



EUROPEAN DIGITAL RIGHTS

# Annual Report

**For an open and fair  
digital environment**

**“At EDRI we prioritise building a resilient, sustainable, and inclusive membership organisation.”**



Executive Director at European Digital Rights, **Claire Fernandez** (Left)  
President of European Digital Rights, **Anna Fielder** (Right)





## Who we are

The EDRI (European Digital Rights) network is a dynamic collective of 45+ NGOs, experts, advocates and academics working to defend and advance digital rights across Europe.







### ▼ Vision

We see a world in which people live with dignity and vitality in the digital age.

We want to create a fair and open digital environment that enables everyone to flourish and thrive to their fullest potential.

### ▼ Mission

Our mission is to challenge private and state actors who abuse their power to control and manipulate us. We do so by advocating for robust and enforced laws, informing and mobilising people, promoting a healthy and accountable technology market and building a movement of organisations and individuals committed to digital rights and freedoms in a connected world.

### ▼ Brussels office (as of May 2021)

**Claire Fernandez** – *Executive Director*

**Diego Naranjo** – *Head of Policy*

**Sarah Chander** – *Senior Policy Advisor*

**Jan Penfrat** – *Senior Policy Advisor*

**Chloé Berthélémy** – *Policy Advisor*

**Ella Jakubowska** – *Policy Advisor*

**Guillermo Peris** – *Community Coordinator*

**Gail Rego** – *Senior Communications and Media Manager*

**Andreea Belu** – *Campaigns and Communications Manager*

**Viktoria Tomova** – *Communications intern*

**Valentina Carrasco** – *Campaigns intern*

**Katarína Bartovicová** – *Fundraising Manager*

**Jean Duclos** – *Finance and Administration Officer*

A special thanks to previous team members who supported our efforts in 2020, namely **Rafael Hernandez** and **Heini Järvinen**.





## Covid-19 in focus

Covid-19 brought the often invisible power of tech into sharp focus. In response, EDRi emphasised that measures taken should not lead to discrimination of any form, and governments must remain vigilant to the disproportionate harms that marginalised groups can face.

EDRi analysed the challenges and opportunities posed by the use of technology in responding to this public health crisis. We exposed [how Covid-Tech is being used against people via an opinion piece in the New York Times](#).

Contact tracing apps and other surveillance-driven tech 'solutions' were rapidly manufactured and pushed. In response, the EDRi network denounced mass surveillance attempts under the guise of tackling the pandemic.

Instead, EDRi promoted privacy-friendly technologies and demonstrated the grave risks to our freedoms posed by this type of power in the hands of Big Tech or governments.

When acting to address such a crisis, measures cannot lead to disproportionate and unnecessary restrictions of freedoms and rights, and it is also vital that measures are not extended without democratic oversight once we are no longer in a state of emergency.



When COVID-19 first hit Europe, European Digital Rights called on European governments to uphold fundamental human rights and approach the pandemic ensuring our freedom of expression, privacy and other human rights both today and tomorrow.

From @EDRi

Full tweet and article [here](#).



In light of the COVID-19 pandemic, Euractiv revealed the European Commission's agenda to take advantage of the health crisis to push for "business-to-government data sharing for the public interest" ignoring the privacy risks imposed by tracking and data collecting technology.

Full article featured in [Euractiv](#).





## MEMBER HIGHLIGHTS

1

2

3

### Privacy recommendations

In 2020, Access Now shared recommendations to lawmakers to protect personal data, freedom of expression, and to guarantee connectivity in the context of COVID-19.

### Improving digital literacy **Report**

To challenge the misuse of personal data, Alternatif Bilism helped increase digital literacy via the Covid-19 pandemic tracking apps report and the Covid-19 hate speech report.

### SafeAgainstCorona.nl **Campaign**

After the announcement by the Dutch Ministry of Health about exploring the use of a contact-tracing app, a broad coalition called safeagainstcorona.nl led by Bits of Freedom (BoF) published the preconditions that such an app would have to meet.

Thanks to this quick response BoF influenced the discussion and development of the app.

### 10 commandments for contact tracing

Chaos Computer Club defined 10 requirements for the evaluation of "Contact Tracing" apps, which proved influential in the European debate and the German government's architecture decision.

### Against problematic tracing **Campaign**

D3 launched a campaign focusing on the dangers and ineffectiveness of Portugal's contact-tracing app, whose potential to counter the pandemic was being grossly misrepresented by the government.

D3 spoke up on Portuguese national news outlets, helping turn the tide of public opinion and stopping its launch in the Parliament.

### Stopping privacy infringements **Campaign**

Citizen D campaigned against legal frameworks that tried to enable surveillance under the guise of stopping the pandemic.

### Free software enables global code

Free Software for Europe emphasised using open and free software for global crises via their communication.

### Limiting data collection

The French- and Dutch- speaking branches of the Belgian Human Right League uncovered the risks of a database to support contact tracing that was not in line with data privacy, allowing for too wide a collection of data which could be shared with other government agencies.

LIGA sounded the alarm which led the database to become more delineated.



MEMBER HIGHLIGHTS

1

2

3

▼ Curbing shady deals with Palantir

Homo Digitalis published a report on [Covid-19 and related digital rights challenges](#).

In December 2020, Palantir executives announced that they had been collaborating with the Greek Government to enable data-driven decision-making in response to the pandemic.

In response Homo Digitalis requested the Hellenic DPA to start an official investigation for related data processing activities.

A day after the request, the Hellenic DPA started an investigation leading to the termination of the contract.

▼ Promoting privacy friendly tools

Xnet [analysed contact-tracing apps](#) including personal data and AI use, making a proposal to improve the app announced by the Spanish government to guarantee [the protection of sensitive data such as mobility](#).

Xnet also [recommended privacy-friendly video conferencing](#) solutions and [challenged disinformation of several ITCs against net neutrality](#).

▼ More corona apps, more problems

Iuridicum Remedium sent an open letter to the Czech Ministry of Health to draw attention to data processing on servers outside Europe, which occurred during the operation of eRouška contact-tracing app.

