

Organisations Tell E-Evidence Stories and Urge to Uphold High Level of Fundamental Rights Safeguards



News

Thomas Wahl

Following their open letter of May 2021 (→ [eucrim 2/2021,105-106](#)), several civil society organisations maintained their criticism of the planned Regulation on European Production and Preservation Orders in criminal matters (“e-evidence Regulation” → [eucrim 1/2018, 35-36](#)). They published a [compendium of scenarios](#) that showcase situations in which the e-evidence Regulation would lead to serious fundamental rights concerns. The scenarios include:

- The media freedom and journalistic sources;
- The medical confidentiality and health data;
- The freedom to protest in Member States with systemic rule-of-law issues;
- The right to a fair trial.

The chapters highlight the fundamental rights at stake, describe hypothetical problematic situations involving the cross-border access to personal data and explain the necessary safeguards advocated for to mitigate fundamental rights harms.

In the light of the scenarios, the organisations make several recommendations to the EU policymakers. The compendium is designed to contribute to the ongoing trilogue negotiations on the EU’s possible e-evidence legislation (→ [eucrim 1/2021, 38](#)).

AUTHOR

Thomas Wahl

Senior Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

ISSN: 1862-6947

<https://eucrim.eu>



About eucrim

eucrim is the leading journal which regularly informs about current developments in European criminal and “criministrative” law.

All news items are freely accessible at: <https://eucrim.eu/news/>

Stay informed by emailing to eucrim-subscribe@csl.mpg.de to receive alerts for new releases of issues.

The project is co-financed by the Union Anti-Fraud Programme (UAFP), managed by the [European Anti-Fraud Office \(OLAF\)](#).



**Co-funded by
the European Union**