ISOC European Regional Bureau Newsletter

2 July – 8 July 2016
http://www.Internetsociety.org/what-we-do/where-we-work/europe

Privacy Shield

EU: Privacy Shield gets green light from Article 31 Committee

- On 8 July, the **EU national data experts adopted the data transfer agreement** and paved the way towards final approval by the joint meeting of the EU Commissioners, expected on Monday 11 July. The date of the **official signing of the deal will be Tuesday 12 July**.
- Companies will from now on be given legal backing to transfer data across the Atlantic. In addition, the US will create an ombudsman within the State Department to file complaints from EU citizens concerning espionage activities by the US. Greater emphasis is placed on the obligation of companies to erase personal information that no longer serves the purpose it was initially collected for.

Data Protection

EU: The review of the e-Privacy Directive

- Following approval of the General Data Protection Regulation (GDPR) and the Data Protection Directive for Law Enforcement Agencies (LEDP), focus has shifted towards the **revision of the e-Privacy Directive**.
- The e-Privacy Directive contains rules on data protection in the field of telecommunication in public electronic networks and is the only piece of EU legislation regulating the confidentiality of communications.
- The European Digital Rights association (EDRi) has published an **analysis** to help guide policy makers in the review process.

EU: Commission reassess position on compensation to consumers for use and sale of their data

- The European Commission reassessed its stance concerning the **proposal** for a directive on the supply of digital content, which is currently being reviewed by the Council and the European Parliament. The executive has **narrowed its view on the scope of data that would be returned to consumers** when they terminate their contract with a company.
- The original proposal on digital contract for digital content required companies to return all an individual's data, including metadata such as time and location. It is now unlikely that the European Commission will include metadata on the initial proposal or challenge the European Parliament or Council on this regard.
- The Directive now lies in the hands of the Slovak EU presidency and will have to forge a preliminary compromise between all Member States. A final compromise is expected in early 2017.

Telecoms

EU: Trade bodies join forces to repeal ePrivacy Directive
- On 5 July, the day that the public consultation on e-privacy closed, Associations representing major tech and telecom companies stated their belief that **the ePrivacy Directive should be repealed** via a <u>joint statement</u> explaining their positioning.
- The European Telecommunications and Network Operators association (ETNO), the European Competitive Telecommunications Association (ECTA) and DigitalEurope, amongst others, opined that "sector-specific rules on privacy are no longer able to address the challenges of the digital age".
- They consider **the General Data Protection Regulation already provides enough privacy safeguards** and advise the European Commission to pay special attention to overlaps between each of the legislative pieces.

EU: Telecoms companies publish 5G manifesto - but request net neutrality changes
- A manifesto signed by the CEOs of BT, Deutsche Telekom, Telecom Italia and Vodafone, amongst others, commits to the launch of 5G networks in at least one city in every EU country by 2020.
- In exchange, the companies have called for net neutrality rules proposed by the EU to be abandoned, arguing technologies for sectors such as self-driving cars will be hindered unless these rules are overhauled.

Cybersecurity

EU: NIS Directive approved in Parliament at second reading
- The Network and Information Systems (NIS) regulatory Directive was approved on 6 July. MEPs exchanged views and expressed general consent with the Council's position. After its publication in the EU Official Journal, Member States will have 21 months to transpose the directive and six additional months to identify operators of essential services.
- The Directive requires online market places, cloud computing services and search engines to adopt risk management practices and report major incidents to national authorities. This will enable improved capacity-building with greater cross-border cooperation inside the EU.
- Member States will identify companies under the subsectors that fall under the Directive by following identification criteria. Member States are responsible to set different reporting guidelines for businesses from one another and for tailored guidance to be issued on cyber security incident reporting by businesses depending on which sector they operate in.

EU: European Commission launches cybersecurity public-private partnership to generate €1.8 billion of investment by 2020
- The European Commission signed an <u>agreement</u> with industry to better equip Europe against cyber-threats and strengthen the competitiveness of the cybersecurity sector.
- Signed on 5 July, it represents the first European **public private partnership on cybersecurity** to be launched and will involve EU investment of €450 million.
- The aim of the partnership is to foster cooperation at an early stage within the research and innovation process and join-up efforts to achieve the best cybersecurity solutions in various sectors.
- The European Commission is also studying the presentation of a **European certification framework for ICT security products**.

Worldwide: More than 10 million Android devices infected by malware

- The malware – referred to as "HummingBad" – has affected over 10 million Android devices worldwide.
- A **report** by cybersecurity firm Check Point explains how – once installed - the malware is able to obtain control of the device and control permissions, enabling the downloading of apps and tap on adverts without the user's knowledge. The potential is there for attackers to sell access to the device or the user's information.

Internet Platforms

EU: Dutch favour less regulation on digital policy

- The Dutch government's position on internet platforms regulation was revealed in a **position paper** (in Dutch) made available this week, in which they expressed a preference for not regulating the sector.
- No longer bound by the neutrality principle associated with the Presidency of the Council of the EU, the Dutch are able to adopt positions on policy dossiers as they see fit.

Research & Innovation

EU: "Opportunity now: Europe's mission to innovate"

- The Senior Adviser for Innovation to the President of the European Commission, Robert Madelin, released an **innovation report** on 5 July, including a comprehensive roadmap offering a vision for a future EU innovation strategy.
- Mr Madelin concluded that, in order to secure social inclusion, sustainability, productivity, jobs and growth, further support needs to be provided to innovators. To achieve this, he believes Europe needs to do a lot more and embrace measures to provide sustained and serious support to innovators – European actors should provide a clearer vision, foster closer cooperation and demonstrate more ambitious pro-innovation leadership.