

EU and Evidence based Policy formation What evidence are we giving them

A journey of a SME owner, Mikrotik admin to SME Activist and Amateur Lobyist 😳



You can't complain if you can't say I told you so!

A journey of a SME owner to SME Activist and Amateur Lobyist 😳



Meet early Meet Often Share Knowledge (Facts)

Politicians and Officials can only fly the Plane based on the Information Presented them Bad or No Information... Bad Policy formation



Tom Smyth

- Owner operator of Wireless Connect Ltd. a SME Fixed Wireless Access (FWA), Fiber To The Whatnot FTTX operator established 2006.
- Without MikroTik My company would not have succeeded.
- Volunteer representative SME Internet service provider(ISPs) in Ireland and EU.
- Work with other SME bodies and stakeholders.
- Maintainer(I try) of NSH port in OpenBSD.
- Funding the development of NSH through Wireless Connect Ltd.
- Long time OpenBSD FreeBSD User / list lurker.
- Use OpenBSD quite extensively in My ISP for critical services.



Mikrotik and its importance to my company

- BGP Route looking glasses for staff
- DHCP server management
- Dude Monitoring and management
- Tunneling / Encapsulation Concentration / endpoints
 - SSTP
 - IPSEC
 - OpenVPN
 - EOIP
 - UXLAN
- Firewalling
- Proof of Concept development.



OpenBSD and its importance to my company

- BGP Route Servers and Route Reflectors
 - OpenBSD + OPenBGPd + NSH
 - OpenBSD + Ospfd and Ospf6d + NSH
- DNS Servers
 - OpenBSD + ISC Bind (back in the day)
 - OpenBSD + NSD (authortive)
 - OpenBSD + Unbound (recursive Resolvers)
 - OpenBSD + Unbound (DNS filtering) (Opt in Service for Commercial / Educational institutions)
- NTP Servers
 - OpenBSD + OpenNTPd (saving the world on time $\ensuremath{\textcircled{\sc on}}$)
- SMTP Servers
 - OpenBSD + OpenSMTPD (SMTP Forwarder for my clients)
 - OpenBSD + Postifx (advanced SMTP routing and filtering)



OpenBSD and its importance to my company

- Firewalls for End Customers and our Critical services.
 - OpenBSD + Packet Filter + NSH
 - OpenBSD + OPenBGPd + NSH
 - OpenBSD + pflow + NFsen and Fastnetmon + OpenBGPD (traffic analysis and Ddos Mitigation)
 - OpenBSD + relayd for Loadbalancing and TLS acceleration.
- Threat detection and Mitigation
 - OpenBSD + pflow + NFsen and Fastnetmon + OpenBGPD (traffic analysis and Ddos Detection and Mitigation)
 - OpenBSD + ISC Bind (back in the day)
- Remote critical system backup
- OpenBSD + OpenSSH (SFTP File Transfers)
- Webservers
 - OpenBSD + (open)Httpd + php (I actually used to use Apache httpd) Reyk@ is the worst at naming daemons ☺ (sorry Reyk@ (not Sorry))



FreeBSD and its importance to my company

- Webservers
 - FreeBSD + Apache and PHP
- WAN Link simulators, Impaired link simulators
 - FreeBSD + DummyNet Threat detection and Mitigation (old dialup / old leased lines and Satellite links)
- Centralised Storage
 - FreeBSD and ZFS ☺ got to love some ZFS
- High Throughput Packet Processing for ISPs
 - FreeBSD + VPP (vector packet Processing) Planned (watch this space),
 - for Wholesale ISP interconnections
 - line rate Vlan Aggregation
 - pppoe, wireguard and IPSEC termination for internet traffic.



EU European Union

- EU Charter of fundamental rights
 - Rights 17 pages
- The EU 27 member states... Pooled sovereignty.
- Based on the Treaties
- TEU- Treaty on European Union
 - Principles 34 pages
 - Updated from time to time Maastricht Treaty, Lisbon Treaty
- TFEU Treaty of the Functioning of the European Union
 - Details 344 pages what ifs



EU European Union Institutions

- EU Commission
 - Powers to Initiate legislation. Set the agenda for EU policies,
 - Commission College 27 Commissioners each nominated by the member state.
- The Council of the European Union
 - National ministers from each EU country meet to negotiate and adopt EU laws.
- EU Council
 - Roundtable of Heads of Government (Executive powers)
 - Member states double (qualified) majority, majority of at least 55% Member states,
 - <AND>
 - the Member states approving must represent at least 65% of the population
- European Parliament.



EU Institutions

 National Ministers of the same portfolio meet discuss upcoming EU Laws.



The Council of the European Union

The Council of the EU is where national ministers from each EU country meet to negotiate and adopt EU laws.

What the Council does

The Council of the EU represents the member states' governments. It is where national ministers and experts from each EU country meet to:

- negotiate and adopt EU laws
- conclude international agreements on behalf of the EU
- adopt the EU budget
- develop the EU's foreign and security policy
- coordinate member states' policies in specific fields

- See latest news
- Access Council conclusions
- 🖽 Upcoming meetings



EU Institutions Commission

- Any initiative of EU starts Here.
- Collective Responsibility
- Commission College meet weekly
- All Commissioners must agree.
- Oath to Put EU First.