▼ A beacon for people **Report**

SHARE Foundation published two guides: [The internet in the age of pandemic: survival kit](#) and [Personal data protection during a pandemic](#), to help people in Serbia protect themselves and their rights online.

When the usernames and passwords to access the centralised system used by the state to track the pandemic were leaked on a health institution's webpage, SHARE responded by [publishing a case study](#), and a short movie on the [battle for data during a pandemic](#).







MEMBER HIGHLIGHTS

1

2

3

Consulting privacy experts

In response to the Polish government's plans, Panoptikon presented a manifesto for a technological response to the pandemic, supported by over 200 experts, that analysed government apps that enforced self-isolation and contact tracing and convinced the government to create a consultation body that included Panoptikon for the contact-tracing app.

This resulted in an app that was acceptable in terms of privacy and data protection.

Covid tech explainers **Report**

As unprecedented levels of surveillance, data exploitation, and misinformation were given free rein across the world, Privacy International analysed the measures that tech companies, governments, and international agencies were announcing to help contain the spread of the Coronavirus and explained the technology behind it.

PI also produced specific analysis on immunity passports and vaccination and conducted advocacy to support more vulnerable populations.

Civic space impacts in Germany

Gesellschaft für Freiheitsrechte provided legal assessments in their FAQ on 'Corona and Fundamental Rights' and analysed how the measures impacted civil society via the project 'Corona Virus and Civic Space in Germany'.

Challenging technosolutionism

To counteract hasty proposals regarding technology, the Electronic Frontier Foundation opposed plans claiming that the app would work in place of testing, challenged sharing health data with police departments and refuted "bossware" that snooped on every click that surveilled students.

## Our network

EDRI is the biggest European network defending rights and freedoms online. 44 members closely contributed to EDRI's impact in 2020. Since then the EDRI network has grown to 45 organisations from 22 countries with 7 affiliates and dozens of observers.



## 1. Network Development

### ▼ Health check

The EDRI office and Board have led discussions with member organisations on network health and governance issues. On the basis of feedback, three working groups were created including people from the Brussels office, the board, and members. Namely: Working together in practice, Roles and decision-making processes, and Network capacity-building.

### ▼ Decolonising Digital Rights

EDRI co-led the Decolonise the digital rights field gathering with Digital Freedom Fund which led to a group of 50 organisations coming together to jointly work on further designing a decolonising program for an inclusive and reflective field protecting and promoting digital rights for all.

### ▼ Campaigns infrastructure and training

Eight workshops on topics chosen by EDRI members were held on: Artificial Intelligence strategy, online advertising, General Data Protection Regulation (GDPR) enforcement, online content moderation, the Digital Services Act oversight, transparency and control tools, campaigns value-based framing and interoperability.

In total 78 people attended these workshops. Feedback was positive and lessons were implemented in EDRI's policy efforts and campaign on biometric mass surveillance.

EDRI also developed its campaigns governance infrastructure and adopted guiding principles as the basis for network collective decision - making during the planning and execution of EU - wide campaigns.



In November, civil society entered the debate largely dominated by the tech industry. POLITICO reported the launch of the Reclaim Your Face campaign in five European countries urging the EU to prioritise the voice of European citizens and ban biometric mass surveillance.

Full article featured in [Politico](#).



**“The role of the Brussels office should go beyond EU policy. It should include mobilising opinion beyond the Brussels bubble such as campaigning and communications, capacity building for the network, project and grant coordination and policy development. A discussion with members about what that entails in terms of resources for the office is necessary.”**

**- Open Rights Group**



## 2. Communications

### Website

In September 2020, EDRi launched its new website built on the basis of its Guide for Ethical Web Development, proving that it can be done! Since the launch, the website has had 65,932 visitors in 2020.

### EDRi-gram

A newly-designed and more accessible format of our beloved newsletter EDRi-gram was also launched in September, that goes out to over 21K digital rights fans.

### Publications

EDRi published the following publications in 2020:

- Guide for Ethical Website Development
- EU Activist Guide to the Brussels Maze
- Updated Digital Defenders Guides (EN, FR)
- Data Retention Revisited
- Technological Testing Grounds

### Press

EDRi's expertise and efforts were featured in over 300 media outlets such as the New York Times, Al Jazeera, The Guardian, Politico and El Pais via opinion pieces, quotes and interviews.



"Our conversations with refugees and people crossing borders show how little attention is being paid to the lived experiences of people who are at the sharp edges of these high-risk technological experiments," said Molnar.

Full article featured in the [New York Times](#).



The new @edri website is (A)LIVE! We've used our very own "Guide for the Ethical Web Development" to create something beautiful, privacy friendly and easy to navigate. Find out what's new and find the Easter egg to win awesome #edrigoodies

From @EDRi  
Full tweet and article [here](#).





## Story of change

The advocacy, awareness raising and mobilising work done by the EDRI network ultimately aims to improve the lives of all people. This new section aims to bring to life inspiring stories of activists who have been affected by oppressive tech and how they are challenging power for the good of all.

## The double-edged sword of content moderation - Rokhaya's story

An inspiring story of resilience to online abuse is the story of Rokhaya Diallo. Rokhaya is a Black Muslim female french journalist, author and activist. She is a self-proclaimed geek who uses Twitter and social media a lot. Like many other Black women, Rokhaya faces racist and misogynist abuse online on a daily basis.

What is extraordinary in her story is the way she deals with it. Rokhaya has filmed a documentary about taking one of her abusers, who called for her to be raped, to court.

She continues to be one of the most important feminist and anti-racist figures in France, in mainstream media and on social media. She has also written a book about showing up in your own power and is an inspiration for many women who are abused, harassed and threatened online.

She has been a vocal opponent of the Avia law against online hate speech in France. But why did Rokhaya oppose a law that was meant to remove online hate speech content, when she was a survivor herself?

It's because Rokhaya knows that content removal is a double-edged sword: the same attempts to deal with online hatred and removal of content could just as easily take away the tools and platforms where she and activists like herself express themselves for social and racial justice.

