

# EU ministers raise privacy concerns in e-evidence bill

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Several EU countries including Germany have raised concerns that the bill falls short on citizens' rights guarantees

EU ministers raised concerns Friday about whether citizens' rights are protected in a bill aimed at speeding up investigators' access to email and

other digital evidence in cross-border terrorism cases.

The European Commission, the EU's executive arm, introduced the bill in April to help prosecutors obtain digital evidence from US and other [internet providers](#) within hours or days instead of weeks or months under current rules.

The 28-nation European Union's justice ministers said they had agreed a draft on new rules for accessing e-evidence and were ready to negotiate the terms with the European Parliament.

"These new rules will replace the existing cumbersome methods with quick and efficient tools to gather and exchange e-evidence across borders," Austria's justice minister Josef Moser said in a statement.

"This will help protect our citizens, and will do so without compromising their rights and freedoms," said Moser, who chaired the meeting as Austria currently holds the EU's six-month rotating presidency.

But Germany's justice minister Katarina Barley and several of her other EU counterparts raised concerns that the draft fell short on rights guarantees.

The draft would leave it up to the service provider to decide whether data is released to a requesting member state, even though the government hosting the provider should also be involved, Barley said.

"We know that the principles of the rule of law are not respected equally everywhere in the European Union," she told reporters.

Barley appeared to be alluding to Poland and Hungary, which have received warnings from Brussels over threats to the independence of its courts.

But she voiced hope the bill could be bolstered during negotiations with the European Parliament, where many "share our criticism."

The ministers said they hoped to adopt the e-evidence legislation before the parliament's term ends in May.

Vera Jourova, representing the commission, the executive arm of the 28-nation EU, said she wants to begin talks with the United States on reciprocal arrangements soon.

Under the draft, [service providers](#) would be expected to respond within 10 days, or six hours in an emergency, when judges or prosecutors in an EU member state ask for emails, text messages or other electronic communications.

It follows the US adoption in March of the CLOUD Act, designed to streamline the process for law enforcement seeking [digital evidence](#).

But it has been criticised by civil liberties and digital rights activists.

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