



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 December 2005

**15449/05
ADD 1**

LIMITE

**COPEN 196
TELECOM 145
CODEC 1149**

ADDENDUM TO OUTCOME OF PROCEEDINGS

of JHA Council
on : 2 December 2005

No. prev. doc. : 15101/1/05 COPEN 191 TELECOM 141 REV 1

No. Cion prop. : 12671/05 COPEN 150 TELECOM 96 CODEC 803

Subject : Item 8 of the agenda:
Data retention

The text of a declaration relating to Article 15(1) of Directive 2002/58/EC which the Commission intends to make upon the adoption of the draft Directive on data retention, is set out in the Annex.

This Annex is added as Annex V to doc. 15449/05 COPEN 196 TELECOM 145 CODEC 1149.

Declaration by the Commission to be added as ANNEX V to doc. 15449/05 COPEN 196
TELECOM 145 CODEC 1149:

"The Commission recalls that the fundamental principles of necessity and proportionality govern the application of Article 15(1) of directive 2002/58/EC and Article 11 of this directive."
