

ALEA IACTA EST

NET NEUTRALITY IN EUROPE

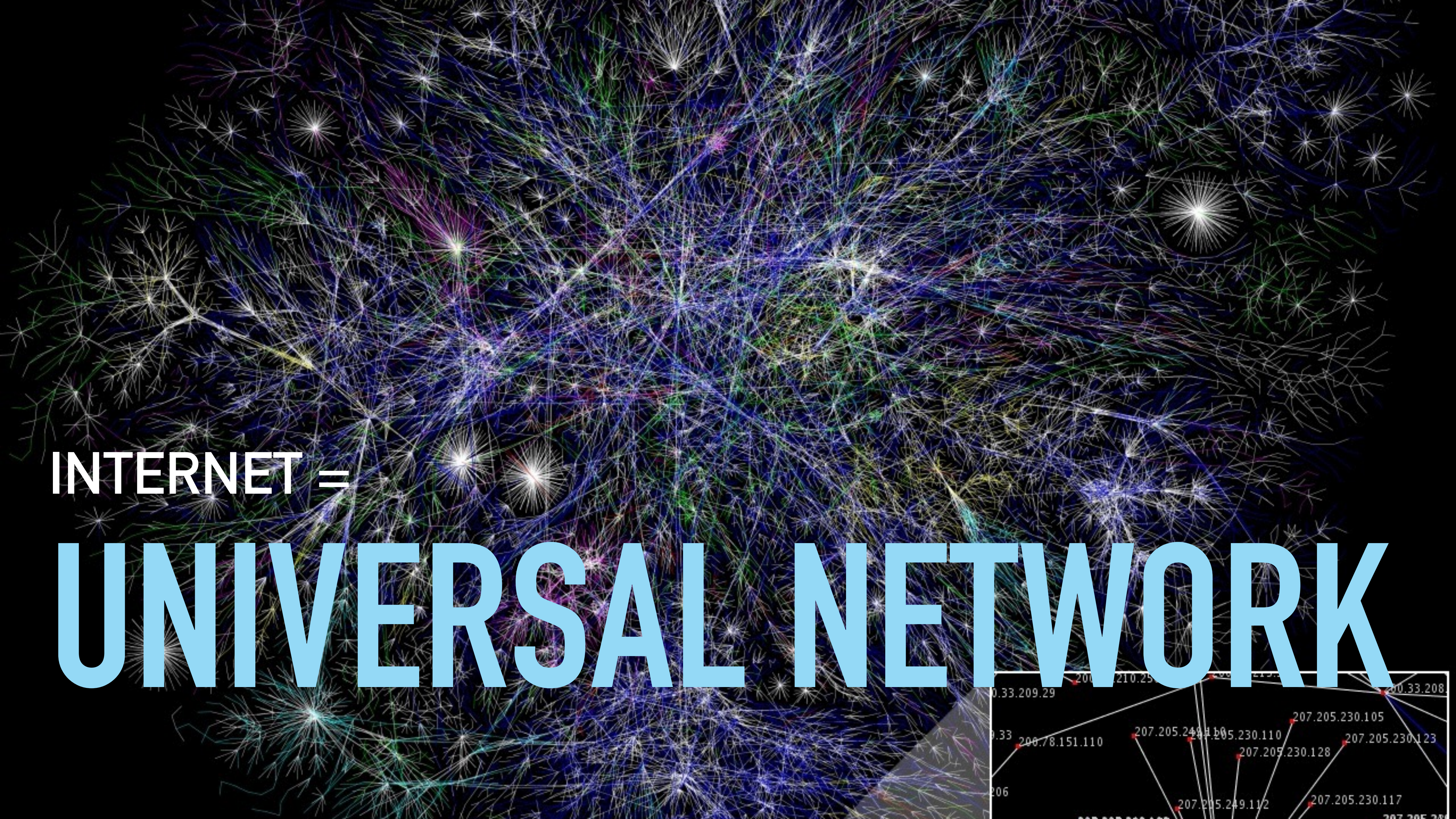
ALEA IACTA EST

NET NEUTRALITY IN EUROPE

nope, keep fighting!

~~AL EA IACTA EST~~

NET NEUTRALITY IN EUROPE



INTERNET =

UNIVERSAL NETWORK



net neutrality

=

discrimination protection

The background of the image is the flag of the European Union, featuring a blue field with twelve gold stars arranged in a circle. The flag is shown with a slight wave, giving it a sense of movement.

EU REGULATION

TELECOM SINGLE MARKET



European Commission

Article 23 - Freedom to provide and avail of open internet access, and reasonable traffic management

5. **Within the limits of any contractually agreed data volumes or speeds** for internet access services, providers of internet access services shall not restrict the freedoms provided for in paragraph 1 by blocking, slowing down, degrading or discriminating against specific content, applications or services, or specific classes thereof, except in cases where it is necessary to apply reasonable traffic management measures. Reasonable traffic management measures shall be transparent, non-discriminatory, proportionate and necessary to:

STRATEGY OF THE COMMISSION

1. Use the election
2. Add a populist element
3. Use bizarre, complex language
4. Pretend to support net neutrality



INITIATIVE FÜR
NETZFREIHEIT

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Net neutrality regulation amendments

Amendments by [Netzfreiheit](#) to the EU Regulation on [Digital Single Market](#) (aka. the Neelie Kroes anti-net neutrality law). [Original Text](#).

Our campaign can be found [here - unsernetz.at](#) (german).

Inhaltsverzeichnis [\[Verbergen\]](#)

1 specialised services

1.1 Recitals

1.1.1 Amendment R50-1 - safeguards and requirements

1.2 Article 2 Definitions

1.2.1 Amendment A2P15-1 - basic definition

1.3 Article 23 specialised service agreements

1.3.1 Amendment A23P2-1 - so called freedom

1.4 Article 24

1.4.1 Amendment A24P1-1 - NRA monitoring

2 Article 23

2.1 Paragraph 1

2.1.1 Amendment A23P1-1 - no contractual exceptions to equality

2.2 Paragraph 5

2.2.1 Amendment A23P5-1 - specify exceptions

2.2.2 Amendment A23P5-2 - protocol integrity

2.2.3 Amendment A23P5-3 - precrime prevention

2.2.4 Amendment A23P5-4 - liability for security and integrity

2.2.5 Amendment A23P5-5 - spam

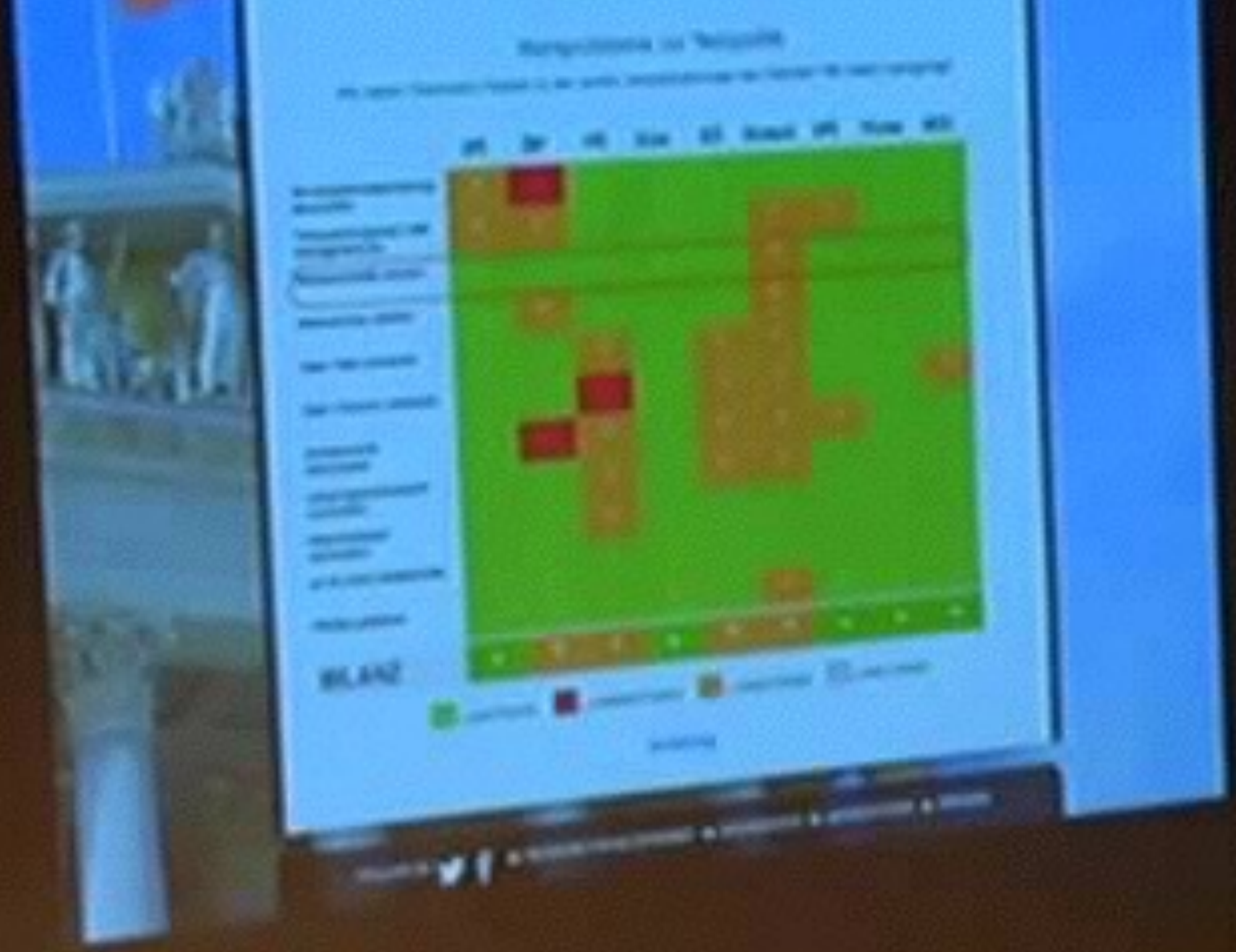
2.2.6 Amendment A23P5-6 - congestion management

2.2.7 Amendment A23P5-7 - data protection

2.2.8 joint Version

LESSONS LEARNED

#1 COME EARLY



Speaker at the podium on the left side of the stage.



Speaker at the podium on the right side of the stage.

ACT NOW:



SAVE THE INTERNET

Your freedom online is threatened by EU proposals. The fight for an open Internet is happening right now in Brussels.



**Call your
parliamentarian now!**

LESSONS LEARNED

**#2 PROVIDE ACTIONABLE
ITEMS**

CONTACT THE PARLIAMENT NOW!



CALL



FAX



TWEET



EMAIL

Ask your European parliamentarians to defend their decision from 2014 to save the internet!

A close-up portrait of a man with a beard and dark hair, wearing a grey t-shirt. He is looking directly at the camera with a slight smile. The background is a bright, indoor setting, possibly a cafe or office, with wooden tables and chairs visible. A window with a wooden frame and a sign that says "SALIDA" is visible behind him.

