

# European Regional Bureau Newsletter



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## Internet Access

### **EU: Pressure on EP rapporteur of the European Electronic Communications Code**

- During the past European Parliament plenary session (July 3-6), some of the most active players in the EU telecoms scene (Telecoms operators, OTTs, national representatives etc.) gathered to try to influence MEP Pilar Del Castillo (EPP, ES), rapporteur of the European Electronic Communications Code. Del Castillo is crafting political compromises on her draft proposal on telecoms reform for the Committee on Industry, Research and Energy (ITRE).
- On July 11, shadow rapporteurs in ITRE will meet to discuss compromise amendments on a number of issues including investment and regulators' power over oligopolies.

### **EU: Telecoms Ministers still divided on spectrum ahead of Tallinn meeting**

- The EU competitiveness and Telecoms Ministers meet in Tallinn on July 17-18. a leaked draft [ministerial declaration](#) provides relatively broad principles on which they would agree to act.
- The document states “the Ministers are committed to undertake together all required efforts in order to make available appropriate and sufficient radio spectrum in a timely way and leverage the full potential of 5G”. However, it does not mention specifics on more controversial issues (e.g. the duration of spectrum licenses).
- In a [discussion paper](#), which lists the points on which Ministers agree on, the Estonian Presidency challenges them to cooperate more on spectrum and do what is required to support 5G rollout in the EU.
- Ministers will also discuss the future of the data economy (free flow of data and data localization).

### **EU: WP on Telecommunications and Information Society meets on July 13**

- The Working Party on Telecommunications and Information Society is [meeting](#) on July 13. The WP will discuss the proposal the European Electronic Communications Code (Spectrum) and examine the new Presidency text.
- This meeting will feed into the preparations for the meeting of Telecoms Ministers (mentioned above) on July 17-18. EU Member States are still divided regarding their positions on spectrum. However in general they oppose the efforts of the European

Commission to impose greater harmonisation and coordination of spectrum management, which many Member States see as interfering with their competences.

## Trust

### **EU: 83 groups and eminent individuals ask Five Eyes Ministers not to weaken encryption**

- On June 30, 83 groups sent a [joint letter](#) to the Ministers of the Five Eyes security community (United States, United Kingdom, New Zealand, Canada, and Australia) to emphasize the importance of national policies that encourage the development and use of strong encryption. The letter was sent after a meeting of national agency officials from the five states to discuss plans to press technology firms to share encrypted data with security agencies.
- The signatories of the letter called the Ministers to “respect their right to use strong encryption and pursue any additional dialogue in a transparent forum with public participation.”

### **UK: Prime Minister Theresa May’s cabinet briefed on cybersecurity**

- On July 4, UK Prime Minister Theresa May’s cabinet was briefed on measures the government is putting in place to protect the country from cyberattacks, following a wave of incidents affecting British organizations in the past months.
- The British Information Commissioner’s Office (ICO) aims at keeping close ties with the EU on data protection. In its [International Strategy 2017-2021](#), ICO emphasized the uncertainty presented by Brexit, including whether UK citizens’ data will be able to travel to the EU and how privacy protections in the rest of the world will be managed. The ICO wants to see a data transfer deal between the two parties under which privacy in the UK would be equally protected as under EU law.

### **Ukraine: Ukraine cyber police blocked second cyberattack**

- According to Ukrainian Interior Minister Arsen Avakov’s [post](#) on Facebook, on July 4, the Ukrainian cyber police prevented another malware attack.
- Last week malware dubbed “NotPetya” spread worldwide having originally hit Ukraine systems. Employees of the Ukrainian company which may have inadvertently spread the massive virus outbreak could now face criminal charges, accused of having aided the attack.

### **EU: Estonian Presidency presented its programme at the European Parliament Plenary**

- On July 5, the European Parliament Plenary heard from the Council and Commission on the [programme of activities](#) of the Estonian Presidency.
- Jüri Ratas, Prime Minister of Estonia, listed the four priorities that the Estonian Presidency will focus on over the next 6 months. These include a digital Europe and the free movement of data, which is considered to be the “5<sup>th</sup> freedom in the EU”. According to the PM, it is fundamental to improve the interoperability of information systems, data protection, and the quality of data exchange.
- Andrus Ansip, Vice-President of the Commission, Commissioner for the Digital Single Market, was also present. Welcoming the new presidency, he stressed the importance of investing in the digital future, and strengthening cybersecurity.

