

COUNCIL OF EUROPE

DIGITAL AGENDA 2022-2025

Protecting human rights, democracy and
the rule of law in the digital environment



Ministers' Deputies

CM Documents

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4 May 2022

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I. INTRODUCTION

The global digital transition is a reality in all areas, simplifying our daily lives - whether it is crossing a border with a digital vaccine passport, taking a distance learning course, shopping or communicating with family and friends. As digital services spread and take root, the question of the regulation of the various technologies at work is becoming increasingly pressing. Advances in quantum computing, the convergence between computer science and cognitive sciences (such as artificial intelligence), nanotechnologies and biotechnologies is contributing to the creation, with a speed that our civilisation has probably never known, of a whole new socio-technical environment in which the production and use of data have become central. Far beyond our computers, smartphones and connected watches, every object would seem to have a vocation to interface, through the so-called "Internet of Things" with the deployment of 5G. New immersive experiences, like metaverse, will play an increasing role in our lives and already shape the future of the internet. The massive investments of the large digital companies in that domain will make these virtual universes concrete, within which we will find the issues that we already know about the internet multiplied.

In that respect the Council of Europe will launch a reflection process on a societal impact of these emerging virtual ecosystems to ensure that their functioning respect human rights, democracy and the rule of law.

In this context, the emergence of a possible norm competition between law and algorithmic systems has also been documented by academic research. Our citizens but also governments and other public and private stakeholders are increasingly aware of the challenges and dangers that this transition can pose - exploitation of personal data, disinformation, cybercrime, security issues, to name but a few.

The digital environment is inherently borderless, and its regulation has become subject to a multitude of national and international rules, both binding and non-binding. An important

priority of the Council of Europe in the digital realm is to develop, in particular in connection with ongoing European initiatives, a cross-cutting legal instrument for the development, design and application of artificial intelligence, including notably general common principles as proposed in the CAHAI's document *"Possible elements of a legal framework on artificial intelligence, based on the Council of Europe's standards on human rights, democracy and the rule of law"* and conducive to innovation, to be finalised by 15 November 2023.

The role of the Council of Europe in this landscape is clear, and it has been tackling the issue head on for years. As the guardian of human rights, democracy and the rule of law in Europe, it is its responsibility to ensure - through the standards it develops, and through its monitoring and co-operation activities - that these fundamental values are protected in the digital environment, as much as they are outside it. The legal area common to its member States, constituted by the European Convention on Human Rights together with the European Social Charter and a corpus of more than 220 other conventions, guarantees this for the 700 million people who live there. And the influence of our Organisation and its values extends beyond Europe's borders, with several of its flagship instruments being open to non-member States.

Whether in the context of its Internet Governance Strategies (2012-2019) or beyond, the Council of Europe has provided its member States and partners, as well as other stakeholders, with solid references for the implementation of its standards in the digital environment. The modernisation of its data protection convention ("Convention 108+"); the Committee of Ministers' recommendations on the roles and responsibilities of internet intermediaries and on the human rights impacts of algorithmic systems; e-voting and on the rights of the child digital environment; the Venice Commission's Principles for a Rights Compliant Use of Digital Technologies in Electoral Processes; the European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their Environment: these are just a few examples of the Council of Europe's work.

This agenda will guide a resolute implementation of the Council of Europe Strategic Framework 2022-2025 in the digital environment. It therefore follows the Framework's twelve-point structure. All priority actions identified boil down to three main, Organisation-wide objectives:

- Consolidating the existing digital regulation by supporting the implementation of Council of Europe standards to have a coherent set of effective legal mechanisms to protect human rights, democracy and the rule of law in the digital environment;
- Responding to new challenges raised and taking advantage of the opportunities provided by emerging digital technologies by developing new legal instruments, and/or adapting and updating existing ones as appropriate, to help member States meet present and future challenges raised by the digital transition and to do so in line with Council of Europe standards;
- Accompanying member States for a digital transition with European values based on Council of Europe standards, through monitoring and co-operation activities.