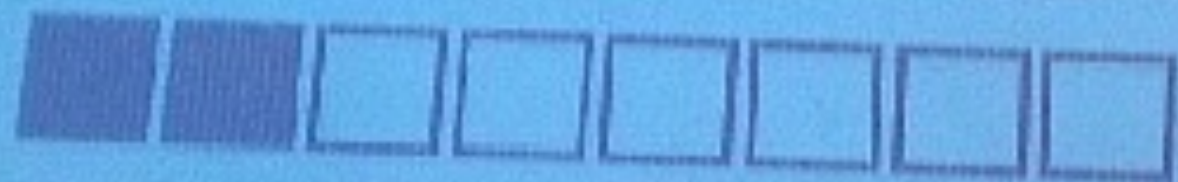
CORE DEVELOPER OF [SAVETHEINTERNET.EU](https://www.savetheinternet.eu)

MICHAEL BAUER

Receiving Fax

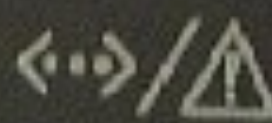
P.2

SAVE THE INTERNET



JC63-02182A

JC63-02183A



Fax Receive Report

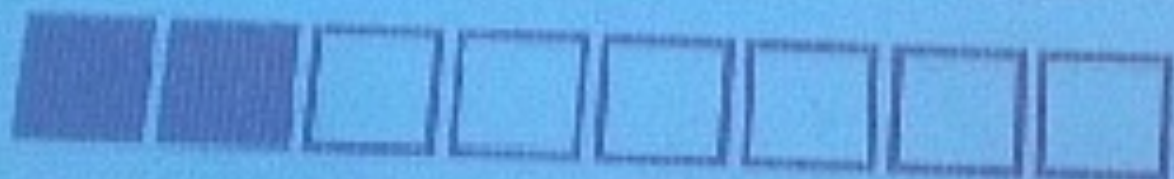
Date/Time: 23-FEB-2014 02:15 SUN
Fax Number: MCF ANDERSDOTTER
Fax Name: SCX-5675 Series
Model Name:

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103	SAVE THE INTERNET	18-02 18:14	02:27	ECM	001	OK
104	SAVE THE INTERNET	18-02 20:44	02:27	ECM	001	OK
105	SAVE THE INTERNET	19-02 02:28	04:24	ECM	001	OK
106	SAVE THE INTERNET	19-02 02:28	05:03	ECM	001	OK
107	SAVE THE INTERNET	19-02 02:28	05:07	ECM	001	OK
108	SAVE THE INTERNET	19-02 19:29	05:23	ECM	001	OK
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129	SAVE THE INTERNET	21-02 01:01	05:27	ECM	001	OK
130	SAVE THE INTERNET	21-02 01:01	05:27	ECM	001	OK

Receiving Fax

P.2

SAVE THE INTERNET



JC63-02182A
JC63-02183A

Fax Receive Report

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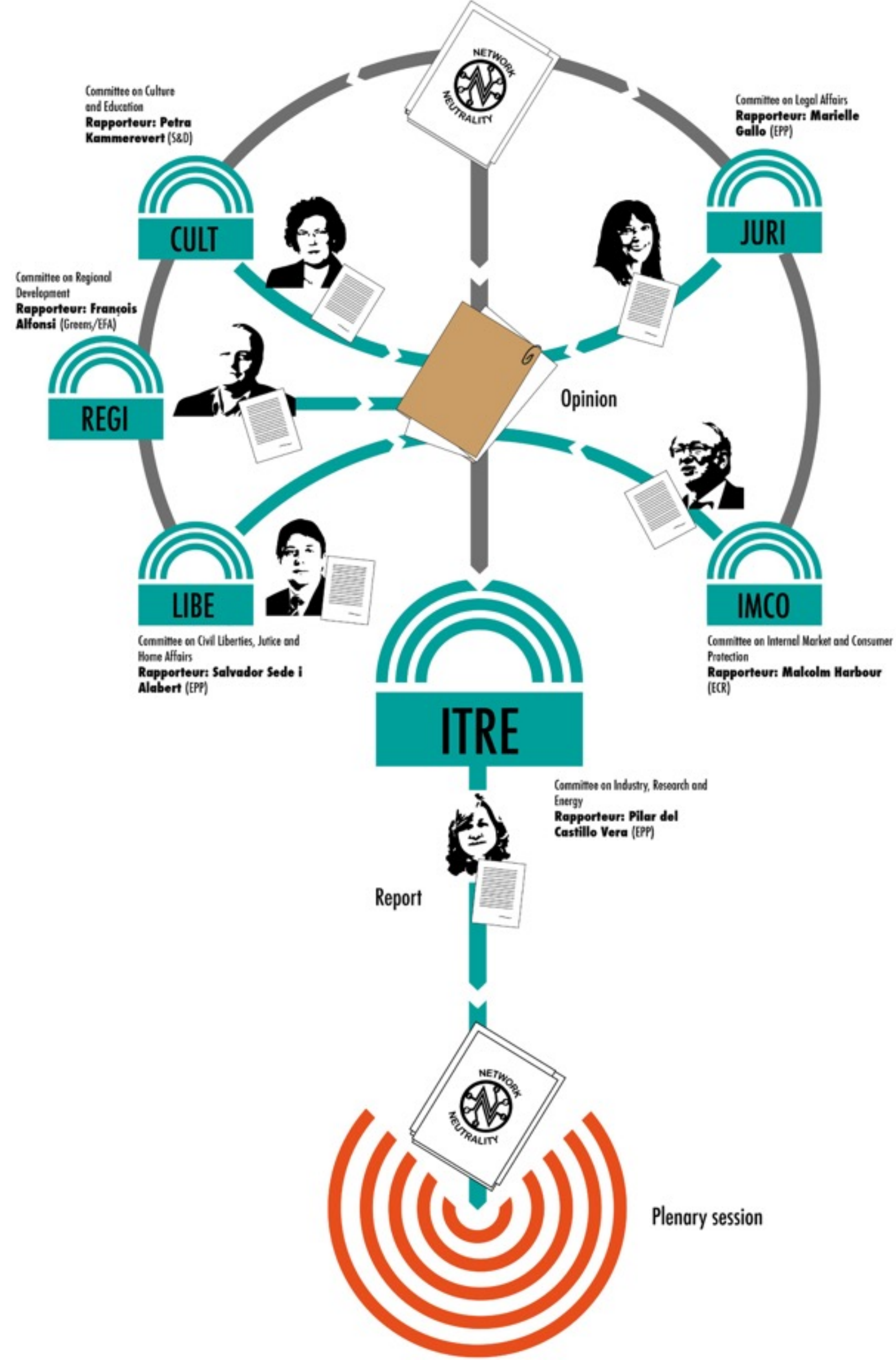
THANKS TO
KAPPER.NET

LESSONS LEARNED

#3 BE CREATIVE, ADAPT FAST

Telecom Single Market Net Neutrality

How the European Parliament will decide



AMENDMENTS

234-244

Dear colleague,

I'm writing to you to outline my serious concerns regarding a number of last minute amendments tabled by Catherine Trautmann on behalf of our group to the single market for electronic communications regulation.

I want to draw colleagues' attention to the impacts of these last minute amendments. The S&D amendments, co-signed with GUE and the Greens, claim to promote a free and open internet. However, the consequence of these amendments will be to prevent actions against degrading, exploitative images of minors. Child protection agencies would have to apply for a court order in order to take action against such images. This would be costly and time-consuming. The amendments would make the protection of vulnerable children online ineffectual and would undermine established national procedures in the Member States.

The S&D amendments were drafted with input from organisations such as La Quadrature du Net, European Digital Rights (EDRI) and Access Now. These organisations support the website savetheinternet.eu which argues that preventing internet censorship is worth more than the rights of children being exploited online.

I have had the opportunity to shadow the work of police organisations in fighting online child abuse. The police shared details with me of a case involving 4 EU Member States and over 50,000 images of child abuse; the youngest case of abuse involved a 6 month old baby. I therefore cannot support the S&D amendments which would facilitate access to and continued sharing of child pornography images.

Whilst I understand that some of our colleagues are concerned about losing votes to the Pirate Party and the Greens, I feel our group's stance on the issue of net neutrality is seriously misguided. Our LIBE colleagues fought hard to defend the rights of children online, not least during negotiations on the 2011 Directive combating the sexual abuse and sexual exploitation of children and child pornography. We should not sacrifice our principles for the sake of political expediency.

I hope that you will join me in rejecting these amendments and ensuring online protection for the most vulnerable in society.

Yours sincerely, Arlene



Arlene McCarthy

Member of the European Parliament

ASP 13 G 351
European Parliament

LOW 7 T 34
European Parliament

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images.

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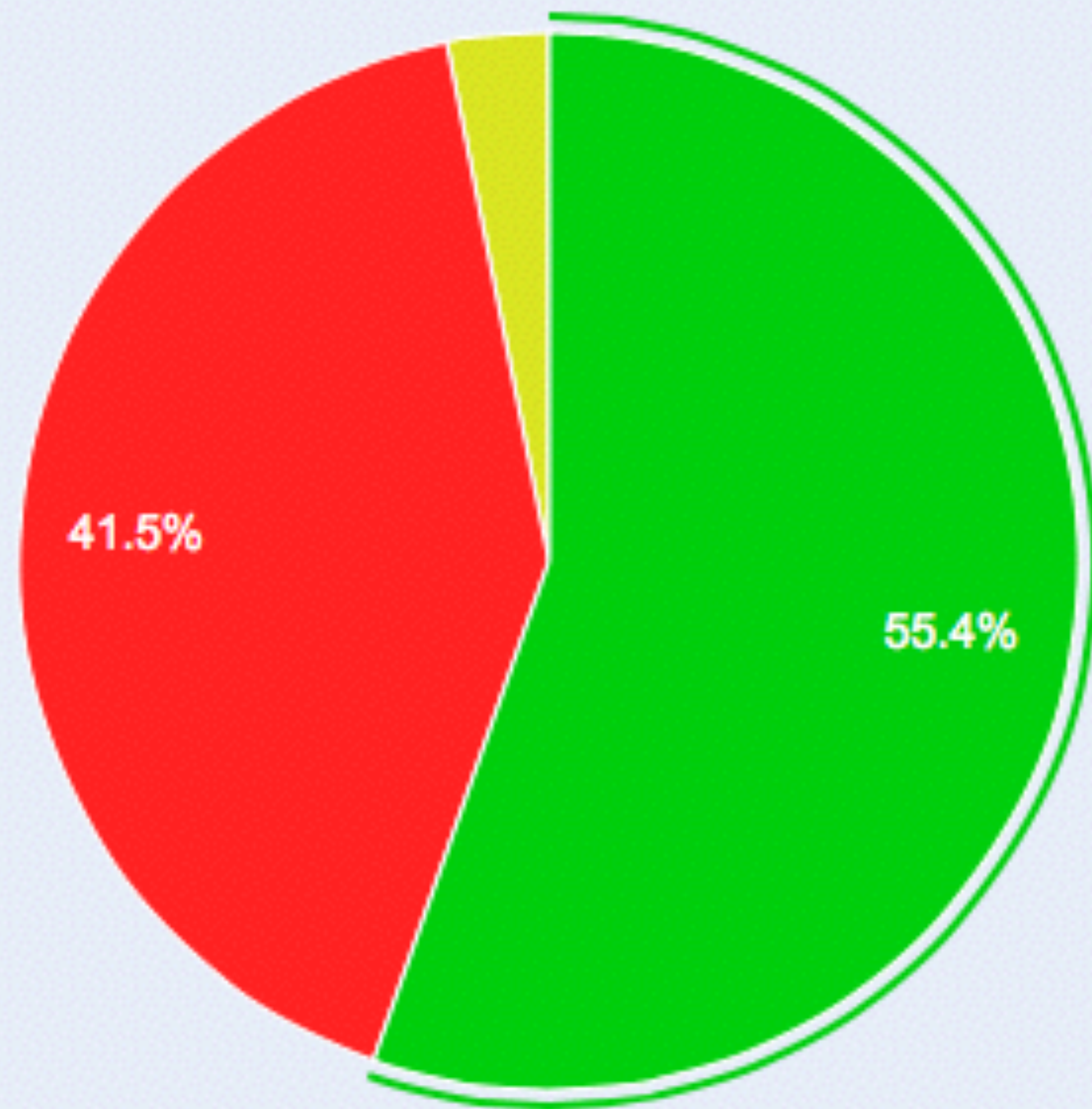


