

European Dialogue on Internet Governance 2008 – 2023

# **Human Rights: A Decade of Digital Human Rights Evolution**

Farzaneh Badii, Jörn Erbguth





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## About EuroDIG

Launched in 2008, EuroDIG, the European Dialogue on Internet Governance, is a unique annual event that brings together Internet stakeholders from throughout Europe (and beyond), and from across the spectrum of government, industry, civil society, academia and the technical community. Stakeholders and participants work over the course of each year to develop, in a bottom-up fashion, a dynamic agenda that explores the pressing issues surrounding how we develop, use, regulate and govern the Internet. EuroDIG participants come away with broader, more informed perspectives on these issues and new partners in responding to the challenges of the information society.

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## Foreword: The evolution of the Internet and its effect on human rights



*Christos Giakoumopoulos, Director General of Human Rights and Rule of Law of the Council of Europe*

In the ever-evolving online landscape, the confluence of technology and human rights remains a central and enduring theme. Digital technologies have not only ushered in new avenues for the exercise of human rights but have also presented complex challenges to their protection.

The Council of Europe, with its unwavering commitment to safeguarding human rights and full respect for the rule of law and democratic values, has been at the forefront of this reflection from the outset. By developing standard-setting instruments and practical tools

and engaging in multistakeholder partnerships with the concerned actors, the Organisation has actively contributed to shaping a path towards a digital future firmly rooted in the democratic values and principles that are at the core of its mission.

The Internet's transformative journey has always been intertwined with the intricate relationship between the exercise of fundamental human rights and the dynamic changes in governance models.

In the last decades, the Organisation and its member States have witnessed, and are con-

tinuously confronted with, the profound metamorphosis undergone by both the public life and private lives of individuals under the impact of technological development. This metamorphosis has been catalysed by the digitalisation of information and communication technologies, and is accompanied by significant social, political, cultural and economic changes.

As the exercise of many human rights migrates online, the Council of Europe has been resolute in ensuring that the principles enshrined in the European Convention on Human Rights apply seamlessly in both offline and online realms. The European Court of Human Rights has been clear on this. Yet, the digital environment has presented us with unique and dynamic challenges that demand tailored solutions.

Digitalisation has enabled the **access to a multitude of online information sources** and platforms for **public participation**. The Internet has been offering to the individuals the platform to exercise their **freedom of expression, assembly, association and other essential rights**, amplifying their voices and advancing valid causes.

However, universal **Internet access** remains an aspiration yet to be realized, and online participation in the democratic debate comes with its complex challenges.

The speed and scale of online information flows obliges us to adapt our rules and standards. The fact that hate speech and inflammatory language can spread globally within seconds, magnifying their impact, means that the **privacy** of individuals had to be bolstered online.

Also, the proliferation of online discourse, often amplified and targeted by manipulative algorithmic systems has blurred the lines between mainstream and fringe ideas, at times exploited by various populist or antidemocratic movements. Moreover, the dissemination of **harmful content**, particularly through **dis-information campaigns**, has sown confusion and mistrust, which even extends to reliable information sources.

This digital empowerment has also ushered in a new era of **powerful digital platforms**, positioning them not only as intermediaries between content producers and audiences but also as central actors in the global economy and in society.

But, with great powers comes great responsibility (cit. *Spiderman*). Platforms shape and curtail what users can publish, see, or hear, effectively impacting users' human rights. Principles and criteria to govern their operation in a human rights and rule of law compliant manner have been developed in the Council of Europe's standard-setting texts, and the Organisation



remains vigilant and ready to explore ways to address even more sophisticated challenges.

Throughout this journey, the Council of Europe has played a central role in advancing human rights in Internet governance. Our conventions on Cybercrime and Data Protection, as well as the ongoing work on a framework convention on AI and human rights, underscore our commitment to addressing the challenges posed by the digital space. We also started paying more and more attention to emerging technologies, such as generative AI or the immersive realities – all evolutions likely, again, to reshape our societies and our modus operandi.

**We find ourselves in the midst of a global and inevitable recalibration of the relationships among states, individuals, online platforms, and other relevant actors.**

This is where a multi-stakeholder approach is necessary. And the Council of Europe has been on this inclusive path for a while now, involving in its activities and related dialogue civil society, private sector and other international partner organisations, in addition to governments.

Therefore, we recognise the critical role played by dynamic forums like EuroDIG in shaping this dialogue. As we continue to navigate the ever-changing challenges and opportunities of the digital age, we must remain

steadfast in our commitment to upholding the principles that underpin our democracies and safeguarding human rights. Together, we can strive for a future where technology enhances and enriches our fundamental rights and values.

Technology as both an enabler and a potential threat to human rights has been the guiding thread, increasingly complex and powerful, throughout more than a decade of EuroDIG activities.

I like to think that the genesis of EuroDIG's journey can be traced back to the inaugural EuroDIG meeting at the Palais de l'Europe, in Strasbourg in 2008, where the theme of human rights was only starting to find its dedicated place.

I like to think that the Council of Europe had its part in the EuroDIG compass for the further navigation of intricate ways of human rights challenges in the digital world.

Since then, the EuroDIG kept pushing to the best of its abilities the narrative and the enduring relevance and significance of human rights, democracy and the rule of law in an era where technology is an integral part of our lives. It kept bringing to the same table, stakeholders from the entire continent and beyond, to introduce into discussion, from this, democratic, perspective, evolving governance models that have shaped our digital world.

All these efforts embody perfectly all that we stand for at the Council of Europe as well.

**As we navigate the complex terrain of the digital age, the Council of Europe remains**

**committed to the EuroDIG work ensuring that the Internet remains a space where these principles are upheld strengthened and enforced, for the benefit of all.**

## Introduction



*Farzaneh Baiidi, human rights Subject Matter Expert (2015 – 2018)*

The trade-offs between human rights values in the digital space have always been at the centre of the debate. Digital technologies provide new means to exercise human rights. Societies have used the Internet to assert their right to freedom of expression, assembly and other fundamental rights. But technologies are too often also used to violate those rights; data protection and privacy issues, digital identity, the use of surveillance technologies, online violence and harassment, are of particular concern.<sup>1</sup>

This ambivalence of technology as both an enabler and a threat to human rights spans more than a decade of EuroDIG meetings, but



*Dr. Jörn Erbguth, human rights and privacy Subject Matter Expert (2020 – 2023)*

its facets have changed constantly, and a wide range of questions have emerged from these discussions. What are human rights in the digital space? Are there specific digital human rights? Do we need to adapt human rights to the digital space, or are we simply applying existing human rights to the digital world? Have we already adapted analogue human rights enough, for example in terms of privacy and right of access, that we can call it a simple application of existing human rights?

This decade of human rights in Internet governance has been accompanied by significant political events and new regulations such as the Snowden revelations of mass surveil-

lance in 2013, the entry into force of the GDPR in 2016 and the start of its application in 2018, the COVID pandemic in 2019, and the Russian invasion of Ukraine in 2022.

In the digital context, human rights have been challenged but also supported by many aspects of governance: security measures protect users from attacks but can limit the possibility to remain anonymous and they often involve surveillance. Digital sovereignty is a fuzzy term that has been used to characterise both the sovereignty of users and the sovereignty of governments over the digital sphere. Digital children's rights that protect children from online risks and harmful content, also limit anonymity and freedom of information for children and adults.

Accountability and responsibility are important for digital governance and enforcing legal measures against bad actors, but this can also have a chilling effect on freedom of expression, where users refrain from speaking out for fear of undeserved consequences from governments or private actors. Data protection laws such as the European Union's General Data Protection Regulation (GDPR) and in

particular the right to be forgotten, protect our digital privacy, but sometimes they also run counter to the principles of freedom of information and the freedom to express true facts about individuals. There is no generally accepted legal definition of hate speech and it is attributed variously to criminal acts as well as to only undesirable but clearly legal speech. Disinformation can have massive negative effects, but the fight against disinformation can also be abused to censor the truth and impose disinformation on the public. The expression of ideas that the majority considers to be false has often been the start of important revelations and scientific discoveries.

The GDPR is not only referred to as the 'gold standard' for data protection that is exported around the world, but data protection and respect for human rights are also seen as a global competitive advantage for EU companies. While this theory is appealing and often repeated in official statements, it has yet to be proven economically. How can regulation that protects human rights be an economic success factor rather than a bureaucratic burden?

## The beginnings: when human rights were not a specific EuroDIG theme (2008)

Human rights were not used as a theme or a framework at the beginning of EuroDIG but it started to gain traction in relation to various issues such as security, privacy and freedom of expression. At the first EuroDIG meeting in Strasbourg in 2008, sessions that related to human rights were about privacy, security and Internet openness. Interestingly the discussions were not framed as balancing between these rights. Instead, the aims were to max-

imise privacy, security and freedom of expression and to minimise trade-offs. The key question was how to enhance security to protect privacy instead of hampering it. Intergovernmental organisations were also active (depending on their mission) on various issues that related to freedom of expression (such as UNESCO) and child safety online (Council of Europe).<sup>2</sup>

## Human rights, a fundamental Internet issue (2009)

It was at the following annual EuroDIG meeting in 2009 in Geneva that human rights were explicitly mentioned for the first time in EuroDIG's statement of outcomes, the EuroDIG Messages, and recognized as fundamental issues of Internet governance: *"Human Rights and the rule of law were considered to be fundamental issues in Internet governance with attention given to how best to implement and consolidate existing human rights standards in this context. The public value of the Internet as an infrastructure on which citizens increasingly rely for their social, economic and political development was highlighted as well as governments' key responsibilities in guaranteeing their citizen's rights and freedoms online."*<sup>3</sup>

The highlight of the discussion in 2009 was that despite the Internet not yet having penetrated all aspects of society and digital transformation of economies being still low, even in developed countries, there was a lot of emphasis on how the Internet had become an increasingly important and critical part of people's lives.

Despite this increase in emphasis on human rights, however, the EuroDIG programme in Geneva still did not have a workshop or panel session specifically on the theme of human rights. The workshops that were considered to

be human rights related discussed issues such as personal and professional privacy<sup>4</sup> which was geared towards giving users more autonomy in configuring their privacy. Privacy was the no.1 issue at this meeting and these discussions contributed to the major policy developments that later led to regulations such as in the EU the GDPR. The key aspects discussed in Geneva were:

- Privacy protection, control over one's personal data;
- privacy as both a fundamental human right and an essential facilitator for a global economy;
- privacy as a business competitive advantage;
- standards for online privacy, profiling and targeting;
- collecting information about the activities and interests of users;
- privacy and human rights in the workplace: the problem of surveillance of employees and work councils;
- privacy enhancing technologies: minimisation on the collection of one's personal information;
- towards global data protection standards that are legally enforceable.<sup>5</sup>

The participating stakeholders in Geneva did not lose sight, however, of other human rights

issues such as freedom of expression, freedom of the press and freedom of association.

## Human rights in media literacy

In particular, human rights and their implementation were discussed during EuroDIG's media literacy session in Geneva (EuroDIG 2009). This provided an interesting take on media literacy but unfortunately it did not gain much traction in the later policy efforts to increase media literacy and implement human rights, along with the efforts in holding Internet platforms more responsible and accountable for the content. However, these discussions agreed as a key human rights principle, "that users should be able to access, use and

*distribute the content, services and applications of their choice, with the various 'gatekeepers' in the ICT value chain respectful of their responsibilities in this regard (and taking into account technical and legal constraints). This was desirable from both a socio-economic perspective but also crucially in line with (Article 10 of) the European Convention on Human Rights, in particular the freedom to access and impart information and knowledge, the freedom of expression and communication."*<sup>6</sup>

## Trust and Safety, Freedom of Expression and Human Rights

Many of the issues relevant today concerning trust and safety were extensively discussed at EuroDIG in Geneva in 2009.<sup>7</sup> We have seen sub-

sequently an evolution in how greater importance is placed on trust and Internet safety in Internet governance discussions while free-

dom of expression and access to content has become more of a side issue in recent years. Back in 2009, trust and safety issues were covered as an aspect of access to content and freedom of expression.

The global Internet Governance Forum (IGF) facilitated by the UN has had a lot of influence as well (or perhaps the influence was more mutual). Some of the dynamic coalitions of stakeholders that have emerged as intersessional activities of the global IGF have brought

interesting issues to the attention of EuroDIG that were human rights-oriented. For example, Plenary session 2 in Geneva “Online social media – governance issues from a user perspective” discussed several important questions relating directly to human rights and Internet content in particular. User governance issues such as freedom of expression, users’ access to due process for dispute resolution, freedom of expression and right to privacy.



## Human rights as a EuroDIG theme in its own right (2010)

It was at the meeting in Madrid in 2010 when human rights became a more prominent theme in the EuroDIG programme. Rights were mentioned during the plenary sessions and were referred to 19 times in the published EuroDIG messages from Madrid. The concept of Internet policies that respect human rights at their core emerged fully during this meeting and the key message was the need to develop laws and policies which are proportionate and do not undermine fundamental human rights. The establishment of the Internet Rights and Principles dynamic coalition (IRPC) at the global IGF was also a trigger for increased focus on human rights at EuroDIG.

For example, participating stakeholders in Madrid expressed concern regarding the proportionality of the legal measures being introduced to deal with Internet content: *“The proportionality of any blocking measure vis-à-vis human rights was highlighted with reference to the need for a specific (legal) basis that makes it foreseeable (rule of law) while, on the other hand, procedural safeguards should be in place that allow users to question and challenge blocking measures.”*<sup>8</sup>

An interesting aspect of the discussions at the Madrid meetings was that the Internet was

recognized as a space 1) to improve crisis management, and 2) to promote democratic processes – and a key factor in this space was the need to respect and protect human rights. The use of the Internet at that time was not considered to be a threat to human rights but, quite the contrary, it was perceived as the enabler of human rights.

Privacy and due process were two prominent human rights principles that were widely debated during 2010. In particular, the issue of cross-border free flow of data became more prominent in debates about rights due to the rise of cloud computing and the law enforcement access to data was discussed in relation to important human rights principles such as due process. The European Convention on Human Rights (ECHR) was also invoked at this time, for example when the Romanian Constitutional Court ruled that the country’s Data Retention Law was incompatible with the national constitution and in breach of the Convention.

EuroDIG acknowledged that the challenges to the effective exercise and enjoyment of freedom of expression, privacy and other fundamental rights pertaining to the Internet should be addressed at the international level.

Specifically, the discussions at EuroDIG in 2011 emphasised the importance of 1) proportionality and the necessarily temporary nature of traffic management; and 2) the enforceability of users' rights, enabling users to challenge decisions of Internet service providers (ISPs) and obtain proper redress.<sup>9</sup> The media literacy discussions in Madrid continued to focus on human rights, considering media literacy and human rights as two sides of the same coin which can protect the rights of citizens and children.

## Corporate responsibility to protect human rights (2011)

Human rights as a theme compared to previous years was increasingly emphasised at the 2011 EuroDIG meeting in Belgrade (the term was referenced 27 times in various sessions).<sup>10</sup> This was also the year that saw direct requests from big tech-companies such as search engines, software companies and social media networks to protect human rights. As in 2010, the EuroDIG messages advised that regulation of media platforms and their responsibilities should be flexible and proportionate, with particular respect for the protection of human rights.

Some of the thinking in Belgrade about rights would later emerge as practical policy proposals. For example there were calls for tech companies to actively consider human rights in their business planning and to undertake human rights impact assessments.

There were also proposals for a European charter on Internet rights and principles; the European Union would later develop a set of principles and resolutions that emphasised the value of human rights on the Internet, notably the European Declaration of Digital Rights and Principles in 2022.<sup>11</sup>

In addition to proposing that respect for human rights should be framed as a corporate social responsibility, the discussions in Belgrade focussed on the commitments to human rights of all Internet governance organisations – both intergovernmental and multi-stakeholder – and how their decisions impact human rights. The Internet Corporation for Assigned Names and Numbers (ICANN) was at this time finalising preparations for the launch of its first open application round for new generic top-level domains (gTLDs) that would create more competition and choice in the global domain name system (DNS). How the application process and delegation of new domains should be undertaken was extensively discussed in many Internet governance fora, including EuroDIG in Belgrade. The meeting advised ICANN to take into account the importance of human rights in the new gTLD round and to put in place safeguards for guaranteeing respect for human rights by appointing human rights experts or creating a human rights advisory body.

## Internet governance principles, rule of law, human rights (2012)

The discussions at EuroDIG 2012 in Stockholm were more concerned about rules than human rights. Nonetheless while human rights was not a major theme that year, journalists and youth groups adopted strong positions against Internet censorship, while governments emphasised processes and rule of law. There were calls for multistakeholder principles and processes and protecting the rule of law. Neelie Kroes, Vice-President of the European Commission stated: *“Internet Governance means not just the tools and the policies we use, but the processes and mechanisms for how we decide them. When it comes to that, we in the European Commission are strong supporters of the multi-stakeholder approach and we have long been so. Because dialogue, participation, and cooperation at all levels are the best tools for the best Internet.”*<sup>12</sup>

While there was this general positive emphasis on multistakeholder processes, the “tough on crime” and “what is illegal offline should be illegal online” policy approaches were at the centre of many of these discussions. The importance of adopting a rules-based approach was emphasised in the con-

text of respecting human rights and agreeing principles of Internet governance. One of the EuroDIG key messages from Stockholm stated: *“While there have been many good initiatives to prepare Internet governance principles, it must remain a priority to ensure that Internet governance remains an open, multi-stakeholder process. These principles should maintain focus on complementing existing laws and rules. Recent approaches and projects to combine human rights considerations and principles with Internet governance are fundamental.”*<sup>13</sup>

There were references in Stockholm to the growing trend of Internet censorship in western democracies as well as authoritarian states.<sup>14</sup> Responding to these increases, the Nordic youth delegation stated: *“We demand that you find other solutions than censorship to control the Internet behaviour.”*<sup>15</sup>

There was also a focus in Stockholm on empowering Internet users and the Council of Europe’s compendium of existing Internet rights was endorsed as a valuable tool for awareness raising. The children’s right to education, privacy, and information on the Internet was also acknowledged.

