Question for written answer E-006966/2017
to the Commission
Rule 130
Sophia in 't Veld (ALDE)

Subject: Italian law on the six-year mandatory retention period for telecommunications data

On 8 November 2017, the Italian Parliament voted for the mandatory retention of telecommunications data for a period of six years[1]. This provision was adopted through a very unusual and inappropriate procedure, as an amendment to a completely unrelated law on lift safety. The Italian Data Protection Authority expressed its opposition to this law, on grounds of incompatibility with EU law and case-law[2]. The Court of Justice of the European Union (CJEU) has ruled in several cases against the massive and indiscriminate retention of personal data without due cause.

1. Is the Commission aware of this new provision, and does it agree with the Italian Data Protection Authority's assessment that it does not comply with EU rules on data protection and that CJEU case-law precludes such massive and indiscriminate processing of personal data?

2. Will it launch an infringement procedure against Italy?

3. Can it explain, as the custodian of the Treaties, what action it will take to ensure that the right to data protection of EU citizens is a meaningful right in practice, when governments violate EU data protection rules and ignore the opinions of the statutory data protection authorities?

[1] Article 24 of the Italian law entitled 'Disposizioni per l'adempimento degli obblighi derivanti dall'appartenenza dell'Italia all'Unione europea – Legge europea 2017'
http://www.senato.it/leg/17/BGT/Schede/Ddliter/48376.htm
[2] http://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/6651715