Arlene McCarthy

Member of the European Parliament

ASP 13 G 351
European Parliament

LOW 7 T 34
European Parliament



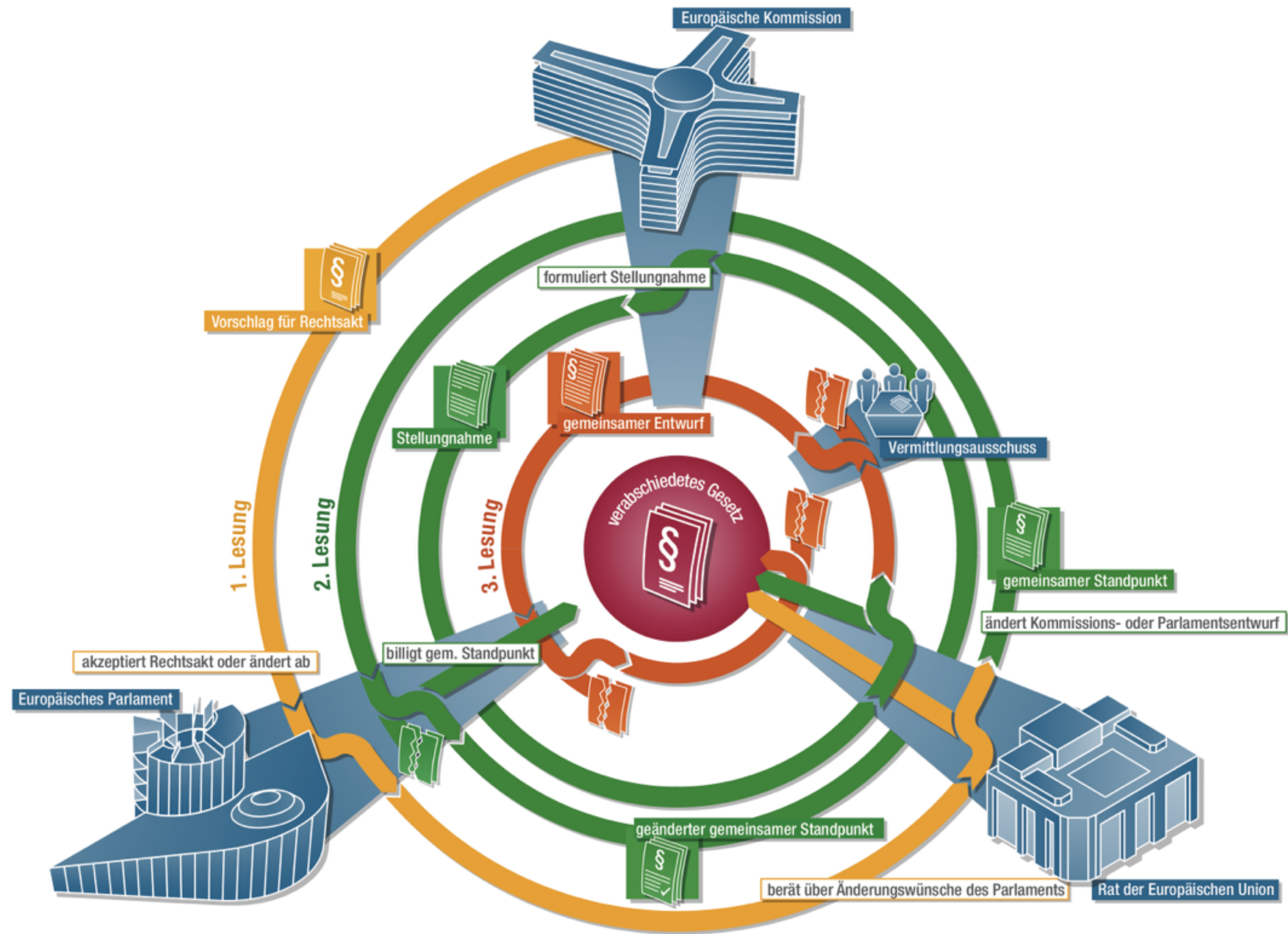
For **340** (55%)
Against **255** (42%)
Abstentions **19** (3%)



LESSONS LEARNED

#4 BE CLEAR

ABOUT YOUR DEMANDS

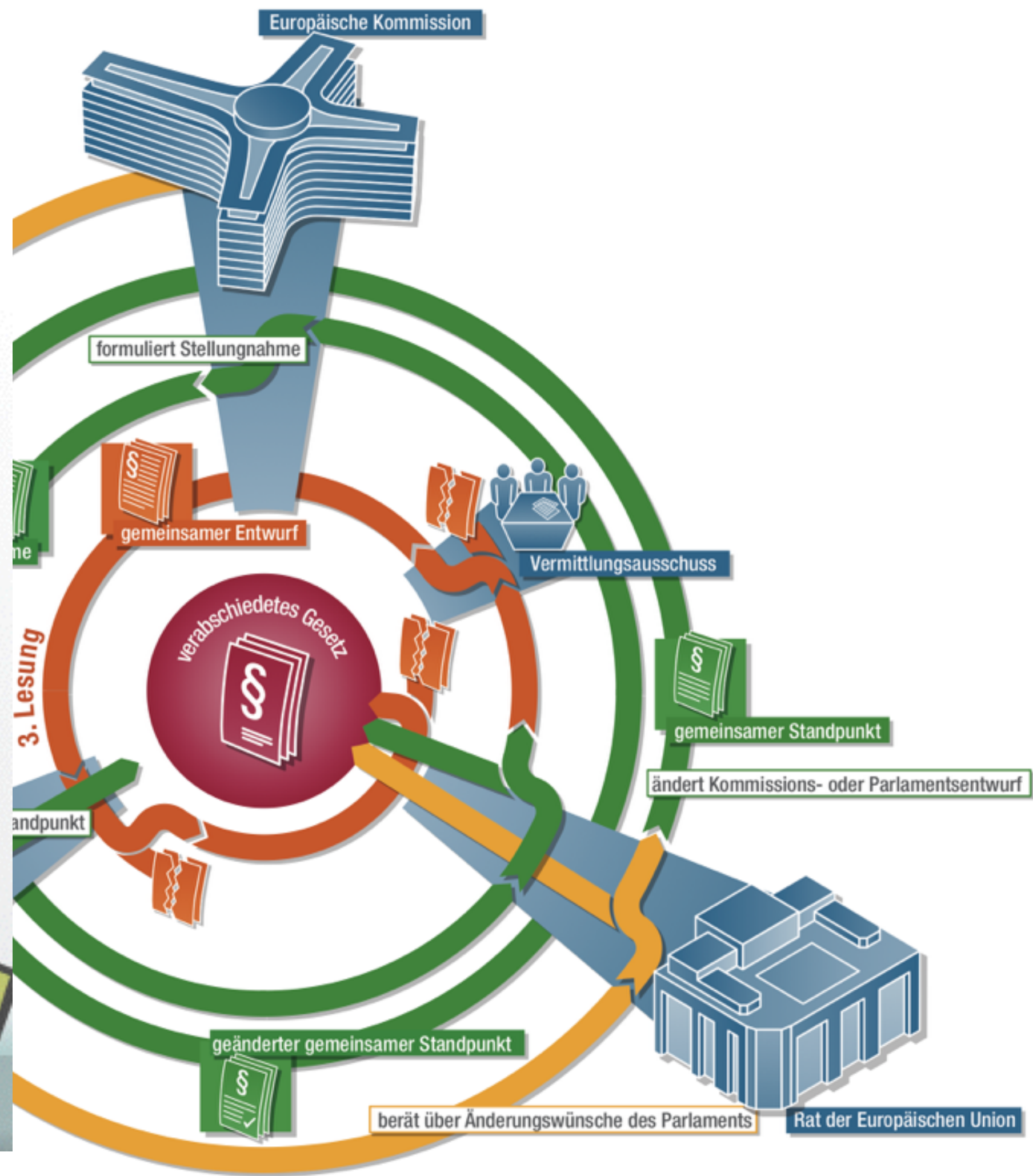


ACT NOW:

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Call your parliamentarian now!



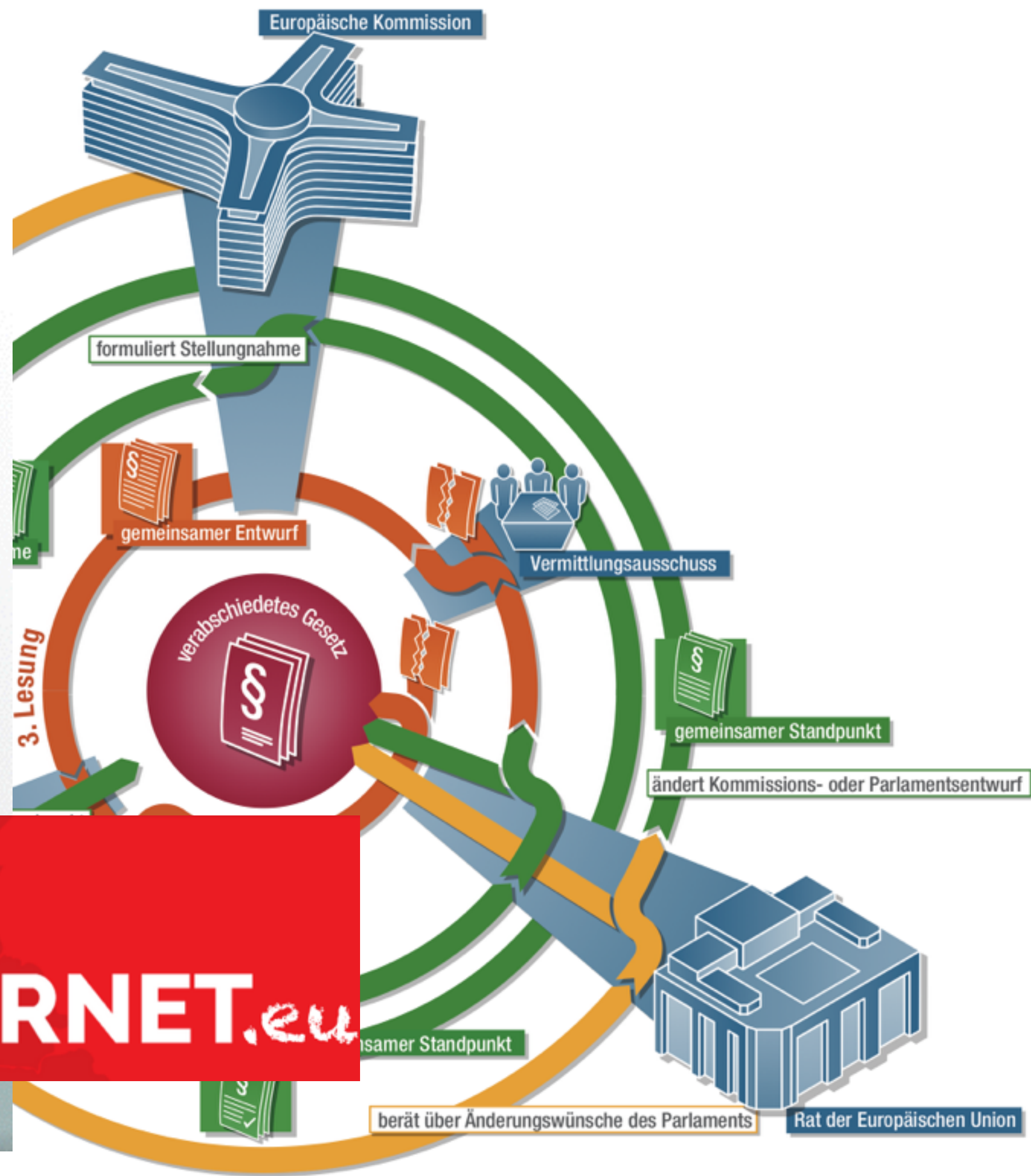
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SAVE THE INTERNET.eu



ACT NOW:



SAVE THE INTERNET

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SAVE THE INTERNET

TELL THE EU MEMBER STATES:

DON'T TURN YOUR BACKS ON NET NEUTRALITY!

CONTACT YOUR COUNCIL REPRESENTATIVE NOW!

SAVE THE INTERNET.eu



ACT NOW:

Europäische Kommission



SAVE THE INTERNET

parlamentarisch now.