II. ADDRESSING THE COUNCIL OF EUROPE'S KEY STRATEGIC PRIORITIES IN THE DIGITAL ENVIRONMENT

Implementing the European Convention on Human Rights

The European Convention on Human Rights (the Convention; the ECHR) is the cornerstone of values on which the Council of Europe is founded. Its member States are legally bound to secure to everyone within their jurisdiction the rights and freedoms defined in the Convention. Enjoyment of these rights and freedom must be ensured in the digital environment just as they are offline, as visible from the European Court of Human Rights (the Court) case law on information technology (tackling issues of privacy, freedom of expression, non-discrimination, access to an effective remedy in cases dealing with, for example, mass surveillance, the editorial responsibility of platforms and electoral interference).

The use of digital technologies has also led and can lead to further improvements in the enjoyment of rights and liberties defined by the Convention. This is the case for example for the right to a fair trial within reasonable time, the use of digital technologies in judicial systems having allowed for improvements in their efficiency and quality.

Several specific substantive issues constitute strategic priorities of their own, developed under the relevant chapters of this document.

Lastly, the deployment of digital technology offers an important opportunity to foster the sustainability and effectiveness of the human rights protection system established by the European Convention on Human Rights. This includes knowledge-sharing tools aimed at strengthening ECHR implementation at national level.

Priority actions

- To support member States in the implementation of the Convention in the context of the digital transformation;
- To support member States in the full and swift execution of judgments of the Court regarding information technology;
- To make full use of digital technologies to reinforce access to information and knowledge-sharing about the ECHR and in particular about ECHR implementation at national level.



Ensuring freedom of expression, both online and offline

Freedom of expression is a pillar of any democratic society. It is protected by Article 10 of the ECHR. This applies equally in the digital environment.

Any regulation of online expression, including measures aimed at restricting access through blocking, filtering or moderating, must be strictly compliant with Council of Europe standards.

States must also secure an “enabling environment” in which those participating in public debate can express their opinions and ideas without fear and this includes the online world. They must protect journalists and other media actors from all forms of threats and harassment online, as much as offline. Ensuring that freedom of thought is protected from algorithmic manipulation and that the plurality of views is heard in the public debate also requires protecting segments of the population, that are particularly targeted by hate speech and online violence, such as women and human rights defenders, and persons belonging to minority groups. They also must take into account the need to ensure age-sensitive information and media.

Reliability and trust in information online is equally fundamental, to enable citizens to participate in public debates in an informed manner and to preserve trust in democratic institutions. This requires preserving quality journalism and sustainable, free, independent and pluralist media in the digital environment. Reliability and trust in information online also requires addressing mis- and disinformation, including the potential manipulative uses of algorithmic processes which may entail dangers of influencing social and political behaviours. The latter, in addition to the problem of the dissemination of contentious, harmful and illegal content online, highlights the importance of democratic control, and oversight over digital platforms and search engines in line with Council of Europe standards.

Closely related issues (such as the fight against racism, xenophobia, discrimination and violence against women and children online) constitute strategic objectives of their own, addressed under the respective chapters.

Finally, freedom of expression must also be promoted by fostering diversity and pluralism in the audio-visual and cultural sector.

Priority actions

- To ensure follow-up to the Resolutions and Recommendations already adopted, and to the texts relating to freedom of expression in the digital environment adopted at the 2021 Conference of Ministers Responsible for Media and Information Society and related Committee of Ministers' decisions;
- To support member States in reinforcing the safety of journalists and all those participating in public debate online;
- To support member States in putting in place legal guarantees for freedom of expression online in line with the ECHR, including regarding the blocking, filtering or moderation of content, so as to fight online misinformation, disinformation and hate in accordance with Council of Europe standards ;
- To provide support for quality journalism and sustainable free, independent and pluralist media in the digital environment, as well as to identify human rights and rule of law compliant responses to the changing paradigm of the media environment;
- To foster media and information literacy;
- To expand the Council of Europe's digital exhibition "Free to Create – Create to be Free" to all member States and promote the collection of related good practices;
- To strengthen co-operation between platforms, governments and civil society, especially to support new forms and modalities of data sharing between them to better document and analyse risks of disinformation.



Fighting growing social inequalities and poverty

The fight against social inequalities and poverty can be facilitated by digital technologies or, on the contrary, hindered by the use of systems that reinforce existing inequalities: this has been underlined by the 2021 Committee of Ministers' Declaration on the risks of computer-assisted or artificial-intelligence-enabled decision making in the field of the social safety net. Also, as evidenced by the Covid-19 crisis, the digital divide (lack of equipment, broadband connections and digital skills) accentuates social exclusion. More broadly, digitalisation has a profound impact on social rights, particularly on access to services, social protection, education, training and employment. Protection from exploitation of workers in the platform economy and the right to health and safety are some of the concrete challenges to be addressed.

The European Social Charter (the Charter) system is essential to support member States in the design of social rights policies capable of addressing today's challenges. It should also play a transversal role in the delivery against specific priority action areas referred to throughout the present document. To enhance the Charter's effectiveness in both the short and longer terms, the Organisation will focus on a reform of its treaty system. The use of digital technologies is an important aspect to integrate into this reflection and reform work, including with a view to supporting the Charter's implementation at national level and to facilitate the communication between Charter stakeholders.

Priority actions

- To promote the effective implementation of the European Social Charter at the national level in the face of the challenges of digitalisation;
- To assist member States in addressing new challenges to social cohesion in relation to digitalisation (including the platform economy and the digital components of the transition to a green economy);
- In the context of the reform of the European Social Charter system, to consider how to maximise the use of digital technologies to reinforce access to information and knowledge-sharing about the Charter and to diversify remote working models in Charter proceedings.

Non-discrimination and ensuring the protection of vulnerable groups

Technology, including internet and social media, have empowered women, and those who are subject to discrimination and/or persons in vulnerable situations, and given them a platform to express their views and opinions. At the same time, it provides users with opportunities to publish discriminatory material “pseudonymously”, with a potentially very broad impact and with apparent impunity, and to commit various forms of crime in almost all sectors of economy or society, including sexual exploitation and abuse against children. This needs to be tackled in a systematic way. More specifically, the digital dimension of violence against women takes the form of sexist hate speech, online and technologically facilitated stalking and sexual harassment, including image-based sexual abuse widely known as revenge porn, cyberflashing and filmed rape.

Structural inequalities determine to a significant extent whether people, including young people and children (children in migration, children living in poverty or on the streets, children living with disabilities, children belonging to Roma and Traveller¹ communities) can access the opportunities afforded by digital tools. In turn, a lack of access may exacerbate their vulnerability.

Access to digital technology among persons belonging to national minorities and those in vulnerable situations, and its use in complementing conventional forms of education are important matters for national policies on the rights of persons belonging to minorities as well as on policies on regional and minority languages.

Priority actions

- To support member States and other stakeholders on the most efficient ways of preventing and combating the digital dimension of violence against women and children (including cyberbullying), to raise awareness and disseminate information on best practices through monitoring and standard-setting work and by drawing on the complementarity of the Istanbul and Budapest Conventions;
- To support member States in addressing the impact of digital technology on the rights of persons belonging to national minorities (in particular education and media) in light of their undertakings under relevant conventions;
- To support member States in an inclusive education approach for children belonging to Roma and Traveller communities and other categories of children in vulnerable situations or children left behind by digitally supported education during the pandemic;
- To support member States and other stakeholders in the implementation of existing recommendations and instruments and develop new guidance and tools to protect the child in the digital environment including in co-operation with the private sector;
- To promote new forms of engagement between governments and the IT industry in order to enhance internet safety and to make those risks better known among the public, especially persons in vulnerable situations.

¹ The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.



Fighting inequality, racism, xenophobia and discrimination on grounds of religion or belief or any other ground

Discrimination is a serious and frequent human rights violation. Inequality, reinforced by racism, antisemitism, antigypsism, xenophobia and intolerance, divides and destabilises democracies. The increasingly widespread use of artificial intelligence (AI) also raises risks of direct or indirect discrimination. A systematic approach to all these interrelated phenomena is required to build resilient and inclusive societies.

The development and use of emerging technologies can indeed contribute to the creation of societies free from discrimination. To this effect, emerging technologies, including AI, must be designed and used so as not to create, reinforce or reproduce discrimination based on — among other things — social, gender, age, ethnic, cultural, linguistic or religious differences.

