### Avenues for Working Group 2 to explore

The following table presents the range of possible solutions that were set out by participants both at the first Working Group 2 meeting and at the second HLG Plenary which can be developed further in the second WG2 meeting according to three main solution areas:

<table>
<thead>
<tr>
<th>Solution area</th>
<th>Avenues to explore</th>
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| Harmonisation/legislative approaches | • Developing Union policies and exploring legislation on data retention to:  
  o reduce the impact of fragmentation of data retention frameworks for lawful access to data by law enforcement authorities by exploring the possibilities compatible with the Charter and the CJEU case-law;  
  o clarify the interplay of data retention with data protection rules (GDPR/LED), ePrivacy and the e-evidence package;  
  o address open challenges such as non-unique IP addresses, lack of geolocation or encryption;  
  o create a level playing field for all electronic communication service providers, including OTTs. |
| Capacity building                    | • Establishing standardised formats for data retention and access, based on ETSI standards (notably for categories of data currently not covered by standards).  
  • Establishing standardised and secured channels for exchanges with SPs via the e-evidence exchange system.  
  • Fostering the development of MS capacities to access, exchange and process digital evidence. |
| Foster and codify cooperation with communication and technology providers. | • Reflect on mechanisms for a robust cooperation with communication and technology providers e.g. to increase transparency and better address technological shifts. |