

European Media Policy



A newsletter from Nordicom

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New Digital Rulebook

DMA: Council compromise adopted but divisions remain

Work on the EU's landmark digital rulebook proposed by the Commission a year ago has been progressing quite rapidly in recent months, not least after former Facebook employee Frances Haugen released a hefty collection of internal documents showing that the company had repeatedly and knowingly put profit ahead of people's safety.

A hearing with Haugen at the European Parliament in November added to lawmakers' concern and fed ideas to the regulatory deliberations.

Most progress has been made on the [Digital Markets Act \(DMA\)](#) – aimed at guaranteeing competition in the digital market – which sets out rules for what companies with “gatekeeper” status will be allowed to do and not to do.

On 25 November, the Council – which represents the EU member states – adopted its common negotiating position on the proposed legislation. ([Council general approach and statements](#))

This so-called general approach follows the main points proposed by the Commission with some changes, for example, a new obligation enhancing the right of end users to unsubscribe from core platform services.

It also confirms the European Commission as the sole enforcer of the regulation. Member states can, however, empower national competition authorities to start investigations into possible infringements and transmit their findings to the Commission.

But there was little time to build a solid consensus, and under the united surface, EU countries are divided among those that want to “defend” the compromise as it is and those seeking “improvements”, reports EURACTIV. ([EU countries embrace platform regulations, but divisions remain](#))

A few days before the summit, for example, Denmark, Italy, Portugal and Spain issued a statement asking for obligations to provide fair access conditions to be extended to social media and search engines. Since then, this proposal has gained the support of Austria, Belgium, Germany and the Netherlands.

Danish minister Simon Kollerup made it clear that the proposal was looking at the media sector, arguing that “it is not fair that dominant digital platforms decide where and how citizens have access to editorial offerings”.

A major sticking point in the upcoming negotiations with Parliament lawmakers will be how smaller firms could get caught up in the scope of the law depending on where the EU puts the threshold to call a company a "gatekeeper", writes POLITICO.

The French government – which will take over the rotating EU Presidency on 1 January 2022 and will shepherd the upcoming negotiations with the Parliament – has favoured that the rules first and foremost target the largest players. So has Germany.

Such a narrow definition could anger the US government, however, because the rules may disproportionately impact American companies when compared with other regions.

DMA: Parliament wants many changes

On 15 December, the European Parliament adopted its negotiating position on the Digital Markets Act (DMA), proposing considerably more changes to the Commission's proposal than the EU Council.

The [amendments adopted by the Parliament](#) extends the scope of the law to web browsers, virtual assistants and connected TV, but raises the bar for designating gatekeepers to an annual European turnover of at least 48 billion and a market capitalisation of EUR 80 billion. In other words, only catch the big fish!

Furthermore, MEPs want to empower the EU Commission to temporarily halt so-called killer acquisitions by gatekeepers – that is, when Big Tech firms buy out smaller companies and kill off their innovations – if companies are found to have systematically violated the DMA. Gatekeepers would also be obliged to inform the Commission of any intended concentration.

The Parliament also wants to include a new obligation for Big Tech firms to allow users to both uninstall pre-installed apps and provide the option of switching to rival apps. Smaller tech players have been calling for these measures as a key way to challenge the dominant position of big companies, explains EURACTIV. ([EU Parliament adopts regulation targeting Internet giants](#))

Interoperability measures were another major addition to the Parliament's text, requiring social media and messaging apps to communicate with each other. This could, for example, allow someone to send a Facebook message to another user using a Google chat service.

During the plenary discussion, lawmakers from right to left stressed interoperability as an important step to reduce dependency on the largest online platforms.

A controversial point in the negotiations within the Parliament was a proposal for a ban on targeted ads, which was pushed by centre-left MEPs and resisted by the centre-right. The compromise includes a ban only for minors and limits the processing of sensitive information, such as political views, religious beliefs and sexual orientation.

In addition, MEPs want the DMA to ensure “adequate arrangements to enable whistleblowers to alert competent authorities to actual or potential infringements of the regulation and to protect them from retaliation”. (Thanks, Frances Haugen!)

