

P-0514/10EN
Answer given by Ms Malmström
on behalf of the Commission
(12.3.2010)

The attempted bombing of the Northwest Airlines flight 253 as it approached Detroit on 25 December 2009 led the US to review collection and analysis of intelligence and steps to prevent a repeat occurrence.

The Detroit incident looks like a case of 'signals buried in noise'. This means that although intelligence about the bomber was there, and potentially might have led to discover the plot before it could materialise, this intelligence most likely was disparate in nature and buried in a great deal of many other pieces of information (so-called 'noise'), some of which could either obscure or even contradict the most helpful intelligence. In addition, today's transnational terrorism threats are particularly difficult to track because they are the product of small groups. The essential challenge the intelligence community faces is the multiplicity of groups and individuals to be tracked and the particular challenge to identify and distinguish helpful intelligence from information that does not assist in tracking down these groups and individuals before they attack.

In view of the multiplicity of information and information sources likely to be used by the intelligence services, it is not possible to assess to what extent European intelligence services had exactly the same information as their US counterparts and vice versa. Besides, the Commission has no role in monitoring the operation of intelligence services.

The Member of the Commission responsible for Home Affairs said during her hearing that she wanted her services to take a closer look at how information systems have worked and will work in the future. This overview will be done as a matter of priority. At the same time preparations are underway with regard to defining the essentials of an EU Internal Security Strategy.

The Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data¹ obliges Member States to collect Advanced Passenger Information (API) data on passengers crossing EU external borders, therefore the responsible authorities in the Netherlands should have received a passport data concerning Mr Abdulmatallab as a passenger in flight from Nigeria to Amsterdam. Also his PNR data were available. Currently, no EU legislation obliges to share passenger information with other Member States. However, a number of information sharing mechanisms for criminal matters is in place. These tools and mechanisms will be subject to an overview as announced by the Member of the Commission responsible for Home Affairs.

¹ OJ 261, 6.8.2004