

European Media Policy



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Media – general

Soon Low Tax Rates for Digital Publications Too?

On 1 December the EU Commission finally delivered on its pledge to enable Member States to apply the same VAT rate to e-publications such as e-books and online newspapers as for their printed equivalents, removing provisions that excluded e-publications from the favorable tax treatment given to traditional printed publications.

Current rules allow Member States to tax printed publications such as books and newspapers at reduced rates or, in some cases, super-reduced or zero rates. The same rules exclude e-publications, meaning that these products must be taxed at the standard rate. [Read more](#)

Once agreed by all Member States, the new set-up will allow – but not oblige – Member States to align the rates on e-publications to those on printed publications.

The market share for e-publications is currently around 5 per cent in the EU. If the Commission's proposal is accepted the share is expected to grow to around 20 per cent by 2021.

Much Outrage about Fake News

In recent months the spread of fake news on the internet was condemned by heads of government and many others in Europe as well as in the United States.

In America the mainstream media – much criticised for their coverage of the presidential election campaign and their inability to understand Donald Trump's rise over the last year – seemed happy to join the chorus and put the blame on social media.

Facebook in particular came under fire for allowing the spread of false and often malicious information which may have contributed to the victory of Donald Trump.

Among other things, a report showed how teenagers in Macedonia were creating websites with fake news – much of it denigrating Clinton – which were widely shared on Facebook. That sharing in turn led people to click on links which brought them to the Macedonian websites, which could then make money on the traffic via Google's AdSense, [wrote Reuters](#).

In the final three months of the campaign, the top-performing fake election news stories on Facebook generated more engagement than the top stories from major news outlets such as the New York Times, Washington Post, Huffington Post, NBC News, and others, showed a [BuzzFeed News analysis](#).

President Barack Obama has publicly criticized false news and so has German Chancellor Angela Merkel. Germany has been targeted more than any other European country with online misinformation originating from Russia. Recently the Chancellor said that her government would introduce regulation to address fake online news “where necessary”.

[Germany's Justice Minister also said](#) that the EU needs to decide whether platform companies should be treated like radio or television stations, which can be held accountable for the content they publish.

Meanwhile Facebook and Google announced measures aimed at halting the spread of fake news on the internet by targeting how some purveyors of phony content make money: advertising, [reports Reuters](#).

Google said it is working on a policy change to prevent websites that misrepresent content from using its AdSense advertising network. AdSense, which allows advertisers to place text ads on the millions of websites that are part of Google's network, is a major source of income for many publishers.

“The issue of fake news is critical for Google from a business standpoint, as many advertisers do not want their brands to be touted alongside dubious content”, explains Reuters.

MEPs:

EU Must Counter Russian and Islamist Propaganda!

On 23 November the EU Parliament adopted a controversial [resolution](#), which many MEPs – especially from Southern Europe – would not support. Not surprisingly, many from former East Block countries were enthusiastic.

The EU needs to counter disinformation campaigns and propaganda from countries, such as Russia, and non-state actors, like Daesh (ISIL/ISIS), Al-Qaeda and other violent jihadi terrorist groups, says the non-legislative resolution.

Hostile propaganda against the EU and its member states seeks to distort the truth, provoke doubt, divide the EU and its North American partners, paralyse the decision- making process, discredit the EU institutions and incite fear and uncertainty among EU citizens, says the text.

The vote was passed with 304 votes “for”, 179 “against” and a very high number of abstentions – 208. Many MEPs – especially from France, Italy and Greece – considered the resolution too critical of Russia and thought such language could only be counterproductive.

EU Units That Debunk False Online Info to Expand?

A group of 11 diplomats that find and debunk Russian online propaganda could be given a bigger staff and deeper pockets, if the European Parliament has its way. Another small programme that targets Islamic State propaganda would get a similar boost, [reports the news service Euractiv](#).

The Parliament’s report is not binding, but signals lawmakers’ growing willingness to intervene in how fake news and propaganda are spread on social media platforms, says Euractiv.

While the two units focus on Russian and Islamic State propaganda, Federica Mogherini, the EU’s foreign policy chief, told MEPs that it could be worth setting up more programmes to counter fake news online.

