

ISOC European Regional Bureau Newsletter

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Trust - encryption

EU: Franco-German initiative to boost EU security

- Following recent terror attacks in France and Germany, French Interior Minister Bernard Cazeneuve and his German counterpart Thomas de Maiziere met in Paris on 23 August and proposed a **new EU approach to security**.
- M Cazeneuve opined that given the increased level, nature and diversity of jihadist terrorist activities, it was essential to reinforce collective efforts to counter it. Further, he noted the situation has become more complex via the **increased use of encrypted messaging services** rather than mainstream social media.
- The initiative aims to increase control of external borders, improve the sharing of critical information between Member States and compel operators of mobile services to provide access to encrypted data for terrorism investigations.
- M Cazeneuve called on the **European Commission** to **draft a law obliging operators to cooperate with investigations by Member State security services**.
- Nathalie Bertaud, the European Commission's spokesperson, welcomed the initiative and explained how the current Data Protection Directive allows member states to restrict the scope of certain data protection rights where necessary and proportionate. The new General Data Protection Regulation, which will apply from 25 May 2018, will preserve these restrictions.

UK: Independent review supports scope of Investigatory Powers Bill

- David Anderson QC – author of an **independent review** of the UK Government's Investigatory Powers Bill - considered **Britain's spying agencies (GCHQ, MI5 and MI6) should be allowed to gather large amounts of data from emails**.
- Mr Anderson's review also found **no viable alternative to the use of Internet surveillance as proposed in the Bill** and also backed the interception of voice-messages "in principle".
- The review evaluated four of the powers in the Investigatory Powers Bill: bulk interception, bulk acquisition, bulk equipment interference and bulk personal datasets. It also considered the role of the security services and did not consider aspects involving the retention of Internet records for one year.
- The review concluded that there is a **"proven operational case" for three of the bulk powers, and considered a "distinct (though not yet proven) operational case" for bulk equipment interference**.
- The review recommended the appointment of a Technical Advisory Panel of independent academics and industry experts and found the changing nature of the technology involved will raise new questions.
- Mr Anderson was given access to details of operations by British security services in Afghanistan and other territories; his review will provide an important legal footing to the Investigatory Powers Bill (often referred to as the "Snooper's charter") which is due to return to Parliament later this year.

Internet Access

Kyrgyzstan: Rise in Internet tariffs causes concern

- The **Eurasian Economic Commission (EEC)** agreed to consider a proposal by Kyrgyzstan's State Committee for Information Technology regarding a reported increase in Internet tariffs imposed by Internet operators based in Kazakhstan.
- The claim came after the Association of Communications Operators of Kyrgyzstan addressed a **letter** to the Vice Prime Minister of Kyrgyzstan, Oleg Pankratov. According to the letter, Kazakhstan raised Internet tariffs two- to threefold, and attempts by the Kyrgyz to look for alternative providers would result in automatic cutoffs. The letter also noted Kazakhstan operators were increasing transit prices for European and Russian operators supplying Internet services to Kyrgyzstan.
- The Eurasian Economic Commission will consider whether the actions of Kazakhstan violate the founding treaties of the Eurasian Economic Union.
- Kyrgyzstan has one of the highest Internet penetration rates in Central Asia. It is an effectively cyberlocked country dependent on purchasing bandwidth from Kazakhstan and Russia. **Media** in Kyrgyzstan are warning users to expect increases in future Internet bills.

UK: Social media failing to combat online extremism

- A **report** by the House of Commons Home Affairs Select Committee observed how **social media networks** such as Facebook, Twitter and YouTube are used to spread terrorist propaganda and target new joiners. All three platforms were **criticised by MPs for "consciously failing" to combat the misuse of their sites to promote terrorism and extremism.**
- Facebook, Twitter and YouTube each stated they take their role in fighting extremism very seriously, while TechUK noted the MPs had overlooked efforts undertaken by social media companies to fight online radicalization.
- However, Keith Vaz, Chair of the Committee, demanded social media networks liaise more closely with the police to immediately shut down online terrorist activity. Mr Vaz considered such platforms should publish more details about the quantity of material they remove and how quickly they do so.

EU: Proposed copyright reform to confer additional rights to broadcasters

- European news publishers will be entitled to **levy fees on internet platforms for using their content** – such as snippets of their stories - according to an advanced copy of proposed copyright reforms being finalised by the European Commission.
- The Commission is also considering **imposing obligations on video-sharing platforms** to enter into revenue-sharing agreements with rights holders
- The proposals – due to be adopted in September – are part of the European Commission's plans to **create an EU Digital Single Market** enabling EU-wide access to digital content and services - and aim to reduce the power and influence of online operators whose market share provides them a commercial advantage when negotiating with content creators, such as authors, musicians, record labels, broadcasters and publishers.