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PRESS RELEASE

The LIBE Committee rejects a proposal on the retention of data to prevent terrorist crimes

The Committee on Civil Liberties rejected today a proposal from four countries on the retention of data processed by telephone and internet providers for the purpose of prevention, investigation and prosecution of terrorist acts.

France, the United Kingdom, Ireland and Sweden submitted a joint proposal for a framework decision on the retention of communications data. The aim of the proposal is to facilitate judicial cooperation in criminal matters by approximating Member States' legislation on the retention of data processed and stored by providers of a publicly available electronic communications service. This would cover traffic and location data generated by telephony, SMS and Internet protocols, but would not apply to the content of the information communicated. The proposal provides for data to be retained in principle for a minimum of 12 and a maximum of 36 months.

In a report drafted by Alexander Nuno ALVARO (ALDE, DE) the Committee rejected the proposal almost unanimously -with only one vote against- due to sizable doubts on the choice of the legal basis and the proportionality of the measures. The report demands the Member States to produce a study proving the unquestionable need for the proposed data retention arrangements. It furthermore suggests verifying whether the decision's objectives might be achieved by implementing the Council of Europe's Convention on Cybercrime.

26.04.2005 Committee on Civil Liberties, Justice and Home Affairs
Procedure: Consultation
Plenary vote: June

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