It is also worth noting that one of the most prominent issues in 2012 was the sale and export of “dual use” surveillance technologies and equipment.<sup>16</sup> It was agreed in Stockholm that companies which sell these technologies

to countries where basic human rights are violated should be held to account. The monitoring of the trade in surveillance technologies is an issue that continues to be discussed a decade later.

## The Internet as we don't know it (2013)

The Guardian newspaper published the first article about the Snowden revelations in early June 2013<sup>17</sup> shortly before the EuroDIG meeting that year in Lisbon. This increased the significance of the discussions in Lisbon about surveillance technologies. Despite the fact that government surveillance was not a new issue for EuroDIG (in 2012 there had been discussions about spyware and other technologies and how to ban them), the evidence about alleged government surveillance made the arguments against the sale and use of such technologies even stronger.

There were few calls in Lisbon for data localization or creating a European Internet. Instead the discussions revolved mainly around holding various stakeholders responsible for protecting the rights of Internet users and the need to protect privacy on the Internet. This reflected the recent revelations about PRISM, XKeyscore and Tempora. Raising users' awareness of their rights and the consequences of their actions when managing personal data online was stressed based on a shared responsibility between public authorities, industry and civil society.<sup>18</sup>

The discussions about the cross-border espionage on the Internet and holding states ac-

countable were related to the end of state sovereignty on the Internet, the usurpation of sovereignty outside of the state borders. It is not far-fetched to argue that perhaps some of the early seeds of digital state sovereignty started after the Snowden revelations. One of the key messages from the EuroDIG discussions in Lisbon was that blanket surveillance with no independent judicial scrutiny and in non-democratic ways would violate human rights: *"Surveillance measures are only legal when they pursue a legitimate aim necessary in a democratic society and are of an intensity proportional to the aim pursued. Blanked surveillance and systematic data collection and data-mining without a clear purpose and independent judicial control violate human rights."*<sup>19</sup>

The meeting programme included a workshop on human rights and the Internet that focused on 1) freedom of expression and human dignity; 2) economic, technological, and physical barriers to access; 3) the right to privacy and security; 4) enablers and impediments to realising human rights online. With regard to freedom of expression, the participants in the workshop emphasised the importance of the European Court of Human Rights (ECHR) which

can correct the decisions of national courts, the impact of the Council of Europe (CoE) guidelines as they become national laws in some countries as even user groups were drawing on these guidelines. It was also recommended that Internet service providers should do more to educate users.

Interestingly access was also framed as a human right issue and it was stated that excessive barriers create digital exclusion. However, it was also stressed that when removing barriers to access, governments must ensure that human rights online are safeguarded.

The tensions between copyright and human rights was another major issue at this time. The workshop participants emphasised that it was important for governments, com-

panies and corporate rights-holders in particular not to prevent citizens from exercising their rights due to contradictory copyrights for accessing content particularly by visually or hearing-impaired users.”<sup>20</sup>

The EuroDIG messages from the right to privacy and security sessions in Lisbon addressed the European governments and urged them to work towards international agreements on harmonisation of data protection. The stakeholders in Lisbon also focused on how citizens can be enabled to exercise their rights and they discussed educating users, politicians, judges and prosecutors as well as the need for transparency of procedures between states and platforms and to provide quick and efficient remedies for users.

## From maximising human rights to balancing rights (2014)

The 2014 EuroDIG meeting in Berlin took place a year following the Snowden revelations and their substantial impact on discussions about human rights and the Internet and human rights discourse. While previously, the EuroDIG stakeholder community had affirmed that human rights should be maximised, the term “balancing” (but in a multistakeholder manner) started to gain prominence. Germany’s Federal Foreign Minister Frank-Walter Steinmeier stated that *“we need to balance freedom and security. But that balance needs to be reasonable, and the instruments of security need to be proportional to the costs they impose on our privacy.”*<sup>21</sup> (EuroDIG 2014).

The programme in Berlin included a plenary session “Security, Internet Principles and Human Rights” which focussed on how the need for security was being misused in order to justify arbitrary interference with citizens’ fundamental rights, invoking counter terrorism and national security to undertake unnecessary and disproportionate surveillance. There were calls to conceptualise Internet security and align its protection with the protection of human rights. It was stated that the In-

ternet should not allow Big Brother to watch over us but should allow us to watch Big Brother (the TV series)!

The calls for standardisation and regulation of the Internet by the governments had grown stronger by the time of the EuroDIG meeting in Berlin but it was also argued that any regulatory responses should comply with human rights principles.

In 2014, the Council of Europe (CoE) published “Human Rights Guidelines for Internet users”.<sup>22</sup> While the focus of discussions at EuroDIG about human rights at this time were mainly addressed to governments, there was agreement in Berlin that the CoE guidelines should be applied by all relevant stakeholders.

It was also in 2014 when the issue of hate speech and its consequences for human rights online became a major issue. Despite not reaching a consensus on how to respond to this challenge, stakeholders expressed concern in Berlin that this could lead to some backpedalling on advocacy of freedom of speech and paving the way for governments in Europe to regulate speech on the Internet.



## Shaping the digital market and human rights (2015)

Discussions at the IGF meeting in Sofia in 2015 largely revolved around the European Union's Digital Single Market and the economic aspects in particular. However, it was argued nonetheless that decisions that would shape the digital market in the EU should not lose sight of human rights, as stated in the messages from Sofia: *"Due attention should be paid to issues other than merely economic issues. Trust should be promoted as well as the human rights of Internet users, noting that children are a particularly vulnerable group."*<sup>23</sup> Valery Borissov, the Deputy Minister of Transport, Information Technology and Communications, Bulgaria also mentioned the importance of human rights: *"Every aspect of the Internet needs to be carefully examined – accessibility and security, social and legal norms, the relationship between public and private sectors, freedom of expression and the protection of human rights."*<sup>24</sup>

Another interesting area of focus during this meeting was the practice of telecom operators in traffic management and how that could have an effect on freedom of expression. There were calls for raising awareness amongst many other actors about user rights and concrete suggestions were made for example to provide human rights compliance guidelines for governments and the industry, as well as users.

The cross-border nature of the Internet raised some concerns about enforcing the rule of (local) law, for example in cases of content moderation and access to user data. The participating stakeholders in Sofia considered how the cross-border nature of the Internet, which enabled citizens to assert some of their rights, could also create difficulties in safeguarding some other, particularly local rights of Internet users.

## Restoring trust for the digital revolution (2016)

During this period, governments and big Internet corporations were caught undertaking mass surveillance which undermined trust in the Internet. Restoring trust became a major goal of digital policy and Internet governance following the Snowden disclosures in 2013 and as a result trust became the central issue at the EuroDIG meeting in Brussels in 2016. A further consequence of Snowden was that there were more cautious calls to regulate the Internet. Thorbjørn Jagland, Secretary General of the Council of Europe, emphasised in his keynote speech the importance of trust for the Internet and stated that “heavy-handed regulation” was not the answer to stop the misuse of the Internet.<sup>25</sup> The EU Commissioner for Digital Economy and Society, Günther Oettinger, called for a safer Internet that citizens can trust and that respects their privacy. He did not call for regulation but appealed to the multistakeholder Internet governance model to ensure this.<sup>26</sup>

The Vice President of the EU Commission, Andrus Ansip, on the other hand, presented the Digital Single Market<sup>27</sup> – the EU usually creates single markets by imposing uniform regulation. This proposal was also seen as part of digital sovereignty but it had not yet been dis-

cussed as creating a potential conflict with personal digital sovereignty, freedom and human rights.<sup>28</sup>

The debate at EuroDIG shifted in 2016 again. First human rights were prioritised. Then there was the balancing of cybersecurity and freedom. Now Estonia’s Minister of Foreign Affairs, Marina Kaljurand, argued in her speech in Brussels that cybersecurity and freedom were not in conflict.<sup>29</sup> However, this message could have been read in two ways: It could mean that cybersecurity had ultimately taken precedence over privacy and personal freedom and in the wake of the Snowden revelations governments were now passing laws to legalise some forms of mass surveillance to fight terrorism.<sup>30</sup> Not defending the Internet during such attacks could lead to putting in danger the freedom and rights of those who use it. It was arguable therefore that there was no conflict between cybersecurity and fundamental rights, and quite the contrary, cybersecurity served human rights and freedoms although it did also impact them.

On the other hand, the view taken in a EuroDIG plenary session in Brussels was that there was no trade-off between privacy and security. Lowering privacy and data protection

standards was not considered an appropriate solution to counter terrorism.<sup>31</sup> Instead, there were calls for open and transparent approaches to address cybersecurity risks and threats. These approaches should not be based on surveillance and loss of privacy but on standards and technology governed by the multistakeholder model.<sup>32</sup>

The global Internet corporations were also seen as a threat to human rights. These intermediaries were seen as increasingly turning the free Internet based on open standards into a series of privately controlled proprietary ecosystems. It was argued in a plenary session in Brussels that Internet intermediaries could not be a substitute for the primary responsibility of states to protect human rights and should not be seen as a “cheap Internet police”. Court orders, judgments and regulations should provide the necessary legal clarity. Furthermore, Internet corporations should be fully liable and should respect privacy.<sup>33</sup> However, it remained unclear what full liability regarding user generated content would mean. Full liability for user-generated content in the case of copyright infringements or defamations would have ended the business model of user-generated content and this would impact freedom of expression.

