

European Media Policy



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Disinformation

EU fights wave of false information about coronavirus

Since the outbreak of the coronavirus (COVID-19), false information about treatments, conspiracy theories and hoaxes have been proliferating on social media, in news reporting and on messaging platforms such as WhatsApp, disrupting official crisis communication with bogus mortality figures, “miracle cures” and viral conspiracy theories claiming COVID-19 is the first step in NATO’s plan to impose military rule.

So, what is the EU doing about all this?

In early March the news service Euractiv [reported](#) that the EU’s Rapid Alert System for monitoring serious cases of disinformation had been put to use. The Rapid Alert System is a key element of the EU’s 2018 [Action Plan Against Disinformation](#) and is meant to facilitate exchange of information in the wake of fake news campaigns.

All EU member states have designated a national contact point for the monitoring of fake news and have also agreed on a specific threshold for the system to be activated.

In this case, the tool has been used to share knowledge between member states as well as G7 partners on disinformation “coming from external sources”, said EU Commission Vice-President Věra Jourová, among whose main tasks is “to focus on countering disinformation and fake information”.

In 2018, online platforms, leading social networks, advertisers and the advertising industry agreed to the EU’s voluntary [Code of Practice](#) to address the spread of online disinformation and fake news.

In early March, Commissioner Jourová sat down with representatives from Google, Facebook, Twitter, Microsoft and the trade association EDiMA to discuss ways of stemming the flow of online disinformation concerning the coronavirus.

“All participants confirmed that they discovered different types of disinformation or false information online and took a range of measures to address those and agreed to ‘promote authoritative sources’ of news, ‘remove forbidden or harmful content’ and protect consumers from ‘misleading ads’”, [says](#) a statement from Jourová after the meeting.

Since then, Facebook has aggressively deleted reams of misinformation from its networks – [mostly generated by normal users and not state-backed groups](#) – and Google has removed thousands of videos on YouTube, its video-streaming service, that spread false reports and remedies about the coronavirus, [reports](#) Politico.

The news service, however, also [points out](#) that stories with false information about the coronavirus also drive traffic to websites that are stuffed with online ads, meaning companies are paying for their brands to feature alongside this kind of content.

“Platforms have to be held accountable for the policies and practices that favor content that is so obviously contrary to public interest,” Rebekah Tromble of D.C.’s George Washington University told Politico.

The wave of false and unverified information about the pandemic on private messaging services like WhatsApp – where well-intentioned but fearful persons forward messages with misleading or doctored information – seems extra tricky to remedy.

In this case, EU Commissioner Jourová [acknowledged](#) that “we need to understand better the risks related to communication on end-to-end encryption services”.

She may also be concerned about the need to protect privacy and preserve freedom of expression, another of her tasks.

Binding EU rules on disinformation to be expected?

There are increasing doubts about the EU’s ability to fight disinformation with its current measures. This could push the Commission to propose more stringent rules for online platforms in the upcoming European Democracy Plan and the Digital Services Act (DSA).

So far, the EU has fought disinformation with various non-legislative measures, such as the Action Plan against Disinformation, the Code of Practice on Disinformation signed by the digital industry and funding a European Digital Media Observatory to support cooperation between fact checkers and academia.

On 17 March, the European Court of Auditors (ECA) [announced](#) that it would examine the EU Action Plan Against Disinformation in terms of its relevance, the results achieved so far and its accountability framework.

“Any attempt to maliciously and intentionally undermine and manipulate public opinion can represent a serious threat to the Union itself”, said Baudilio Tomé Muguruza, the ECA Member leading the audit. “EU citizens must know whether the EU Action Plan against disinformation is effective”.

The Court will analyse whether the EU Action Plan is sufficiently robust: the European External Action Service has adequately increased its capacity to face the challenges of disinformation; the Code of Practice has brought tangible improvements; the EU funding of awareness-raising action has had the expected results; and those taking action are held accountable by means of robust and transparent monitoring and reporting.

The EU Commission too is expected to come out with an evaluation of the Disinformation Action Plan as well as of the Code of Practice. The results will feed into Commissioner Vera Jourová’s European Democracy Action Plan – expected towards the end of this year - in which measures to fight disinformation will be a main subject.

