

ISOC European Regional Bureau Newsletter

4 November – 10 November 2016

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Internet Access

EU: Commission to open inquiry on algorithms

- The European Commission is considering adopting actions to **make Internet firms share details of the algorithms they use to present information such as news, user posts or search engines results.**
- The **two-year-long inquiry is expected to be launched by mid-2017**, with the aim to explore how social media companies, search engines and other technology firms organize their data and display information
- More than half a million euros has been set aside by the Commission to explore the issue; it is uncertain whether a legislative proposal will follow.
- The initiative comes as several national governments have called to track down the use of algorithms by Internet firms. France's digital council advised for a European rating agency for online platforms to be set up in order to rank companies based on how neutral they are when presenting information.
- **Chancellor Angela Merkel** also referred to the issue of algorithms during a speech she gave at a Munich media industry conference on 27 October.

EU-US: Trump Presidency could have implications for the EU-U.S. Privacy Shield

- Following Donald Trump's election as President of the United States of America on 9 November, it **remains unclear whether this will impact upon transatlantic data flows.**
- Robert Litt, General Counsel to the US Director of National Intelligence, affirmed that US intelligence officials are still committed to the deal, while Ted Dean, US chief negotiator, noted that industry will exert pressure to pursue with the pact due to the importance of data flows.
- Justice Commissioner Věra Jourová is scheduled to visit Washington in December, which may provide greater clarity.
- The decisive time will be Summer 2017, when the Privacy Shield undergoes its first annual review.

EU: EDPS blog post 'Data Protection for Digital Communication'

- Wojciech Wiewiórowski, Assistant European Data Protection Supervisor (EDPS), published a **blog post** where he discussed the **ruling** from the European Court of Justice whereby data collected by web services were considered as personal data.
- An explanation was provided of the latest guidelines from the EDPS regarding protection of data processed through **mobile applications** and **web servers** provided by the EU institutions. The guidelines, published on 7 November, offer practical advice on how to integrate data protection principles for the development of web-based services and mobile applications. The blog also addressed the role of the EDPS Guidelines as reference document used by the EU institutions.



Internet
Society

EU: BEREC claims for independence of net neutrality watchdogs from EU politics

- Sébastien Soriano – Head of the French ARCEP and Chairman of the BEREC - asserted that European regulators in charge of safeguarding fundamental online rights should be granted greater independence from EU politics.
- Mr Soriano – speaking at the ECTA Regulatory Conference 2016 held in Brussels on 9-10 November – was responding to enquiries into why he **opposed the creation of an EU telecom regulation agency**, as proposed in a draft EU bill from September.

Trust

EU: Facebook faces challenges in UK and Germany

- Elizabeth Denham, the UK's National Information Commissioner **has acted to stop Facebook using data from WhatsApp UK data for ads** on its social network. Ms Denham considered Facebook had not obtained valid consent and stressed the need for ongoing control over personal data. Facebook has halted its activities and is in "detailed conversations" with her office.
- Ms Denham wants Facebook and WhatsApp to offer further details on how their data will be used, allow WhatsApp members to limit access to their information beyond the 30-day cooling-off period and enable users to completely opt-out of the agreement at any point.
- Stephen Deadman - Facebook's Privacy Executive - cautioned against creating unnecessary EU legislation to protect the confidentiality of online conversations, advocating legislators to consider companies' existing data protection measures.
- **Prosecutors in Munich have launched legal action against Facebook CEO Mark Zuckerberg, and other senior executives for failing to ban hate speech on their site.** The action was triggered by a complaint by Chan-jo Jun, a lawyer based in Würzburg, that accuses Facebook of tolerating hate speech, Holocaust denial and calls to murder or violence.
- German law bans hate speech, glorification of the Nazi regime and denying the Holocaust. Facebook has faced prior criticism in Germany for failing to deal adequately with such posts.
- Justice Minister, Heiko Maas, said legal measures will be adopted if the company does not comply by March 2017.

Germany: Russian cyberattacks could influence general elections

- Chancellor Angela Merkel warned **Russia could be trying to influence Germany's 2017 elections using cyber-attacks or disinformation campaigns.** The comments came as the German Chancellor was asked whether Germany could experience cyber-attacks similar to those reportedly suffered by Hillary Clinton's Democratic Party during the US Presidential election.
- In October, Washington formally accused Russia of interfering in the election by hacking US political institutions; the Germany domestic secret service had previously accused Russia of a number of international cyber-spying and sabotage attacks.

UK: National security services want Internet service providers to block hackers

- Government's cyber defense body – **GCHQ - urged Internet providers to amend current protocols** to prevent computers from being used to set off large-scale cyber-attacks.
- GCHQ plans to work with network providers such as BT and Virgin Media in order to **rewrite Internet standards** to prevent hackers from impersonating other computers and manipulating them into carrying out anonymous attacks (a technique known as 'spoofing').
- The aim is to prevent distributed denial of services (DDoS) attacks by fixing the underpinning infrastructure of the Internet through changes with internet (ISP) and communication service providers (CSP). The plan would aim to **prevent re-routing of UK traffic and counter text message scams.**

- The Internet Service Providers Association (ISPA), the body representing ISPs, expressed skepticism to an issue they consider is much more complex. The announcement followed the launch of the Government's five year cybersecurity strategy this week.

UK: Investigatory Powers Bill postponed

- The **Investigatory Powers Bill faces delays** as the **House of Lords and House of Commons were unable to reach an agreement** on an amendment on press freedom. MPs were unable to accept changes emerging from the Leveson Inquiry (the judicial public inquiry into the practices and ethics of the British press) addressing phone hacking and media misbehaviour in 2011-2012.
- Due to the lack of agreement, the Bill's progress has been postponed until at least 14 November.

UK: bank attack affects 20,000 customers

- Approximately **40,000 accounts of Tesco Bank suffered suspicious transactions over the weekend of 5-6 November, of which 20,000 had money taken** after the bank's central system was targeted. Tesco Bank consequently stopped online payments via debit cards although customers will still be allowed to use their cards to withdraw money, carry out chip and pin payments, as well as undertake bill payments and transfers between accounts.
- An unnamed Europol security consultant described the attack as unprecedented at a British bank.
- The National Crime Agency and the Information Commissioner's Office are both leading the investigation of the case.