



ANNUAL REPORT

For an inclusive and
equitable digital environment



Despite the universal relevance of digital rights in all sectors of society many issues are overlooked and we are only starting to break silos. We need your support to pave the way for sustainable change in 2022 and beyond. [Join us!](#)

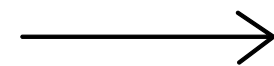
Claire Fernandez, Executive Director at European Digital Rights



Please note that by clicking on this video, it will open an external link to the video on YouTube. YouTube engages in extensive data collection and processing practices that are governed by their own terms of service.

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 envision 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 2022)

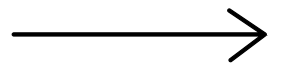
- Claire Fernandez - Executive Director
- Diego Naranjo - Head of Policy
- Sarah Chander - Senior Policy Advisor
- Jan Penfrat – Senior Policy Advisor
- Chloé Berthélémy – Policy Advisor
- Sebastián Becker Castellaro - Policy Advisor
- Ella Jakubowska – Policy Advisor
- Guillermo Peris – Senior Community Coordinator
- Fenya Fischler - Membership and Community Officer
- Viktoria Tomova – Junior Communications Officer
- Luisa Balaban - Communications Intern
- Andreea Belu – Senior Campaigns and Communications Manager
- Maria Belén Luna Sanz - Campaigns Officer
- Valentina Carrasco - Junior Campaigns Officer
- Katarína Bartovičová – Senior Fundraising Manager
- Jean Duclos – Finance and Administration Officer

A special thanks to former EDRi team member, Gail Rego, who supported EDRi's communication and press efforts in 2021 and 2022 and prepared this report. The team also welcomed **Fenya Fischler** as Membership and Community Officer, **Valentina Carrasco** as Junior Campaigns Officer, **Maria Belén Luna Sanz** as Campaigns Officer and **Sebastian Becker Castellaro** as Policy Advisor in 2021.



Decolonising digital rights

EDRi and its partner, the Digital Freedom Fund (DFF) led a collaborative process to create a decolonising programme for the digital rights field.



The goal of the initiative is to start a process that challenges the structural causes of oppression in order to work towards a digital rights field in which all groups in society have their voices heard and that works to protect the digital rights of all.

The initiative is a collaborative design process to develop a decolonising programme for the digital rights field in Europe. This design process brings together expertise from 30 core participants from social and racial justice organisations, digital rights organisations and funders, to develop a programme to bring about long-term structural changes in the digital rights field.

The digital rights field exists to promote and protect the digital rights of all. To do so, we must reflect the lived experience of people in Europe and beyond.

The digital rights concerns of marginalised groups should be reflected in our work, and we should look at how digital rights issues operate in broader dynamics, such as migration and climate justice.

The following EDRi members are active participants of the process: Statewatch, HomoDigitalis, Share Foundation, Alternatif Bilisim, Gesellschaft für Freiheitsrechte e.V., and Bits of Freedom.

▼ Digital Rights for All

EDRi also conducts work to promote digital rights for all. We work with DFF and directly with racial and social justice organisations/ community groups, and we lead advocacy work that reflects the specific digital rights impacts and needs of marginalised groups.

The community aspect of digital rights for all is led by DFF. It is a series of workshops with social and racial justice organisations, designed specifically to find out to uncover their perspectives on what needs to happen (be it advocacy, collective action, litigation, etc.) on the digital rights issues that affect their communities.

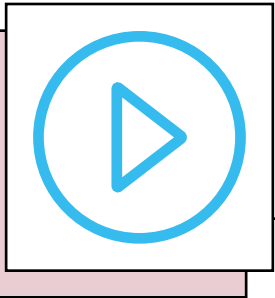
The advocacy aspect of digital rights for all includes EDRi's work in ongoing digital files, like current legislation on artificial intelligence, the regulation of social media platforms, and also policies that increasingly use data processes by police and immigration control. The essence of this work is to advocate for structural responses that will address the ways technologies can be used to further reinforce discrimination and oppression. One particularly successful model has been mobilising coalitions through the work of digital dignity work.

Closer to home, EDRi's team has also started to reflect on issues of power, inclusion and justice through informal discussion pods and with an expert coach. We are currently running an inclusion, justice and equity audit of office policies and practices and will accordingly bring them up to speed.

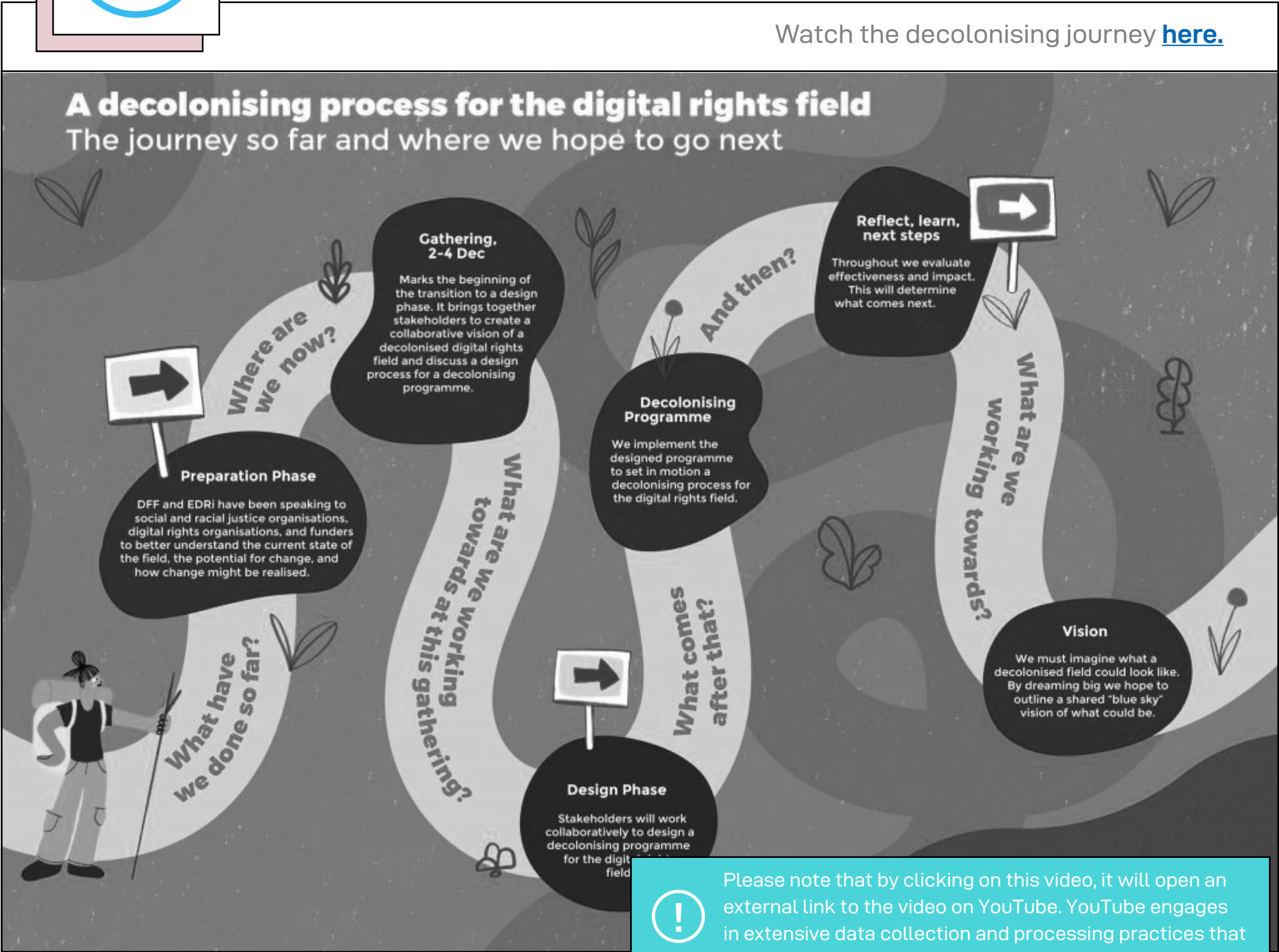


Digital Freedom Fund and EDRi launched a new initiative to support the work of racial, social and economic justice organisations affected by the discriminatory and marginalising practices reinforced via surveillance technologies.

