

European Regional Bureau Newsletter



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InternetAccess

EU: Commissioner Gabriel on net neutrality in the EU

- Following the decision from the US Federal Communications Commission (FCC) to repeal the open Internet rules, MEP Catherine Stihler (S&D) [asked](#) what measures the European Commission was taking to support net neutrality in the EU.
- Digital Commissioner Mariya Gabriel [assured](#) the MEP that the protection of net neutrality in the EU was stable due to the Union Regulation (2015) on the open Internet, the enforcement of which is a crucial task of national regulatory authorities.
- Commissioner Gabriel also reminded the MEP of the set of [guidelines](#), adopted by the Body of European Regulators for Electronic Communications (BEREC) in 2016 to help national regulators consistently implement European net neutrality rules.

EU: BEREC calls for quick 5G roll out at European 5G Conference

- On February 12-13, the [European 5G Conference 2018](#) took place in Brussels gathering high-level stakeholders to discuss aspects such as connectivity, use cases and deployment models.
- The Body of European Regulators for Electronic Communications (BEREC) used the opportunity to [call](#) for the removal of potential hurdles and the quick roll out of 5G in the region.
- BEREC Chair, Johannes Gungl, stated that the industry must have predictability and certainty for its investments. "It is not acceptable that building a mobile site takes 18 to 24 months due to permission and negotiation issues," he argued, stressing the fact that BEREC fully supports the EU Action Plan for 5G.

Trust

EU: Article 29 WP's new working documents and guidelines

- The Article 29 Working Party, the advisory body composed of representatives of national data protection authorities, has now released a number of working documents and guidelines. These documents are intended to provide guidance on the implementation of the EU's new data protection rules (the General Data Protection Regulation).

- These documents include the Working Document on [Binding Corporate Rules for Processors](#); the Working Document on [Binding Corporate Rules for Controllers](#); and the Working document on [Adequacy Referential](#).
- The guidelines published were on [personal data breach notification](#), on [automated individual decision-making and profiling](#), and on the [application and setting of administrative fines](#).

EU: Commission to give companies one hour to remove illegal content online

- A leaked [Recommendation](#) from the European Commission on “measures to effectively tackle illegal content online” sets one hour as a deadline for Internet companies to remove the terrorist content online flagged on their platforms.
- The draft document, obtained by [EDRI](#), the advocacy group defending digital rights, would be non-binding and lists a series of provisions formerly included in the EC’s [guidelines](#) on illegal content released in September 2017.
- The draft Recommendation requires hosting service providers to clearly state when and why certain content was removed, justify it if anything is left online and to not store any data.
- It also outlines the measures that companies can take to submit and process notices and referrals, and suggests to those Member States where it is available to allow the use of out-of-court dispute settlement mechanisms.

EU: CEN/CENELC, ETSI and ENISA conference on the Cybersecurity Act

- On February 13, the EU standardization bodies and the EU cybersecurity agency (ENISA) held a conference on the standardization aspects of a cybersecurity framework as proposed by the Commission Regulation for a Cybersecurity Act.
- At the conference, the Commission confirmed that the timeline for adoption of the Act is still May 2019.
- In the Commission’s view, there is no need to start from scratch as over 500 standards exist. The Commission plans to develop a priority list of ICT standards clarifying the products and services to be targeted. It also underlined that security and privacy by default are needed, not just security and privacy by design.
- ENISA was invited to maintain a multi-stakeholder approach. The Agency argued it has always operated in a collaborative manner and will continue to do so.
- Industry requested the Commission place more emphasis on the self-assessment measures foreseen in the act.

EU: The App Association publishes GDPR guide

- ACT | The App Association has published a comprehensive and interactive [guide](#) to help both companies and users understand what the General Data Protection Regulation (GDPR) is and what it entails for businesses, before it comes into effect on 25 May.
- The document outlines what the new requirements are, addresses common questions, and explains what the new rights foreseen in the GDPR rules are (i.e. right to access, data erasure, data portability, right against automated decision-making, and government access to data).
- An appendix also highlights the differences between the GDPR and the EU-U.S. Privacy Shield.

FR: Fake news law to be presented at the Parliament

- French Culture Minister Francoise Nyssen said that the new law on countering the spread of fake news is “almost ready” and will soon be [presented](#) to the Parliament.

- The bill follows French President Emmanuel Macron's promises to introduce a law to ban fake news on the Internet, as announced at his New Year's speech.
- The new rules would include more transparency about sponsored content. Websites would thus have to publicly state who is financing them, while the amount of money for sponsored content would be capped.
- If adopted, the law will particularly target the period around election campaigns.

DE: German court finds Facebook guilty of data policies violation

- A Berlin regional court has [ruled](#) that Facebook's default privacy settings and some of its terms and conditions violate local consent laws. The verdict was passed at the end of January but was only made public this week.
- The court ruled five different default privacy settings were illegal, including sharing location data with chat partners and making users' profiles available to other search engines.
- Facebook [intends](#) to appeal and argued that is "working hard to ensure that our guidelines are clear and easy to understand, and that the services offered are in full accordance with the law."
- The legal challenge was filed in 2015 by the Federation of German Consumer Organisations (VZBV).

UK: British Government unveils AI technology to fight extremist content online

- The UK Home Office [unveiled](#) a £600,000 artificial intelligence (AI) tool developed with ASI Data Science to automatically detect terrorist content online and prevent it from being uploaded, at a very successful rate - 94% of Isis propaganda with 99.995% accuracy.
- The Home Office [said](#) that between July-December 2017 extremist propaganda material appeared in almost 150 web services not used for this purpose before.
- The new tool was announced one day before UK Home Secretary Amber Rudd headed to Silicon Valley to meet with communication service providers to discuss how to tackle terrorist content online.

EU: Companies sign cybersecurity Charter

- On February 16, on the side of the Munich Security Conference ([MSC](#)) several private companies [signed](#) a joint [Charter](#) to boost trust in cybersecurity.
- The document lists ten action areas where governments and companies are invited to be more active.
- On encryption, the signatories believe "connected devices must ensure confidentiality for data storage and transmission purposes, wherever appropriate."
- The Charter also calls for businesses to "establish mandatory, independent third-party certification for critical infrastructure and solutions."
- Moreover, it stresses the importance of data protection and security by default, as well as the introduction of cybersecurity regulations into free trade agreements.
- The "Charter of Trust," started by Siemens, was signed by NXP Semiconductor, Airbus, Allianz, Daimler Group, IBM, SGS and Deutsche Telekom.

EU: Cyber attachés to discuss Cybersecurity Act

- On February 22, the Horizontal Working Party on Cyber Issues will [meet](#) to discuss the [proposal for a Regulation](#) on ENISA, the "EU Cybersecurity Agency", and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act").

- The Cybersecurity Act is currently being discussed by the EU co-legislators (European Parliament and Council), following the European Commission's proposal issued in September 2017.
- The proposal envisages a stronger and permanent mandate for ENISA and the creation of the first voluntary EU-wide cybersecurity certification framework for ICT products.