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***Workshop: Data Retention -
Conflicts with Fundamental
Rights***

Notes:

Aim of Directive 2006/24/EC:

- Harmonisation of the obligations of providers of publicly available electronic communications services or of public communications networks
- With respect to the retention of traffic and location data
- For the purpose of investigation, detection and prosecution of serious crimes

Principles of necessity and proportionality:

- What are "serious crimes"?
- Reliability of the Data and possible ways to avoid identification despite data retention
- The alternative of "quick freezing" / Retention period
- Estimation in the light of Article 8 ECHR

Access to retained Data

- Necessity of a judicial writ
- Access to data for private parties concerning violations of copyrights?
- Access to data for intelligence service?