



Alliance of Liberals and Democrats for **Europe**
Alliance des Démocrates et des Libéraux pour l'**Europe**

Press Release

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Data retention: ALDE rapporteur considers Council proposals "disproportionate, invasive and illusory"

Data retention has been on the European Parliament's agenda since April 2004, when four Member States (France, the United Kingdom, Ireland and Sweden) submitted a joint proposal for a Framework decision on the retention of communications data. The Proposal aims to co-ordinate Member States' legislation in this field, in order to increase prevention, investigation, detection and prosecution of criminal offences, including terrorist acts. European Liberal Democrats organised a hearing with experts and industry yesterday (3rd May) "*We need a genuine debate, one which has been sorely missing*", said Alexander ALVARO (FDP, Germany), the European Parliament rapporteur on the data retention proposal. "*The current proposal lacks a proper legal base, is disproportionate and ineffective. It needs a thorough rethink*", he added.

Prior to the hearing, ALDE leader Graham WATSON, who as former Chairman of the Civil Liberties Committee led the charge against Commission and Council on data privacy in the last Parliament, said: "*European countries must do more together to combat terrorism. However, a sense of proportion and a respect for individual privacy must infuse our approach*", he declared. "*The choice of legal base for this decision will be crucial. The US Congress will not agree to retention of data about American citizens. Why should EU governments believe that they can get away without referring such decisions to a democratic vote in Europe's Parliament?*" he asked.

The proposal in its current form would cover "traffic and location" data, including subscriber and user data, which is generated by telephone calls, text messages and emails, for example. The content of all communications would not however be retained. Furthermore, the data should be kept in principle between 12 and 36 months. During the round-table discussion, all speakers doubted whether such a Framework decision is in fact justified. They also expressed concern at the high storage costs that would be required. Many speakers stressed that aside from the risk of infringing civil liberties rights, there is equally a danger of burdening the European telecommunications industry. "*Although a liberal is generally sceptical about state control, I still have several concerns at this stage of our evaluation*," said Alexander Alvaro. "*Given the volume of data to be retained, particularly internet data, it is unlikely that an appropriate analysis of the data will be at all possible. We must also ensure that this proposal is compatible with article 8 of the European Convention on Human Rights which protects individuals' rights to privacy*", he added.

The report is scheduled for adoption at the June plenary session.

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