

AMENDMENT 47

by Kathalijne Maria Buitenweg and Carl Schlyter, on behalf of the Verts/ALE Group and Sylvia-Yvonne Kaufmann, on behalf of the GUE/NGL Group

Report**A6-0365/2005****Alexander Nuno Alvaro**

Data retention

Proposal for a directive (COM(2005)0438 – C6-0293/2005 – 2005/0182(COD))

The European Parliament rejects the Commission proposal.

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Justification

We reject the directive, since the amendments adopted by the Committee on Civil Liberties, Justice and Home Affairs in its report fail to make the necessary corrections to it from a political and legal point of view.

The legislation proposed by the Commission contravenes the proportionality principle even with the amendments contained in this report. Moreover, it is neither necessary nor effective. The proposed retention period is far too long, and the types of data to be retained are too wide-ranging. The definition of the competent authorities which are to have access to the data is imprecise, and access for intelligence services is not excluded. Inadequate provision is made for control mechanisms for data security.

The proposal for a directive seriously impinges on the fundamental rights of citizens and we cannot support it. Union citizens must not be placed under general suspicion. The Council and Commission have so far failed to provide proof that serious criminal offences can indeed be more successfully investigated by retaining vast amounts of communications data of all kinds.

Bearing in mind that introducing this measure would be extremely cost-intensive, it is preferable to invest this money in more effective measures to combat serious crime, such as targeted investigations and improved cooperation between law enforcement authorities.