

EU telcos issue warning on innovation, call for aligning the ePrivacy with the GDPR

Brussels, 19 October 2017 – ETNO, the Association representing Europe's leading providers of digital networks and services, believes that trust is the cornerstone of a thriving digital economy and society. Ensuring consumer trust and confidentiality of communications is critical, but also fully compatible with the ability to use data responsibly to innovate and offer services with a high societal and economic value. This is also at the heart of the General Data Protection Regulation (GDPR).

We therefore regret today's parliamentary vote on the ePrivacy Regulation (ePR) at the Civil Liberties Committee, LIBE. This was a missed opportunity to give European telcos a fair chance to increase consumer choice and respond to the demand for innovative data-driven services by European citizens, by processing metadata in full respect of the principle of confidentiality of communications. This vote also jeopardizes the establishment of a coherent legal framework that truly align the ePR with the GDPR.

We have appreciated the several voices that, across the political spectrum, called for a stronger alignment of the legal grounds for processing metadata with those applicable to personal data in the GDPR. This does not only include major political groups in the leading committee LIBE, but also important opinions from other parliamentary committees that asked for more flexibility and thus the recognition of the principle of compatible further processing for metadata in line with the GDPR, with the support of a broad majority of political groups.

Unfortunately, the report voted in LIBE worsens the Commission's proposal and brings further discrepancies with the GDPR. The GDPR already provides the highest level of data protection safeguards encompassing information and transparency requirements, the right to object, the possibility to withdraw consent at any time, the need for Privacy Impact Assessments in case of high risk processing and, last but not least, heavy sanctions for infringing companies. In trying to tighten even more the protection of consumer data, the future ePrivacy Regulation will in fact generate distrust in the GDPR regime and have a negative impact on European consumers, by undermining the ability of telecom operators to create best-in-class products and services for them.

Lise Fuhr, ETNO Director General, commented: *"Innovation and consumer choice are vital to Europe's societal and economic growth. We urgently call on MEPs rebalance the report on this crucial file so that it end unfair discriminations and align the ePR with the GDPR. This would require further discussions, including at the Plenary sitting if needed"*.