

Brussels, 7 July 2010  
D(2010)1136 – A2335

*Dear Mr Breyer,*

*Thank you for the letter of 22 June 2010 signed by over 100 organisations from Europe inviting the European Commission to replace the EU Data Retention Directive by a system of expedited preservation and targeted collection of traffic data.*

*As you are certainly aware, the services of my colleague Mrs Cecilia Malmström, the Home Affairs Commissioner, are currently preparing an assessment of the Data Retention Directive. On this basis, the European Commission will submit, by 15 September 2010, an evaluation of the application of the Data Retention Directive to the European Parliament and the Council. The purpose of this evaluation is to determine whether there is a need for a review of some of the provisions of the Directive, in particular the categories of data to be retained and the periods of retention.*

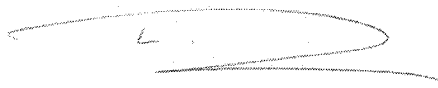
*In my capacity as Commissioner responsible for Justice, Fundamental Rights and Citizenship, I intend to participate actively in this review process led by my colleague Cecilia Malmström.*

*The review of the EU Data Retention Directive provides the European Commission, but also the 27 EU Member States and the European Parliament, with an opportunity to assess the effectiveness and proportionality of the measures included in the Directive. I will in this context ask for a particular focus on the considerable impact data retention may have on fundamental rights of all European citizens, especially with regard to their privacy.*

*As you know, the EU's Charter of Fundamental Rights and the Lisbon Treaty have strengthened the EU's stance in protecting the privacy of our citizens in the context of all EU policies, also when it comes to law enforcement and crime prevention. The effectiveness and proportionality of measures that have been put in place over the past years therefore deserve a fresh assessment.*

*Let me reassure you that in my capacity as EU Commissioner for Justice, Fundamental Rights and Citizenship I will work closely with Commissioner Cecilia Malmström to ensure that the upcoming review achieves the best possible results for the EU and its citizens.*

*Yours sincerely,*



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*Cc: Mrs Neelie Kroes, Vice-President, Digital Agenda Commissioner  
Mrs Cecilia Malmström, Home Affairs Commissioner*