

LOCATION AND PROXIMITY DATA

CASE LAW – CJEU

LOCATION AND PROXIMITY DATA

- [C-623/17](#) - Privacy International
Judgment of the Court (Grand Chamber) of 6 October 2020
Privacy International v Secretary of State for Foreign and Commonwealth Affairs and Others

Request for a preliminary ruling from the Investigatory Powers Tribunal - London
Reference for a preliminary ruling – **Processing of personal data in the electronic communications sector** – Providers of electronic communications services – **General and indiscriminate transmission of traffic data and location data** – Safeguarding of national security – Directive 2002/58/EC – Scope – Article 1(3) and Article 3 – **Confidentiality of electronic communications** – Protection – Article 5 and Article 15(1) – Charter of Fundamental Rights of the European Union – Articles 7, 8 and 11 and Article 52(1) – Article 4(2) TEU

- [C-203/15](#) - Tele2 Sverige
Judgment of the Court (Grand Chamber) of 21 December 2016
Tele2 Sverige AB v Post- och telestyrelsen and Secretary of State for the Home Department v Tom Watson and Others

Requests for a preliminary ruling from the Kammarrätten i Stockholm and the Court of Appeal (England & Wales) (Civil Division)
Reference for a preliminary ruling — Electronic communications — Processing of personal data — **Confidentiality of electronic communications** — Protection — Directive 2002/58/EC — Articles 5, 6 and 9 and Article 15(1) — Charter of Fundamental Rights of the European Union — Articles 7, 8 and 11 and Article 52(1) — National legislation — **Providers of electronic communications services** — Obligation relating to the general and **indiscriminate retention of traffic and location data** — National authorities — Access to data — No prior review by a court or independent administrative authority — Compatibility with EU law

CASE LAW

ECHR

GPS location data¹

- [Uzun v. Germany](#), 2010, §§ 51-52
- [Ben Faiza v. France](#), 2018, §§ 58-61

¹ European Court of Human Rights, [Guide to the Case-Law of the of the European Court of Human Rights](#), Data protection, First edition - 31 December 2020.