They also want tougher sanctions for breaches of the DMA rules. If a gatekeeper does not comply with the rules, the Commission can impose fines of “not less than 4% and not exceeding 20%” of its total worldwide turnover in the preceding financial year”, compared with the Commission’s proposed 10%.

The text approved on 15 December will be Parliament’s mandate for negotiations with EU governments, planned to start under the French presidency of the Council in the beginning of 2022.

DSA: Enforcement main hurdle in Council

Much work has also been done on the second part of the proposed EU digital rulebook, the [Digital Services Act \(DSA\)](#), which will lay out rules for how Internet players manage content.

On 25 November, [EU member states reached their common negotiating position \(general approach\)](#) at a Council meeting.

“With the DSA, we are very firmly implementing the principle that what is illegal offline should also be illegal online, explained Mark Boris Andrijanič, Slovenia’s minister for digital transformation in charge of the file.

“When it comes to the content that is harmful but legal, that is an area where platforms have more freedom. However, their policies should be defined in their terms and conditions, and these must comply with human rights. [...] What’s important to highlight is that intermediaries have no general monitoring obligation. But, of course, when a platform is informed about the illegality of certain content that’s been uploaded, then it must react accordingly”, said the minister. ([How the EU law on online services wants to restore trust](#))

The Council supported much of the Commission’s initial proposal but clarified some rules, including specifically mandating Internet giants to publicly disclose how many staff are moderating content, and the languages they speak.

Recent revelations by Facebook whistle-blower Frances Haugen highlighted the lack of resources the social media firm devotes to tackling harmful content in languages other than English, explains POLITICO. ([Europe reins in Big Tech](#))

Officials in the Council also added some new ideas, for example, forcing Big Tech to take measures to protect children through age verification and parental controls.

The main hurdle in the negotiations within the Council was the enforcement mechanism, as France and other heavyweights contested the country of origin principle. Smaller member states, led by Ireland – the EU country where most of the Big Tech firms have their European headquarters – opposed plans to oblige companies to comply with 27 different jurisdictions.

In the end, a solution was found in giving the European Commission exclusive competence over very large online platforms, namely those with more than 45 million users, in the EU.

EU governments want to give tech companies a year and a half before the content moderation rulebook applies, instead of three months as initially proposed, meaning the DSA would be first applied in 2024 at the earliest.

DSA: Key Parliament Committee adopts its position

In the European Parliament, work on the DSA-dossier has not yet progressed quite as far as in the Council. On 14 December, the key Internal Market and Consumer Protection Committee (IMCO) adopted its position.

The final, plenary vote will be held in January, probably on the 17th. The approved text will then become Parliament's mandate for negotiations with EU governments, planned to start under the French presidency of the Council in early 2022.

Among IMCO's amendments are certain exemptions from DSA obligations for smaller enterprises. SMEs that do not pose "significant systemic risks" will be able to request a waiver from the EU Commission, a measure that was the subject of intense debate between centre-left and centre-right MEPs.

MEPs also adopted an amendment that would require the European Commission to "pay specific attention to SMEs and the position of new competitors" when periodically revising the regulation.

Furthermore, IMCO voted to ban online advertising that targets children. A number of MEPs – including Christel Schaldemose, the Danish Social Democrat lawmaker in charge of the file – pushed for a total ban on targeted advertising but faced strong opposition. The compromise reached was to only ban advertising targeting minors, following a similar compromise reached in the DSA's sister proposal, the Digital Markets Act.

However, the proposal for a total ban is likely to re-emerge via the civil liberties committee (LIBE), an associated committee that might table amendments during the plenary vote, says EURACTIV. ([MEPs adopt Digital Services Act](#))

Platforms use "recommender systems" to choose what information to promote. MEPs beefed up provisions to make sure that online platforms are transparent about the way these algorithms work and to make them more accountable for the decisions they make.