(In addition, the Democracy Action Plan will cover measures to strengthen the media sector, make platforms more accountable, invest in media literacy and protect the democratic process.)

The DSA – to be presented later this year - will also, among other things, “strengthen the responsibility of online platforms”, says the Commission.

Much concern about deepfakes

“Deepfake” videos - which use artificial intelligence to create hyper-realistic but fabricated videos in which a person appears to say or do something they did not - can be funny and creative. But they can also be a treacherous tool of manipulation, for example in connection with elections or in the current health crisis.

This has worried many people, and social media as well as policymakers are under pressure to do something about it.

In recent months, YouTube, Twitter and Facebook have announced that they will take various steps to deal with misleading manipulated media, including labelling and removing such content.

The issue was discussed in the European Parliament during a hearing in February arranged by the Culture Committee. “How can people protect themselves and society against this? And what can we as legislators do?” asked MEP Sabine Verheyen, who is preparing a Parliament report on the use of artificial intelligence in education, culture and the audiovisual sector (2020/2017 (INI)).

Deepfakes is a subject close to the heart of EU Commissioner Vera Jourova, responsible for disinformation issues.

“As a person who grew up in a communist regime, I know what it means to grow up surrounded by lies and manipulation”, she pointed out in her opening [speech](#) at a conference on disinformation in January.

Platform Regulation

Competition watchdogs slam tech giants’ grip on advertising

In December last year, France’s competition watchdog fined Google €150 million for abusing its power over the treatment of advertisers, saying it applied opaque rules and changed them at will, Reuters [reported](#).

It was the first penalty imposed by the French antitrust watchdog against the American tech company in a number of clashes with French authorities. Google is facing a growing number of investigations into its business practices on both sides of the Atlantic.

With a market share of around 90 per cent in the online search business, the company has a responsibility to offer fair access to Google Ads, said the head of the French competition authority, Isabelle de Silva. “One of the principles of competition law is that with great power comes great responsibility”, she added.

Meanwhile the British Competition and Markets Authority (CMA) is mulling over whether to force tech giants to break up aspects of their advertising business

model in the interests of fair competition. In July 2019, the authority set out to find out more about how major online platforms like Google and Facebook operate.

The CMA's [interim report](#) found that in 2018 Google accounted for more than 90 per cent of all revenues earned from search advertising in the UK, with revenues of around £6 billion in 2018. In the same year, Facebook accounted for almost half of all display advertising revenues in the UK, reaching more than £2 billion.

Platform regulation in the making

On 19 February, the EU Commission presented a [digital policy package](#) consisting of a series of proposals laying out the bloc's approach to data, artificial intelligence and platform regulation over the next five years and beyond.

Firm proposals on platform regulation will only be known toward the end of the year, when the Commission plans to unveil its so-called Digital Services Act package, [explains](#) the news service Politico.

But the digital strategy that binds the policy package together does refer to "gatekeeper" platforms as needing to remain "fair" — a category that could include Google and Amazon. Some rules may apply to the big platforms "without consideration of illegal behavior, but just because they're a dominant player in the digital world", Digital Commissioner Margrethe Vestager told reporters.

"The Commission will further explore ... ex ante rules to ensure that markets characterised by large platforms with significant network effects acting as gatekeepers, remain fair and contestable for innovators, businesses, and new market entrants", reads the digital strategy.

Also, to be expected is legislation setting rules on how platforms such as Google, Facebook and Twitter police content online. Whether platforms will be held legally responsible for the illegal material they host remains an open question, Vestager and Internal Market Commissioner Thierry Breton said. A public consultation is to be launched in March.

The Digital Services Act – scheduled for later this year – will "establish clear rules for all businesses to access the Single Market, to strengthen the responsibility of online platforms and to protect fundamental rights", [says](#) the European Commission.

How stringent these rules will end up being remains to be seen. With the accelerating COVID-19 crisis, the critical attitude to social media may change. Many Italians and others now living isolated in their homes have said how glad they are to have WhatsApp, Facebook and other social media to be able to stay in touch with family and friends.

Council of Europe: IT firms help governments shape Internet policy

In February, Facebook's CEO Mark Zuckerberg got the cold shoulder in Brussels when offering policymakers help to forge EU rules for online platforms. Not so in Strasbourg, where Facebook takes part in the Council of Europe's [co-operation](#)

[framework with IT firms](#) which enables the tech firms “to sit side-by-side with governments when shaping internet policy”.