4 15 - Full tweet / article [here.](#)



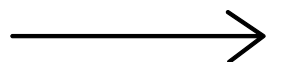
Watch the decolonising journey [here.](#)



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Our Network

EDRi is the biggest European network defending rights and freedoms online. The EDRi network includes 45+ national digital rights organisations.



In the General Assembly 2021, La Quadrature du Net became an EDRi member again, and 4 observers (Centrum Cyfrowe, Dataskydd.net, Drzavljan D and Digitale Gesellschaft Switzerland) were “reclassified” as Affiliates, a status that now puts them on the path to becoming fully fledged members.

During the year, those organisations were joined by the following new Affiliates: Gong (Croatia), Open Future (the Netherlands), Wikimedia FR (France) and ECNL, the European Center for Not-for-Profit Law (European scope). Last but not least, before the end of the year Amnesty International was also welcomed as an organisational observer.

4.1 Health and Governance



Proposals from network health and governance working groups have led to some concrete outcomes as part of the 2021 General Assembly:

- EDRi has developed better tools to form a structured complaint mechanism to facilitate healthy and sustainable governance.
- To collectively build a resilient and sustainable digital rights field, EDRi adopted a set of principles to distribute its resources among its members in a fair, efficient and transparent way.

- A new decision-making process was proposed by the EDRi network to balance the expertise within EDRi with the needs and experiences of its members according to their capacity and competence.
- This proposal is being iteratively tested to make sure it responds to the needs of the EDRi network, and is used in combination with a granular mapping of expertise for each member of EDRi.

4.2 Monitoring, Evaluation and Learning

EDRi's Monitoring, Evaluation and Learning (MEL) strategy is designed to provide a structured and coherent way of capturing and organising data and information relating to strategic progress, outcomes and operational lessons.

In 2021, the EDRi Office and members started implementing this strategy to collect, capture and learn from data in the various domains that EDRi's work seeks to contribute to. This new practice is supported by a dedicated EDRi MEL working group.

The EDRi team and EDRi members will capture this information quarterly in order to learn about and from our impact.

The MEL framework also aims to demonstrate EDRi's impact to our board, members and donors, and test the assumptions of EDRi's Theory of Change.

Finally, our monitoring systems will help make better-informed operational and strategic decisions relating to annual planning, resource planning, outcome - and goal - setting etc.

4.3 EDRi Membership and Affiliates map as of 2021

EDRi welcomed La Quadrature Du Net (France), and 5 organisational observers were "reclassified" as Affiliates in 2021. Amnesty International was also welcomed as a new organisational observer.

Map represents membership as of 2021:

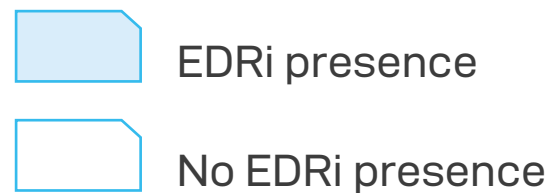
International:



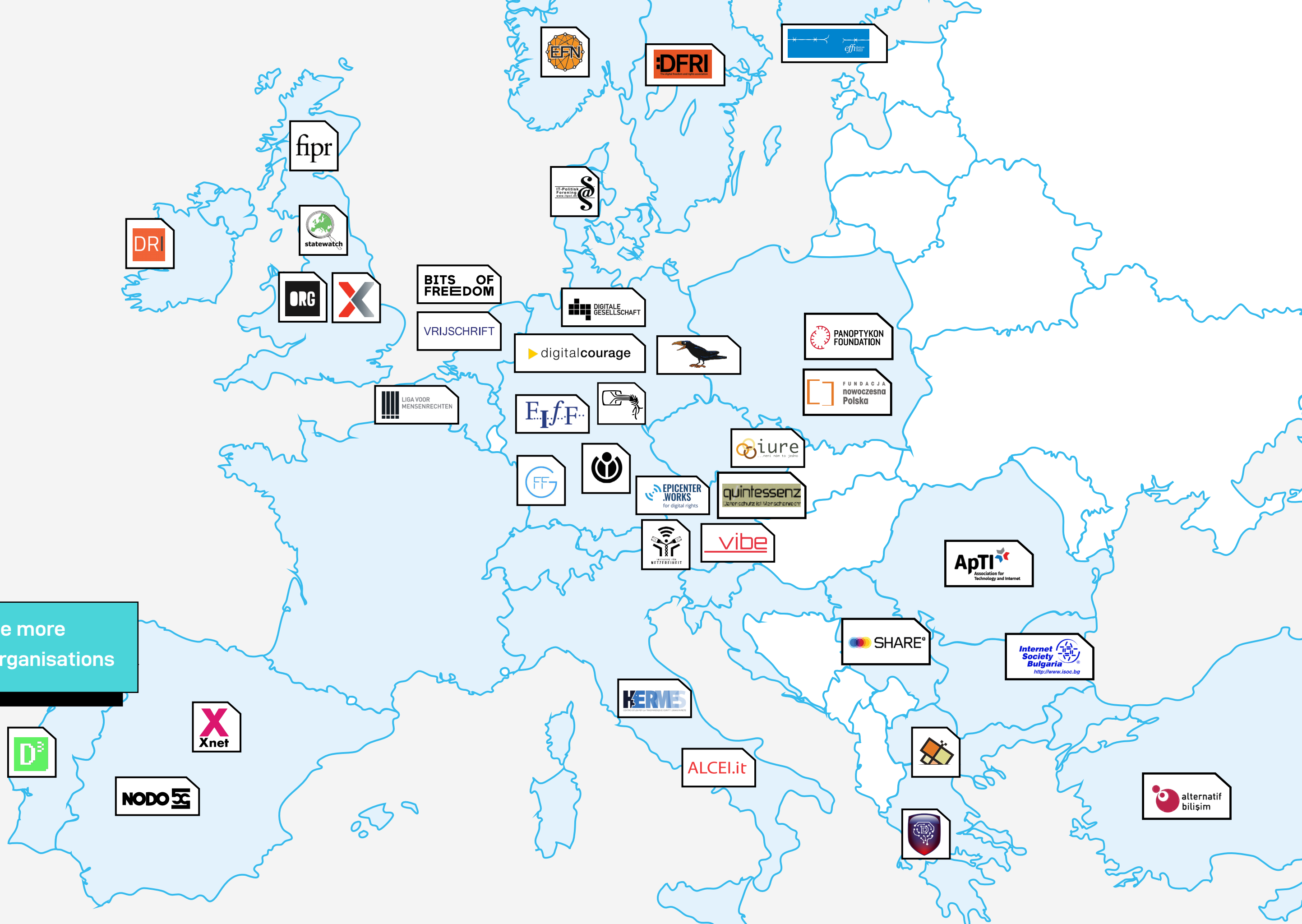
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Countries with:

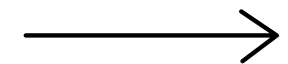


Click on a country to see more information about the organisations



Strengthening our communications

EDRI's communications have shown great improvement in 2021, growing our audience across Europe online and offline. Our press presence in top-notch outlets and social media activity has ensured that EDRI's and our partners' voices are heard and recognised in the political and social debates on digital rights.



▮
▴ Press

The knowledge and expertise of EDRi's office and network combined with a press strategy successfully led to increasing EDRi's presence in national and international media outlets. In 2021, EDRi's efforts were mentioned 700 times in media outlets, demonstrating an eighty percent increase in media coverage from 2020.

Doing in-depth research into priority media outlets, and exploring the actual reach and relevance to its audiences led to EDRi's opinion pieces, interviews and quotes being covered in several nationally and internationally renowned outlets like The Guardian, Al Jazeera, El Pais, Euronews, Le Monde, Politico, Wall Street Journal, and Financial Times, with translations in almost all European languages.

EDRi hosted a press briefing to demonstrate how online advertising has a harmful impact on media, and how the Digital Services Act (DSA) could make our online spaces less toxic by halting surveillance-based advertising. This event brought together journalists from Austria, Spain, Germany, Belgium, and the UK, as well as representatives from civil society and organisations such as the Irish Civil Liberties Union.

▴ Accessibility

In a strategic effort to improve user experience, usability and user-centred design, EDRi created an accessibility guide for its communications. The guide comes as part of EDRi's broader commitment to inclusion, design for all, universal design and bridging the digital divide.

▴ Network communications

In 2021, the EDRi office launched an internal communications group to establish a space for communication experts from the membership network to exchange ideas, provide feedback to each other, and co-create content and strategies. The group has served as an informal platform to coordinate joint actions and align communication efforts in a common strategic direction.

