

Question for written answer E-003304/2026
to the Commission
Rule 144
Jean-Paul Garraud (PfE)

Subject: Is the EU paving the way for widespread digital surveillance?

At the informal meeting of EU Justice Ministers on 17 and 18 July 2026, a broad consensus was reached in favour of developing new EU rules on data retention for law enforcement purposes. The initiative was presented as essential to investigations, particularly in cross-border cases involving serious and organised crime.

However, the Court of Justice of the European Union (CJEU) has repeatedly held that general and indiscriminate retention of traffic and location data constitutes very serious interference with the fundamental rights to privacy and to personal data protection. What is more, it is the Member States that are primarily responsible for tackling crime.

In view of the above:

1. How will the Commission ensure that its future legislative proposal fully abides by CJEU case-law?
2. What points can it put forward to demonstrate that the adoption of a new EU framework would offer real added value compared with the existing national arrangements and mechanisms for judicial and police cooperation between Member States?
3. Does it intend to leave the Member States sufficient discretion to determine for themselves data storage arrangements that are compatible with their constitutional traditions, their security requirements and the principle of subsidiarity?

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