

**Question for written answer E-005929/2018**  
**to the Commission**  
Rule 130  
**Adam Szejnfeld (PPE)**

Subject: GDPR and the protection of personal data processed by the police and other law-enforcement authorities

The GDPR, which entered into force in May 2018, is seen as comprehensive reform of the data protection system in almost all spheres of life. From the point of view of citizens, however, Directive 2016/680 (the so-called Police Directive) is equally important; it regulates the way personal data is processed by the police and other law-enforcement authorities.

Unfortunately, Member States have difficulties implementing the Police Directive. The problem lies not only in delays in transposition, but above all in the different interpretations of particular provisions. An example of a worrying approach displayed by national legislators is invoking the exception relating to national security in order to completely exempt certain services from the scope of legislation (subjective exemption), as opposed to exempting only the part of their activity that relates to national security (objective exemption), which seems contrary to the Directive.

Improper implementation of the Police Directive can be a direct threat to the existential interests of EU citizens. It should be remembered that law-enforcement authorities have access to the most sensitive data, e.g. relating to health, addictions, or sexuality, and data that reveals religion or beliefs and political opinions.

Considering the significant risk for basic rights and freedoms, can the Commission say: what action it is taking to ensure that the Police Directive is correctly implemented in all EU countries?