This focus on Internet corporations could be particularly understood when considering

the PRISM programme under which the United States National Security Agency (NSA) collected electronic communications data from Internet companies who in effect were secretly sending user data to the government’s national intelligence organisation.

Other issues discussed at the EuroDIG meeting in Brussels were the potentially harmful impact of social media platforms of the so-called “attention economy” whereby social media optimises the usage of their services to the max, because user attention is what social media are selling to advertisers. Also the “surveillance capitalism” was criticised meaning that personal data about individual user behaviour is collected and then capitalised e.g., for targeted marketing. These issues further worsened the reputation of social media companies.

Furthermore, a workshop in Brussels on the accountability of algorithms employed by social media and other stakeholders was raised as a question of fundamental rights. This was a precursor to the discussion on trained AI systems that followed years later.<sup>34</sup>

The balance of power in the economic ecosystem between platforms and content was discussed with the question “is content king?”. The new possibility that everybody can create content online led to a discussion that seems solved only some years later: Is the universal

freedom to express our opinion good for democracy although it is a competition to journalism? Do we need the old gatekeepers (the publishers) back to ensure quality? Interestingly, here, the term “hate speech” was delimited from just angry speech.<sup>35</sup>

As in previous years, Internet access and the digital divide were discussed in relation to human rights<sup>36</sup> but now with a greater focus on the situation of refugees who were far less likely to have an Internet-enabled phone than the general population.

## Promises and pitfalls, governments preparing to taking a stronger role (2017)

There was much discussion at the 2017 EuroDIG meeting in Tallinn about how to improve cybersecurity. Microsoft had proposed a “Digital Geneva Convention” to ban state-sponsored attacks on cyberspace<sup>37</sup> but this received little political support.

The President of Estonia Kersti Kaljulaid emphasised in her welcoming address at the 2017 meeting that cybersecurity cannot be an excuse to limit freedom of expression. But secure online transactions are a precondition for freedom of expression. She then asked governments to play an active role in the Internet.<sup>38</sup> The President described the Estonian digital citizenship policy and how Estonia had managed to become a truly digital society.<sup>39</sup> Estonia’s Chief Information Officer and co-founder of the country’s ground-breaking e-Residency programme, Siim Sikkut, described the many electronic services available in Estonia.<sup>40</sup>

The President of Lithuania, Dalia Grybauskaitė, pointed out that the transformation of a society into a digital society had an impact on competitiveness while also allowing citizens to express their opinions.<sup>41</sup> The mention of “human rights” decreased. The

Norwegian Prime Minister, Erna Solberg pointed to the multistakeholder governance process to decide what is technologically possible to achieve, what can be regulated, and what is politically desirable.<sup>42</sup>

Pearse O’Donohue, Acting Director for Future Networks in the European Commission, presented the EU’s proposals for the “Next Generation Internet” and explained how the EU wants it to be “human centric”. He acknowledged that the multistakeholder process where the EU Commission and the governments of Member States had a relatively minor role to play.<sup>43</sup> Sally Shipman Wentworth, Internet Society Vice President of Global Policy Development, expressed the view that people worried about the role of governments and regulation in Internet governance and that people questioned if governments were up to the task.<sup>44</sup>

The session “Internet in the ‘post-truth’ era?”, discussed fake news and disinformation. It helped to raise the visibility of the widespread impacts of this problem which means not just bad journalism but is “*intentionally and knowingly put out to spread confusion in*

*the society and to discredit democracy, or to produce economic gain.*” Stakeholders expressed in particular a preference of existing self-regulation and public/private co-regulation to new government regulation.<sup>45</sup>

A session on “International trade agreements and Internet governance” focussed on the free flow of data. Although the GDPR had been passed into law, it was not yet applicable and its impact of its strict regulation of transfers of personal data to third countries had not yet been fully discussed.<sup>46</sup>

The programme in Tallinn included a workshop “Realising rights online – from human rights discourses to enforceable stakeholder responsibilities” which concluded that while there was no need for reinventing new digital human rights, but that the interpretation of existing human rights should be dynamic and interpretation must consider the technological revolution. While intermediaries had obligations and rights, states had positive and negative obligations that should not be delegated to intermediaries.<sup>47</sup> Looking at the situation in 2023, it is possible to conclude that the development of policy has taken a different path. Many obligations have been delegated to intermediaries and a lot of new laws have been passed and are still developing.

In Tallinn in 2017, the dream of a privacy and human rights-oriented digital European

economy that would be internationally competitive, was addressed in the EuroDIG workshop “New business models and the Internet”. The reason for European innovation not gaining scale was deemed to be over-regulation.<sup>48</sup> The principal aim of the GDPR – and subsequent digital regulation generally – was not only to protect human rights including privacy, but also to create a competitive advantage for European companies that respected users’ rights. The GDPR is often lauded today as the “gold standard” for data protection that is exported world-wide. However, the economic success has failed to materialise. There are no EU-based global Internet champions.

The planned reform of copyright law in the EU<sup>49</sup> and its impacts with the freedom of expression were also examined in a EuroDIG workshop in Tallinn.

These are particularly interesting as examples of the value of EuroDIG discussions about new regulation in the digital space because the GDPR was not yet applied, and the copyright reform was still in discussion at the time of the Tallinn EuroDIG meeting in 2017.

EuroDIG continued not only to discuss existing issues and upcoming regulations but also to support finding solutions for human rights conflicts. The discussions in Tallinn concerning the Internet of Things (IoT) and human rights sought to agree on win-win solutions.<sup>50</sup>

Similarly, the workshop on criminal justice on the Internet also tried to identify common solutions.<sup>51</sup> Workshops on data sovereignty and on digital citizens called for empowering users including allowing them to decide freely on selling their personal data.

## Innovative strategies for a regulated digital future (2018)

Should regulation keep the Internet free and open or should the Internet promote positive political values? This was a key question discussed at the 2018 EuroDIG meeting in Tbilisi. While openness and freedom are among the positive political values that governments want to support they are not the only ones. Mariya Gabriel, EU Commissioner for Digital Economy and Society, envisioned “*a human centric Internet or an Internet of humans. It will have to be trustworthy, resilient, sustainable and inclusive. It should reflect the openness, diversity and the inclusion that are at the core of European values*”<sup>52</sup>.

This seemed to contrast with views expressed at EuroDIG which called for a free and unregulated Internet<sup>53</sup> that should respect human rights but should not impose political values. This question has been part of many discussions and probably needs to be answered differently depending on what is regulated. For example, measures taken to counter disinformation should not undermine freedom of expression and it should be made sure that the measures are really tackling the problem.<sup>54</sup> When discussing ways to tackle disinformation, the implications for both democracy and freedom of expression need to be assessed.<sup>55</sup>

As 2018 was the year when the EU’s General Data Protection Regulation (GDPR) started to apply, discussions about privacy and data protection were an important topic in Tbilisi. Privacy was seen as being about trust and privacy-enhancing technology should be everyone’s right. Sharing someone’s own personal data for a service was seen as problematic and should be addressed with education and information so that users can make an informed choice.<sup>56</sup> Another EuroDIG workshop in Tbilisi on domain name system (DNS) encryption recognised that the use of encryption was a challenge for law enforcement agencies but nonetheless stakeholders defended the use of DNS encryption.<sup>57</sup> The discussion on mass surveillance continued in Tbilisi with a focus on accountability and transparency in particular.<sup>58</sup>

With regard to risks associated with the growth of the Internet of Things, a lack of incentive for the industry to implement good but expensive privacy standards including privacy by design was deplored. Governments were asked to engage with the industry to foster better privacy and transparent communication about the data processing to find win-win solutions regarding the conflict between IoT and human rights.<sup>59</sup>



The discussions on digital governance in 2018 added the topic of blockchain as an alternative to governments in providing transparency and alternative ways to ensure the authenticity of information. Vladyslav Radysh, Government Relations Director with the blockchain technology company The Bitfury Group, said that blockchain and cryptocurrency technology will help to digitise the world of values.<sup>60</sup> The potential conflict between immutability and the right to be forgotten was also discussed.<sup>61</sup>

The issue of AI and ethics emerged as another significant theme at EuroDIG in Tbilisi. Claudia Luciani, Director of Democratic Governance and Anti-Discrimination at the Council of Europe cautioned that *“big data concentrated in the hands of few and the explosion of self-learning algorithms may have indeed an enormous impact not only on democratic institutions but on democracy per se”*.<sup>62</sup> Further-

more, a workshop on artificial intelligence in Tbilisi identified problems in the engineering process like missing diversity of developers, rather than in the self-learning technology itself.<sup>63</sup> With these discussions, EuroDIG followed the creation of the high level expert group on AI at the EU. While the lack of trustworthiness was seen as an issue, it did not yet focus on the inherent lack of trustworthiness of systems that are trained by examples and not programmed by rules. When a system is trained by examples, the result of that learning might not in the same sense generate an abstraction from the examples, as humans do. The resulting system will therefore implement its own opaque set of rules that might be unforeseeably different from the ruleset which the system should have – and would have if programmed with a programming language rather than trained by examples.