Fact-checking – another way of counteracting disinformation – also seems to be on the rise. A report of [a recent study](#) published by the Reuters Institute for the Study of Journalism documents the growth of fact-checking sites across Europe.

To be able to tell what is true and what is false may however not always be easy – or even desirable – in this era of post-truth.

Hate Speech in Media Content throughout Europe

In November the EU Fundamental Rights Agency (FRA) published a [report](#) which provides a snapshot of manifestations of incitement to discrimination, hatred or violence in media content and political discourse against different groups in EU Member States.

Incitement in media content and political discourse was found in a more than half of the EU member states between 1 January 2014 and 1 September 2016.

The paper outlines the European and international legal framework governing such cases, substantiated by relevant case law examples. The EU institutions and Member States need to address the effect incitement can have on the population groups it targets, concludes the report.

EU Survey on Media Pluralism and Democracy

The EU Commission ordered a Eurobarometer survey to explore citizen's opinions about the diversity of views in the media, and their perceptions of media independence. The survey was carried out in the 28 Member States between 24 September and 3 October 2016. Among the [results](#):

Almost three in four respondents say national media provide the same or more diversity of views and opinions, compared to five years ago. Respondents in Greece, France and Hungary are the most likely to say their national media provide less diversity of views and opinions.

Social Media

Social Media Accused of Censorship

In recent months there has been much discussion about the increasing control of digital platforms over online content, especially since Facebook has become a main source of news for many people.

It is often pointed out that platforms “curate” news and there have been cries of censorship, for instance in September when the iconic photo from the Vietnam war showing a naked, screaming girl running away from napalm bombs [was deleted from the Norwegian daily newspaper Aftenposten's Facebook page](#)

“Already, Facebook and other media outlets’ algorithms narrow the range of content one sees based on past preferences and interests...By deleting such iconic pictures that have played a crucial role in transforming world views on the pain and cruelty of war, Facebook is contributing to changing history, [commented Norway's Prime Minister Erna Solberg](#), and called for more responsibility.

In June [Reuters reported](#) that some of the web's biggest destinations for watching videos had started using automation to remove extremist content from their sites. YouTube and Facebook are among the sites deploying systems to block or rapidly take down Islamic State videos and other similar material.

In this case the removals are most likely a result of the pressure on internet companies from U.S. and European leaders concerned about online radicalization.

This shows, writes Reuters, the "difficult role some of the world's most influential companies now play in addressing issues such as terrorism, free speech and the lines between government and corporate authority."

Early December the EU Commission warned that tech giants, including Facebook, Twitter, Google's YouTube and Microsoft, will have to act faster to tackle online hate speech or face laws forcing them to do so. Six months ago the companies signed up to a voluntary code of conduct to take action in Europe within 24 hours, by removing or disabling access to the content if necessary.

Algorithms to Be Regulated?

Many have become aware that algorithms play a central role in shaping digital news and information. Now scholars, civil society groups and policymakers are demanding more transparency and accountability of digital platforms.

"There is currently no legislation, best practice or guidance on algorithmic accountability or transparency. A dialogue among tech companies, consumers and regulators is urgently needed not only in Europe, but globally, to ensure that algorithms are audited and that citizens' rights are safeguarded", wrote Finnish MEP Liisa Jaakonsaari in [a column](#) for the news service Euractiv.

Meanwhile tech giants have begun taking steps themselves. In September Google, Facebook, Microsoft, Amazon and IBM launched a [Partnership on Artificial Intelligence to benefit People and Society](#) to "study and formulate best practices on AI technologies, to advance the public's understanding of AI and to serve as an open platform for discussion and engagement about AI and its influences on people and society."

This initiative is welcome, says Ms Jaakonsaari, but "self-regulation by the tech industry is insufficient. Audits on algorithms should be performed by an impartial authority".

In November [a public roundtable on algorithmic accountability](#) was held in the EU Parliament. Here Prabhat Agarwal from the EU Commission's DG Connect announced that the Parliament had asked the Commission to analyse companies' use of algorithms and its policy-making implications. The study is to be launched in early 2017.

