



# PROGRAMME

## Hearing on ePrivacy

***“The proposed rules for the respect for private life and the protection of personal data in the electronic communications in the EU”***

**Tuesday 11 April 2017, 15.00 to 18.30**

**European Parliament, Brussels**

**Room: József Antall (JAN) 2Q2**

## Background

On 10 January 2017 the Commission has presented a proposal for a Regulation concerning the respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC) (ePrivacy Regulation).

The ePrivacy Directive (2002/58/EC) set forth rules guaranteeing the protection of privacy in the electronic communications sector. It aimed to ensure that the protection of confidentiality of communications, in line with the fundamental right to the respect of private and family life enshrined in Article 7 of the EU Charter of Fundamental Rights, is guaranteed.

The proposed ePrivacy Regulation takes account of the important technological and economic developments in the electronic communication sector since the adoption of the ePrivacy Directive in 2002, where new services of interpersonal communications coexist in parallel with traditional communication services and presenting a similar impact on the privacy and the protection of personal data of individuals. These new services were not submitted to the protections of private life and data processing set out in Directive 2002/58 resulting therefore in a void of protection.

The proposal expands its scope to cover the new forms of electronic communications and ensure the same level of protection of individuals regardless the communication service used. It also update the current rules on the e-Privacy Directive 2002/58/EC to align with the new EU data protection legal framework established by the General Data Protection Regulation (EU) 2016/679. It takes account of experience gained over the years regarding cookies and other tools enabling tracking of individuals and seriously impacting on the private life and confidentiality of communications. Finally, it takes stock of the recent case law of the Court of Justice.

Similarly to the articulation between the ePrivacy Directive 2002/58/EC and the Directive 95/46/EC, the proposed ePrivacy Regulation particularises and complements the General Data Protection Regulation 2016/679. The rules of the ePrivacy Regulation should not lower the level of protection afforded by the General Data Protection Regulation.

The proposal would increase trust and security of digital services contributing to the achievement of the Digital Single Market Strategy.

This hearing addresses different elements of the new proposal in order to provide the European Parliament with the views of the main actors involved: telecommunications sector, new communication services provides (OTT), consumers, NGOs, professors, data protection authorities so as to obtain a broad and representative picture in view of the preparation of the LIBE Committee legislative report.

## Order of business

15:00 – 15:05 **Introductory remarks by Mr Claude MORAES**, Chair of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament

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### FIRST SESSION

**Institutional aspects – The proposed regulation on the e-privacy**

**15.05 – 16.05**

15:05 – 15:15 **Ms Despina Spanou, Director, DG CONNECT, Commission** (Presentation of the proposal)

15:15 – 15:25 **Mr Giovanni Buttarelli, European Data Protection Supervisor** (Presentation of EDPS opinion)

15:25 – 15:35 **Dr. Frederik Zuiderveen Borgesius, Institute for Information Law, University of Amsterdam** (Presentation of the preliminary findings of the study on "**An assessment of the Commission's proposal on Privacy and Electronic Communications**", commissioned by the Policy Department for Citizens' Rights and Constitutional Affairs)

15:35 – 16:05 Q&A session

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### SECOND SESSION

**The e-privacy proposal: legal consistency with other legal instruments; level playing field**

**16.05 – 16.12**

16:05 – 16:12 **Mr Antonio Muñoz Marcos, Senior Advisor Consumer Big Data, Telefónica** (ETNO-GSMA, telecom industry)

16:12 – 16:19 **Mr Ben Appel, Director of Business & Legal Affairs, MEDIALAAN (Interactive Advertising Bureau (IAB))** (advertising/publisher sector)

16:19 – 16:26 **Ms Fanny Hidvégi, Access now** (NGOs)

16:26 – 16:33 **Dr Kai Rannenber, Goethe University Frankfurt** (Academia)

16:33 – 17:10 Q&A session

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**THIRD SESSION**

**The e-privacy proposal: confidentiality and security of communications**

**17:10 – 18:25**

- 17:10 – 17:17     **Mr Ilias Chantzios, Symantec (Industry)**
- 17:17 – 17:24     **Mr Guillermo Beltrà, Head of Legal and Economic Department, Bureau Européen des Unions de Consommateurs (BEUC) (Consumers view)**
- 17:24 – 17:31     **Mr Giuseppe D'Acquisto, Garante per la protezione dei dati personali (National data protection authority)**
- 17:31– 17:38     **Mr Benjamin Strahs, Software engineer, Facebook (OTT)**
- 17:38 – 18:15     Q&A session

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- 18:15 – 18: 30     **Concluding remarks by Mr Claude MORAES, Chair and Ms Marju LAURISTIN (Rapporteur)**

## Annex

### IMPORTANT NOTICE FOR THOSE WISHING TO ATTEND THE MEETING

This meeting is open to the public. However, for security reasons, participants who do not have a European Parliament access badge must obtain a pass in advance. Those wishing to obtain such a pass should register online via the following link: <http://www.opinio.europarl.europa.eu/opinio/s?s=2621> before **3 April at noon**. Without the online registration duly filled in, the Security Service will not provide entry passes.<sup>1</sup>

#### PRACTICAL GUIDELINES FOR THE DEBATE

- During the discussion, so as to make it possible for the highest number of parliamentarians to intervene, speaking time of speakers will be strictly limited to **the specified time allocated** and speaking time of the Members to **two minutes** per contribution or question in order to ensure a fruitful discussion.
- Speakers wishing to supplement their speeches may do so in writing by submitting a document (preferably in English or French) in advance to the secretariat (email: [libe-secretariat@europarl.europa.eu](mailto:libe-secretariat@europarl.europa.eu)). These documents will be circulated during the meeting.
- Meeting documents will be progressively added to the Events section of the LIBE Committee pages: <http://www.europarl.europa.eu/committees/en/libe/events-hearings.html>.

#### THE MEETING IS BROADCASTED LIVE AND RECORDED

LIBE Committee pages:

<http://www.europarl.europa.eu/activities/committees/homeCom.do?language=EN&body=LIBE>

### ADDITIONAL INFORMATION

José Manuel De Frutos Gomez Administrator Office: SQM 08 Y 037 Phone: +32(2)28 46733 <a href="mailto:jose-manuel.de-frutos-gomez@europarl.europa.eu">jose-manuel.de-frutos-gomez@europarl.europa.eu</a>	Michael Vanfleteren Administrator Office: SQM 08 Y 038 Phone: +32(0)2 28 33043 <a href="mailto:michael.vanfleteren@europarl.europa.eu">michael.vanfleteren@europarl.europa.eu</a>
Kelly MATHIOUDAKI KOTSOMYTI Assistant Office: SQM 08 Y 048 Phone: +32(2)28 44357 <a href="mailto:kelly.mathioudaki@europarl.europa.eu">kelly.mathioudaki@europarl.europa.eu</a>	Maria del Pilar Alvarez Alvarez Assistant Office: SQM 08 Y 054 Phone: +32(2)28 42483 <a href="mailto:mariadelpilar.alvarez@europarl.europa.eu">mariadelpilar.alvarez@europarl.europa.eu</a>

<sup>1</sup> The processing of personal data is subject to Regulation (EC) No 45/2001 of 18 December 2001 (OJ.L 8 12.1.2001, p. 1)