

Message 001

Communication from the Commission - TRIS/(2026) 1129

Directive (EU) 2015/1535

Notification: 2026/0199/DE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261129.EN

1. MSG 001 IND 2026 0199 DE EN 21-04-2026 DE NOTIF

2. Germany

3A. Referat EB3 Bundesministerium für Wirtschaft und Energie

3B. Referat RB3 Bundesministerium für Justiz und Verbraucherschutz

4. 2026/0199/DE - V00T - TELECOMS

5. Law on the Introduction of IP Address Storage and Further Development of Data Collection Powers in Criminal Proceedings

6. Telecommunications Services (Internet Access Services and Number-Independent Interpersonal Telecommunication Services)

7.

8. Firstly, an obligation is introduced for Internet access service providers to store IP addresses in order to

enable authorised bodies (in particular law enforcement agencies and police authorities) to reliably identify a subscriber using an IP address.

Secondly, the instrument of the data retention order is created. This allows authorised authorities (in particular law enforcement agencies) to order the storage of traffic data from telecommunications services (providers of Internet access services and number-independent interpersonal telecommunications services) if and insofar as the legal or factual prerequisites for data collection are not yet met.

The draft law sets out requirements for the obligated parties regarding the manner of data processing, in particular requirements for the storage, retention, and deletion of data. These requirements directly follow the case law of the European Court of Justice. With regard to the obligation to store IP addresses, these are in particular the requirements set out in the Judgement of 30 April 2024 (Case C-470/21, *Quadrature du Net II – Hadopi*). With regard to the seizure order, the European Court of Justice formulated requirements, in particular in its Judgement of 6 October 2020 (Joined Cases C-511/18, C-512/18 and C-520/18, *Quadrature du Net I*). The rules on seizure orders also serve to ensure the enforceability of Regulation (EU) 2023/1543.

9. Criminal offences often have digital components, for example, in the communication of suspects via messenger services, the distribution of child pornography, criminal trading platforms offering narcotics or Cybercrime-as-a-Service (CaaS), and seemingly legitimate online shops selling goods that do not actually exist (so-called fake shops). The perpetrators leave digital traces, for example, the Internet Protocol (IP) address they use. These traces are often fleeting, as internet service providers only store IP addresses for a few days, if at all. The aim of the draft is to improve the success rate of queries by law enforcement and police authorities.

Furthermore, the instrument of a retention order is created for traffic data. This allows authorised authorities to prevent the data from being deleted insofar as the conditions for data collection have not yet been met.

10. Reference to the basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu