

Ein Update zur Netzneutralität

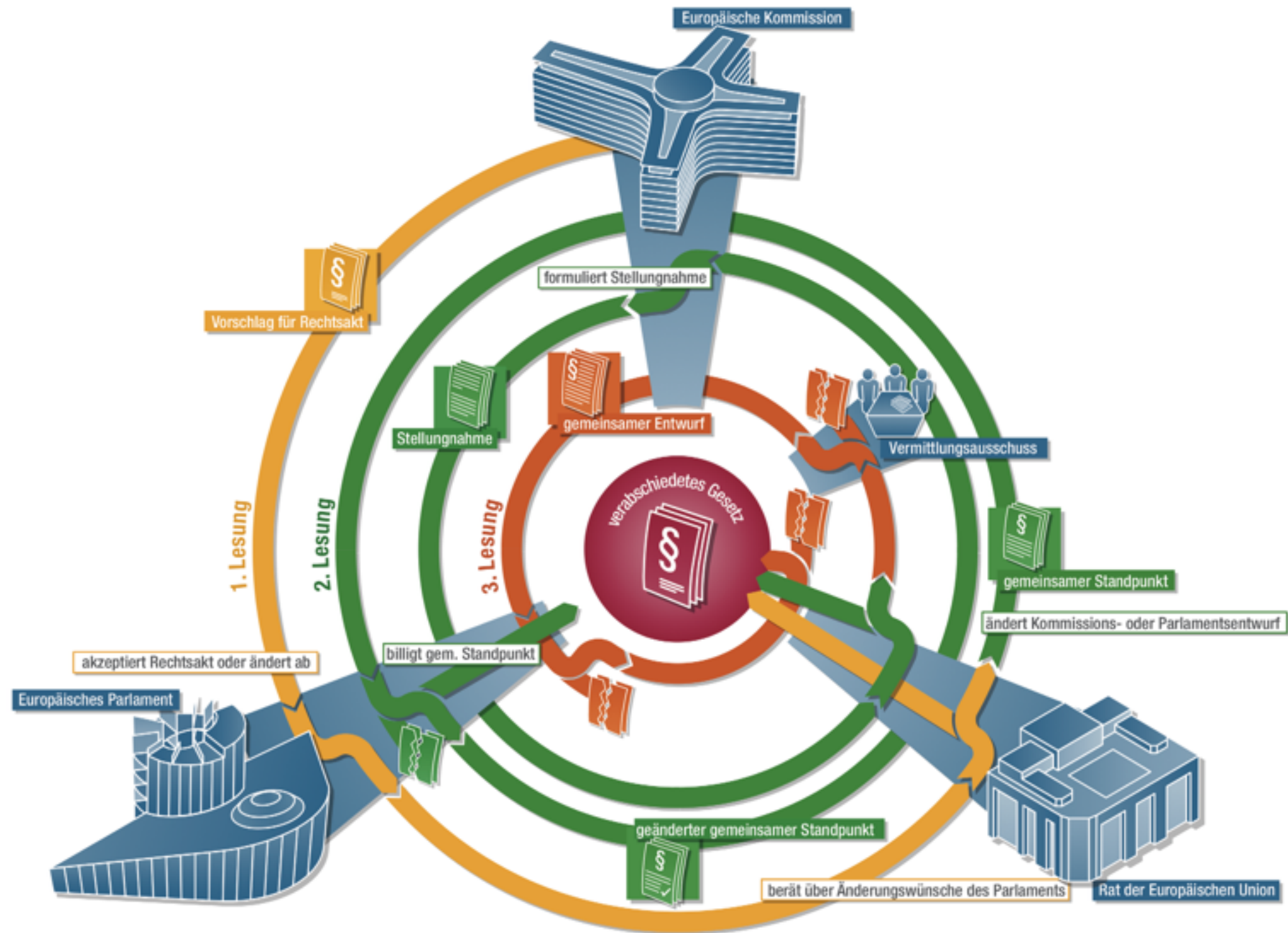
Thomas Lohninger
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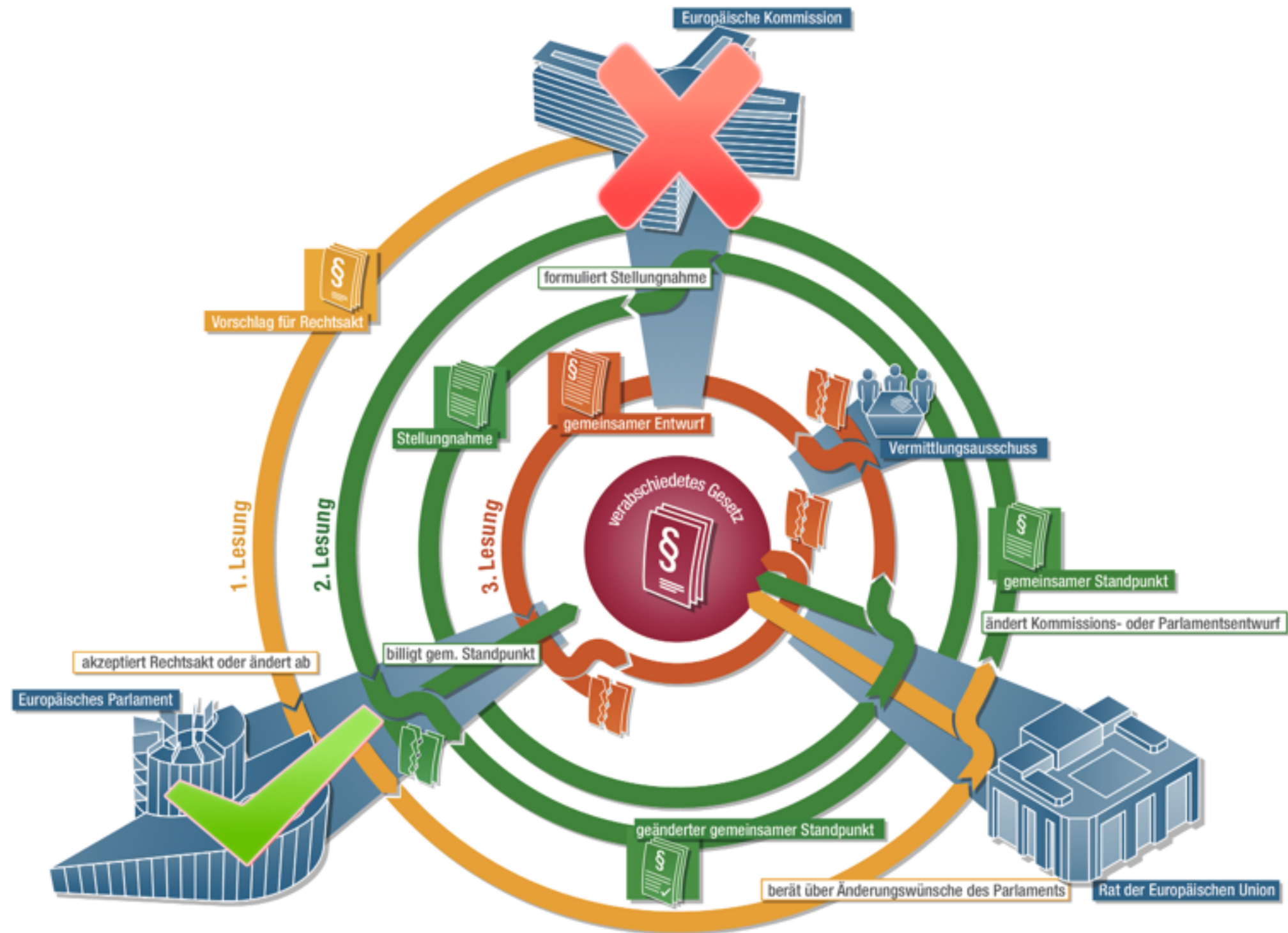
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Telecom Single Market

