does not contribute to mutual trust; takes the view that in the absence of an appointed independent, experienced and sufficiently empowered Ombudsperson, the US assurances with regard to the provision of effective redress to EU citizens would be null and void;

Or. en

2.7.2018

B8-0305/2

Amendment 2

Axel Voss

on behalf of the PPE Group

Motion for a resolution

Claude Moraes

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Adequacy of the protection afforded by the EU-US Privacy Shield

B8-0305/2018

Motion for a resolution

Paragraph 23

Motion for a resolution

Amendment

23. ***Affirms*** that the reauthorisation of section 702 ***of the FISA act*** for six more years ***calls*** into question the legality of the Privacy Shield;

23. ***Believes*** that the reauthorisation of Section 702 FISA for six more years ***does not call*** into question the legality of the Privacy Shield ***because all the elements on which the Commission's adequacy decision was based have been maintained, in particular the conditions and limitations that ensure targeted collection;***

Or. en

2.7.2018

B8-0305/3

Amendment 3

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on behalf of the PPE Group

Motion for a resolution

Claude Moraes

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Adequacy of the protection afforded by the EU-US Privacy Shield

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Paragraph 34

Motion for a resolution

Amendment

34. ***Takes the view that*** the current Privacy Shield arrangement ***does not provide*** the adequate level of protection required by Union data protection law and the EU Charter as interpreted by the European Court of Justice;

34. ***Is concerned as to whether*** the current ***implementation of the*** Privacy Shield arrangement ***provides*** the adequate level of protection required by Union data protection law and the EU Charter as interpreted by the European Court of Justice;

Or. en

2.7.2018

B8-0305/4

Amendment 4

Axel Voss

on behalf of the PPE Group

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B8-0305/2018

Claude Moraes

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Adequacy of the protection afforded by the EU-US Privacy Shield

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Paragraph 35

Motion for a resolution

Amendment

35. Considers that, *unless* the US is fully compliant by *1 September 2018, the Commission has failed to act in accordance with Article 45(5) GDPR*; calls therefore on the Commission to *suspend the Privacy Shield until the US authorities comply with its terms*;

35. Considers that the US *must take all the necessary measures to be* fully compliant by *the time of the second annual review*; calls therefore on the Commission to *report back to Parliament as soon as possible thereafter*;

Or. en