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## WRITTEN DECLARATION

submitted under Rule 136 of the Rules of Procedure

on encryption

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Lapse date: 12.12.2016

**Written declaration, under Rule 136 of Parliament's Rules of Procedure, on encryption<sup>1</sup>**

1. Apple's fight with the FBI has spilled across borders, threatening to delay the transatlantic Privacy Shield agreement.
2. After the recent terrorist attacks, governments across the European Union are pushing increasingly for greater access to data on people's digital lives.
3. Encryption is the most important technology to ensure security, as it ensures the confidentiality and integrity of communications and allows people to better protect themselves against espionage and cybercrime. Allowing EU law enforcers to access protected data would make digital systems vulnerable to criminals, terrorists and foreign intelligence services. This would have undesirable consequences for the security of information stored and communicated and for the integrity of ICT systems, which are essential for the functioning of the EU and its society.
4. The Commission and the Council are hence called upon to study possible political and legal solutions in order to:
  - prevent disputes in Europe similar to the Apple-FBI dispute;
  - avoid mandatory disclosure of encrypted communications except by judicial order;
  - enable companies to implement strong encryption in order to protect EU customers, especially in this rapidly evolving cyber-threat environment.
5. This declaration, together with the names of the signatories, is forwarded to the Council and the Commission.

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<sup>1</sup> Under Rule 136(4) and (5) of Parliament's Rules of Procedure, where a declaration is signed by a majority of Parliament's component Members, it is published in the minutes with the names of its signatories and forwarded to the addressees, without however binding Parliament.