These “partners” include Apple, Google and Microsoft as well as a number of weighty industry associations, for example the Computer & Communications Industry Association (CCIA), DigitalEurope, EuroISPA and the European Telecommunications Network Operators’ Association (ETNO).

Areas of cooperation may, for instance, include children’s protection in the online environment; combating cybercrime and the use of the internet for terrorist purposes; data protection, including Big Data issues; digital literacy promotion; addressing abusive forms of expression and disinformation online; and democratic elections.

“While it is the task of governments to protect human rights and the rule of law online, companies play a critical role in addressing today’s challenges of the digital age because they provide and control its infrastructure”, explains the Council of Europe, Europe’s leading human rights organisation.

A human rights guide for content governance

Governments and companies are under increasing pressure to address illegal or undesirable content online, but hasty or poorly crafted solutions can threaten human rights, says the Internet rights organisation Access Now.

Therefore, the organisation recently launched [a guide on content governance for lawmakers, regulators and company policymakers](#), setting out human rights recommendations for self-regulation, co-regulation and state regulation of online content.

Artificial Intelligence

EU Commission presents “human-centric” AI strategy

The Americans and the Chinese may have been quicker to jump on the AI bandwagon, but the EU can become a leader of human-centric and trustworthy artificial intelligence, believes the European Commission.

In February, the Commission presented its thoughts on how this can be done in a [White Paper on Artificial Intelligence](#). Now it wants feedback on these ideas. The White Paper is open for [public consultation](#) **until 31 May 2020**. In light of the input received, the EU Commission will propose more concrete measures, probably in the last quarter of the year.

As AI systems can be complex and bear significant risks in certain contexts, building trust is essential, [writes](#) the Commission.

Clear rules need to address high-risk AI systems without putting too much burden on less risky ones. Strict EU rules for consumer protection, to address unfair commercial practices and to protect personal data and privacy, continue to apply.

A human-centric approach means ensuring that AI systems are developed and used in a way that respects EU law and fundamental rights. It is important to

prevent breaches of these rights and if they occur, to ensure that such breaches can be addressed by national authorities, underlines the European Commission. All AI applications are welcome in the European market “as long as they comply with EU rules”, stresses the Commission.

Much concern about facial recognition

One AI technology that is raising much concern is facial recognition, increasingly used by private companies and public authorities in many parts of the world for various purposes – lately, in connection with the COVID-19 crisis.

In such crisis situations, this technology can be a very useful and practical tool, many point out. But there are also those who warn about the potential danger of facial recognition.

They call it a threat not only to the right to privacy; facial recognition can also have a chilling effect on protest, legitimate criticism and journalism by creating a culture of fear and surveillance in public spaces.

The issue has been much discussed in the European Parliament. Meanwhile, some EU Member States are testing or planning to use it for law enforcement purposes.

[Germany](#) has outlined intentions to roll out automatic facial recognition at 134 railway stations and 14 airports, and France has plans to establish a legal framework permitting video surveillance systems to be embedded with [facial recognition technologies](#).

Recently, Swedish law enforcement agencies [admitted](#) to using the controversial American software developed by Clearview AI. This company provides organisations with a database that is able to match images of faces with facial pictures scraped from social media sites.

Concerns were raised following the [news](#) that Clearview scraped more than three billion facial images from YouTube, Facebook and Twitter without obtaining the permission of users.

The European Commission said that it was staying in “close contact” with EU data protection authorities (DPAs) over this issue. The Swedish DPA has since announced that it is conducting its own investigation into the company’s practices, [reports](#) Euractiv.

Recently, it was also revealed that police forces in the EU are planning to [establish](#) an interconnected bloc-wide network of facial recognition databases, according to leaked documents.

Since the outbreak of COVID-19, facial recognition technology has a role in the surveillance, monitoring and control of people’s movements, [reports](#) the digital rights organisation Access Now.

China, for example, is using it to [track infected individuals and identify those not wearing masks](#). In Moscow, Russian authorities are reportedly using surveillance cameras, [facial recognition systems](#) and [geolocation](#) to enforce its quarantine regime and track infected individuals and their family members.