### **EU-US: US group calls on EU to cancel Privacy Shield**

- On July 5, Jeffrey Chester, Executive Director of the Center for Digital Democracy (CDD), a leading US based NGO specializing in consumer data protection issues in

the digital marketplace, has called for the European Commission to terminate the Privacy Shield agreement, saying the US hasn't held up its end of the bargain.

- In a [letter](#) addressed to Bruno Gencarelli, Head of the Unit for data protection at the European Commission's Directorate-General for Justice and Consumers, he outlined "the failure of the US to have its own effective legal privacy framework and the failure of Privacy Shield participants not only to disclose their practices but also to ensure that they fully respect the EU approach to data protection".
- The EU and the US will start the first annual review of Privacy Shield in September. The pact, which gives companies legal protections as they move data between the two countries, was formalized last July.

#### **EU-Japan: Trade deal signed leaving data flows out**

- On 6 July, the European Union and Japan reached a [political agreement](#) on a free-trade deal. However, this deal does not include specifics on data flows.
- Following months of talks, European Commission President Jean-Claude Juncker and Japanese Prime Minister Shinzō Abe signed a [joint \(and non-binding\) statement](#) that "the free flow of information is a fundamental principle to promote the global economy" and they have promised a transfer deal for personal data, including through a simultaneous finding of an adequate level of protection by both sides, by early 2018.

#### **EU: MEP suggests hearing with Larry Page while Commission moves forward on Google Android antitrust case**

- MEP Ramón Tremosa (ALDE, ES) — a strong supporter of the €2.4 billion fine on Google — will ask the European Parliament's Committees on Economic and Monetary Affairs (ECON), and on the Internal Market and Consumer Affairs (IMCO), to invite Google founder Larry Page for a hearing. According to MEP Tremosa, Mr Page would not need to discuss the Google antitrust case, but could discuss his views on Europe's economy and tech scene.
- In the meanwhile, another Google antitrust case, on [Android](#), seems to be moving forward. According to [some sources](#), the case could be closed by the end of the year.

#### **EU: GSMA and ETNO Joint Position: The proposed European ePrivacy regulation**

- GSMA, the association representing mobile operators worldwide, and ETNO, the European Telecommunications Network Operators' Association, have released a [joint position](#) on the proposed ePrivacy Regulation, now being discussed in the European Parliament.
- The GSMA and ETNO are calling for the EU to consider the following areas to ensure the end result strengthens consumer trust and encourages digital innovation. They recommend modifying the ePR to provide electronic communications service providers with greater flexibility to use data responsibly, and urge that further compatible processing is permitted, provided that privacy risks are mitigated through safeguards such as pseudonymisation.
- The two believe the ePR should protect the confidentiality of consumers' communications, avoiding inconsistency with the General Data Protection Regulation, which will come into force in 2018.

## Other

#### **EU: European Commission suggests digital issues for the top of the G20 agenda**

- On July 4, European Commission President Jean-Claude Juncker and European Council President Donald Tusk have sent a [joint letter](#) to EU Heads of State or

Government, setting out the EU priorities for the G20 Summit which takes place on 7-8 July in Hamburg, Germany.

- “Tapping the potential of the digital revolution” is listed amongst the priorities for the G20 Summit. President Juncker and President Tusk want competition, free flowing information and proper privacy protection. The pair also said they would “underline the need to prepare for the profound impact of digitalisation and automation on labour”.
- The two EU leaders also mentioned the need to combat terrorists’ misuse of the Internet.

#### **EU: Parliament confirms Mariya Gabriel as new Digital EU Commissioner**

- On July 4, the European Parliament approved Mariya Gabriel’s nomination to be the next European Digital Commissioner with 517 votes in favour, 77 against and 89 abstention.
- The Commissioner for the Digital Economy and Society will support the implementation of the Digital Single Market Strategy. Amongst other responsibilities, she will help to lay the groundwork for Europe’s digital future with EU-wide telecommunications networks, digital services that cross borders and innovative European start-ups.
- She will also contribute to projects coordinated by EU Commission Vice-President Andrus Ansip, in charge of the Digital Single Market, and Vice-President Jyrki Katainen, in charge of Jobs, Growth, Investment and Competitiveness.