

ISOC European Regional Bureau Newsletter

15-21 February 2014

<http://www.Internetsociety.org/what-we-do/where-we-work/europe>

Data protection

EU: Data protection supervisor takes stock of reform progress

- In a **letter** addressed to the President of the Council of the European Union, **Peter Hustinx**, the European Data protection supervisor **took stock of the EU data protection framework reform progress**. Welcoming the efforts made by the Greek Presidency in view of concluding the negotiation process before the end of the year, Hustinx warned that the existing *acquis* is being weakened in some respects, notably with regards to the **scope of the proposed Regulation**. The supervisor specifically **warned against excluding public sector from the scope of the Regulation**, underlining the difficulty in drawing boundaries between the two and the **importance of public-private entities data exchanges** for the functioning of today's economy.
- With regards to the so-called **one stop-shop principle**, the supervisor criticised the legal service of the Council's opinion that raised objections against the principle fearing that the provision would not guarantee an effective remedy for citizens. On the contrary, the supervisor stated that the **proposal would improve the protection of citizens' fundamental rights**. The one stop-shop is considered beneficial for both businesses and citizens as it supports a **consistent application of a uniform set of data protection rules**.
- The supervisor underlined the importance of a **risk-based approach and accountability**, according to which a data controller would have to adopt its policies and implement appropriate measures to ensure and demonstrate compliance with data protection rules.

EU: Germany and France voice support for a protected EU Internet

- Criticising companies such as Google and Facebook for basing their operations in countries with low levels of data protection (e.g. Ireland), **German Chancellor Angela Merkel** presented her intention to get France's backing for her **proposal to build a European communication network** that would increase the safety of European data.
- The idea would be to **give impetus to the European providers and support the development of a continental network** thanks to which **Europeans could select the option for their data to be stored inside the EU**. The Commission voiced its support for Merkel's call for better network security. Commissioner Kroes' spokesperson added that the Commission had made proposals in the same direction, including her call for a **European cloud space**.
- **John Higgins, Director-General of Digital Europe** welcomed Merkel's call for the creation of world-class European providers and agreed with the need to build a secure online environment in Europe. Higgins named three elements needed to achieve the above: robust, consistent and flexible data protection law; coordinated response to security agencies accessing citizens' data; and EU's support for digital environment. Additionally, Higgins warned that the **debate on data protection must not result in a move towards data protectionism**.
- **Giacomo Luchetta**, Digital affairs specialist at CEPS underlined that launching European Internet

services (e.g. email services) would be possible but this would **require strong political will and consequential investment**, as none of the European companies are in a position to compete against the American tech giants.

EU: Restoring trust between the EU and the US requires strict enforcement of EU data protection rules

- **Peter Hustinx**, the European Data Protection Supervisor (EDPS) stated that in order to **restore trust between the EU and the USA**, a strict enforcement of the existing EU data protection provisions need to be ensured. The restoration of **confidence** would also be supported by **stronger future laws and agreements**, underlined Hustinx.

Net neutrality

EU: MEPs divided by net neutrality proposal

- This week, the **European Parliament's Industry Committee** (ITRE) is to vote on the amendments to the proposed European single market for electronic communications, the so-called **Telecom package**. The provisions that reportedly divide the MEPs are the ones on **net neutrality**.
- **MEP Pilar del Castillo Vera** (EPP, Spain), Rapporteur on the dossier, has sought to implement a more flexible definition of net neutrality, for instance for the ISPs to only treat equivalent traffic equally. But, she is said to face opposition from a coalition of liberals, Green and centre-left who want to prevent ISPs from exercising any type of Internet traffic discrimination.
- **MEP Catherine Trautmann** (S&D, France) reiterated the importance of maintaining basic Internet that would allow choice for all.

Open Internet

Turkey: President Gül signs Internet bill into law – two amendments on the way

- On 18 February, **President Abdullah Gül signed the disputed Internet bill into law**; however, asked for amendments on two articles – on TIB's authority and on ISPs storage of browser history. Following President Gül's announcement, his number of **twitter followers dropped** by close to 100,000.
- **Lütfi Elvan**, Minister of Transport, Maritime Affairs and Communications, is currently collaborating with opposition parties in the Parliament to work on the **amendments**. Elvan remarked that one of the amendments will **curb the Telecommunications Directorate authority's (TIB)** power to block access to websites. Accordingly, in the event of violation of privacy, TIB can immediately block access to a site. However, if this decision is challenged, TIB's **decision to block would then be reviewed by a Magistrate Judge** within 24 hours. The second amendment involves collecting all information on Internet traffic based on IP numbers and subscriber numbers, rather than URLs.

Turkey: Prime Minister Erdoğan supports the new Internet legislation

- During his party's group meeting, **Prime Minister Recep Tayyip Erdoğan** touched upon the new **Internet legislation**. While justifying the new rules, the Prime Minister explained that without proper supervision, the Internet will no longer be an educational tool and may instead become dangerous. To highlight the **dangers of the Internet**, Prime Minister Erdoğan provided the example of children who were embezzled online.
- The Prime Minister pointed out that the US has stringent measures in place to prevent such threats while Europe also has regulations in place.

Turkey: International criticism of the new Internet bill

- **Michael Stübgen**, spokesperson from **Germany's Christian Democratic Union/Christian Social Union (CDU/CSU)** Parties noted that President Gül's signing into law of the new Internet regulations

were unacceptable and that the **EU should consequently freeze accession negotiations with Turkey.**

Child Safety online

EU: Campaigners launch an anti-bullying campaign

- A research by Europe's largest anti-bullying NGO, **BeatBullying**, has revealed that more than seven out of ten European citizens believe their government does not tackle bullying in schools. The perception of measures against cyberbullying is even worst. To remedy to this situation, BeatBullying has teamed up with the **#DeleteCyberbullying project** to launch Europe's biggest **anti-bullying campaign called The Big March**. The campaign has been joined by numerous organisations, including Safer Internet Network.
- The protest is calling on the European Commission to introduce a law that would promote protection for children from bullying and cyberbullying. An EU-wide action is expected to take place on 11 June. The Commission has been called on to champion a national awareness day.

General

EU: Cross-border fees limit mobile Internet usage

- According to an **EU-wide poll**, only 8% of Europeans declared that they do not change their phone usage when traveling. As for **Internet usage**, 47% of respondents said that they never use emails or social media in another EU country. Only one in ten respondents receive emails in the same way as they do at home, and just 5% of the interviewees do not change their social media usage at all.
- **Monique Goyens**, Director General of the European Consumer Organisation (BEUC) stated that the poll results confirm the price of **network roaming in Europe continues to restrain mobile Internet usage** in the EU.