She knows that the powerful can and have abused their power. Decisions on content removal can't be left to Big Tech such as Google, Facebook, Microsoft alone nor should they be abused by zealous governments. She knows that the online space is an amplified mirror of society: the issues she faces online are an amplified version of the structural oppression in society.

While it is the business models of online platforms that enable these oppressive amplifications, the issue of gender and racial justice must simultaneously be fought at the structural and society level for it to translate online.



## Our impact in 2020

The pandemic not only created many challenges but also sped up the digitalisation of our lives, forcing us to rely more heavily on technology to meet all our needs. The advocacy, research and mobilising efforts of the EDRi network were all the more vital in challenging technosolutionism, privacy and big tech's untamed hijacking of public infrastructures in 2020.

## 1. Open internet and inclusive technology

European governments and corporations foster the development of new digital technologies promising progress through equal access to knowledge, openness and connection.

However, technology is not accessible by everyone. It discriminates against Europe's marginalised communities and amplifies social, racial and environmental injustices.

The EDRI network invests its efforts in pursuing laws and knowledge which create open internet and enable inclusive, sustainable technologies, that empower people and work for creating our common futures.

### ▼ Artificial intelligence (AI)

Artificial Intelligence refers to those automated processes and technologies which either complement or replace tasks normally performed by humans, for example in machine learning.

The advantages of such innovations for society are evident. However, these systems enable the surveillance and intrusion into our personal lives, reinforcing many profoundly embedded social inequalities, violating essential data protection laws, and by extent challenging the foundations of our democracies.

EDRI published its recommendations for a fundamental rights-based response to artificial intelligence in June.

These recommendations informed EDRI's response to the European Commission consultation on AI and were discussed with representatives of the European Commission DG CONNECT and DG JUSTICE.

EDRI also mobilised civil society actors who would not ordinarily have been engaged in EU digital policy files, such as national NGOs, academic groups, and social and racial justice groups via the "Digital Dignity" coalition.



“We are black and border guards hate us. Their computers hate us too.”

– Adissu, a young man from Eritrea living in Brussels without immigration status, from the Technological Testing Grounds Report, Page 1.



The coalition has already contributed to strengthening EDRI's call for legal limits or red lines on the use of artificial intelligence.

This call has been echoed in European Parliament reports, by Commission Vice President Vestager and by a number of MEPs.

EDRI also contributed to the publication of the **Technological Testing Grounds report** by Mozilla fellow Petra Molnar which was reflected in the UN Special Rapporteur Tendayi's report on **tech and racism**.

▼ **Inclusive technologies**

The development of technology is limited by the experiences and understandings of humans.

EDRI strives to shape policy and practice in an inclusive, transparent and sustainable way that ensures everyone's rights are respected and upheld.

The office responded to a consultation and met with European Commissioners on the 'action plan against racism' to present EDRI's recommendations on technology and discrimination which fed into the action plan.



The European Parliament published its framework for ethical aspects of AI in October, adding to the work on AI ethics rather than pushing for laws enabling strong governance and concrete fundamental rights protections.

From @EDRI  
Full tweet and article [here](#).



In 2020 the EU finally 'woke up' to structural racism. As racialised communities are disproportionately affected by surveillance, profiling, discrimination online and other digital rights violations, the EU needs to address racism perpetuated by technology reported Euractiv.

Full article featured in [Euractiv](#).



**“Our efforts resulted in defeating legislation that curtailed our rights. The French Avia Law was declared unconstitutional, we broke through the weak Privacy Shield data transfer agreement, brought down mass surveillance attempts in Germany, shot down police drones (metaphorically speaking) and made privacy a reality in Catalan schools.”**





MEMBER HIGHLIGHTS

1

2

- Grounding ethical AI in fundamental rights

Report

As the sole digital rights appointee in the European Commission’s High-Level Expert Group on AI, Access Now was involved in drafting the Group’s Ethics Guidelines for Trustworthy Artificial Intelligence (AI) and its Policy and Investment Recommendations (PIR).

Despite the heavy industry presence, Access Now’s intervention helped ensure that the Ethics Guidelines were firmly grounded in fundamental rights.
- Net Neutrality achieved

Campaign

After over 7 years of advocacy and campaigning, it is now required by law for net neutrality to be mandatory for providers in Switzerland.

- Saving.org

Campaign

At the end of 2019, the Internet Society (ISOC) announced that it intended to sell the Public Interest Registry, the organisation that oversees the .ORG domain name registry, to a private equity firm.

EFF advocated and campaigned to reject the sale. With its petitions receiving over 64K signatures and nearly 900 organisations expressing support. This led to the Internet Corporation for Assigned Names and Numbers (ICANN) disapproving the sale of .ORG, representing a huge victory for the public interest internet.

- Net neutrality in 5G is successful

In June 2020 the Board of European Regulators for Electronic Communication (BEREC) concluded its three year reform. Epicenter.works’ main priority was to uphold the EU’s net neutrality safeguards in the new 5G mobile network technology, which was achieved.
- More administrations use free software

Campaign

Thanks to Free Software Foundation Europe’s (FSFE) efforts, the city of Munich committed to FSFE’s campaign on “Public Money? Public Code!”, the Netherlands committed to Free Software by default and the city of Hamburg expressed interest in focusing more on free software.



MEMBER HIGHLIGHTS

1

2

Democratic digitalisation of education  
Campaign

Xnet transformed their proposal for data privacy and democratic digitisation of education into a pilot project with the City Council of Barcelona.

After a successful campaign with parents from public high schools, Xnet negotiated with the Department of Education in Catalonia to do the same in educational centers.

Algorithmic discrimination  
against job seekers Campaign

epicenter.works launched a campaign against the “AMS-Algorithm” introduced by the Public Employment Service Austria (AMS). The system scored job seekers based on several attributes.

Depending on the score, job seekers would have access or not to support measures.

This system highly discriminated against women, the elderly, persons with a migration background and people with disabilities and must be stopped.