Hate speech online and other forms of online violence should be addressed through comprehensive and gender sensitive approaches in partnerships between public authorities, civil society and the internet industry and involving legislative, judicial and administrative measures, public awareness, self-regulation/co-regulation for media, internet intermediaries and political bodies, and the elaboration and dissemination of alternative and counter narratives.

Priority actions

- To support member States in addressing online hate speech through monitoring and through the development of policies and tools, awareness raising and dissemination of information on best practices;
- To support member States and other key stakeholders in addressing the challenges and opportunities for effective equality and non-discrimination and for combatting hate speech posed by the use of AI tools (including sexual orientation and gender identity);
- To support member States and other stakeholders in the implementation of existing instruments and in the development of new ones.

Independence, efficiency and resilience of the judicial system of our member States

The use of digital technologies in judicial systems has already led to a significant improvement in their efficiency and quality. Technological developments, in particular in artificial intelligence or blockchains, are likely to have a further, profound impact on the functioning of justice. Smart contracts, where protocols and computational contracts could become more autonomous and decentralised, or the use of complex technological systems designed to assist judicial decision making or even automate the decision-making process through the use of AI are only some examples of this. How to deal with digital evidence also continues to be a challenge for member States.

It is key to ensure that human rights and rule of law principles are an integral part of any solutions that link technology and justice. Increased use of technology must not undermine the judiciaries' integral values such as transparency, independence, impartiality, accountability or diversity. Relevant on-line tools and mechanisms must be designed taking into account the requirements from Articles 6 and 13 ECHR and offer an adequate level of cybersecurity. These should not affect the rights to access to a judge and judicial oversight, to individualised court rulings and to a fair trial, as well as not affect the secrecy of investigations. They should comply with requirements for transparent and comprehensible court rulings.

Existing Council of Europe standards and legal instruments must be applied, including the Guidelines of the Committee of Ministers on electronic evidence in civil and administrative proceedings, or the European Commission on the Efficiency of Justice (CEPEJ) European Ethical Charter for the use of artificial intelligence in judicial systems and their environment, and its Guidelines on how to drive change towards cyberjustice. Member States will be further supported to address emerging challenges and Council of Europe instruments will be reviewed and further developed as appropriate.

Priority actions

- To support member States in ensuring that the creation or use of digital technologies and AI mechanisms in judicial systems are fully in line with the ECHR and other relevant Council of Europe treaties, as well as to ensure the primacy of the rule of law;
- To promote and raise awareness of existing Council of Europe standards and instruments relevant to the use of new technologies to enhance efficiency in and the quality of judicial proceedings;
- To review existing instruments in the light of technological developments as appropriate, keeping in mind the need to ensure coherence;
- To assist member States in identifying and addressing emerging challenges.



Fight against corruption and money laundering as well as combatting cybercrime

Digital technologies can be used to facilitate or commit crimes, but also support the fight against various forms of crime.

Cybercrime has an impact on corruption, money laundering and terrorism/financing of terrorism (notably in relation to cryptocurrencies), as well as online child sexual exploitation and abuse (OCSEA), violence against women, xenophobia, racism and other forms of hate speech and discrimination, counterfeit medicines, election interference, trafficking in human beings, drug trafficking and others. Also, evidence gathering in the cloud poses challenges to existing investigative techniques and procedural frameworks.

While governments have the obligation to protect individuals and are using digital technologies to do so, such measures need to be compliant with human rights and rule of law requirements (including data protection), and co-ordinated between States as well.

Priority actions

- To support member States in the fight against the misuse of digital technologies and AI for criminal purposes, including corruption, money laundering, terrorism/financing of terrorism and any form of cybercrime, in line with Council of Europe standards;
- To support member States in ensuring that law enforcement authorities use digital technologies to combat crime in a way that is compliant with Council of Europe standards;
- To advocate for a rapid entry into force and implementation of the Second Additional Protocol to the Convention on Cybercrime (Budapest Convention).



Fight against human trafficking

Digital technologies are increasingly used to commit human trafficking offences, including recruitment of victims, grooming, financial transactions, advertisement of services, sexual exploitation via live streaming, and control and monitoring of the victims. This creates difficulties in investigating and prosecuting human trafficking offences, identification of victims and their referral to assistance.

At the same time, digital technologies and artificial intelligence create new opportunities to prevent and investigate crimes, and to identify and assist victims, by breaking their social isolation and providing a way to report abuse. They can also play a significant role in addressing data gaps and increasing efficiency of data sharing, leading to more effective use of resources and co-ordination between governments, law enforcement, businesses and civil society.

Priority action

- Provide guidance to member States to address the challenges faced under the implementation of the Council of Europe Anti-Trafficking Convention in relation to the detection, investigation and prosecution of online and technology-facilitated human trafficking, to the protection and support of victims, international co-operation in this respect and to help prevent and combat technology-enabled trafficking in human beings.



Artificial intelligence

Artificial intelligence (AI) and more broadly digital transformation has a very concrete impact on human rights, democracy and the rule of law. The various applications of artificial intelligence present major development opportunities for our societies, for example to facilitate decision making in complex domains, improve industrial business processes, reinforce the efficiency of healthcare or judicial systems, protect and promote cultural heritage and European landscapes. At the same time, AI applications raise certain challenges, notably as regards the protection of privacy and personal data, risks of discrimination, lack of oversight of decision-making systems and the difficulty of applying existing legal frameworks to issues raised by AI.

For several years, the Council of Europe has produced guidance on these issues. In May 2021 (Hamburg Ministerial Session), the member States' Foreign Ministers were clear in their determination to give priority to the work on an appropriate legal framework for the development, design and application of artificial intelligence based on the Council of Europe's standards on human rights, democracy and the rule of law, and conducive to innovation. They were equally clear on how this work shall be structured: the Council of Europe's work on AI should continue to be articulated around two main strands.

Firstly, the development of a cross-cutting legal framework for the development, design and application of artificial intelligence, as proposed in the CAHAI's document "*Possible elements of a legal framework on artificial intelligence, based on the Council of Europe's standards on human rights, democracy and the rule of law*" and conducive to innovation.

Secondly and in addition, the development of sector-specific guidance and instruments (for example on the impact of AI on justice, freedom of expression, cybersecurity, healthcare, electoral processes, equality and anti-discrimination, children and youth, migration, criminal liability, education, culture and cultural heritage as well as on its use by prisons and police or other public services). Priorities for such sector-specific guidance are also presented in the separate chapters.

In this work, it is essential to ensure overall co-ordination, consistency and complementarity between respective Council of Europe entities. The Ministers in Hamburg were also explicit on the importance of this work being based on strong evidence and an inclusive consultation

process as well as it being undertaken in co-ordination with relevant international partners to ensure global consistency on the subject, taking into account the supporting role of the Committee on Artificial Intelligence (CAI).

The work on data protection also remains fundamental in the age of artificial intelligence. The Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (generally referred to as “Convention 108+”) is of particular relevance in this context.

Priority actions

- To develop a cross-cutting legal instrument for the development, design and application of artificial intelligence, including notably general common principles as proposed in the CAHA’s document *“Possible elements of a legal framework on artificial intelligence, based on the Council of Europe’s standards on human rights, democracy and the rule of law”* and conducive to innovation;
- To develop additional binding or non-binding instruments, as well as any relevant document or action to address challenges relating to the application of artificial intelligence in specific sectors (specific sub-priorities presented in respective chapters);
- To support a rapid entry into force of “Convention 108+” on data protection, as well as the implementation of relevant data protection standards.



Fight against environmental degradation and climate change

A variety of relevant initiatives and work are underway in different parts of the Organisation, such as the drafting of a Recommendation on human rights and the protection of the environment. Indeed, the environment and human rights are intrinsically linked and the Council of Europe is contributing to the global efforts against environmental degradation and climate change from the perspective of its specific mandate.

In the digital field, this notably implies that online activities relating to the protection of the environment and the fight against environmental degradation and climate change (which are matters of general interest) shall benefit from an enabling environment which includes the free imparting and reception of information on environmental questions, the protection of environmental human rights defenders against cyber harassment and attacks, but also the use of the latest IC technologies in the protection of cultural heritage from climate change effects and in fostering its contribution to addressing the climate crisis.

Intergovernmental co-operation work will continue on various topics related to environmental degradation, in accordance with the relevant Committee of Ministers' decisions. In this context, it will be important to duly consider the substantive and procedural implications of the digital transition.

