

No.1, 2016 (April)

Privacy/Data Protection

Fighting Terrorism: Heated Debate on Encryption	p.2
Conference on Privacy and Encryption Online	p.3
Agreement on New Data Protection Rules	p.3
EU Data Rules: Too Much Up To Individual Countries?	p.4
New EU-US Data Privacy Deal Better Than Old One?	p.5
Internet of Things: Much Concern About Privacy	p.6

Press Freedom

No Discounts to Turkey on Media Freedom?	p.6
New Polish Media Law Widely Condemned	p.7
No EU Country Free From Risks to Media Pluralism	p.8

Copyright

Fierce Debate on 'Google Tax' for Publishers	p.8
Have Your Say on Controversial Copyright Issues	p.9

Media - general

Trade Secrets Directive: Exemptions for Journalists Clarified	p.9
Need To Focus on Algorithms	p.10
UNESCO Conference on Journalists' Safety	p.10
Revision of Audiovisual Directive Approaching?	p.11
MEPs: Exclude Audiovisuals from TISA Trade Deal!	p.11

Internet Governance

US Control of Key Internet Functions Soon Over?	p.12
UN Reviews Its Vision of The Information Society	p.12
EU: Internet Should Remain Single, Open and Free	p.13
New CoE Strategy to Protect Human Rights Online	p.13

Telecoms/Infrastructure

Radio Spectrum: TV Broadcasters Lose Space	p.14
CoE Adopts Guidelines on Net Neutrality	p.14

Privacy/ Data Protection

Fighting Terrorism: Heated Debate on Encryption

The recent terrorist attacks in Paris, California and Brussels re-ignited calls in Europe and the United States to create "backdoors" for law enforcement agencies to tap into encrypted data on phones, computers and other devices. This set off a heated debate about the trade-offs between security and the need to safeguard privacy and freedom of speech.

Much of the debate focused on the legal battle over encryption between Apple and the U.S. government after the FBI demanded access to encrypted data on an iPhone that belonged to a suspect in the shootings last December in San Bernadino, California.

Apple and other tech companies argued that to weaken encryption would open up people's phones to hackers too. Consumers' trust in there not being "backdoors" allowing access to encrypted files - which could include all kinds of personal information, banking documents and the like - is naturally also important to these companies for business reasons.

Apple's refusal to weaken encryption was supported by many civil society groups as well as international policymakers and experts.

[The UN High Commissioner for Human Rights urged](#) the US authorities to proceed with great caution in the ongoing legal process.

"Encryption tools are widely used around the world, including by human rights defenders, civil society, journalists, whistle-blowers and political dissidents facing persecution and harassment. Encryption and anonymity are needed as enablers of both freedom of expression and opinion, and the right to privacy", he pointed out.

EU Vice-President Andrus Ansip, too, has come out strongly in favour of encryption. A high level of encryption is 'an essential tool for security and trust on open networks... So-called 'backdoors to Internet' may sound tempting to ensure security, but would ultimately erode trust,' he [said](#).

The EU cybersecurity agency ENISA has also spoken out against creating backdoors for law enforcement agencies. "My feeling is that in a lot of cases you cannot prove that these new security measures really prevent new terrorist or criminal events", [said ENISA director Udo Helmbrecht](#).

At the end of March the US authorities dropped the legal case against Apple after the FBI announced it had found another way to access the data on the iPhone.

The debate on encryption and threats to privacy, however, is not likely to subside.

Conference on Privacy and Encryption Online

On 19-20 May a conference will be held in The Hague on [Privacy in the Digital Age of Encryption and Anonymity Online](#). The main theme of the conference will be the difficulty balancing privacy and security with a focus on the latest systems of encryption, anonymisation and pseudonymisation.