## 2. Privacy and data protection

The increasing digitalisation of our lives has made it easier for governments and companies to control, profile and profit from our attention, data, bodies, and behaviours in ways that are often complex to understand and challenge by civil society.

EDRi works to ensure the enforcement of data protection and privacy standards and protection against unlawful surveillance practices. Strong privacy and data protection policies and practices enable us to live, connect, work, create and organise.

### ▾ Data protection standards

Our fundamental right to data protection is being challenged by the lack of strong enforcement of existing data protection laws against illegal practices.

EDRi pushed for the effective implementation of the General Data Protection Regulation (GDPR) by providing feedback on how to tackle the review of GDPR and sending an open letter to EU Commissioners on the two-year anniversary of GDPR's entry into force.

### ▾ Biometrics

Biometrics refers to devices which capture and process our physical data, such as faces, fingerprints, DNA, voice, walking style.

There are numerous examples from across Europe of biometrics being used to indiscriminately target people in public spaces, to predict behaviours and emotions, and enforce imbalances of power violating people's fundamental rights.

In May, the network published its set of fundamental rights demands for the European Commission and EU member States on biometric mass surveillance, which was considered by the Commission in its draft proposal for new laws on artificial intelligence in the EU.

In December, the EDRi network published a statement against the **EU's expansion of biometric surveillance through the Counter Terrorism Agenda.**



“Revolutions that we have seen across the world in modern times from Tiananmen Square to the Arab Spring would not have been possible with biometric mass surveillance of the public space”

- MEP Karen Melchior, Renew





### ▀ #ReclaimYourFace

The EDRI network and our partners launched the first phase of the **Reclaim Your Face** campaign in October 2020. #ReclaimYourFace is a European movement that brings people's voices into the democratic debate about the use of our biometric data.

The coalition calls for a prohibition on the use of our most sensitive data for mass surveillance in public spaces due to its impact on our rights and freedoms. The national Reclaim Your Face efforts have focused on investigating, exposing and ending examples of biometric mass surveillance; writing to mayors to call on them to end these abusive practices; collaborating with journalists as well as national partners working across human rights and social justice; and organising public events to raise awareness.

Already, the campaign is having a big impact in many European countries, for example Homo Digitalis triggering data protection investigations in Greece and Bits of Freedom supporting statements by national authorities against biometric mass surveillance in the Netherlands.

Having launched the campaign with 12 civil society groups, by the end of the year the coalition grew to over 40 organisations.

We built collaborative partnerships to bridge between the digital rights world and other human rights and social justice issues, in order to center the voices of those that will be the most harmed under constant biometric mass surveillance.

The initial petition was signed by almost 14,000 supporters across Europe and beyond, and was translated into 4 languages in addition to English (Italian, Serbian, Greek and Czech), laying the foundations for the next stage in 2021: a European Citizens' Initiative (ECI), which is a type of petition that is officially recognised by the EU.

Politically, EDRI is seeing the impact of our work as the European Greens group has called on the Commission for a ban on biometric mass surveillance, and other debates and reports across the political spectrum increasingly call for moratoriums at both a national and an EU-wide level.





“We will wake up one day  
and find that the terror of  
mass surveillance is far  
more severe than any terror  
we have ever seen.”

- Reclaim Your Face supporter



### ▼ Privacy and confidentiality

Snooping companies and governments are invading our personal spaces every day, taking away our freedom to be ourselves, to express and develop our opinions, beliefs and ideas with dignity.

EDRi stands up against efforts to break encryption under the guise of security to avoid ending up in a surveillance state.

### EU strategy against child sexual abuse material (CSAM)

The office reacted to the European Commission communication which could undermine encryption, confidentiality and privacy of communications, by publishing an analysis of the different threats.

EDRi also led coordinated advocacy on CSAM with the Germany Presidency, MEPs and organisations linked with children's rights.

### ePrivacy Regulation

EDRi met with representatives of the German presidency in order to push negotiations and try to achieve a general approach text by December 2020.

### ▼ Surveillance and data retention

State surveillance is when a government, state agency like law enforcement is watching, tracking, profiling, filtering, analysing or blocking what you do online or offline.

This limits our freedoms to move and act freely by insinuating a fear that someone may be tracking every single step we take.

EDRi submitted a response to the European Commission's planned overhaul of the Europol Regulation, recommending to carry out an evaluation of the 2016 Europol Regulation, before expanding its powers.

EDRi opposed the Commission's proposal to expand Europol's powers in the field of data exchange with private parties, as it goes beyond Europol's legal basis.

### TERREG

The Regulation on the Dissemination of Terrorist Content Online (TERREG) poses serious threats to freedom of expression and opinion, freedom to access information, right to privacy and the rule of law. Its measures would enable political censorship, weaken judicial oversight and encourage the use of opaque content filters by platforms.

To challenge the worst aspects of the Regulation, EDRi coordinated a coalition of civil society groups and friendly MEPs which led to some wins in the provisional agreement between the EP and the Council.



**“This surveillance machine is terrifying. Almost one year after my initial complaint, Clearview AI doesn’t even have to delete the pictures that show me. And even worse, every individual must submit their own complaint. This shows that our data is not yet sufficiently protected and that there is a need for action against biometric surveillance.”**

- Matthias Marx, complainant





MEMBER HIGHLIGHTS

1

2

3

Implementation of the GDPR **Report**

Access Now released its second report [on the implementation of the EU's General Data Protection Regulation providing](#) analysis on how the GDPR has been enforced over the past two years.

Privacy concerns linked to policing technology

Homo Digitalis filed a request with the Hellenic data protection authority (DPA) over a 4 million euro contract signed by the Greek police with a global telecommunication solutions vendor, for a 'smart' policing project.

Homo Digitalis' data protection and privacy concerns related to facial recognition and other biometrics identification. The DPA is currently investigating the matter.

Homo Digitalis also submitted two strategic complaints to the Hellenic Data protection Authority against a centralised biometric database used by the Hellenic Police. The database contains fingerprints and facial images of all Greek passport holders. As a result, in August 2020, the Hellenic DPA launched an official investigation regarding this centralised database.

