

European Regional Bureau Newsletter



24 March – 31 March 2017

<http://www.Internetsociety.org/what-we-do/where-we-work/europe>

Internet Access

EU: Commission consultation on telecoms guidelines

- On 27 March, the European Commission opened a public consultation (until 26 June) on the review of the Significant Market Power (SMP) Guidelines. The guidelines aim at giving national telecoms regulators guidance on how to carry out market analysis and effectively enforce telecoms and competition rules.
- The updated guidelines should reflect the evolving marketplace with new players and over-the-top services as well as new technologies and 5G. The revision will coincide with the implementation of the European Electronic Communications Code.

EU: Maltese Presidency of the Council of the EU – leaked position on telecoms review

- A draft of the position of the Maltese presidency on the ongoing negotiations on the reform of the telecoms framework was leaked this week. The leaked document addresses the services provisions in the European Electronic Communications Code, particularly security of network and services, universal services obligations, numbering, and end-user rights.

Trust

Global: RightsCon conference in Brussels, 29-31 March

- The RightsCon Summit, one of the world's leading event on the future of the Internet gathered over 1 400 attendees from more than 500 organizations to discuss how to keep the internet open, free, and secure. Speakers included high level officials from both EU and Member States as well as representatives from civil society, including ISOC EU Bureau and ISOC staff as well as ISOC Trustee Walid Al-Saqaf.
- ISOC engaged in several discussions from data localization, to encryption, online extremism and Internet shutdowns. Our colleague Nicolas Seidler, ISOC lead for Internet and Humans Rights, also shared ISOC perspectives on Internet Content Blocking (<https://www.internetsociety.org/doc/internet-content-blocking>)

EU: Brexit, Article 50, and Implications for the Tech Sector

- On 29 March, British Prime Minister Theresa May officially triggered Article 50. The beginning of the two-year negotiation period leading to Brexit is associated with a number of concerns for the technology sector and the European Union's Digital Single Market Strategy.

- Chief among these concerns are brain drain and effects on research, how to deal with data transfers, telecommunications regulation, and online shopping. With the departure of the UK from the Council of the EU, other countries are also looking to step in to fill the gap left in terms of a pro-business, technologically savvy approach.

EU: Discussions on possible legislation on e-evidence and encryption

- European Justice Ministers met this week to discuss e-evidence. Member states differ on the topic with the UK, Germany and France calling for action on encryption while Belgium Prime Minister Alexander De Croo stated his support for encrypted communication for citizens.
- The Commission will propose new measures by June to make it easier for police to access data on internet messaging apps like WhatsApp in the shape of “three or four options that will combine non-legislative and legislative proposals.”

EU: Commissioner Jourova exchange of views on privacy rules with the United States

- European Commissioner for Justice, Vera Jourova, has been in Washington DC to meet US representatives including Jeff Sessions (US Attorney General), Wilbur Ross (US Secretary of Commerce), and Jim Sensenbrenner (Republican Congressman active on state data surveillance).
- Commissioner Jourova said she was “satisfied” by the talks she had on the country’s commitment to the privacy shield data agreement.
- The US Congress has recently repealed key privacy measures applying to US telcos, which can now theoretically track their customers’ online habits. This decision is not likely to be imitated in Europe. The new ePrivacy regulation is likely to require telecom companies and messaging platforms to invest more into guaranteeing high privacy levels for their users.

Privacy Shield Review to be held in September

- The European Commission has announced that it and the US government will review the privacy shield agreement on data transfers in September. US national intelligence experts and European data protection authorities will also be invited to contribute to the review. Privacy shield is currently facing challenges in the EU Court of Justice.

EU: Members of Parliament’s call for data protection in trade agreements

- Two Members of Parliament, Viviane Reding and Jan Philipp Albrecht, warned the Commission about the language used on data flows in trade deals amid the final negotiations on the EU-Japan free trade agreement.
- They argue that the EU “must take the lead in pushing higher data protection standards around the world” and support a “European third way” to safeguard data protection in trade agreements which “cannot be subjected to negotiations.”

EU: Further cooperation between the European Data Protection Supervisor and the European Union Agency for Fundamental Rights

- On 30 March, the European Data Protection Supervisor and the European Union Agency for Fundamental Rights signed a memorandum of understanding to strengthen ties to improve data protection cooperation.
- The two organizations will share information, invite each other to relevant expert meetings and explore opportunities to collaborate on research activities.

Global: European telcos to join the Global Network Initiative

- Nokia, Orange, Telefónica, Telenor Group, Telia Company and Vodafone Group have joined the Global Network Initiative (GNI) which already gathers 5 Internet companies (Facebook, Google, LinkedIn, Microsoft and Yahoo) and 35 human rights and press freedom groups, and investors.
- The GNI argues for the protection of global freedom of expression and privacy rights.

Global: Media companies calls on G7 to fight internet piracy

- Some of the largest media companies, including BBC, Sky, Sony Music and the Walt Disney Company, asked in a joint letter the G7 culture ministers and European Commission President Jean-Claude Juncker to strengthen the fight against Internet piracy “to ensure the continued success of the entertainment sector.”

Germany: Privacy fears boost Deutsche Telekom cloud service

- The German telecom company Deutsche Telekom unveiled good results for its cloud computing service. It benefitted from the fears of hacking ahead of German elections and tougher national legislation on privacy which made cloud computing services kept within German borders more popular.
- Meanwhile, the American Senate Intelligence Committee Chairman Richard Burr has warned that Russia is “actively involved” in the upcoming French and German elections.

The Netherlands: Parliament hit by a cyber attack

- On 28 March, Dutch media reported that the Dutch Parliament was targeted by cyber criminals with ransomware that encrypts files and asks its owners for money to unlock them. The Parliament confirmed the incident and said it had taken measures to solve the problem.

UK: The government and tech firms agree on actions tackling extremist content

- Leading tech firms including Microsoft, Facebook, Google and Twitter sent a joint letter to UK Home Secretary Amber Rudd responding to her call for more action on hate speech and emphasizing their commitment to removing hateful and terrorist content from their online platforms.
- The letter also comes after recent criticisms from the Home Secretary on encryption who said that “organizations like WhatsApp ... [shouldn't] provide a secret place for terrorists to communicate with each other”. However, notably, the tech firms made no commitments on or mention of encryption in their letter.