▼ Publications

In 2021, EDRi released several publications, translating academic research and policy analysis about AI-powered technology, surveillance advertising online, biometric mass surveillance, platform power, cross-border access to data by law enforcement and disinformation, to the wider audience of lawmakers, civil society and the European public.

The publications were read by close to **380 000 people** via EDRi's social media channels, and were picked up by well known Brussels-based media like [Politico](#), [Euractiv](#), and [Biometric Update](#).

The list of publications includes:

1. Surveillance-based advertising:

An industry broken by design and by default.

2. How online ads discriminate:

Unequal harms of online advertising in Europe.

3. The Rise and Rise of Biometric

Mass Surveillance in the EU: A legal analysis of biometric mass surveillance practices in Germany, the Netherlands and Poland.

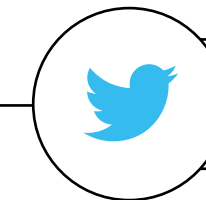
4. Beyond Debiasing: Regulating AI and its inequalities.

5. Demonstrating gaps in the e-Evidence Regulation.

6. Digital Services Act: The EDRi guide to 2 297 amendment proposals.

7. Informing the Disinfo Debate:

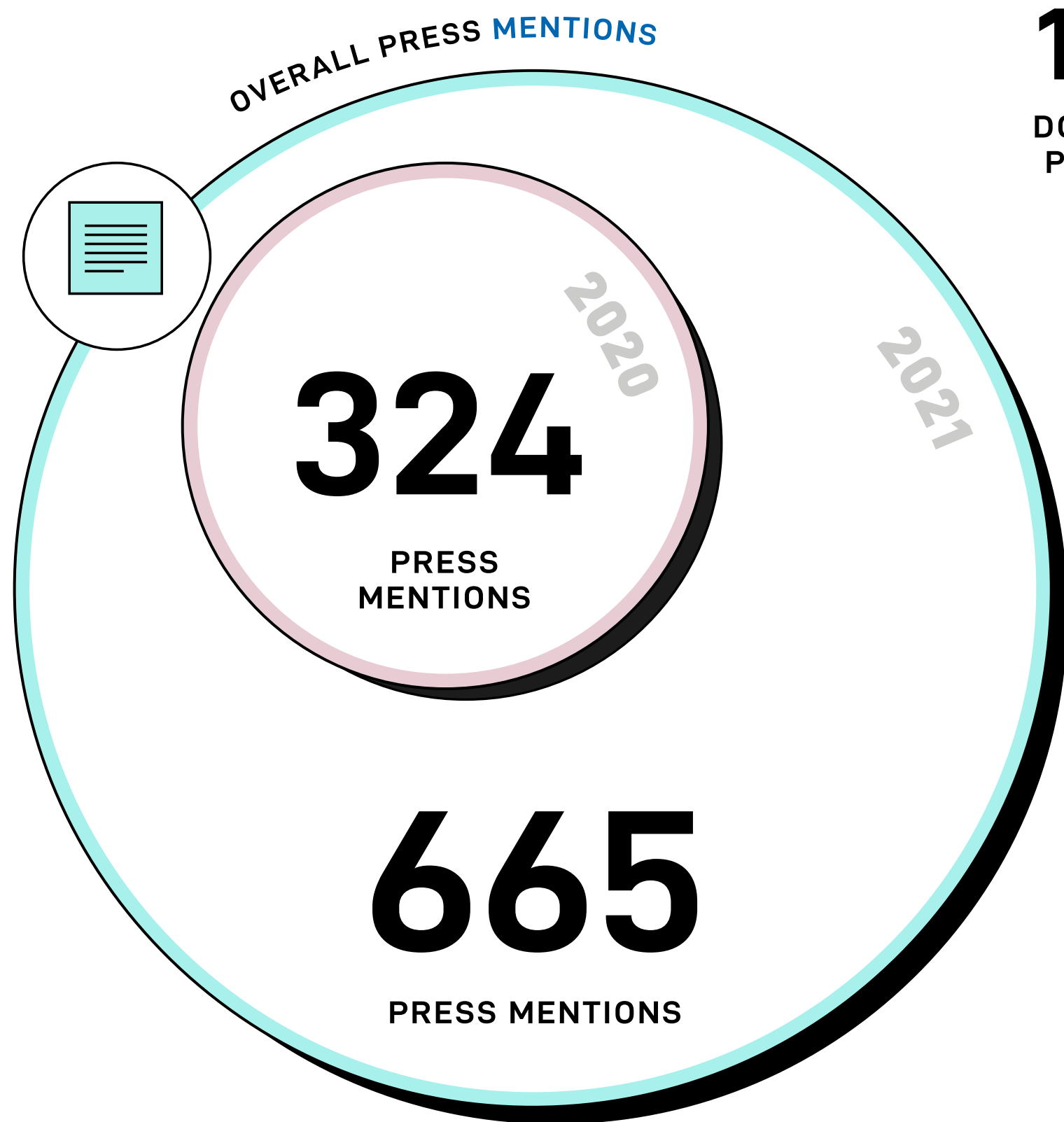
A Policy Guide for Protecting Human Rights.