According to the Parliament's text, the largest platforms would have to provide an alternative version of their recommender systems, not based on profiling, and enable the user to see on which criteria the platform is adapting content for them.

More substantial transparency obligations were also introduced, and platforms will have to open their data for external review.

An exemption for "trade secrets" was partially removed in the compromise text, as lawmakers feared that online players could use it to withhold key information from the public. Still, green MEP Alexandra Geese told EURACTIV that her group will likely ask for a complete removal during the Plenary vote.

Media exemption dead?

A potential amendment restricting the ability of online platforms to remove or moderate editorial content uploaded by news publishers was a hot topic in IMCO's debate on the DSA.

The publishing industry sees it as a measure to prevent tech companies from exerting undue power over news content that has already been through an editorial process. But those working in the field of anti-disinformation oppose it, considering it a dangerous loophole.

European Commission Vice-President Věra Jourová agrees with the latter, calling the exemption one of those "good intentions leading to hell".

"It could weaken the accountability regarding the spread of disinformation which the DSA seeks to establish", explained a Commission spokesperson to EURACTIV.

The main concern is specifically media outlets that purposely spread disinformation or state propaganda. For instance, the recent banning from YouTube of Russian-state broadcaster RT for spreading disinformation over the Covid-19 pandemic would not be possible under an exemption.

In the end, the media exemption did not find support in the IMCO committee. However, the associated committee on legal affairs (JURI) can table amendments during the plenary vote in January and will likely raise the issue again, writes EURACTIV. ([MEPs adopt Digital Services Act](#))

"It is frustrating that public service media has to be under the content moderation of a private entity like Facebook", the DSA-rapporteur Christel Schaldemose told reporters, noting that there were also divisions inside the different political groups.

Strengthened voluntary Code expected by March

Until the draft Digital Services Act is adopted and in force, disinformation must mainly be tackled through the EU's voluntary [Code of Practice](#), which sets out commitments by platforms and industry to fight this phenomenon.

But the Code hardly seems effective. Therefore, the EU Commission has called for it to be strengthened. Reporters Without Borders is one of the many new prospective signatories to work on the revision of the rules.

The review is based on [the Commission's Guidance](#) issued in May, which calls for better monitoring mechanisms, heightened transparency and an expansion of participants.

The original Code's signatories were exclusively Big Tech companies like Facebook, Google and Twitter. But in recent months, a total of 50 new potential signatories – representing a broader range of stakeholders, including civil society groups, advertising agencies and research organisations – have joined the revision process.

Current and prospective signatories are expected to deliver the reinforced Code of Practice by the end of March 2022. Though currently non-binding, some of the Code's provisions may subsequently become mandatory following the adoption of the Digital Services Act (DSA).

Recently, the EU Commission also extended its coronavirus disinformation monitoring programme, which was established in June 2020 and will now run until June 2022. As part of the programme, the Code's online platform signatories publish regular reports on the measures they have taken to combat Covid-19 disinformation.

Antitrust

EU Commission wins major antitrust case against Google

On 10 November, the EU's competition chief Commissioner Margrethe Vestager surely celebrated. That was the day when Google lost an appeal against a EUR 2.42 billion antitrust decision, a major victory for Vestager after several setbacks against Big Tech companies.

The latest defeat came in July last year, when the EU Court of Justice overturned the Commission's record EUR 13 billion fine against Apple.

This time, judges of the EU General Court in Luxembourg ruled that it was right to fine Google EUR 2.4 billion in 2017 for favouring its own shopping comparison service over rivals. Importantly, the judgement establishes self-referencing as a category of harm for antitrust enforcers, [writes EURACTIV](#).

The outcome strengthens the hand of competition authorities across Europe to take a tougher approach not only against Google's other specialised search services, but also on similar ventures by Facebook or Apple, writes POLITICO. ([Vestager's court win opens way for more Google cases](#))

In June this year, Vestager opened a probe into Google's online advertising practices to assess whether the company had violated EU competition rules by favouring its own online display advertising technology services to the detriment of competing providers of such services, advertisers and online publishers. ([Commission opens investigation into possible anticompetitive conduct by Google](#))

EU and US antitrust regulators join forces

EU antitrust regulators are not the only ones going after the digital giants. Recently, for example, the UK's competition regulator ordered Meta, Facebook's recently renamed parent company, to sell online image platform Giphy.

