



EUROPEAN COMMISSION
DIRECTORATE-GENERAL MIGRATION and HOME AFFAIRS

The Director General

Brussels, 28. 07. 2015
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Dear Mr McNamee,

First Vice-President Timmermans has asked me to reply to you on his behalf, as well as on behalf of Commissioners Jourova, Ansip and Avramopoulos.

Thank you very much for your letter of 2 July 2015 and for sharing with us a case study on data retention prepared by European Digital Rights (EDRi), the Electronic Frontier Finland (EFF), the IT-Political Association of Denmark (IT-Pol), the Open Rights Group (ORG) and Panoptikon.

As mentioned in your letter, the case study contains a list of EU Member States that have laws in place which, according to the contributing associations, are considered to be contrary to the ruling of the European Court of Justice in the Digital Rights Ireland case. Your letter also mentions that the study highlights the parts which could be in line with the criteria developed by the Court.

As you may know, the Commission's Communication of 28 April 2015 on the European Agenda on Security mentions at page 7 that, following the judgment of the Court of Justice on the Data Retention Directive, the Commission will continue monitoring legislative developments at national level.

The case study will further assist the Commission in building a picture of the situation at Member States' level. Hence I welcome the Association's efforts to assist the Commission in this task.

Yours sincerely

Matthias Ruete