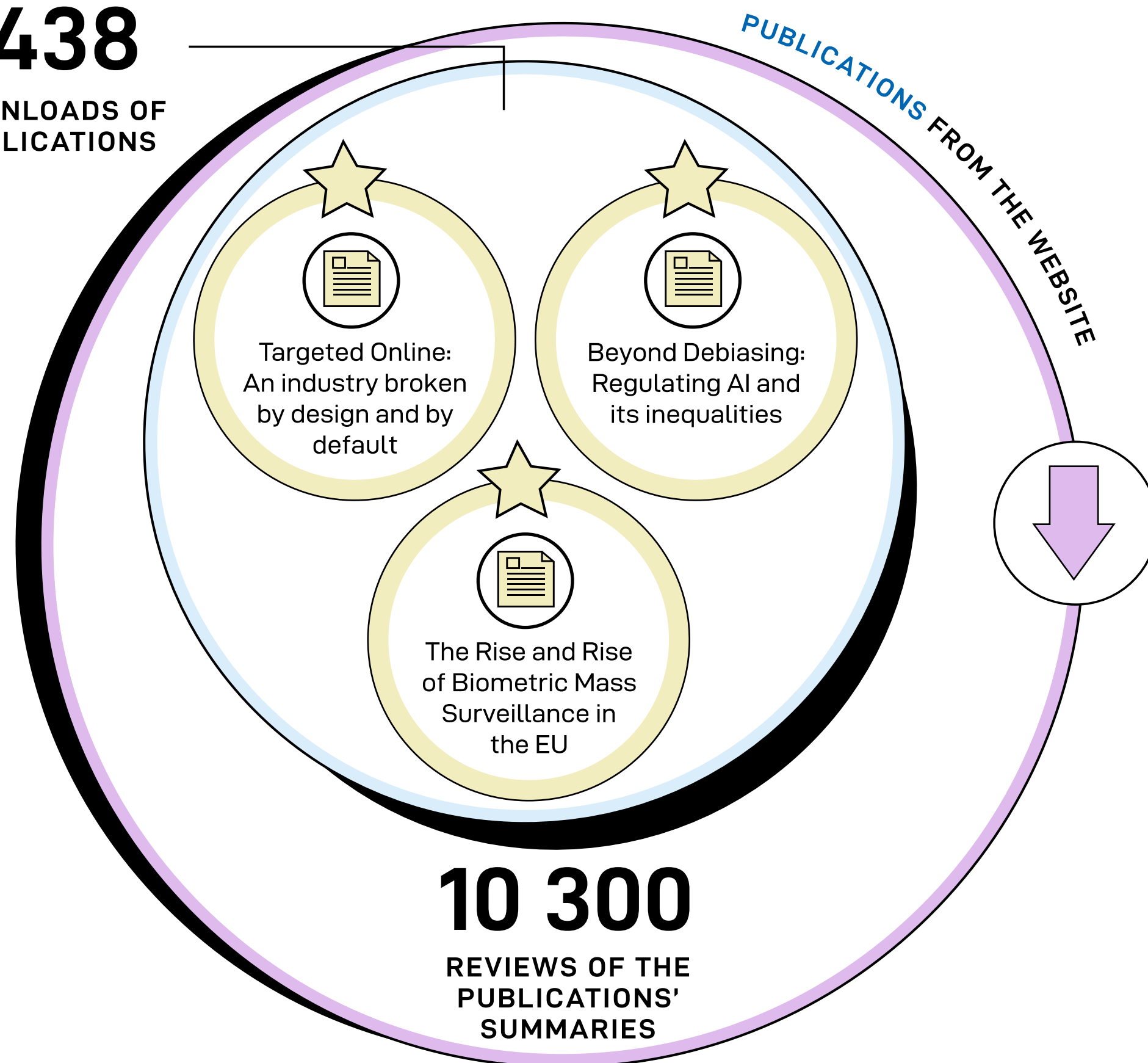
EDRi ✓
@edri

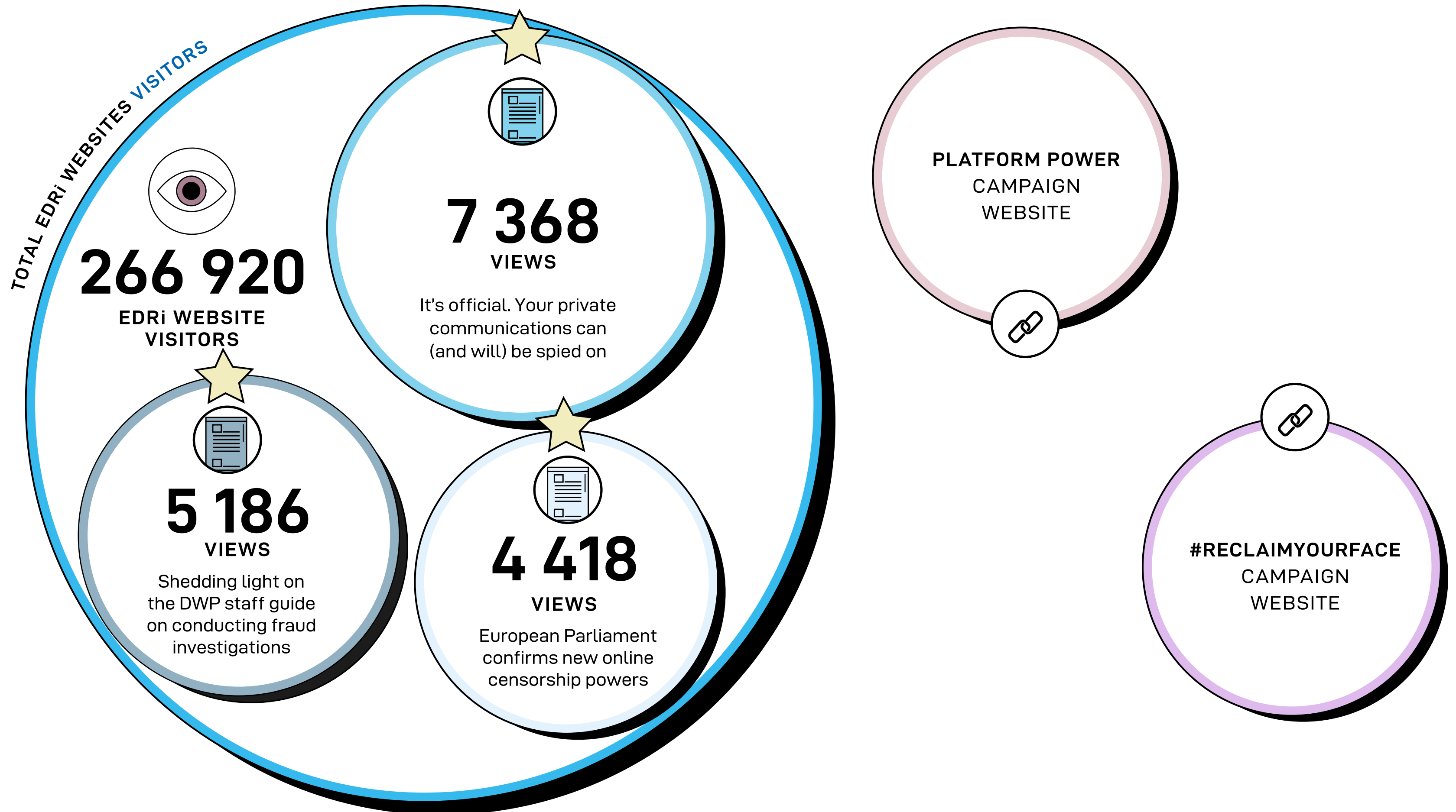
EDRi's AdTech explanation guide unveils how the time users spend on the internet profits an advertisement-driven, invasive and centralised economy. "Free" online services make profits by buying and selling your most intimate data with just one click.