SAVE THE INTERNET.eu

ändert entsentwurf

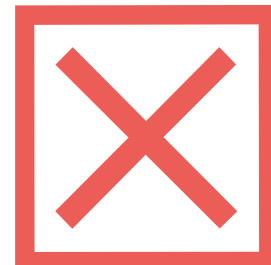
CONTACT YOUR COUNCIL REPRESENTATIVE NOW!

insamer Standpunkt

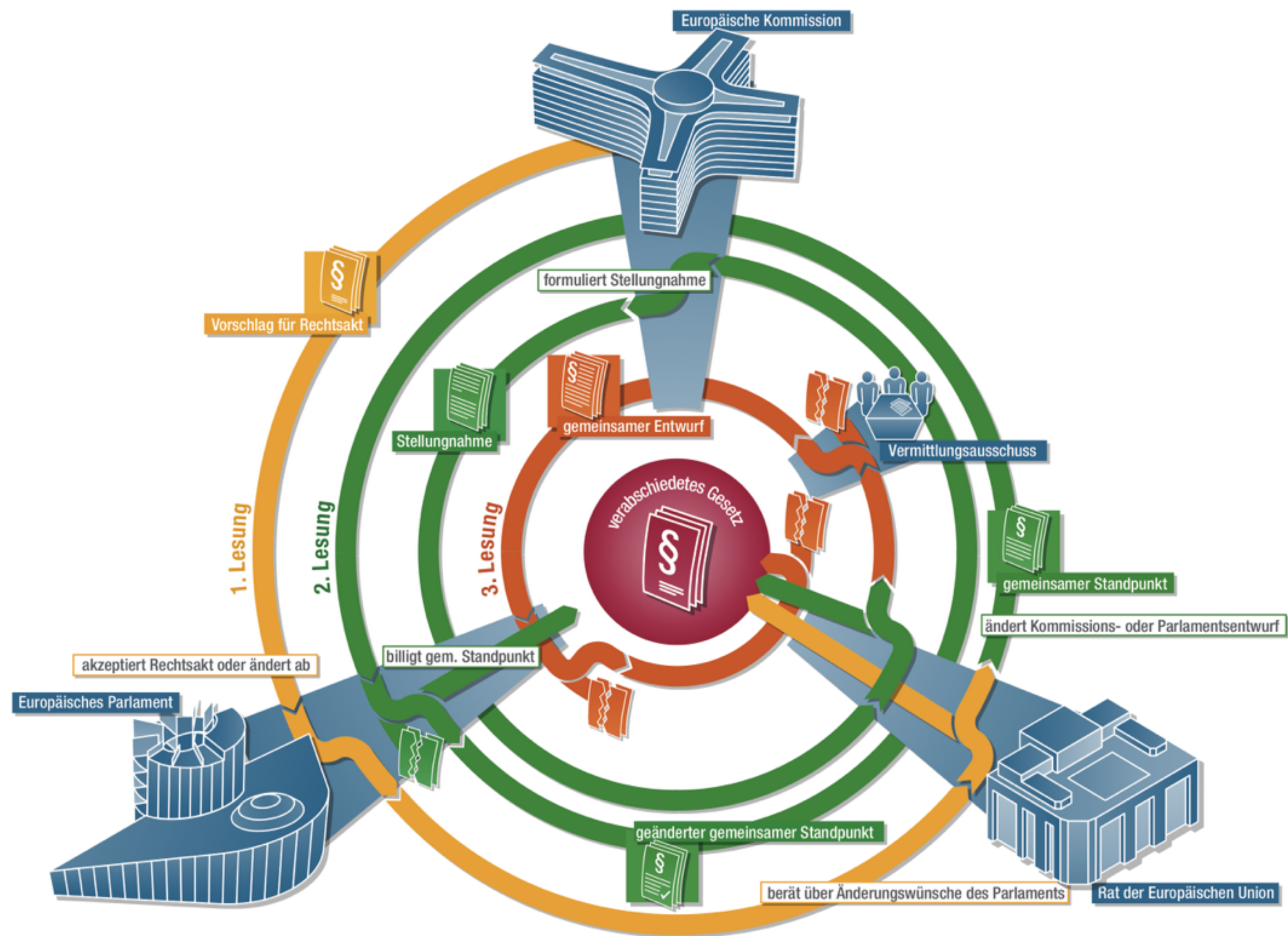
berät über Änderungswünsche des Parla

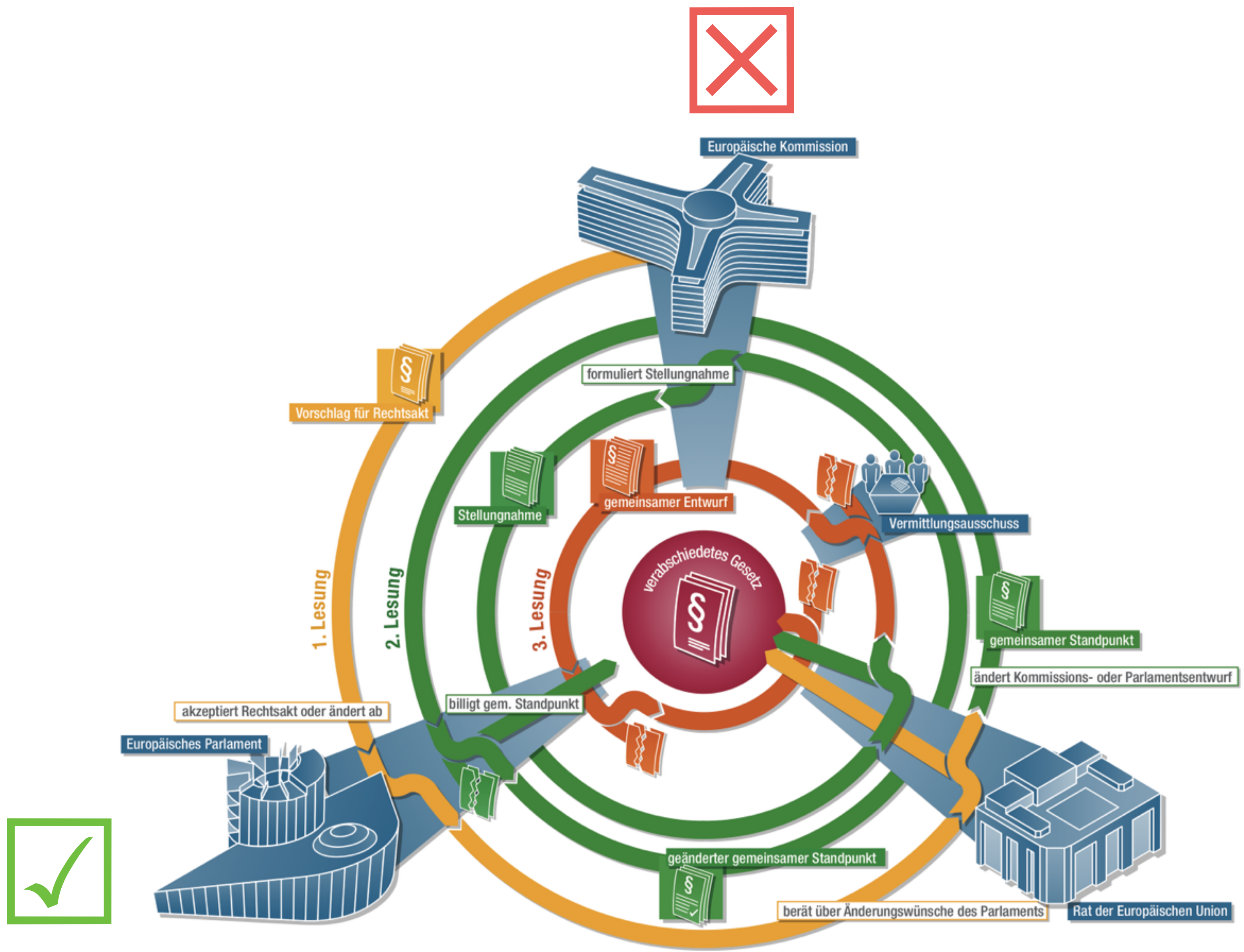
chen Union



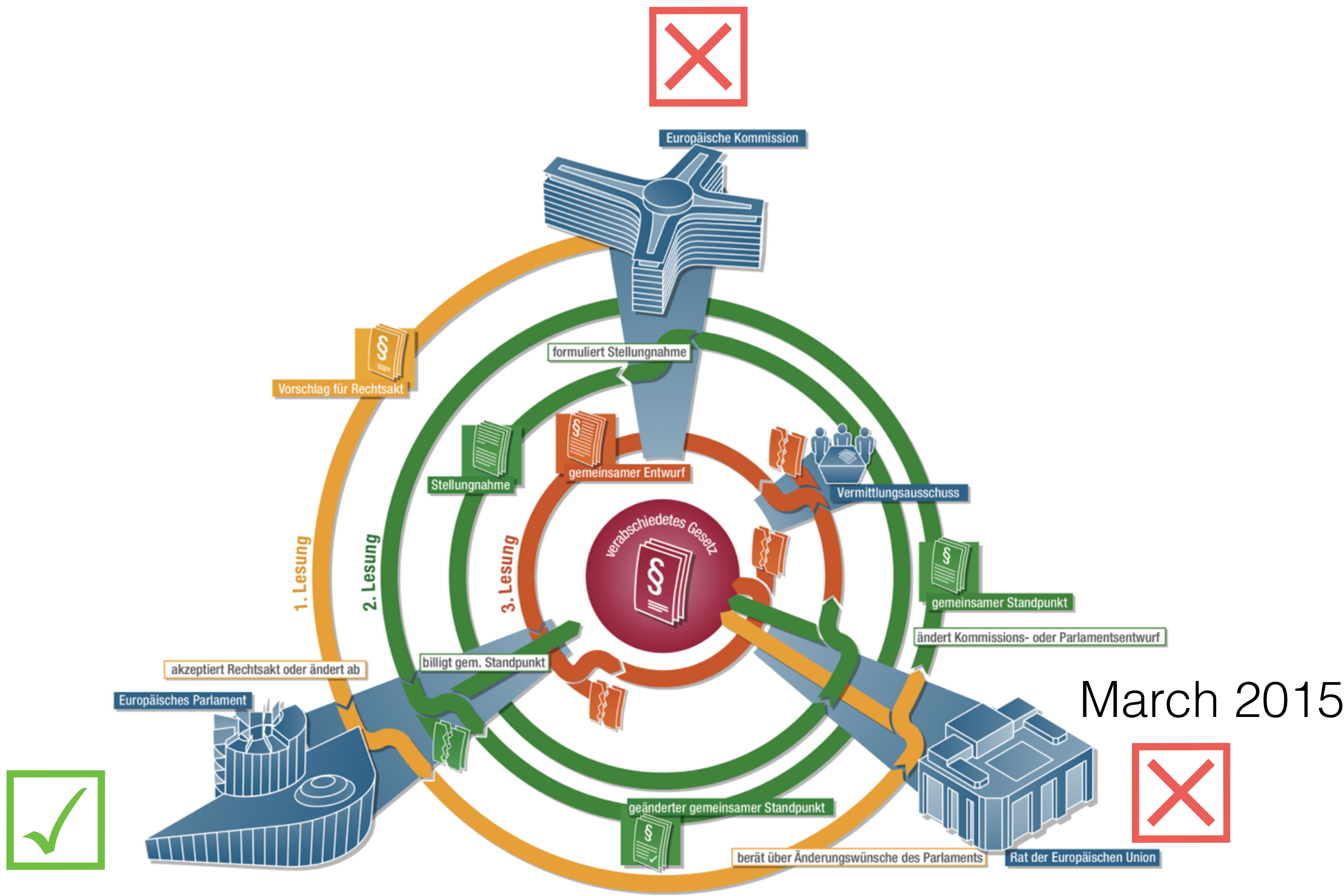


September 2013

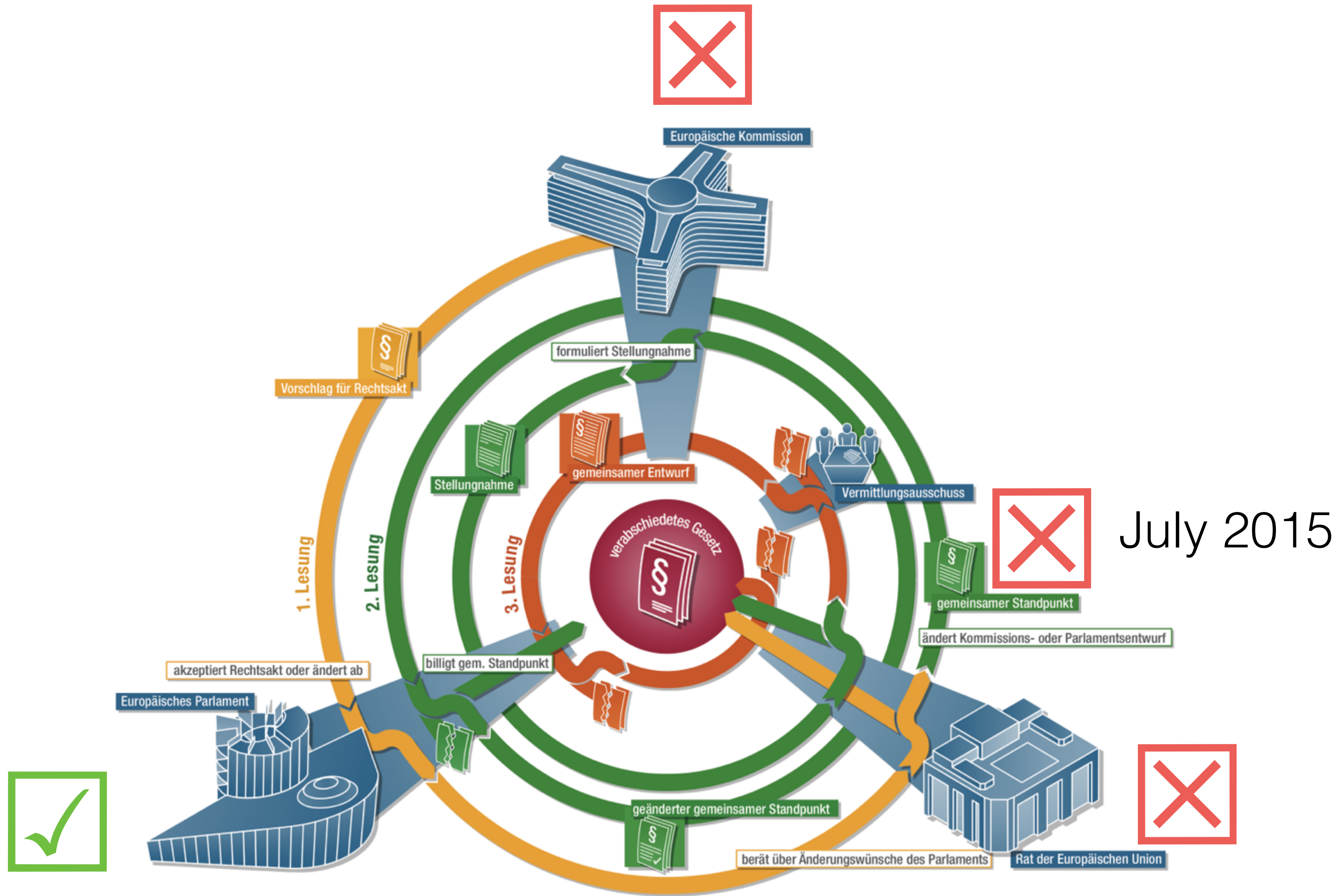




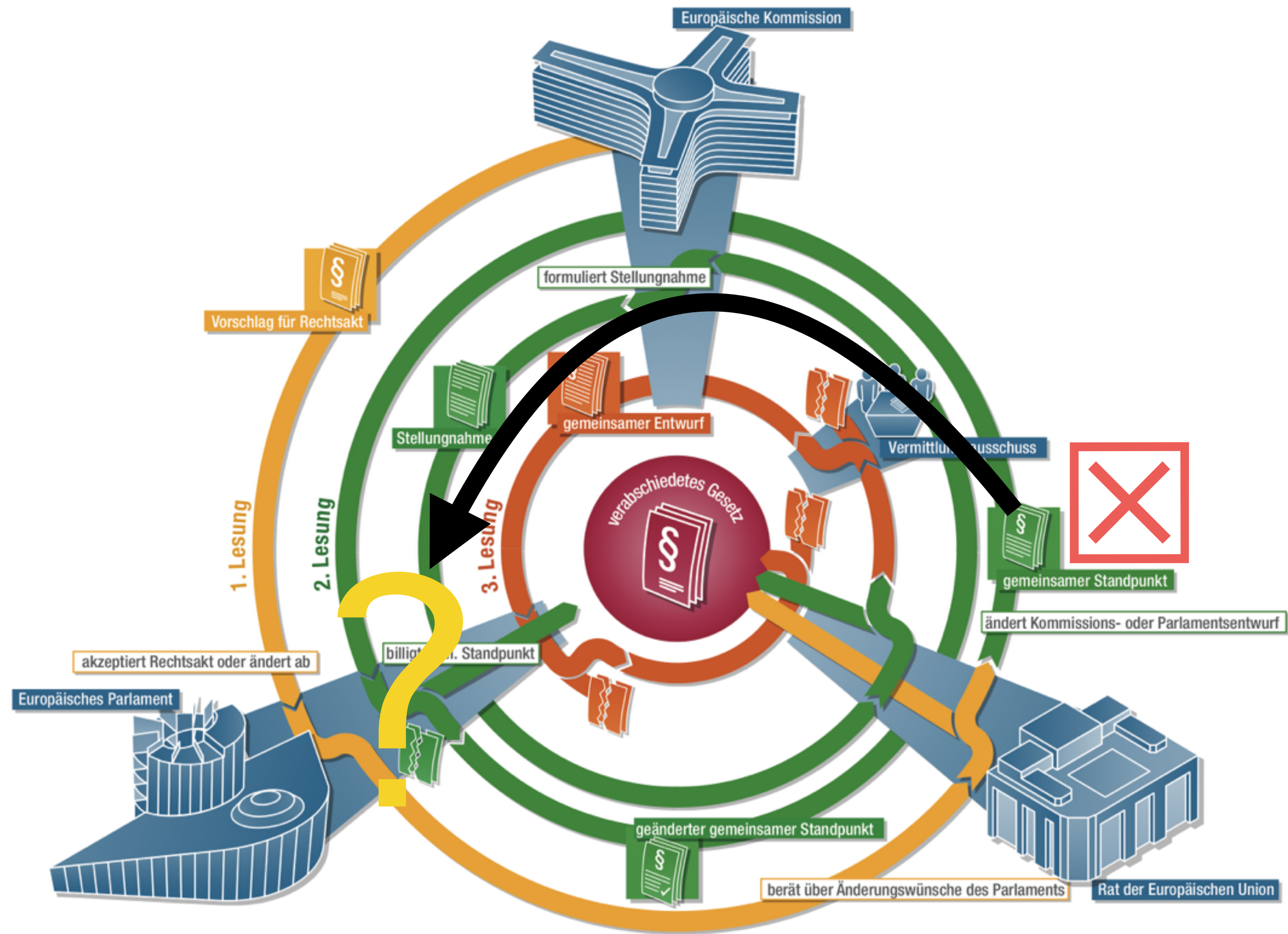
April 2014



March 2015



July 2015



**IS THIS TEXT WORSE
THAN USELESS?**



**“WHY WE SHOULD JOIN
THE MOVEMENT TO
SAVE THE INTERNET IN
EUROPE”**

Barbara van Schewick



**“EUROPE IS POISED TO PASS
A BAD NET NEUTRALITY
POLICY. THE PROPOSAL
PERMITS THE INFAMOUS
FAST LANES THAT WE
FOUGHT HARD TO GET RID OF
IN THE U.S.”**

Larry Lessig