A debate between academia, NGOs, the Data Protection Community and any other interested experts on how to strike the right balance between freedom and security is necessary, explain the organizers of the conference, the European Institute of Public Administration (EIPA) and the EU's law enforcement agency Europol. [Read more](#)

Agreement on New Data Protection Rules

In December 2015 - after four years of debate, thousands of amendments and unprecedented lobbying - the European Parliament, the EU Commission and the Council finally struck a deal on the General Data Protection Regulation (GDPR) "to make Europe fit for the digital age".

The new rules will replace the EU's current data protection laws which date from 1995. The changes will give people more control over their personal data and make it easier to access it. They are designed to make sure that people's personal information is protected – no matter where it is sent, processed or stored – even outside the EU, [explains the Commission](#).

Concern for the citizens is not the only motive for the reform. "Citizens' confidence in the online world is crucial for businesses to tap into big data's vast economic potential", [said](#) the two main EU Commissioners involved in the reform.

The new rules provide a "right to be forgotten" when a person no longer wants her/his data to be processed. But freedom of expression, as well as historical and scientific research are safeguarded, says the Commission. For example, no politician will be able to have their earlier remarks deleted from the web.

The GDPR contains a much-debated rule regarding children. Below a certain age children will need to get "parental consent" to open an account on social media. However member states can set their own age limits, provided these are between the 13th and 16th birthdays.

The new rules also ensure that people will have more information on how their data is processed, as well as a right to data portability, which will make it easier to transmit one's personal data between service providers.

Importantly, the GDPR provides for stronger enforcement of data protection rules: data protection authorities will be able to fine companies who do not comply with EU rules up to 4% of their global annual turnover. Not a small amount for some companies.

As for the benefits for businesses, the EU Commission points out that there will be a single, pan-European law for data protection, replacing the current patchwork of national laws.

(This is because the rules are in the form of a Regulation. Certain member states, for example Sweden, would have preferred a Directive, which leaves member states some leeway as to the exact rules to be adopted.)

Moreover, the same rules apply to all companies, regardless of where they are established. Today European companies have to adhere to stricter data protection standards than those established outside the EU doing business in Europe.

On 8 April, the Council [formally adopted its position](#) which paves the way for the final adoption of the legislative package by the European Parliament at its plenary session on 14 April. Check [here](#)

EU Data Rules: Too Much Up To Individual Countries?

As can be expected when much is at stake for many stakeholders, reactions to the agreement on new EU rules for data protection (GDPR) were quite mixed and nobody seems really happy with them. A common complaint is that too much is left up to the individual member states.

The European Consumers' organisation BEUC [welcomed the agreement](#), saying that "although imperfect it will strengthen consumers' fundamental right to the protection of their personal data". However strong monitoring and enforcement by national supervisors to ensure companies abide by the rules will be crucial for the law's success, BEUC adds.

"Overall, the data protection package has achieved the bare minimum standards which were possible in the current political scenario", said Joe McNamee, Executive Director of European Digital Rights (EDRi) (Edri). "

EDRi and other rights groups point out a number of weaknesses, "most importantly, harmonisation has become a parody of its original intentions". The final text "has more permissible exceptions than the previous legislation had articles".

Press organisations seem cautious. The European Journalists' Association, EFJ, and other media organisations had lobbied for a directly applicable and legally binding exemption for journalistic data processing and the protection of confidential sources.

Article 80 in the new Regulation says that "Member States shall provide for exemptions or derogations, if they are necessary to reconcile the right to the protection of personal data with the freedom of expression and information."

Press associations say they will remain vigilant that appropriate exemptions are adopted at the national level accordingly.

The business community seems quite negative to the new data protection rules. "We are concerned that investors will be scared off from investing in Europe and will look outside the continent to finance the next big thing in technology" said Sébastien Houzé, speaking on behalf of the Industry Coalition for Data Protection (ICDP), whose members include Google, Facebook, Amazon and IBM.

One of the changes that companies were looking forward to was the “one-stop-shop” – i.e. that companies operating across the EU would only have to deal with the regulator in the country where they have their European headquarters.

But this was watered down by member states, which were eager to protect the power of their national regulators to investigate US tech companies and ensure that citizens could still complain to their national authority about a company located elsewhere, [explains the news service EurActiv](#).