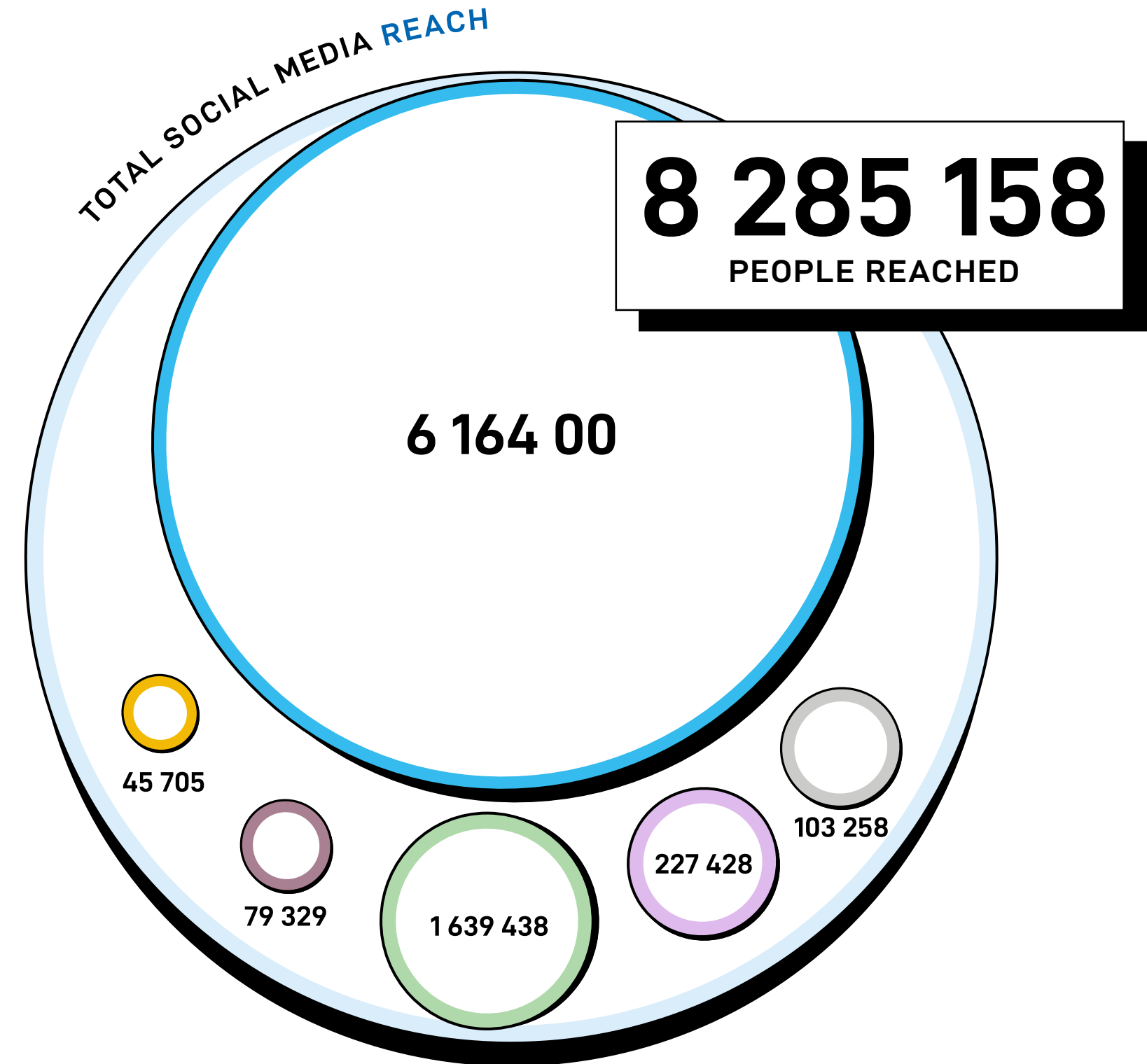
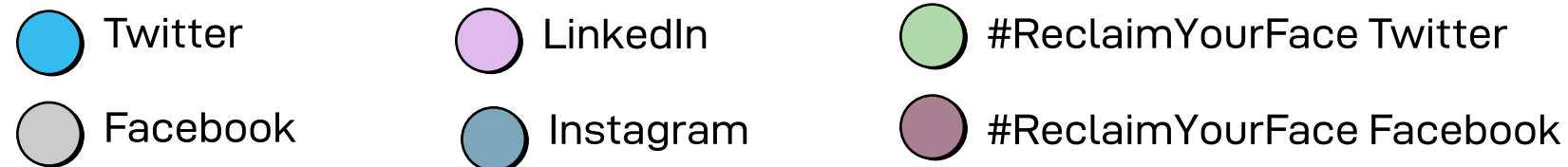
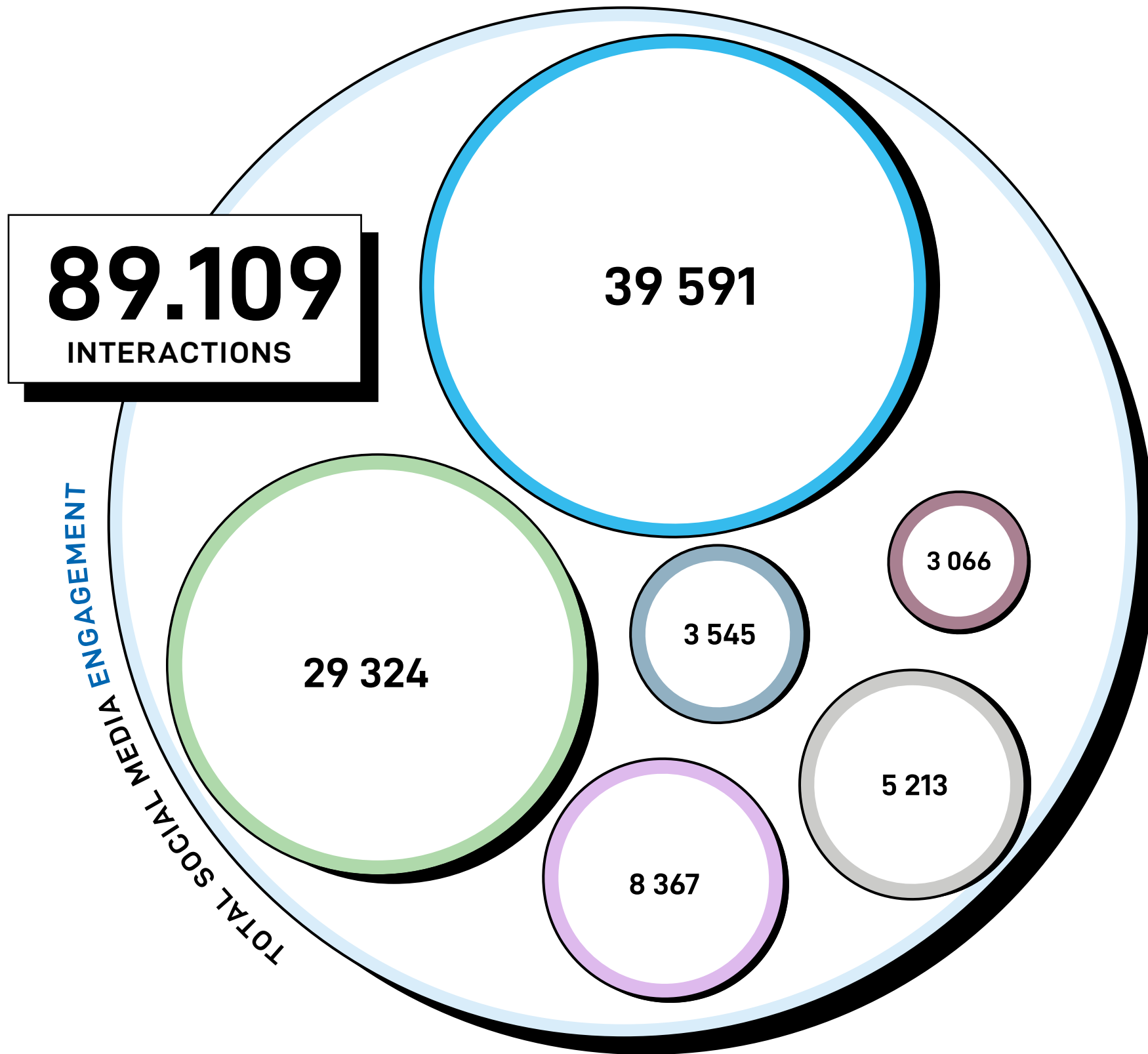
↻ 100 ❤️ 100 - Full tweet / article [here](#).



1 438
DOWNLOADS OF
PUBLICATIONS

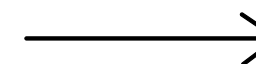






Stories of change

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.



How the Dutch administration wrongfully accused poor, racialised people of fraud using AI – Janet's story

Grey hair is visible when she strokes her head, yet she is only in her early thirties. In recent years, the child benefits debacle has made her very ill. Stress and depression have taken over.

“I was informed that my son - who was 13 at the time - was going to live with his father immediately. There was a report at Veilig Thuis, the central advice and assistance centre, for neglect among other things. I couldn't do the housework anymore. I got up in the morning, gave my son his clothes and a bit of money to buy bread. For the rest, he was on his own”.

Janet Ramesar, a Dutch woman of Surinamese origin, lived with her son in The Hague. In 2015, Janet was put under investigation for social benefits fraud and her allowance was suddenly stopped.

Despite her cooperation and submission of documentation, she was ordered to pay back €40 000 and was pushed into debt. Janet lost her job in a financial firm because of that, and eventually fell into depression and lost custody of her 13-year-old son.

Like Janet, about 30 000 families were wrongly accused of fraud by the Dutch tax authority. These families were forced to repay tens of thousands of euros, resulting in unemployment, divorces, and families losing their homes.

Their benefits were withdrawn based on a the so-called System Risk Indicator (SyRI), used by Dutch tax authorities. SyRI allegedly created risk reports based on data from the tax office, immigration authorities and others to detect welfare fraud. The system was using people's socio-economic status and possible migration background, in so-called 'problematic neighbourhoods'.

In 2020, following years of campaigning by NGOs, trade unions, celebrities and lawyers, a Dutch court ordered government officials to stop using this system as it constituted a disproportionate invasion of

the private lives of citizens. The court also recognised discriminating effects against mainly poor people, people of colour and those with a migrant background, who were disproportionately and wrongfully classified them as fraudulent for minor administrative issues. In the case of Janet, she could see that her file was marked “Indian” and “single mother”.

This judgment led to the discontinuation of the system for the whole country, and to a political crisis. Unfortunately, the re-elected ruling party has put forward a new proposal for a “Super SyRI”, foreseeing extended data sharing.

This scandal is just one example of what AI-powered austerity looks like. This has led Philip Alston, former United Nations Special Rapporteur on extreme poverty and human rights, to write in a brief on the SyRI case that many societies are “stumbling zombie-like into a digital welfare dystopia”.

Want to read more?



We want more than “symbolic” gestures in response to discriminatory algorithms:

Bits of Freedom



Centring social injustice, de-centring tech: The case of the Dutch child benefits scandal, Privacy Camp panel recording, EDRi



‘Ik ben mijn kind erdoor kwijtgeraakt (Translation: I lost my child because of it), Rodi.nl



Europe’s artificial intelligence blindspot: Race, Politico



The SyRI Victory: Holding Profiling Practices to Account, DF

Disclaimer

Details about Janet have been shared on the basis of public news sources.

Facebook uses algorithms to deliver personalised ads that may exploit users' mental vulnerabilities – Joanna's story

"I've lost my parents to cancer and I am a mother myself. Now I am constantly micro-targeted with content about cancer and genetic disorders in adults and children. My grief and motherly love are exploited to maximise Big Tech's profits. This attack on my mental health needs to stop."

The Panoptikon Foundation, supported by Piotr Sapieżyński, a research scientist at Northeastern University, investigated the newsfeed of Joanna, a young woman and mother of a toddler, who complained she had been exposed to content with a very specific pattern on Facebook.