Even in the US, Big Tech is under fire these days. Newspapers and others have been filing antitrust lawsuits against Google and Facebook while federal agencies are pursuing investigations into Apple and Amazon.

Like the EU's competition czar Margrethe Vestager, Lina Khan – the new head of the United States' powerful antitrust agency, the Federal Trade Commission (FTC) – has made no secret of her critical stance on Big Tech.

On 7 December, the two superwomen met in Washington and launched [the EU–US Joint Technology Competition Policy Dialogue](#) together with Assistant Attorney General Jonathan Kanter of the US Department of Justice Antitrust Division.

Through the Joint Dialogue, the regulators intend to “collaborate to ensure and promote fair competition”. The cooperation will include “sharing insights and experience with an aim towards coordinating as much as possible on policy and enforcement.” These exchanges will also help inform similar domestic efforts, “potentially contributing to greater alignment on these pressing issues”.

Media Freedom / Protection of Journalists

EU: Support and protect journalists!

Being a journalist is quite hazardous these days, not only in countries like Belarus; in 2020, there were more than 900 attacks on journalists in the EU. To reverse this trend,

the European Commission adopted a [Recommendation on the safety of journalists](#) in September, urging EU countries to address various concerns in an environment increasingly hostile towards the media.

“No journalist should die or be harmed because of their job. We need to support and protect journalists; they are essential for democracy. The pandemic has showed more than ever the key role of journalists to inform us. And the urgent need for public authorities to do more to protect them”, said Commission Vice-President Věra Jourová

The Commission calls on member states “to vigorously investigate and prosecute all criminal acts”. They should also should foster better cooperation between law enforcement and media bodies to identify and address the threats faced by journalists more efficiently and provide personal protection to journalists whose safety is at risk.

Member states should provide regular training for law enforcement authorities to ensure that journalists and other media professionals are able to work safely and without restrictions during events such as demonstrations.

Digital safety has become a major concern for journalists due to online incitement of hatred and threats of physical violence, but also because of cybersecurity risks and illegal surveillance. Member states are encouraged to promote the cooperation between online platforms and organisations with expertise in tackling threats against journalists.

Female journalists face more threats than their male counterparts do. The Recommendation urges member states to support initiatives aimed at empowering women journalists and professionals belonging to minority groups and those reporting on equality issues.

Member states should report to the EU Commission on measures taken to implement the Recommendation 18 months after its adoption. The legislation is not legally binding, but the Commission will guide and monitor developments in various ways.

EU funding to support member states in implementing this Recommendation is available under several programmes and projects, including for the training of judges, police forces and journalists.

The EU also co-funds a European [rapid response mechanism](#) led by the European Centre for Press and Media Freedom based in Leipzig, Germany.

[More info and relevant links](#)

Parliament calls for EU directive against SLAPPs

EU policy-makers seem prepared to act against so-called SLAPPs – Strategic Lawsuits Against Public Participation – often used by businesses, governments or individuals to silence critical voices.

SLAPPs “misuse legal and judiciary systems to censor, intimidate and silence journalists and rights’ defenders”, said EU Justice Commissioner Didier Reynders, describing them as “a threat to democratic values and fundamental rights”.

The European Commission is preparing an “initiative” against this type of abusive litigation, which it aims to adopt in early 2022. The Commission has launched [a public consultation on EU action against SLAPPS](#). All interested parties will have their say on this matter until 10 January 2022.

EU justice and home affairs ministers discussed the issue during a Council meeting in October, focusing on national experience and good practices in fighting SLAPPs, as well as on the cross-border dimension of this phenomenon.

