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## Internet laws in Europe

*Internet laws in Europe aiming at improving security, data protection, or copyright have had unintended consequences for national digital ecosystems. Here are a few examples of recent laws underlining why decision makers need to thoroughly analyse the impact of regulations and consulting stakeholders before enacting them.*

### France

The French government is expected to enact a controversial bill aimed at boosting its intelligence services in mid-2015. The bill introduces new technologies of mass surveillance of electronic communications. These include so-called “black boxes” or source code injected by



French intelligence services on Internet service providers' infrastructure to detect suspicious user behaviour in real time. This would expand monitoring to include private pictures, company trade secrets, medical records, etc. Harmful for human rights it is likely to also hurt France's growing Internet industry. A French hosting company, Altran, created by Valentin Lacambrein (pictured) in 1992, has already announced that it will leave the country for Norway. Other Internet companies may similarly move their data centres abroad as

clients correctly will worry about possible French industrial espionage via the mandated spyware. In May 2015 the United Kingdom's government announced new surveillance laws that are expected to give the police and security services unprecedented mandates and tools.

Sources: Liberation, [www.altran.org](http://www.altran.org), La Quadrature du Net, The Guardian, [www.ccianet.org](http://www.ccianet.org)

### Turkey

Turkey has in recent years increased restrictions on freedom of speech, freedom of the press and internet use, including social media. Article 301 in the Turkish penal code makes it a punishable offense to insult “Turkishness” or various official Turkish institutions. In 2014 the Turkish Parliament adopted a controversial new Internet law. It allows the telecommunications regulator to block any website within four hours without first seeking a



court ruling and it requires Internet providers to store all data on web users' activities for two years and make it available to the authorities upon request. In April 2015 Turkish authorities ordered access to 166 websites, including Twitter, Facebook and YouTube, to be blocked after photos of a hostage crisis were circulated on the social media platforms.

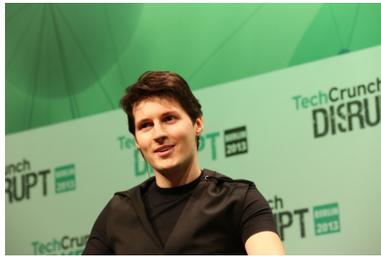
Sources: Deutsche Welle (2014), [Fanack.com](http://Fanack.com), [www.edri.org](http://www.edri.org)



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## Russia

Pavel Durov (pictured) created VKontakte, Russia's equivalent to Facebook, in 2006. The company has grown to more than 300 million accounts with 70 million daily users. In 2014



Durov sold his remaining shares and fled Russia after resisting government pressure to hand over user data of Ukrainian protest leaders. The Russian government has in recent years tightened its grip over the Internet and media freedom. Allies of President Putin now has control of VKontakte. In 2014 the Russian Parliament passed a data retention law to tighten control over foreign Internet companies such as Facebook and Twitter that have become one of the country's few remaining spaces for dissent. This law will require all web services to

store the user data of Russians on servers within the country. Sites which do not comply with this requirement by September 2016 may be blocked by the government. Sources: Wikipedia, New York Times (2014), Wall Street Journal (2014).

## Spain & Germany

The Spanish government introduced in 2014 a ancillary copyright law, also known as a "Snippet Tax", for online news aggregators. The Ley De Propiedad Intelectual imposes a compulsory fee for the use of snippets of text to link to news articles, by online news aggregators that provide a search service. The law forced smaller and bigger news aggregators, including Google News, to shut down their business in Spain.



A similar fee was first introduced in German law in 2013, where it was described as an "ancillary copyright" or *Leistungsschutzrecht*. The German law has been a failure, where major publishers gave a free license to Google only after realizing how much traffic they would lose from not being indexed on the search engine. Although the ancillary copyright hasn't worked in either Spain or Germany, Günther Oettinger, the European Commissioner for Digital Economy and Society at EU-level (pictured), has suggested it implemented at EU-level.

Source: [www.eff.org](http://www.eff.org), [www.ccianet.org](http://www.ccianet.org), [www.ancillarycopyright.eu](http://www.ancillarycopyright.eu)

### About CCIA Europe

CCIA is an international not-for-profit membership organization dedicated to innovation and enhancing society's access to information and communications. CCIA promotes open markets, open systems, open networks and full, fair and open competition in the computer, telecommunications and Internet industries.

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