The new EU rules leave many issues to the discretion of individual countries and there is still a risk that regulators could interpret them differently, lawyers conclude.

New EU-US Data Privacy Deal Better Than Old One?

On 2 February it was announced that the EU Commission and the United States had agreed on a new framework for transatlantic data flows, called the EU-US Privacy Shield. Although not yet formalized, few seem convinced of its merits.

The Privacy Shield is meant to replace the earlier Safe Harbour deal, which allowed companies to transfer data from the EU to the US. The agreement was ruled invalid by the European Court of Justice last October on grounds that US surveillance threatens the privacy of EU citizen's data.

The text of the new agreement was not released for almost a month, which drew many critical comments. On 29 February the EU commission finally presented the [draft text of the deal and other information](#) ensuring that the new framework reflects the requirements set by the European Court of Justice.

It also said that the U.S. authorities had provided strong commitments that the Privacy Shield would be strictly enforced and that they had assured that there is no indiscriminate or mass surveillance by national security authorities.

MEP Jan Philipp Albrecht – responsible for the European Parliament's report on the new general data protection regulation - called the new agreement a “remarketed version of the pre-existing Safe Harbour decision, offering little more than cosmetic changes”.

The European Parliament will not get to approve the agreement, but before finalizing the text the EU Commission will consider an Opinion by its Civil Liberties Committee (LIBE), as well as an Opinion by EU Member States' data protection authorities and the European Data Protection Supervisor in the framework of the so-called Article 29 Working Party.

In March MEPs expressed concern as to whether the agreement would hold up to court scrutiny, the nature of U.S. government access to European citizen's data and whether a change in the U.S. presidency could potentially eliminate the written assurances given by President Obama's cabinet.

The Article 29 Working Party will adopt its Opinion at the next plenary meeting on 12 and 13 April. Check [here](#)

Recently, privacy advocacy groups from both sides of the Atlantic sent [a letter](#) to the Article 29 group urging a renegotiation of the Privacy Shield. The agreement it is not in line with standards established by EU law, in particular regarding the protection of the fundamental right to privacy, they said.

Internet of Things: Much Concern about Privacy

Connected cars are already on the market, tracking and able to communicate private information about consumers. This is only one of a myriad connected devices under development. Many are welcoming this new world of the Internet of Things (IoT) and the benefits it can bring. But there are also serious concerns, not least about privacy.

The UN's specialized technology agency ITU predicts market revenues for IoT to grow to USD 1.7 trillion by 2019, making it the largest device market worldwide.

EU policy-makers don't want Europe to miss the boat. "The technological transformation is very timely for Europe, presenting new opportunities during these challenging times", [wrote](#) EU Commission Vice-President Maroš Šefčovič. A few days earlier the European Parliament adopted a [resolution](#) saying that it wants Europe to seize the opportunities opened up by new technologies.

Many are, however, wary of potential privacy issues, even the ITU, which identifies the Internet of Things (IoT) as a major global opportunity for development. In a [recent report](#) on this issue it warns:

"Despite all the exciting possibilities brought about by the IoT and Big Data, significant challenges persist. The same infrastructure that enables people to create, store and share information may also jeopardize their privacy and security. These same techniques can be used for large-scale and targeted surveillance. Abuse of these techniques could turn the 'Information Society' into the 'Surveillance Society'..."

This situation puts policymakers in a quandary. "We must have the right to decide who we share our information with, and for what purpose. But we also live in a time when we get major benefits from sharing our data. So striking the right balance has become very difficult," said EU Commissioner Margrethe Vestager in a [speech](#) in January.

Press Freedom

No Discounts to Turkey on Media Freedom?

A recent trial of two prominent journalists in Turkey has amplified concerns over freedom of expression in Turkey, which Reporters Without Borders ranked 149th out of 180 countries for press freedom in 2015.