Privacy and Data Protection against Institutional Abuses **Report**

Xnet published a detailed report on [Privacy and Data Protection against Institutionalised Abuses](#) which led to a campaign that produced further research:

- 1. [Abuse of identification by institutions vs minimisation of data by design and by default](#)
- 2. [The right to record abuses to report them and data protection policies](#)

3. [The flawed transposition of article 85 in Spain](#)

4. [Abuse during electoral campaigns](#)

These reports led to sending two complaints to the European Commission to improve data protection in Spanish legislation.

Success in ensuring data protection representatives

Based on a national Law on Personal Data Protection, SHARE filed complaints against 16 companies for their failure to comply, leading to 11 companies such as Google, Netflix, Snap, Yandex, and Alibaba, appointing local representatives.





MEMBER HIGHLIGHTS

1

2

3

▾ **Your mobile is tracking you**

While most people use their smart phones daily it is still unclear which activities are tracked by means of built-in unique identifiers that allow others to know our actions and take advantage of our preferences.

In 2020, noyb filed three complaints challenging mobile tracking: against [Apple's tracking ID "IDFA"](#) and [Google's tracking code](#), as both failed to comply with EU privacy laws. Check out a related campaign to [guide users on how you can make use of your GDPR rights](#).

▾ **More tools, more accessible**

In 2020 Bits of Freedom's website, providing advice to help people with their questions about privacy and security online, [underwent a huge makeover](#) to pay specific attention to accessibility.

▾ **Caught snooping on refugees**

Gesellschaft für Freiheitsrechte [filed three lawsuits before German regional courts against the invasive search of refugees' phones](#) by the Federal Office for Migration and Refugees when refugees are unable to present a valid passport.

However, a pre-litigation study has demonstrated that this procedure violates refugees' rights and does not produce meaningful results.

▾ **Reducing the damage of the Military Intelligence Act**

In 2020, the Czech Republic continued discussing a dangerous amendment to the Military Intelligence Act - according to which secret services would gain greater control over the Czech internet, including the possibility of so-called active interventions.

Thanks to Iuridicum Remedium's efforts the risks to the privacy of individuals have been minimised.

▾ **My data done right in 10 countries**

10 organisations across Europe have additionally launched Mydatadoneright.eu tool, created by Bits of Freedom, helping residents from Portugal, Serbia, Spain, Sweden, among others, to generate GDPR-requests in their own language.



MEMBER HIGHLIGHTS

123

International data transfers

On 16 July 2020, based on the long-standing efforts of Max Schrems and a litigation strategy led by noyb, the Court of Justice of the European Union (CJEU) **delivered a judgment which invalidated the “Privacy Shield”** and declared that the Standard Contractual Clauses (SCCs) could not be used by Facebook and similar companies. According to the ruling, the Irish Data Protection Authority has a duty to stop transfers under these instruments.

The CJEU ruling had a far-reaching impact on **all companies that fall under a definition of “electronic communication service provider”** and transfer European data outside of the European Union.

Together against Thousands of Cameras

SHARE launched a highly visible and successful campaign called **“Together against Thousands of Cameras”**, or Hiljade kamera, in Serbian.

The website brings together all publicly available information about the location

of smart cameras in Belgrade with an invitation for residents to help map cameras and spread awareness about the problems of mass surveillance in their communities.

Residents detected and mapped more than 1000 cameras in various neighborhoods in Belgrade.





## 4. Information democracy

The internet has become a lump of clay in the hands of powerful companies and states who decide how technological innovations should occur and for the benefit of whom.

Harmful practices include data mining, surveillance, spread of disinformation, and fostering power imbalances.

EDRi underlines the importance of ensuring that our freedom of expression online is respected and the unlimited power of platforms is regulated.

### ▸ Freedom of expression online

The digital space has also led to the marginalisation of many activists because the messages that they share challenge powerful businesses and governments.

The undemocratic oppression of people's right of expression online has been legitimised with the excuse of tackling “fake news”, “copyright violations” and generally being linked to illegal content.

EDRi's efforts with a broader coalition of civil society groups have influenced the upcoming EU Guidelines on the implementation of the Copyright Directive, preventing mandatory upload filters.

### ▸ Platform regulation

In the digital space, a handful of big platforms have monopolised the market and dictate how it will develop. For example, Google, Facebook, Twitter, YouTube and Instagram provide “free” hosting services for users who create and share their content in return for constantly collecting data about users and selling it to the highest bidder.

#### Digital Services Act (DSA)

EDRi met with policy makers and developed a position paper “Platform Regulation Done Right” on the DSA, tackling many of the issues related to platform regulation.

Among the proposals suggested were: mandatory interoperability of platforms, an updated notice and action system to regulate the takedown of online content and looking at a business model of platforms as the systemic problem against democracies.

Some of these proposals were already picked up in the European Parliament committees' three DSA reports such as protecting the prohibition of any general monitoring obligation, the distinction between online marketplaces and content hosting providers (in the IMCO report), meaningful AdTech and algorithmic optimisation regulation, a functioning notice-and-action regime and out of court dispute settlement for users.

EDRi has made it a point to engage as early as possible with other civil society organisations to ensure complementary advocacy including the development of a consultation answering guide for civil society.

In Spring, the office met with the European Commission Vice-President Vera Jourová, the Commissioner for Digital Policy Thierry

Breton, as well as with the cabinet of the Executive Vice President Margrethe Vestager to discuss DSA, AdTech, AI, biometrics and other digital rights issues.

Following EDRi's advocacy, the European Commission's DSA proposal includes the continued prohibition for platform providers to monitor content as well as permissive liability rules for online intermediaries.

In addition, EDRi has successfully advocated for increased transparency rules for online advertising and more user control over the use of content recommender systems.

▼ **Disinformation and electoral interference**  
The spread of false, inaccurate or misleading information to cause public harm or profit limits our ability to make informed and free decisions on many important issues such as political participation and electoral voting.

EDRi's network works to illuminate these issues and calls for clear and adequate regulation of online content moderation that safeguards human rights.