## Cooperation for Internet governance in the digital age (2019)

The EuroDIG meeting in The Hague in 2019 focussed on digital governance in terms of the governance process, the impact of forthcoming and planned regulation, and the role of standards. Pauline Krikke, Mayor of The Hague, warned that placing the Internet under government control would rob the Internet of its unique power.<sup>64</sup> Mona Keijzer, State Secretary for Economic Affairs and Climate Policy of the Netherlands, added that no actor, including governments, should have complete control of the Internet.<sup>65</sup> However, Mariya Gabriel, EU Commissioner for Digital Economy and Society, foresaw a new phase where top-down approaches meet the multistakeholder model of governance established by the UN World Summit on the Information Society (WSIS) in 2005.<sup>66</sup> Sandra Hoferichter, Secretary General of EuroDIG, cautioned that the commitment to multistakeholder cooperation might remain merely lip service.

Several panels in The Hague considered the role of technical solutions and standards in for example ensuring data protection by privacy by design, and saw this as a way to complement regulation which would likely be

slower to adapt to emerging challenges associated with new and fast evolving technologies.<sup>67</sup>

Meanwhile, the EuroDIG discussions which were focussed on emerging technologies highlighted the need for effective legal guarantees to enforce human rights<sup>68</sup> and “ethic by design” should be implemented<sup>69</sup>. There was also a call for transparency and explainability of AI meaning that AI systems would not have unpredictable results but every output could be predicted and explained based on the input presented to the system in the training and the execution phase. This, however, is inherently impossible with current AI technology. Training of AI systems requires a random set of initial parameters. The training then results in an algorithm that is not only very complex and extremely hard to understand but also cannot be deterministically derived from the training data. While it is very desirable to have transparency and explainability by design, there is currently no approach that achieves this for trained AI systems. Another panel warned against a “regulatory minefield” and stated a preference of applying existing regulation and

human rights frameworks to these technologies instead of creating new laws.<sup>70</sup>

The potential impact of the EU copyright reform which extended copyright and introduced new rules for platforms to proactively block illegal content was discussed as well. A workshop focussed on the possible impact on free speech, and the threat of overblocking during the meeting in the Hague at the time when the legislative changes of EU law were to be implemented by national legislators.<sup>71</sup>

One year following the start of the application of the GDPR, the discussion centred on its implementation and on possible remaining

gaps.<sup>72</sup> Blockchain and privacy were discussed in the context of the Self-Sovereign Identity (SSI) approach to digital identity that gives individuals maximum control over their electronic identity and credentials. Blockchain technology was seen as a privacy enabler.<sup>73</sup>

Children's rights on the Internet were also debated at the EuroDIG meeting, concerning in particular children's right of access and digital participation as well as protecting them from potential digital harm. However, this issue was no longer discussed as an issue of human rights but as a distinct policy issue of child protection.<sup>74</sup>

## Everything virtual for a sustainable Internet governance (2020)

2020 was the first wholly virtual EuroDIG meeting due to the COVID-19 pandemic. As pointed out by Atish Dabholkar, Director of the Abdus Salam International Centre for Theoretical Physics (ICTP) and Paola Pisano, Italian Minister for Technological Innovation and Digitalisation, despite the COVID lockdowns life was still going on due to Internet connectivity.<sup>75</sup> However, the pandemic had also amplified the effects of the digital divide, leaving unconnected people isolated<sup>76</sup> and Fabrizio Hochschild, Special Adviser to the UN Secretary-General, described how COVID measures had also highlighted the challenges of Internet governance: *“COVID-19 has thus raised the stakes for global, digital cooperation.”*<sup>77</sup>

A panel in the session “European Digital Economy and COVID-19 pandemic – current state of affairs, risks, and opportunities” considered how COVID-measures had introduced new types of processing of personal data and agreed that there should not be a contradiction between data protection and health, but a need for particular oversight.<sup>78</sup> Another panel on digital sovereignty concluded that the EU

is enabling digital sovereignty of individuals through digital infrastructure as shown by the COVID-19 pandemic.<sup>79</sup> Meanwhile, a workshop on “Innovative uses of blockchain for public empowerment” advocated capacity building on this technology for governments, policy makers, consumers and citizens to fight miscommunication and distorted perceptions about the potential of this technology.<sup>80</sup>

A workshop debating social media called for greater platform regulation and demanded increased journalism funding while cautioning against governments exploiting COVID-19 to curtail freedom of expression.<sup>81</sup>

The discussion on privacy also took into account possible negative side-effects of the GDPR. Stakeholders considered whether GDPR could be a threat to freedom of information when information became no longer available due to GDPR restrictions like the right to be forgotten.<sup>82</sup>

The use of AI to combat COVID-19 was discussed, demanding trustworthiness of a technology that does not abide by rules and therefore has intrinsic issues with trustworthiness.<sup>83</sup>

## Again, purely virtual, into Europe's digital decade (2021)

The EuroDIG meeting in 2021 with the motto of *Europe's Digital Decade* was another wholly virtual meeting. Ana Persic, Programme Specialist for Science Technology and Innovation Policies at UNESCO, pointed out that open science serves as a means to fulfil human rights of science.<sup>84</sup> This was an important statement because access to science is an important tool to counter disinformation regardless of its source.

In the context of discussing the EU Digital Services Act (DSA), Patrick Penninckx, Head of Information Society Department at the Council of Europe, reminded the audience that content moderation presented risks in relation to various human rights including freedom of thought, freedom of expression and the freedom of assembly.<sup>85</sup> Participants expressed hope and the expectation that the DSA will create greater trust in digital platforms<sup>86</sup> and create an ecosystem where small players and European entrepreneurs can thrive<sup>87</sup> while also cautioning against the risks of content moderation and censorship<sup>88</sup>.

The experience with COVID measures and changes in behaviour provided new insights on privacy and identity. The shift to doing everything online highlighted privacy risks but it also demonstrated that many important services were not GDPR-compliant. It was important that GDPR compliance was not perceived as an obstacle to productivity and innovation and that compliance was seen as supporting users' rights.<sup>89</sup>

Digital COVID certificates on the other hand provided fresh insights into the discourse on digital identities by underscoring the significance of privacy, transparency, control and interoperability. Stakeholders in the meeting agreed that self-sovereign identity (SSI) principles must be included in governance frameworks of digital identities.<sup>90</sup>

Several sessions were dedicated to discussing AI with a focus in particular on the EU's proposed AI Act for regulating the use of AI. One of the workshops questioned the feasibility of unbiased decision-making in AI systems<sup>91</sup> while another focussed on data protection.<sup>92</sup>

## Are the sails set right to weather the storm of war in Europe? (2022)

The EuroDIG meeting in Trieste in 2022 was the first hybrid meeting in the wake of COVID and saw the introduction of a slightly different structure with four focus areas: digital sovereignty, effective regulations, regulation of upcoming technologies and Internet in troubled times, particularly regarding the Ukraine war.

The first focus area centred on the EU's approach to digital sovereignty and the possibility of keeping the Internet free and open through regulation. The global Treaty on Cybercrime currently being negotiated in the UN should leave enough room for different legal systems and frameworks while stipulating minimum requirements for the most important elements such as substantive law, procedural law, conditions, and particularly human rights safeguards.<sup>93</sup> The assessment of digital identities should not be based only on their usefulness and functionality but, more importantly, on how they respect and reflect fundamental human rights.<sup>94</sup>

The escalating war in Ukraine led to discussions in Trieste about how this impacted the global Internet. It also raised the fundamental question again of whether Internet gover-

nance should be neutral or if it should adopt a values-based approach? Although access to certain propaganda sources were blocked, there was consensus that preserving a globally interoperable Internet for all was crucial.

The EuroDIG programme in Trieste also included a workshop on "The Declaration for the Future of the Internet" (DFI)<sup>95</sup>, a government-led statement of principles including protection of fundamental freedoms, free flow of information, the right to connectivity and privacy protection, with a commitment to multi-stakeholder Internet governance initiative. It had been advanced by the US Government and had active support by the EU, the UK and several other European states who saw it as an opportunity to extend the European consensus on core Internet values at a global level. The DFI implementation will start with a multistakeholder conference, will gather feedback from the Internet governance community and should serve as an input to the Global Digital Compact negotiations.<sup>96</sup> The European Commission stated that core democratic principles, fundamental freedoms and human rights as reflected in the Universal Declaration of Hu-

man Rights, should not only be respected but enforced by the Internet.<sup>97</sup> This illustrated well the shift from the Internet being a neutral communication tool towards being an instrument to enforce principles-based digital policy. While this policy included positive elements concerning human rights, diversity and

the sustainable development goals, turning the Internet into such a political tool was seen by some stakeholders as running the risk of restricting the freedom of those who disagree with part of the specific interpretation or implementation of those policies.

## Internet in troubled times: risks, resilience, hope (2023)

The 2023 EuroDIG meeting in Tampere was held against the background of Russia's ongoing invasion of Ukraine. The main focus of the meeting was inevitably on the impact of the war that was waged by the neighbouring country, Russia. A main concern was how to best react to that aggression while avoiding Internet fragmentation. The meeting developed the structure of the thematic focus groups of the previous year with a new matrix structure addressing the multifaceted character of technology regarding risks, resilience and hope.