Priority actions

- To support an enabling online environment for the exchange of information and ideas on environmental matters, as well as for the work of those who act to protect the environment, including environmental and indigenous human rights defenders (including youth), and fight environmental degradation and climate change;
- To support the development of innovative online tools for collecting, processing and assessing data related to nature conservation with a view to facilitate decision-making processes in the framework of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention);
- To support the preparation of policy guidance on the application of IC technologies and AI in addressing the climate crisis through culture and cultural heritage and to take full account of the substantive and procedural implications of the digital transition in relevant intergovernmental co-operation work.



Supporting the role and diversity of civil society, including human rights defenders, as well as national human rights institutions in member States

The interaction between democracy and technology is a key challenge of our time. It is important to continue to raise awareness of the risks posed by digital transformation to democracy and to identify enabling factors and best practices for digital transformation to contribute to better quality governance. The involvement of civil society, including organisations representing persons subject to discrimination and/or persons in vulnerable situations, in debates on the elaboration of policies related to the development, the deployment and the use of digital technologies is a democratic guarantee, particularly for the defence of rights in a dematerialised environment. National human rights institutions and equality bodies are also an essential link between public authorities and citizens in the construction of public policies, as shown by their various interventions during the health crisis.

It also remains essential to support the development of a favourable environment - online just as offline – for civil society development and participation. In this respect, the protection of whistleblowers could also continue to be followed up within the scope defined by the Committee of Ministers (notably in 2020 in its reply to the Parliamentary Assembly Recommendation “Improving the protection of whistle-blowers all over Europe”).

Priority actions

- To promote and support, where relevant, the participation of civil society in activities related to the implementation of the present digital agenda, in accordance with the Secretary General’s proposals on follow-up to the Helsinki and Hamburg decisions on civil society;
- To support the implementation in the digital environment of relevant Council of Europe standards and good practices related to civil society (including Recommendation CM/Rec(2018)11 on the need to strengthen the protection and promotion of civil society space in Europe).



Education for democratic citizenship and empowerment, and strengthening of young people's role in decision making

Digital technologies enable people to express themselves in new ways, to explore, learn and create, to connect and socialise, and to gather and participate in unexpected ways. As a result, a thorough understanding of the digital environment and the complexities of digital technologies, and mastery of digital skills, have become critical to democratic participation, social inclusion, personal and professional development, and labour-market access.

The Council of Europe developed the concept of digital citizenship education to assist its member States in preparing their citizens for the digital age and standards on developing and promoting digital citizenship education. However, further action is needed to apply these policy instruments and integrate digital citizenship education into education systems throughout Council of Europe member States.

Education and the digital world are now closely interwoven, whether at home, school, universities, or elsewhere where digital tools and technology are employed to support and promote learning.

The Council of Europe has developed Guidelines to support equitable partnerships of education institutions and the private sector. They represent a framework for establishing effective, equitable and fair collaborations between public authorities in charge of education systems, educational institutions at all levels and internet companies that extends beyond digital citizenship education.

The digital challenges upon which the Council of Europe is focusing in the youth field (in partnership with the EU) primarily concern the access to rights: digital gap in terms of social inclusion of young people from disadvantaged backgrounds, use of digital tools in youth work, for inclusion of young people with disabilities, youth from marginalised socio-economic backgrounds, ethnic minority youth, mental health of young people and digitalisation, digitalisation and young people's participation in decision making.

Priority actions

- To promote digital literacy and digital citizenship education at the European level and assist member States and other stakeholders in implementing existing policy instruments and guidelines in this area, more specifically Recommendation CM/Rec(2019)10 of the Committee of Ministers to member States on developing and promoting digital citizenship education and the Ministerial Declaration on citizenship education in the digital era;
- To analyse the implications of advanced digital technologies, in particular artificial intelligence systems on education, and develop new policy tools to provide guidance and support to member States in the digital transformation of school education and higher education towards enhancing education opportunities for all and improving the quality of education;
- To assist member States in further developing effective, equitable and fair collaborations between public authorities in charge of education systems, educational institutions at all levels, and internet providers;
- To support with training and educational resources (offline and online) youth workers, NGOs and national youth authorities on AI related challenges for young people (including addictions, cyberbullying, online safety and digital violence against young women), but also on opportunities arising from digital tools and platforms, as well as on digitalisation and young people's participation in decision making.