**European Democracy Action Plan (EDAP)**  
EDRi submitted a response to the EDAP Consultation, recommending to limit the AdTech industry as a whole, not just political advertising.

EDRi also opposed the Code of Conduct on Disinformation, which encourages platforms to measure success against disinfo based on the quantity and speed by which accounts and content are deleted rather than acknowledging that the business model is responsible for amplifying harmful content.

As a result, greater transparency of advertising was achieved and the expert group on SLAPPs (strategic lawsuits by companies and powerful actors against public participation) was created.

▼ **Online advertising industry**

AdTech is the online advertising business model that is responsible for targeted online advertising.

This industry tracks people for profit disregarding our right to privacy, and discriminating against us on the basis of social assumptions and biases.

EDRi is helping build coalitions across Europe to expose these harmful practices and urge the EU to put people over profit.

EDRi contributed to the European Parliament's call for a phase-out of surveillance advertising as part of the DSA by building sustainable cross-civil society and policy-maker networks in support of strong surveillance ad regulation.



In 2020, the Commission published its suggestions, the DSA and DMA, on how BigTech's reign can be ended, while protecting people's rights in the digital space. The acts got some things right but many improvements are needed to the original texts to provide real safeguards.

From @EDRi  
Full tweet and article [here](#).



In December, Euractiv annouced that "online platform giants will be forced to abide by a broad range of obligations as part of ambitious new plans laid out by the European Commission in its Digital Markets Act (DMA) and Digital Services Act (DSA)".

Full article featured in [Euractiv](#).



# PrivacyCamp.eu

## Privacy Camp 2020

### #PrivacyCamp20

The 8th edition of EDRI's flagship conference "Privacy Camp" took place in Brussels on 28 January 2020 and revolved around the topic of Technology and Activism.

The conference brought together a diverse range of audiences including EDRI's members, other digital rights advocates, activists as well as academics, journalists, artists and policy makers from all across Europe to discuss the most pressing issues threatening human rights, democracy and freedom of expression online.

300 participants from more than 20 different countries across Europe contributed to the event.

### ▼ Critical Maker Fair

For the first time in its history, the conference introduced the Critical Maker Fair, an exhibition space for makers, crafters and glitch artists working at the intersection of technology and activism.

### ▼ Computer and Data Protection and Privacy (CPDP) Conference

In January, following Privacy Camp, we ran and moderated a panel on AI and Migration Control on the Computer and Data Protection and Privacy (CPDP) Conference, which took place in Brussels a day after Privacy Camp 2020.

### ▼ The event featured ten sessions in varying formats:



Storytelling: Stories of Activism



Defending digital civic space:  
How to counter digital threats against  
civil society panel



Investigative journalism in South East Europe



The impact of surveillance on today's kids – tomorrow's human rights activists?



Civil Society Summit of the European Data Protection Supervisor



Access requests as a tool for activism



“Actually, In Google We Trust”?  
A ‘Deconstructing’ Conversation  
on the Russian Internet



Activism and digital infrastructures





MEMBER HIGHLIGHTS



▼ **Law enforcement doesn't take your privacy seriously**

In 2019, Bits of Freedom used the Freedom of Information Act to request the evaluation of 36 high-risk applications used by the police.

The evaluation revealed that, of all 36 “mission critical” systems of the police, not a single one complied with the rules around privacy and information security. This analysis made a huge press wave, just in time for the overhaul of the law enforcement act.

▼ **Citizen Surveillance 2020**

Together with **Retspolitisk Forening**, IT-Pol organised a public conference on privacy and surveillance titled “Citizen Surveillance 2020 – we are not alone”, which was attended by more than 100 participants.

Watch a recording of the [full conference here](#).





MEMBER HIGHLIGHTS

1

2

3

Freedom of expression

ARTICLE 19 engaged in an advocacy campaign to discourage dominant social media companies from opening an office in Turkey, that would have turned them into a long arm of the State in censoring online content.

They also continued to engage with the Council of Europe by providing comments on its standard-setting work on the impact of digital technologies on freedom of expression.

Their 10 recommendations on how the Digital Services Act (DSA) could protect freedom of expression online were picked up by the Commission and Members of the European Parliament leading to several proposals being taken up in the draft DSA.

Privacy safeguards required

Following a lawsuit initiated by Privacy International, the Court of Justice of the European Union (CJEU) ruled that mass data retention and collection practices for national security purposes undertaken by member states, must comply with EU law, and therefore have to be subjected to its privacy safeguards.

In addition to their complaints to regulators in 2018 about the data broker industry and the 'hidden data ecosystem', the UK regulator took enforcement action against one of the largest global companies, Experian, in a landmark decision that shines a light on widespread data protection failings by the entire data broker industry.

Smart cities and hate speech

Citizen D started a long-term project of mapping out the smart city developments in Slovenia, starting a public debate around the issue of privacy, democracy and data protection. They have also continued to question and investigate the public funding of digital propaganda outlets that host hate speech in Slovenia.

No cable surveillance

In December 2020 the Swiss Federal Supreme Court approved the appeal by the Digitale Gesellschaft against cable surveillance to investigate if the 'system' of radio and cable surveillance violates the fundamental rights of individuals affected and if this practice should be terminated entirely.





MEMBER HIGHLIGHTS

1

2

3

▼ **Challenging state and corporate surveillance**

With the European Court of Human Rights having acknowledged Panoptikon’s complaint against government surveillance, a clear message was sent to the Polish secret services and the government that they would be held accountable.

Together with a broader coalition of allies, Panoptikon also analysed the role of online platforms in delivering microtargeted political ads, from exposing the harms related to it to rethinking the entire business model.

Panoptikon is also part of an ongoing lawsuit against the arbitrary banning of user content by Facebook in order to defend freedom of expression. In addition, they published a report proposing a way forward for privacy-friendly advertising.

▼ **Surveillance footprint**

epicenter.work’s academic evaluation of the surveillance footprint in Austria was published. 3000 printed copies are already sold out, but the online version can be read under a free licence.