The rule of law was highlighted as providing the best defence of human rights against aggression and authoritarianism.<sup>98</sup> During times of crisis and conflict such as this, Internet fragmentation has emerged as a major threat and it was hoped that the UN Secretary-General's proposed Global Digital Compact (GDC) to be agreed at the Summit of the Future in 2024 would reduce this threat in the future.<sup>99</sup>

Digital platforms were once again a key area of focus for EuroDIG, with the Digital Services Act (DSA) and Digital Markets Act (DMA) coming into force in the EU. Under the impact of the war, however, unlike the years before, security rather than freedom dominated the discourse.

The metaverse was discussed. Although the hype has calmed down, development of this technology is continuing. Collaborating and meeting in virtual realities presents opportunities and can well support human rights. However, it also poses new challenges with respect to human rights and privacy. It was seen as inappropriate for the metaverse to be ruled by a state-centric, corporate-led framework of governance.

Decentralised platforms were seen as *"having the potential to provide an alternative and overcome some of the concerning features of dominant social platforms, such as surveillance capitalism, the attention economy, and digital colonialism"*.<sup>100</sup> This was an interesting perspective given that the Digital Services Act will not regulate fragmented decentralised platforms.

The advances in large language models (LLMs) such as ChatGPT raised concerns but also positive expectations regarding content filtering and content moderation.<sup>101</sup> Chatbots could actively participate in discussions – something that has been claimed to exist for years without ever identifying a single social bot<sup>102</sup>. The use of such technology should be fair and transparent.<sup>103</sup> The evolution of LLMs



was considered during the EuroDIG meeting as providing opportunities as well as creating risks, in particular with regard to young people and children. For teachers, pupils and students, the skills to responsibly use these tools will be an indispensable part of digital literacy. A key element of risk was the processing of personal data during the training phase as well as when using these technologies. Guido Scorza from the Italian Data Protection Authority, which before the meeting had imposed a (now lifted) ban against OpenAI due to insufficient data protection, stressed the importance of respecting privacy rights particularly of children.<sup>104</sup>

The discussions on encryption continued in Tampere. The EU Commission's proposals for mass scanning of messages were discussed. This type of scanning, which does not involve breaking cryptography, aims to circumvent encryption by scanning within the client software (CSS). While privacy and human rights concerns about this approach have been discussed many times before, the specific concerns expressed in Tampere were the large number of false positives as well as the use of this technology for purposes other than combatting online child sexual abuse.<sup>105</sup>

## The Global Digital Compact

The EuroDIG community is actively participating in the UN's process to develop a Global Digital Compact (GDC). The aim of the GDC was explained in this extract from a statement published by the UN: "... building on the recommendations of the road map for digital cooperation (...), the United Nations, Governments, the private sector and civil society could come together as a multi-stakeholder digital

*technology track in preparation for a Summit of the Future to agree on a Global Digital Compact. This would outline shared principles for an open, free and secure digital future for all. Complex digital issues that could be addressed may include: reaffirming the fundamental commitment to connecting the unconnected; avoiding fragmentation of the Internet; providing people with options as to how their data is used; appli-*

*cation of human rights online; and promoting a trustworthy Internet by introducing accountability criteria for discrimination and misleading content. More broadly, the Compact could also promote regulation of artificial intelligence to ensure that this is aligned with shared global values.”<sup>106</sup>*

The discussions on Internet governance over the last decade at EuroDIG meetings have

produced a valuable resource of expert insights and diverse experience relevant to this initiative by the UN Secretary General António Guterres.

Here is a summary of the main principles and commitments relating specifically to data protection and human rights which have been discussed and agreed at successive EuroDIG meetings during the last decade.

## Data Protection

### Core Principles

- It is important for a citizen to know how their data is used, stored, and secured: what are the stages, who has access at each particular point.
- Privacy should be an important issue in everything we do, and its central parts should be privacy by design and security by design.
- Privacy is about trust, and companies need to demonstrate that they are trustworthy. Privacy enhanced technologies should be everyone’s right.

### Commitments to action

- Citizens should have a choice to control how their data is used by different entities in a centralised or a decentralised manner.
- Entities collecting user data need to be proactive in ensuring transparency and accountability.
- Some users are willing to share their data in return for a service. Therefore, education and information are key for users to understand what is at stake, and to take responsibility.

## Human Rights

### Core Principles

- Digital identity solutions need to be measured not only by their usefulness and functionality but more importantly by how they respect and reflect fundamental human rights and common responsibilities.

### Commitments to action

- Finding the right balance between the control of online content and upholding fundamental rights will remain an important challenge.
- Given that most cyber incidents occur across borders and that there is no common definition of crime and terrorism, cooperation between states and with the private sector on such matters is crucial.
- A careful impact assessment of new technologies and tools on human rights should be carried out to avoid violations of individual rights.

## Conclusion

The defence and protection of human rights online were central to debates about Internet governance at EuroDIG meetings. From the beginning, governments were urged to participate in multistakeholder Internet governance processes and to develop legislation and enforcement that adequately supports the Internet's nature. Subsequently, governments are requested to safeguard human rights online by imposing and enforcing regulation that is in line with the outcomes of the multi-stakeholder process.

The discussions have been wide-ranging and focussed on freedom of speech versus fake news and hate speech, privacy, use of secure encryption and protection from mass surveillance versus cybersecurity, the fight against terrorism and the safeguarding of children.

Initially, there was limited trust in governments and regulations, with limited digital literacy among government officials leading to the assumption that government intervention would be detrimental. The Snowden revelations of mass surveillance further eroded that trust. But then, governments were able to shift the balance. They demonstrated engagement, enhanced comprehension and highlighted

genuine, albeit sometimes exaggerated, issues which necessitated governmental intervention. As a result, regulation is often seen more as a measure to safeguard human rights rather than a threat to freedom of speech and privacy. Nevertheless, the threats of censorship and widespread surveillance have yet to be fully addressed.

The role of big Internet corporations has also undergone considerable change. First, they were criticised as gated communities that endanger the Internet of open standards resulting in unfair competition. Then they were blamed for applying their own community standards on free speech and censorship and disregarding national laws although their positive role in supporting the communication of the opposition of non-democratic regimes was recognized.

Governments increased the pressure on big social media platforms. Despite warnings from the EuroDIG community that intermediaries should not be assigned the responsibility of policing the Internet, the EU pursued this option during the pandemic and subsequently implemented it in the Digital Services Act (DSA). However, the DSA also added oversight by establishing the role of powerful independ-

ent “Digital Services Coordinators” that each member state needs to designate. The DSA also extends possibilities for users to seek legal recourse so that intermediaries will be policing the Internet but will not have the final say when doing so. It also requires platforms to uphold certain values such as transparency and pays attention to protecting fundamental rights on platforms. Additionally, the DSA provides the EU Commission with a broad range of supervisory powers, particularly in times of crisis, which in turn also require proper legal oversight.

Governments face the challenge that their regulation – although intended to ensure a free and open Internet that respects human rights and other fundamental rights and values – may have a negative impact on those same rights and values. At the beginning of the EuroDIG meetings, the community welcomed governments to be part of the multistakeholder discussion, but was sceptical about regulation because regulation overrides any standard or other multistakeholder outcome. Starting with the GDPR, this attitude towards regulation changed and became more positive. Nevertheless, the risks of regulation and increasing government power for an open and free Internet remain and require an ongoing

and proper assessment of human rights risks to address possible negative side effects.

This increasing focus on regulation also threatens to weaken the multistakeholder process of Internet governance. The Global Digital Compact process at the UN has also been criticised for not allowing enough civil society participation and for moving towards a multilateral governance model.<sup>107</sup> While a multilateral governance model can also protect human rights, nation states tend to favour government interests when they conflict with human rights issues. This underlines the importance of institutions such as the EuroDIG meetings continuing to act as a human rights watchdog, discussing human rights risks and threats with national governments, the EU and within the UN system.

Other key issues discussed by the EuroDIG stakeholder community included Internet access, accessibility, the digital divide, digital literacy, transparency and fairness of AI, freedom of information, and fair remuneration of authors versus fair use of copyrighted material versus overblocking. Many of these important issues showed significant progress. However, they have not shown the same kind of Janus-faced characteristic as regulation on freedom of expression and surveillance.