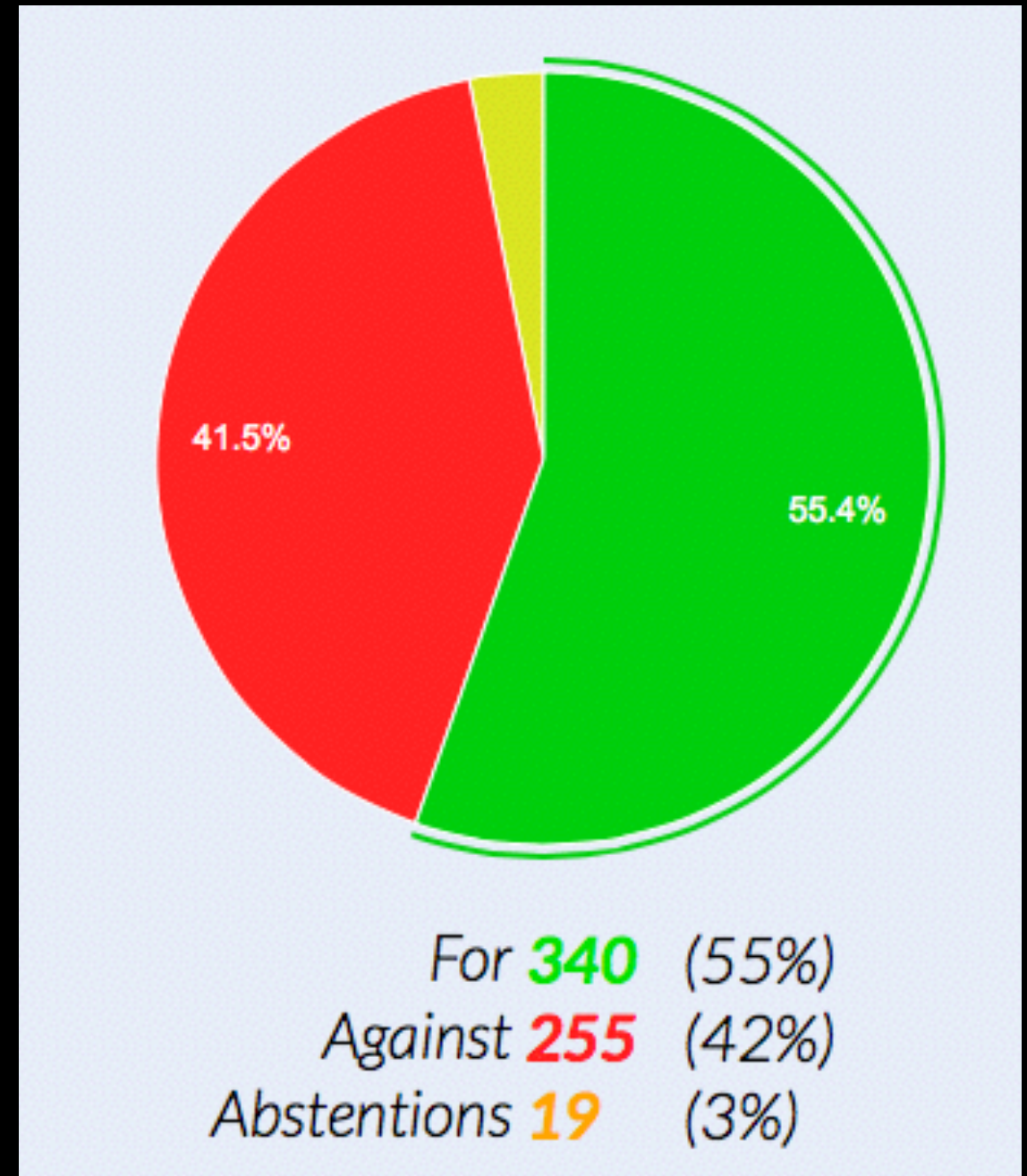
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
laying down measures concerning the European single market for electronic
communications and to achieve a Connected Continent