III. IMPLEMENTATION AND WORKING METHODS

According to the Strategic Framework of the Council of Europe, “Artificial Intelligence (AI) and the broader impact of digital transformation and the use of new technologies on human rights, democracy and the rule of law shall be a focus of the activities of the Council of Europe”. The digital transformation of our society has indeed a direct or indirect impact on all fields of the Council of Europe’s work. This digital agenda will thus be implemented through the activities carried out under all three strands of the Organisation’s “strategic triangle” (standard setting, monitoring and co-operation) and in line with the Committee of Ministers’ decisions on the Strategic Framework of the Council of Europe and forthcoming activities,² and on the Programme and Budget 2022-2025.³ Extra-budgetary resources, including joint programme funding, may also be used.

Strong relations and synergy with other international organisations are a priority for the implementation of this digital agenda: the EU (European Commission, FRA notably), the OSCE, the UN (UNESCO, UNICEF notably), the OECD and other international organisations will be key partners. Activities carried out shall also contribute to the achievement of relevant UN Sustainable Development Goals (SDGs) by member States (references and links are presented in further detail in Appendix II to the Programme and Budget).

The Council of Europe will also engage in open and inclusive exchanges with relevant stakeholders and groups, including academia and civil society. Co-operation with the private sector will be key. The platform as developed from 2017 between the Council of Europe and digital companies and their representative associations has become an important framework for

² CM/Del/Dec(2021)131/2a.

³ CM(2022)1, CM/Del/Dec(2021)1418, CM(2021)131-addfinal.

co-operation. It should be strengthened to get the full benefit of the work in this area. The implementation of the digital agenda should continue to be carried out with a forward-looking capacity for the Organisation to anticipate, with the support of all stakeholders, the significant developments to come (such as the metaverse). It is essential that the Council of Europe maintains the leadership it has demonstrated so far in the digital field - from data protection 40 years ago, to cybercrime 20 years ago and artificial intelligence two years ago.

It will be key to ensure high visibility of the work carried out under this agenda, and to strengthen communication with member States and the public-at-large, about Council of Europe achievements and their added value within the European architecture.

The Secretary General will ensure the agenda's implementation, building on the ongoing reform work to further improve the Organisation's working methods, efficiency and effectiveness, that may include the review of existing organisational structures in the Organisation. The Secretary General will carry out a mid-term review of progress on the implementation (taking into account lessons learnt and proposing adjustments to the agenda, as appropriate) and a final assessment, both taking the form of reports to be submitted to the Committee of Ministers for consideration in due course. Oversight of the implementation of the agenda will be carried out under the responsibility of the Thematic Co-ordinator on Information Policy (TC-INF) of the Committee of Ministers.

In accordance with the sectoral strategies adopted by the Committee of Ministers, gender, youth, rights of the child, and Roma and Traveller inclusion, and promoting and protecting rights of persons with disabilities shall be taken duly into account in the implementation of the digital agenda.

The global digital transition is a reality in all areas, simplifying our daily lives - whether it is crossing a border with a digital vaccine passport, taking a distance learning course, shopping or communicating with family and friends.

The role of the Council of Europe in this landscape is clear, and it has been tackling the issue head on for years. As the guardian of human rights, democracy and the rule of law in Europe, it is its responsibility to ensure - through the standards it develops, and through its monitoring and co-operation activities - that these fundamental values are protected in the digital environment, as much as they are outside it.

All priority actions identified boil down to three main, Organisation-wide objectives:

- Consolidating the existing digital regulation by supporting the implementation of Council of Europe standards to have a coherent set of effective legal mechanisms to protect human rights, democracy and the rule of law in the digital environment;
- Responding to new challenges raised and taking advantage of the opportunities provided by emerging digital technologies by developing new legal instruments, and/or adapting and updating existing ones as appropriate, to help member States meet present and future challenges raised by the digital transition and to do so in line with Council of Europe standards;
- Accompanying member States for a digital transition with European values based on Council of Europe standards, through monitoring and co-operation activities.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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