“Authorities should not use the epidemic to justify mass surveillance and further encroachment on their citizens’ right to privacy”, says Access Now. Data protection authorities are critical too. Last year, the Swedish data protection authority imposed a fine on a school for testing facial recognition technology to track its students’ attendance.

The issue was also discussed at a recent workshop organised by the European Data Protection Supervisor (EDPS).

“The use of Facial Recognition to identify an individual among many individuals in a public place is far more intrusive than local, one-to-one face authentication to unlock your smartphone. Moreover, once the infrastructure is in place, Facial Recognition technology may easily be used for other purposes (“function creep”). Moreover, poor quality underlying datasets can result in bias or discrimination”, wrote the EDPS in his [blog](#) about the event.

Facial recognition: New EU rules needed?

Many thought that the EU Commission would announce measures against facial recognition technologies in its [White Paper on Artificial Intelligence](#) published in February. But the Commission decided it was too early; instead it launched a consultation to kick-start “an EU-wide debate” on the subject.

The European Commission [explains](#) that EU data protection rules in principle already prohibit the processing of biometric data for the purpose of uniquely identifying a natural person, except under specific conditions for reasons of substantial public interest. (That must surely include the current pandemic – editor’s note.)

Hence, says the EU Commission, allowing facial recognition is currently the exception. With the AI White Paper, the Commission wants to launch a broad debate on which circumstances might justify exceptions in the future, if any.

The White Paper on Artificial Intelligence is open for [public consultation](#) until 31 May 2020.

Some reacted immediately. “It is of utmost importance and urgency that the EU prevents the deployment of mass surveillance and identification technologies without fully understanding their impact on people and their rights, and without ensuring that these systems are fully compliant with data protection and privacy law as well as all other fundamental rights”, [said](#) Diego Naranjo, head of policy at European Digital Rights (EDRi) in February.

Soon thereafter, Reuters [reported](#) that the Vatican had joined forces with tech giants Microsoft and IBM to promote the ethical development of AI and call for regulation of intrusive technologies such as facial recognition.

“New forms of regulation must be encouraged to promote transparency and compliance with ethical principles, especially for advanced technologies that have a higher risk of impacting human rights, such as facial recognition”, the document read.

Given the evolution since then of the COVID-19 pandemic in Italy, the Pope may have softened his stand on this issue.

EDRi, however, [warns](#) that “some of the actions taken by governments and businesses under exceptional circumstances today, can have significant repercussions on freedom of expression, privacy and other human rights both today and tomorrow. ... When acting to address such a crisis, measures cannot lead to disproportionate and unnecessary actions, and it is also vital that measures are not extended once we are no longer in a state of emergency”.

EU policymakers examine AI impact in creative sector

The European Parliament, as well as the Commission, want to find out what effects AI may have in the cultural sector.

In the Parliament’s Culture Committee, work has recently begun on a report on *Artificial intelligence in education, culture and the audiovisual sector* ([2020/2017\(INI\)](#)). Rapporteur: the Committee’s chair, German MEP Sabine Verheyen.

As part of the research for this report, the Committee held a hearing in February with various experts. Here, a Commission official announced that his institution will focus a major study on the impact of AI in the creative sector.

Should, for example, a machine decide what works are to be produced and not to be produced? A pilot project on AI for subtitling also raised issues with translators; not only were the translations only about 80 per cent correct, it will take their jobs too, said the translators.

At the same time, AI can help make European audiovisual works more available. A balanced approach seems called for, said the Commission official.

CoE conference on AI, media and democracy

To promote human rights is one of the main functions of the Strasbourg-based Council of Europe, whose members include the EU states as well as twenty other countries, among them Norway, Russia, Ukraine and Turkey.

This autumn, the Council is planning to hold a [Ministerial Conference](#) in Nicosia, Cyprus, to address the radical changes brought by the new wave of technologies, including AI, that have affected the media and the Internet environment and, with it, the exercise of freedom of expression.

The conference was supposed to take place on 28–29 May, but due the outbreak of COVID-19, it was postponed to 22–23 October. Let’s hope the pandemic is over by then.

