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**LIMITE**

|                   |                       |
|-------------------|-----------------------|
| <b>COSI 10</b>    | <b>DATAPROTECT 16</b> |
| <b>ENFOPOL 12</b> | <b>JAI 60</b>         |
| <b>IXIM 13</b>    | <b>CT 9</b>           |
| <b>CATS 2</b>     | <b>FREMP 20</b>       |
| <b>COPEN 9</b>    | <b>TELECOM 27</b>     |
| <b>CYBER 19</b>   | <b>ENFOCUSTOM 8</b>   |
| <b>CEPOL</b>      | <b>EUROPOL</b>        |
| <b>EUROJUST</b>   | <b>FRA</b>            |

**NOTE**

|          |                                                                                                   |
|----------|---------------------------------------------------------------------------------------------------|
| From:    | Presidency                                                                                        |
| To:      | Delegations                                                                                       |
| Subject: | Access to data for effective law enforcement: Overview of activities during the Cyprus Presidency |

In line with the way forward on access to data for effective law enforcement endorsed by the Standing Committee on operational cooperation on internal security (COSI) on 18 November 2025<sup>1</sup> and following the activities in the Council structures during the Danish Presidency<sup>2</sup>, the Cyprus Presidency provides the COSI Support Group in the Annex with an overview of envisaged activities during the first semester of 2026.

Delegations are invited to provide comments on the overview of envisaged activities and to inform about the state of play of ongoing activities at national level.

<sup>1</sup> 14472/1/25 REV1.

<sup>2</sup> 15481/25 ADD1.

**Overview of the envisaged activities on access to data for effective  
law enforcement during the Cyprus Presidency**

**A. Data retention**

| Nr. | Activity                                                                                                                                                                                                                   | Source <sup>8</sup> | HLG<br>rec.      | Responsible<br>party/parties           | Timeline/status       |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|------------------|----------------------------------------|-----------------------|
| A1  | Impact assessment with a view to updating EU rules on data retention as appropriate                                                                                                                                        | Roadmap<br>COSI     | 27,<br>28,<br>29 | Commission                             | By Q2/2026            |
| A2  | Build on the SIRIUS project to streamline cooperation with electronic communications service providers                                                                                                                     | Roadmap             | 11,<br>12,<br>13 | Commission,<br>Europol and<br>Eurojust | Ongoing               |
| A3  | Develop, in cooperation with the private sector, a catalogue of data that electronic communications providers process for their business purposes                                                                          | Roadmap             | 17               | Europol and<br>Eurojust                | Started in<br>Q4/2025 |
| A4  | Conclude MoUs with private parties, laying down the principles of cooperation with industry, leveraging the experience of SIRIUS, to enhance transparency and get access to categories of available data                   | COSI                | 14,<br>17,<br>31 | Member<br>States                       | Ongoing               |
| A5  | Assess the development of rules on accountability and enforceability for service providers to retain and provide data, e.g. through the implementation of administrative sanctions or limits on operating in the EU market | COSI                | 25,<br>30,<br>33 | Commission                             | Ongoing               |

In the Council, the Working Party on Judicial Cooperation in Criminal Matters (COPEN) is in charge of the follow-up of activities related to data retention. As stated in the Commission's roadmap for lawful and effective access to data for law enforcement ('the Roadmap')<sup>3</sup>, the Commission is working on the impact assessment for the development of a possible legislative proposal on data retention, which will be published in 2026. During the Cyprus Presidency, COPEN will examine the Impact Assessment on data retention once presented by the Commission. Furthermore, the Commission will be invited to provide updates to the Member States in relation to their work on access to data, including data retention.

The Commission, Europol and Eurojust will be invited to update the Law Enforcement Working Party (Police) (LEWP-P) and possibly COPEN (Data Retention) on their efforts to streamline cooperation with electronic communications service providers.

<sup>3</sup> 10806/25.

## B. Lawful interception

| Nr. | Activity                                                                                                                                                                                                      | Source        | HLG rec.           | Responsible party/parties | Timeline/status                                         |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|---------------------------|---------------------------------------------------------|
| B1  | Propose measures to improve the efficiency of cross-border requests for lawful interception through existing instruments, including assessing the need to further strengthen the European Investigation Order | Roadmap       | 38, 39, 40, 41, 42 | Commission                | By 2027                                                 |
| B2  | Explore measures to create a level-playing field for all types of communication providers in the enforcement of lawful interception obligations                                                               | Roadmap       | 36, 37             | Commission                | Ongoing                                                 |
| B3  | Determine the most efficient approach to tackle non-cooperative communication providers                                                                                                                       | Roadmap, COSI | 33, 34, 35         | Commission                | Ongoing (might require a clear target)                  |
| B4  | Support the deployment of secured information sharing capacities between Member States, Europol and other security agencies                                                                                   | Roadmap       | 9, 24              | Commission                | From 2026 to 2028, depending on availability of funding |
| B5  | Implement cross-border lawful interception measures, building on existing mechanisms such as the European Investigation Order and bilateral and multilateral agreements                                       | Roadmap       | 9, 10              | Member States             | Ongoing                                                 |