▼ **Reducing data retention harms**

In response to the ruling of the CJEU on the incompatibility of data retention with European law, luRe launched a legal procedure in cooperation with an experienced journalist to cancel or at least reduce existing data retention regulations in Czech Republic.

▼ **Another win against data retention**

Liga brought a case against data retention to the Belgian Constitutional court, which eventually reached the CJEU who agreed that Belgian data retention violated people’s privacy.

▼ **Influencing policy on digital rights**

Electronic Frontier Foundation’s policy suggestions on: platform liability, interoperability mandates, procedural justice and user control made it into the European Parliament’s own initiative (INI) reports and the European Union’s Commission proposals.

▼ **Disinformation is the business model**

Based on a previously published report (and book) called #FakeYou, Xnet undertook a legislative hypothesis to ensure that the dissemination of disinformation is not an excuse for the curtailment of internet and freedom of expression and information.

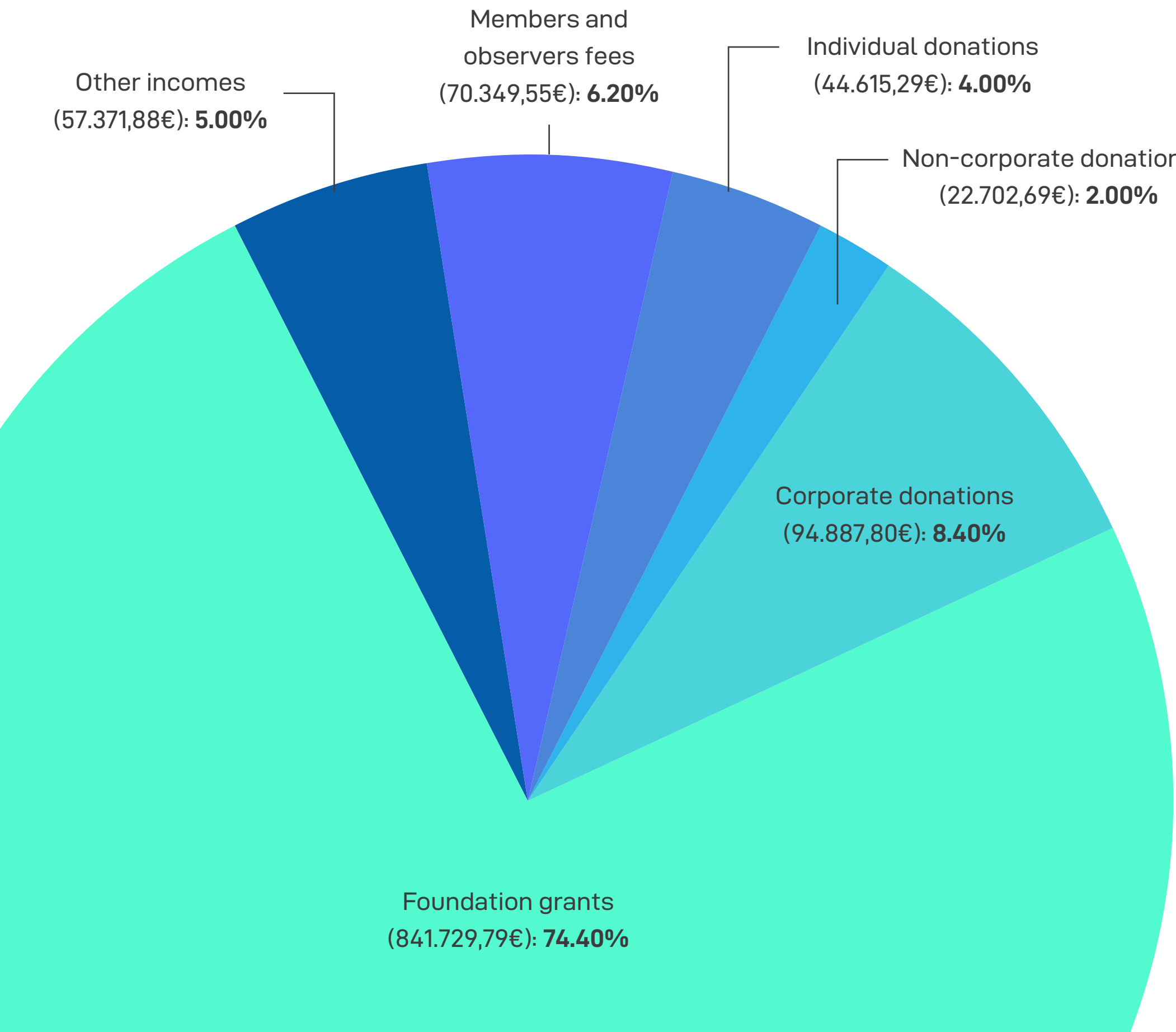
▼ **Invasive advertising strikes again**

Homo Digitalis, ApTi, D3 and GONG filed a complaint against Google and Interactive Advertising Bureau Europe with regards to their Real Time Bidding standards and their invasive advertising model.

## Our finances

Secure and diverse funding enables EDRI to maintain its independence, remain credible and operate effectively. Increased funding helped EDRI deliver capacity-building workshops to members, publish booklets, organise Privacy Camp and start building a reserve.





# 1. Income

EDRi reached its financial goal for 2020 with income exceeding 1m€ for the first time in its history thanks to ongoing support from foundations such as Open Society Foundations, Ford Foundation, Adessium Foundation and Democracy & Media Foundation, as well as support from more recent donors such as Luminate and Civitates.

Structurally however, the Covid-19 pandemic has profoundly impacted financing of the non-profit sector. Fundraising – in particular individual giving - has become a common challenge.

