

Reply from European Union to United States Treasury Department — SWIFT/Terrorist Finance Tracking Programme

(2007/C 166/10)

The European Union acknowledges receipt of your letter of 28th June containing representations regarding the processing and protection of personal data subpoenaed from SWIFT within the United States under the Terrorist Finance Tracking Programme.

We welcome these unilateral representations and the opportunity your Department has given the European Union to have its views and concerns duly reflected in the representations.

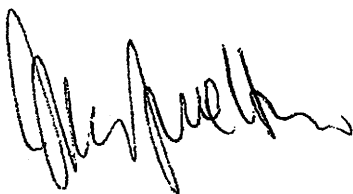
Once SWIFT and the financial institutions making use of its services have completed the necessary arrangements to respect EC law, in particular through the provision of information that personal data will be transferred for commercial purposes to the United States and, as regards SWIFT, the respect of the 'Safe Harbour' principles, subject to lawful access by the US Treasury Department, SWIFT and the said financial institutions will be in compliance with their respective legal responsibilities under European data protection law.

The representations provide for oversight by an eminent European to be appointed in consultation with the Treasury Department. We will now begin the process of identifying appropriate candidates so that this work can begin in the first semester of 2008. The Commission will make contact with your staff to agree practical details concerning this oversight work.

We thank you for your cooperation in this matter, which shows the strength of our shared commitment to civil liberties, the fight against terrorism and the smooth functioning of the international financial system.

Yours sincerely,

For the Commission
Vice-President Frattini



For the Council of the European Union
Federal Minister of Finance Peer Steinbrück

