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Charles Clarke wanted members of the EU to retain phone and e-mail data.
 Picture: PA

Clarke loses battle over European terror plans

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Key points

- Home Secretary thwarted over terror plans
- UK desire for increased surveillance of telecoms rejected
- Civil rights and cost of tracking messages main sources of opposition

Key quote

"We think it's a rather unsophisticated approach to a complex problem. The implications of this total package are very considerable, and it seems to me that we're talking about hundreds of millions of euros on a pan- European basis" - *Michael Bartholomew, head of lobbying group*

Story in full

CHARLES Clarke, the Home Secretary, yesterday failed to win European Union backing for a plan to retain phone and e-mail data to help combat terrorism.

Mr Clarke's hopes of an agreement at a summit in Newcastle were dashed as EU members, including Germany, stood by their objections on civil rights grounds, and telecoms companies warned that such a scheme would saddle them with enormous costs.

In the wake of the London terrorist attacks, Mr Clarke wants to use the UK's presidency of the EU - which runs until January - to agree a common rule obliging telecoms firms to retain communications data for possible use by the security services in tracking suspected terrorists.

Mr Clarke had convened the meeting of EU justice and home affairs ministers in the hope

of overcoming other countries' doubts. But despite insisting that an agreement is still possible, Mr Clarke appeared to make little headway towards that end yesterday.

As well as long-held concerns over state surveillance, some EU ministers raised doubts about who would pay for the technology involved in storing the communications data.

"Industry will take the position that this is something the state must pay for," said Brigitte Zypries, the German justice minister.

And the European Telecommunications Network Operators' Association, which represents most of the EU's phone and internet firms, yesterday delivered a warning that the total cost of the plan could easily exceed £100 million a year. "We think it's a rather unsophisticated approach to a complex problem," said Michael Bartholomew, the head of the lobbying group.

"The implications of this total package are very considerable, and it seems to me that we're talking about hundreds of millions of euros on a pan- European basis."

After the meeting broke up without an agreement, Mr Clarke insisted that neither civil liberties nor costs should stand in the way of his plan.

"We don't think either of those issues are justified, though we understand them," he said.

The Home Office has set aside £6 million to compensate firms for additional costs, and has already signed at least one contract with a mobile phone firm.

To bolster his argument, Mr Clarke yesterday deployed Jim Gamble, the assistant chief constable of Britain's National Crime Squad to argue for data retention.

"Were we not able to go back and see who said what, when, and where we would be fundamentally disabled," Mr Gamble said.

• Six civil liberties campaigners from the NO2ID group opposing plans for a national identity card were arrested in Newcastle yesterday before they could stage a protest at the summit.

Web links

- Draft EU constitution (pdf)
<http://european-convention.eu.int/docs/Treaty/cv00850.en03.pdf>
- European Convention
<http://european-convention.eu.int/bienvenue.asp?lang=EN&Content=>
- Europa - The EU online
http://europa.eu.int/index_en.htm
- Council of the European Union
<http://ue.eu.int/en/summ.htm>
- EU Committee of the Regions
<http://www.cor.europa.eu/>
- European Central Bank
<http://www.ecb.int/>
- European Commission
http://europa.eu.int/comm/index_en.htm
- European Court of Justice
http://curia.eu.int/en/instit/presentationfr/index_cje.htm

- [European Parliament](http://www.europarl.eu.int/news/public/default_en.htm)
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