

From: [REDACTED] (HOME)
Sent: 27 February 2017 23:37
To: SORECA Luigi (HOME); [REDACTED] (HOME); [REDACTED] (HOME); [REDACTED] (CAB-KING); ROSSIDES Giorgos (CAB-AVRAMOPOULOS); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (HOME); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (HOME-EXT); [REDACTED] (HOME)
Cc: 'documents-groups-task--force--on--electronic--evidence@connected.cnect.cec.eu.int'; [REDACTED] (HOME); [REDACTED] (HOME); [REDACTED] (HOME); [REDACTED] (CNECT); [REDACTED] (HOME); HOME NOTIFICATIONS D4
Subject: Flash Report: Meeting with Facebook on e-evidence, 27/2, 3pm

Follow Up Flag: Follow up
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Flash Report: Meeting with Facebook on e-evidence, 27/2, 3pm

Facebook: [REDACTED], Global Policy Development, and [REDACTED], Policy Manager – EU Affairs
 COM participants: [REDACTED] and [REDACTED], [HOME.D.4](#)

Facebook asked for a meeting to update on a few new developments and check where things were heading on our end. They had three main points:

- the **need to ensure compatibility between the e-evidence process and the ePrivacy negotiations**, also in view of the new DE-FR letter, and our position on this;
- the fact that there had been mention of a **communication** to be adopted in May which had now in their view disappeared from the work programme; and
- an **overview of options that companies are currently considering** to respond to concerns about access to e-evidence.

Facebook also – in response to my prior request – took us through a presentation of parts of their law enforcement portal, focused on emergency requests. This was useful also in light of the fact that the D.C.-based liaison magistrates had recommended the portal as a good approach, however, as the presentation was focused more on the emergency side we struggled a bit to understand how it would work in a normal setting.

On the **Communication**, we reassured them that there would be a presentation of options in late May and early June. On **ePrivacy**, I explained again that the wording in our view did not hinder our work on e-evidence; [REDACTED] was interested in where things might go in the Council and we said that there was no way of knowing but that Member States – as evidenced by the Council Conclusions – appeared committed to finding workable solutions to the e-evidence process.

On the **options** providers are looking at: Facebook explained that the companies (in particular FB, Google and Microsoft) are considering to propose four main ideas to improve access to e-evidence:

1. Organising a "Train the trainer" conference to train law enforcement on how to request evidence directly, possibly in cooperation with Europol;
2. Creating general "best practice" guidelines across several platforms listing minimum requirements for law enforcement requests;

3. Mapping the differences and similarities between different companies' policies and considering options for streamlining;
4. Create best practice guidance for law enforcement single points of contact (SPOC), i.e. what a model SPOC might look like

Discussion on these options is ongoing between the companies.

The meeting took place in a positive and constructive atmosphere.

Best regards

