

Cullen International SEE Comparative Reports

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Project objectives

SEE Comparative Reports

- A project assisting the European Commission in monitoring progress in SEE, reports every nine months
- 2005 – 2007: four reports on telecommunications regulation
- 2008 – 2010: four reports on telecommunications regulation and information society issues

Information society results of the current report (October 2008)

Information society statistics

- Only basic statistics available
 - computer usage, Internet usage
 - almost no statistics on e-government, e-learning, e-health, buying and selling online, ...
- In most countries, national statistics institutes are responsible (exceptions: BA, ME)
- Only some countries have integrated their statistics with Eurostat (HR, MK, TK, RS)

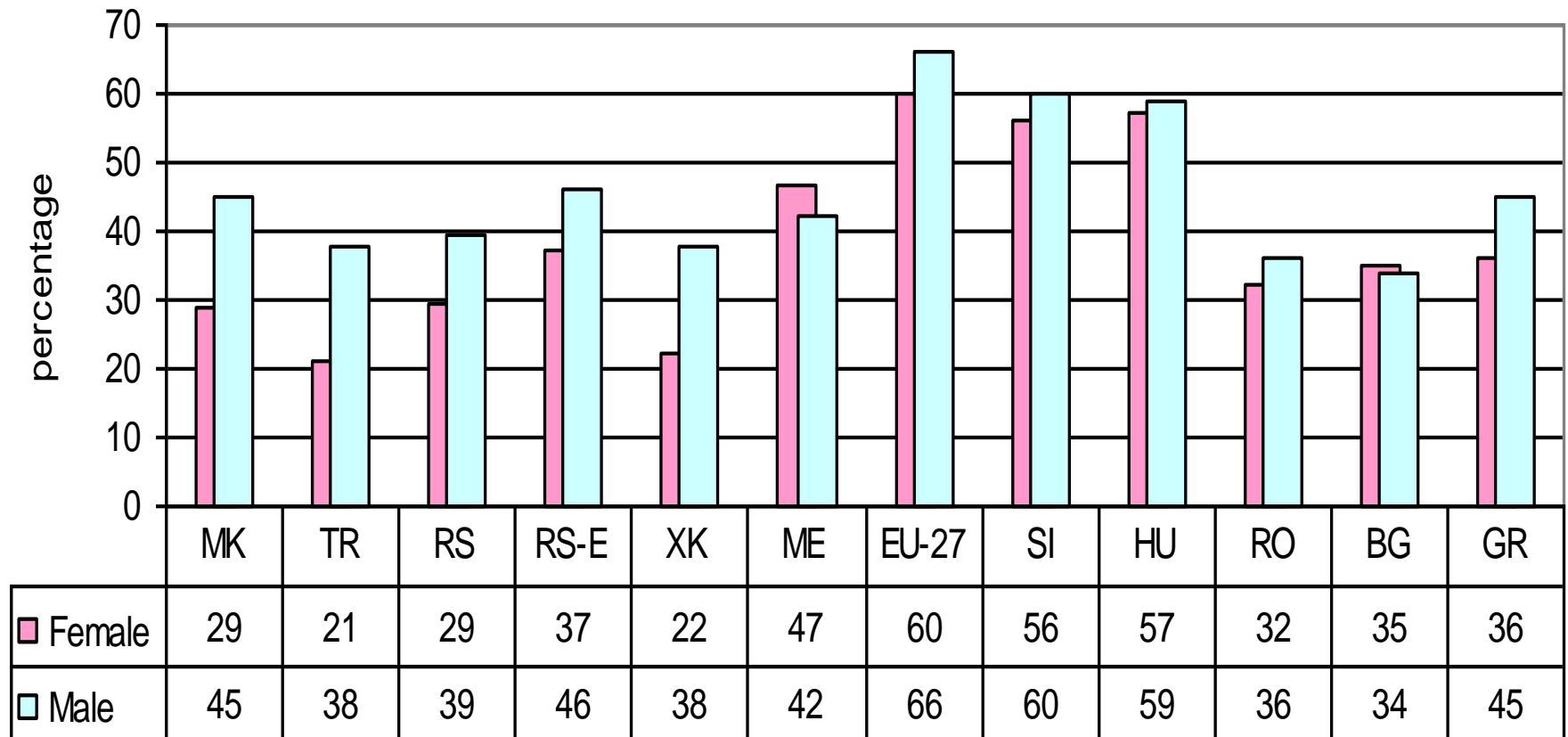
Statistics – Internet usage

- Based on subscriptions
 - difficult to compare with other countries (no standard formula for calculating number of users based on number of subscriptions)
- Based on (household) surveys
 - Asking a sample of persons/enterprises „do you use ...?“, „how often?“
 - Used by eEurope/i2010 benchmarking framework: regular usage = usage at least once a week

