



Cornelia Ernst and Rui Tavares  
on behalf of the GUE/NGL group

To Mr Juan Fernando López Aguilar  
Chair of the LIBE Committee

CC: Coordinators of political groups

Brussels, 04 March 2010

Dear Chairman,

yesterday, Germany's Federal Constitutional Court ruled that the data storage law, which stems from the European Union directive on the retention of data, was unconstitutional as it broke telecommunication secrecy. The judges said that it was not sufficiently made clear for what purposes the data would be used and that stricter conditions were required, limiting its scope so that information could only be used in secret if that is necessary in individual cases and ordered by a judge in order to prevent security threats.

We consider this judgement as a new relevant element contributing to the European debate on data storage and protection. Furthermore, EU Commissioner Viviane Reding stressed, with regard to the Commission's report on the directive which is expected for September 2010, that it has to be analyzed if the retention of the data is necessary, if the retention time is reasonable and if there are no other measures to meet the target.

For all these reasons, we would kindly like to ask you to add a point to the agenda of the next LIBE meeting on 16/17th March 2010 in presence of the Commission, in order to debate both the ruling and possible developments at EU level.

Yours faithfully,

Cornelia Ernst  
Rui Tavares