

ISOC European Regional Bureau Newsletter

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Privacy Shield

EU: National data protection experts meet on privacy shield - still no final text

- The Article 31 Committee met on 20 June to discuss progress of the EU-U.S. data transfer agreement. The 28 national representatives are still awaiting receipt of the final text, which is expected in early July.
- The Committee's vote is binding and is the final stage for the Commission to overcome before a new mechanism is put in place to transfer data between the EU and U.S.
- National experts still intend to vote on the final text on 29 June but have requested additional weeks to study the deal before the vote.

EU: European Data Protection supervisor - deal can wait until after the summer

- European Data Protection supervisor, Giovanni Buttarelli, stated the text should wait two more months if this week's deadline passes without a deal, preferring delay to a rushed deal.
- Similarly, Isabelle Falque-Pierrotin, Chair of the Article 29 Working Party, considers a delay in the approval of the text would not have a major impact.
- In parallel, Mr Buttarelli is drafting recommendations on the interaction between privacy, competition and consumer rules to ensure the effective enforcement of EU citizen's fundamental rights. Concerns have been raised over privacy protection, as large online networks could potentially abuse their power as data becomes a growing asset for companies. An opinion is expected to be published in July.

Data Protection

Ireland: New privacy case awakens interest amongst organizations in the field

- Irish regulators have called into question whether "Model contract clauses" - used by multinational companies to transfer data outside the EU without breaking current data protection rules - offer citizens appropriate redress.
- The case is being heard at the Irish High Court, which will rule on companies' use of such model clauses to transfer the data of EU citizens to the U.S.
- Eight organizations have signed up to become "friends of the court" on this case to have their point of view considered by the judge. The list includes the Electronic Privacy Information Center as well as tech lobby group DigitalEurope.

UK: Security services provided broad surveillance powers by Investigatory Powers Bill

- Security officials will be allowed to conduct surveillance on all phones and laptops in an entire town as long as the town is overseas and it proved necessary for national security purposes.

- The changes – which fall under the Investigatory Powers Bill - are explained in a case study.

Online counterfeiting

EU: European Commission formalises agreement to tackle sale of online counterfeit goods

- The European Commission presented a Memorandum of Understanding addressing the online sale of counterfeit goods. Signatories included a diverse range of companies from the tech sector including Alibaba, Allegro, Amazon and eBay, amongst others.
- The new agreement - presented on 21 June at the European Commission's Intellectual Property Conference – dates back to 2011, when the Commission stated its intention for Internet sites to better track the takedown process.

Internet governance

EU: Global Commission on Internet Governance report calls for measures to ensure a free and open Internet

- The **Global Commission on Internet Governance** published new report entitled “One Internet” aimed at ensuring a free and open global web.
- The guidelines identify cybersecurity as the main concern and promotes an “open, secure, trustworthy and inclusive” Internet.
- The report's recommendations urged governments to: draft a list of “off-limits” cyber targets; be fair and transparent when using encrypted technology; and take the time to draft transparency reports on blocked content following government requests.
- It also calls on governments, private corporations, civil society, the technical community and individuals to create a new “social compact” for the digital era based on a common high level agreement. « This social compact will require a very high level of agreement among governments, private corporations, civil society, the technical community and individuals. Governments can provide leadership, but cannot alone define the content of the social compact. Achieving agreement and acceptance will require the engagement of all stakeholders in the Internet ecosystem ».

China: Internet regulator to exert further control over the Internet

- A new campaign has been launched in China to remove comments sections from websites.
- The Chinese government considers these measures as means to tackle further “outstanding problems” such as terrorism and to prevent the publication of illegal and harmful information.
- Current Internet restrictions include blocking sites such as Google and Facebook.

Events

EU: Connected Citizens Summit

- On 21 June, Amsterdam welcomed experts to a summit organised by Politico on Connected Citizens.
- The Connected Citizen Summit in Amsterdam discussed the role of data in our future societies, with regard to cities and mobility, energy efficiency and security, big data, privacy and cybersecurity.
- Udo Helmbrecht - Executive Director at ENISA – called for a need to educate about cybersecurity in schools and on digital skills platforms.
- Paul Timmers, Director at DG Connect, referred to platforms, specifying that the platform communication is about fair behaviour, while the free flow of data initiative will deal with data ownership issues. These

can be seen from three perspectives: privacy, public safety and the role of governments to communicate and guide – but not to regulate.

EU: Digiforum 2016 organised by the European Consumer Organisation, BEUC

- BEUC hosted **Digiforum 2016: Consumers Shaping the Digital Economy.**
- The event addressed the digital market from a Consumer perspective; speakers included Julia Reda MEP (Greens, DE) and Marietje Schaake MEP (ALDE, NL), and representatives from business, academia and the European Commission.
- Claire Bury, Deputy Director General of DG Connect, noted services such as Skype and WhatsApp could face harsher security and confidentiality rules.

Member States

UK: Leave vote prevails in referendum

- In a landmark move, the UK voted to renounce its membership of the EU, by 52 per cent to 48 per cent. Prime Minister David Cameron announced his intention to resign and a new leader to be in place by October; formal withdrawal proceedings have yet to begin but the four presidents (Council, Commission, Parliament, EU presidency) and the European parliament have signalled they want the process to begin imminently.
- The result will come as a disappointment to the 34 tech companies signatory to a letter sent to the Times newspaper, stating their preference for the UK to remain in the EU in order for it to remain competitive and attractive to external investors.
- In parallel, Vodafone Chief Executive Vittorio Colao had opined that a vote for exit would risk the UK losing digital influence and is unable to shape the Commission's coming digital single market proposals.