“TOMORROW, MEMBERS OF THE EUROPEAN PARLIAMENT FACE A KEY VOTE ON THE FUTURE OF THE INTERNET. THE PROPOSED REGULATIONS IN FRONT OF THEM ARE WEAK AND CONFUSING. TO KEEP EUROPE INNOVATIVE AND COMPETITIVE, IT IS ESSENTIAL THAT MEPS ADOPT AMENDMENTS FOR STRONGER NET NEUTRALITY.”

Sir Tim Berners-Lee

SUPPORTERS

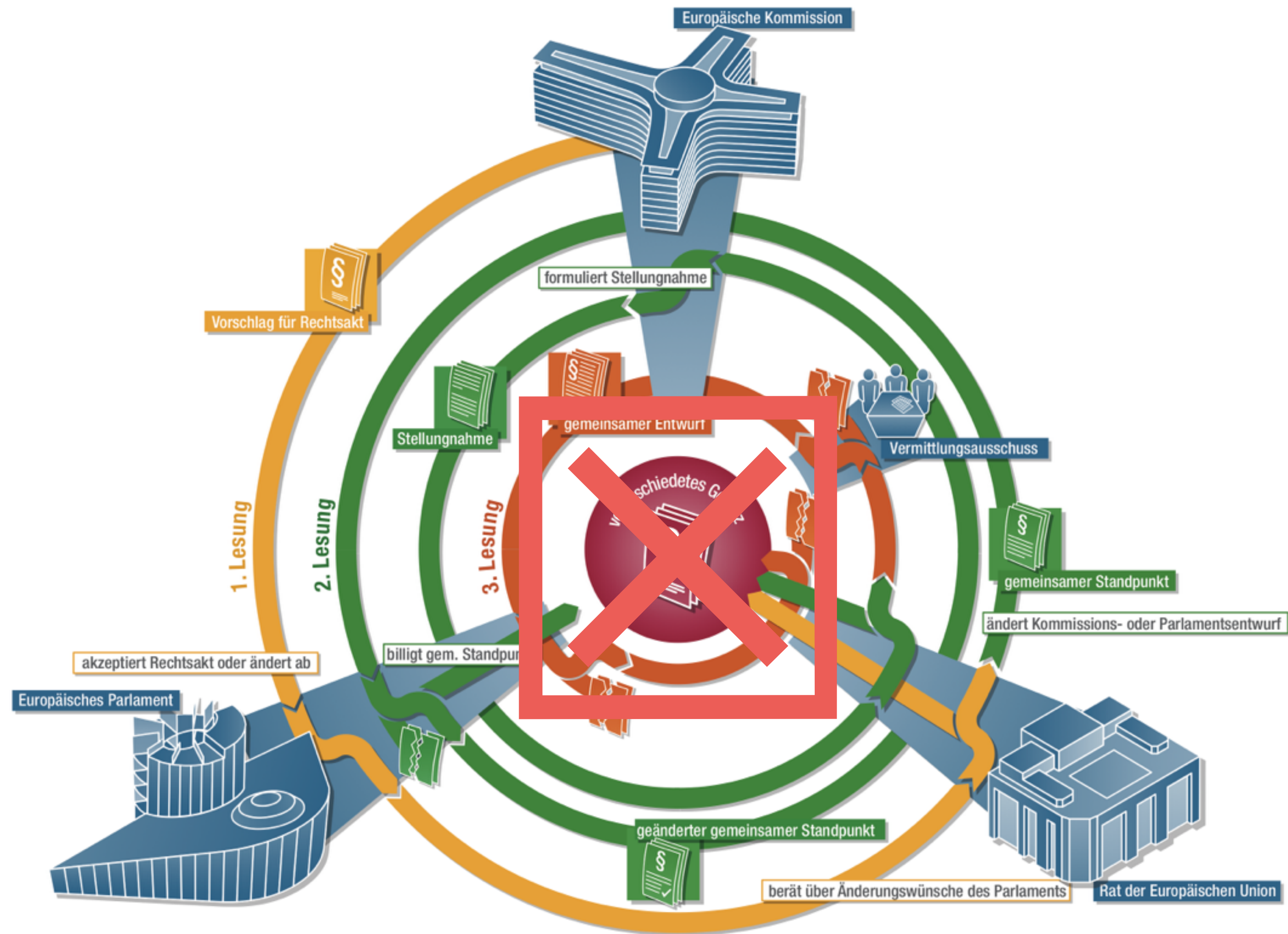
- ▶ open letter from 50 internet companies
- ▶ venture capitalists
- ▶ Allied for Start-Ups
- ▶ Demand Progress, Fight for the Future, Free Press, the Future of Music Coalition and Engine Advocacy
- ▶ German media authorities and the Association of German Journalists.
- ▶ Mike Butcher (TechCrunch)
- ▶ EDRi, Access, Digitale Gesellschaft, Bits of Freedom, La Quadrature du Net, [netzfreiheit.org](https://www.netzfreiheit.org)