## Annotations

- <sup>1</sup> United Nations. “Ensuring the Protection of Human Rights in the Digital Era.” Digital Human Rights: Office of the Secretary-General’s Envoy on Technology, <https://www.un.org/techenvoy/content/digital-human-rights>.
- <sup>2</sup> EuroDIG 2008. EuroDIG Wiki, 2008, [https://eurodigwiki.org/wiki/EuroDIG\\_2008](https://eurodigwiki.org/wiki/EuroDIG_2008). Accessed 22 September 2023.
- <sup>3</sup> EuroDIG 2009. “Messages from Geneva.” EuroDIG Wiki, [https://eurodigwiki.org/mw/images/9/97/2009\\_EuroDIG\\_Messages\\_from\\_Geneva.pdf](https://eurodigwiki.org/mw/images/9/97/2009_EuroDIG_Messages_from_Geneva.pdf). Accessed 22 September 2023.
- <sup>4</sup> EuroDIG 2009. “Messages from Geneva.” EuroDIG Wiki, Workshop on Personal and Professional Privacy, p. 7.
- <sup>5</sup> EuroDIG 2009. “Messages from Geneva.” EuroDIG Wiki, Workshop on Personal and Professional Privacy, p. 7.
- <sup>6</sup> EuroDIG 2009. “Messages from Geneva.” EuroDIG Wiki, “Plenary 1: Access to content online: regulation, business models, quality and freedom of expression.”, p.12.
- <sup>7</sup> EuroDIG 2009. EuroDIG Wiki, “Workshop 5: Effective media literacy for the end-user.”.
- <sup>8</sup> EuroDIG 2010. “Messages from Madrid.” EuroDIG Wiki, p.6, [https://eurodigwiki.org/mw/images/6/66/2010\\_EuroDIG\\_Messages\\_from\\_Madrid\\_eng.pdf](https://eurodigwiki.org/mw/images/6/66/2010_EuroDIG_Messages_from_Madrid_eng.pdf). Accessed 22 September 2023.
- <sup>9</sup> EuroDIG 2010. “Messages from Madrid.” EuroDIG Wiki, p.20.
- <sup>10</sup> EuroDIG 2011. “EuroDIG Belgrade.” EuroDIG Wiki, [https://eurodigwiki.org/wiki/EuroDIG\\_2011](https://eurodigwiki.org/wiki/EuroDIG_2011). Accessed 9 September 2023.
- <sup>11</sup> European Commission 2022. “European Digital Rights and Principles”, last updated 19 June 2023, <https://digital-strategy.ec.europa.eu/en/policies/digital-principles>.
- <sup>12</sup> EuroDIG 2012. “EuroDIG Messages.” EuroDIG Wiki, 2012, [https://eurodigwiki.org/mw/images/4/42/EuroDIG\\_2012\\_short\\_messages\\_to\\_the\\_IGF\\_final\\_rev1.pdf](https://eurodigwiki.org/mw/images/4/42/EuroDIG_2012_short_messages_to_the_IGF_final_rev1.pdf). Accessed 22 September 2023, p.5.
- <sup>13</sup> EuroDIG 2012. “Messages from Stockholm 2012, Who sets the rules for the Internet?” EuroDIG Wiki, p. 6.
- <sup>14</sup> EuroDIG 2012. “Messages from Stockholm 2012, Who sets the rules for the Internet?” EuroDIG Wiki, [https://eurodigwiki.org/mw/images/4/42/EuroDIG\\_2012\\_short\\_messages\\_to\\_the\\_IGF\\_final\\_rev1.pdf](https://eurodigwiki.org/mw/images/4/42/EuroDIG_2012_short_messages_to_the_IGF_final_rev1.pdf), Accessed 9 September 2023, p.6.
- <sup>15</sup> EuroDIG 2012. “Messages from Stockholm 2012, Who sets the rules for the Internet?”, EuroDIG Wiki, p.6.
- <sup>16</sup> EuroDIG 2012. “Messages from Stockholm 2012, Who sets the rules for the Internet?” EuroDIG Wiki, p.9.
- <sup>17</sup> NSA collecting phone records of millions of Verizon customers daily, The Guardian (2013), <https://www.theguardian.com/world/2013/jun/06/nsa-phone-records-verizon-court-order>. Accessed 22 September 2023.

- <sup>18</sup> EuroDIG 2013. “Messages from Stockholm: Internet for society – how to serve the public interest?”, EuroDIG Wiki, [https://eurodigwiki.org/wiki/EuroDIG\\_2013](https://eurodigwiki.org/wiki/EuroDIG_2013). Accessed 9 September 2023, p.5.
- <sup>19</sup> EuroDIG 2013. “Messages from Stockholm: Internet for society – how to serve the public interest?”, EuroDIG Wiki, p.2.
- <sup>20</sup> EuroDIG 2013. “Messages from Stockholm: Internet for society – how to serve the public interest?”, EuroDIG Wiki, p.22.
- <sup>21</sup> EuroDIG 2014. “Messages from Berlin Digital society at stake – Europe and the future of the Internet”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/3/33/2014\\_EuroDIG\\_Messages\\_from\\_Berlin\\_small.pdf](https://eurodigwiki.org/mw/images/3/33/2014_EuroDIG_Messages_from_Berlin_small.pdf). Accessed 9 September 2023, p.5.
- <sup>22</sup> Council of Europe. Recommendation CM/Rec (2014) 6 of the Committee of Ministers to member States on a Guide to human rights for Internet users (Adopted by the Committee of Ministers on 16 April 2014 at the 1197th meeting of the Ministers’ Deputies). 2014, [https://www.coe.int/en/web/freedom-expression/committee-of-ministers-adopted-texts/-/asset\\_publisher/aDXmrol0vvsU/content/recommendation-cm-rec-2014-6-of-the-committee-of-ministers-to-member-states-on-a-guide-to-human-rights-for-internet-users-adopted-by-t](https://www.coe.int/en/web/freedom-expression/committee-of-ministers-adopted-texts/-/asset_publisher/aDXmrol0vvsU/content/recommendation-cm-rec-2014-6-of-the-committee-of-ministers-to-member-states-on-a-guide-to-human-rights-for-internet-users-adopted-by-t).
- <sup>23</sup> EuroDIG 2015,” Messages from Sofia Shaping the Internet together”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/0/05/EuroDIG\\_A5.pdf](https://eurodigwiki.org/mw/images/0/05/EuroDIG_A5.pdf). Accessed 22 September 2023, p. 13.
- <sup>24</sup> EuroDIG 2015,” Messages from Sofia Shaping the Internet together”, EuroDIG Wiki, p. 7.
- <sup>25</sup> Thorbjørn Jagland, Secretary General of the Council of Europe, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/2/25/Messages\\_from\\_Brussels.pdf](https://eurodigwiki.org/mw/images/2/25/Messages_from_Brussels.pdf). Accessed 22 September 2023, p. 11.
- <sup>26</sup> Günther Oettinger, EU Commissioner for Digital Economy & Society, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 8.
- <sup>27</sup> Andrus Ansip, Vice President of the European Commission, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 9.
- <sup>28</sup> Plenary 4, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 19
- <sup>29</sup> Marina Kaljurand, Minister of Foreign Affairs of Estonia, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wik, p. 10
- <sup>30</sup> For example France, The Guardian, “France passes new surveillance law in wake of Charlie Hebdo attack”, May 5 2015, <https://www.theguardian.com/world/2015/may/05/france-passes-new-surveillance-law-in-wake-of-charlie-hebdo-attack>, Accessed 22 September 2023.
- <sup>31</sup> Plenary 3a, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 17.

- <sup>32</sup> Plenary 1, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 14.
- <sup>33</sup> Plenary 3b, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 18.
- <sup>34</sup> Workshop 9, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 30.
- <sup>35</sup> Workshop 1, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG Wiki, p. 22.
- <sup>36</sup> Workshop 2, EuroDIG 2016, “Messages from Brussels, Embracing the digital (r)evolution”, EuroDIG WikiMessages 2016, p. 23 and Workshop 10, p. 31.
- <sup>37</sup> Microsoft 2017, “A Digital Geneva Convention to protect cyberspace”, <https://query.prod.cms.rt.microsoft.com/cms/api/am/binary/RW67QH>, Accessed 22 September 2023.
- <sup>38</sup> Kersti Kaljulaid, President of Estonia, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/c/c8/Messages\\_from\\_Tallinn\\_EuroDIG\\_2017.pdf](https://eurodigwiki.org/mw/images/c/c8/Messages_from_Tallinn_EuroDIG_2017.pdf). Accessed 22 September 2023, p. 10.
- <sup>39</sup> Kersti Kaljulaid, President of Estonia, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 11.
- <sup>40</sup> Siim Sikkut, Chief Information Officer of Estonia, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 13.
- <sup>41</sup> Dalia Grybauskaitė, President of Lithuania, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 12.
- <sup>42</sup> Erna Solberg, Norwegian Prime Minister, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 14.
- <sup>43</sup> Pearse O’Donohue, Acting Director for Future Networks, DG CONNECT, EU Commission, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 15.
- <sup>44</sup> Sally Shipman Wentworth, ISOC, Vice President of Global Policy Development, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 16.
- <sup>45</sup> Internet in the “post-truth” era? EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 21.
- <sup>46</sup> Transfers of personal data to third countries, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 23.
- <sup>47</sup> Realising rights online – from human rights discourses to enforceable stakeholder responsibilities, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 26.
- <sup>48</sup> New business models and the Internet, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 27.



