

European Regional Bureau Newsletter



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Internet Access

EU: ETNO on spectrum compromise in the EECC

- On March 1, the EU co-legislators reached a deal on the spectrum provisions of the European Electronic Communications Code (EECC).
- ETNO, the association representing Europe's leading telecom operators, [issued](#) a note on the results of the negotiations, stating that “they fell short of delivering the expected result on license duration and eluded the peer review question.” ETNO would prefer a 25-year license duration to guarantee stability in the sector.
- ETNO called on the co-legislators to ensure that the final text delivers “far more ambition, more certainty, less complexity and a credible governance system.”

EU: BEREC's internal workshop on 5G, IoT and security

- On March 7, in Bratislava, the Body of European Regulators for Electronic Communications (BEREC) held a [workshop](#) on security issues linked to the development of Internet of Things (IoT) products and devices, as well as on the implications related to the development of 5G.
- A draft BEREC study “Implications of 5G deployment and future business models” was approved the following day.
- 5G is a top priority for BEREC for the next three years.

EU: Withdrawal of the UK and EU legislation on net neutrality

- On March 7, the European Commission published a [notice to stakeholders](#) on the withdrawal of the United Kingdom and EU legislation in the field of electronic commerce and net neutrality.
- The document states that the UK will become a 3rd country following Brexit. As such, the EU Regulation on Open Internet (2015) will no longer apply to the UK.
- The Regulation provides for common rules on equal and non-discriminatory treatment of traffic in the provision of Internet access services and related end-users' rights

UK: Ofcom to probe Three and Vodafone over net neutrality throttling

- Ofcom has [opened](#) an investigation to understand whether Three and Vodafone are “throttling” certain services on their networks, breaching EU rules on net neutrality.

- The regulator stated it would be particularly interested in asserting whether the companies intentionally slow down specific types of online traffic, including when customers are roaming.
- The probe will also look at Vodafone's traffic management policies namely their bundled offers which allow customers to buy usage of music or video streaming, social media or messaging apps without eating into data allowance under their regular contracts.

Trust

EU: EC's consultation on measures to fight against illegal content online

- The European Commission's Directorate-General for Communications Networks, Content and Technology issued an [inception impact assessment](#), and opened a [public consultation](#), on "measures to further improve the effectiveness of the fight against illegal content online."
- The EC aims to reduce the availability of illegal content online, while ensuring the ability of users to express themselves freely. The objective is to make it harder for illegal content to be uploaded and spread across platforms and for users to easily access any such content while improving the regulatory framework for the provision of information services.
- The consultation will be open for feedback until 30 March.

DE: Court bans Facebook from using data of German WhatsApp users

- According to a [ruling](#) of the Supreme Court of Hamburg issued on March 2, Facebook cannot use personal data belonging to German WhatsApp users, given that the social network does not have users' consent, as required by German law.

EU: E-evidence proposal to be released next month

- Addressing the European Parliament's Civil Liberties, Justice and Home Affairs Committee on March 5, Justice and Consumers Commissioner Věra Jourová [said](#) the e-evidence proposal will be issued is 17 April.
- The proposal is designed to help police authorities gain access to data-based evidence from tech companies during investigations.
- The proposal was expected early this year, but delays were caused by the fact that the European Commission was keen to strike the right balance between fundamental rights and allowing authorities to access evidence from companies.

FR: Fake news draft law forces platforms to cooperate

- The French government is preparing a [law](#) to tackle the spread of fake news online.
- One of the measures foreseen is the introduction of the "duty to cooperate", which would force social media platforms to alert authorities to any content flagged as false or misleading.
- Platforms will also have 48 hours to remove such content and close accounts if needed.

EU: EU Ministers discuss interoperability of information systems

- The EU Home Affairs Ministers have discussed [interoperability](#) between EU information systems on March 8, at the meeting of the Justice and Home Affairs Council.
- The European Commission's proposals of December 2017 aim to improve the searching and comparing of data available in EU information systems.

- EU Ministers addressed whether the proposed interoperability components sufficiently address the needs, if coordination at EU level is needed to prepare the implementation at national level, as well as the necessity to explore additional measures to fill information gaps.

FR: FCA announces online advertising sector inquiry

- On March 6, the French Competition Authority (FCA) published the results of a sector-specific inquiry into display online advertising, in a 125 page [document](#). The Opinion identifies possible competition concerns and is likely to trigger individual antitrust investigations.
- According to the document, the sector is in "fragile competitive equilibrium" with the presence of only two significant global players.
- The FCA argued it would address the open questions concerning market definition, dominance and access to data, open an investigation into Google and Facebook "in the next few months," and consider potential enforcement action accordingly.

EU: LIBE Committee's opinion on the Cybersecurity Act

- On March 8, the European Parliament LIBE Committee adopted Jan Philipp Albrecht's (Greens/EFA, DE) [draft opinion](#) on the "EU Cybersecurity Act".
- In his draft opinion, the rapporteur invited the EU cybersecurity Agency, ENISA, to propose policies establishing clear responsibilities and liabilities for all stakeholders in ICT eco-systems.
- He also called on ENISA to propose an IT security certification scheme which allows constant improvements, and to release guidelines and best practices to help manufacturers implement security-by-design principles.
- Jan Philipp Albrecht will [leave](#) the European Parliament this September to take on role as Minister of Energy, Agriculture, the Environment, Nature and Digitalization in Schleswig-Holstein.

Others

FR: French Minister of the Economy and Finance on digital tax

- Nearly a year into the Macron presidency, on March 6, France's Economy Minister Bruno La Maire [offered](#) his thoughts on leadership within the EU on a number of key issues such as digital taxation, Brexit and Eurozone reform in London.
- Minister Le Maire highlighted the urgency to adapt our corporate tax system to the new, digitalised economic reality. He argued it is unfair to let Internet companies make huge profits and "paying ridiculously low amounts of taxes." He then called on a rapid and efficient solution by the end of the year.
- Moreover, in a previous [interview](#) on March 3, he said the EU was expected to tax the revenue of Internet companies at a rate between 2 and 6 percent.

EU: Industry voice their concerns to Commissioner Moscovici on digital tax

- Industry representatives from big tech firms met Commissioner Moscovici on Wednesday 7 March to discuss their concerns.
- Around two dozen attendees confirmed their attendance, including representatives from: booking.com, Google, Transferwise, BlaBlaCar, Spotify, Amazon, Netflix, Apple and Uber. DigitalEurope and France Digitale also attended.
- The main points raised included the risks that a short-term measure would unfairly target start-ups and stifle innovation. While many industry representatives agreed about the general need for updating Europe's taxation system, they argued the method had to be refined.