LESSONS LEARNED

#5 BROADEN YOUR MOVEMENT



27. October 2015



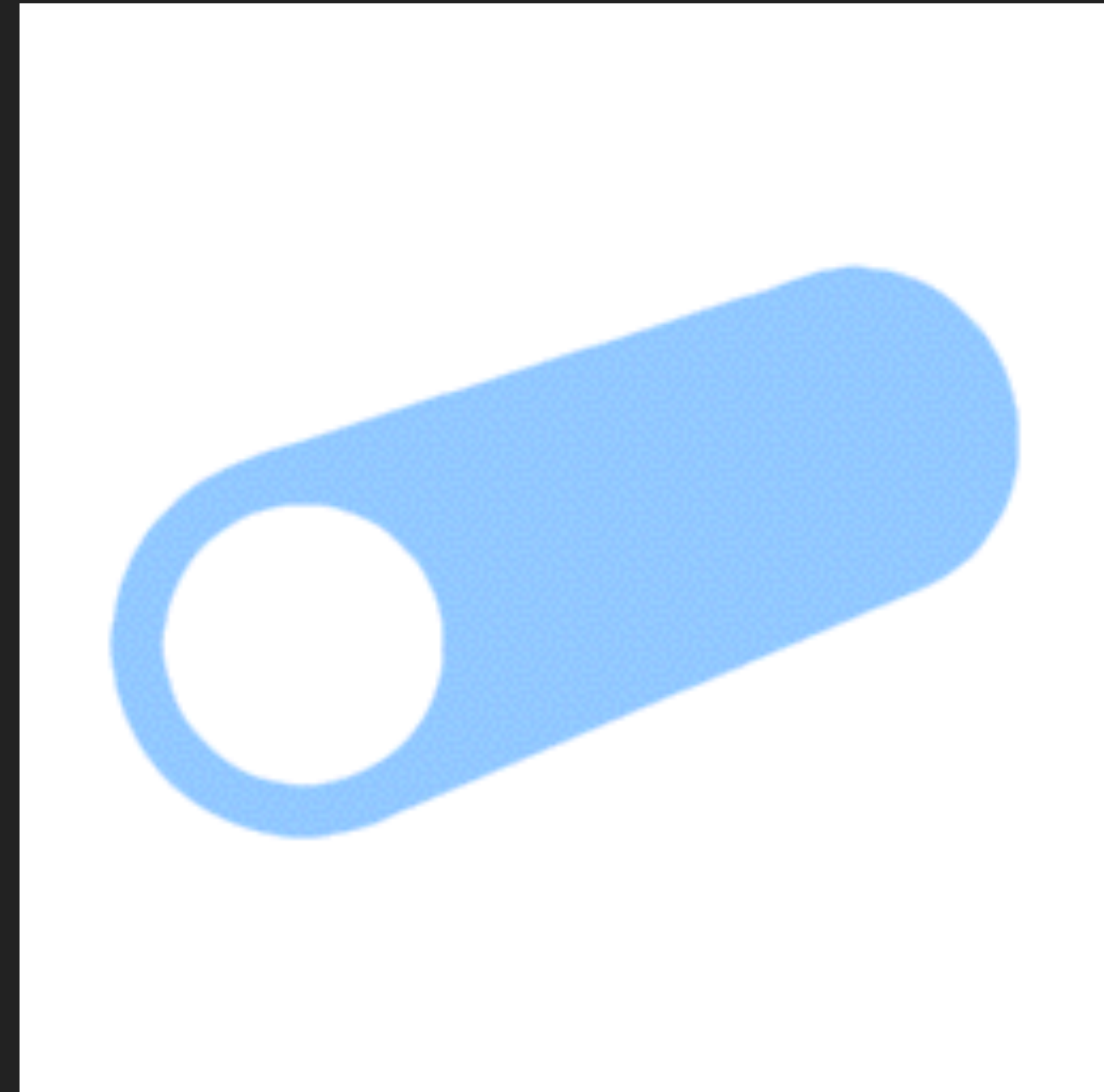
**THIS IS NOT THE END OF
NET NEUTRALITY !**

WHAT IS IN THE TEXT?

- ▶ clarity: applicable on mobile & fixed line; no commercial blocking
- ▶ intentional ambiguity in the text
- ▶ real decisions are left to unelected regulators
- ▶ years of legal uncertainty till ECJ decides

SPECIALISED SERVICES

1. "key features" "require" "specific level of quality"
2. not "simply granting general priority over comparable content"
3. not "usable or offered as replacement to internet access"
4. not "detriment of the availability or general quality of internet access"
5. only if sufficient bandwidth is available

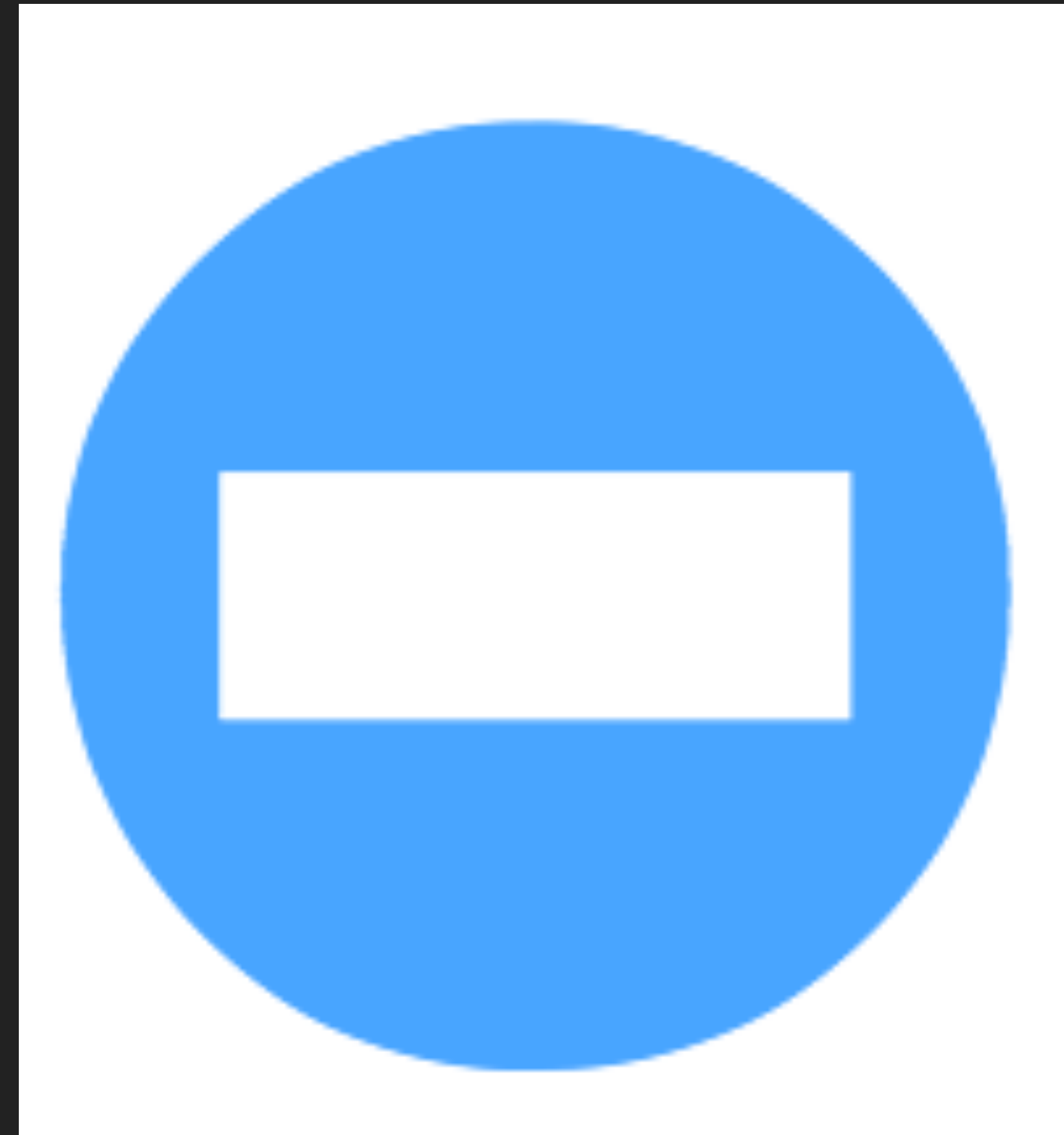


Q: IN YOUR OPINION, COULD CONTENT AND APPLICATIONS PROVIDED ON THE INTERNET BECOME A KIND OF SPECIALISED SERVICE?

BEREC Hearing Question 2 on Topic 2

ZERO RATING

- ▶ What means "commercial practices"?
- ▶ user-freedoms can not be restricted
- ▶ weak qualifiers "by reason of their scale" "market position" "essence of the end-users' rights"

