

PRESS RELEASE

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Joint EU-US statement following the EU-US Justice and Home Affairs Ministerial Meeting

1. On 22 June 2021, the Portuguese Presidency of the Council of the European Union hosted the EU-U.S. Ministerial Meeting on Justice and Home Affairs in Lisbon. The United States was represented by the Secretary for Homeland Security Alejandro N. Mayorkas, and by Deputy Assistant Attorney General and DOJ Counselor for International Affairs Bruce Swartz. The European Union, hosting the meeting, was represented by the Vice-President of the European Commission Margaritis Schinas, the Commissioner for Justice Didier Reynders, the Commissioner for Home Affairs Ylva Johansson, as well as the Portuguese Ministers for Justice Francisca Van Dunem and for Home Affairs Eduardo Cabrita, on behalf of the current Presidency of the Council of the European Union. The incoming Presidency of the Council was represented by the Slovenian Minister of the Interior Aleš Hojs.
2. The meeting in Lisbon was an opportunity to reaffirm the commitment of the European Union and the United States to work together and renew the transatlantic partnership, at a time of major challenges for our societies. The two sides concurred that cooperation on Justice and Home Affairs remains crucial, as we emerge from the COVID-19 pandemic. They further underscored their mutual commitment to uphold democracy and the respect for the rule of law.
3. The United States and the European Union will continue their joint efforts and work together to address and combat existing and emerging threats that affect our societies. Terrorism in all its forms remains a top security threat for the United States and the European Union, requiring prevention, permanent vigilance, adaptation and resilience from all relevant actors. Both sides praised the operational work and information exchange between EU agencies and U.S. law enforcement and judicial authorities to combat terrorism and serious and organised crime. Examples of such work were presented.
4. The United States and the European Union expressed their strong concern with the rise of violent extremism, as well as crimes inspired by hate speech, racism and xenophobia both in Europe and the United States. Violent extremism represents a direct threat to our democratic societies and deserves renewed attention by law enforcement, judicial authorities, the private sector and civil society. The United States and the European Union will pursue and expand their information exchanges on violent extremists, in particular those with transnational linkages.
5. The United States and the European Union stressed the importance of Passenger Name Record (PNR) data exchange as a key instrument to prevent, detect, investigate and prosecute terrorism, combat serious crime, including child exploitation, and protect the safety of citizens, as supported by the recent joint evaluation of the PNR Agreement between the European Union and the United States. Both sides expressed their mutual commitment to the continued exchange of PNR data while respecting privacy requirements, and to work together on the findings and recommendations of the joint evaluation, in an open, swift and constructive way.
6. The United States and the European Union acknowledged the need to cooperate and shape a digital future based on our shared democratic values. The United States and the European Union acknowledged the potential benefits and risks of using Artificial Intelligence technologies for law enforcement and the judiciary. They also reaffirmed their dedication to develop and use such technologies in a trustworthy manner in conformity with human rights obligations. They further exchanged views on current and upcoming European Union efforts on tackling illegal content online, including the need to improve the cooperation between the authorities and online platforms to detect ongoing criminal activity. The United States and the European Union commit to continue to work together on how law enforcement and judicial authorities can most effectively exercise their lawful powers to combat serious crime both online and offline. They agreed on the importance of together combating ransomware including through law enforcement action, raising public awareness on how to protect networks as well as the risk of paying the criminals responsible, and to encourage those states that turn a blind eye to this crime to arrest and extradite or effectively prosecute criminals on their territory.
7. As regards bilateral and multilateral instruments to facilitate the fight against cybercrime, the United States and the European Union restated their commitment to negotiate as soon as possible an EU-U.S. agreement facilitating access to e-evidence for the purpose of cooperation in criminal matters. Both sides also welcomed the recent approval by the Committee of State Parties to the Budapest Convention of the draft text of the Second Additional Protocol of the Budapest Convention, which remains the primary instrument for international cooperation on cybercrime. The United States and the European Union noted with appreciation their very good cooperation in the framework of the negotiations on a possible future United Nations international legal instrument on cybercrime and committed to continue to closely coordinate their respective positions.
8. The United States and the European Union underlined the importance of well-managed and humane migration and discussed their respective efforts to develop comprehensive and long-lasting migration and asylum policies, consistent with our commitment to the principle of respect for human dignity. Humanitarian protection should always be available to those who qualify for it, while unmeritorious claims must be detected quickly (including through information sharing and modern identity management techniques) and prevented from overwhelming our systems or public confidence in them. This agenda will require cooperation with third countries of origin, transit and destination, which also have a responsibility to discourage people from enlisting smugglers and traffickers and otherwise putting their lives at risk by taking a dangerous, irregular journey. In this context, both sides reaffirmed their interest in expanding the transatlantic dialogue on migration and mobility,

with a focus on sharing lessons learned, exploring complementary pathways to migration, addressing the root causes of irregular migration, improving the return and readmission of irregular migrants and enhancing cooperation in combatting migrant smuggling.

9. The United States and the European Union welcomed the progress made by the four EU Member States that have not yet been designated to the Visa Waiver Program and reiterated their willingness to pursue ongoing efforts in the context of the tripartite process and bilateral discussions.
10. Finally, the United States and the European Union reiterated their support to ensure safe and secure mobility and continued to exchange information on their respective measures towards the gradual resumption of non-essential international travel. Both sides committed to reinitiate secure travel between the United States and EU Member States as soon as possible, based on the principles of mutual cooperation, efficient operation of the international travel system and scientific evidence.
11. Reaffirming their joint commitment to advance together towards common solutions in all these areas, the United States and the European Union agreed to meet again in the second half of 2021 in Washington D.C.

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