

ISOC EUROPEAN REGIONAL BUREAU - EU issues overview

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Net neutrality

EU Net neutrality update

- Following an internal meeting of the European Commission, a Commission official indicated that the **EU will ban ISPs from manipulating, throttling and blocking access** to certain websites, reported the EUobserver.
- The proposed ban on **bandwidth throttling**, which was identified as one of the most common restrictions to the Internet service, is likely to be part of the **overhaul of the EU's regulation of the digital telecoms** sector. However, based on the recent declarations by the EU Digital Affairs **Commissioner Kroes**, the proposal is likely to **include some exemptions** based on traffic's speed and volume.
- **MEP Marietje Schaake** (ALDE, Netherlands) welcomed the proposal but warned against a great EU reliance on voluntary measures that would not bring about the expected results.

Germany: As net neutrality petition reaches Bundestag, DT modifies its policies

- Earlier this year, German ISP **Deutsche Telekom** (DT) has **announced** that it is terminating its flat rate Internet connection contracts and is to introduce new contracts with **fixed data caps**. The moment a user exceeds the allocated caps, the Internet connection will be slowed down. The limitation will not however apply to DT's own entertainment service.
- Shortly after this announcement, a **petition** calling for Germany to **ensure that all online data is treated equally** was launched. The **petition committee** of the German Parliament's first chamber (Bundestag) is now to hold a **public hearing** dedicated to the topic of **net neutrality and the obligation for the ISPs** to treat all users' data the same, regardless of their origin or content.
- In **reaction to the protests**, DT has announced it will maintain its limit policy but stated that the **speed limitation would be much lower** than originally envisaged. Nevertheless, German digital affairs group VDG underlined that the new proposal does not address the public's main concern of net neutrality.

Data protection

US data spying could delay the transatlantic trade talks

- Following the revelations on the US National Security Agency's surveillance program (PRISM), the **EU Justice Commissioner Reding** has sent a **letter** to the US attorney general **requesting an explanation for the collection of foreign nationals' data**.
- According to the leaked documents, using the secret PRISM program to draw online data, the US authorities have gained **access to data from Google, Facebook and Skype**.
- The scandal about the scope of the possible US surveillance of European citizens' data comes at the time when the EU is debating the overhaul of its data protection legislation, including the requirements for **data transfers to third countries**, and when the talks on an **EU-US free-trade deal** are about to start. The tensions triggered by the US data surveillance could delay the transatlantic trade talks, argued the *Financial Times*.

Cybersecurity

EU Cybersecurity update

- At last week's EU Telecom Council, the EU Telecom Minister voiced their support for **prioritising the implementation of cybersecurity measures**, given the seriousness of the threat. Nevertheless, several EU Member States underlined that the **provisions of the proposed [Network and Information Security Directive](#) are overly binding**, thus calling for the EU to **maintain a more flexible approach**.
- Among the Member States reluctant to establish EU-wide binding rules, **Austria and France** stressed the importance for the EU to **avoid over-regulation**.
- In the meantime, the European Parliament's Civil Liberties Committee endorsed a draft directive on the **[Judicial cooperation in criminal matters: combating attacks against information systems](#)**. Under the provisions of the draft, legal persons, such as firms, would be liable for offences committed for their benefit. The compromise text is to be voted by the Parliament's Plenary in July and is expected to be formally adopted by the Council shortly thereafter.

ENISA's workshop addresses cybersecurity challenges for ISPs

- On 12 June, the European Network and Information Security Agency (**ENISA**) and **ISACA** (formerly known as the Information Systems Audit and Control Association) hosted **[a joint workshop](#)** in Berlin where the issue of **cybersecurity challenges for national regulators, telecom operators, ISPs and auditors were addressed**.
- The main issue at stake was the **[Article 13a](#)** of the **European Union Framework Directive for Telecoms** (Directive for electronic communications networks and services). The article requires the electronic communications **providers to assess risks, take the appropriate measures to prevent security incidents and report** to national regulators in case of a security breach.
- As a follow-up of the workshop, the organiser will publish **a joint white paper** providing guidance on the matter and addressing the following questions raised during the workshop:
 - 'How can providers show their respective national regulators (in a cost-effective way) that appropriate security measures are in place?
 - How can providers reuse existing governance frameworks and tools?
 - How can government authorities supervise and ensure that appropriate security measures are being taken across a sector?
 - What is the role of auditing and certification in this, and who should bear the auditing costs and get the detailed audit reports?'

Internet governance

Germany: Internet forum calls for greater attention to net policies

- Participants of the recent **Internet Governance Forum Deutschland (IGF-D)** called Germany to **pay greater attention to net politics** and to open discussions on the idea of **establishing a basic right to the Internet**.
- The meeting aimed at **preparing the position of Germany** for the upcoming **[International Internet Governance Forum](#)**, which will take place in October in Bali, as well as the German contribution to the **[European Dialogue on Internet Governance](#)** to be held in Portugal in a few days.