



OPEN LETTER TO MEMBERS OF THE EUROPEAN PARLIAMENT

Dear MEP,

The undersigned organisations, representing a wide range of sectors impacted by the ePrivacy Regulation, are deeply concerned about the current process and direction of the discussion on the ePrivacy Regulation proposal in the European Parliament.

Our associations have been providing constructive feedback throughout the process. Our aim is to ensure that users' communications remain confidential and their data protected with an aim to find workable solutions to achieve this while keeping the legal flexibility to allow for future consumers to enjoy the next wave of exciting and innovative digital products and media to emerge in Europe.

A lot of hard work has been dedicated to the dossier in the European Parliament so far and many proposed amendments rightly support the essential objectives of this reform:

- Ensure real and meaningful alignment with the General Data Protection Regulation and the European Electronic Communications Code;
- Introduce much needed flexibility so that innovation in digital services and products can continue to flourish in Europe, without compromising fundamental rights and freedoms of users.

However we regret to see that **almost none** of these amendments are reflected in what seems to become the European Parliament's position.

We seek the support of Members of the European Parliament to ensure that the views of so many of its members are taken into account on important matters such as the notions of "legitimate interest" and "further processing".

We strongly urge Members of the European Parliament to carefully consider the practical implications both for businesses and consumers of the proposed ePrivacy Regulation text before a vote.

We look forward to continuous exchange with the legislators to find meaningful, workable and practical solutions that would ensure the high level of legal protection of Europeans' fundamental rights and freedoms as well as access to the best of the digital technology revolution.

Kind regards,

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ABOUT THE SIGNATORIES

AmCham EU

AmCham EU speaks for American companies committed to Europe on trade, investment and competitiveness issues. It aims to ensure a growth-orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Aggregate US investment in Europe totalled more than €2 trillion in 2016, directly supports more than 4.5 million jobs in Europe, and generates billions of euros annually in income, trade and research and development.

Bitkom - Federal Association for Information Technology

Bitkom represents more than 2,500 companies in the digital sector, including 1,600 direct members. With more than 700,000 employees, our members generate a domestic turnover of 140 billion Euros a year, exporting high-tech goods and services worth another 50 billion Euros. Comprising 1,000 small and medium-sized businesses as well as 400 start-ups and nearly all global players, Bitkom’ members offer a wide range of software technologies, IT-services, and telecommunications or internet services. They produce hardware and consumer electronics or operate in the sectors of digital media and the network industry. 78 percent of the companies’ head-quarters are located in Germany with an additional amount of 9 percent in other countries of the EU and 9 percent in the USA as well as 4 percent in other regions. Bitkom supports an innovative economic policy by focusing the modernization of the education sector and a future-oriented network policy.

CCIA - Computers and Communications Industry Alliance

CCIA is an international not-for-profit membership organization dedicated to innovation and enhancing society’s access to information and communications. CCIA promotes open markets, open systems, open networks and full, fair and open competition in the computer, telecommunications and Internet industries.

Developers Alliance

The Developers Alliance is the world’s leading advocate for software developers and the companies invested in their success. Alliance members include industry leaders in consumer, enterprise, industrial, and emerging software, and a global network of

more than 75,000 developers.



DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies. DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include in total 25,000 ICT Companies in Europe represented by 61 corporate members and 37 national trade associations from across Europe.

EACA - European Association of Communication Agencies

The European Association of Communications Agencies (EACA) represents more than 2500 communications agencies and agency associations from 30 European countries that directly employ more than 120 000 people. EACA members include advertising, media, digital, branding and PR agencies. They create and place adverts and develop brand-building campaigns.

Ecommerce Europe

Ecommerce Europe is the association representing more than 35,000 companies selling goods and/or services online to consumers in Europe.

EDiMA - Representing online platforms and other innovative tech companies in Europe

EDiMA is the European trade association representing online platforms and other innovative tech companies. It is an alliance of new media and Internet companies whose members include Airbnb, Allegro, Amazon EU, Apple, eBay, Expedia, Facebook, Google, King, LinkedIn, Microsoft, Mozilla, TripAdvisor, Twitter, Yahoo! Europe, Yelp. EDiMA's members provide Internet and new media platforms offering European consumers a wide range of online services, including e-content, media, e-commerce, communications and information/search services.

EFPIA

The European Federation of Pharmaceutical Industries and Associations (EFPIA) represents the pharmaceutical industry operating in Europe. Through its direct membership of 33 national associations and 40 leading pharmaceutical companies, EFPIA is the voice on the EU scene of 1,900 companies committed to researching, developing and bringing to patients new medicines that will improve health and the quality of life around the world.

EMOTA - The European eCommerce and Omni-Channel Trade Association

The European Multi-Channel and Online Trade Association, EMOTA, is the voice of online and distance sellers in the EU. EMOTA represents online and distance sellers from around Europe, with member associations in 19 countries and both corporate and supplier members. EMOTA interacts with the European institutions to improve trading conditions and regulations.

EPC - European Publishers Council

The European Publishers Council is a high level group of Chairmen and CEOs of leading European media groups. Members are the most senior representatives of European newspaper and magazine publishers. Their companies are involved in multimedia markets spanning newspaper, magazine, book, journal, internet, online database publishers, radio and TV broadcasting.

EuroISPA - The pan-European association of European Internet Services Providers Associations

EuroISPA is the world's largest association of Internet Services Providers (ISPs) representing the interests of more than 2500 ISPs across the EU and the EFTA countries. EuroISPA is a major voice of the Internet industry on information

FEDMA - The Federation of European Direct and Interactive Marketing

FEDMA is the Federation of European Direct and Interactive Marketing, which represents the interests of 22 national associations and over 5000 companies from the sector of direct marketing from across Europe in Brussels.



FENCA - Federation of European National Collection Associations

FENCA, the Federation of European National Collection Associations, represents the interests of the European credit management, debt collection and debt purchase sector on the European level, coordinating the exchange with the institutions of the European Union, stakeholders in the European financial services industry, consumer groups and the European public.

IAB Europe - The Interactive Advertising Bureau Europe

IAB Europe is the leading European-level industry association for the digital media and online advertising ecosystem. Its mission is to promote the development of this innovative sector and ensure its sustainability. Together with its network of 28 European national trade associations, IAB Europe represents around 5000 companies.

ISFE - The Interactive Software Association Europe

The interactive software industry is the fastest growing sector of the European content industry, with consumer spending at 16 billion € in 2011, compared to a global market of 60 billion €. The Interactive Software Federation of Europe (ISFE) comprises 11 major publishers and 16 European trade associations. It was established in 1998 to represent the interests of the sector towards countries of the European Economic Area, international institutions and the general public. In 2003, ISFE founded the Pan-European Game Information system, which was handed over to PEGI S.A. in 2009, a not-for-profit organisation with a social purpose. PEGI is used and recognised throughout Europe and has the enthusiastic support of the European Commission. It is considered as a model of European harmonisation in the field of minor protection.

JBCE - Japan Business Council Europe

JBCE represent the interests of over 80 multinational companies of Japanese parentage operating in Europe. We work closely with the EU Institutions to strengthen both the political and trade relationship between the EU and Japan and to develop a policy framework that supports fruitful and responsible business conduct.

TABC - The Trans-Atlantic Business Council

TABC is a cross-sectorial business association representing companies headquartered in the EU and U.S. With offices in Brussels and Washington, TABC serves as an important business interlocutor to both the U.S. government and the EU institutions on issues impacting the transatlantic economy.