

Resolution on the suspension of the TFTP agreement as a result of US National Security Agency surveillance

2013/2831(RSP) - 23/10/2013 - Text adopted by Parliament, single reading

The European Parliament adopted by 280 votes to 254, with 30 abstentions a resolution on the suspension of the TFTP agreement as a result of US National Security Agency surveillance.

The resolution was tabled by the S&D, Greens/EFA and ALDE groups.

It **asked the Commission to suspend the Agreement** on the processing and transfer of Financial Messaging Data from the EU to the US for the purposes of the Terrorist Finance Tracking Program (TFTP Agreement). Members were seriously concerned about recently revealed documents on the NSA's activities as regards direct access to financial payment messages and related data, which would constitute a **clear breach of the Agreement**. Although Parliament had no formal powers under Article 218 TFEU to initiate the suspension or termination of an international agreement, Members considered that **the Commission would have to act if Parliament withdrew its support for a particular agreement**. They pointed out that, when considering whether or not to give its consent to future international agreements, Parliament would take account of the responses of the Commission and the Council in relation to this Agreement.

Members called for a **full on-site technical investigation into allegations** that the US authorities have had unauthorised access or created possible back doors in the SWIFT servers. They deplored the fact that no Member State has launched, or asked for, an investigation, in the absence of which the facts cannot be verified. The Council and Member States are asked to **authorise an investigation by the Europol Cybercrime Centre** into the allegations of unauthorised access to financial payment data governed by the Agreement. Parliament also called on the **special inquiry by the Committee on Civil Liberties, Justice and Home Affairs** into the mass surveillance of EU citizens to further investigate the allegations of unlawful access to financial payment messages covered by the Agreement.

All relevant information and documents should be made available immediately for Parliament's deliberations.

Lastly, Parliament reiterated the need to base any data sharing agreement with the US on a coherent legal data protection framework offering legally binding personal data protection standards, including with regard to purpose limitation, data minimisation, information, access, correction, erasure and redress.