The Ministers will also turn their attention to the “dangerous back-sliding” in the area of safety of journalists and take steps “to ensure that the urgency of the situation is matched by an urgency of engagement at the political level”. Media literacy projects will be discussed too.

The outcome of the conference will set the Council of Europe’s agenda for its standard setting activities for the years following the meeting.

Media/Journalism

EU actions to sustain journalists and media freedom

One of EU Commission Vice President Vera Jourová's tasks is "identifying risks to plurality in the media sector, and proposing cross-border projects to support independent and diverse journalistic activities". She seems to be taking this assignment seriously.

Recently, the Commissioner [said](#) that the key objective of the European Democracy Action Plan she is working on is to strengthen media freedom and pluralism.

"First the EU has to take measures to promote a safer working environment for journalists and help the media sector both with policy initiatives and funding", Jourova [wrote](#) in January.

Soon thereafter, the European Federation of Journalists (EFJ) met the Commissioner who [reaffirmed](#) her commitment to improve working conditions of journalists. Under her authority, the next EU rule of law monitoring will have media pluralism and media independence as significant elements.

Jourová belongs to a new Media Project Group that also includes other important Commissioners: Margrethe Vestager (digital policy and competition), Thierry Breton (internal market, industry), Didier Reynders (justice), Mariya Gabriel (innovation, education, culture) and Várhelyi (enlargement).

The group will work on EU proposals related to media sustainability on the continent, including the Democracy Action Plan and a Media Action Plan.

Recently, journalists working in media policy called for the Commission to bring forward the Media Action Plan, originally due to be presented towards the end of this year.

The news service EurActiv's founder Christophe Leclercq [believes](#) now is a critical time. "Journalists play a key role during this health crisis, to maintain trust in sound information", he said. "At the same time, media companies now lose most of their ads and event business. It's high time to save this democracy infrastructure".

In early March, the EU-funded [Media Pluralism Monitor](#), which focuses on identifying risks to media pluralism across Europe, was renewed for another year. This year's Monitor is looking into issues like online advertising, online hate speech, algorithm transparency and media literacy.

The preliminary findings of this report were to be discussed at the event "[Media and democracy – the way forward](#)" on 20 March in Brussels. Due to the coronavirus crisis, the conference was postponed. A new date of the event will be announced as soon as the situation allows it.

5.1 million euros to support journalism and media

There is EU money to support freedom and pluralism in the media sector. Recently, the Commission announced it was making available €5.1 million to several projects for this purpose, starting in March 2020.

The first project, led by the [European Centre for Press and Media Freedom](#), will focus on building a [pan-European response mechanism for violation of media freedom](#) to detect, address and prevent potential violations in the sector as well as to provide practical help to journalists under threat.

A second project, a [cross-border investigative journalism fund](#) run by the [International Press Institute](#), will support investigations involving journalists from at least two Member States.

Furthermore, a series of funded projects will set up a range of activities (such as training and practical guides) that will be geared at providing support to independent and collaborative journalism and promoting media freedom across the EU.

Finally, two ongoing Pilot Projects of a value of €1.7 million complement EU action in this area by supporting the [mobility of young media professionals](#) and the promotion of [Media Councils in the digital age](#).

CoE Assembly: Deal with threats to journalists and media freedom!

Threats to media freedom and the safety of journalists have become so numerous, repeated and serious that they are jeopardising not only citizens' right to be properly informed but also "the stability and smooth functioning of our democratic societies", [said the Council of Europe's Assembly](#) in January, who called for action.

The parliamentarians called on Council of Europe bodies "to prompt member States to remedy quickly and effectively any threats to media freedom", urging support for the reforms required to achieve this aim.

They also condemned the rise of aggressive behaviour and violent verbal attacks by political figures and representatives of the authorities against journalists and called on "all political leaders to combat this phenomenon".

Concerning media freedom and the safety of journalists, the situation in some of the Council's member states, such as Hungary, Malta, Russia and Turkey, "is particularly worrying", said the Assembly.

Audiovisual

Alarm over BBC's future

Public service broadcasters seem to be falling out of favour in several parts of the world. Now even the mother of them all, the BBC, seems to be under pressure.

On 5 February, the British government launched a public consultation on whether non-payment of BBC's compulsory £154.50 pound annual licence fee should stop being a criminal offence.