plenary vote

- S&D, ALDE, Greens & GUE
- echte Netzneutralität
- Text ist nicht perfekt
- u.a. schwache Umsetzung





Pilar del Castillo
EVP, Spanien



Patrizia Toia
S&D, Italien



Vicky Ford
ECR, UK



Michel Reimon
Grüne, AT



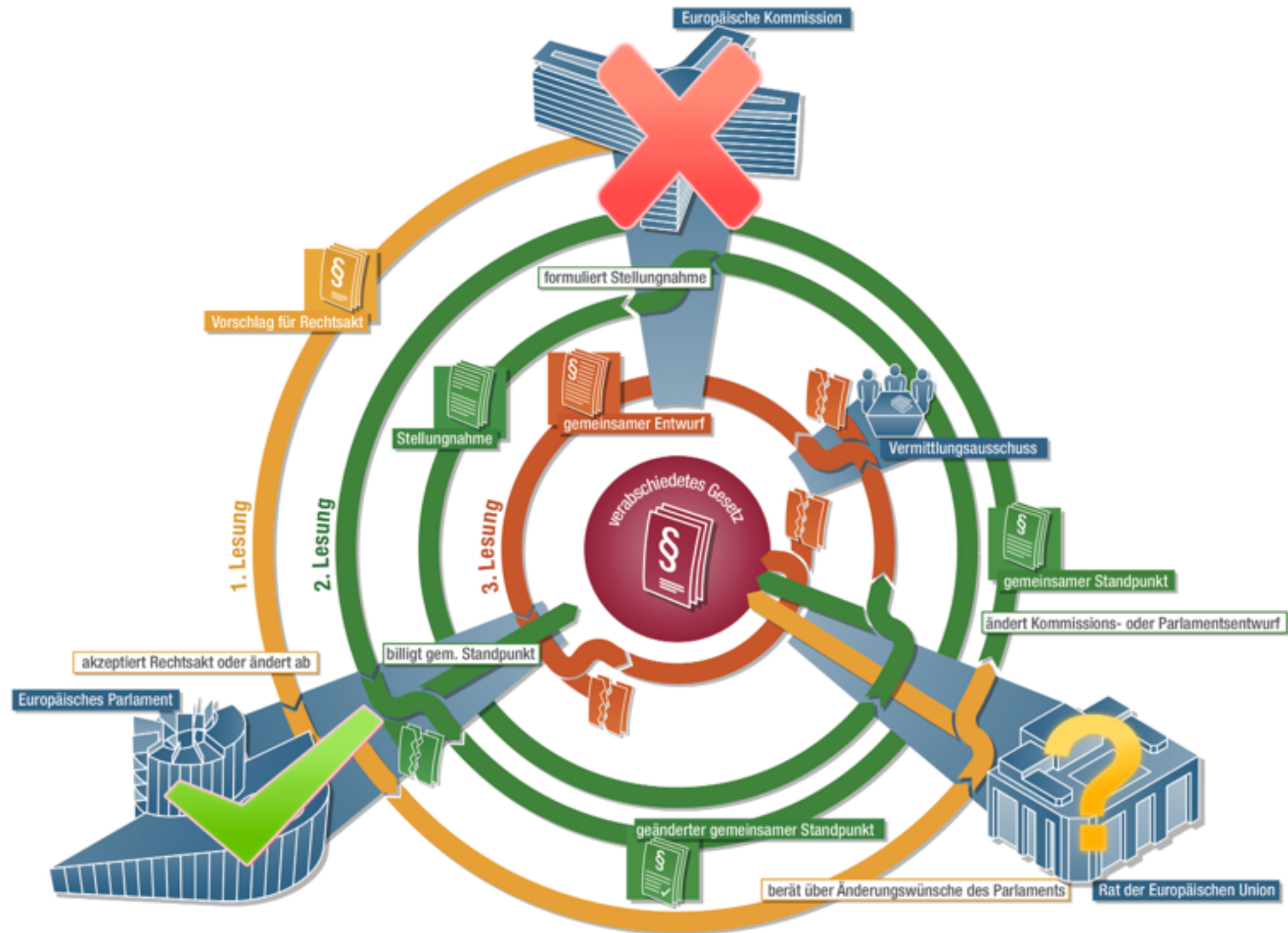
Jens Rohde
ALDE, Dänemark



Marisa Matias
GUE, Portugal



Dario Tamburrano
EFD, Italien



Article 2 – paragraph 15

-

(15) "specialised service" means an electronic communications service *or any other service that provides the capability to access* specific content, applications or services, or a combination thereof, *and whose technical characteristics are controlled from end-to-end or provides the capability to send or receive data to or from a determined number of parties or endpoints;* and that is not marketed or *widely used* as a substitute for internet access service;

