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Mr Jimmy SCHULZ
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Dear Mr Schulz,

We thank you for your letter of 13 December 2018, in which you enquire about our involvement in and opinion about the data protection related aspects of the European Commission's WiFi4EU project.

We understand that your concern with the WiFi4EU project is with the registration and authentication system that appears to be envisaged by the Commission and as indicated in recital 3 of the WiFi4EU-Regulation (EU) 2017/1953¹, as well as on the *WiFi4EU - Questions and Answers* page of the Commission's website².

As you may know, Regulation (EU) 2018/1725³ assigns the European Data Protection Supervisor (EDPS) a supervisory role over the operations performed by EU institutions and bodies when these process personal data. Secondly, it assigns the EDPS an advisory role towards these institutions and bodies on matters concerning personal data protection. With regards to personal data processing performed by another party, such as a municipality of an EU Member State, supervision is in the hands of the data protection authority of the corresponding Member State.

¹ Regulation (EU) 2017/1953 of the European Parliament and of the Council of 25 October 2017 amending Regulations (EU) No 1316/2013 and (EU) No 283/2014 as regards the promotion of internet connectivity in local communities (OJ L 286, 1.11.2017, p. 1–8).

² <https://ec.europa.eu/digital-single-market/en/faq/wifi4eu-questions-and-answers>

³ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/ECText with EEA relevance (OJ L 295, 21.11.2018, p. 39–98). See Article 52(3).

The Commission's original proposal for the WiFi4EU-Regulation (EU) 2017/1953 did not include any mention of personal data processing nor authentication system. The EDPS was not consulted in this context. From a *technical* perspective, an open and secure WiFi network does not in principle require any form of user registration and authentication, in line with the principle of data minimisation.

The EDPS requested information from the Commission regarding authentication and registration requirements in the WiFi4EU project. The Commission has assured the EDPS in the meantime that in the first phase of the WiFi4EU project, beneficiaries are explicitly instructed not to require any registration or authentication from users of the wireless network service, unless required by national law.

The Commission, however, reports to plan an EU-wide user authentication system in a second project phase. As stated on the Commission's website: *"the European Commission envisages the development of a single authentication and monitoring system for the public funded networks. Such a system should be operational across the whole European Union and participating countries (Norway and Iceland) by the end of 2019."*⁴

The EDPS will follow up with the Commission to ask clarification about the planned second phase of the WiFi4EU project, in particular regarding the envisaged authentication and monitoring system.

We will keep you informed.

Kind regards,

Giovanni BUTTARELLI



⁴ <https://ec.europa.eu/digital-single-market/en/news/wifi4eu-single-authentication-and-monitoring-service>