This sparked concerns about the broadcaster's future funding, [reports](#) the news service Euractiv.

Tracy Brabin, culture spokeswoman for the main opposition Labour party, warned: "The future of the BBC is under serious threat. ... Decriminalising non-payment of the licence fee will leave the corporation without a predictable income and potentially hundreds of millions of pounds short".

The Culture Secretary Nicky Morgan said it was "an anachronism" that anyone refusing to pay the licence fee could face a fine or even jail, but admitted that removing the threat of prosecution would "almost certainly" see a funding cut.

The European Centre for Press and Media Freedom (ECPMF) [considers](#) "the move to undermine the BBC's financial independence ... as a worrying step towards a state-captured broadcasting system".

BBC's licence fee model is guaranteed until 2027, but the government has indicated it is looking at different ways to do this in future.

In Sweden, the public service licence fee was replaced by tax-based funding in 2019. Many warned that this would lead to political pressure on the broadcasters and meddling in the content, which it has – since then several political parties have demanded stronger control over content.

In both Sweden and the UK, the public broadcasters have been accused of political bias – a charge they deny. However other types of disapproval have also been voiced.

In recent years, the BBC has come under criticism, for example, for awarding extravagant salaries to its stars, paying some women less than men and for what some politicians say is a London-centric bias, [says](#) Reuters.

Maybe the current health crisis could help the public broadcasters become more appreciated again if they provide high-quality information about the pandemic, good entertainment and support to the public in these distressing times.

Video conferencing to affect EU policy?

Networking, horse-trading and confidential chats are part and parcel of trying to build consensus among 27 diverse EU member states. Can the EU be run by videolink? [wonders](#) Euractiv, now that COVID-19 has forced EU leaders and ministers to hold high-level meetings by video conference call.

Some diplomats are worried that the bloc will struggle to cope. "You can't make decisions during video conferences, it's like an informal meeting", one European diplomat said.

They regret that their leaders will no longer be able to hold smaller side meetings to resolve problems at summits. And they worry leaders will not be able to speak frankly when they can't be sure who is listening in on the other end of the line. "There are now always ten people sitting in the room. That makes several hundred people in Europe listening", the diplomat said.

“And anyone can record this and pass it on to the press. It’s a completely different atmosphere”.

Privacy/Data Protection

Data protection watered down by COVID-19 crisis

The health crisis unleashed by the coronavirus is stretching the EU’s much lauded regulation on data protection, GDPR, since it allows for divergence from the rules in matters of public interest.

In Ireland, privacy experts discussed on a podcast [whether it is worth handing over Google passwords to stop the spread of coronavirus](#).

Such calls are prompting pushback from the bloc’s privacy authorities, which insist that Europe should hold firm on its principles, [reports](#) Politico.

Germany’s federal data protection commissioner has said that plans to use mobile phone contact data to track disease carriers [could represent "a massive invasion of privacy"](#), while the privacy regulator in Italy, the European country worst affected by the outbreak, has [urged employers against a "do-it-yourself" approach to data collection](#).

Other European privacy regulators have also issued guidance, with [the French](#) and [Danish authorities](#) stressing that only limited data collection and processing is possible.

But even as regulators push to uphold the rules, there is a growing realisation that some measure of flexibility is needed in the face of an unprecedented crisis, writes Politico.

Ireland’s data protection authority – which has jurisdiction over many Silicon Valley companies – [issued guidance](#) that admitted health authorities may be able to force disclosure of personal data “to protect against serious threats to public health”.

GDPR losing its magic?

GDPR, the EU’s flagship regulation on data protection and proudly exported to many countries around the world, doesn’t always seem to do the job.

“20 months after the GDPR has come into effect, consumers are still pervasively tracked and profiled online and have no way of knowing which entities process their data and how to stop them”, writes the Norwegian Consumer Council in a [report](#) published in January on current practices in the adtech industry, including systematic privacy breaches and unlawful behavioural profiling.

The report focuses on the analysis of data traffic from ten popular apps such as dating or period tracker apps. It exposes how a large number of mostly unknown third parties receive sensitive and personal data without the knowledge of the individual.

