NEWS
FROM AROUND THE GLOBE

The world's most powerful rocket, SpaceX's Falcon Heavy, blasts off from Cape Canaveral in February carrying Elon Musk's Tesla Roadster and a dummy named Starman. But soon it could deploy thousands of satellites to enable broadband around the world, following deployment approval from the FCC in March for the NGSO satellite system. See bit.ly/2GWP5IV

DATA PROTECTION
THE IMPACT OF THE GDPR

On 25 May the EU's General Data Protection Regulation (GDPR) comes into force for the 28 members states, but the impact is already far wider as the regulation affects any organisation that keeps data on an EU citizen, which includes all the global internet giants. It also comes at a time when there has been one of the most high profile data breaches with the Facebook/Cambridge Analytica "scandal". Among the news and commentary on the introduction of the GDPR:

● The Economist considers that the GDPR's premise, that consumers should be in charge of their own personal data, is the right one. "The failings of America's self-regulatory approach are becoming clearer by the week," it says. While the legislation is too complex, compliance costs for smaller firms, in particular, look burdensome, and the "right to be forgotten" would not work in the US, "these are arguments for using the GDPR as a template, not for ignoring the issue of data protection".

● Larry Downes, at the Georgetown Center for Business and Public Policy, considers that the GDPR, and calls for similar regulation in the US, "may lead to the end of what has long been the internet's grand bargain: the exchange of free or subsidised content for personalised advertising". Downes says this could threaten the free and open internet and some consumers won't be able to afford certain services.

● A possible casualty of the GDPR is ICANN's public database of domain name registrations (called WHOIS). The Article 29 Data Protection Working Party has written to ICANN expressing concerns that the WHOIS directories and services will not be compliant. See go.icann.org/2vmRvYC

● EU law makers are also scrutinising the issue of metadata processing in the context of new EU laws on privacy and electronic communications (the e-privacy regulation). Metadata is information such as numbers called, websites visited, location, or the time and date a call was made.

● The United Nations trade and development agency, UNCTAD, has called for global action on data protection. It says about 90% of new internet users in the past 5 years live in developing countries but 60% of these countries do not have any data protection legislation in place.

■ Gemalto, a digital security specialist, in its latest Breach Level Index, reveals that 2.6 billion records were stolen, lost or exposed worldwide in 2017, an 88% increase from 2016.

NET NEUTRALITY
STATES GANG UP ON FCC

California is among the US states that could reintroduce net neutrality following the FCC's overturning of the Open Internet Order. A bill from Democratic state senator, Scott Wiener, would reinstate net neutrality as law in California along the lines of the Open Internet Order. Washington state has already passed a net neutrality bill, and Oregon has one pending. There are similar initiatives in many states, such as executive orders that require any broadband provider doing business with the state to certify that it won't block, throttle, or prioritise any content or applications. There are complicated legal issues concerning whether states can block the repeal of net neutrality or introduce their own rules, and conflicting opinions on whether they will succeed. There is a view that such interventions from the states could undermine the FCC, and lead to less federal regulation, and that such challenges are best done in the US Congress.

EUROPE
BEREC SETS OUT PRIORITIES

The Body of European Regulators for Electronic Communications (BEREC) has highlighted its focus areas for 2018 – with emphasis on a study on 5G, the latest data on international roaming, and a consultation paper on net neutrality. BEREC has made 5G a strategic priority for the next 3 years and has published a 5G study that can be downloaded from its website. The study shows that many potential use cases are currently at only early stages of development. A consultation paper on net neutrality has questions to stakeholders on definitions, zero-rating practices, traffic management, specialised services, transparency and new technologies. Of special interest to BEREC is how stakeholders view net neutrality rules in the context of 5G. See bit.ly/2FP7Cz9

SPECTRUM
WHITE SPACE REGS FILLED

The Dynamic Spectrum Alliance (DSA) has congratulated the Independent Communications Authority of South Africa (ICASA) for publishing regulations on the use of television white space (TVWS) to make use of unused spectrum. The DSA has also published model rules for TVWS technology, to provide governments, policymakers and regulators with the tools necessary to enable the efficient deployment of TVWS networks to help bridge the digital divide and support the internet of things (IoT). ICASA's regulations are at bit.ly/2HygyKR; DSA's model rules are at bit.ly/2H1UZBg