Examples include health-related ads, often with an emphasis on cancer, genetic disorders or other serious adult and childhood conditions, such as crowdfunding campaigns for children or young adults suffering from these diseases. Health has been a sensitive subject for Joanna, especially since one of her parents died of cancer but also since she became a mother herself. The disturbing content that Facebook pushes on her fuels her anxiety and is an unwelcome reminder of the trauma she has experienced.

"I wouldn't say Facebook caused my health-related anxiety, but I feel it is exploited against me and it just fuels it and makes it worse."

The Panoptikon Foundation analysed over 2000 ads in Joanna's newsfeed over a period of 2 months. Approximately one in five ads presented to her was related to health, a significant portion of which featured terminally ill children or references to fertility problems.

21 health-related tags were also found among the "interests" that Facebook assigned to personalise her content, including "oncology", "cancer awareness", "genetic disorder", "neoplasm" and "spinal muscular atrophy" – all inferred by the platform, most likely* based on the user's online activity on and off Facebook.

This confirms our concern that Facebook allows advertisers to exploit inferred traits, sometimes of a highly sensitive nature, which users have not willingly disclosed.

There is more bad news. The results of the Panoptikon Foundation's case study suggest that although Facebook has made some ad control tools available, users have no real possibility to influence how algorithms controlled by the platform shape their exposure to sponsored content.

The Panoptikon Foundation tested whether adjusting the controls offered by the platform (such as disabling health-related interests) would allow Joanna to eliminate the disturbing content from her newsfeed.

Unfortunately, the user's experience hardly improved when she changed her settings. The number of disturbing ads changed during the experiment, but after 2 months it returned to nearly the original level.

When the user requested to "See fewer ads about Parenting", the prevalence of these ads dropped initially, but grew back over time, and even new interest categories appeared for targeting, namely "Parenting" and "Childcare".

Disabling health-related interests did remove the ads targeting these using the removed interests, but new categories were inferred, such as "Intensive Care Unit", "Preventative Healthcare", and "Magnetic Resonance Imaging". None of these changes appears to have influenced the prevalence of the most problematic ads about prenatal and infant health.

Large online platforms have become key channels through which people access information and experience the world. But the content they see is filtered through the lens of algorithms driven by commercial logic that maximises engagement in order to generate even more data about the user for the purposes of surveillance advertising.

This automated fixation on campaign targets is indifferent to 'collateral damage': the amplification of hate or disinformation, or – as this case study shows – the reinforcement of trauma and anxiety.

The Panoptikon Foundation's case study shows that social media users are helpless against platforms that exploit their vulnerabilities for profit, but it is not too late to fix this.

In 2021, the European Parliament and Council led the negotiations on the EU Digital Services Act, aiming to turn it into a powerful tool to protect social media users by default and empower them to exercise real control over their data and the information they see.

“This automated fixation on campaign targets is indifferent to ‘collateral damage’: amplification of hate or disinformation, or - as this case study shows - reinforcement of trauma and anxiety.”

Want to read more?



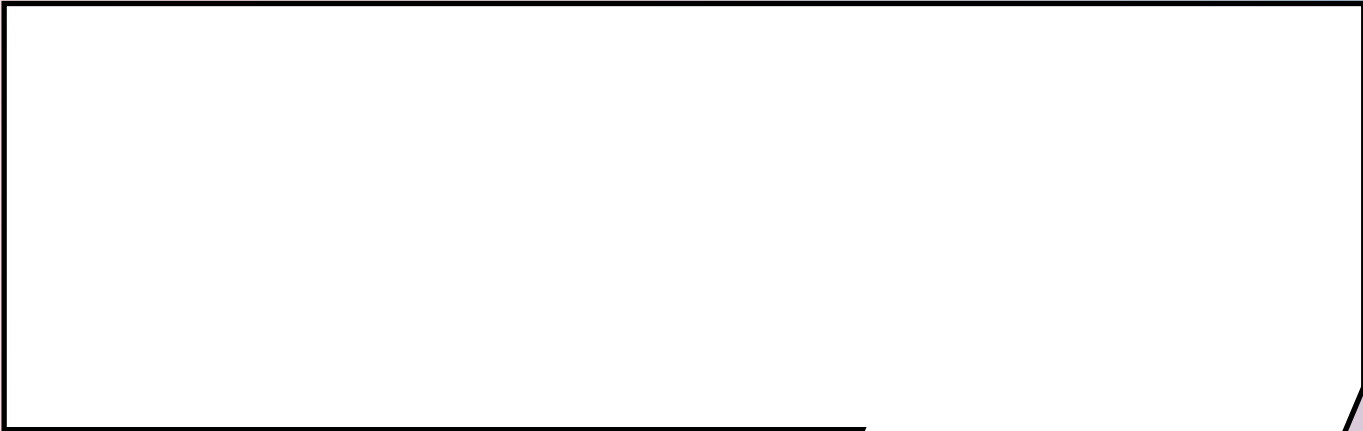
[Algorithms of trauma: new case study shows that Facebook doesn't give users real control over disturbing surveillance ads](#) Panoptykon Foundation



[Time to turn off Facebook's digital fire horse:](#)
Financial Times



[Taking back platform power:](#)
EDRi



Our Impact in 2021

The COVID-19 pandemic has severely affected our societies, causing unprecedented harm to people and economies.

If 2020 was the year of the pandemic shock, 2021 was the year of resilience. EDRi had to learn to live in constant uncertainty of what it would take to keep defending human rights and challenging powerful monopolistic tech and governmental powers in new murky realities.



7.1. 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 and isn't neutral. It discriminates against marginalised communities and amplifies social, racial and environmental injustices.

The EDRi network invests its efforts in pursuing laws and knowledge that create an open internet and enable inclusive, sustainable technologies, thereby empowering people and working for our common futures.

Artificial intelligence (AI)

Our work, which pushes for prohibitions of the most harmful uses of AI in the upcoming AI Regulation, resulted in red lines being established as a legitimate topic on the EU's agenda. As a direct result of EDRi's advocacy and coalition-building activity, the European Commission **included a provision (Article 5) into the proposed AI Act** as a direct response to the demands of civil society. Article 5 now outlines a series of prohibited practices aligning with many of our demands, notably including a ban on social scoring and **biometrics mass surveillance practices**.

The recognition, at the highest levels of the European Commission, as well as in the text, that some uses are simply "unacceptable" is a notable step. A member of Commissioner Vestager's cabinet noted the increase of civil society influence over the proposal, remarking on NGOs' impact

by stating: "I would not have imagined this a year ago". EDRi's work and position have also contributed to the **EDPS EDPB joint opinion** calling for a ban on the use of AI for automated recognition of human features in publicly accessible spaces, and some other uses of AI that can lead to unfair discrimination.

This advocacy success was enabled by direct advocacy efforts conducted by EDRi, as well as the building of broad coalitions of civil society calling for red lines in AI. The first open letter in January 2021 gathered **62 civil society groups calling for the inclusion of red lines into the AI act**. The second letter in April 2021 increased the push for a **specific ban on biometric mass surveillance** in public spaces, which 56 civil society representatives signed. EDRi was able to mobilise Members of the European Parliament to echo our message.

One of the biggest outcomes of advocacy and campaign work in this field was the European Parliament AI and Criminal Law report: EDRi-led activities (mobilising coalition, making public noise, influencing MEPs, etc.) contributed to achieving a rejection by a majority of MEPs of all amendments that would reduce fundamental rights protections, and to a full, strong report being adopted in plenary. EDRi led a **coalition of 42 organisations** in that push, and the #ReclaimYourFace (see below) partners also played a vital role in that mobilisation.

The EDRi Office and Access Now organised AI study days with EDRi members and organisations outside the EDRi network (AlgorithmWatch, Fair Trials and European Disability Forum) active in AIA advocacy.

This meeting allowed for important discussions on goals and priorities between different members. It also helped establish a joint position for several members in the network on important changes to bring forward in the upcoming AI negotiations.

EDRi also led a **detailed AI political statement** on the AI Act, together with Access Now, the Panoptikon Foundation, epicenter.works, AlgorithmWatch, European Disability Forum (EDF), Bits of Freedom, Fair Trials, PICUM, and ANEC. It was signed by over 115 civil society organisations and was an enormous success, and an example of collaboration between the EDRi network, other digital rights groups, and civil society more broadly. It solidified a strong CSO voice early in the legislative process and has been incredibly useful for advocacy on the topic.

