

Procedure file

Basic information		
RSP - Resolutions on topical subjects	2012/2615(RSP)	Procedure rejected
Opinion from the Court of Justice on the compatibility with the Treaties of the Agreement between the United States of America and the European Union on the use and transfer of Passenger Name Records (PNR) to the United States Department of Homeland Security		
Subject		
1.20.09 Protection of privacy and data protection		
3.20.15.02 Air transport agreements and cooperation		
7.30 Police, judicial and customs cooperation in general		
8.30 Treaties in general		
Geographical area		
United States		

Key players	
European Parliament	

Key events			
19/04/2012	Results of vote in Parliament		
19/04/2012	Decision by Parliament		Summary

Technical information	
Procedure reference	2012/2615(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Resolution on statement
Legal basis	Rules of Procedure EP 114-p6
Stage reached in procedure	Procedure rejected

Documentation gateway					
Motion for a resolution		B7-0200/2012	12/04/2012	EP	

Opinion from the Court of Justice on the compatibility with the Treaties of the Agreement between the United States of America and the European Union on the use and transfer of Passenger Name Records (PNR) to the United States Department of Homeland Security

The European Parliament rejected, in plenary, a motion for a resolution tabled by the GUE/NGL Group, on seeking an opinion from the Court of Justice on the compatibility with the Treaties of the EU-US Agreement on the use and transfer of Passenger Name Records to the US Department of Homeland Security.

The proposed resolution suggested that Parliament should seek an opinion from the Court of Justice on the compatibility of the Agreement with the Treaties. Members take the view that there is legal uncertainty as to whether the draft Agreement complies with EU data protection legislation and thus as to whether it is compatible with the Treaties in this respect. They questioned, further, the choice of legal basis, i.e. Articles 82(1)(d) and 87(2)(a) TFEU (police and judicial cooperation), rather than Article 16 TFEU (data protection).