EU European Union Institutions

- Set the general political direction and Priorities
- Can stop Initiatives of the Commission



European Council

The European Council is the EU institution that defines the general political direction and priorities of the European Union.



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EU European Union Institutions

- European Parliament
- Democratic Mandate
- Talk to <u>everyone</u>
- Votes count (even from MEPs you don't like or wouldn't vote for)



During plenary sessions MEPs vote on European laws and take position on issues through debates.

President Roberta Metsola



- The EU is becoming ever more important in our daily lives
- Communications from the Commission
 - Soft Law
- Directives
 - Nudge in the direction... mandatory parts and discretionary parts
 - Laws written in Europe and Transposed at a national level (deadlines for implementation for Member states (after deadline) transposed or not ... Direct effect
- Regulations —Set by EU for the Entire EU immediate and direct effect.
- •



- Communications from the Commission
 - Guidelines for state aid for Investment in broadband networks 2023.
 - Constrains the Commission in how it is to lawfully act.
 - Legitimate expectation that the Commission follow its own guidelines.
- Directives
 - EECC
 - NI51
 - NIS2
- Regulations —Set by EU for the Entire EU
 - GDPR
 - Cyber Security Act
 - Digital Services Act
 - Digital Markets Act



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EU and me... Lawyers :)

• I befriended a Lawyer… He suggested I read

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

COMMUNICATION FROM THE COMMISSION

EU Guidelines for the application of State aid rules in relation to the rapid deployment of broadband networks

(2013/C 25/01)



EU and me Big Bad Government

- I befriended a Lawyer… discussed Guidelines vs Practice (procedure vs Practice) ad nauseam :)
- Irish Authorities (Department of Communications) Practice and Procedure on the ground vs what it was stating to the EU Commission.
- Hang on a second... The Government is not :
 - Treating me fair
 - Overbuilding my network with State Aided Competition.
 - Telling the EU the Truth about the scale of broadband in Ireland.



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<u>Yes Minister... I can assure</u> you.





Yes Minister... I can assure you.





EU might be able to help me

- I wrote to Directorate General Competition Unit C4 the beginning of a 5 year Journey.
- Ryanair letter vs Market information
- Formal State aid Complaint on behalf or Wireless Connect Ltd.
 - TLDR ... Irish Govt did not recognise my network and insisted that it had to subsidise a competitor to build a broadband network over mine.
 - Waste of Tax payer Resources
 - Unfair Competition.
- Representing Circa 20 SME FWA ISPs with a state aid Complaints Abou the NBP
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Who Can Help

- Find the Directorate General for the area of concern
- Commission Service (Civil Servants of the Commission)
- Completion and Markets
- DG COMP DG Competition (Under Executive Vice President Vestager
- DG CNECT DG Connect (under Internal Market Commissioner)
- DG GROW
- Commission Cabinets the Political advisors to the Commissioner.

