

The Data Retention Directive Directive 2006/24/EC

Presentation to Serbia screening meeting

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Unit A3 (police cooperation and information exchange)

Directorate-General for Home Affairs

European Commission



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Overview

- Telephone calls and internet activity generate data
 - Privacy laws require deletion when no longer needed for commercial purpose
- Since 2006 all data to be stored for 6 months- 2 years in case needed for criminal investigation
- Objective: harmonise conditions for internal market
 - Subscriber, 'traffic', location data – *not* content

Scope

- fixed network telephony, mobile telephony
- internet access, internet email, internet telephony – excluding ‘peer to peer’

Data necessary for identifying:

- (a) the source of a communication
- (b) the destination of a communication
- (c) the data, time and duration of a communication
- (d) the type of a communication
- (e) users' communication equipment or what purports to be their equipment
- (f) the location of mobile communication equipment

Implementation

Directive 2006/24/EC transposed in most of the 28 Member States

Transposed into national law	26
Partially transposed	2

Evaluation and review

- Evaluation report COM (2011)225: support and improve regulation of data retention
- Consultation 2011-12: Comms data important for law enforcement; impact on industry; privacy concerns
- Future reform: Purpose limitation, retention periods, standards for access and use, cost reimbursement, reporting.
- Pending ECJ judgments

Thank you

http://ec.europa.eu/home-affairs/policies/police/police_data_en.htm



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