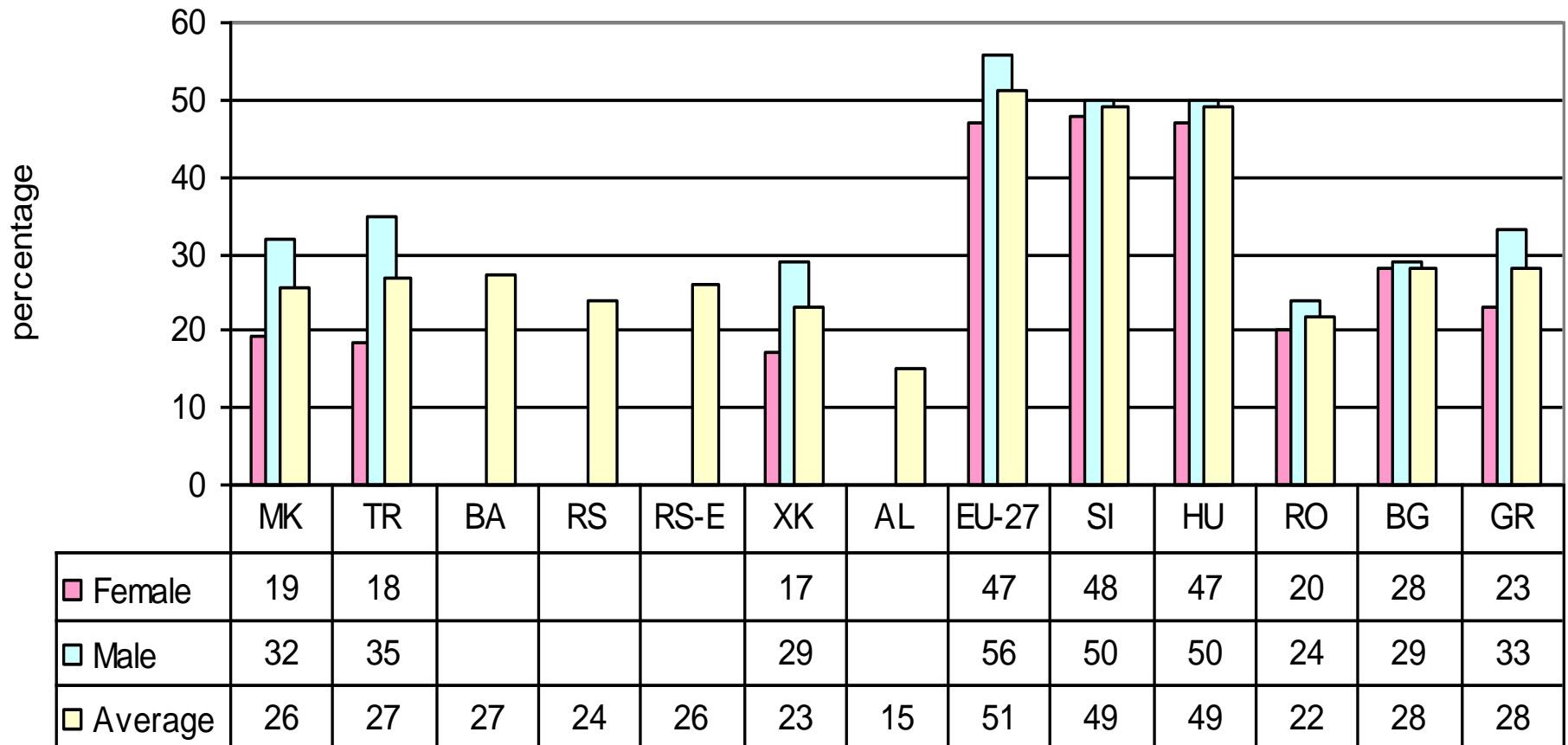
Statistics – Main results

- Lack of comparable data
- Computer and Internet usage by individuals and enterprises is below EU27 average but comparable to EU countries of the region (RO, BG, GR)
- Significant gaps between male and female usage in XK, MK, TR, RS

