

TLD Non-Paper
on Transport Security
18-11-2011

The European Parliament TLD working group on Transport Security recommends the following considerations for discussion at the 71th TLD meeting in Jacksonville, 2-4 December 2011:

Aviation Security

Liquids and Gels

1. We consider the ban on passengers carrying liquids, aerosols and gels (LAGs) in aircraft an inconvenience to passengers and a measure disproportionate to the objective of secure flights when alternatives are available;
2. Therefore, we recommend replacing the ban by machine screening procedures at airports, thus allowing passengers to carry liquids and gels on board aircraft, also in quantities greater than 100 ml, once appropriate technologies are available but at the latest in 2013, which is the EU goal;
3. We urge the European Commission and the TSA to cooperate more closely in testing liquid scanners and prepare joint measures for lifting the ban in 2013;

Passenger screening and Bodyscanners

4. We consider that the main detection of security risks from passengers should be based on all available, reliable information, in particular that provided by the police, intelligence services, customs and transport undertakings;
5. If passengers are to be subject without distinction to a general security screening by means of bodyscanners or security scanners, these should comply with common rules regarding health, privacy, personal data and fundamental rights;
6. On the grounds that exposure to cumulative doses of ionising radiation (x-rays) is dangerous to health, technology using such radiation should be excluded for use in passenger screening which has now been agreed in the EU;
7. In order to protect personal privacy and to ensure that passengers cannot be identified, we believe that the aim should be for security scanners to display 'stick figures' rather than body images and would encourage industry to respond accordingly;
8. We take the view that people undergoing checks should be given a choice as to whether to use security scanners or an alternative screening method with the same level of effectiveness; a passenger's refusal to be scanned by a bodyscanner should not give rise to suspicion of the passenger;

PNR and Data protection

9. The new EU-US Passenger Name Record (PNR) agreement should reflect compliance with the principles of proportionality and legal certainty and incorporate an adequate set of safeguards pertaining in particular to scope (offences covered), legal redress, data security, length of storage, onward transfers and the use of the *push* method only;

10. In order to avoid having to define standards on a case by case basis, we welcome the negotiations on a EU-US general data protection agreement; this should ensure a high level of protection of fundamental rights laying down legally binding and enforceable data protection standards with clearly defined applicable law and establishing mechanisms to ensure effective application of these standards in practice;

Maritime and Supply Chain Security

Combat of piracy

11. We consider combatting piracy, in particular off the coast of Somalia, to be an international priority and welcome operations already undertaken, such as EU operation Atalanta;

12. We therefore urge the US and EU Administrations to cooperate more closely on this issue and, where possible, take joint action at all levels;

Cargo security

13. We recall that 100% screening of cargo is in our opinion not practicable and we call upon the US Congress to consider changing the relevant legislation that requires this, before the implementation date of 1 July 2012;

14. As an alternative, we would advocate an approach based on comprehensive and effective multi-layered risk management processes, which could be achieved by giving more companies the possibility to obtain the status of "trusted operator", for example the EU system of Authorised Economic Operator (AEO), and in that context we look forward to the expected US 'Global supply chain security strategy';

15. We urge the competent authorities of the US and the EU to intensify their cooperation and coordination, in order to better integrate both customs security and other border security controls.

We invite the TLD Members of the US Congress to discuss these points with us and to agree on joint recommendations.

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