

ISOC EUROPEAN REGIONAL BUREAU- EU issues overview

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Data protection

EU Parliament Data Protection Rapporteur supports do-not-track standard

- MEP Jan Albrecht (Green group, Germany), Rapporteur on the proposal of the [General Data Protection Regulation](#), has presented his [report](#) on the Commission's proposal.
- While supporting the coherent framework proposed by the Commission, MEP Albrecht called for greater **data accessibility** and a reinforced **right to be forgotten**.
- The data processing in the EU is to be based on a **clear consent** whilst the person's data is being processed. Specifically, the data is processed only in forms of pseudonyms, the amendment proposed for the consent to be 'given by automated means using a technical standard with general validity in the Union (...) which allows the data subject to clearly express his or her wishes without collecting identification data.' Such a provision allows the use of a '**do not track**' standard.
- The report underlined the **data protection by design and by default** principles as core innovations of the reform which would ensure that only data that are necessary for a specific purpose will be processed. Producers and **service providers are called to implement appropriate measures** to comply with those principles.
- With regards to data accessibility and transmission, the report's amendment proposed that '**data subjects should have the right, to obtain free of charge the data concerning them also in commonly used, interoperable, and where possible open source electronic format.**' Moreover, '**providers of information society services** should not make the transfer of those data mandatory for the provision of their services.'
- With regards to the **right to erasure** and rectification, should a data processing company fail to erase the data, as requested by the person concerned, the company would be held liable for **compensation claims** from the offended individual. Under MEP Albrecht's amendments, the national authorities would have the possibility to decide when and how to impose large fines against the breaches recorded.
- On the controversial principle of **legitimate interest** (allowing companies to process personal data without permission), the Rapporteur proposed that the principle should only be used in exceptional circumstances and the person concerned should be informed.

EDRi expresses reservations towards data protection regulation report

- The European digital rights group EDRi [commented](#) on MEP Albrecht's report on Data protection regulation underlying **several shortcomings** of the proposed amendments.
- The introduction of a 'singling out' concept which seeks to address the collection of data to profile individuals based on their Internet habits, rather than on their names, was welcomed by EDRi as one of the significant improvements.
- On the other hand, inclusion of a **definition of anonymous data** was judged as 'superfluous at best and, at worst, needlessly confusing.'
- With regards to the principle of **legitimate interest**, EDRi stated that the possible usage of this principle is still broad and could ultimately lead to the personal data to be processed by third parties, and this without permission and for reasons other than those for which the data was originally collected.

Net neutrality

European Commission envisages net neutrality recommendations

- DG Connect is currently looking into the questions related to net neutrality with a view to **issue recommendations in the field of net neutrality that would provide guidance on transparency, switching and the responsible use of traffic management tools.**
- Fearing that the recently adopted Slovenian net neutrality provisions may fragment the internal market, the European Commission is expected to examine whether those principles do not overarch the 2009 legislation.

France rejects ISP attempt to block online ads

- The French government has rejected an attempt by Free, an Internet Service Provider, to block online ads for users of its services in a stance against Google.
- Fleur Pellerin, French minister in charge of the digital economy, stated that 'an Internet service provider cannot unilaterally implement such blocking (...) **This kind of blocking is inconsistent with a free and open Internet,** to which I am very attached.'
- The service provider Free is at the centre of another controversy. The French consumer organization, UFC - Que choisir, pointed out that the Internet service provider has been limiting consumer access to YouTube as the service consumes high amount of bandwidth.

Cybersecurity

European Cybercrime Centre (EC3) officially launches its operations

- In a [press release](#), the European Commission has announced that the **European Cybercrime Centre (EC3)** 'will be up and running to help protect European citizens and businesses from cyber-crime' as of 11 January.
- The centre which aims to combat cybercrime and facilitate research, development and capacity building was described as significantly shifting the way the EU addresses cybercrime whilst the approach the EC3 would implement would be more forward-thinking and inclusive.
- In order to provide further information on the new centre, the European Commission also published a [list](#) of frequently asked questions.
- **Home Affairs Commissioner** Cecilia Malmström stated that 'the Cybercrime Centre will give a strong boost to the EU's capacity to fight cybercrime and defend an internet that is free, open and secure.'

ENISA identifies drive-by exploit as most dangerous cyber threat

- The European Network and Information Security Agency (ENISA) has published a [comprehensive analysis of the cyber threat landscape](#) of 2012. The analysis used information about over 120 threat reports from security industry, networks of excellence, standardisation bodies and other independent parties.
- Assessing and analysing those threats, ENISA concluded that '**drive-by exploits**' have become the top web threat (i.e. injection of malicious code in HTML code of websites that exploits vulnerabilities in user web browsers)
- The report made several observations and recommendations on how the digital economy in general, and businesses and citizens in particular, could improve the way they address the cybersecurity threats.
- The analysis also underlined that increased cooperation between the different stakeholders and providers would better combat the cybersecurity threats.