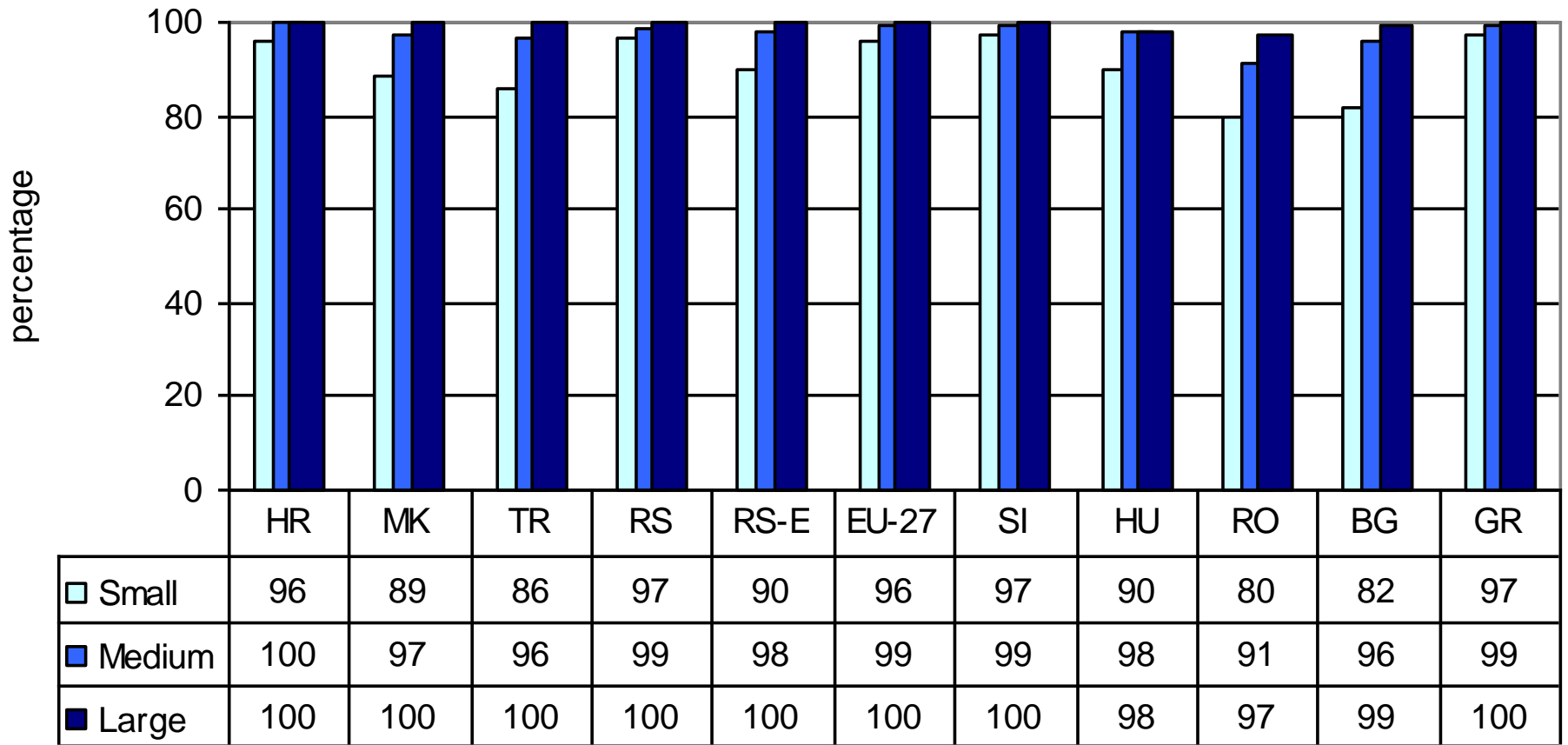
Individuals regularly using computers



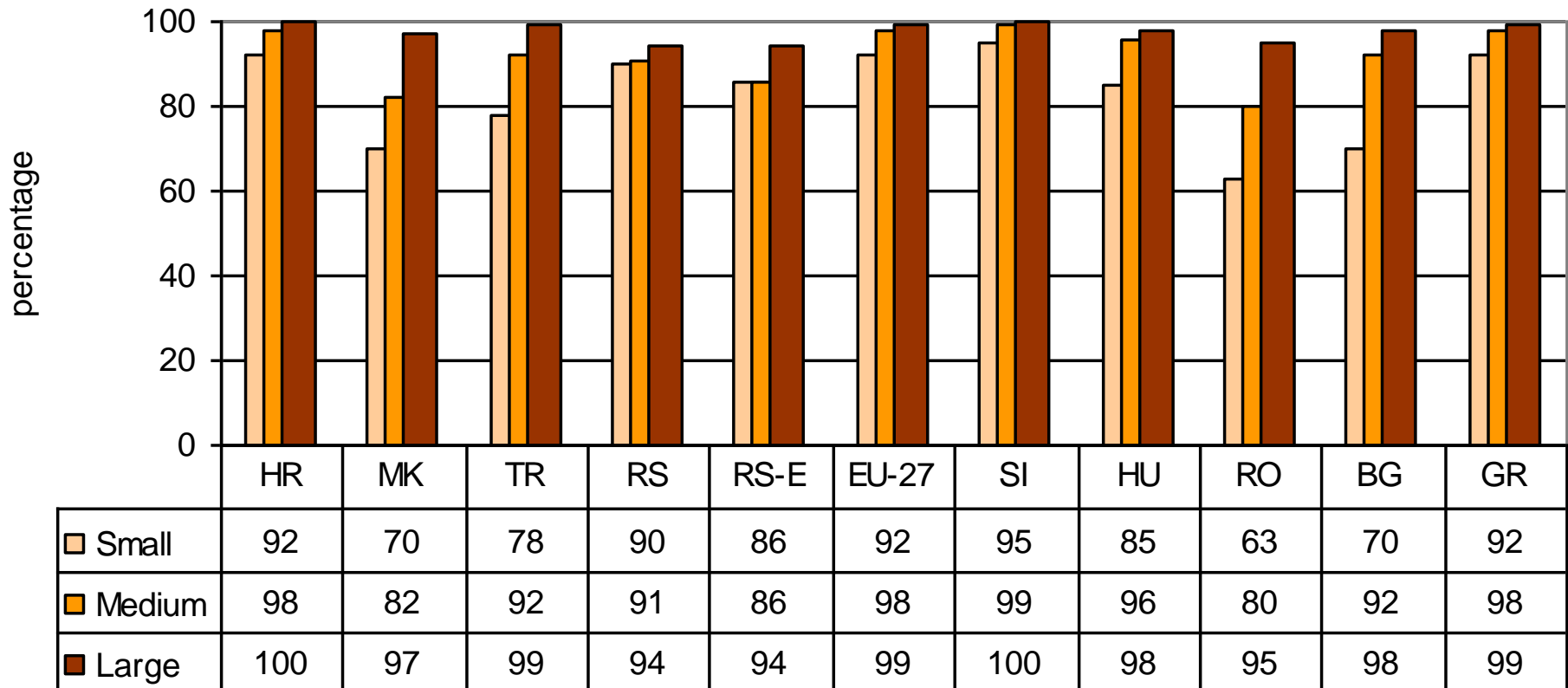
Individuals regularly using the Internet



Enterprises using computers



Enterprises having access to the Internet



Network security

- Obligation for public (tele-)communications operators to secure their networks
 - Transposed in all countries
 - TR: one of few European countries which do not vaguely oblige operators to take „appropriate measures“, but refer to a standard (ISO/IEC 27001)
 - In all countries, supervision is a task of the NRA (MK: NRA and new Directorate for data protection)

Convention on cybercrime

- ratified by HR, MK, AL, BA, in process of ratification in XK
- We analysed whether eight types of crimes listed in the Convention can be found in national legislation
 - HR, MK, TR: 8
 - RS: 7, ME: 6
 - XK: 3, AL: 1, BA: 0

Bodies in charge for security policy

- Many countries listed bodies which are in charge for security of state-owned networks, state secrets, e-government, ...
- It seems that only few countries have bodies responsible for security of public communications networks, Computer Emergency Response Teams, etc. (examples: HR, TR)

Electronic contracts and signatures

- All countries have an electronic signatures law
- In all countries it is possible to conclude contracts electronically
- No country would in principal deny electronic signatures legal effect or refuse them as evidence at court
- In all countries, qualified electronic signatures are equivalent to hand-written signatures

Certification-service providers

- Several countries require some form of prior authorisation
 - RS: Registration
 - MK, BA: Obligation to notify, but unclear, whether providers must wait for a decision of the authority
 - AL, BA: Obligation to notify to a body which does not yet exist
- No country established an accreditation scheme

Electronic signatures market

- Only few providers issue qualified certificates
 - TR: 4, MK: 2, HR: 1
- Only little statistical data is available
 - Where data is available, usage of electronic signatures is low (e.g. TR: 36,500 qualified certs.)

