



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 15 March 2010**

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USA 32**

**NOTE**

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from: General Secretariat of the Council  
to: Delegations  
Subject : Summary of the **meeting of the Delegation for relations with the United States**  
held in Strasbourg on 11 March 2010

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The meeting was chaired by Baroness Sarah Ludford (ALDE, UK) and Mr Elmar Brok (EPP, DE).

**1. Adoption of the draft agenda**

The draft agenda was adopted.

**2. Adoption of the draft minutes of 21 and 28 January 2010**

The draft minutes of 21 January and 28 January 2010 were adopted.

**3. Communications by the Chairman**

Baroness Ludford informed the members of the delegation that on March 9, 2010, Greece was designated as a member of the Visa Waiver Program (VWP) and that Greek citizens would therefore be able to travel to the United States (US) without a visa starting April 5, 2010.

Baroness Ludford reported on the upcoming visit of US Trade representative Ambassador Ron Kirk on 25 March 2010 in Brussels.

She informed her colleagues that the delegation had been criticized by the European Parliament (EP) for not having yet implemented the principle of gender mainstream in its work.

Mr Brok suggested Ms Niki Tzavela (EFD, EL) as the delegation's gender mainstream representative. This suggestion was agreed.

#### **4. 68th Interparliamentary Meeting in Madrid, 3-6 June - Preparations**

Concerning the meeting, Baroness Ludford explained that no authorization had been given yet by the Conference of Presidents. The decision was due to be taken that day. Baroness Ludford told members of the delegation that in the past the meeting normally took place in the country that hold the rotating Presidency. There was only a brief period, from 1995 until 2002, during which the meeting took place in Brussels. After 2002 it reverted to the previous situation. Arguments in favour of Madrid were very strong she said.

Mr Brok could not give a complete list of topics to be addressed in Madrid. Nevertheless he conveyed to Mr Peter Skinner (S&D, UK) that the issue of financial services would not be addressed and that Latin America would be part of the agenda. He explained that the meeting would be split in to two working groups that would report to the plenary. Members of the delegation discussed the possibility of inviting Mr Karel de Gucht, Commissioner for Trade, and the High Representative of the Union for Foreign Affairs and Security Policy Baroness Catherine Ashton. No decision was taken.

#### **5. Bureau visit to Washington, 3-5 March - Debriefing**

Mr Brok and Baroness Ludford said the visit had been a success. Discussions with the Chairs of the European Affairs Committees in the House, Mr William Delahunt, and Senate, Ms Jeanne Shaheen focused mainly on ways improve to the Transatlantic Legislators' Dialogue and on the Swift 'no' vote. There were also talks on trade and consumer protection, foreign policy and security matters.

#### **6. Consequence of Terrorist Finance Tracking Program (SWIFT) vote**

Mr Juan Fernando López-Aguilar (S&D, ES) told colleagues the US Senate and Congress were disappointed with the result of the vote.

Mr Timothy Kirkhope (ECR, UK), said he was in favour of a general agreement between the EU and the United States of America instead of bilateral agreements with Member States. He said a new Commission mandate for negotiations was expected on 24 March 2010. He said that the United States was aware of this schedule. In his opinion future negotiations would be lengthy.

He explained that the current problems were in part caused by the Council because in November 2009 the European home affairs ministers had passed an interim agreement with the US allowing American investigators wide access to EU banking data, overruling the EP's desire to see the agreement delayed until the Lisbon Treaty entered into force on 1 December. He said that the European Union could not continue to outsource its security services to the United States without any reciprocity

Mr Seán Kelly (EPP, IE) believed the 'no' vote on the interim SWIFT agreement would contribute to achieving a better agreement regarding data protection, information on third parties, reciprocity and redress.

Mr López-Aguilar said since the 'no' vote there had been informal exchanges of views between the Department of Justice, the Representative of Homeland Security Ms Mary Hellen Callahan and members of the EP Civil Liberties, Justice and Home Affairs committee. He explained that once the Commission reaches a definitive agreement with the United States on the Terrorist Finance Tracking Programme it will have to submit it to the Council and to the EP. According to him, the Council would soon be in a position to look at the negotiation mandate and was expected to adopt it by 22 April 2010.

Mr Brok informed the members of the delegation that he voted against the SWIFT agreement and accused the Council of ignoring the powers of the EP. He said the United States were now aware of the new powers enjoyed by the EP following the ratification of the Lisbon Treaty.

Mr Reinhard Bütikofer (Greens/EFA, DE) argued that the Presidency should have explained to the United States the new role of the EP with the advent of the Lisbon Treaty. In his opinion the Presidency lacked communication skills. Nevertheless he was pleased to observe the willingness of the United States to move forward despite the Parliament's rejection on 11 February of the EU-US agreement giving the US Treasury access to Belgian-based SWIFT's banking transfer records.

## **7. Any other business**

No other matters were discussed.

## **8. Date and place of next meeting:**

The next meeting will take place on Thursday 22 April at 10.15 in Strasbourg.