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Net neutrality

EU: DG CNECT's Viola considers EU's approach to net neutrality as model

- Speaking at the Telecoms Regulation Forum in London on 29 April, **Deputy Director General of DG CNECT, Robert Viola** stated that despite fears voiced by the telecoms industry about uncertainty surrounding how regulators would **enforce net neutrality**, the proposed **EU telecoms Regulation would create a clear set of rules**. He added that the EU's democratic approach to adopting net neutrality rules should be seen as a **role model** for other regions in the world.
- Commenting on the recent heated debate among MEPs on the proposed net neutrality rules, Viola stated that the **overwhelming vote of the European Parliament in favour of proposed Connected Continent package** was a sign of political success.
- However, Luigi Gambardella at the European Telecommunications Network Operators Association (ETNO) argued that the **EU might be going in the wrong direction** if the proposed rules were adopted, as operators would not be able to offer as many services to the EU customers as their competitors abroad.
- At an ETNO conference in Brussels the following day, Italy's Deputy Permanent Representative to the EU, **Marco Peronaci** indicated that the incoming Italian Presidency is prepared to support in Council the European Parliament's position, which strongly supports net neutrality.
- Separately, the **German Parliamentary Secretary at the Ministry of Economy, Brigitte Zypries**, has **qualified** her government's commitment to net neutrality in the current EU-level discussions. She said they would back "transport of data packets being carried out without prioritisation of particular content offers. However, it is also clear that the Internet must be open to development and dynamic."

Copyright infringement

EU: Martin-Prat hints at tighter definitions in future law; Member States oppose reform

- Speaking at a recent conference in New York, **Maria Martin-Prat**, Head of the Commission's copyright Unit at DG Internal Market and Services, stated that the **upcoming review of the EU copyright rules** will focus on **tightening definitions and revising provisions** that hamper EU's internal market for content. The main issue at stake is the adaptation of the copyright rules to the digital economy.
- But, in response to the Commission's questionnaire on how copyright regimes might be adapted, several **EU Member States**, including the UK and France, **voiced concerns** whether national rules should be replaced with a pan-European framework, the so-called **single copyright title**. **The Netherlands** is reported to have argued in favour of this, underlining that copyrighted material is no longer tied to country borders. Copyright content owners have already made the same argument, stating that a single title would create coherent online licensing rules across the EU, reducing market fragmentation.

- **France** has reportedly supported the idea of making it possible to issue **injunctions against intermediaries** that copyright breachers use.
- Germany, Ireland, Latvia and the UK dismissed the idea that **anyone publishing links to copyrighted content would need to obtain a prior authorisation from the owner**, as licensing the use of hyperlinks is considered burdensome.
- Overall, it appears that there is **no general support for a profound overhaul of the current copyright rules**. The UK and Denmark highlighted that the Commission would need to present robust evidence before putting forward any proposal to update the framework.

Internet governance

EU: Kroes promises to push all NETmundial participants to deliver on the actions identified.

- Welcoming the outcome of the recent NETmundial conference in Brazil, **Digital Agenda Commissioner Kroes** stated that she will push all stakeholders to deliver on the actions identified in the **concluding declaration** of the conference, which provides a clear set of issues that must be addressed in order to strengthen and improve models for Internet governance.

Cybersecurity

EU: Cyber Europe 2014

- On 28 April, over 400 cyber-security professionals and 200 organisations from 29 EU and EFTA countries participated in **Cyber Europe 2014**, the largest and most comprehensive EU cyber-security exercise to date, according to the EU Agency for Network and Information Security (ENISA).
- The **exercise aimed to test resilience** of IT systems and technical, operational and political response capacity in case of a serious cross-border cyber-security threat.

Open Internet

Russia: Russian Parliament approves new restrictive Internet law package

- The Russian Duma has approved three bills, proposed as a package of measures against terrorism, which tighten control over spreading **information on the Internet** and **online payments** and classify **popular bloggers** as media outlets. The last measure applies to blogs with over 3000 page views per day, requiring them to reveal their identities, not to spread extremist information or information violating privacy of citizens and to respect the rules of pre-election silence. The package is expected to be signed soon by President Vladimir Putin and come into force in August of this year.
- The new measures have been widely criticised by local technology companies and pro-democracy activists pointing out the **negative impact** on the development of the Internet industry in Russia and **contradictions** with the existing law on mass media.

Data protection

EU: Article 29 Working Party supports one-stop shop principle

- In a letter sent to the Council of the EU, the so-called **Article 29 Working Party (WP)**, umbrella organisation for the 28 national data protection authorities, has voiced its support for the so-called **one-stop shop principle** according to which companies would be regulated by a single authority.
- According to the WP's opinion, the authority in the country where the company in question has **its main establishment in the EU** should be the lead authority, thus taking care of the decision-making

procedure in cases involving multiple jurisdictions. Nevertheless, the supervision authorities concerned by the particular cross-border case will take part in the process, the WP underlined.

- The **lead authority will take all relevant measures** vis-à-vis the main establishment of data controller or processor, if a consensus with the concerned national authorities is reached. If there is no consensus, the matter would be submitted to the proposed **European Data Protection Board** (EDPB).
- The **powers of the EDPB should be strengthened** for the board to be able to **issue guidelines** which the national authorities would be required to implement. The board would only deal with cases of general relevance for the EU data protection framework, stated the WP. Cases with minor cross-border elements or purely national matters should be left to the decision of the relevant national supervision authority.

Bandwidth management

UK: Regulator publishes Spectrum Management Strategy

- Ofcom, the Independent regulator and competition authority for the UK communications industries, has published a **Spectrum Management Strategy**.
- In order to secure optimal use of spectrum in the UK, Ofcom has underlined its intention to **explore new forms of spectrum sharing**.

General

EU: National regulator calls for more consultation from Commission

- Also appearing at the Telecoms Regulation Forum in London, **Belgian regulator Jack Hamande** from the Belgian Institute for Postal Services and Telecommunications said that **the European Commission should ask national telecom authorities for their expertise at the Impact Assessment phase** of regulation drafting on European telecom industries.
- Hamande said there had been a process of “policy acceleration” in the last two years in areas such as consumer rights, data retention, cybersecurity, Internet governance and Internet of things, and called in particular for regulators to be involved in the drafting of correct definitions.