Another blow to the GDPR came in early February when Prime Minister Boris Johnson announced that the UK will seek to diverge from EU data protection rules and establish its own “sovereign” controls in the field

In a [written statement](#) to the House of Commons, the Prime Minister said that the United Kingdom will “develop separate and independent policies” in a range of fields, including data protection, adding that the government would seek to maintain high standards in so doing, [reports](#) Euractiv.

Digital rights activists are not convinced that the standards will be very high, given the UK’s controversial track record in mass surveillance programmes, evidenced in a European Court of Human Rights ruling in 2018 that found that the UK had breached human rights protections in its mass surveillance programme.

The EU Commission is conducting a review of the GDPR. A report is scheduled to be presented on 22 April. Let’s hope that the Commission officials working on it stay healthy.

Infrastructure

Coronavirus crisis: EU asks streaming platforms to reduce strain on Internet

Videos account for a substantial part of Internet traffic data – not a good thing during a time when many have to work and learn online from home due to coronavirus-related quarantines or lockdowns.

Therefore, on 18 March, EU Industry Commissioner Thierry Breton [asked](#) online streaming platforms to switch to standard-definition streaming to preserve bandwidth and prevent strain on the Internet’s functioning.

Already the next day, Netflix announced that it would reduce its bit rates across all its streams in Europe, in effect cutting traffic on its European networks by 25 per cent, to preserve the smooth functioning of the Internet during the coronavirus crisis.

The following day, YouTube, too, said it would reduce its streaming quality. “We are making a commitment to temporarily switch all traffic in the EU to standard definition by default”, the company said in a statement.

US losing fight to keep Huawei out of 5G networks?

The American administration’s crusade to prevent telecom equipment giant Huawei from giving China “unprecedented leverage over Western industry and security” has had some setbacks lately.

Washington has piled pressure on its allies in Europe to shut out Huawei from the new generation infrastructure, 5G, with limited success. Even a “special relationship” hasn’t helped.

At the end of January Prime Minister Boris Johnson granted China’s Huawei a limited role in Britain’s future 5G mobile network. Johnson ruled that “high-risk

vendors” would be excluded from the sensitive core of networks – like locations with nuclear sites and military bases – and there would be a 35 per cent cap on their involvement in the non-sensitive parts.

This in spite of London’s wish for a quick trade deal with the US. Advisers to Johnson believe they’re making a calculated choice. “In 10 years, we want to be a high-tech Silicon Valley across the whole of the UK”, one British government official who works closely with the Prime Minister [told Politico](#). “That is more important than getting slightly cheaper meat”.

The next day, the EU followed Britain’s example, allowing member states to decide what part China’s Huawei Technologies can play in their 5G telecoms networks and resisting pressure from Washington for an outright ban.

As part of the European Commission’s “5G toolbox” – backed by all EU member states – the Commission has outlined a series of non-binding recommendations that include improving security standards and establishing a risk profile of suppliers, in addition to adopting a multi-vendor approach.

The EU has, however, pledged not to exclude any specific suppliers, despite heavy American pressure against Huawei.

The “multi-vendor” approach seems to have benefited Nordic telecom companies Nokia and Ericsson. In early February, both companies won contracts with one of Europe’s largest mobile operators, Orange, for its French 5G infrastructure. Orange has previously deployed Huawei systems in Spain and other countries.

The US, too, has shown interest in the Nordics. The US and its allies should take controlling stakes in Nokia, Ericsson or both to battle Chinese telecoms giant Huawei’s dominance, US Attorney General Bill Barr [said](#) in February.

However, Europe’s leading telecom operators are all Huawei customers and have long complained that even partial bans on the company would impose high costs when they roll out 5G networks.

In March, more than 50 top executives of industrial giants including Daimler, BASF, Siemens, Deutsche Telekom, Vodafone and others backed a [new position paper](#) stating that if governments ban Huawei and ZTE, “they should ensure that corresponding costs are compensated through adequate measures, including fiscal measures”.

Lately, even the COVID-19 crisis has been used in the 5G war between China and the US. An article in the Chinese Global Times unsubtly [hinted](#) that China could stop exports of face masks and other medical gear if the Trump administration keeps pressing to restrict its tech giant Huawei.

European Media Policy

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This Newsletter provides an update on policy developments at the European level. We concentrate on news from the EU: 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 and so forth. 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.