IoT Update

Public Policy Developments

Marco Hogewoning | 29 October 2020 | IoT WG, RIPE 81

Radio Equipment Directive

Follow-up to RIPE 77

What is it?

- The RED article 3(3)(e) and 3(3)(f) provide options to introduce security requirements such as regular/timely software updates

  - Can be implemented via so-called "Delegated Acts"

- Pretty much every IoT device has a radio on board

  - Makes this an easy and universal way to intervene using policy

What is the status?

- An <u>impact assessment study</u> has been published

- Priority items were wearables (smart watches) and toys

- Study confirms that consumer electronics are of high concern

- Identifies some gaps within the existing frameworks

  - Can't remove devices from the market, only enforce by fines using GDPR

- "A regulatory approach was identified as being the most effective option"

Recommendations from the IA

- Activation of the Delegated Acts on both articles

- All Internet connected devices should be in scope

  - Incremental approach or all at once?

- Mandate European Standards Organisations to develop harmonised standards

  - Based on existing ones and best practice

- Calls on industry to share good practice

ePrivacy Regulation

What was it again?

- Proposal to review and replace the 2002 Directive

    - Align it with GDPR

- This has been underway since 2017

Where are we at?

- Member states have yet to agree on a position

- Negotiations unlikely to start before 2021

  - Find agreement between European Commission, member states and parliament

- Best case scenario, new law applicable in 2022/2023

What is the potential impact?

- It would apply to IoT where it uses or incorporates:

  - Electronic Communication Networks (ECN)

  - Electronic Communications Services (ECS)

- Without prejudice to existing rules in other laws

- End users and IoT providers would benefit from confidentiality protection

- Could have an impact on your design requirements

The Pipeline

Components of IoT

- Safety and ethics of artificial intelligence

- Cross-border data flows and storage

- 5G as a fundamental requirement or driver

Specific legislation

- European Data Strategy

  - Usage rights on co-generated industrial data

  - Encourage B2B data sharing

- Revision of the NIS Directive, survey question:

  - Is there a need for common EU cybersecurity rules for connected products placed on the internal market?

Questions ❓

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