

ISOC European Regional Bureau Newsletter

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Data protection

EU: Parliament assesses the adequacy of EU-US data agreements

- Last week, a delegation of the European Parliament led by **MEP Claude Moraes** (UK, S&D), Head of the European Parliament's Civil Liberties Committee, visited Washington to discuss the allegations of US mass surveillance of EU Member States.
- The findings will be included in the Committee's **report which will be presented in February 2014**. The report will address the question of whether there should be an extra provision in EU law to protect EU citizens when data is transferred to the USA, since the current provisions are deemed inadequate. The report will also assess the **adequacy of other EU-US agreements** in place (e.g. Safe Harbour, SWIFT).
- According to Moraes, EU-US trust has been damaged, which **could jeopardize TTIP negotiations**.

Net neutrality

Slovakia: UPC ordered to stop breaching net neutrality

- In a recent ruling, the District Court in Bratislava issued an injunction prohibiting the **Dutch ISP UPC** from **breaching net neutrality**. The case was brought to justice in March this year between UPC and the Slovak ISP Antik; the latter complained that UPC has been obstructing its IPTV service by blocking its public IP address.
- The court's injunction against UPC comes despite the fact that Slovak telecommunications law does not have an **explicit net neutrality principle**.
- This decision confirms that instances of **net neutrality breach can be actionable even under existing antitrust, unfair competition and consumer laws**.

EU: No danger of two-tier Internet, says Kroes

- In her response to **MEP Franz Obermayr's** (Austria, Non-attached) question on the possibly unequal treatment of customers and firms under the proposed net neutrality principles, EU Digital Agenda **Commissioner Kroes** highlighted that the **proposal guarantees open Internet access** by prohibiting blocking, throttling, degradation or discrimination, while **allowing end-users to conclude agreements for specialised services** with an enhanced quality of service.
- Kroes reiterated that these agreements should not cause recurring or continuous impairment of the general quality of Internet access. **National regulators** will be able to **set a minimum quality of service** requirements on electronic communications providers, Kroes added.
- In her opinion, the net neutrality proposal does not leave space for the emergence of a two-tier Internet, as the provision of specialised service will not be a substitute to the Internet access service.

Open Internet

Russian government increases control over Internet

- A new decree from the Russian Ministry of Communications and the Federal Security Service, published on 21 October, requires **ISPs to temporarily store all traffic and make it available** to the domestic intelligence agency.
- Under the decree, ISPs would need to **record and save all Internet traffic** (including phone numbers, IP addresses, account names, social network activity and e-mail addresses) for at least 12 hours, allowing the national security service exclusive access to the stored data. The order could take effect in **July 2014**, should it get governmental backing. The implementation of the necessary measures to comply with the new rules would impose large costs on Russian telcos.
- The proposal is seen as yet another attempt by Putin's Russia to **increase Internet surveillance**. According to the Ministry, the move is necessary to protect citizens against criminals and terrorists.

Cloud computing

EU: Launch of the Cloud-for-Europe initiative

- The **Cloud-for-Europe (C4E)** initiative, designed to build trust in European cloud computing and support **uptake of cloud services by the public sector**, is to be launched on 14 November. Some 23 organisations from 11 countries are participating in the initiative which is part of the **European Cloud Partnership (ECP)**.
- The initiative will help **public organisations set up requirements and terms of reference** for the procurement of cloud products and services.
- The European Council underlined that with support of the ECP, the Commission and Member States should make every effort to **put the EU at the forefront of cloud adoption**.

Cybersecurity

ENISA calls for promoting cryptographic measures to safeguard data

- **ENISA**, the European Network and Information Security Agency, has published a report calling on all authorities and relevant stakeholders to better **promote cryptographic measures to safeguard personal data**. (<http://goo.gl/w0rdBF>)
- The report addresses the protection measures applied to safeguard sensitive and/or personal data acquired legitimately by a data controller and underlines the need for minimum cryptography requirements across the EU. The report also calls on **ISPs to recommend clients to implement security measures**.