

Question for written answer E-004402/2017
to the Commission
Rule 130
José Blanco López (S&D)

Subject: ePrivacy

In April 2017, the Article 29 Working Party gave its opinion on the proposed ePrivacy regulation. Although it welcomed some aspects of the proposal, such as EU harmonisation and a widened scope to include free broadcast service providers (Over-The-Top – OTT), the Party also raised serious concerns on other provisions. Specifically, it expressed its deep concern about the tracking of the location of terminal equipment, the conditions under which the analysis of content and metadata is allowed, the default settings of terminal equipment and software, and tracking walls. Those four points would lower the level of protection enjoyed under the General Data Protection Regulation (GDPR).

In the light of those concerns:

1. Why has the principle of 'default privacy' not been opted for in the default settings of terminal equipment and software?
2. Does the Commission not consider it intrusive to enable the tracking of user locations and movements without requiring their consent, as provided for in Article 8(2) of the proposed regulation?
3. Does it consider its proposals to be compatible with the provisions of the GDPR?