

EN

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Answer given by Ms Johansson
on behalf of the European Commission
(8.4.2021)

The Commission believes that encryption plays a fundamental role in ensuring strong cybersecurity and the effective protection of fundamental rights, such as privacy, including the confidentiality of communications, and protection of personal data. At the same time, it makes it more difficult for law enforcement and the judiciary to detect criminal activities. Any solution to obtain lawful access to evidence should not prohibit or generally weaken encryption.

Europol is not involved in any research or pilot project to obtain remote access to external computer systems or telephones. Neither Europol nor the Commission have initiated related feasibility studies.

To date, Europol has not acquired software or hardware to enable remote access to external computer systems or telephones. As provided for in Article 4(1)(g) of the Europol Regulation¹, Europol shall develop, share and promote technical and forensic methods for Member States. Against this background, Europol also researches respective products available on the market. However, under Article 39 of the Europol Regulation, the use of new technologies by Europol is subject to prior consultation with the European Data Protection Supervisor.

¹ OJ L 135, 24.5.2016, p. 53–114.