Confidentiality of communications

- All countries except BA impose penalties if operators or their staff illegally intercept communications
- All countries except BA and MK impose penalties if third parties illegally intercept communications
 - MK has a provision against interception of audio communications, but e.g. not against interception of emails or SMS

Traffic data and location data

- In all countries except BA the law specifies the maximum period for storing traffic data (as long as needed for billing)
- All countries except BA and RS have transposed the provisions on location data (requiring consent before such data are used)
- Most laws oblige operators to transmit location data to 112, but it was not always clear whether it works in practice

Data retention

- Obligations to retain data for law enforcement purposes for longer periods than would be needed for billing
- Legal provisions on data retention obligations have been adopted:
 - with regard to telephony: in HR, TR, AL, BA, ME
 - with regard to Internet data: in HR, BA, ME

Spam

- All countries except BA and RS have explicit legislation on spam
 - HR, TR, MK, AL, ME forbid spam
 - XK allows spam under conditions
- No country differentiates between spam to individuals and spam to companies


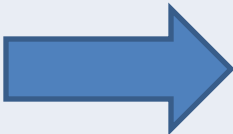

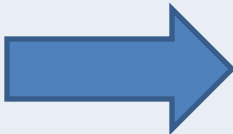

Itemised billing

- In all countries subscribers have a right to receive itemised bills
 - MK and ME: the law seems to allow operators to group calls into categories, which would not be „itemised“ billing
- In all countries except HR, MK, AL subscribers have the right not to receive itemised bills

Inclusion in subscriber directories

- Legal provisions on subscriber inclusion are sometimes unclear
 - Opt-in: TR (used in practice), XK (Telecommunications Law)
 - Opt-out: HR, BA, ME, RS
 - No explicit provision in law: AL, MK, XK (Law on Information Society)
- In AL and MK, operators may charge „real costs“ for not including subscribers

Comprehensive directories (1)

Operators' own databases only data of own subscribers	Aggregation	Comprehensive database data of all or most operators		Products printed, enquiry service, web, ...
Rules on opt-in, opt-out, ...	Rules on access to operators' subscriber data	Universal service obligation	market based	market based universal service obligation
				

Comprehensive directories (2)

- No country has a comprehensive directory
 - MK: Procedure to designate a provider under universal service rules is ongoing
- It seems that most countries consider directories as an obligation to be imposed on operators and not as a business that might be offered by a company which is not an operator
 - existing obligations focus on operators' own directories, not on comprehensive directories

Management of domain names

Competition model	Registry is the only registrar
TR, BA, ME, RS	HR, MK, AL
Registry accredits registrars Electronic interface between registrars and registry exists	Registry is only registrar
Number of registrars: ME: 87, RS: 35, BA: 20, TR: 7 (20 expected)	Number of registrars: 1
Price per year (registry functions only): TR: €2 to €10, ME: €12, RS: €18, BA: €35	Price per year (registry + registrar function): MK: €8.50, HR: €24, AL: €24

Internet backbone infrastructure

- The current table did not provide much insight into Internet backbone infrastructure
 - Only one Internet Exchange Point (Zagreb)
 - Little information on international bandwidth
- But: Internet backbones will become the backbones of next generation networks
- Topic for discussion: which indicators would be available?

Cooperation with eSEE Initiative

Motivation

- Data collection for the current report provided many „not available“ answers or wrong answers, not all open issues could be resolved
- eSEE-bSEE partly collects similar data, in almost the same countries
- Proposal
 - using the same indicators and definitions in areas covered by both projects
 - fostering single points of information in the monitored countries

Areas covered by both projects

- Responsible authorities: information on who is responsible for what
- Broadband: Indicators on broadband availability and usage
- Other statistical indicators

Differences between projects

- eSEE/bSEE has a much broader scope, includes e-government, Internet usage in schools, etc.
- Cullen International's reports focus more on topics regulated by the *acquis*, asks more detailed questions on how certain issues have been transposed and implemented

Discussion

- Coordination that both projects use same indicators and definitions where the scope of the projects overlap
- Exchange of collected data in order to support each other in verifying the data



THANK YOU