(15)" specialised service" means *a service provided by means of* electronic communications that is *optimised for* specific content, applications or services, or a combination thereof, *offering enhanced quality from end to end*, and that is not marketed or usable as a substitute for internet access service;

(15) “specialised service” means an electronic communications service *optimised for specific content, applications or services, or a combination thereof, provided over logically distinct capacity, relying on strict admission control, offering functionality requiring enhanced quality from end to end*, and that is not marketed or usable as a substitute for internet access service;

2. Providers of electronic communications to the public *and* providers of content, applications and services *shall be free to offer* specialised services *to end-users*.

Such services shall only be offered if sufficient network capacity is available to avoid any detriment to the availability or general quality or experience of internet access services at any given time. Providers of internet access services shall *not discriminate between specialised services*.

2. Providers of electronic communications to the public *and* providers of content, applications and services *shall be free to offer* specialised services *to end-users*.

Such services shall only be offered if sufficient network capacity is available to avoid any detriment to the availability or general quality or experience of internet access services at any given time. Providers of internet access services shall not discriminate between specialised services.

Article 23 - paragraph 5 – point c i & ii

-

c) prevent the transmission of unsolicited communications to end-users who have given ***their prior consent to*** such restrictive measures;
d) ***minimise the effects of temporary or exceptional network congestion*** provided that equivalent types of traffic are treated equally.

c) ***ensure the good functioning of their network, in particular***

i) preserve the integrity and security of the network, services provided via this network, and the end-users' terminals; or

ii) ***prevent imminent network congestion or mitigate its effects*** provided that ***such congestion is exceptional in character and that*** equivalent types of traffic are treated equally.

Gesetzespaket

- Single authorisation
- Spektrum
- vereinheitlichte Regulierung
- Roaming
- Netzneutralität
- Konsumentenschutz

Gesetzespaket

- ~~Single authorisation~~
- ~~Spektrum~~
- ~~vereinheitlichte Regulierung~~
- Roaming
- Netzneutralität
- Konsumentenschutz

nicht schön

- Roaming III
- Spektrum = Geld
- Konsumentenschutz, besser in UnivD-Richtlinie
- TK-Novellen Zyklus unterbrochen → 2016

Ländergruppe 1

- gesamtes Paket verhandeln
- Kommissionszeitplan nicht einhalten
- keine einheitliche Meinung zu NN
- FR, LX, AT, SE, NL, SI ...

Ländergruppe 2

- mini-TSM
- Kommissionszeitplan einhalten
- nur noch Roaming, Konsumentenschutz & Netzneutralität
- UK, ES, DE & (IT)

Was jetzt?

Scenario 1

- nur Netzneutralität und vielleicht Roaming
- Beschlussfassung 2014, früh 2015

Scenario 1

- nur Netzneutralität und vielleicht Roaming
- Beschlussfassung 2014, früh 2015
- Kein Roaming → Widerstand EP
- Schwache Netzneutralität → Überlebensfähig?

Scenario 1.b

- *scheinbare Netzneutralität*
- *“users shall be free to access and distribute information and content, run applications and use services of their choice via their internet access service.” (Artikel 23.1)*
- *verhindert nationale Regelung*

Scenario 2

- TSM scheitert (offiziell)
- EU TK-Novelle 2016, in Kraft **2018 !!!**
- nationale Regelung oder Markt schafft Fakten

seit gestern...

siehe <http://heise.de/-2425875>

Fazit

- Wir sucken im Rat!
- nationaler fallback or we lose

andere Baustellen
aka. Ausblick



Wikipedia Zero

Neue Front: Werbung

- AdSight - DPI zur Erkennung von Werbung
- Blocking mit Access Fees
- Zero-Rating

Danke!

Fragen?

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