

Permanent Representation to the EU

B - Brussels

The Consumer Voice in Europe

By Email

Ref.: BEUC-X-2020-109

06 November 2020

**Subject: ePrivacy Regulation – WP TELE meeting 11 November**

Dear member of the Working Party on Telecommunications and Information Society,

I am writing on behalf of BEUC – The European Consumer Organisation ahead of the discussion on the ePrivacy Regulation foreseen for the Working Party on Telecommunications and Information Society meeting of 11 November 2020.

First of all, we would like to reiterate the **need to finally reach an agreement in Council**, so that negotiations with the Parliament and the Commission can start swiftly.

In this context, while we remain concerned about certain aspects of the text, we acknowledge that progress was made and the improvements of [the proposal](#) introduced by the German Presidency (dated 4 November 2020). We therefore ask you to endorse the approach of the Presidency and reach an agreement so trilogue negotiations can start as soon as possible.

In particular, we **support that “legitimate interests” or further processing for “compatible purposes” are not included** as legal grounds for processing communications data under Article 6. We underline that otherwise the ePrivacy Regulation would lower the current level of protection for consumers. We also welcome improvements to render the **supervision and enforcement** of the rules more coherent.

We **still** have **concerns** for example regarding the protection of consumers against tracking and access to their terminal equipment, in particular the deletion of Article 10.

Despite these concerns, we underline that **it is time to move on to the next step in the legislative process**. This is an important file for consumers and the future of our digital society and economy. The reform of the current rules is essential to strengthen individuals' fundamental rights to privacy and confidentiality of communications, and address the problems created by online commercial surveillance.

We look forward to a positive outcome of your discussions in Council and remain available to answer any queries you may have.

Yours sincerely,

David Martin Ruiz  
Senior Legal Officer and Digital Team Leader  
BEUC – The European Consumer Organisation