

**Question for written answer E-004816/2011
to the Commission
Rule 117
Marietje Schaake (ALDE)**

Subject: Purpose of the EU-US Working Group on Cyber-Security and Cyber-Crime

To enhance transatlantic cooperation on cyber-security, a joint EU-US Working Group on Cyber-Security and Cyber-Crime is being set up, amongst other new bodies such as an EU cyber-crime centre, a European information-sharing and alert system and a network of Computer Emergency Response Teams (CERTs). Little information can be found about these initiatives and agreements. Reliable and independent studies of the scope of cyber-crime have not been carried out. The only available facts and figures concerning cyber-crime have been published by private parties with a business interest in the adoption of strict arrangements to regulate information monitoring. To make a sound political and legal judgment, however, it is necessary to know facts and figures instead of basing policy on perceived risks.

1. On what facts and figures are the agreements with the US based?
2. By what technical means will the flow of data be monitored and what is the overall cost? How will the private sector be involved in the managing of data flows?
3. Which crimes will be targeted? In connection with those crimes, how will law enforcement proceed? Will a court decision be needed before information is blocked or filtered? Would the leaks by WikiLeaks be classed as a cyber-crime?
4. Which type of information about European citizens will be shared with the relevant US organisations and within the EU organisations concerned?
5. What does the Commission mean by stating that the working group will focus on 'the commercial side'?
6. How will the above-mentioned organisations safeguard freedom of speech, the right to access and receive information, the right to privacy and other fundamental rights, which can be violated without ex ante regulation of a system to manage information flows?
7. How will the Commission ensure that Member States have sufficient human capacity to deal with the complex technical and subtle legal issue of various forms of cyber-crime?
8. What will the Commission do to ensure that Internet freedom prevails?
9. How will the Commission ensure democratic oversight of these new organisations?