

(GROW)

From: [REDACTED] (CNECT)
Sent: 17 May 2017 13:05
To: [REDACTED] (CNECT); [REDACTED] (GROW)
Subject: FW: Legal analysis by [REDACTED] German envisaged Act on social networks (NetzDG) incompatible with European Law
Attachments: Legal Expertise NetzDG [REDACTED] 20170505.pdf

FYI

From: [REDACTED]
Sent: 17 May 2017 12:29
To: [REDACTED] (CNECT)
Subject: Legal analysis by [REDACTED]: German envisaged Act on social networks (NetzDG) incompatible with European Law

Dear Sir or Madam,

In the past weeks, the German Draft Act to Improve Law Enforcement in Social Networks has received considerable attention. The draft act is now debated in Parliament. There is consensus that hate speech and crimes committed online need to be fought more vigorously. However, opinions differ when it comes to the best means to achieve this.

A broad coalition of German societal organisations, among which Bitkom, the German Tech Industry Association, criticizes the draft act. In particular, there are concerns as to its constitutionality and compliance with EU law.

Bitkom has commissioned a legal expertise to shed light on these legal questions, the results of which we would like to share with you. The European law analysis by [REDACTED] (in English) is attached.

The expert comes to the conclusion that the draft act infringes EU law in several aspects.

We hope that this analysis contributes to the debate on the draft act and the appropriate way to deal with prosecutable contents online.

We would very much welcome having an exchange with you on these questions.

Best regards,

[REDACTED]

Bitkom e.V.

[REDACTED]