Should such a country be allowed to join the European Union? A tricky issue for the EU which seems willing to go to almost any length to get Turkey's help to reduce the flood of migrants into Europe.

European Parliament President Martin Schultz wants to draw some red lines. In a [speech](#) in March to the EU heads of government he said:

"Overall, the restarting of the accession process with Turkey is a positive development...That being said, the accession path and the refugee crisis need to be dealt with separately.."

"Turkey won't get any discounts on media freedom and minority protection, the separation of powers or the rule of law... I have raised the strong concerns of the European Parliament regarding media freedom in the country...These may be thorny issues, but they are non-negotiable issues if Turkey does not want to lose its European perspective".

The European Federation of Journalist (EFJ) is naturally concerned about the situation in Turkey but [points out](#):

"It is not just in Turkey and Poland that media face attacks from governments. Public service broadcasters in Hungary, Spain and Greece are among the victims of government interference...If we let this trend spread to other countries, Europe's democracy will be at stake."

New Polish Media Law Widely Condemned

On 7 January the Polish President Andrzej Duda signed a controversial bill into law which allows the Treasury minister to appoint – and sack – senior figures in public radio and television, who no longer will be hired through contests organised by the National Broadcasting Council.

The changes, in form of an amendment to the Media Law rushed through Parliament between Christmas and New Year, sparked much concern and protest across Poland as well as abroad.

The European Broadcasting Union (EBU), the European Federation of Journalists (EFJ) and other journalists' organisation [were outraged](#) by the proposed bill and urged the Polish authorities "to resist any temptation to strengthen political control over the media. "

The temptation was irresistible. On the day the Act came into effect the Minister of State Treasury made use of his new competence, appointing a politician connected with the party Law and Justice to the position of chairman of the management board of the public broadcaster Polish Television.

The Polish government does not seem overly impressed by various letters sent by the EU Commission and its decision to start a so-called "structured dialogue" about the matter under the new Rule of Law Framework, a potentially-punitive process aimed at buttressing democracy and rights in the EU states.

Political tinkering with public broadcasting is however not a new phenomenon in Poland, it seems.

When a delegation from the EFJ and other media organisations went to Poland on a fact-finding mission at the end of January they found that, since the changes took effect, dozens of journalists working for the broadcaster had been dismissed or resigned in protest at the perceived government interference.

But other Polish journalists they met claimed that the previous government, too, had used public television and radio as a political tool to advance its agenda. Indeed, the group encountered journalists who had been dismissed from the broadcaster under the previous government due to alleged political interference. [Read more](#)

No EU Country Free from Risks to Media Pluralism

The shrinking freedom of expression in Europe is reflected in the results of two pilot-tests of the Media Pluralism Monitor (MPM) carried out by the Centre for Media Pluralism and Media Freedom (CMPF) in Florence with co-financing from the EU Commission and Parliament

In March the Centre published the [general results and the countries' reports](#) for the implementation of the MPM2015 covering 19 EU Member States, among them Finland and Sweden.

The findings of the Media Pluralism Monitors 2014 and 2015 implementations "even if based on a pilot-test project, clearly show that no EU member state is today free from risks to media pluralism, [said Prof Pier Luigi Parcu, Director of the Centre.](#)

In 2016 the CMPF will implement a refined version of the Monitor on all 28 EU Member States and two Candidates countries, namely Montenegro and Turkey. The latter is probably applauded by many.

Copyright

Fierce Debate on 'Google Tax' for Publishers

EU Digital Commissioner Günther Oettinger recently announced that the Commission will propose a new copyright law in September or October this year. But, in the interim, ferocious debate is raging over whether it should include a controversial 'Google tax', [reports](#) the news service EurActiv.

The tech industry, online news publishers and Members of the European Parliament (MEPs) are caught up in a heated fight with the Commission over this tax, or ancillary copyright law, that would allow news publishers to charge internet search engines for showing their content in search results.

Oettinger said that he is "open" to such an ancillary copyright law. He named national laws in Germany and Spain as possible models.

