



EUROPEAN PARLIAMENT

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Committee on Civil Liberties, Justice and Home Affairs

LIBE Committee Inquiry on Electronic Mass Surveillance of EU Citizens

Draft programme

Monday 7 October 2013, 19.00 – 21.30

Strasbourg

Room WIC 200

Background

1. EU data protection law¹ has been established with the objective of protecting the fundamental rights and freedoms of natural persons in particular their right to the protection of personal data. Moreover the compliance with these rules is subject to the control of public independent authorities.
2. EU data protection law contains specific provisions relating international transfers of personal data processed in the EU to third countries; their objective is to ensure the continuity of the protection afforded by EU law where personal data are transferred. In substance, transfers may take place where the third country offers an adequate level of protection or when, in the absence of adequate level of protection, the controller adduces appropriate safeguards with respect to the protection of personal data (e.g.: contractual clauses, binding corporate rules). Derogations to this rule may occur in specific cases laid down in EU data protection law.
3. The Commission has declared in 2000 that the Safe Harbour Principles issued by the US Department of Commerce provide an adequate level of protection². Transfers to organisations not having self-certified adherence to Safe Harbour principles will take place under other mechanisms such as contractual clauses of binding corporate rules.
4. This hearing focuses on the impact of electronic mass surveillance of EU citizens on their fundamental right to the protection of personal data.
5. Session I focuses on the impact of mass surveillance programmes on the rights of EU citizens to data protection, either these programmes are implemented by third countries or by EU Member States. The Commission will also inform on the progress of its evaluation of the Safe Harbour.
6. Sessions II and III are devoted to the assessment of the impact of US surveillance programmes on existing tools for transfers of personal data to the US. While Session II focuses on the US Safe Harbour, Session III focuses on the impact on other instruments used by companies for their data flows. Statements of the EU data protection authorities, the European Data Protection Supervisor and a management services consultant entity in privacy and new technologies which has issued reports on the implementation of the US Safe Harbour.

¹ Particularly; Directive 95/46/EC and Regulation (EC) N° 45/2001.

² Decision 2000/520/EC of 26.7.2000 - O. J. L 215/7 of 25.8.2000.

SESSION I
US SAFE HARBOUR
INFORMATION BY THE COMMISSION OF THE ASSESSMENT OF THE SAFE HARBOUR

19.00– 19.10	Introductory remarks by Juan Fernando LÓPEZ AGUILAR, Chair of the LIBE Committee
19.10 – 19.25	Statement by Vice-President Viviane REDING, Member of the European Commission (tbc)
19.25 - 20.00	Questions & Answers

SESSION II
US SAFE HARBOUR
IMPACT OF US SURVEILLANCE PROGRAMMES ON THE US SAFE HARBOUR

19.50 – 20.20	Statements by <ul style="list-style-type: none">• Dr. Imke SOMMER, Die Landesbeauftragte für Datenschutz und Informationsfreiheit der Freien Hansestadt Bremen (GERMANY)• Christopher CONNOLLY – Galexia• Peter HUSTINX, European Data Protection Supervisor (EDPS)
20.20 - 20.50	Questions & Answers

SESSION III
IMPACT OF US SURVEILLANCE PROGRAMMES ON OTHER INSTRUMENTS FOR INTERNATIONAL TRANSFERS (CONTRACTUAL CLAUSES, BINDING CORPORATE RULES)

20.50 - 21.00	Statement by Ms. Isabelle FALQUE-PIERROTIN, President of CNIL (FRANCE)
21.00-21:20	Questions & Answers
21.20 - 21.30	Concluding remarks and follow-up