



EUROPEAN PARLIAMENT

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Committee on Civil Liberties, Justice and Home Affairs

LIBE Committee Inquiry on Electronic Mass Surveillance of EU Citizens

Draft programme

Thursday, 7 November 2013, 09.00 -12.15 and 15.00 - 18.30

Brussels

Meeting room: JAN 4Q1

1. Session I will discuss the mission of EU Intelligence Analysis Centre (IntGen).
2. Session II will focus on the involvement of the commercial companies in the US mass surveillance activities. In this regard the representative of Facebook will make a statement,
3. A study commissioned by the LIBE Committee to the Policy Department on “National programmes for mass surveillance of personal data in EU Member States and their compatibility with EU law” will be presented in Session III.

Abstract: In the wake of the disclosures surrounding PRISM and other US surveillance programmes, this briefing paper makes an assessment of the large-scale surveillance practices by a selection of EU member states: the UK, Sweden, France, Germany and the Netherlands. Given the large-scale nature of surveillance practices at stake, which represent a reconfiguration of traditional intelligence gathering, the paper contends that an analysis of European surveillance programmes cannot be reduced to a question of balance between data protection versus national security, but has to be framed in terms of collective freedoms and democracy. It finds that four of the five EU member states selected for in-depth examination are engaging in some form of large-scale interception and surveillance of communication data, and identifies parallels and discrepancies between these programmes and the NSA-run operations. The paper argues that these surveillance programmes do not stand outside the realm of EU intervention but can be engaged from an EU law perspective via a critical understanding of national security in a democratic rule of law framework, the risks presented to the security of the Union as a whole, and the potential spillover into the security activities of EU agencies. The paper then presents a set of policy recommendations to the European Parliament.

4. Session IV will discuss the nature and effectiveness of parliamentary oversight in the Member States based on the contribution of experts from the Venice Commission, academia, national intelligence community and civil society.

09:00 – Introductory remarks by Juan Fernando LÓPEZ AGUILAR, Chair of the LIBE Committee

SESSION I
The role of EU IntCen in EU Intelligence activity¹

09:05 - 09:15 Statement by

- Mr Ilkka SALMI, Director of EU Intelligence Analysis Centre (IntCen)

09:15 – 10:05 Questions & Answers

SESSION II
US NSA programmes for electronic mass surveillance and the role of IT Companies (Part I)

10:05 - 10:15 Statement by

- Ms Erika MANN, Managing Director, Head of Public Policy, Facebook

10:15 - 11:05 Questions & Answers

SESSION III
National programmes for mass surveillance in EU Member States and their compatibility with EU law

11:05 – 11:20 Presentation of the European Parliament (DG IPOL Policy Department C) Study on "National programmes for mass surveillance of personal data in EU Member States and their compatibility with EU law" by

- Dr. Sergio CARRERA, Senior Research Fellow and Head of the JHA Section, Centre for European Policy Studies (CEPS), Brussels
- Dr. Francesco RAGAZZI, Assistant Professor in International Relations, Leiden University

11:20 - 12:15 Questions & Answers

¹ This session may be held in camera

SESSION IV
The role of Parliamentary oversight of intelligence services at national level in an era of mass surveillance (Part I)

- 15:00 - 15:10 Statement by
- Mr Iain CAMERON, Member of the European Commission for Democracy through Law - "Venice Commission"
- 15:10 - 15:40 Questions & Answers
- 15:40 - 16:00 Statements by
- Mr Ian LEIGH, Professor of Law, Durham University
 - Mr Aidan WILLS, Independent consultant, formerly with Geneva Centre for the Democratic Control of Armed Forces (DCAF)
- 16:00 - 16:40 Questions & Answers
- 16:40 - 17:00 The situation in United Kingdom:
Statements by
- Mr David BICKFORD, Former Legal Director of the Security and intelligence agencies MI5 and MI6
 - Mr Gus HOSEIN, Executive Director, Privacy International
- 17:00 - 17:40 Questions & Answers
- 17:40 - 17:50 The situation in Germany:
Statement by
- Parlamentarisches Kontrollgremium of the German Bundestag
(Speaker tbc)
- 17:50 - 18:20 Questions & Answers
- 18:20 - 18:30 Concluding remarks and follow-up