

ISOC EUROPEAN REGIONAL BUREAU - EU issues overview

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Net neutrality

Neelie Kroes sets out EU net neutrality principles

- On 4 June, EU Digital Agenda Commissioner Neelie Kroes gave a [speech](#) in the European Parliament in which she highlighted the main directions for the future EU initiative on net neutrality.
- Kroes underlined the difficulties for the legislator to strike a balance between the **need of ISPs with regards to traffic management** and the **freedom of users** to choose the connection they see fit, which would also not affect **innovation**.
- The new **European approach to net neutrality** will be built on:
 - **Innovation**, including high-quality connections
 - **Transparency** on the details of an Internet contract and the services provided
 - **Choice wrt Internet services**, enabling the user to choose and change the services and providers as needed
 - **Competition of services offered by different ISPs**
- The timing of this initiative has still to be determined, according to a member of the Cabinet of Kroes.

Response to remarks by Kroes

- Commenting on the speech by Kroes, **Neven Mimica**, the Commissioner-designate for consumer protection from Croatia, stated that **the Commission can do more**, stressing the need for the EU to strengthen consumers' online interests. (Mimica should take up his role when Croatia joins the EU on 1 July.)
- Speaking for telecoms association **ETNO**, Executive Board Chair Luigi Gambardella [said](#) that "it is essential that the broadband industry has the flexibility to offer differentiated products and services. At the same time, we recognize that unrestricted access to content and services is important and we support the availability of offers without restriction of access to specific content and services."
- In an open letter to Kroes, the **VON Coalition**, which represents Internet-voice services, said that: 'Network management should be kept to a minimum, and deployed for purely technical, security or legal reasons... Network access providers must be prohibited from blocking, degrading, hindering (including through application and/or service specific price surcharges) and throttling targeted at applications, services, content or protocols.'

Germany: Government determined to safeguard net neutrality

- On 05 June, the **German Federal Ministry of Economics and Technology** organised an [expert debate](#) on economy and society questions related to net neutrality.
- **State Secretary Hans-Joachim Otto** stated that a free and diverse Internet needs to be safeguarded. He underlined that the German government will safeguard net neutrality and change the legislative framework in case it is in danger. The ministry has asked the **Federal Network Agency** (Bundesnetzagentur) to provide a report on the state of net neutrality in Germany.

Open Internet update

- **UK:** The Culture and Media Secretary **Maria Miller** is organising a [summit](#) during which the **government will ask ISPs and telecom companies to block harmful content**. The government is to call for industry-wide cooperation to prevent the propagation of content such as illegal pornography, images of child abuse, material that could incite religious or racial hatred and the so-called 'suicide websites'. The possible new measures are to include **greater use of online filters, promotion of guidelines** and setting up of **permanent monitoring bodies**.

The Minister stated that should the ISPs not promote greater cooperation, the UK government could include statutory controls in the **Government's White Paper on connectivity** which is to be published later this year.

- **France:** In a recent [press interview](#), Interior Minister **Manuel Valls** stated that the introduction of **web monitoring tools** must be a priority for French anti-terrorism policy. The proposed move follows the recent publication of a [parliamentary report](#) on radical Islamist groups which highlighted the peculiar status of online voice communications providers (e.g. Skype) that are not registered as telecoms operators, and are therefore not required to help the French authorities conduct a wiretap.
- **Turkey:** Turkcell, a major **Turkish mobile network operator** has [denied the allegations](#) that it was blocking social networks sites at a request from the government, following the massive protests that have been taking place mainly in Istanbul. Amid the growing tensions, the activist group Anonymous took down several official websites, including the one of the Turkish Prime Minister Erdogan.

Data protection

Spain: Proposal on spyware use raises questions on data protection

- The **Spanish Ministry of Justice** is drafting a proposal to allow the police authorities to **install spyware** on computers and other electronic telecommunication items **to monitor activities of suspected criminals**, a move that would have data protection implications.
- According to a [newspaper article](#), the tracking would be authorised for persons suspected of terrorism, organised crime, child pornography, online fraud or cyber-bullying offences carrying a minimum sentence of three years.

Cybersecurity

European Commission and Parliament clash over proposed cybersecurity rules

- A debate at an event in Brussels on 5 June highlighted the differences between the European Commission and the European Parliament on the **scope of the proposed cybersecurity legislation**. One of the main questions to decide on is whether **information-technology firms should be excluded** from the rules of the proposed [Network and Information Security Directive](#).
- **MEP Andreas Schwab** (EPP, Germany), Parliament's Rapporteur on the proposal, underlined that critical infrastructure must be better defined to assess the need for public intervention. He therefore called for the exclusion for the information technology firms.
- On the other hand, **Giuseppe Abbamonte**, the responsible Head of Unit in the Commission's DG CNECT, reiterated that such companies should be included in the scope as they are crucial for the functioning of the digital economy and to increase competition. He argued that the proposal should create a level playing field for both telecoms companies that are already subjected to regulatory requirements and Internet telecommunications services such as WhatsApp, Skype or Twitter that are currently excluded.