


Basic information	
<b>2024/0051(NLE)</b> NLE - Non-legislative enactments	Awaiting Parliament's vote
EU/Canada Agreement: transfer and processing of passenger name record (PNR) data  <b>Subject</b>  1.20.09 Protection of privacy and data protection 3.20.01 Air transport and air freight 6.40.11 Relations with industrialised countries 7.30 Police, judicial and customs cooperation in general	



Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs		MINCHEV Nikola (Renew)	05/12/2024
			Shadow rapporteur VOSS Axel (EPP) SIPPEL Birgit (S&D) VANNACCI Roberto (Pfe) KANKO Assita (ECR) STRIK Tineke (Greens/EFA) DEMIREL Özlem (The Left)	
	<b>Former committee responsible</b>		<b>Former rapporteur</b>	<b>Appointed</b>
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs			
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>TRAN</b> Transport and Tourism		The committee decided not to give an opinion.	
	<b>Former committee for opinion</b>		<b>Former rapporteur for opinion</b>	<b>Appointed</b>
	<b>AFET</b> Foreign Affairs		The committee decided not to give an opinion.	
	<b>TRAN</b> Transport and Tourism			

Council of the European Union		
European Commission	<b>Commission DG</b>	<b>Commissioner</b>
	Migration and Home Affairs	JOHANSSON Ylva

Key events			
Date	Event	Reference	Summary
04/03/2024	Preparatory document	COM(2024)0095 	Summary
10/10/2024	Legislative proposal published	08897/2024	Summary
25/11/2024	Committee referral announced in Parliament		
18/02/2025	Vote in committee		
20/02/2025	Committee report tabled for plenary, 1st reading/single reading	A10-0013/2025	

Technical information	
<b>Procedure reference</b>	2024/0051(NLE)
<b>Procedure type</b>	NLE - Non-legislative enactments
<b>Procedure subtype</b>	Consent by Parliament
<b>Legal basis</b>	Treaty on the Functioning of the EU TFEU 016-p2 Treaty on the Functioning of the EU TFEU 218-p6a Treaty on the Functioning of the EU TFEU 087-p2
<b>Stage reached in procedure</b>	Awaiting Parliament's vote
<b>Committee dossier</b>	LIBE/10/00357

Documentation gateway				
<b>European Parliament</b>				
<b>Document type</b>	<b>Committee</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>
Committee draft report		PE767.911	14/01/2025	
Amendments tabled in committee		PE768.080	03/02/2025	
Committee report tabled for plenary, 1st reading/single reading		A10-0013/2025	20/02/2025	
<b>Council of the EU</b>				
<b>Document type</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>	
Legislative proposal	08897/2024	10/10/2024	Summary	
<b>European Commission</b>				
<b>Document type</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>	
	COM(2024)0095			

Preparatory document		04/03/2024	<a href="#">Summary</a>
Document attached to the procedure	COM(2024)0094 	04/03/2024	

## EU/Canada Agreement: transfer and processing of passenger name record (PNR) data

2024/0051(NLE) - 04/03/2024 - Preparatory document

**PURPOSE:** to conclude, on behalf of the European Union, an agreement between Canada and the European Union on the transfer and processing of Passenger Name Record (PNR) data.

**PROPOSED ACT:** Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** Canadian legislation requires air carriers operating passenger flights to Canada to provide the Canada Border Services Agency (CBSA) with PNR data, prior to the passenger arrival to Canada to the extent such data is collected and contained in the air carriers' automated reservation and departure control systems in the normal course of their business. This legislation aims to significantly enhance CBSA's ability to conduct efficient and effective advance travel risk assessment of passengers and to facilitate bona fide travel, thereby enhancing the security of Canada in the fight against terrorism and other serious transnational crime.

The EU cooperates with Canada in the fight against terrorism and other serious transnational crime and considers the transfer of PNR data to Canada as a means to foster international law enforcement cooperation.

The EU and Canada opened new negotiations with the purpose of signing a new PNR Agreement in a manner which respects fundamental rights and the right to data protection and respect for private life.

**CONTENT:** under this proposal, the Commission proposes to the Council to adopt a decision approving the conclusion of the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data.

The proposal has two main aims and components, one relating to the necessity of ensuring public security by means of the transfer of PNR data to Canada and the other to the protection of privacy and other fundamental rights and freedoms of individuals.

The specific provisions of the Agreement are as follows:

- the purposes for which PNR data are processed are spelt out clearly and precisely;
- the processing of sensitive data by Canada is prohibited under the Agreement and should Canada receive such data as part of PNR data under the Agreement, deletion is required;
- oversight of Canada's compliance with these rules shall be exercised by independent public authorities;
- individuals are notified of the use of their PNR;
- individuals may access (only) their own PNR data and are provided with the right to correction, redress and information;
- automated processing of PNR data will be based only on non-discriminatory and reliable criteria;
- the maximum retention period of five years will be combined with a requirement to delete the data after passengers' date of departure, unless a risk assessment indicates that there is a connection based on objective elements from which it may be inferred that the PNR data might make an effective contribution to address the purposes of the Agreement, in addition to the requirement for Canada to review its assessment every two years;
- any use of PNR data for other purposes than security and border control checks will be subject to prior review by a court or an independent authority;
- the onward transfers of PNR data to other government authorities will be subject to appropriate safeguards and, in case of disclosure outside Canada, limited to countries which have concluded a comparable Agreement with the EU or are subject to an adequacy decision of the Commission.

## EU/Canada Agreement: transfer and processing of passenger name record (PNR) data

2024/0051(NLE) - 10/10/2024 - Legislative proposal

**PURPOSE:** to conclude, on behalf of the European Union, an agreement between Canada and the European Union on the transfer and processing of Passenger Name Record (PNR) data.

**PROPOSED ACT:** Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data signed, subject to its conclusion at a later date, must now be approved.

CONTENT: the draft Council Decision concerns the approval, on behalf of the Union, of the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data.

The Agreement provides for the transfer of passenger name record data to Canada for the purposes of preventing, detecting, investigating and prosecuting serious crime and terrorism.

The Agreement ensures full respect for the Charter of Fundamental Rights of the European Union, as interpreted by the Court of Justice of the European Union, in particular the right to respect for private and family life, the right to the protection of personal data and the right to an effective remedy and to a fair trial as recognised in Articles 7, 8 and 47, respectively, thereof. In particular, the Agreement includes adequate safeguards for the

protection of personal data transferred under it.

Ireland expressed its wish to take part in the adoption and application of this Decision. Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.