

**Remarks minister Van der Steur, Leiden University, June 1st 2016.
w/ Loretta Lynch, US attorney general.**

Professor Stolker,

Attorney General Lynch,

Dear Carel and Loretta,

Dear students and professors!

It is great to be here today, at my alma mater Leiden. And it is even more special to be here in the presence of a US Attorney General.

Not only one of the most esteemed lawyers in the United States of America, but also a close friend.

And in the presence of so many students who – I am sure – enjoy Leiden as much as I did when I was a student here.

Today and tomorrow, The Netherlands is entrusted with an honourable task. The US and the EU regularly hold Justice and Home Affairs meetings. And as the current president of the EU Council of Ministers, the Netherlands has the honour of hosting it this time.

These meetings are part of a tradition that transcends us all. They have evolved from the history and the values the United States and Europe share. I am sure every one of you knows beautiful stories about this relationship that stretches over four hundred years.

We, the Dutch, like to tell stories about New York, the city formerly known as New Amsterdam. We like to remind everyone names as Harlem, Brooklyn and Flushing originate from the Dutch cities Haarlem, Breukelen and Vlissingen.

And we like to tell stories about the Plakkaat van Verlatinghe. The Dutch declaration of independence of 1581, that may very well have inspired Thomas Jefferson to write his.

We tell these stories proudly, but we often forget to remark that we chose to sell New Amsterdam for the salt trade in the Caribbean, losing our chance to own the United States of America.

But today, I would like to start this lecture by telling a different story. One that is both local ánd transatlantic.

Let me take you back to 1807, a time in which Leiden did not look a whole lot different from today. The university was already centuries old. Many of the houses had already been built. And canals, like the Rapenburg and the Steenschuur, not far from where we are now, had been dug ages ago.

On January 12 that year, a vessel carrying thousands of pounds of gunpowder was docked not far from here. Someone decided to cook a fish on the deck of the ship, which ignited the gunpowder. The ship exploded. The blast was heard in The Hague and Amsterdam. All over Leiden, windows broke and tiles were blown from roofs. Over two hundred houses were destroyed. And more than 150 people perished, many of them young children that were at school.

One of the victims, ladies and gentlemen, was a professor of Leiden University: Johan Luzac. An historian, a writer, and a scholar of the classical world. But he also was a strong advocate of American independence and the editor of the *Gazette de Leyde*. An internationally oriented newspaper, discussing foreign affairs, that was read by John Adams, George Washington and Thomas Jefferson. It was the *New York Times* of the eighteenth century.

Johan Luzac was acquainted with John Adams, who was the official negotiator and ambassador for the United States. While Adams lived in the Netherlands, the two often met. They were friends. And together, they started a lobby campaign to convince the Parliament of the Dutch Republic to recognize the United States as an independent nation.

It took many efforts, and a declaration of war by the British, to win over Parliament. A war the British started after the governor of Sint Eustatius in the Dutch Caribbean had been the first to salute an American ship. And on April 19, 1782, the Dutch Republic was the second country in the world to recognize a free, independent and 'United' States of America.

A decision based on friendship. But also inspired by a keen eye for strategic partnership. Dutch bankers made financial arrangements to help the young country. And in October 1782, John Adams was present at the signing of an *Agreement of Friendship and Trade* between the Dutch and the Americans.

A beautiful illustration of the long relationship between our two countries. Of our common history. And our common values. It is in this spirit, that we have the honour of welcoming AG Lynch and her delegation.

Tomorrow, we have a program in which we discuss the topics where American-European cooperation is needed. The Americans and the EU are already working together closely in my field of business: Strengthening the rule of law and enforcing the law to protect our citizens from crime and terrorist attacks.

This is interesting, because it makes our cooperation very broad and diverse. Take cyber crime for example. Criminals and certain activists, sometimes even state sponsored, exploit the online world. They use it to blackmail people and private companies. To steal valuable technologies. And to get their hands on confidential data from governments, businesses, and citizens.

The inherent architectural feature of the internet is the absence of borders. That is why we have no choice – as countries – than to work together more closely. If the criminals don't care about borders, we don't have the luxury of staying on our own turf. That is why we join hands internationally to be effective in upholding the rule of law in the digital world as well.

Or take the Caribbean parts of the Kingdom of the Netherlands. I cherish the cooperation between the American and Dutch jurists and law enforcers. We are facing a joint fight against organized, transnational and serious crime and terrorism. That is why we have to stimulate joint activities; To enhance the sharing of information; And to strengthen cooperation in the area of forensics and the organization of the criminal justice system.

If the effectiveness of the police, prosecution and judicial services increases, it benefits everyone in the region.

Tomorrow, we will reach another milestone in this combat against serious crime: The US, Aruba, Curaçao, St Maarten and the Netherlands will sign a so-called memorandum of understanding. This will expand and improve our cooperation on law enforcement and the criminal justice system of the Caribbean parts of the Kingdom.

But, ladies and gentlemen, this time around, the American visit is extra special. What is better than one agreement to sign? Two agreements to sign!

Tomorrow, we are signing another new agreement between the US and the European Union.

I won't talk you into believing that this agreement is just as important as the one John Adams and Johan Luzac propagated in the eighteenth century... Nevertheless, I think both the US and the EU can be very proud of what we have achieved.

Nearly six years ago, the idea was launched that the US and the EU would make an agreement on common principles for the protection of personal data. This was no easy task. The approach in data protection law in the EU and in the USA is different. The EU data protection framework in the law enforcement sector is shaped by comprehensive data protection guarantees.

These are codified in EU primary and secondary law and jurisprudence. In the EU necessity and proportionality considerations are very important in the determination of restrictions to the rights of individuals. The US data protection guarantees in the law enforcement sector vary according to the legal instruments in place.

Under these circumstances it was a huge challenge to find common ground. What is impossible in geography had to become reality in legal terms: We had to bridge an ocean.

Now, six years later, we can proudly say that an agreement has been reached. This agreement not only establishes a higher level of protection of personal data. It also furthers the cooperation between the US and the EU and its member states when it comes to law enforcement.

The agreement as such does not provide a legal basis for the transfer of personal data. It rather serves as an umbrella for existing and future treaties with the United States that give a foundation for data transfer.

What is special is that this "Umbrella Agreement" provides important additions: It improves the conditions for the processing of transferred data. It supplements safeguards and conditions. And it enhances individual rights of the persons concerned.

It was a daunting task, so I would like to congratulate the negotiators who have toiled on the text for many years.

As president of the Council of Justice and Home Affairs, I welcome this agreement. It will be an honor to sign it on behalf of the council of ministers. And I hope it will meet a favourable reception in the European Parliament.

Ladies and gentlemen,

Just like you, I am very eager to hear Attorney General Lynch speak about these efforts as well. So let me close by mentioning John Adams and Johan Luzac once again.

Luzac died not far from here, but his ideas still live on. If you are curious you can have a look in the John Adams library, where many of Luzacs writings can be read online.

And somewhere in this library, you may also find the words Adams wrote just before he died. About his memories to the Dutch Republic. And in which he applauded its achievements in the field of letters, science and trade.

"The ancient Greeks themselves," Adams wrote, "never surpassed the Dutch." "Except," he added, "in matters of taste."

The relationship between the Netherlands and the US is built on historical ties, shared values, friendship and mutual trust.

The cooperation between the EU and the USA is built on the fact that we are determined to safeguard our freedoms.

Freedoms that we have fought and died for in the past and freedoms that we are prepared to fight and die for in the future.

Attorney General Lynch, the floor is yours.