- <sup>49</sup> Directive (EU) 2019/790
- <sup>50</sup> Human rights and IoT – looking for a win-win solution, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 30.
- <sup>51</sup> Criminal justice on the Internet – identifying common solutions, EuroDIG 2017, “Messages from Tallinn, DIGital futures: promises and pitfalls”, EuroDIG Wiki, p. 29.
- <sup>52</sup> Mariya Gabriel, EU Commissioner for Digital Economy and Society, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/c/cb/Messages\\_from\\_Tbilisi\\_EuroDIG\\_2018.pdf](https://eurodigwiki.org/mw/images/c/cb/Messages_from_Tbilisi_EuroDIG_2018.pdf). Accessed 22. September 2023, p. 10.
- <sup>53</sup> Workshop Surveillance, laws, and governments vs. Internet rights, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 26.
- <sup>54</sup> Panel on Information disorder: causes, risks and remedies, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 15.
- <sup>55</sup> Workshop Your freedom of expression vs. mine? Who is in control?, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 29.
- <sup>56</sup> Workshop Privacy is everywhere: how to deal with emerging problems?, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 21.
- <sup>57</sup> Workshop DNS Quo vadis – addressing the challenges and the future functionality of the DNS, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 23.
- <sup>58</sup> Workshop Surveillance, laws, and governments vs. Internet rights, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 26.
- <sup>59</sup> Workshop Human rights and IoT – looking for a win-win solution, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 24.
- <sup>60</sup> Vladyslav Radysh Government Relations Director, The Bitfury Group, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 12.
- <sup>61</sup> Panel on Blockchain – a competition to governments? EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 17.
- <sup>62</sup> Claudia Luciani Director of Democratic Governance and Anti-Discrimination, Council of Europe, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 11.
- <sup>63</sup> Workshop Artificial intelligence, ethics and the future of work, EuroDIG 2018, “Messages from Tbilisi, Innovative strategies for our digital future”, EuroDIG Wiki, p. 27.

- <sup>64</sup> Pauline Krikke, Mayor of The Hague, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/9/9b/Messages\\_from\\_The\\_Hague\\_EuroDIG\\_2019.pdf](https://eurodigwiki.org/mw/images/9/9b/Messages_from_The_Hague_EuroDIG_2019.pdf). Accessed 22. September 2023, p. 12.
- <sup>65</sup> Mona Keijzer State Secretary for Economic Affairs and Climate Policy of the Netherlands, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 12.
- <sup>66</sup> Mariya Gabriel EU Commissioner for Digital Economy and Society, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 13.
- <sup>67</sup> “Global digital governance – can technical solutions respond to policy questions?”, “Intersection between public policy and technical standards” and “Making norms work – Pursuing effective cybersecurity”, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, pp. 16, 17, 19.
- <sup>68</sup> Panel Emerging technologies and human rights, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 18.
- <sup>69</sup> Ethics by design – Moving from ethical principles to practical solutions, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 20.
- <sup>70</sup> Panel Tackling online harms – a regulation minefield? Present and future, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 22.
- <sup>71</sup> Panel The European Copyright Reform – what just happened, what’s next, and what does it mean for the Internet?, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 21.
- <sup>72</sup> Workshop GDPR Implementation – Blind spots, opportunities, and the way forward, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 25.
- <sup>73</sup> Workshop Blockchain & Privacy, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 33.
- <sup>74</sup> Workshop Children in the digital age – How to balance their right to freedom and their right to be protected?, EuroDIG 2019, “Messages from The Hague, Cooperating in the Digital Age”, EuroDIG Wiki, p. 27.
- <sup>75</sup> Atish Dabholkar, Director of the Abdus Salam International Centre for Theoretical Physics (ICTP), Paola Pisano, Italian Minister for Technological Innovation and Digitalisation, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/4/42/EuroDIG\\_Messages\\_2020-virtual\\_meeting.pdf](https://eurodigwiki.org/mw/images/4/42/EuroDIG_Messages_2020-virtual_meeting.pdf). Accessed 23 September 2023, pp. 12, 14.
- <sup>76</sup> Shamila Nair-Bedouelle UNESCO, Assistant Director-General for Natural Sciences, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p. 12.

- <sup>77</sup> Fabrizio Hochschild Special Adviser to the UN Secretary-General, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p. 16.
- <sup>78</sup> Panel “European Digital Economy and COVID-19 pandemic – current state of affairs, risks, and opportunities”, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p.18.
- <sup>79</sup> Panel “Digital sovereignty – from users’ empowerment to technological leadership”, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p. 19.
- <sup>80</sup> Workshop “Innovative uses of blockchain for public empowerment”, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p. 26.
- <sup>81</sup> Workshop “Social media – opportunities, rights and responsibilities”, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p. 28.
- <sup>82</sup> Workshop “Privacy in Europe – GDPR vs. information freedom?”, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p. 30.
- <sup>83</sup> Workshop “Fighting COVID19 with AI – How to build and deploy solutions we trust?”, EuroDIG 2020, “Messages 2020 Virtual Meeting, Towards a sustainable governance of the Internet”, EuroDIG Wiki, p. 34.
- <sup>84</sup> Ana Persic, UNESCO, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/0/08/EuroDIG\\_Messages\\_2021-virtual\\_meeting.pdf](https://eurodigwiki.org/mw/images/0/08/EuroDIG_Messages_2021-virtual_meeting.pdf). Accessed 22 September 2023, p. 13.
- <sup>85</sup> Patrick Penninckx, Head of Information Society Department of the Council of Europe, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 12.
- <sup>86</sup> Panel “European mediascape – How to (re)create a trusted public sphere?”, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 20.
- <sup>87</sup> Workshop “Digital services regulation – opportunities and challenges”, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 22.
- <sup>88</sup> Workshop “Content moderation on the Internet infrastructure level – Where does censorship begin?”, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 29.
- <sup>89</sup> Workshop “Privacy impact of COVID19-related shift to online activities (payments, virtual meetings ...)”, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 35.
- <sup>90</sup> Workshop “Data Sovereignty and Trusted Online Identity – COVID-19 Vaccination Data”, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 24.

- <sup>91</sup> Workshop “Human vs. algorithmic bias – is unbiased decision-making even a thing?”, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 28.
- <sup>92</sup> Workshop “New developments and prospects in data protection (with regard to AI)”, EuroDIG 2021, “Messages 2021 Virtual Meeting, Into Europe’s Digital Decade”, EuroDIG Wiki, p. 25
- <sup>93</sup> Focus Area 2, EuroDIG 2022, “Messages from Trieste, Set the sails right!”, EuroDIG Wiki, [https://eurodigwiki.org/mw/images/1/14/Messages\\_from\\_Trieste\\_EuroDIG2022.pdf](https://eurodigwiki.org/mw/images/1/14/Messages_from_Trieste_EuroDIG2022.pdf). Accessed 23 September 2023, p. 19.
- <sup>94</sup> Focus Area 3, EuroDIG 2022, “Messages from Trieste, Set the sails right!”, EuroDIG Wiki, p. 21.
- <sup>95</sup> A Declaration for the Future of the Internet, <https://ec.europa.eu/newsroom/dae/redirection/document/86262>
- <sup>96</sup> Focus Area 4, EuroDIG 2022, “Messages from Trieste, Set the sails right!”, EuroDIG Wiki, p. 23.
- <sup>97</sup> Press release of the EU-Commission, April 28, 2022, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_2695](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_2695). Accessed 23 September 2023.
- <sup>98</sup> Main Topic 1: Impact of the war, Subtopic 3: Protecting citizens in times of crisis, EuroDIG 2023, “Messages from Tampere, Internet in troubled times: risk, resilience hope”, EuroDIG Website, [https://www.eurodig.org/wp-content/uploads/2023/09/Messages\\_from\\_Tampere\\_EuroDIG2023.pdf](https://www.eurodig.org/wp-content/uploads/2023/09/Messages_from_Tampere_EuroDIG2023.pdf). Accessed 22 September 2023, p. 23.
- <sup>99</sup> Main Topic 2: Internet Fragmentation, Subtopic 3: How can the Global Digital Compact prevent Internet fragmentation?, EuroDIG 2023, “Messages from Tampere, Internet in troubled times: risk, resilience hope”, EuroDIG Website, p. 29.
- <sup>100</sup> Main Topic 3: Subtopic 3: Platforms as critical infrastructure for democratic discourse, EuroDIG 2023, “Messages from Tampere, Internet in troubled times: risk, resilience hope”, EuroDIG Website, p. 33.
- <sup>101</sup> Main Topic 3: Subtopic 3: Platforms as critical infrastructure for democratic discourse, EuroDIG 2023, “Messages from Tampere, Internet in troubled times: risk, resilience hope”, EuroDIG Website, p. 33.
- <sup>102</sup> Gallwitz/Kreil (2022), Investigating the Validity of Botometer-Based Social Bot Studies, [https://doi.org/10.1007/978-3-031-18253-2\\_5](https://doi.org/10.1007/978-3-031-18253-2_5). Accessed 22. September 2023.
- <sup>103</sup> Main Topic 3: Subtopic 3: Platforms as critical infrastructure for democratic discourse
- <sup>104</sup> Workshop 3: Trustworthy AI: Large Language Models for Children and Education, EuroDIG 2023, “Messages from Tampere, Internet in troubled times: risk, resilience hope”, EuroDIG Website, p. 39.
- <sup>105</sup> Workshop 5: Proposal for a regulation laying down rules to prevent and combat child sexual abuse, EuroDIG 2023, “Messages from Tampere, Internet in troubled times: risk, resilience hope”, EuroDIG Website, p. 41.
- <sup>106</sup> The full text is accessible at: [https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/Global-Digital-Compact\\_background-note.pdf](https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/Global-Digital-Compact_background-note.pdf)

<sup>107</sup> Mercedes Page, The UN wants more multilateral regulation of the digital world. Democracies should be worried, 19 September 2023, The Strategist, <https://www.aspistrategist.org.au/the-un-wants-more-multilateral-regulation-of-the-digital-world-democracies-should-be-worried/>. Accessed 22. September 2023.

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