Much concerned about this issue, the European Parliament is the driving force for EU action. On 11 November, MEPs adopted, with a large majority of votes, [a report proposing a series of measures](#) to counteract the threat that SLAPPs pose to journalists, NGOs and civil society in Europe.

MEPs are particularly concerned about SLAPPs being funded from state budgets, and their use in combination with other state measures against independent media outlets, journalism and civil society.

The Parliament calls on the Commission to present a package of measures, including an EU directive against SLAPPs to protect victims while also preventing and imposing sanctions for the misuse of anti-SLAPP measures.

MEPs want an ambitious legal framework, among other reasons to prevent “forum shopping”, where claimants choose to file their actions in the most favourable jurisdiction. They also call for an EU fund to support victims of SLAPPs and their families, as well as adequate training of judges and lawyers

EU telecom rules support media freedom

Lacking legislative competence in the media field, the EU Commission sometimes resorts to competition law to discipline bad behaviour in this area. Apparently, telecom rules can be used too.

On 2 December, the Commission slammed the Hungarian Media Council's decision to reject opposition radio station Klubradio's application for the use of radio spectrum, urging Hungary to comply with EU electronic communications rules.

The conditions attached to the use of radio spectrum and procedures to grant, prolong, renew or revoke those rights are subject to EU telecoms rules, set out in the [European Electronic Communications Code](#), the Commission points out. Key elements of these rules are the principles of proportionality and non-discrimination.

The Commission believes that the decisions of the Hungarian Media Council to refuse renewal of Klubradio's rights were disproportionate and non-transparent, and thus in breach of EU law.

If Hungary does not bring its decision in line with EU telecom rules within 2 months, the Commission may decide to refer the case to the Court of Justice of the European Union. ([Commission calls on Hungary to comply with EU telecom rules](#))

Media – general

EU rules on political advertising proposed

Online political advertising has been facing increasing scrutiny since the Cambridge Analytica scandal in 2018, which shed light on data-harvesting practices during the US presidential election in 2016.

On 25 November, the EU Commission presented [a proposal to regulate political advertising](#) to protect the electoral process and democratic debate from manipulation and interference. The intention is to have the new rules in place by spring 2023, one year before the next European Parliament elections.

Under the new rules, online platforms such as Google and Facebook would have to prominently display a sponsor's name. A transparency notice should also explain why someone sees an ad, who paid for it, how much it cost, and what its purpose is.

The platforms will need to enable users to report violations via easily accessible and user-friendly tools. The online service would then have to inform the relevant users of the actions taken and their outcome.

When asked, advertisers would have to share information on political ads with relevant authorities or other "interested parties", including researchers, journalists, NGOs, political bodies authorised under national law, and international observers.

At the same time, it will no longer be possible to use sensitive data such as race, political opinions, religious beliefs, sexual orientation, health conditions and trade union affiliation without the explicit consent of the user.

The ban does not apply to trade unions or organisations with a specific religious or political nature; they will still be able to reach out to their members, explains EURACTIV. ([EU Commission presents new rules for political ads](#))

The new law must still be approved by the European Parliament and EU member states, which might not be easy.

Countries like Hungary and Poland will probably not be enthusiastic about the new political ad rules, and the issue could also be controversial in the Parliament. For political parties are on the hook, too.

MEPs now have the opportunity to weigh in on how their own political groups could potentially be hamstrung into buying paid-for messages across the bloc, comments POLITICO. ([5 things you need to know about Europe's political ad rules](#))

[More info on the Commission proposal](#)

New VAT rules to allow for zero-rating of journalistic publications

News media publishers were overjoyed on 7 December, when EU Finance Ministers adopted amendments to the VAT Directive which will allow member states to zero-rate journalistic publications in print and online. ([Council reaches agreement on updated rules for VAT rates](#))

“By allowing Member States to zero-rate journalistic publications, Member States recognise the vital role of the press to our democracies”, said Wout van Wijk, Executive Director of News Media Europe, which represents the interests of publishers of newspapers and news media on all platforms.

The association intensified its advocacy efforts to allow the zero-rating of journalistic publications in the wake of the Covid-19 pandemic to provide immediate relief to the sector.