Politicians in favour of such a law argue that the fees drawn from search engines could pump life into media companies grappling with financial losses. Opponents say that previous attempts aimed at charging search engines have flopped. Google News stopped operating in Spain after such a law came into effect there in 2014.

German and Spanish news editors who opposed the ancillary copyright legislation in their own countries have warned against modelling a new EU-wide proposal on those laws.

"I hope that this regulation does not go beyond the border of the Pyrenees and get to Europe because it was completely useless for the readers, the publishers and for Google," said Ignacio Escolar, director of Spanish news website eldiario.es

Recently the EU Commission opened a public consultation on this and other copyright issues (see below).

Have Your Say on Controversial Copyright Issues

In March the EU Commission launched [a public consultation](#) on two copyright issues that sparked much debate in the European Parliament last year.

The Commission is considering giving publishers the same "neighbouring" rights currently available to broadcasters and producers of someone else's copyrighted content. An idea very similar to the "ancillary right" that has drawn much criticism (see above).

In the consultation the Commission asks for feedback on this matter as well as on the so-called 'panorama exception', another controversial issue.

During discussions on a Parliament copyright report passed last summer, the Legal Affairs committee included an amendment requiring prior authorisation for taking photographs of works located in public spaces for commercial purposes. This would overturn the so-called "freedom of panorama" as it exists in numerous EU member states.

The amendment worried many in the media sector, who warned that it could "hamper the right of press photographers to take photographs in public spaces".

This amendment was rejected in the Plenary vote on the copyright report, as was another disputed amendment for an ancillary copyright for press publishers similar to the so-called Google-tax law in Germany.

Although rejected by the European Parliament, the Commission apparently now wants to reintroduce these ideas.

Those concerned about these issues can make their voice heard by replying to the consultation before **15 June 2016**.

Media - general

Trade Secrets Directive: Exemptions for Journalists Clarified

It looks like investigative journalists can now stop worrying about the proposed EU trade secrets directive. In December 2015 the EU Council and the European Parliament reached a provisional agreement on the controversial directive.

European journalists and media associations [were happy](#) to see that the initial wording requiring journalists to make "legitimate use" of the right to freedom of expression has been rejected. In these circumstances, they would have had to

justify the exercise of their right, leading ultimately to self-censorship as soon as they are investigating industrial and corporate affairs, said the associations.

The text also foresees an exception for whistleblowers if the trade secret was acquired, used or disclosed “for the purpose of revealing a misconduct, wrongdoing or illegal activity” and that the respondent revealed this information “for the purpose of protecting the general public interest”.

The final draft was adopted by the EU Parliament’s Legal Committee in January and is expected to be confirmed by the European Parliament as a whole at a plenary meeting on 14 April. Member states will then have two years to transpose the directive into law.

[Media organisations warn](#) that they “will be paying close attention to how EU Member States transpose this European Directive in order to make sure it does not lead to further restrictions on media freedom”.

Need to Focus on Algorithms

Search engines and social media use algorithms which determine what information can be found and how it is displayed. What choices have they been designed to make? What values and aims lie behind these choices? It’s time to discuss these issues and demand more transparency and accountability, say academics and media professionals.

The subject was discussed at [a conference](#) last autumn at the Columbia University School of Journalism in New York. We need to learn about algorithms, discuss what they do and bring this to the open, said several researchers mentioning that even those designing algorithms often seem unaware of the “news values” they embed.

The platforms must be made aware of their responsibilities to the public and accountable for what they do, said several of the speakers.

Similar calls were made at [an event organized by UNESCO’s Communication and Information Sector](#) in December. “At the core of modern privacy law is a single goal: to make transparent, the automated decisions that impact our lives”, said Marc Rotenberg, who heads the reputable [Electronic Privacy Information Center \(EPIC\)](#).

Michael Brennan, Technology Program Officer at the Ford Foundation, shares this view. Recently he [wrote](#) about the need to press for “algorithmic transparency”. With more engineers participating in policy debates and more policymakers who understand algorithms both government and civil society organizations would be stronger, he said.

UNESCO-conference on Journalists’ Safety

On 5 February UNESCO held a conference in Paris on the topical issue of journalists’ safety. Close to 300 participants came from countries from across the world, including media leaders and Member State delegations.

At the [conference](#) discussions focused in particular on the media's role in enhancing the safety of journalists and ending impunity.

Among the concrete actions proposed were: adopting safety protocols for newsrooms, taking advantage of safety training provided by NGOs, conducting risk analysis, and supporting freelancers. Other ideas raised were the use of mobile apps for journalists to report attacks, and coverage to raise awareness and show solidarity.

A smaller follow-up meeting explored [additional steps](#) such as setting up national mechanisms to monitor and report on safety and impunity. [Read more](#)

Revision of Audiovisual Directive Approaching?

The European Commission has recently published several studies it commissioned to prepare the revision of the Audiovisual Media Services Directive (AVMSD).

[Study on the exposure of minors to alcohol advertising on TV and on online services](#)

[On-demand Audiovisual Markets in the European Union \(2014 and 2015 developments\)](#)

[Study on data and information on the costs and benefits of the Audiovisual Media Service Directive \(AVMSD\)](#)

The purpose of the studies is to contribute to the evaluation of the audiovisual directive and the Impact Assessment accompanying the proposal for a future revision of the AVMSD.

EU Parliament: Exclude Audiovisuals from TISA Trade Deal!

Many are probably pleased with the European Parliament's position on the ongoing talks on a Trade in Services Agreement (TISA) between countries representing 70% of world trade in services. Whether the MEPs' wishes will be heeded remains to be seen.

The trade deal should not restrict EU, national and local authorities' right to regulate in public interest, say MEP in their [recommendations](#) to the European Commission, adopted on in February.

Public services and audiovisual services should be excluded from the scope of application of the agreement and EU citizens' data protection must be up to current and future standards, they stress.

Although not taking part in the TISA negotiations, the European Parliament's approval is required for the agreement to enter into force. If its recommendations are not respected, "the Parliament will not hesitate to veto this agreement", warned the rapporteur MEP Viviane Reding.

The next TISA negotiating round will take place during the second week of April.

Internet Governance

US Control of Key Internet Functions Soon Over?

On 10 March the Internet Corporation for Assigned Names and Numbers (ICANN) - the important technical oversight body for the internet domain system - submitted to the U.S. Government a plan developed by the international Internet community that, if approved, will lead to global stewardship of some key technical Internet functions.

The plan provides a comprehensive package to transition the U.S. Government's management of these technical functions. It also proposes ways to enhance ICANN's accountability as a fully independent organization.

(In February Göran Marby, director-general of the Swedish Post and Telecom Authority (PTS), was announced as the new president and CEO of ICANN.)

The package is the result of a discussion among representatives from government, large and small business, technical experts, civil society, researchers, academics and end users from all parts of the world. [Read more](#)

While several governments still are opposed to details about how governments can participate in future decisions of ICANN, nobody wanted to block the end of US oversight, [reports Intellectual Property Watch](#)

If approved, implementation of the transition plan is expected to be completed by September 2016.

UN Reviews Its Vision of The Information Society

What kind of Internet do we want? What are the challenges policymakers need to tackle? And how and by whom should the Internet be governed?

These were some of the issues discussed when the United Nations' General Assembly gathered in New York in December for the 10 year review of the World Summit on Information Society ([WSIS+10 Review](#)).

The [WSIS outcome document](#), adopted by the UN General Assembly in December 2015, reaffirms its commitment to the WSIS vision "to build a people-centred, inclusive and development-oriented information society, where everyone can create, access, utilize and share information and knowledge..."

Many problems still need to be tackled. The UN is concerned that many forms of digital divides remain, both between and within countries and between women and men, often linked to education levels and existing inequalities. "The poor are the most excluded from the benefits of information and communications technology", the General Assembly pointed out.

Furthermore, it said that the management of the Internet requires " the full involvement of Governments, the private sector, civil society, international organizations, technical and academic communities, and all other relevant stakeholders ".

At the meeting in New York the mandate of the multi-stakeholder Internet Governance Forum (IGF) was extended for another 10 years.

EU Commission: Internet Should Remain Single, Open and Free

In December 2015 European Commissioner Oettinger presented the EU's vision of the Internet and its governance in a [speech](#) at the UN General Assembly.

"Europe has been working for many years to ensure that the Internet remains a single, open, free, unfragmented network of networks and we remain a strong supporter of the multi-stakeholder system of Internet Governance", he said and applauded the decision of the UN General Assembly to extend the mandate of the Internet Governance Forum for ten years.

On 9-10 June the annual event of the Pan-European Dialogue on Internet Governance ([EuroDIG](#)) will take place in Brussels. A platform is provided where everybody can contribute to defining the programme and to shape the issues to be addressed.

New CoE Strategy to Protect Human Rights Online

The Council of Europe (CoE) - the 47-member intergovernmental organisation based in Strasbourg - too, has many thoughts on internet governance.

In March the Council's Committee of Ministers adopted [its Internet Governance Strategy for 2016-2019](#), which aims to help the CoE member states "to effectively protect and respect human rights and the rule of law online, and to empower people to explore the Internet's potential for education and democratic participation".

The strategy addresses issues such as the Internet of Things, mass surveillance, violent radicalisation, hate speech, and online abuse. Among the actions planned is to establish a platform between governments and major Internet companies to promote their respect for human rights online.

Telecoms/Infrastructure

Radio Spectrum: TV Broadcasters Squeezed Out by Mobile Services

A recent [proposal by the EU Commission regarding the radio spectrum](#) may cause some controversy.

Pointing to the rapidly growing spectrum demands of new mobile services, connected cars, remote health care and the like the EU Commission proposes to allocate part of the UHF-band – currently mainly used for TV broadcasting – to mobile services.

More spectrum is to be made available for mobile services in the 700 MHz band (694-790 MHz) by 2020. Frequencies in the sub-700 MHz area (470-694 MHz) will remain available, as a priority, for audiovisual services.

Two Member States (France, Germany) have already authorised the use of the 700 MHz band for mobile services. Other Member States (Denmark, Finland, Sweden, UK) have outlined plans to re-purpose the 700 MHz band in the next few years.

The proposal is now being examined by the European Parliament and the Council (i.e. the Member States) and will become law once the two bodies agree on a text.

The European Broadcasting Union (EBU) is not very happy about the Commission's proposal. "Broadcasters will need to make costly changes to their infrastructure. Member states should clearly be able to provide for compensation for both consumers and broadcasters in order to cater for the investment needed to implement the change", [says the EBU](#).

CoE Adopts Guidelines on Net Neutrality

In October 2015 the EU approved a law on net neutrality. Now the Council of Europe, representing a wider group of 47 states – among them Russia, Turkey and Ukraine – has officially recognized the importance of this issue.

In January the Council's Committee of Ministers adopted a [Recommendation](#) on protecting and promoting the right to freedom of expression and the right to private life with regard to network neutrality.

Included are a set of Guidelines, in which it is pointed out that "Internet traffic should be treated equally, without discrimination, restriction or interference irrespective of the sender, receiver, content, application, service or device".

European Media Policy

Editor: Anna Celsing, anna.celsing@skynet.be

Publisher:

Ingela Wadbring NORDICOM
University of Gothenburg
Box 713
SE 405 30 Göteborg Sweden

The Newsletter provides an up-date on policy developments at the European level. We concentrate on news from the European Union – current issues and trends in media policy, new proposals for legislation, debates in the European Parliament, recently taken or impending policy decisions and reactions among those concerned, new support programmes, EU studies in the field etc. There will also be some coverage of policy developments in the Council of Europe and at the international level. The newsletter will be published three times a year.

