Information on the upcoming vote on the EU-USA PNR Agreement

Dear MEP,

Soon you will be deciding on the EU-US agreement on passenger name records (PNR).
Since there is confusing information on this agreement, there are a few things we would like to clarify.

Please consider the following issues for your decision on the EU-US PNR Agreement:

Exchange of PNRs between the EU and USA is already daily practice

PNRs are created whenever a booking is made. To facilitate exchange between airlines, central computerised reservation systems (CRSs) are used. Currently only a few CRSs exist. Most of them are in the US, but all of them have offices and users in the US with full access to all worldwide PNRs. There is no data protection law in the US applicable to PNR data, and government access to CRSs is not restricted by the agreement. The data retention limits and usage restrictions in the agreement would apply only to the DHS copies of PNRs, not to the master copies held by the CRSs. Even the "depersonalised" PNRs would still include the unique "record locator" needed to retrieve the complete PNR from the CRS. Therefore US investigative forces have unregulated access to all PNR data, at any time, forever. This practice is violating European data protection laws. The sole reason for the US to push towards an agreement is so that European citizens will not be able to sue airlines or the CRSs for violating European data protection laws.

The agreement will not result in improved legal security for citizens

Contrary to recent statements by EU commissioner Cecilia Malmström, the PNR agreement will not increase legal security for citizens. It will, however, give legal protection to the current practice of data exchange and thus the travel industry partners in this agreement. It does not provide any benefit for European citizens.

PNRs are not "just" flight data

The term PNR suggests that only flight data is stored and transmitted, but much more information is collected: Everything reserved through a travel agency or online can be included in a PNR. Thus PNR data includes hotel bookings, car rentals, train tickets and much more. PNRs tell intimate details of the traveler's life and habits, such as special meal requests, whether or not they are sharing a bed with another person, etc. These are details most people consider very private information.

There is no access control or access logging

Access controls and access logs are mandatory for sensitive data like the one above. But there are no geographic controls on access to PNR data. Any airline or CRS office worldwide can retrieve any PNR of that airline or CRS. The EU-US agreement claims that all access to PNR data is logged. But when individuals have requested the logs of who has accessed their PNR data, airlines, CRSs, and the DHS have all said that they have no access logs. Thus the PNR data is open for abuse.

There is no appropriate information to travelers

Right now travelers are not informed which personal data is stored within the CRS systems and how long this information is stored. Information requests to airlines and travel agencies are usually answered unsufficiently. The legal action neccessary here would be the enforcement of European data protection laws, not the creation of a legal exemption for this very critical information.

In conclusion the EU-US PNR agreement will legalise the harmful practices of todays CRS systems. Further, it will not provide any benefit to European citizens. Therefore we ask you to reject the agreement. Only an international treaty with strong data protection safeguards based on European standards, which is also ratified by the US Senate, can provide improved legal security and protection of European citizens.

For further information please contact us at info@nopnr.org

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