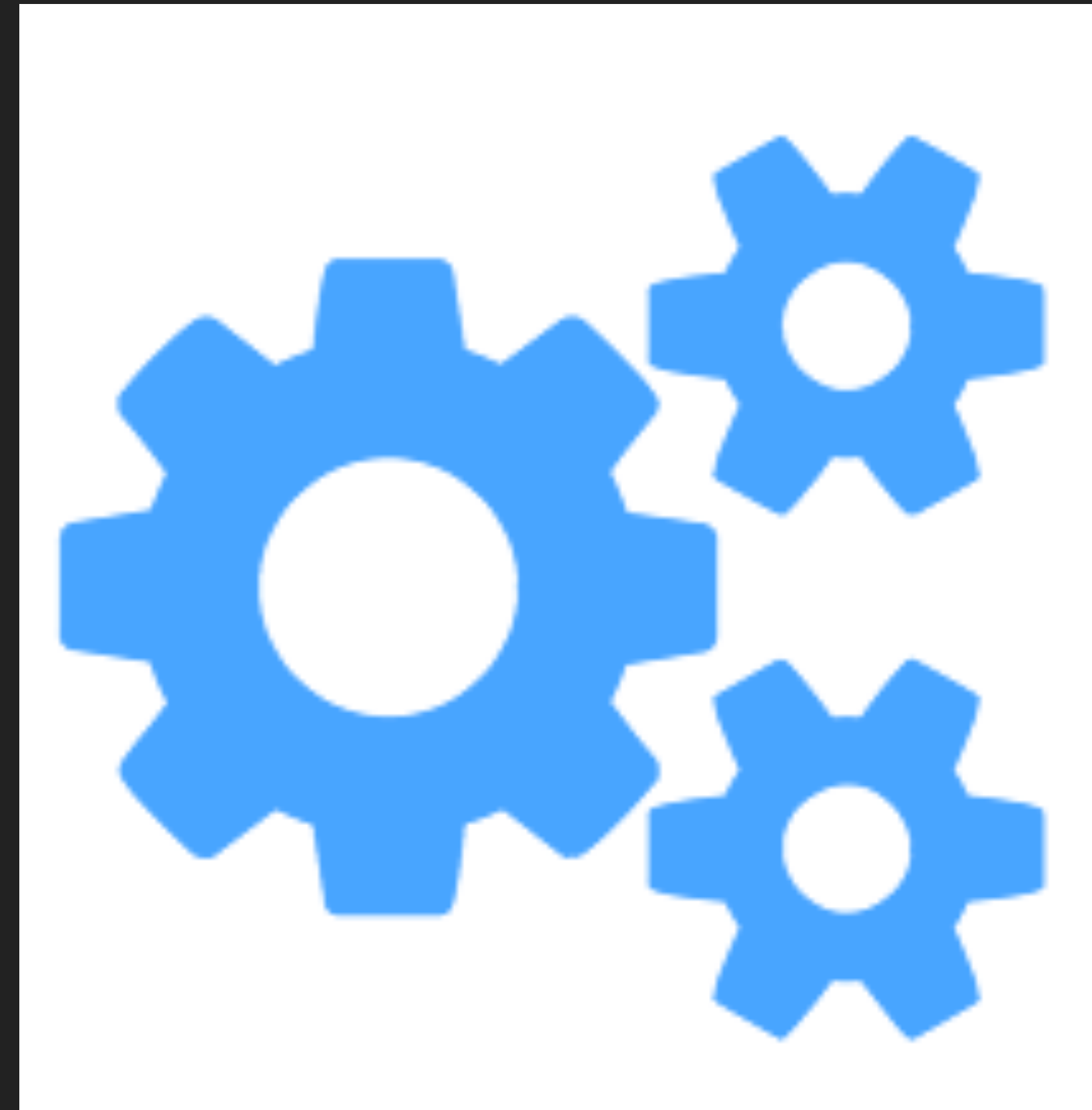


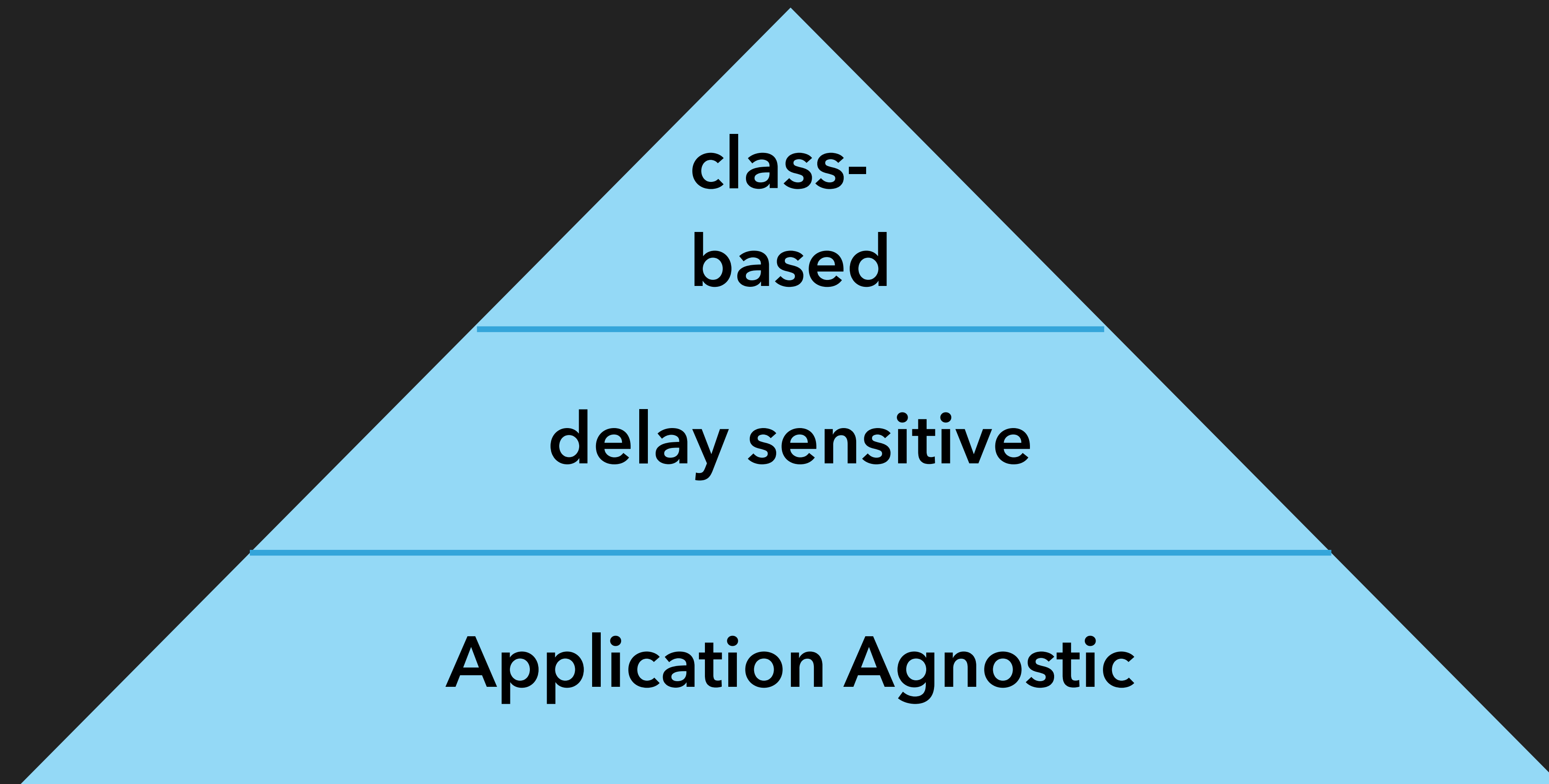
**Q: WHAT IS YOUR UNDERSTANDING OF THE TERM “COMMERCIAL PRACTICES” (REF. ARTICLE 3(2))?
DO YOU THINK THERE IS A DEMAND FOR “COMMERCIAL PRACTICES” SUCH AS ZERO-RATING, FROM THE END USERS’ POINT OF VIEW?**

BEREC Hearing Question 1 on Topic 4

TRAFFIC MANAGEMENT

1. risk of "class-based" traffic management
2. as application agnostic as possible
3. encrypted? slow lane!





proportionality,
necessity,
transparency &
non-discrimination

Article 3 (3) subparagraph 1-3 (c)

TRANSPARENCY

- ▶ Minimum / Average / Maximum Bandwidth in the contract
- ▶ Transparency about Traffic Management
- ▶ big uncertainty about measurement methodology, accuracy & granularity of information and 3rd party comparison



Body of European Regulators
for Electronic Communications

BEREC

Article 5

Supervision and enforcement

...

3) By 30 August 2016, in order to contribute to the consistent application of this Regulation, BEREC shall, after consulting stakeholders and in close cooperation with the Commission, issue guidelines for the implementation of the obligations of national regulatory authorities under this Article.

Article 5

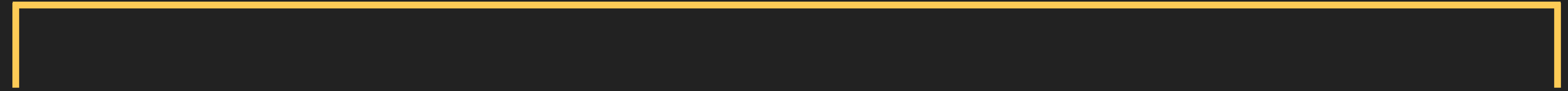
Supervision and enforcement

...

3) By 30 August 2016, in order to contribute to the consistent application of this Regulation, BEREC shall, after consulting stakeholders and in close cooperation with the Commission, issue guidelines for the implementation of the obligations of national regulatory authorities under this Article.