Members and observers fees	70.349,55€
Individual donations	44.615,29€
Non-corporate donations	22.702,69€
European Data Protection Supervisor (EDPS)	14.250,64€
Wikimedia Germany	4.400,00€
Electronic Privacy Information Center (EPIC)	2.252,05€
IT Pol	1.800,00€
Corporate donations	94.887,80€
DuckDuckGo	44.292,80€
Mozilla	27.500,00€
Twitter	10.000,00€
Apple	10.000,00€
NordVPN	2.500€
Hlsolutions	500€
Other donations under 500€	95€

Foundation grants	841.729,79€
Open Society Foundations	219.354,84€
Luminate / The Omidyar Group	222.293,60€
Adessium Foundation	135.564,11€
Ford Foundation	135.270,02€
Civitates I & II	72.822,22€
Democracy & Media Foundation	30.000,00€
European Cultural Foundation	19.500,00€
Digital Freedom Fund	6.924,00€
Other incomes	57.371,88€
Other incomes	4.514,23€
Sub-renting of the office and related costs	52.857,65€
<b>TOTAL</b>	<b>1.131.657,00€</b>

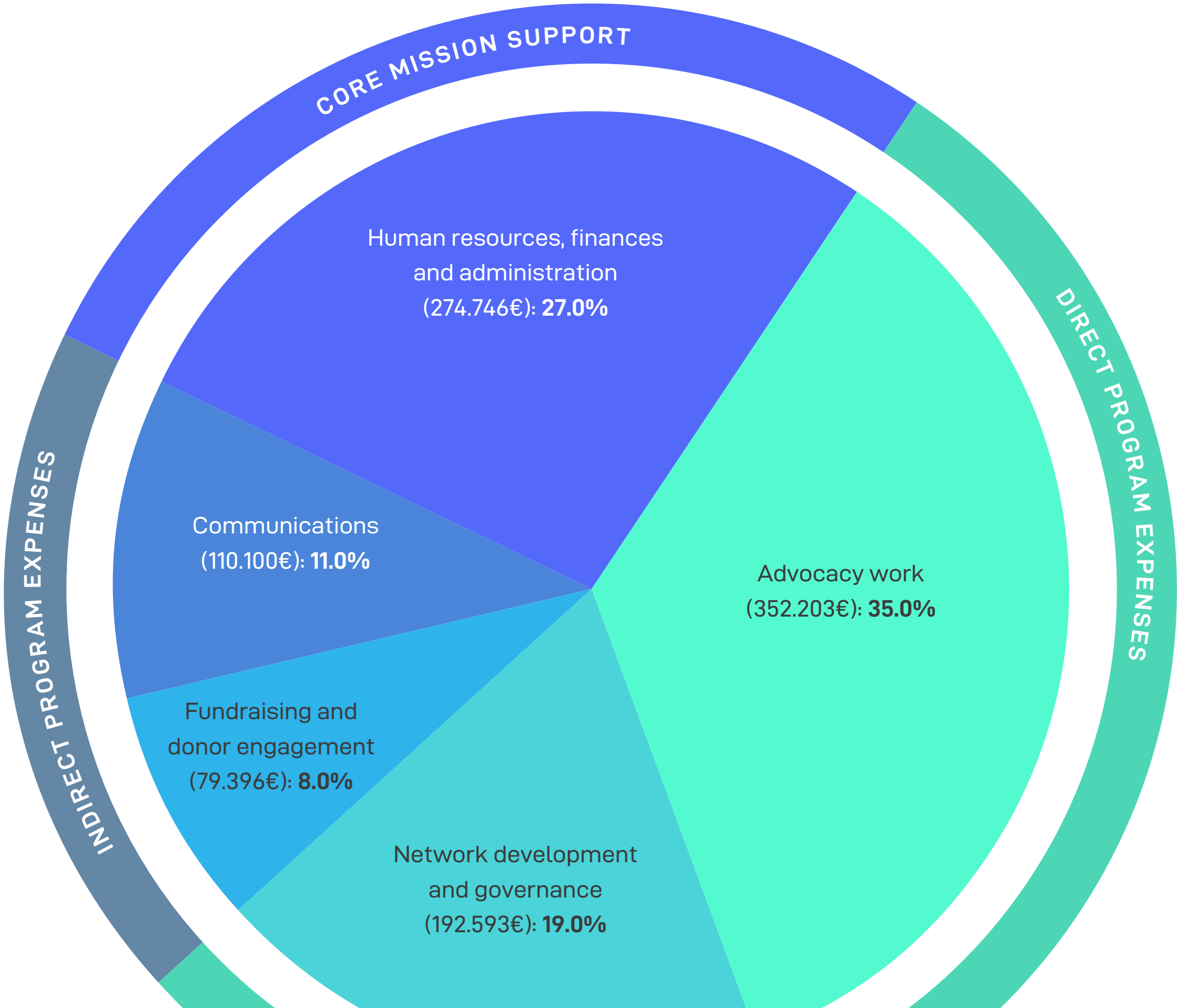
EDPS donation is included in non-corporate donations as per EDRI tradition. In 2020 EDRI also received a donation of 5,000€ from Council of European National Top-Level Domain Registries (CENTR) for Privacy Camp 2021, which was carried over to 2021 accounting. *\*Figures from EDRI 2020 pre-audited statement of operations*



## 2. Expenditure

EDRi's total organisational expenditures grew from 791.000€ in 2019 to 1,009.038€ in 2020.

Thanks to the increased income we could strengthen direct programme costs for advocacy work and the development of the EDRi network, as well as indirect programme support such as communications and fundraising.



—

DONATE NOW:  
[https://edri.org/  
take-action/donate](https://edri.org/take-action/donate)

▾ **Press enquiries**

[press@edri.org](mailto:press@edri.org)

▾ **Brussels office**

[brussels@edri.org](mailto:brussels@edri.org)

▾ **Phone number**

+32 2 274 25 70

▾ **Visit us**

Rue Belliard 12

1040 Brussels

Belgium

▾ **Follow us**

Twitter

Facebook

LinkedIn

Youtube



EUROPEAN DIGITAL RIGHTS

**European Digital Rights (EDRi)** is the biggest European network defending rights and freedoms online.

We promote, protect and uphold human rights and the rule of law in the digital environment, including the right to privacy, data protection, freedom of expression and information.

[www.edri.org](http://www.edri.org)