Following an exchange of views by the Coordinating Committee in the area of police and judicial matters in criminal matters (CATS) on improving the effectiveness of lawful interception in cross-border cases on 25 November 2025, COPEN will follow up on the matter. Member States will be invited to share their experiences with implementing cross-border lawful interception measures, building on existing mechanisms such as the European Investigation Order and bilateral and multilateral agreements.

The Commission will be invited to the LEWP-P to present developments with a view to preparing the relevant supporting instrument for the deployment of secured information sharing capacities between Member States, Europol and other security agencies.

### C. Digital forensics

| Nr. | Activity                                                                                                                                                                                          | Source        | HLG rec. | Responsible party/parties        | Timeline/status                                  |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------|----------------------------------|--------------------------------------------------|
| C1  | Coordinate a gap and needs analysis of research, development, deployment maintenance and uptake of common technical solutions for digital forensics                                               | Roadmap       | 1        | Commission and Europol           | By Q2/2026                                       |
| C2  | Continue to support the development of technical solutions for digital forensics through appropriate funding and coordination mechanisms                                                          | Roadmap       | 2, 4     | Commission and Europol           | Ongoing                                          |
| C3  | Support Member States and procurement authorities in putting in place joint purchases of licences for digital forensics tools, starting with a pilot phase                                        | Roadmap, COSI | 3        | Commission and Europol           | By Q2/2027                                       |
| C4  | Further develop and promote the Europol Tool Repository to enable law enforcement authorities access to non-commercial digital tools                                                              | Roadmap, COSI | 4        | Europol                          | Concept presented to LEWP-P in Q4/2025           |
| C5  | Participate in, support and steer the development, validation and uptake of digital forensic tools                                                                                                | Roadmap       | 5        | Member States                    | Ongoing                                          |
| C6  | Support the creation of training materials and resources                                                                                                                                          | Roadmap       | 7        | Commission                       | Ongoing                                          |
| C7  | Prioritise delivering digital forensics training                                                                                                                                                  | Roadmap, COSI | 7        | CEPOL, Member States and ECTEG   | Concept presented to LEWP-P in Q4/2025           |
| C8  | Support the development and implementation of a certification scheme at EU level for digital forensic experts                                                                                     | Roadmap, COSI | 7        | CEPOL, Member States and ECTEG   | From Q1/2026 to Q4/2028                          |
| C9  | Europol should further develop into a centre of excellence for operational expertise in digital forensics and step up its role in coordinating the creation of knowledge in this area at EU level | Roadmap, COSI | 2        | Europol                          | From 2026 onwards                                |
| C10 | Facilitate cooperation between law enforcement authorities and private parties, including service providers, on digital forensics and help set common data formats for digital forensic purposes  | Roadmap       | 9        | Europol                          | Concept by 2026                                  |
| C11 | Explore a European approach for the management of vulnerabilities in internal security, while taking due account of the EU cybersecurity framework                                                | COSI          | 2, 6     | EU Innovation Hub, Member States | Ongoing (might be good to define a clear target) |

Following the discussion at the LEWP-P on 9 October 2025, a compilation of Member States' comments on facilitating cross-border cooperation in digital forensics was issued<sup>4</sup>. During the Cyprus Presidency, the Commission and Europol will be invited to present a first outline of the gap analysis of research, development, deployment maintenance and uptake of common technical solutions for digital forensics. The European Anti Cybercrime Technology Development Association (EACTDA) and volunteering Member States will be invited to present their activities to support and steer the development, validation and uptake of digital forensic tools. The Presidency also considers providing delegations with an update on the creation of training materials and resources for digital forensics training. The EU Innovation Hub for Internal Security has been invited to work in its thematic cluster on encryption on a European approach for the management of vulnerabilities in internal security, while taking due account of the EU cybersecurity framework.

#### **D. Decrypting data**

| Nr. | Activity                                                                                                                        | Source        | HLG rec.       | Responsible party/parties                          | Timeline/status                                                             |
|-----|---------------------------------------------------------------------------------------------------------------------------------|---------------|----------------|----------------------------------------------------|-----------------------------------------------------------------------------|
| D1  | Deliver a technology roadmap on encryption                                                                                      | Roadmap, COSI | 22, 23, 26, 32 | Commission                                         | Results expected by Q4/2026                                                 |
| D2  | Support the research and development of new decryption capacities to equip Europol with next-generation decryption capabilities | Roadmap       | 4              | Commission and Europol with the support of the JRC | Activities will start in 2026; the new platform is not expected before 2030 |

In December 2025, the Commission organised the first meeting of the informal Commission Expert Group for a Technology Roadmap on Encryption, composed of 15 members with different profiles. During the Cyprus Presidency, the Commission will be invited to provide updates on the work of the informal expert group to the COSI Support Group and the Horizontal Working Party on Cyber Issues (HWPCI).

