

Committee on Civil Liberties, Justice and Home Affairs
The Chairman

Mr. David MEDINE
Chairman of Privacy and Civil Liberties Oversight Board
c/o United States mission
to the European Union

314654 16.09.2013

Subject: *European Parliament LIBE Committee Inquiry on Electronic Mass Surveillance of EU citizens*

Dear Mr. Medine,

I am writing to you in my capacity of Chair of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE committee).

In the wake of concerns regarding the surveillance programmes, both in the US and in some EU Member States, the LIBE committee has been entrusted, by the resolution of the Parliament of July 4th 2013 on the US National Security Agency surveillance programme, surveillance bodies in various Member States and their impact on EU citizens' privacy¹, with conducting an in-depth inquiry into the matter. The purpose of the inquiry is to establish facts about the surveillance programmes reported by the press, especially as regards their existence, scope, legality, proportionality, involvement of EU Member States national authorities and oversight of EU citizens, compliance with the EU data protection and privacy rules, as well as the proper balance between privacy and security.

It is my intention to make this inquiry one of the main public fora in Europe for debating the impact of surveillance programmes on citizens, whether they operate from the USA or from EU national Member States.

The Committee considers the role of the PCLOB paramount in shedding light on the US administration intelligence activities and contributing to the protection of liberties in the course of such activities. In that regard, the public report and recommendations of the PCLOB on the surveillance programmes operated under Section 215 of the Patriot Act and Section 702 of the Foreign Intelligence Surveillance Act are awaited with keen interest.

Striking the right balance between a high level of security and a genuine level of liberty has been a constant debate over the two past decades. It seems our societies at large are experiencing a U-turn in terms of trust: can they really keep credible expectations that the legitimate search for global security has not led to a general surveillance of all citizens? More specifically can they trust public and governing bodies, law enforcement and intelligence communities, private companies, legal and technology experts and still enjoy their right to privacy - or is this gone? What impact will these developments have both in terms of citizens' fundamental rights and of trade and economic cooperation between the EU and the US?

¹ P7_TA-PROV(2013)0322; <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2013-0322+0+DOC+XML+V0//EN>

Transatlantic negotiations on PNR and SWIFT have shown that US and EU authorities do share the same goals in terms of fight against terrorism but have very different historical backgrounds, legal standards and data protection culture.

In the context of this inquiry the LIBE committee is organising two **meetings** dedicated to a better understanding of US Surveillance programmes on **24 September and on 30 September 2013, in Brussels, Belgium**. We would like to request your kind participation as speaker on **24 September (9-11.30 and 15-18.30)** in order to exchange the views on how to best address the legitimate concerns of the citizens in both sides of the Atlantic. Should it prove difficult for you to travel to Europe for the meeting of September 24 or September 30, your participation by way of **videoconference** would be highly appreciated.

Further, in the last week of October (**October 28-30**) the LIBE committee will send a delegation to **Washington D.C.** in order to meet with the US Administration as well as the US Congress.

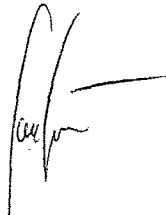
The debate ahead of us is a key debate for the 21st century. Reactions in Europe about the revelations published over the summer period must be seriously taken into account. If trust is to be regained, first dialogue has to be established.

Your contribution to this debate before the Parliament of 506 million EU citizens would give a powerful and appreciated signal that dialogue at the relevant level can be a reality when it comes to issues that are key to our citizens.

The secretariat of the LIBE Committee remains at your disposal to arrange for your participation in this inquiry in the best possible circumstances².

I look forward to hearing from you.

Yours sincerely,



Juan Fernando LÓPEZ AGUILAR

CC: Mr Martin SCHULZ, President of the European Parliament

² Libe-secretariat@ep.europa.eu