However Agarwal did not seem overly keen on regulation. "We must look at new governance models....To educate the consumers is maybe more important than to regulate", he said.

Other institutions are looking into these matters too. The Council of Europe in Strasbourg is preparing [a Study on Human Rights and Algorithms](#). What are the human rights implications of internet intermediaries' actions? How is algorithmic

power used by governments and companies? Are some of the questions to be answered.

The Council of Europe has set up a new [Committee of experts on Internet Intermediaries](#) (MSI-NET) to address such issues and prepare recommendations.

Copyright

Copyright Reform: New Right for Publishers

On 14 September the European Commission presented its much-awaited proposals on the modernisation of copyright.

Often debated is the proposal to introduce a new, so-called related right for publishers, which means that press publishers will be legally recognised as right holders for the first time and will be in a better position when they negotiate the use of their content with online platforms, explains the Commission.

The draft Copyright Directive also obliges publishers and producers to be transparent and inform authors or performers about profits they make from their works, and puts in place a mechanism to help authors and performers obtain a fair share when negotiating remuneration with producers.

Another proposal is a legal mechanism for broadcasters to obtain more easily the authorisations they need from right holders to transmit programmes online in other EU Member States.

This mechanism concerns programmes transmitted online at the same time as they are broadcast, as well as catch-up services that the broadcasters wish to make available online in other Member States, such as TV3 Play in Denmark, Sweden and the Baltic States. This will give consumers more choice, says the Commission.

Also proposed is a new copyright exception to allow educational establishments to use materials to illustrate teaching through digital tools and in online courses across borders. [More info and links to documents](#)

The proposals have now been submitted to the EU Parliament and Council for discussion and adoption. In the Parliament, the Committee on Legal Affairs will lead the work.

The Committee has set up a [Working Group](#) including members of the Committee on Culture and other concerned committees to pave the way for the copyright reform. The Working Group meets once a month and will exchange views with a wide range of stakeholders and civil society.

Copyright Reform: Mixed Reactions among Stakeholders

The first reactions to the European Commission's proposals to reform EU copyright rules described above give a foretaste of the lobbying battles to be expected in the coming months.

Not surprisingly, publishers seem quite happy with the proposals. The European Broadcasting Union (EBU) is also positive. The Commission's plans "represent a modern and balanced solution based on proven tools which have unlocked access to broadcasters' programmes across borders on satellite and cable networks", said the EBU

Journalists too seem rather pleased. The European Federation of Journalists (EFJ) [welcomed the proposal](#) as a "great step forward" in protecting journalists' authors rights but insists that the publishers' new right should not be used as an excuse to force journalists and press photographers to assign all their rights.

The European Film Agency Directors (EFADs) was more ambivalent. They were positive to the some of the revisions, but expressed "real concerns" about the proposed introduction of a country of origin principle for broadcasters' ancillary online services, saying it "has the potential to erode the principle of territoriality which is a fundamental building block of the whole ecosystem."

Similar thoughts were expressed during a discussion of the copyright package at the [EU Digital Assembly](#) in September. "If we loose territoriality we will lose a leg", said an independent film distributor. A representative of Nordisk Film Production A/S added: "If we are forced to open borders we will be taken over in Europe by Netflix and other international giants."

Google – a company likely to be affected by the proposals – seems worried that works including text, video, images, and more will have to be filtered by online services. Under the Commission's proposal, copyright lawyers could chase down citizens for sharing sentences or snippets of articles on social media, [explains the news service Politico](#).

This is also one of the many aspects of the proposals criticized by [the European Digital Rights group \(EDRI\)](#).

Audiovisual

Soon Watch Your Online Films Anywhere in the EU

[New rules proposed by the EU Commission a year ago](#) to enable EU citizens subscribing to services like "Netflix" to enjoy its content while abroad in another EU country were approved by the Parliament's Legal Affairs Committee on 29 November. Now the Rapporteur will enter into negotiations with the Council with a view to reaching a compromise on the proposed law.

The provision of copyright-protected online content services is still largely characterised by territorial and exclusive licensing practices, which result in a lack of cross-border portability in the EU. This will change with this proposal.

