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AT A GLANCE: EU WANTS QUICK AND CLEAR COMMITMENTS FROM UK – OUTCOME EU DIGITAL SUMMIT – LAST HURDLES ON SPECTRUM DISCUSSIONS IN COUNCIL

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BREXIT

EU wants quick and clear commitments from UK

On 22 September UK Prime Minister Theresa May delivered a speech in Florence in which she made the following announcements:

- Mrs May called for a 2 year period of implementation for business to adapt to the regulatory changes. During this period existing EU rules and regulations would continue to apply: i.e. ECJ rulings, free movement of people as well as UK payment to the EU budget. She spoke of a double-lock – guarantee for business that there will be a transition to prepare for change plus guarantee that this is time-limited.
- Mrs May ruled out existing models for the future partnership of the UK to the EU i.e. membership of EEA (Norway model) which implies accepting EU rules without influence while an FTA agreement (Canada model) was found too restrictive by the UK regarding mutual market access between the UK and mainland Europe. Mrs May called for a bespoke deal.
- On citizens' rights Mrs May said the UK would incorporate citizens' rights fully into UK law. She also accepted UK courts could take account of ECJ judgements to ensure consistent interpretation.

The day before Theresa May's key Brexit speech in Florence, Michel Barnier, key negotiator for the EU on behalf of the European Commission, addressed the Foreign and European Affairs committees of the Italian Parliament. The key issues he raised were:

- Mr Barnier called for quick and clear commitments from the UK, given the timeline: 6 months since the UK triggered article 50 and 6 months needed for ratification.
- Mr Barnier found that citizens' rights need to be "effectively guaranteed" and that the ECJ must remain the ultimate guarantor of the agreement.
- Mr Barnier was pessimistic as to the model of the future arrangement between the EU and the UK. He did not want the UK to have same benefits as the Norwegian model as well as the limited obligations of the Canadian model.

Source: Interel

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DIGITAL SINGLE MARKET

Outcome EU Digital Summit

On Firday 29 September the EU leaders came together in Tallinn for the EU Digital Summit, discussing the way forward for Europe's digital policies.

"I hope Tallinn marks the beginning of a journey and that it has boosted our ambition to fully benefit from all the potential our digital future can offer," Estonian Prime Minister Jüri Ratas said at a closing press conference. Mr Ratas said he would draw the themes of the Tallinn Summit into a formal report for the October European Council's conclusions.

"We share the conviction that [digital] is an element of deep transformation in our society and economy," French President Emmanuel Macron said at a closing news conference.

At the request of Luxembourg Prime Minister Xavier Bettel, the Estonian presidency said it would host a telecoms ministers meeting in the fall, on top of one already scheduled for December.

Collectively, the leaders vowed to educate EU citizens on staying safe from cyberthreats, with the support of German Chancellor Angela Merkel and Macron. Building infrastructure to enable 5G connectivity and the development of digital industry were also high on the list of agreements, according to **preliminary Council conclusions.**

Leaders, like the Netherlands' Prime Minister Rutte, as well as a number of Eastern European members, pledged to push ahead on reforms to break down digital borders in Europe's single market. Europe's digital standout, Denmark, took a chance to explain how it built a successful digital society, while countries like Poland aimed to use the moment to showcase upcoming initiatives on e-government and broadband connectivity in schools.

They also rallied around enhancing the bloc's cybersecurity. Chancellor Merkel and President Macron were keen to discuss future cooperation, according to an EU official listening to the talks, and countries agreed to collaborate and invest in exchanging information among themselves. They acknowledged that for defense purposes, not all cyber details could be swapped with their fellow EU members, Luxembourg's Prime Minister Xavier Bettel told reporters.

For all the agreement, the summit also put on display where Europe remains divided on tech.

A number of Western European countries called for a new vehicle to tax large digital corporations, a proposal Commission President Jean-Claude Juncker said officials would pursue next year. However, Luxembourg and Ireland asked to slow momentum for the proposal. They asked for the EU to wait for more international OECD recommendations on digital taxation to emerge.

Overall, Commission president Juncker called on the EU heads of state to finalize the dozens of ongoing digital single market files by 2018.

Source: Politico Pro

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CYBERSECURITY

Cybersecurity package published

This month the European Commission published the cybersecurity package, which includes **a proposal for a Regulation on ENISA and cybersecurity certification.** The Commission also included **an annex,** a summary of **the proposal's impact assessment** and a **report evaluating** ENISA's operations to date.

The proposed Regulation will now undergo scrutiny by the European Parliament and Council in the ordinary legislative procedure.

Source: Interel + European Commission

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October is EU cybersecurity month

For the 5th year ENISA and the European Commission's DG Connect organize the **European Cybersecurity Month,** taking place during the entire month of October 2017 across Europe. This project aims at raising awareness of cybersecurity threats and promoting cybersecurity among citizens and organisations through education and sharing of good practices. This year's campaign follows up on Commission's proposals to **scale up EU's response to cyber-attacks** and will carry further the message that cyber-hygiene needs to be embedded in daily practices.

Commission Vice-President for the Digital Single Market, Andrus Ansip , said: "Cybersecurity is the basis for the digital world; it is our shared responsibility, of everybody, every day. I welcome these joint efforts to promote awareness and concrete actions for cybersecurity and cyberhygiene across Europe."

Around 300 activities will take place in October throughout Europe. During this month, in order to tackle the need of smarter authentication ways, the European Commission has launched a new **Horizon prize:** "Seamless authentication for all". €4 million are available to the innovators who contribute to inventing secure, privacy-friendly and affordable authentication methods for everyone and their smart objects. You can find out more about what is happening in your country during the Cybersecurity Month by checking **the interactive map.**

Source: Dods

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DATA PROTECTION

Free flow of data initiative published

On 13 September 2017 the European Commission issued the 2nd Data Package. This package includes a **proposed Regulation on a Framework for the free flow of non-personal data in the EU.** The proposal builds on the **Digitising European Industry** policy package, which included the **European Cloud initiative.** The proposed regulation has as its main objective the improvement of the mobility of non-personal data across borders in the EU, which is currently restricted in many Member States by localisation restrictions or legal uncertainty.

The proposed Regulation will now undergo scrutiny by both Parliament and Council in the ordinary legislative procedure.

Source: Interel + European Commission

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SPECTRUM

Last hurdles on spectrum in Council on ECC

The European Commission proposed a recast Directive on the **Electronic Communications Code** in September 2016, inviting the two co-legislators, European Parliament and Council, to come to an agreement on the proposed text.

Following to the Member States having received a **compromise proposal** from the Council's Estonian presidency some weeks ago, the European national governments now seem to have difficulty in finding a compromise on some key aspects of the EU's telecoms overhaul.

The Estonian Council presidency said Member States should still consider **proposals** on the duration of spectrum licenses that telecom companies buy from capitals.

The Council will discuss the European Electronic Communications Code on October 3 and 4, and ask for national governments to approve a common position by October 11.

The European Parliament is expected to vote on its negotiating position in early October. Trilogue negotiations between Commission, Council and Parliament are then expected to start by the end of October.

Source: Politico Pro