The statement was mentioned in **Politico** and supported EDRi's work on amendments. EDRi policy recommendations were almost all mentioned by MEPs in the exchange of views with the European Commission in January 2022.



EDRi 
@edri

EDRi and 61 civil society organisations signed an open letter to the European Commission to demand red lines for applications of artificial intelligence that threaten fundamental human rights.

 141  166 - Full tweet / article [here.](#)

▸ Biometric Mass Surveillance

One of the AI red lines which received a lot of attention from us in 2021 was the demand to “ban biometric mass surveillance” (BMS). Our advocacy helped ensure that the European Commission’s April 2021 proposal for an AI Act prohibited some forms of “remote biometric identification”, one of the main ways in which we have demonstrated that BMS proliferates in Europe. The proposed prohibition also adopted our framing of “publicly accessible spaces”.

Echoing the demands from the EDRi network, complementary calls to limit or ban all forms of biometric surveillance which unduly restrict people’s rights came from the European Data Protection Supervisor (EDPS) and Board (EDPB) and the United Nations High Commissioner on Human Rights.

Another piece of evidence is the MEPs who drafted two open letters to Commission President von der Leyen, which saw 62 MEPs explicitly support our call to ban biometric mass surveillance practices and establish other legal limits. Early in 2021, an amendment by the Left group in the European Parliament calling for a ban on biometric mass surveillance in the “Shaping Digital Futures” report was supported by a total of 280 MEPs. By autumn, this number had grown, with over half of MEPs voting to stop biometric mass surveillance by law enforcement in the October “AI and Criminal Law” report.

At a national level, the call to ban biometric mass surveillance also grew, with several data protection authorities issuing decisions against facial recognition in supermarkets, the use of Clearview AI services, and other biometric mass surveillance practices.



PRESS Mention

Biometric technologies collect data unique to our bodies and behaviours, which divulge sensitive information about who we are. Over half of EU countries are using facial recognition and similar tools in ways that conflict with their own human rights rules, European Digital Rights (EDRi) advocacy group found.

Full opinion piece in **Euronews** [here](#).



EDRi @edri

EDRi’s report by the Edinburgh International Justice Initiative reveals that people in Germany, the Netherlands and Poland are being unlawfully monitored and tracked via their faces and bodies.

↻ 109 ❤️ 121 - Full tweet / article [here](#).

We also helped several European countries to take steps towards limiting the use of biometric surveillance technologies by proposing legal restrictions or by scrapping proposals to legalise these practices.

Our independent study on the growth of biometric mass surveillance practices was debated in the Dutch Parliament.

▼ Inclusive technologies

The development and deployment of artificial intelligence (AI) in all areas of public life have raised many concerns about the harmful consequences on society, in particular the impact on marginalised communities.

EDRi's report **"If AI is the problem, is debiasing the solution?"** argues that policymakers must tackle the root causes of the power imbalances caused by the pervasive use of AI systems. In promoting

technical "debiasing" as the main solution to AI-driven structural inequality, we risk vastly underestimating the scale of the social, economic and political problems AI systems can inflict.

The report received good press coverage, in **Computer Weekly**, **Biometric Update**, **Politico**, **Consultor Jurídico**, **Racism and Technology Center**, **Fondazione Antonio Lombardi**, **Legal Digital**, **Medium** and **Complex Discovery** among others. The report was downloaded 638 times, and on **Twitter**, the report led to 170 672 impressions.



PRESS Mention

EDRi highlighted what it dubbed a "worrying gap" in the AI proposal around "discriminatory and surveillance technologies". "The regulation allows too wide a scope for self-regulation by companies profiting from AI. People, not companies, need to be the centre of this regulation", said EDRi's Senior Policy Advisor, Sarah Chander.

Full article in **Tech Crunch** [here](#).

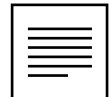


EDRi @edri

EDRi's report by the Delft University of Technology shows that AI harms aren't just technical flaws in the design, which can be fixed with tech or "debiasing" solutions. To make a real difference to the experience of marginalised groups, EU lawmakers need to view AI in the wider context of structural discrimination, inequality and power.

↻ 109 ❤️ 121 - Full tweet / article [here](#).

“ In promoting technical ‘debiasing’ as the main solution to AI-driven structural inequality, we risk vastly underestimating the scale of the social, economic and political problems AI systems can inflict. ”

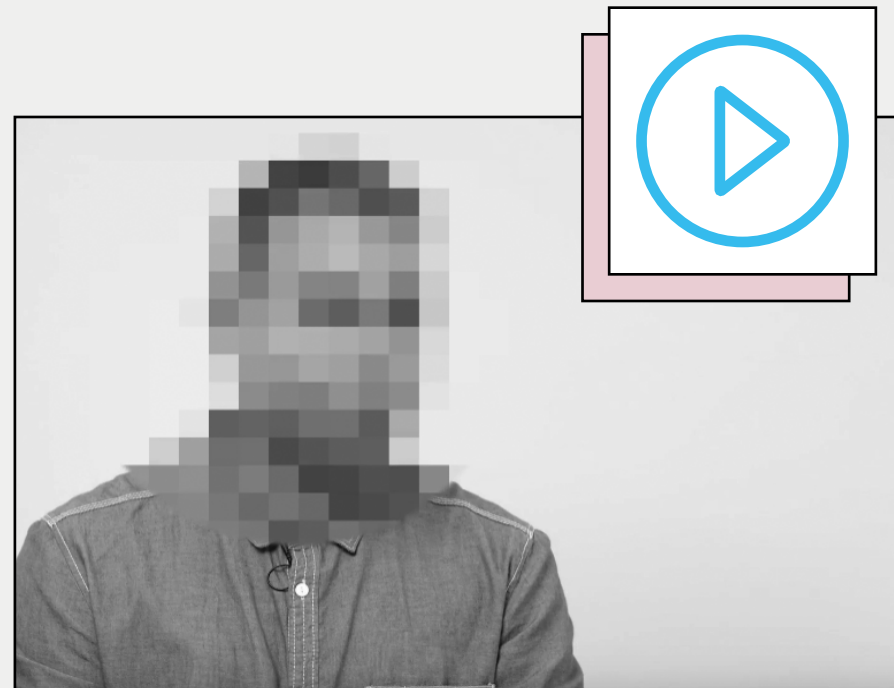


EDRi	OUR IMPACT IN 2021	2021				30
<div><div>1234</div><div><div><div><div>▾Regulating AI</div><div>EPIC has highlighted developments, risks, and harms of artificial intelligence, hosted a symposium on regulating AI, developed briefing materials on algorithmic harm in the criminal legal cycle for use by defence attorneys, and submitted comments on the Artificial Intelligence Act.</div></div><div><div>▾Transparency of AI experts</div><div>Statewatch reported on the <u>failure of the European Commission Expert Group on Artificial Intelligence in the domain of Home Affairs</u> to uphold its own rules of procedure, by not publishing a list of its members.</div><div>In response, the Commission met its obligations and published the list. It is vital that people can know which national</div></div><div><div>authority is acting in their name, as a first step towards taking further action – e.g. through freedom of information or access to document requests.</div><div><div><div>▾Digital Inequalities</div><div>Alternatif Bilisim published an e-book based on the research project, entitled <u>“Digital Cultures, Digital Inequalities and Older Populations”</u>.</div></div><div><div><div>▾Data – A Wrong Direction</div><div>In September 2021, the UK Government released its proposal to overhaul the UK’s data protection framework. “Data – A New Direction” would unleash data discrimination against workers, children, students and vulnerable groups like migrants, victims of violence and minorities.</div></div></div><div><div><div>Open Rights Group published an <u>accessible analysis</u>, focusing on the impact of specific proposals on vulnerable, minority and marginalised communities. They briefed 136 NGOs and 178 individuals through four events, online policy resources and digital campaign outputs.</div><div><div><div>▾Router Freedom in Europe</div><div>The Free Software Foundation Europe (FSFE) has been a leading voice in promoting end-users' right to use their personal modems and routers.</div><div>In 2021 FSFE undertook great efforts to protect Router Freedom on the European level and was involved in legislative processes and implementation of technical rules in diverse jurisdictions in the EU.</div></div></div></div></div></div></div></div></div></div>						

The campaign helped publicly expose the experiences of gig-economy workers and create a movement in support of better protection from surveillance techniques

and algorithmic management deployed by corporations including Uber, JustEat, AmazonFlex, Bolt, Ola and Deliveroo among others.