The Rapporteur, French MEP Jean-Marie Cavada, was particularly pleased that his report makes it possible to ensure respect for territoriality, "which is essential for the development and financing of the audiovisual and cinematographic sector in Europe".

As long as Europeans have submitted proof of permanent residence in their member state of residence when subscribing to an online content service, they will have access to the content whatever device they use and whatever member

state they are travelling in, for whatever reason, be it professional, private or for studies.

To verify the member state of residence verification measures will be put in place, such as random checks via the subscriber's IP address, but the provision excludes any tracing or geolocation and ensures the protection of personal data, stresses the Committee.

Since the bill is a proposal for a Regulation, once adopted by the EU Council and Parliament it will be directly applicable in all EU Member States. The Commission expects the new rules to be a reality in 2017.

Update of Audiovisual Directive: Role of National Regulators Contentious Issue

During the autumn the [new rules for audiovisual media services](#) proposed in May by the EU Commission were debated in the Council and the European Parliament's Culture Committee. The role of national regulators, advertising rules and the new "quotas" for European works in on-demand services seem to be tricky issues.

At the Culture Committee's meeting in September the co-rapporteurs Sabine Verhyen and Petra Kammerevert presented their draft amendments to the text. They propose, i.a., that providers of on-demand services (like Netflix) should ensure that their catalogue contain a minimum 30 per cent share of European work (i.e. more than the 20 per cent proposed by the Commission).

As for the rules on advertising they agree more flexibility is needed but suggest that stricter limits should apply between 8 and 11 p.m. with a limit of 20 per cent of advertising during that period.

The Parliament's rapporteurs do not seem keen on the Commission's proposal to give the European Regulators Group for Audiovisual Media Services (ERGA) a bigger role. They insist that ERGA remain a consultative body without decision-making power and that more competences should be given to a Contact Committee consisting of representatives of national governments and four MEPs.

This worries the European Federation of Journalists (EFJ). "We are very surprised to see several amendments attempting to weaken the provision to guarantee the independence of national regulatory authorities", said Ricardo Gutiérrez, EFJ General Secretary.

The EFJ's concerns were echoed by some of the MEPs and representatives of the European Commission attending a hearing in the Culture Committee.

Member States, too, have different views on the role of ERGA. The update of the audiovisual directive (AVMS) was discussed by EU Culture Ministers when they met in November. At this stage divergences remain on some issues, for example on ERGA's role.

Views also differ on the extension of the directive's scope to video-sharing platforms and the extent of their regulation, quantitative rules on TV advertising and obligations for on-demand service providers to promote European works.

The vote in the Parliament's Culture Committee is scheduled for the end of January 2017. The Council expects to reach a general approach during the first half of the year.

Freedom of Expression/Safety of Journalists

EU Condemns Continued Media Crackdown in Turkey

The continued shut-downs of media outlets and detention of journalists in Turkey have caused an outcry in the EU. So far, however, policymakers seem reluctant to take much action beyond words.

"Journalists should not be detained on the basis of the content of their journalism or alleged affiliations", said the EU Parliament in October in a [resolution](#) calling on the "Turkish authorities to release those journalists and media workers being held without compelling evidence of criminal activity" following the coup attempt in July.

A month later the European Commission harshly criticized the violations of freedom of expression and journalists' safety in its latest [report on Turkey's progress toward European Union membership](#).

"In the past year, serious backsliding in the area of freedom of expression continued and gave rise to growing concern", concludes the report which gives detailed descriptions of the violations of press freedom in Turkey. In the coming year, Turkey should "ensure in practice the full respect for fundamental rights and freedoms, in particular freedom of expression, freedom of association and assembly".

Soon thereafter EU foreign ministers criticised Turkey's crackdown on alleged supporters of the failed military coup, but Austria's call to suspend Ankara's EU membership bid did not garner enough backing, even though German Chancellor Angela Merkel had called Turkey's latest arrests of opposition newspaper journalists "highly alarming" and [said they would impact Ankara's EU membership negotiations](#)

On 24 November [the European Parliament called for a temporary freeze](#) on Turkey's membership negotiations. During the discussion before the vote EU's foreign affairs chief Federica Mogherini urged caution. "I think the best way to strengthen Turkish democracy is by engaging with Turkey, keeping channels open", she told the Parliament .

