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Report on the findings by the EU Co-chairs of the ad hoc EU-US Working Group on Data Protection

In June 2013, the existence of a number of US surveillance programmes involving the large-scale collection and processing of personal data was revealed. The programmes concern in particular the collection of personal data from US internet and telecommunication service providers and the monitoring of data flows inside and outside the US. Given the central position of US information and communications technology companies in the EU market, the transatlantic routing of electronic data flows, and the volume of data flows across the Atlantic, significant numbers of individuals in the EU are potentially affected by the US programmes.

An ad hoc EU-US Working Group was established in July 2013 to examine these matters. The purpose was to establish the main elements about US surveillance programmes and their impact on fundamental rights in the EU and personal data of EU citizens. A "second track" was established under which Member States may discuss with the US authorities, in a bilateral format, matters related to their national security, and the EU institutions may raise with the US authorities questions related to the alleged surveillance of EU institutions and diplomatic missions.

On the EU side, the ad hoc Working Group is co-chaired by the Commission and the Presidency of the Council. It is composed of representatives of the Presidency, the Commission services, the European External Action Service, the incoming Presidency, the EU Counter-Terrorism Co-ordinator, the Chair of the Article 29 Working Party, as well as ten experts from Member States, having expertise in the area of data protection and law enforcement/security. On the US side, the group is composed of senior officials from the Department of Justice, the Office of the Director of National Intelligence, the State Department and the Department of Homeland Security.

P R E S S

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/press>

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A preparatory meeting took place in Washington, D.C. on 8 July 2013. Meetings of the Group took place on 22 and 23 July 2013 in Brussels, on 19 and 20 September 2013 in Washington, D.C., and on 6 November 2013 in Brussels.

The findings by the EU co-chairs of the ad hoc EU-US Working Group are presented in this report ([16987/13](#)).
