Question for written answer E-004796/2018
to the Commission
Rule 130
Josep-Maria Terricabras (Verts/ALE) and Jordi Solé (Verts/ALE)

Subject: Infringement of the EU telecom framework and Regulation (EU) 2015/2120

In September 2017, the puntCat Foundation, which manages the register of '.cat' domains, received a warrant asking it to block websites containing information about the referendum on self-determination in Catalonia[1]. Court orders also forced the main Spanish telecom operators to block access to referendum sites and proxy servers[2].

These facts were reported to Vice-President of the Commission Andrus Ansip, in a letter sent to him on 24 September 2017 by the Secretary of Telecommunications of the Catalan Government Jordi Puigneró[3].

Article 1(3a) of Directive 2002/21/EC states that 'Measures taken by Member States regarding end-users' access to, or use of, services and applications through electronic communications networks shall respect the fundamental rights and freedoms of natural persons'. Regulation (EU) 2015/2120 states that such measures 'are only to be imposed if they are appropriate, proportionate and necessary within a democratic society'.

In a letter from Google ILC, the company mentions that is 'unnecessary' to maintain the blocking of five websites concerning the referendum[4].

Why has Vice-President Ansip not yet responded to the above-mentioned letter from Mr. Puigneró?

Does the Commission consider that the above-mentioned state measures contravene Article 1(3a) of Directive 2002/21/EC or any of the provisions contained in Regulation (EU) 2015/2120, particularly Article 3(3)?

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[1] https://www.politico.eu/article/spanish-authorities-try-to-shutter-catalan-referendum-websites/
[2] https://www.elnacional.cat/es/politica/juez-proveedoras-bloquear-10-webs-referendum_192105_102.html
[3] https://www.politico.eu/wp-content/uploads/2017/09/letter_to_EU_AndrusAnsip_from_CatalanGov.pdf
[4] https://www.eldiario.es/catalunya/politica/Google-plantea-innecesario-mantener-bloqueo_0_782172950.html