

European Regional Bureau Newsletter



11 November – 17 November 2017

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Internet Access

EU: Is a compromise on spectrum getting closer?

- The Working Party on Telecommunications and Information Society is meeting on November 22 to discuss the European Electronic Communications Code (EECC)
- In a leaked [document](#), the Estonian presidency of the Council invites the telecoms WP to find a compromise on certain spectrum provisions on that occasion. The specific texts on this, however, have not yet been circulated.
- In the previous WP meeting, the Member States representatives discussed issues including license lengths and the implementing acts that the Commission would be able to adopt to harmonise certain aspects of the rules on spectrum.
- Spectrum is a highly debated aspect of the EECC, currently being discussed by the co-legislators in trialogue meetings. On this issue the positions of the Parliament and the Council differ quite extensively, with the Council favouring more freedom for Member States to define their own spectrum rules.
- Negotiations started in October and the next trialogue will take place on December 6 and will largely focus on spectrum.

EU: Vice-President Ansip addresses net neutrality and restriction of access

- On November 14, European Commission Vice-President Andrus Ansip [answered](#) a [parliamentary written question](#) by Julia Reda (Greens, DE) on net neutrality and restriction of access in EU Member States. MEP Reda inquired whether Internet access service in an EU country could restrict access to information, content, applications or services where an end-user has agreed to such restriction.
- Vice-President Ansip said that the 2015 [Regulation](#) on open Internet access sets out the right of end-users to access and distribute information and content, use and provide applications and services, and use terminal equipment of their choice via their Internet access service. However, providers of Internet access services shall not block or interfere with specific content, unless specified by the Regulation. No exception is provided for end-user consent.

EU: Commissioner Gabriel answers question on WiFi4EU programme

- On November 14, European Commissioner for the Digital Economy and Society, Mariya Gabriel, [answered](#) a [parliamentary written question](#) by MEP Eva Maydell (EPP, BG) on the [Free Wi-Fi for Europeans](#) (WiFi4EU) scheme.
- Commissioner Gabriel pointed out that the text adopted by the European Parliament agreed that only public sector bodies could submit a proposal and are eligible for funds for local wireless connectivity (including libraries, hospitals etc.).
- The first call for proposals will be addressed to municipalities and group of municipalities only given its “pilot” nature.

EU: updated Council position on copyright reform

- The Estonian presidency has updated its definition of the types of Internet companies which will need to better monitor their platforms for copyright violations.
- This change is part of the ongoing and controversial copyright reform proposed by the European Commission which aims to clarify the liability regime for Internet platforms.
- The definition now proposed by the Presidency is ““a provider of an information society service whose main or one of the main purposes is to store and give access to the public of a significant amount of copyright protected works or other protected subject matter uploaded by its users who do not hold the rights in the content uploaded””.

Global: ITU releases latest ICT Development report

- On November 15, the UN’s International Telecommunication Union (ITU) issued the ninth edition of its annual “[Measuring the Information Society Report](#)”.
- The report stresses the importance of Internet access, not just in terms of ICTs, but also in prospects of social and economic development and the achievement of the Sustainable Development Goals.
- Data shows that more than half of the world’s households (53.6%) now have access to the Internet at home, compared with less than 20% in 2005 and just over 30% in 2010. Also the number and penetration rate of active mobile broadband subscriptions have grown rapidly. The total number of subscriptions has risen from 268 million in 2007 to 4.22 billion in 2017. The global penetration rate has risen from 4.0 per 100 population in 2007 to an estimated 56.4 in 2017.
- Nonetheless, the digital divides between developed and developing countries, between regions and within countries remain substantial.

Trust**EU: Working Party on Telecommunications and Information Society meeting**

- The Working Party on Telecommunications and Information Society [met](#) on November 14-15. Ahead of the TTE Council meeting scheduled for 4 December, the WP discussed ePrivacy Regulation, the free flow of non-personal data Regulation and BEREC Regulation, as well as Funding of Digital infrastructure and projects.
- On November 17, the joint meeting of the Horizontal WP on Cyber Issues and the WP on Telecommunications and Information Society also [met](#) to discuss the proposal for a regulation on the "EU Cybersecurity Agency" (ENISA), and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act").
- On November 21, the telecoms WP will [meet](#) again to discuss the proposal for a regulation on a framework for the free flow of non-personal data in the EU.

EU: Commission Gabriel answers question on data protection in Catalonia

- On November 14, Digital Commission Mariya Gabriel [answered](#) a parliamentary [written question](#) by Spanish Liberal MEP Maite Pagazaurtundúa Ruiz on data protection in Catalonia.
- The MEP raised concerns over the mobile app, the “Catalonia Voting Software”, which would have provided access to information on the electoral roll for the referendum (October 1), and had been suspended by the Constitutional Court. MEP Ruiz wanted to understand if the Commission considered sanctions and questioned which steps the Commission was considering to protect the data of Catalan citizens.
- Commissioner Gabriel reminded MEP Ruiz that the EU General Data Protection Regulation (GDPR), set to enter into force in May 2018, aims to protect all EU citizens, but it is the duty of the Member States to ensure its consistent implementation. Commissioner Gabriel stated that the Article 29 Working Party had not issued any opinion on data protection in Catalonia so far.

EU: Working Party on Data Protection and Information Exchange meeting

- The Working Party on Data Protection and Information Exchange is [meeting](#) on November 21.
- Among other things, the WP will discuss the [report](#) on the first annual review of the functioning of the EU-US Privacy Shield. The Commission will also participate and present the report.
- The first annual review report was published on October 18 and reflects the Commission’s findings on the implementation and enforcement of the Privacy Shield framework in its first year of operation.

EU: Commission sets up expert group on fake news and launches consultation

- The work of the [expert group](#) as well as the results of the [public consultation](#) will contribute to an EU strategy to be published in Spring 2018.
- The Commission is currently [inviting experts to apply](#) to be a member of the expert group. The group will “advise the Commission on scoping the phenomenon, defining the roles and responsibilities of relevant stakeholders, grasping the international dimension, taking stock of the positions at stake, and formulating recommendations”.
- The public consultation will look at the scope of the problem, the measures already taken by organisations, and possible future actions.

Global: Google says broader right to be forgotten is “serious assault” on freedom

- In a [blogpost](#) published on November 15, Google’s SVP and General Counsel, Kent Walker, signalled the company intends to fight against broad interpretations of the EU’s right to be forgotten.
- Google is involved in two cases on the right to be forgotten. The blogpost states that the forthcoming cases, expected to appear in the European Court of Justice next year, “represent a serious assault on the public’s right to access lawful information.”
- Mr Walker also criticised proposals to extend the EU’s right to be forgotten to other states.
- The “right to be forgotten” ensures that users could request the deletion or removal of personal data where there is no reason for its continued processing.