DIGITAL ECONOMY
UNLOCKING CROSS-BORDER DATA FLOWS

A paper published by Brookings looks at the importance of cross-border data flows, taking Asia as a model, and why they need regulating to stimulate the digital economy. Among the points:
● While the economic and trade opportunities from connectivity and data flows are significant, governments are increasingly introducing data localisation measures, which restrict data flows.
● Governments restrict cross-border data flows with several goals in mind, including to improve citizens' personal privacy, ensure rapid access to data by law enforcement officials, protect or ensure national security, improve economic growth or economic competitiveness, and to level the regulatory playing field.
● In most cases, data localisation is suboptimal as there are ways to achieve regulatory goals with less impact on growth and trade.
● Restrictions on cross-border data flows harm both the competitiveness of the country implementing the policies and other countries.
● One way forward is the Asia-Pacific Economic Cooperation (APEC) forum's Cross-Border Privacy Rules (CBPR). The US-EU Privacy Shield is another.
● Cybersecurity is not necessarily strengthened when data is kept locally, and could be weakened; cloud security across countries can add resilience.
● For law enforcement, a reform of mutual legal assistance treaties (MLATs) rather than localisation would be best.
See brook.gs/2pxrS1s
■ The Internet & Jurisdiction Policy Network, which held its second event in Ottawa, came up with the Ottawa Roadmap to address jurisdictional challenges on the internet, with cross-border issues common to all. It will be working on this up to a Berlin event in 2019. *See bit.ly/2Hop41s*

MEDIA
CHALLENGES FOR PUBLIC SERVICE MEDIA
The Nordic Information Centre for Media and Communication Research (Nordicom) has published Public Service Media in the Networked Society, a collection of papers on the role of public sector media. As the editors say: "There is a great need for critical reflection and careful thought because the validity of a public service orientation in tomorrow's media systems is at issue." Although public service broadcasters have played a leading role in establishing online services and developing new media platforms in Europe, "their investments and efforts have not always been rewarded". The book has contributions on topics such as "reclaiming digital space", algorithms, distribution dilemmas and public service media in the social network and platform era. The book, based also on the RIPE@2016 conference, can be downloaded at bit.ly/2qsgzc3

EUROPE
SOCIAL MEDIA WORKING GROUP
Working Party 29 (WP29), the group that unites European data protection authorities, has announced "its full support" for investigations by national privacy authorities into the collection and use of personal data by and through social media. In addition, WP29 is setting up a social media working group to develop a long-term strategy on the issue. "A multibillion dollar social media platform saying it is sorry simply is not enough. While Cambridge Analytica and Facebook are on top of everyone's mind we aim to cast our net wider and think long-term," said WP29 chair, Andrea Jelinek.
■ When the General Data Protection Regulation (GDPR) comes into force, WP29 will be replaced by the European Data Protection Board.

IN BRIEF

COMPETITION HELP
The EU's competition chief Margrethe Vestager, has recruited a trio of academics to help with technology policy: Heike Schweitzer, Jacques Crémer and Yves-Alexandre de Montjoye.

MONEY SCHEME
The GSMA has launched the Global Mobile Money Certification Scheme, an initiative intended to increase consumer confidence in the security and reliability of services from operators, banks and other providers.

PLATFORM TOOLS
The OECD has published "Rethinking antitrust tools for multi-sided platforms", a report that investigates how competition agencies can respond to the challenges of platform markets in the digital economy. See bit.ly/2qiRNdw

COVERAGE COUNT
Most countries in the Americas include coverage obligations in their latest spectrum licence awards, according to a report by Cullen. Some have a rollout schedule, including for roads and rural areas, whereas others set more generic obligations.

UK LAW CHECK
The communications committee of the UK's House of Lords is exploring how regulation of the internet should be improved, and whether specific regulation is required or whether existing law is adequate. See bit.ly/2HyQSh5

NEW ACMA CEO
Creina Chapman will be the new CEO of the Australian Communications and Media Authority (ACMA). She will move from media group Southern Cross Austereo in June.