

ISOC European Regional Bureau Newsletter

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Data protection

EU/Ireland: New Data Protection Commissioner to be appointed in September

- An Irish government committee will choose the country's **new Data Protection Commissioner**, as **Billy Hawkes**, the current Commissioner, who has held the position since 2005, will step down by the end of August. A new Commissioner is expected to be appointed by the **end of September**. **John O'Dwyer**, a deputy to Mr. Hawkes, who has been tipped as a potential successor, is to lead the department until the appointment of a permanent replacement.
- The 31-staff of the **county's regulator plays a global role** as it has the power to watch over any company based in Ireland. Some of the world's largest tech companies have established their international headquarters in the country, making the Irish Commissioner responsible for protecting the data of hundreds of millions of users globally. The **one-stop shop principle** of the proposed reform of the EU data protection framework will **further strengthen the authority's position**.
- Reportedly, while many companies have been seeking to influence the appointment procedure, privacy advocates have been calling for the authority to adopt a strong stance with regards to tech firms compliance with data protection rules and urged Ireland to increase the budget of the institution. The Irish government confirmed that any increase in regulatory challenges will be reflected in extra funds. Earlier, Mr. Hawkes stated that the authority is devoting large resources to international companies that have little impact on Irish residents.

Net neutrality

Germany: Digital Agenda provokes uncertainty about net neutrality rules

- Following the presentation of the German government's **Digital Agenda**, various stakeholders have commented on what goal of achieving **universal broadband coverage by 2018** means for **net neutrality**.
- Digital economy trade association **BITKOM** has called on the government to do away with unclear rules on net neutrality that prohibit new business models on the basis of guaranteed quality, according to a [press report](#). This view is shared by **VATM**, which represents new telecoms services companies.
- There is some confusion about what **Economy Minister Sigmar Gabriel** meant by '**re-regulation**' in this regard when he presented the Digital Agenda. According to his ministry, this refers to the implementation of the [Directive on measures to reduce the cost of deploying high-speed electronic communications networks](#), which addresses net neutrality; but VATM is concerned that this may mean deregulation or regionalisation, which it says would disincentivise investors. VATM is also critical of the Directive's limited range of exceptions to net neutrality rules to allow the offering of **specialist services**.
- **BREKO**, which represents telecoms infrastructure owners, maintains that the offering of specialist services must be done under the same conditions between different service providers: it opposes any

exceptions for own services (as Deutsche Telekom tried to introduce last year) or for strategic alliances with other paying services.

General

EU: Commission to respond to telecom law complaint

- **EU Ombudsman Emily O'Reilly** has requested the **Commission to respond** to allegations that it **broke EU rules when drafting the Connected Continent** proposal. The request follows a formal complaint filed by alternative operators in May. The law infringement concerns a failure to consult interested parties.
- While the review process conducted by the Ombudsman is confidential, the Commission has been given until **30 September** to respond to the complaint.

EU: Digital industries call on President-elect Juncker to better integrate digital policies

- Several organisations representing EU **digital industries** (e.g. DIGITALEUROPE, ECTA, etc.) have sent a joint **letter** to the President-elect of the European Commission Jean-Claude Juncker to share their vision of European digital policy in the coming years.
- Welcoming Juncker's **political guidelines**, the representatives stressed that in order to take **full advantage of digital technologies**, and to preserve and advance the industrial and social fabric of Europe, the **Commission's digital policy should be integrated** in the **responsibilities of the whole college of Commissioners** and allocated to a Commissioner, '**a genuine Digital Champion**', who would be charged with applying an innovation principle to all EU legislation.

EU: 2015 guidelines on standardisation of European Digital Agenda

- On 25 August the European Commission published a communication on **the annual Union work programme for European standardisation for 2015** that includes **Digital Agenda for Europe**.
- The aim of the Commission communication is to introduce standards for **interoperability** between ICT products, services, applications, and digital content that are required by **effective digital society**.
- The paper **identifies the areas**, such as electronic identifications and trust services, and broadband infrastructure mapping, where standards could help achieve **ICT-related policy objectives** of the European Union.

France: New economy Minister welcomed as digital economy-friendly

- The appointment of **Manuel Macron** as **Minister of Economy** has been welcomed by the tech sector, as he was supporting several **digital economy initiatives** (such as the start-up movement called *Les Pigeons*) in his former role of advisor to President Hollande.
- The French government reshuffle did not concern **Axelle Lemaire** who remains the country's secretary in charge of digital affairs. Her work in the new government is to be focused on the **preparation of a new digital law** that the government promised earlier. Axelle Lemaire is a **supporter** of clearly defined **net neutrality** that would be applied to both networks and service platforms. As for **Internet governance**, Lemaire has argued in favour of **greater involvement of states** in the governance mechanisms.