



**Computer & Communications
Industry Association**
Tech Advocacy Since 1972

DIGITALEUROPE 

June 10, 2016

Joint statement

Industry supportive of Member States' efforts to improve criminal justice in cyberspace

CCIA Europe, DIGITALEUROPE and BSA | The Software Alliance welcome the balanced approach of the Member States in improving criminal justice in cyberspace.

In its conclusions yesterday, the Justice and Home Affairs Council focused among other things, on enhancing engagement between Member States and the private sector, improving intergovernmental information sharing cooperation (streamlining mutual legal assistance and mutual recognition instruments) as well as safeguards to guarantee effective, proportionate and necessary investigative measures in the online world.

Our associations welcome the Council and Commission's intentions to identify ways to solve legal conflicts arising from the patchwork of national criminal and privacy laws. In so doing, Member States recognize that unilateral action by individual governments can place companies operating in several countries in perilous legal situations. We trust those efforts will help the EU make strides towards a more coherent international legal framework for companies, law enforcement and consumers alike.

We do caution however against any moves to determine jurisdiction for a Member State to address requests directly to the local office of a company, legally established in another member state, simply because it has a presence in that member state. That will not improve efficiency and co-operation in fact the reverse due to added complexity.

The conclusions adopted yesterday lay the groundwork for a broader policy debate on how to tackle cybersecurity and cybercrime while protecting data protection as well as respecting the principles of proportionality and subsidiarity.

This will be particularly important in the growing debate around encryption. We call on the EU to avoid any proposals that would require companies to deliberately undermine the integrity and security of their products, infrastructure and services. We also urge Member States to strongly endorse innovation in security technologies to ensure that individuals and enterprises can reap the greatest benefits of the digital economy which is central to job creation and economic prosperity in the EU.

Our associations look forward to an open and fruitful dialogue with all relevant stakeholders.

The signatories:

DIGITALEUROPE

BSA | The Software Alliance

Computer and Communications Industry Association (CCIA Europe)