Previously, as a general rule, zero-rates were prohibited under the VAT Directive unless specific derogations were granted to member states as part of their EU accession treaties.

The Council has now decided to ensure that all member states are treated equally. Therefore, existing derogations that allowed some member states to apply preferential rates for certain products were opened to all member states.

Once the European Parliament has issued its opinion on the proposal, the Council will formally adopt the Directive.

Then it will be up to individual member states to decide whether to allow zero-rating of journalistic publications. Among the hopeful are Swedish media publishers, who warmly welcomed the decision.

MEPs: Support recovery of the media sector!

Members of the EU Parliament seem to sympathise with the many challenges facing the European media sector today, and they are calling for various forms of relief for the industry.

In a resolution adopted in October, MEPs push for substantial support for the media sector from the EU and member states in order to help the industry recover from the pandemic and transform itself to keep pace with the changing business models of the digital age. ([Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation](#))

Among other things, the Parliament called for a permanent EU news media fund in order to safeguard the financial and political independence of European journalists and journalism.

MEPs also stressed that EU recovery funds earmarked for the media must support media organisations in those member states where they face particular financial and political pressure or rule-of-law concerns.

EU Council: Make European content more widely available!

The availability of European audiovisual and media content is essential for the health of the European media sector, says the EU Council. Therefore, it recently approved conclusions to provide [guidelines on how to guarantee that European content becomes more widely available](#)

EU member states and the Commission are, for example, invited to do the following:

- encourage greater availability of original content in different languages
- promote efficient marketing tools and film audience strategies
- make it easier to discover creative content online in all EU languages
- encourage an increase in the volume of European audiovisual works in on-demand catalogues

EU support for pan-European newsroom

At the end of November, the EU Commission announced support for a “European Newsroom”, which will bring together 16 news agencies from across Europe in a Brussels hub for correspondents to work together on European affairs.

The consortium will be launched in January 2022, and the integrated newsroom is expected to be up and running by next summer.

Led by Germany's DPA, the consortium includes agencies from EU countries such as Austria, Italy and Slovakia, as well as non-EU states like Albania and Serbia. Major press agencies like France's AFP and the Spain's EFE will also participate.

Embattled Slovenian press agency STA will be among the newsroom's members too. The government suspended the agency's funding in December 2020 over its critical reporting, leading to criticism from the EU Commission and others. Funding was finally restored in early November, but the situation still seems tense.

"I strongly believe that by working together across borders, media are stronger. We have seen the incredible results of cross-border investigations, such as the recent Pandora papers. I also believe that such networks and solidarity make it more difficult for States to interfere", said EU Commission Vice-President at [the second European News Media Forum](#).

Huawei still hanging in there

Not everyone is afraid of the Chinese dragon. Austria is on course to expand its 5G network, using Chinese supplier Huawei despite other countries refusing to partner with them and some going as far as banning the company due to supposed security risks, reports the news service EURACTIV. ([Austria to also rely on Huawei in 5G rollout](#))

Following a recently amended law, Austria has created a non-political expert advisory board to assess the risk posed by 5G suppliers. Despite concerns from scores of other countries, they will likely forge ahead with Huawei.

Not without good reason, it seems. "The goal is to establish Austria as a 5G pioneer in Europe, and to secure a top spot for Austria among the top three in digitalisation in the EU, and among the top 10 worldwide", explained Andreas Reichardt, a high-ranking official.

Perhaps the Austrians don't worry about [Huawei's new strategy to diversify its business portfolio](#) either. Among other things, Huawei appears to have plans to gain a foothold in artificial intelligence, facial recognition and e-mobility and has high hopes for the European market.

Surveillance / Artificial Intelligence

Support for ban on facial recognition

Facial recognition is a hot issue among EU policy-makers, who have begun to discuss the [Commission's draft rules for artificial intelligence, the so-called AI Act](#).

Although restricting the use of biometric identification in public spaces, a ban on facial recognition was not proposed by the EU Commission, which many – including journalists – had hoped for.

