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Data protection

UK: Google ordered to remove stories about the right to be forgotten

- The UK Information Commissioner’s Office (ICO) has ordered Google to take down links to articles covering the removal of links to stories under the right to be forgotten.
- Google has been told to remove nine search results for an individual's name, which linked to coverage of the person's minor criminal offence committed close to ten years ago. The search engine company had previously removed links to news coverage at the time of the offence following a request from the individual, as the information was no longer deemed relevant. However, despite the person’s requests, Google did not remove subsequent articles referencing the complainant's right to be forgotten request and the conviction it involved.
- The ICO ruled that the subsequent coverage of the removal should also be removed, giving Google 35 days to comply. ICO Deputy Commissioner David Smith stated that Google was right to accept the original request but is wrong now as newer links that reveal the same details have the same negative impact and should therefore be removed.

Germany: Doubts about constitutional compliance of the new data retention rules

- Der Spiegel reported that according to internal documents of the Federal Ministry of Justice, the latest draft of the new data retention law does not yet comply with the ruling of the Court of Justice of the EU which last year invalidated the EU Data Retention Directive.
- Reportedly, the draft law suggests for all citizens’ data to be retained for a period of up to ten weeks. This goes against the requirement set out by the Court according to which data retention is only lawful if justified by a cause and limited in scope.
- Federal Minister of Justice Heiko Maas voiced his confidence with regards to the new proposal meeting the requirements set by the Court and the German Constitutional Court.

Internet governance

Global: IANA transition postponed

- The National Telecommunications & Information Administration of the United States Department of Commerce announced that it will prolong its IANA contract with ICANN until 30 September 2016, with the option of extending by an additional three years.
- The extension should provide the Internet’s global multi-stakeholder community with the time needed for the transition of the stewardship role related to Internet’s domain name system.
Cloud computing

Germany: New cloud computing rules impose data localisation requirements

- New rules for government cloud computing require cloud providers to sign a non-disclosure agreement stipulating that official data can only be processed in Germany. The rules will guarantee that data does not end up in foreign disclosure obligations. Furthermore, German government offices will only be able to use clouds certified by the BSI, the government’s IT security office, or by equally strict standards.
- While the rules only apply to national agencies, Federal Ministry of the Interior hinted that the private sector could follow suit. In Germany, cloud providers can qualify for the ‘German cloud’ certification if their servers and company headquarters are in the country.
- At the EU level, the Digital Single Market strategy highlighted that data localisation requirements can limit the benefits of digital services. Commenting on the new German rules, Commission spokesperson stated that while Member States initiatives aiming to build trust in cloud computing are supported, solutions at European level are necessary to avoid market fragmentation and to stimulate growth.
- Security concerns have been holding back the market uptake of cloud computing. According to Eurostat figures, almost 40% of European companies using clouds named security as the main factor limiting their use. Despite security concerns, the European Commission estimated that over the next five years, cloud computing could bring €450 billion to the EU's GDP.
- New EU initiatives focusing on cloud contracts, certification, switching providers and on setting up a European research cloud will be presented in 2016.

Open Internet

UK: BSG launches a review into industry led approach to the Open Internet

- The Broadband Stakeholder Group (BSG), an advisory body to the UK government, launched a review into the country’s industry led approach to the Open Internet. The aim of the review is to assess the effectiveness of the current structure, its future under the upcoming Connected Continent framework, and possible improvements and benefits for consumers and service and content providers. The study will be undertaken by WIK, Germany’s Institute for Infrastructure and Communications Services.
- The BSG brokered the creation of the UK’s Open Internet and Traffic Management Transparency Codes of Practice. One of the key parts of the code commits ISPs to provide open and full Internet access products. Providers of over 90% of fixed and mobile connections in the UK are signatories to the code.

Russia: As the number of Internet users increases, will they face more hurdles to access content?

- The number of Internet users in Russia passed the threshold of 80 million in June 2015, a report by a Russian digital technology consultancy comScore confirmed. According to the report, users prefer domestic platforms (e.g. Mail.ru or Yandex) when it comes to accessing news or social media, whilst YouTube and other foreign platforms dominate the online video market. The fact that foreign video platforms host diverse types of content has often created tensions with Russian authorities.
- In the latest of a series of incidents, Russia’s telecoms regulator Roskomnadzor has ordered the blocking of a Euronews video published on YouTube. A user comment published below the video was deemed extremist by a local court.

General

France: Public consultation on digital law will be launched in September

- In an interview with France Info, Axelle Lemaire, Secretary of State in charge of digital, confirmed that an online public consultation on the proposed digital law will be launched in September.
• Protection will be promoted as one of the main pillars of the upcoming law. The law should address the question of the right to be forgotten for minors and the concept of "digital death".
• Economy Minister Emmanuel Macron is currently working on an additional digital law that will be larger, targeted at the modernisation of economy, Lemaire stated.