

WRITTEN QUESTION E-1809/10  
by Jeanine Hennis-Plasschaert (ALDE)  
to the Commission

Subject: UK e-Borders Programme - follow up

On various occasions I have raised the subject of the UK e-Borders Programme in written questions (E-3786/09, E-1540/09 and E-2115/07). In answer to my last list of questions (E-3786/09), the Commission said it would analyse the answer received from the British authorities at the end of August to a list of questions it had asked about the e-Borders Programme and the free movement and data protection aspects. Several months have now gone by. I should therefore like to ask the Commission about the most recent situation concerning this programme.

I know that Director-General Jonathan Faull sent a letter to the British authorities on 17 December 2009, with a list of recommendations.

1. Can the Commission indicate the status of this letter and how the British authorities have reacted to it?

On 18 December 2009 the House of Commons Home Affairs Committee published its third report on the controversial programme. According to the report, the programme is contrary to Community law.

2. Does the Commission know about this report? If so, what is its reaction to the conclusions? If not, is it willing to study the report?

Because of a lack of consistency in interpretation, airlines faced with the British requirements are complying in different ways. Thus, under instructions from their national data protection agencies, Air France and Lufthansa inter alia send no PNR (passport) data to the UK while other airlines (have to) do this.

3. Does the Commission agree that this is causing a distortion of competition and that this is undesirable? If so, what is the Commission going to do about it? If not, can it say why not?