(English version)

Question for written answer E-001948/26
to the Commission
Alessandro Zan (S&D), Giuseppe Lupo (S&D), Alessandra Moretti (S&D), Georgia Tramacere (S&D), Pina Picierno (S&D), Sandro Ruotolo (S&D), Irene Tinagli (S&D), Brando Benifei (S&D), Marco Tarquinio (S&D), Camilla Laureti (S&D), Cecilia Strada (S&D), Annalisa Corrado (S&D), Elisabetta Gualmini (Renew), Gaetano Pedulla' (The Left), Leoluca Orlando (Verts/ALE), Ilaria Salis (The Left)
(11 May 2026)

Subject: The compatibility with EU law of the Italian 2026 Security Law's video surveillance measure

Also known as the 2026 Security Law, Decree-Law No 23/2026 allocates EUR 19 million to the expansion of the interconnected video surveillance networks that are used by municipalities, local police forces, provincial police headquarters (*questure*) and Italy's gendarmerie (*Carabinieri*) and financial police (*Guardia di Finanza*). The new law does not, however, lay down any minimum IT security requirements (such as strong authentication procedures, centralised access tracking and network segmentation) or data protection measures for these networks which, given the absence of implementing decrees, will not be governed by an appropriate protection and guarantee framework.

We believe this surveillance measure to be at odds with Regulation (EU) 2016/679 (particularly Articles 32, 24, 25 and 35 thereof) and also have concerns about the role allocated to the Data Protection Authority ([1]) and the Security Law's compliance with the principles of data security, accessibility and protection. Finally, we fear that Decree-Law No 23/2026 could turn out to be vague and disproportionate, and that these expanded surveillance systems could therefore be vulnerable to unauthorised access, be complemented by inadequate organisational and technical measures and be used in unjustified profiling initiatives and in other ways that exceed their stated purpose.

Having regard to the EU's cybersecurity framework, the NIS2 Directive and the provisions of Articles 7 and 8 of the Charter of Fundamental Rights, and considering the need to ensure the full implementation of the NIS2 Directive, we ask the Commission:

1. Is it aware of the 2026 Security Law's surveillance measure and its inadequate protection and guarantee framework?

2. Does it consider the provisions outlined above to be compatible with EU law? If not, what further measures does it think are needed to bring this surveillance measure in line with European law and ensure that it fully upholds fundamental rights?

3. Will it take action to ensure compliance with EU law?

Supporter ([2])

Submitted: 11.5.2026

Answer given by Mr McGrath on behalf of the European Commission
(14 September 2026)

The Commission is aware of Decree-Law No 23/2026 on additional funding for municipal video surveillance systems under the Urban Security Agreements established by Decree-Law No 14/2017.

Processing of personal data remains subject to EU and national law. Where municipalities process personal data, the General Data Protection Regulation (GDPR) ([1]) applies, including the principles of lawfulness, necessity, proportionality and the requirements of Articles 24, 25, 32 and, where appropriate, 35.

Where competent authorities process data to prevent, investigate, detect, prosecute criminal offences, Directive (EU) 2016/680 ([2]), as transposed into Italian law, applies.

It includes requirements on lawfulness, security, accountability and logging. National supervisory authorities are best placed to assess compliance.

Directive (EU) 2022/2555 ([3]) requires essential and important entities in 18 critical sectors — including public administrations — to adopt cybersecurity risk management measures and report significant incidents.

---

1 https://www.garanteprivacy.it/home/docweb/-/docweb-display/docweb/10184654.
2 This question is supported by a Member other than the authors: Cristina Guarda (Verts/ALE).
([1]) https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng.
([2]) https://eur-lex.europa.eu/eli/dir/2016/680/oj/eng.
([3]) https://eur-lex.europa.eu/eli/dir/2022/2555/oj/eng.

The directive excludes entities dealing with national security, public security, defence or law enforcement. Italy notified full transposition by 17 October 2024.

The Commission will continue to monitor the implementation of the relevant EU legislation in this area.