27. October 2015

30. August 2016



Parlament adopts the regulation

27. October 2015

30. August 2016

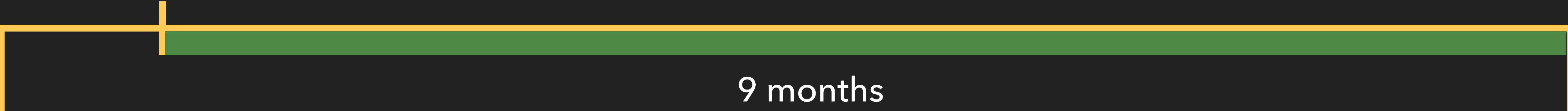


regulation is published in journal

26. November 2015

27. October 2015

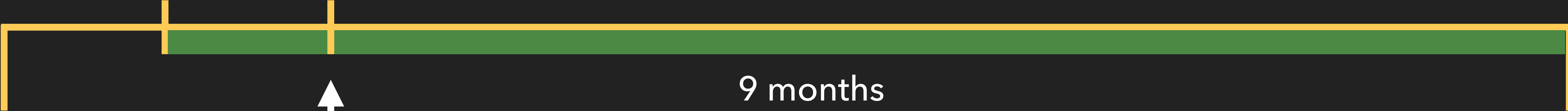
30. August 2016



9 months

27. October 2015

30. August 2016



9 months

Stakeholder Hearing

15. December 2015



27. October 2015

30. August 2016



working groups draft guidelines

May 2016

27. October 2015

30. August 2016



regulation enters into force
30. April 2016



27. October 2015

30. August 2016



BEREC plenary votes on draft

June 2016



27. October 2015

30. August 2016



20 days of public consultation

June 2016



27. October 2015

30. August 2016



analyse feedback & redraft guidelines

27. October 2015

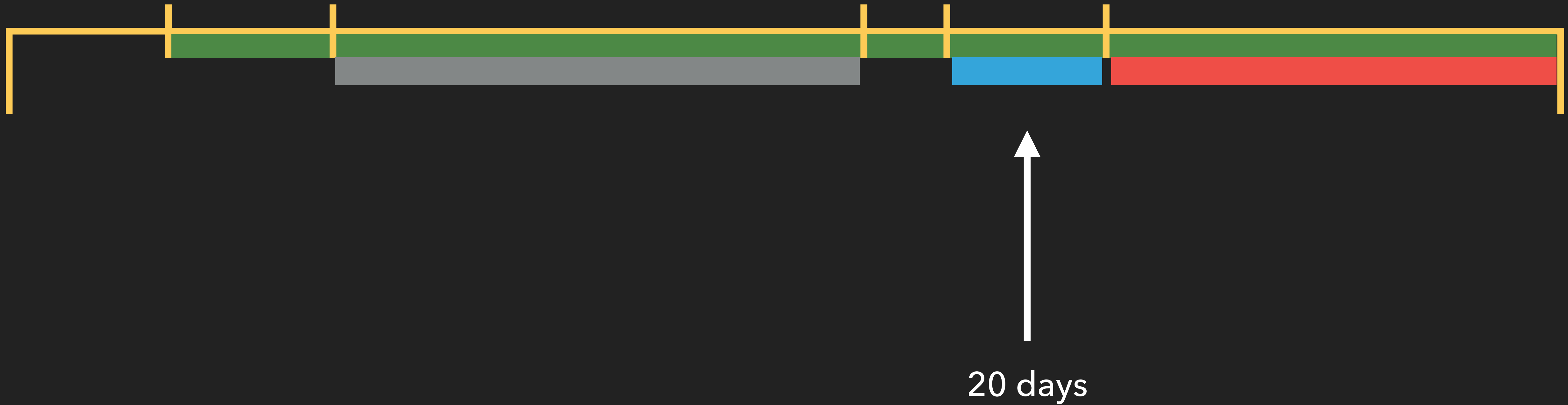
30. August 2016



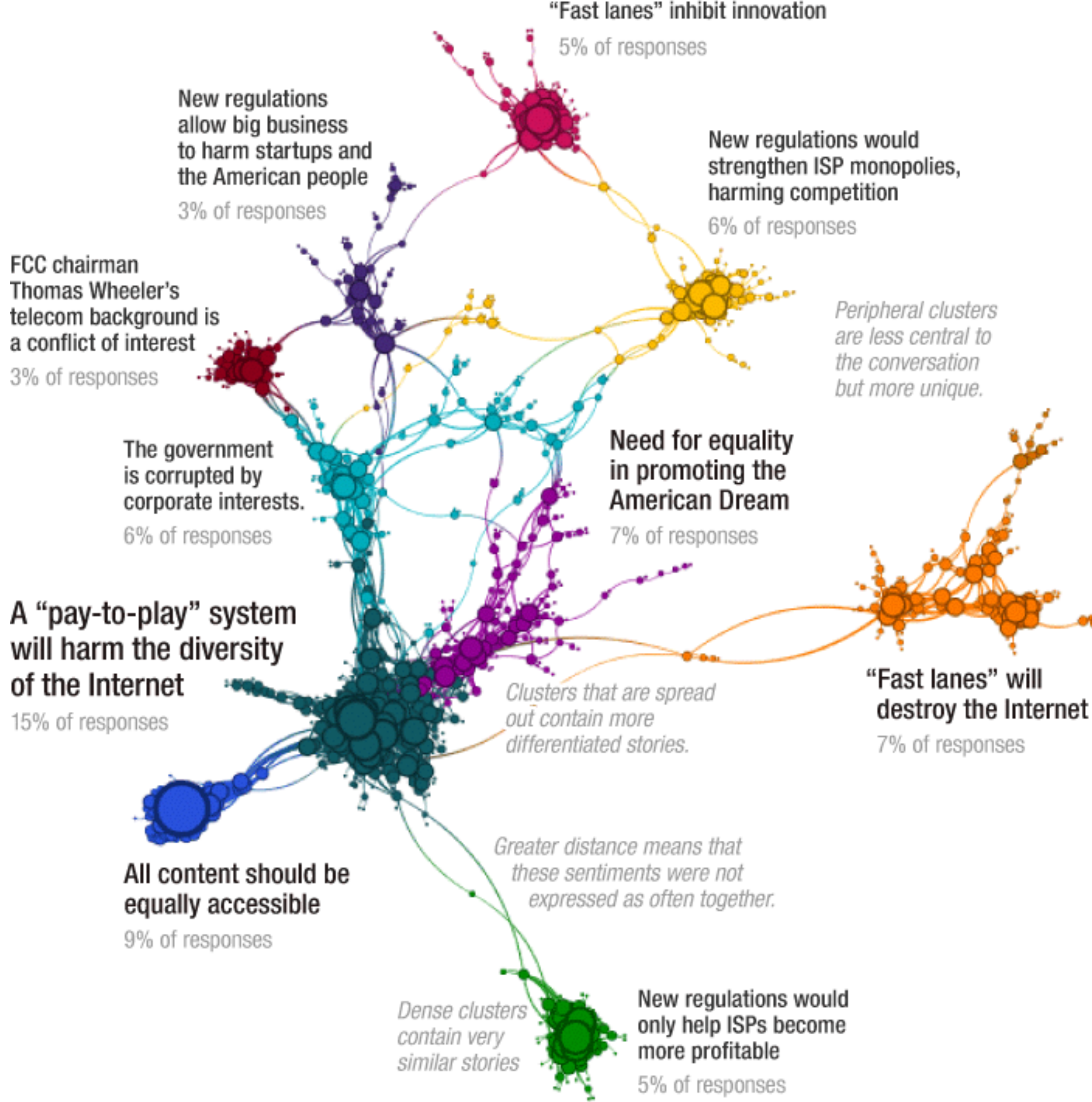
final vote in
extraordinary BEREC plenary

27. October 2015

30. August 2016



- ▶ USA FCC: several months - 4 million comments
- ▶ India TRAI: 28 days - 1 million comments
- ▶ Europe BEREC: 20 days

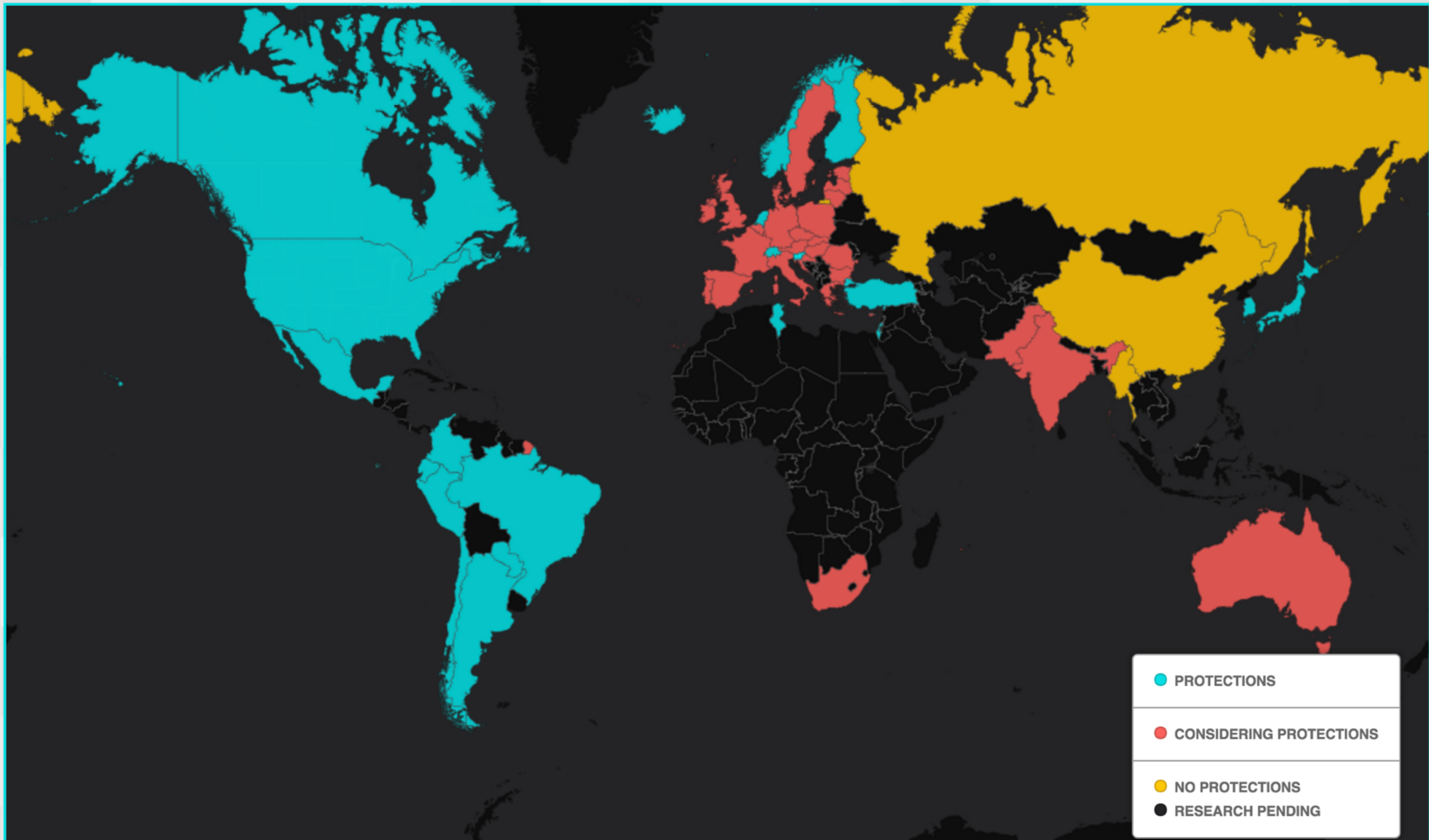




SAVE THE INTERNET

THE CONSULTATION BEREC SHOULD BE DOING!

GLOBAL NET NEUTRALITY COALITION





WHATSAPP GRATIS

para todos los Claro del Perú

PREPAGO, POSTPAGO, EMPRESAS
y para los que se cambien con
su mismo número también. ✓✓



Ahora con tu Postpago



REDES SOCIALES GRATIS



Postea, tuitea y chatea
ilimitadamente
con los nuevos Planes Claro Conexión.

Desde Claro Conexión 69.

Beneficio Redes Sociales gratis incluye: Facebook, Twitter y WhatsApp integrado con 4GB de datos por día. No válido para servicios de voz y SMS. Se aplica el costo de conexión y de uso de datos. No aplica para descargas ni visualización de videos desde Facebook y Twitter. Siempre consultar y más detalles en claro.com.pe



10 años

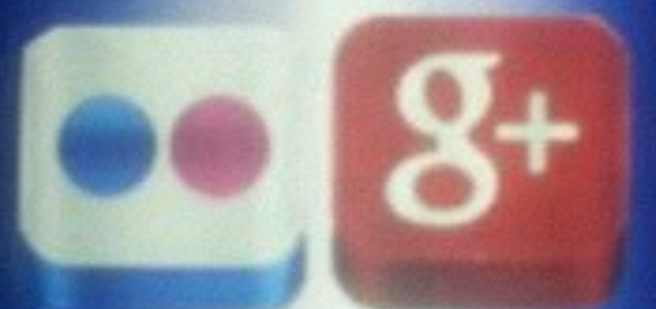
Conectando al Perú

INVESTIGACION

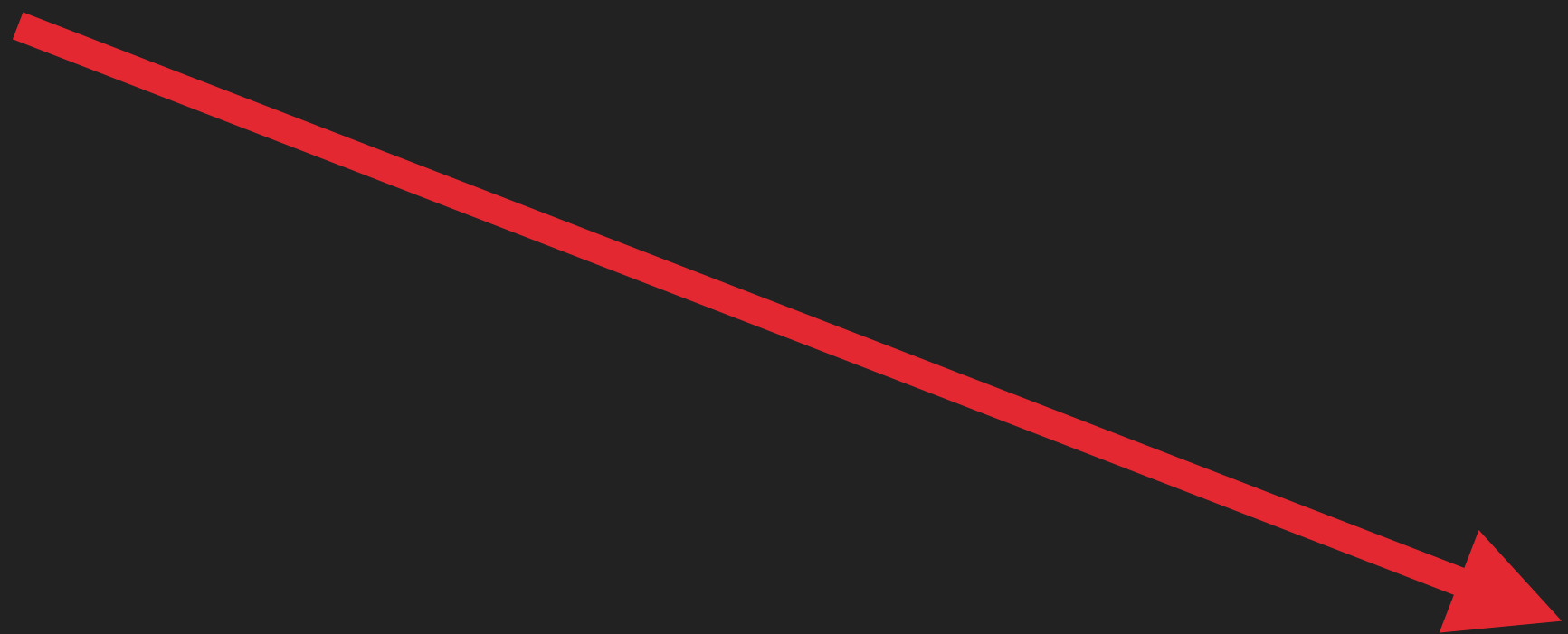


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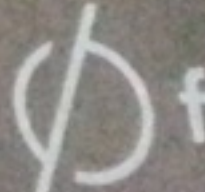


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THANK YOU!



KEEP FIGHTING!

QUESTIONS?

CONTACT US: INFO@SAVETHEINTERNET.EU

WORKSHOP ON BEREC & SAVETHEINTERNET V6

28. DECEMBER 2015, 18:00

EDRi ASSEMBLY NOISY SQUARE