

Fighting Against the Retention of Telecommunications Data

The Alliance of European Liberals and Democrats for Europe (ALDE) Party convening in Dublin, Ireland on 8-10 November 2012

Notes

- the Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC (hereinafter referred to as %Directive#;
- the obligation of Member States to incorporate the Directive in national legislation on the retention of telecommunications data.

Considering that

- the Directive requires the EU Member States to implement laws under which the suppliers of publicly available electronic communications services are required to retain specific data generated in course of the providence and use of their services for a period of at least six months but no longer than two years;
- those data should be available for a specific period of time for the purpose of the investigation, detection and prosecution of serious crimes;
- the Directive puts, by means of the automatic data retention, 502 million EU citizens under general investigation without any suspicion, thereby violating the principle of presumed innocence;
- the Directive claims to provide a legal framework for the war on terrorism and crime, but turns out to be an excessive, ineffective and inappropriate means preparing the path to a repressive surveillance society;
- the Directive backs a severe and unjustified violation of the protection of personal data as enshrined in Art 16(1) of the Treaty on the Functioning of the European Union as well as the right to self-determination on informational matters and to privacy of the European citizens;
- the Directive creates an enhanced risk for the abuse of the data stored under the provisions of the Directive.

Urgently calls on its members

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- to explore the possibilities of achieving a revision of the Directive;
- to undertake concrete steps for this purpose for the Directive;
- to mobilise European citizens for support;
- to examine the possibilities of strong cooperation among themselves and, more specifically, to explore the possibility of initiating a European Citizensq Initiative against the retention of telecommunications data according to Art 11(4) Treaty on the European Union on the Bureau to support the activities of its members to achieve a revision of the Directive.

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