

ISOC EUROPEAN REGIONAL BUREAU - EU issues overview
6 – 12 April 2013

Copyright infringement

Telecoms stakeholders oppose review of IPR enforcement Directive

- CableEurope, ECTA, ETNO and EuroISPA have published a [joint position paper](#), responding to the [Commission's consultation on the civil enforcement of intellectual property rights](#), which closed at the end of March. In this they contest the need for the revision of the [Directive on the enforcement of intellectual property rights](#).
- According to the four trade associations, a revision which would implement **stricter enforcement** through restrictive technical measures would only **hamper Internet openness** without tackling the infringement problem. Also, any technical measure would soon become obsolete.
- Technical filtering measures implemented in **ISPs networks and servers** would also be **contrary to the EU laws** (E-Commerce Directive) and principles (ECJ has confirmed filtering systems as disproportionate), the paper highlights.
- The Commission (DG MARKT) is [committed](#) to publish around October a Communication to review the Directive and a Decision to set up an Expert Group in this area.

Open Internet

French minister calls on the EU to regulate online platforms

Following Apple's retrieval of a French free app (AppGratis) from its online store, French Digital Agenda Minister Fleur Pellerin has called on the EU to regulate online platforms, including **editors of search engines and social networks** to limit the power of big technology companies over the Internet.

French Intelligence Service accused of Wikipedia censorship

- The French Internal Intelligence Service (DCRI – *Direction centrale du renseignement intérieur*) has been accused of **pressuring a Wikipedia administrator** to erase an article that allegedly contains classified military information threatening French national security.
- Wikipedia refused to delete the article and asked DCRI to provide information on the incriminating sections so it could modify them. Instead, DCRI is said to have put pressure on the President of Wikimedia France, which led to the deletion of the article.
- The article is available anew thanks to a Wikipedia administrator in Switzerland.

Cybersecurity

Estonian President calls for secure online ID systems

- **President of Estonia Toomas Hendrik Ilves** has published an article in the *International Herald Tribune* in which he stresses the necessity for all involved parties, both private and public, to cooperate in **protecting security online**.
- Considering the cross-border nature of a cyberattack, Ilves underlines secure **online identification systems** promoted by national administrations as key factors in building a secure online environment. While building those systems, an **EU-wide compatibility** should remain central, he writes.

Comment: This article is further evidence that Ilves is campaigning to be the next EU Commissioner for Digital Agenda when the new College of Commissioners takes office on 1 November 2014.

Netherlands: Banks targeted in cyberattack

- On 5 April, **Dutch banks** were targeted in a DDoS cyberattack that temporarily put out of action ING's Internet and mobile banking services and the iDeal payment service used by other banks.
- The Nederlandse Vereniging van Banken (Dutch Banking Association) acknowledged this incident in a [press release](#) but denied that it involved hacking of account details.
- The **Team High Tech Crime** of the police's Nationale Research Service will conduct a study into the attack.

Data protection

Article 29 WP clarifies principle of purpose limitation

- The Article 29 Working Party, which gathers the heads of European Data Protection Authorities, has published an [opinion](#) **clarifying the principle of purpose limitation** in data processing.
- The opinion recalls that purpose limitation should be defined by **specification**, i.e. personal data must be collected for specified, explicit and legitimate purposes and **compatibility**, with regards to further processing of already collected data. It warns against broad exceptions from the requirement of compatibility.
- The Working Party sets out a **non-exhaustive list of relevant factors** to determine compatibility of any further use of data:
 - 'the **relationship** between the purposes for which the personal data have been collected and the purposes of further processing;
 - the **context** in which the personal data have been collected and the reasonable expectations of the data subjects as to their further use;
 - the **nature of the personal data** and the impact of the further processing on the data subjects;
 - the **safeguards applied** by the controller to ensure fair processing and to prevent any undue impact on the data subjects'

Consumers' awareness of privacy issues online vary

- The EU-funded project CONSENT has published its analysis of **consumers' [awareness of privacy issues online and service providers practices](#)** that points out wide differences in consumer behaviour across the EU.
- The results show:
 - **High levels of risk awareness in Germany and Austria** with rather high concerns of perceived risk of loss of privacy
 - **Lack of awareness in Bulgaria and Romania**, especially with regards to personal information being used for various purposes by different website owners
 - Significant differences with regards to **technical protection measures** applied by users
- The project also looked into the practices of over 100 European and [international social networks and UGCs](#) (user-generated content websites). The analysis shows that only 38% of those sites require the user's explicit consent for data processing.