wirelessconnect

Who Can Help DG COMP Directorate-General For Competition EXECUTIVE VICE-PRESIDENT : MARGRETHE VESTAGER COMP.CTO CHIEF TECHNOLOGY OFFICER DIRECTOR-GENERAL COMP.CE CHIEF ECONOMIST LLUIS SAURI ROMERO (ACTING) OLIVIER HR CORRESPONDENT STEFAN SÆBERT GUERSENT COMP.CTO.1 DATA ANALYSIS & TECHNOLOGY PENELOPE PAPANDROPOULOS COMP.01 COMPISSION PRIORITIES & STRATEGIC CC ASTRID COUSIN POLICY ASSISTANTS TO THE DG COMP.CE.1 ECONSMIC ANALYSIS I LLUIS SAURE ROMERO COMP.CE.2 ECONDMIC ANALY HANS ZENCER ADVISER ANTITRUST VACANT Natacha CALLENS • Organisation YIZHOU REN PRINCIPAL ADVISER Charts -DEPUTY DIRECTOR-GENERAL ANTITRUST & REGULATION OF DIGITAL PLATFORMS LINSEY MCCALLUM DEPUTY DIRECTOR-GENERAL MERGERS DEPUTY DIRECTOR-GENERAL STATE AID ADVISER ANTITRUST & CARTELS DIRK VAN ERPS ADVISER FOREIGN SUBSIDI ADVISER STATE AID SALIM MEDGHOU BEN SMULDERS GUILLAUME LORIOT every DG has COMP.A POLICY & STRATEGY INGE BERNAERTS ADVISER F COMP.I GENERAL AFFAIRS TÉA BROMS (ACTING) COMP.G CARTELS MARIA JASPER COMP.H STATE AID: GENERAL SCRUTINY & ENFORCEMENT KOEN VAN DE CASTEELE COMP.K FOREIGN SUBSI COMP.A.1 ANTITRUST CASE SUPPORT & POLIC SOPHIE MOONEN COMP.G.1 CARTELS I SARI SUURNAK one 2 Ó COMPJ.1 REGISTRY & TRANSPAREN KRISTINE LILJEBERG 4ª COMPJ.2 FINANCE & INTERNAL TIM BEUCKELAERS COMP.A.2 MERGERS CASE SUPPORT & POLIC JULIA BROCKHOFF COMP.K.1 FOREIGN SUBSIDIES I EDOY DE SMIJTER 0 COMP.J.3 DIGITAL BUSINESS SO DIMITRIOS ATMANASA Check COMP.K.2 Foreign Subsidies II Agata Maturkiewicz 0 COMP.A.3 STATE AID: CASE SUPPORT & POLICE ANDERA ROMHOFF BETTER REGULATION, PI EUROPEAN SEMESTER TÉA BROMS regularly!! COMP.A.4 EUROPEAN COMPETITION MASSIMILIAND KADAR COMP.K.3 FOREIGN SUBSIDIES II GLYKERIA DEMATAKI 0 COMPLS COMMUNICATION POLICY ANA GARCIA CASTILLO COMP.A.5 INTERNATIONAL RELATIONS MARIA LUISA TIERNO CENTEL COMP.E MARKETS & CASES IV: BASIC INDUSTRIES, MANUFACTURING & AGRICULTURE LINSEY MCCALLUM (ACTING) COMP.J MARKETS & CASES VE DIGITAL PLATFORMS ALBERTO BACCHIEGA COMP.C MARKETS & CASES IL:INFORMATION TO COMMUNICATION & MEDIA CARLOTA REYNERS FONTANA MARKETS & CASES V: TRANSPORT, POST & OTHER SERVICES COMP.D MARKETS & CASES III: FINANCIAL SERVICES COMP.B MARKETS & CASES I: ENE ANNA COLUCCI Ē R.B. COMPJ.1 DIGITAL PLATFORMS I LUCIA BONOVA COMP.B.1 ANTITRUST: ENER MARIEXE SCHOL 0 COMP.B.2 STATE ND I NCOLA PESA COMP.F.2 STATE AID TRANSPOR COMP.J.2 DIGITAL PLATFORMS II MICHAEL KÖNIG COMP.B.3 STATE AID II PEER RITTER 1 COMP.D.5 STATE AD - FINANCIAL II MARIA VELENTZA (ACTIN COMP.F.3 STATE AD POST & OTHER SERVICE EDUARDO MARTINEZ RIVERO COMP.J.3 DIGITAL PLATFORMS IN THOMAS KRAMLER COMP.C.4 STATE AID KRZYSZTOF KURK COMP.D.4 MERGERS ULLA SCHWAGEB COMP.B.4 HERGERS TRANCX DUPON COMP.F.4 MERGERS LIKTHE PANILAR COMP.E.5 ANTITRUST: AGRICULTURE, FOOD & FAST-MOVIN CONSUMER GOODS Deputy to the Director SECONDED MANAGERS AND ADVISERS: M. PIERGIOVANNI, SECONDED TO THE CABINET OF EXECUTIVE VICE-PRESIDENT VESTAGER



Who Can Help

• Find the in Org chart the





Improve Policies

- Framework for Evidence based Policy Formation
- Impact Assessment
- Critical

REFIT – making EU law simpler, less costly and future proof

The European Commission's regulatory fitness and performance programme (REFIT) aims to ensure that EU laws deliver on their objectives at a minimum cost for the benefit of citizens and businesses.

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How REFIT works

Main achievements

Background

Documents

How you can contribute

About REFIT

About REFIT

The REFIT programme is part of the Commission's <u>Better regulation</u> agenda. Under this programme, the Commission ensures that EU laws deliver their intended benefits for individuals and businesses, while simplifying existing EU laws and cutting red tape, whenever possible. REFIT aims to make EU laws simpler, more targeted and easier to comply with.

Citizens and small and medium-sized enterprises - representing 99% of all businesses in the EU - benefit particularly from REFIT as they can be particularly affected by burdens and complexity of the rules.

The Commission regularly monitors the progress under REFIT through the REFIT Scoreboard, which follows the REFIT initiatives throughout their full life cycle. The Annual Burden Survey presents a yearly overview of EU's efforts for simplification and burden reduction, including highlights of the main REFIT initiatives, the Fit for Future Platform activities and since 2021, the 'one-in, one-out' approach

Distant an and attack index and bears



Getting Information

- Ask the EU https://www.asktheeu.org/
- Your Local EU Commission Office
- Perm Reps of countries

Giving Information

• sign up to Transparency Register



Dear Sir or Madam,

Several initiatives have been published or updated on the European Commission's 'Have your say' portal:

Feedback opportunities.

Title	Торіс	Deadline	Action
Draft Act			
EU cybersecurity certification scheme – amendment to the list of state-of-the-art documents	Digital economy and society	18/10/2024	Published for feedback
EU Cybersecurity Act – rules for notifications of conformity assessment bodies	Digital economy and society	18/10/2024	Published for feedback

To consult all the existing initiatives please visit the portal:

https://ec.europa.eu/info/law/better-regulation/have-your-say_en