



Brussels, 6 January 2020

## **Joint Statement encouraging EU legislators to fight for fundamental rights protections in e-Evidence legislation**

Together we represent millions of users, thousands of European and international companies, and more than one million legal practitioners, that soon will be affected by the new “e-Evidence” legislation that will require online service providers to directly respond to cross-border requests by foreign law enforcement agencies.

We therefore urge the European Parliament, the Council and the European Commission to strike the right balance between expanding law enforcement’s ability to gather electronic evidence and protecting fundamental rights in the new e-Evidence legislation.

Our members believe strongly that the new necessary investigative powers of law enforcement agencies as foreseen in the e-Evidence proposal must be accompanied by adequate safeguards to protect citizens and companies against overreach and misuse of these new powers. Without meaningful EU-wide safeguards, trust in the EU’s rule of law will decrease, and our members will bear the negative consequences.

We are encouraged by the draft parliamentary [report](#) of the Civil Liberties, Justice and Home Affairs (LIBE) Committee of the European Parliament which was presented by Rapporteur MEP Birgit Sippel in November 2019. The report goes beyond the status quo by significantly strengthening law enforcement's ability to investigate crime and terrorism while also introducing important checks and balances against an abuse of fundamental rights. These checks and balances are absent from the Council's [General Approach](#).

We welcome the European Parliament's efforts to lead the way in preparations for constructive negotiations with the Council and Commission and hope that the EP's final report will be further improved while also avoiding walking back key fundamental rights protections.

The following associations have signed this letter:

- ACT | The App Association [actonline.org](http://actonline.org)
- Ametic [ametic.es](http://ametic.es)
- Bitkom [bitkom.org](http://bitkom.org)
- BSA | The Software Alliance [bsa.org](http://bsa.org)
- CCBE - The Council of Bars and Law Societies of Europe [ccbe.eu](http://ccbe.eu)
- CDT - Center for Democracy & Technology [cdt.org](http://cdt.org)
- eco - Association of the Internet Industry [eco.de](http://eco.de)
- EuroISPA [euroispa.org](http://euroispa.org)
- ISPA Austria (Internet Service Providers Austria) [ispa.at](http://ispa.at)
- NLdigital [nldigital.nl](http://nldigital.nl)
- Syntec Numérique [syntec-numerique.fr](http://syntec-numerique.fr)