Their use in publicly accessible spaces for law enforcement purposes is prohibited “in principle”. But there are exceptions, for example, to “detect, locate, identify or prosecute a perpetrator or suspect of a serious criminal offence”.

Allowing exceptions is a slippery slope, many critics have pointed out, calling for an outright ban, among them numerous MEPs. But not all parliamentarians share this view.

In early October, the European Parliament adopted [a resolution calling for strict rules on employing AI systems in law enforcement](#), notably pushing for a ban on facial recognition technologies in public spaces.

The report had strong support from the liberal, social-democrats, leftist and green groups, while it almost equally split parties from the right and extreme right. In contrast, the Christian Democrats voted almost unanimously against the ban, reported EURACTIV.

One of them was Axel Voss, an influential MEP in the Christian-democrat EPP camp, who was recently appointed one of the AI Act’s negotiators in the Parliament’s civil liberties committee (LIBE).

Voss has been leading the charge against “overburdening” companies with excessive AI regulation, arguing that the EU regulatory environment should be less burdensome and more innovation-friendly.

Concerns that the AI Act could hamper innovation are not limited to Christian-Democrat MEPs. Such thoughts are also expressed by some EU member states. Estonia is especially outspoken about not overburdening companies with regulations on AI.

Recently, however, Politico reported that Belgium supports a full ban on the technology, as [recommended by the influential European Data Protection Supervisor](#). So does Slovakia, and recently EU heavyweight Germany joined this camp.

The new German government’s coalition agreement commits to a ban on biometric recognition in public spaces and limiting the use of mass surveillance to a minimum, in contrast to the position of the previous government.

The three coalition partners will also push for a ban on facial recognition at the European level.

“As things look right now, critics have won a strong supporter in Europe’s largest member state”, commented EURACTIV in late November. ([New German government to ban facial recognition](#))

Germany to defend encryption?

In recent years, plans to weaken encryption in digital communication have popped up in various EU contexts. Among those worried about this trend is the European Federation of

Journalists (EFJ), which has pointed out that journalists rely on encryption to protect sources.

The EFJ and other critics may be relieved to hear that Germany could be on their side.

The new German government intends to speak more strongly in favour of end-to-end encryption and against the introduction of backdoors, Jens Zimmermann – the digital policy expert for the Social Democrats (SPD) who co-negotiated the coalition agreement's chapter on digitalisation – told EURACTIV recently. ([Germany's new government will firmly defend encryption](#))

To crack down on child abuse, discussions are currently taking place at the EU level to weaken encryption and introduce so-called “backdoors” to secure remote access to a computer. Messenger services like WhatsApp or Telegram, which are so far protected by end-to-end encryption, could thus be searched for child abuse content.

According to Zimmermann, the German coalition negotiations had made it “quite clear” that the new government would reject “the weakening of encryption, which is being attempted under the guise of the fight against child abuse”.

Spies in cool sunglasses not just in the movies

James Bond would love them, and soon we can all have them – a pair of normal-looking sunglasses that can take photos and up to 30-second videos of people and events around us. But not everyone is enthralled.

The [data protection bodies of Ireland and Italy have raised concerns](#) over the new Ray-Ban Stories smart glasses, which are enabled with Facebook View technology. They are probing whether the devices are compliant with privacy legislation. The main concern is that people might be recorded without their knowledge, which would make it impossible to get their consent.

To show the recording of images, the smart glasses include a tiny LED indicator light. Facebook will need to prove it is a suitable solution and inform the public about it, say the privacy watchdogs.

There are other issues with these glasses beyond the impact on bystanders: what data they collect, how it's stored, with whom it's shared and for what it's used.

The Facebook View app may collect data on health and fitness, purchases, finances, location, contacts, search history and more. This means that wearers must give up deeply sensitive information for basic functionality, says digital rights organisation Access Now. ([Why you shouldn't buy Facebook Ray-Ban smart glasses](#))

European Media Policy

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The Newsletter provides an update 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.