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<sup>4</sup> WK16149/25.

## E. Standardisation

| Nr. | Activity                                                                                                                                                                                                                        | Source  | HLG rec.           | Responsible party/parties | Timeline/status         |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|--------------------|---------------------------|-------------------------|
| E1  | Develop and streamline standardisation activities for lawful access, supported by suitable governance mechanisms                                                                                                                | Roadmap | 8, 20              | Commission and Europol    | From Q2/2025 to Q2/2027 |
| E2  | Devote sufficient resources to ensure that security practitioners participate in relevant standardisation forums on lawful access                                                                                               | Roadmap | 20                 | Member States             | Ongoing                 |
| E3  | Make best use of industry cooperation, standard-setting, and building or acquiring relevant tools when preparing for the implementation of the e-evidence regime; adequately involve law enforcement authorities in the process | COSI    | 15, 16, 17, 18, 19 | Member States             | Ongoing                 |
| E4  | Consider updating the Law Enforcement Operational Needs for Lawful Access to Communications (LEON)                                                                                                                              | COSI    | 21                 | Europol and Member States | 2026                    |

Following the exchange of views by COSI on the standardisation aspects of access to data for effective law enforcement on 18 November 2025, the Commission and Europol will be invited to update COSI or the COSI Support Group on their support to Member States in better coordinating and prioritising law enforcement representation in standardisation bodies.

## F. Artificial Intelligence (AI) solutions for law enforcement

| Nr. | Activity                                                                                                                                                                                                                                                                      | Source  | HLG rec. | Responsible party/parties                       | Timeline/status                 |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------|-------------------------------------------------|---------------------------------|
| F1  | Foster the creation and uptake of new AI solutions and improve existing ones for filtering and analysing digital evidence, including through the full use of AI regulatory sandboxes (e.g. at Europol) for their development, testing and evaluation, in line with the AI Act | Roadmap | 4        | Commission<br>Europol                           | From 2025 to 2028               |
| F2  | Engage in a dialogue with law enforcement and other stakeholders to identify their needs, building on the work of Europol's Innovation Lab and the EU Innovation Hub                                                                                                          | Roadmap | 4        | Commission,<br>EU<br>Innovation<br>Hub, Europol | Ongoing                         |
| F3  | Support the creation of clear guidelines for the use of AI in law Enforcement                                                                                                                                                                                                 | Roadmap | 4        | Commission<br>Europol                           | Ongoing,<br>expected in<br>2026 |
| F4  | Support pilot projects aimed at developing and training legally and technically sound AI solutions for digital forensics, data analysis and other investigative tools for law enforcement use                                                                                 | Roadmap | 4        | Commission                                      | Ongoing,<br>through ISF         |

During the Cyprus Presidency, the Commission will be invited to keep the LEWP-P updated regarding the regulatory developments on AI, including on different pieces of guidance that support the implementation of the AI Act, and on the outcomes of the Commission's expert group on AI in Home Affairs. The Commission and Europol will be invited to contribute to a discussion on how Member States can be better supported in the development and uptake of AI solutions, based on the work done in EU funded projects. The EU Innovation Hub for Internal Security and Europol will continue to assist in identifying the needs of law enforcement and other relevant stakeholders.

## G. Horizontal activities

| Nr. | Activity                                                                                                                        | Source | HLG rec. | Responsible party/parties                       | Timeline/status    |
|-----|---------------------------------------------------------------------------------------------------------------------------------|--------|----------|-------------------------------------------------|--------------------|
| G1  | Raise awareness through targeted communication activities                                                                       | COSI   |          | Member States, EU CTC, Commission, JHA agencies | Ongoing            |
| G2  | Collect case examples to update the repository of key messages                                                                  | COSI   |          | Europol and Eurojust                            | Ongoing            |
| G3  | Raise awareness about possible solutions facilitating lawful access to data and devising cross-cutting initiatives under EMPACT | COSI   |          | Commission and Member States                    | Started in Q4/2025 |

During the Cyprus Presidency, Europol and Eurojust will be invited to keep the COSI Support Group informed about their ongoing efforts to collect illustrative case examples to update the repository of key messages on access to data. In addition, the preparation and results of targeted communication activities will be considered by the COSI Support Group.

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