

European Regional Bureau Newsletter



16 September – 22 September 2017

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Internet Access

EU: Council struggles to find compromise on spectrum and co-investment

- According to a Council [note](#) (September 19) obtained by POLITICO, European Members still face difficulties in finding a compromise on a number of crucial points of the European Electronic Communications Code.
- These issues include the “regulatory tools provided for in the CODE and supporting investment in infrastructure”.
- The Council will further discuss the file on September 27, October 3-4, and aims to approve a common position by October 11.

Global: BEREC’s study on Net Neutrality regulation in Chile, India and USA

- In January 2017, the Body of European Regulators of Electronic Communications (BEREC) commissioned Analysys Mason to conduct a study on net neutrality to examine the approach taken by National Regulatory Authorities (NRAs) in selected non-EU countries (Chile, India and USA). The [results](#) have now been published.
- The document shows that NRAs analysed have monitored Quality of Service (QoS) actively, but have relied on different methods to monitor net neutrality. In the USA and Chile the complaint system has a central role, which means enforcement has a primarily ex-post character. This differs from the EU approach.
- The document reports third-party organisations can also provide useful complements to the NRAs, in terms of expertise and capacity building in measurement systems suitable for the detection of certain types of net-neutrality violations.

EU: Radio Spectrum Committee meets on October 18-19

- The RSC Radio Spectrum Committee will meet on October 18-19.
- According to the [draft agenda](#), the Committee will discuss, among other things, the Draft Commission Implementing Decision on the harmonisation of the radio spectrum for use by short range devices in the 870-876 and 915-921 MHz frequency bands.
- The Radio Spectrum Committee (RSC), established in 2002, assists the European Commission and is responsible for specific technical measures required to implement the broader Radio Spectrum Policy.

Trust

EU: Commissioner King speaks at the EU Cybersecurity Conference

- On 15 September, at the EU Cybersecurity Conference "Digital Single Market, Common Digital Security 2017", in Tallinn, European Commissioner for Security Julian King presented the recent cybersecurity package and stressed the need to strengthen Europe's cybersecurity capability.
- He [urged](#) the EU to become more resilient and quicker in responding to cyber-threats. He said the EU needs to establish cyber security standards and a certification framework to ensure that security is built in ("security by design").
- Commissioner King also described cybersecurity as everybody's responsibility, claiming it "begins at home; with simple cyber hygiene practices like safe passwords, checking attachments and backing up." Further cooperation among all actors, including NATO and the UN, was deemed fundamental.

EU: European Commission presents Free Flow of Data Regulation

- On 19 September, the proposed [Regulation on the Free Flow of Data](#) was officially presented. Commission Vice-President Andrus Ansip [described](#) the aims of the regulation as unlocking the potential of the data economy by ensuring the free flow of non-personal data in the Single Market. As reported last week, the document addresses data localization, data availability and storage, as well as data portability.
- However, according to the European Commission's own Regulatory Scrutiny Board's [impact assessment](#), the case is not strong enough to justify the introduction of new rules.
- On 20 September, Vice-President Ansip met the EU Permanent Ambassadors to receive a feedback from the Member States. The topic will be further discussed at the working party meeting on 26 September.

EU: New cybersecurity package officially introduced

- On 19 September, the European Union has officially [presented](#) its new package of cybersecurity initiatives, first announced in European Commission President Jean-Claude Juncker's State of the European Union address last week.
- Commission's Vice-President Andrus Ansip stated that the EU needs to be able respond to cyber-attacks 24/7. Digital Commissioner Mariya Gabriel called for high cybersecurity standards to become a new competitive advantage for European companies.
- Commissioner for the Security, Julian King, and the High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, have also stressed the importance of a stronger cooperation between Member States and a more resilient EU.

EU: Commissioner Vestager's TED Talk on trust

- On September 20, European Commissioner for Competition, Margrethe Vestager, gave a speech on "how competition can build trust in our societies", at a TED Conference in New York.
- "Together with regulation, competition rules can help to make sure that new technologies treat people fairly and that everyone can compete on a level playing field," she said.
- Commissioner Vestager also stressed the huge potential new technologies have in "doing us a lot of good" and mentioned Big Data as an example.

EU: eu-LISA and Eurojust signed MoU to strengthen cooperation

- On September 20, the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) and the European Union's Judicial Cooperation Unit (Eurojust) signed a [Memorandum of Understanding](#) (MoU) to strengthen their cooperation.
- The goal is to promote effective cooperation and the exchange of information, know-how and best practice in ICT activities and services, including the second generation Schengen Information System (SIS II) and the foreseen access rights of Eurojust to the system.

EU: Giovanni Buttarelli (EDPS)'s "The State of the Data Protection Union" address

- On September 20, Giovanni Buttarelli, European Data Protection Supervisor (EDPS), delivered his own State of the Union address on data protection.
- Mr Buttarelli welcomed the Commission's drive towards 'interoperability', but believes the solution is "not to stretch the law to breaking point, but rather to redefine standards and architecture and security measures." He stated he intended to issue a strategic paper outlining how to meet this challenge towards the end of 2017.
- EDPS will also organise a 2018 International Conference of Data Protection and Privacy Commissioners, gathering forward-thinking experts to "engage with urgent questions of technology and respect for humans in the age of AI and potentially ubiquitous surveillance."

EU: DIGITALEUROPE's concerns over newly announced Cybersecurity measures

- In a [statement](#) published on September 20, DIGITALEUROPE, the European organisation that represents the digital technology industry, expressed its concern over the EU certification and labelling framework, proposed by the Commission earlier this week.
- DIGITALEUROPE believes "voluntary codes of conduct must be encouraged and considered a more trustworthy and feasible approach."

EU: Public consultation on the re-use of public sector information directive review

- On September 20, the European Commission launched a [public consultation](#) on the review of the directive on the re-use of Public Sector Information ([PSI Directive](#), 2003), as foreseen in the May 2017 [mid-term Review of the Digital Single Market strategy](#).
- The directive is a core element of the EU strategy to open up government data for use in the economy.
- The deadline to reply is December 12 2017.

EU: Google proposes to display rival shopping sites via auction after EU antitrust fine

- Google has offered to display rivals' comparison shopping sites via an auction, in response to the record €2.4bn European Commission fine for abusing its position in the market by promoting its own shopping service, [Reuters](#) reported on September 21.
- The company sent its confidential proposal to the Commission in August. Competition Commissioner Margrethe Vestager stated it was too early to say if the offer would be accepted.
- In a [letter](#) sent to the Commissioner on September 21, the European consumer body, BEUC, explicitly asked her not to accept such a remedy, since it believes "an auction-based model will not provide European consumers with results based on merit or consumer relevance."