The main reason for Mogherini's and many Member States' reluctance to be tough on Turkey is no doubt that the EU needs its cooperation to stem the flow of refugees and migrants reaching Europe via Greece from Turkey.

UN and EU Decry Increasing Attacks on Journalists

Violence against journalists increased in Europe in the second quarter of 2016, show reports submitted to [Index on Censorship's Mapping Media Freedom platform](#). The situation is not much better in other parts of the world.

In September the United Nations' Human Rights Council adopted a lengthy [resolution on the safety of journalists](#), expressing "deep concern" at the increased number of journalists and media workers who have been killed, tortured, arrested or detained in recent years as a direct result of their profession.

The Council "condemns unequivocally" all attacks and violence against journalists and media workers, "including sexual and gender-based discrimination and violence, intimidation and harassment, online and offline". It urges States to do their utmost to prevent these crimes, effectively investigate them and bring the perpetrators to justice.

All States should also ensure that "measures to combat terrorism and preserve national security or public order are in compliance with their obligations under international law and do not arbitrarily or unduly hinder the work and safety of journalists...", says the resolution, which contains detailed suggestions of legislative and other measures that can be implemented.

The EU Commission welcomed the UN resolution and called on all states to implement it. "We attach the highest priority to the safety of journalists, bloggers and other media actors", said the Commissioners in their [statement](#).

At a conference on this issue convened in Brussels by the International Federation of Journalists (IFJ), participants stressed that actions need to go beyond words to achieve real change on the ground. To this end, journalists have to learn about their rights and how to hold their governments to their obligations.

Ensuring Safety of Journalists Serious Concern for EU

In November the EU Agency for Fundamental Right (FRA) published a [report on Violence, threats and pressures against journalists and other media actors](#)

The report shows that ensuring the safety of journalists and other media actors is an issue of serious concern for the EU and its Member States. The continued vigilance of institutions and bodies of the EU, its Member States, and non-governmental organisations is needed if media pluralism and democracy are to be upheld durably, says the FRA.

The report presents evidence of the diverse threats encountered by journalists and outlines the legal and policy frameworks relevant to ensuring their safety.

Not much is said, however, about possible reasons for the increased attacks on journalists. Maybe something can be learned from the U.S. presidential election, which resulted in a lot of breast-beating among journalists in the days following Donald Trump's victory. "We were all wrong...The entire Washington political-media complex completely missed the mark... The joke is on us", wrote [Politico](#).

One of the reasons for the anger against journalists may well be that they have become part of the "political-media complex", often share the values of the elite establishment and don't understand or listen enough to the plights of the less privileged.

"Journalists — college-educated, urban and, for the most part, liberal — are more likely than ever before to live and work in New York City and Washington, D.C., or on the West Coast. And although we touched down in the big red states for a few days, or interviewed some coal miners or unemployed autoworkers in the

Rust Belt, we didn't take them seriously. Or not seriously enough", [wrote Washington Post's media columnist Margare Sullivan.](#)

Telecom/Infrastructure

New EU Telecom Rules: Better Internet Access for Everyone, Everywhere?

If citizens and businesses in Europe are to benefit from the new digital economy they need more and better internet connectivity, says the European Commission, which in September [proposed an ambitious overhaul of EU telecom rules.](#)

"It is time to move to a gigabit society and make sure all Europeans, whether in the countryside or in cities, can get access to a quality internet connection," said Günther H. Oettinger, Commissioner for the Digital Economy and Society.

By 2025:

- all European households, rural or urban, should have access to connectivity offering a download speed of at least 100 Mbps, which can be upgraded to Gbps,
- urban areas as well as major roads and railways should have uninterrupted 5G coverage,
- all main socio-economic drivers – for example schools, universities, all providers of public services and companies relying on digital technologies – should have access to extremely high – gigabit – connectivity.

The EU Commission also proposed a new €120 million fund to enable all interested local authorities to offer free Wi-Fi connections, for example in and around public buildings, health centres, parks or squares.

If the proposed [European Electronic Communications Code](#) is adopted, basic broadband access will be considered a universal service under EU law.

This means that all citizens should be able to get access, at an affordable price, to "basic Internet and voice communications", which includes e-mail, search engines, news, education online tools, job searching tools, professional networking, social media, calls, and standard quality video calls.

One controversial proposal is the inclusion of online communications services in the scope of telecom rules. This means that services like WhatsApp and Skype would have to comply with some of the rules applying to traditional telecom providers with regard to consumer protection etc.

Member states, for their part, will perhaps resent the Commission's "meddling" in radio spectrum issues and making national governments foot the bill for extending broadband internet access. [More info and links to EU documents](#)

EU Net Neutrality Guidelines: Tough Stance on Prioritised Services

“Victory”, cheered Internet activists in August when BEREC – the body of European regulators for electronic communications – presented its eagerly awaited final [Guidelines](#) on how national watchdogs should enforce the new EU law on net neutrality. The big telecoms firms were less happy, complaining that most of their concerns had not been taken into account.

Highly disappointing to the telcos was the regulators’ move to rule out many so-called zero rating services that are offered for free with data packages, such as unlimited access to Facebook, in contrast to the content from other media companies.

Under the new guidelines, national regulators will approve those services on a case-by-case basis and will block zero rating if it interferes with freedom of expression or internet user rights, explains the news service Euractiv.

Net neutrality advocates would have been happier if zero-rating services had been banned altogether – as in the Netherlands – but are very pleased with BEREC’s tough stance on policing telecoms companies wanting to offer paid prioritized service for some internet traffic.

The regulators’ position on this issue may have something to do with the unprecedented number of contributions to BEREC’s consultation on the Guidelines during the summer, no less than 481 547. Many of these probably originated from the intense web campaign [Savetheinternet.eu](#) encouraging Internet users to make their voice heard “to keep the Internet open and free”.

Critical Internet Functions No Longer Under US Control

Now the U.S. government no longer controls critical technical functions of the Internet. Nor has China or Russia or any other government taken over, as some fear-mongers claimed they would.

On 1 October, after many years of preparatory work by the global internet community, the [US government handed over the last vestiges of control](#) to the Internet Corporation for Assigned Names and Numbers, ICANN, a non-profit organisation.

Through its coordinating role of the Internet’s naming system ICANN has an important impact on the expansion and evolution of the Internet. ICANN follows a multi-stakeholder model in which individuals, non-commercial stakeholder groups, industry, and governments from many parts of the world participate in its policy-making. [Read more](#)

Before the decision, attempts were made to stop the transition to ICANN, notably by the US Republican Presidential Candidate Senator Ted Cruz who launched a veritable crusade against it, claiming that it was a threat to free speech online and a handing over of power to foreign governments. It would allow China, Iran and Russia to censor what Americans can see on the Internet, he said.

EU Slaps Apple with 13 Billion Euros in Back Taxes

At the end of the summer the EU Commission got a lot of much-needed goodwill when hitting the world’s most profitable company with huge back-taxes and

accusing the company – and the government serving its interests – of illegal conduct.

After a three-year investigation the Commission – the EU's competition watchdog – [announced](#) in August that Ireland had granted undue tax benefits of up to €13 billion to Apple.

"Member States cannot give tax benefits to selected companies...this selective treatment allowed Apple to pay an effective corporate tax rate of 1 per cent on its European profits in 2003 down to 0.005 per cent in 2014," explained Commissioner Margrethe Vestager in charge of competition policy.

Apple and the Irish government immediately said they would appeal the ruling. This could cost European jobs, warned the Apple chief. The US government was not very happy either and said the decision "could threaten to undermine foreign investment, the business climate in Europe, and the important spirit of economic partnership between the US and the EU".

The timing of the Apple ruling – after Brexit and much EU-bashing for its failure to deal effectively with economic problems, terrorism and the migrant crisis – could hardly have been better. The decision also seems to have been intended as a message to the growing number of people critical of globalisation.

"Globalisation has brought enormous benefits but some people feel they have lost out and wonder "what's in it for me"? We must answer this question and show that nobody can be above the law...It is important to be people-centered in policy and show that we care. We need to build up trust", said EU Commissioner Vestager in September during a colloquium at Columbia University in New York.

Big Data/Internet of Things

New Form of Cyberattacks Threat to Journalism

On 21 October a major cyberattack using a myriad of everyday, internet-connected devices – often described as the Internet of Things (IoT) – caused widespread online disruption on both sides of the Atlantic. This should be a warning to journalists, says a professor at Columbia School of Journalism in New York.

The incident took offline some of the most popular sites on the web, including Netflix, Twitter, Spotify, Reddit, CNN, PayPal and Pinterest– as well as newspapers such as the Guardian, the New York Times and the Wall Street Journal.

Hackers used what is known as a distributed denial of service attack (DDoS) by way of hordes of internet-connected devices. "Having just about everything connected to the internet doesn't help. Before, the bad guys had to rope in thousands of computers to launch their attacks. Now they have potentially millions of smart TVs, refrigerators, home routers, security cameras – even baby monitors – at their disposal, [commented the American media website CNET](#)

This should concern journalists for two reasons, [writes journalism professor Susan Mc Gregor](#). First, the hackers got control of those devices using bad

passwords, a vulnerability most journalists share. This can quickly compromise a news organization's website, social media accounts, and credibility.

The second reason journalists should attend to these attacks is that strategic use of DDoS attacks is a common tool for censorship. News organizations must get serious about security to maintain independence in the digital age, says McGregor.

Big data: Policymakers Look at Risks and Opportunities

Big data can be used to improve decision-making and create better products but they also pose challenges to fundamental rights such as privacy and data protection, said members of the EU Parliament's civil liberties committee in [a discussion on this issue](#) in September. The committee is drafting an own-initiative report on the subject.

The mass collection and analysis of data could make people feel like they are being constantly monitored, especially after revelations about NSA mass surveillance by Edward Snowden, said MEP Ana Gomes, who is responsible for the forthcoming report.

There is also the risk of a security breach leading to sensitive data being disclosed or the danger of personal data being shared without the permission of the person involved. Last but not least, people might be refused services on the basis of data collected about them, stressed the MEP.

In the United States, the White house has released several reports on big data "because technological innovation presents both great opportunity and great risk".

A [report](#) published in May illustrates how big data techniques can be used to detect bias and prevent discrimination but also demonstrates how technologies can "deliberately or inadvertently" perpetuate, exacerbate, or mask discrimination." Big data is here to stay: the question is how it will be used: to advance civil rights and opportunity, or to undermine them".

Perhaps the new tenant in the White House has an answer.

Privacy/ Data Protection

Privacy Shield: Legal Challenges against New EU-US Data Transfer Deal

As widely expected, legal challenges against the Privacy Shield – the recently concluded, controversial agreement between the EU and the U.S. regarding the transfer of Europeans' personal data to the United States – have been launched. The first one just two months after the agreement came into force.

At the end of October the privacy advocacy group Digital Rights Ireland [filed its complaint to the EU General Court](#), the lower court of the Court of Justice of the European Union (ECJ). Soon thereafter a similar legal challenge was launched by La Quadrature du Net, a French privacy organization.

EU Watchdogs Probe WhatsApp's Privacy U-turn

In August the world's most popular messaging application, WhatsApp, announced that it would begin sharing user data with its parent company Facebook, in spite of its promise to protect such data and vowing that its privacy policy would not be affected when Facebook acquired the company in 2014.

The U-turn provoked much anger among users. EU data protection watchdogs are not very happy either.

Soon after the change the Spanish, as well as the German and UK data protection regulators said they would look into the matter. In October the EU's Article 29 Working Group – representing the data protection agencies of all the Member States – wrote a [letter to the WhatsApp founder Jan Koum](#) saying that it had “serious concerns” about the policy change, questioning, i.al., “the effectiveness of control mechanisms offered to users to exercise their rights”.

The data protection group warned that its members would “act in a coordinated way” on this matter and asked WhatsApp for details of the specific data being shared.

European Media Policy

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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 is published three times a year.