The campaign has been covered in over 20 media outlets including: Financial Times, Tech Crunch, Morning Star, Computer Weekly, Lexology, ZDNet, Gizmodo, etc.



▼ Computers for all

Report

Pangea published a report about the refurbishment of computers for reuse, to ensure all citizens have the right to access a computer device to participate in the digital society, and how that can be done while respecting our collective environmental rights and limits.

EDRi	OUR IMPACT IN 2021	2021		32
<div><div>1234</div><div><div><div><div>▼ Reclaiming our faces</div><div><div>Bits of Freedom's repeated inquiries and Freedom of Information Act (FOIA) requests issued to the Dutch police about the size and use of the CATCH database (a database of faces) finally bore fruit: the police announced that they had removed more than 200 000 photos from the database.</div><div>▼ BAN BS Campaign Campaign Built on the work done in the EDRi network on the #ReclaimYourFace campaign, Access Now launched the Ban Biometric Surveillance (BanBS) campaign and open letter, signed by over 200 civil society organisations and prominent activists from over 60 countries. EDRi's network and its #ReclaimYourFace supporters were key to getting a high number of signatories.</div></div></div><div><div>The campaign aims to provide a global umbrella for regional campaigns to ban biometric surveillance, so as to raise the bar for what civil society is asking for (e.g. a ban instead of a moratorium) and to demonstrate that this is a global call from human rights activists, not just a European or North American concern.</div><div>▼ Investigating funding of surveillance Citizen D / Državljan D investigated biometric surveillance systems connected to the national police and private entities in Slovenia. During their research, they encountered tremendously opaque avenues to publicly fund smart city solutions, biometric surveillance systems and other problematic technologies. They lobbied for changes in legal proposals that attempted to legalise biometric</div><div>surveillance and organised several online events to challenge these.</div><div>▼ No snooping in Switzerland Campaign Digitale Gesellschaft Switzerland co-authored EDRi's report on facial recognition. Consequently, together with AlgorithmWatch CH, they launched their own campaign against biometric mass surveillance in Switzerland, similar to EDRi's #ReclaimYourFace campaign. This led to the successful promise of initiatives in the cities of Zurich and Lausanne to stop facial recognition and biometric mass surveillance.</div><div>▼ No snooping in Italy either Campaign Hermes Center, in the framework of the #ReclaimYourFace campaign, succeeded in gaining a partial ban of facial recognition technologies by the Italian Parliament.</div></div></div></div></div>				

EDRi	OUR IMPACT IN 2021			2021	33
<div><div></div><div>1234</div></div> <div><div><div><p>For the first time, the issue of public surveillance has been deeply discussed in the media and other public arenas as a result of their work.</p><p>They also published a report on biometric technologies used against people on the move at the borders. Together with several organisations working on migrants' rights, Hermes Center launched the proTECHt migrants' project to shed light on the harmful effects of biometric technologies on migrants, refugees and asylum seekers.</p><p>▼ Clearview AI sued noyb worked together with other EU digital rights organisations to file legal submissions to stop online mass surveillance by facial recognition company Clearview AI, a US company that scrapes</p></div><div><p>photos from websites to create a permanent searchable database of biometric profiles.</p><p>▼ Sixty-four privacy violations Homo Digitalis in collaboration with two freedom of press organisations filed a complaint before the Hellenic Data Protection Authority (DPA), claiming sixty-four violations of the legislation concerning the use of portable cameras in public places by the Hellenic Police (such as drones, cameras on a stick, and body-worn cameras).</p><p>The Hellenic DPA started investigating the case in the summer of 2021. This action was also linked to the #ReclaimYourFace campaign as the use of portable cameras by the Hellenic Police would create a chilling effect for people participating in demonstrations in public spaces.</p></div><div><p>▼ Cancelling biometric surveillance SHARE Foundation led a successful advocacy effort to have the controversial Draft Law on Internal Affairs withdrawn.</p><p>The Draft Law contained provisions that would legalise the use of biometric video surveillance, for which there is currently no legal basis. In the end, the Minister of the Interior announced that the Draft Law had been withdrawn from further procedure and postponed until after the elections in April 2022.</p></div></div></div>					

7.2. Privacy and data protection

The increasing digitalisation of our lives has led to the invasion of our personal spaces by governments and companies every day, taking away our freedom to be ourselves, to express and develop our opinions, beliefs and ideas with dignity.

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

▼ Privacy and confidentiality

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

ePrivacy Directive derogation and ePrivacy Regulation

Chat control legislation was one of our concerns during the entire year. Attempts from Apple, blocked after a significant backlash from users, NGOs, and privacy experts, brought the problem of scanning devices to everyone's attention. EDRi explained the risks of such an approach to derogate protections of the ePrivacy legislation that was blocked until September 2021.

Without EDRi's interventions, companies would have been able to scan our private communications without any restrictions or supervision by any authority.

EDRi's efforts led to the inclusion of a number of safeguards in an otherwise very problematic Chat Control legislation, one that would probably not hold up if challenged in courts.

Finally, and despite EU Member States blocking the discussions on the ePrivacy Regulation, EDRi continued advocating for its adoption. Along with Access Now and noyb, EDRi submitted a document with constructive proposals and concrete amendments to the **ePrivacy Regulation**.

▼ State surveillance

State surveillance is when a government or a 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.

Eurodac

EDRi led coalition-building efforts with human rights, migration and child protection groups on the expansion of the EU border surveillance complex, Eurodac.

The letter proved to be successful in derailing the fast-tracked negotiation process in the European Parliament, blocking the legislative file and spurring MEPs to request an impact assessment on fundamental rights from the European Data Protection Supervisor. This open coalition work received visibility in the press, in Politico, The Guardian, Euractiv, ZDF, IL Manifesto, EU Observer, and Europa Today among others.


EDRi warned against the discriminatory surveillance of asylum seekers and unchecked border tech experiments.

Prüm and Europol reform

EDRi challenged the expansion of police surveillance in the Prüm framework and in the Europol mandate.

EDRi's position was quoted in the European Commission's **legislative proposal** on the expansion of the Prüm framework. EDRi was the only NGO which contributed during the consultation period. The European Commission proposed the inclusion of facial images, firearms data, driving licenses, extracts of police records, data about third-country nationals and many additional types of data. Our press release in reaction to the proposal was covered by Euractiv and EUobserver.

EDRi has led civil society efforts to raise media and decision-makers' awareness of the Europol reform, as the EU police cooperation agency is gaining more



PRESS
Mention

This fits a broader trend of the EU pouring public money into dystopian and experimental surveillance projects, which treat human beings as lab rats," EDRi's Policy Advisor Ella Jakubowska commented in response to Greek officials monitoring people on the move.

Full article in **Al Jazeera** [here](#).

and more unchecked powers that will profoundly impact the future of policing in Europe. The further development and use of high-risk artificial intelligence and data analytics tools increase arbitrary and discrimination risks. EDRi was invited by Europol to their EDEN conference in Rome, acknowledging EDRi's position as a critical voice in the debate.

▼ Data retention

The indiscriminate and general retention of traffic and location data, aka data retention, is incompatible with EU law. It is only permissible in very specific circumstances involving a serious threat to national security that is genuine and present or foreseeable, and for a limited time period.

EDRi's litigation and advocacy expertise on data retention have continued to influence national Member States' national positions.

EDRi members have been active in following up on the implementation of the EU Court of Justice's 2021 judgment, which (for the third time) declared illegal the practice of general and indiscriminate retention of personal data.

e-Evidence

Despite revelations from the Pegasus scandal, which demonstrated the illegal surveillance practices used by states, and the public outrage that followed, EU policymakers are about to give European law enforcement a similarly alarming data-gathering tool.

The Regulation on cross-border access to data by law enforcement (so-called "e-Evidence" Regulation) threatens to put the rights of journalists, lawyers, doctors, social workers and individuals in general at great risk.



PRESS Mention

The storage of innocent persons' sensitive communications for months or even years in Europol's databases, will exacerbate Europol's reputation as a powerful yet opaque and unaccountable agency, writes Chloé Berthélémy.

Full opinion piece - **Euroactive** [here](#).



EDRi
@edri

Indiscriminate retention of phone data for the prosecution of crimes is NOT okay: not now, not before, not ever! So, national courts should stop asking for surveillance permission and start changing their laws. In 2021, the Advocate-General Campos Sánchez-Bordona made that clear once again.

↻ 109 ❤️ 121 - