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Telecoms package

Preparing for a 3rd reading

CONTEXT

The Parliament is facing the challenge to ensure a third reading on the Telecoms Package will not only protect users and preserve fundamental freedoms, but also that Europe finds the right formula for innovation and growth. Access to Internet services and applications is recognised to be of increasing importance in almost all economic and societal activity today. A third reading gives the opportunity, and responsibility, to the new Parliament to exercise its codecision power to ensure necessary goals are met.

The key disagreement between Parliament and Council in 2nd reading concerned the role of the judiciary in the Telecoms Package. To understand why "a prior ruling by the judicial authorities" (the famous Amendment 138) is now at the core of the Telecoms Package debate, this seminar will look at three broader questions:

- Is there a difference in **scope** of the current framework in force and the Telecoms Package?
- Who has the **power** to cut access to the Internet today, and what has been proposed in the the Telecoms Package?
- What kind of "Internet" can citizens expect to **access** today, and what kind of access is provided for in the the Telecoms Package?

An open and transparent third reading requires both preparation and proper answers to these questions. You are warmly welcome to participate in this seminar's contribution to the debate.

PROGRAMME

14:00-16:00 Panel I - Scope and Power

chaired by Christian Engström, MEP

Guest speakers:

- **Jeffrey Lawrence**, Director global content policy, Intel Corporation

Online Piracy, Content Filtering and Technology Mandates: Technology, Policy and History - an insight into the public policy and technical issues that are raised by filtering technological requirements.

- **Innocenzo Genna**, Council Officer, Euroispa

There is a clear expectation for a sustainable and innovative market for online legal content, this is why ISPs and telcos are making huge investment in infrastructures, software and services. The current issues is the scarcity of legal content: piracy is just a symptom of that, not the cause.

- **Andriani Ferti**, Associate, Clifford Chance LLP

The need for Europe to acknowledge and preserve the Internet's key role in promoting democracy and an open society; establishing a balanced protection of European citizens' fundamental rights in the Internet era.

- **Francisco Mingorance**, Senior Director of Government Affairs, BSA

ISP services termination and the imposition of sanctions/penalties on alleged infringers without due process outside of contract breaches. The imposition of broad anti-piracy content identification and filtering technological requirements to all Internet users, or all computers and software used to access the Internet, by legislation, administrative fiat or adjudication.

- **Malte Behrmann**, General Secretary EGDF (www.egdf.eu), Geschäftsführer Politik GAME e.V., Bundesverband der Entwickler von Computerspielen.

Game development is undergoing dramatic change at the moment and online games are increasingly important. Europe's importance is increasing. The basis for this innovation however is network neutrality.

16:00-18:00 Panel II - Access

chaired by Eva Lichtenberger, MEP

Guest speakers:

- **Thomas Nortvedt**, Deputy Attorney, Legal Section, Norwegian Consumer Council

ISPs should not be administrative tools in the ongoing process of enforcing copyright, nor should the ISPs seek to manage traffic on their networks on the basis of content or application of the consumer's choice. The Internet should remain an open and non-discriminatory platform for all types of communication and content distribution.

- **Magnus Eriksson**, Junior Researcher at the Interactive Institute (www.tii.se), representing the the leading Swedish internet intellectuals network Julia Group (www.juliagruppen.se)

Mere conduit is not only a prerequisite for the Internet as we know it today but also for allowing the growth of new hybrids of artworks and networks.

- **Caroline De Cock**, Executive Director VON Europe (to be confirmed)

Blocking of P2P is likely to affect VoIP applications. Consumers should be able to access the services, applications and content of their choice on any public network, regardless of the provider that offers them.

- **Jérémie Zimmermann**, Co-founder and spokesperson for La Quadrature du Net (<http://www.laquadrature.net>), Paris-based organization defending civil liberties in the digital environment.

How access to a neutral and open Internet is essential to our societies as a safeguard for fundamental rights and freedoms, competition and innovation. how these benefits shall be considered in regard to tactics of the entertainment industries aimed at preserving their business models (ie. "three strikes" policies).

- **Paolo Brini**, Movimento ScambioEtico spokesperson (www.scambioetico.org)

The principle of mere conduit and non-discriminatory access to the Internet have been key drivers of

the development of information society in the European Union but the revised legal framework depicted by the Telecoms Package gives power to private companies and governments to move around the first and violate the latter.

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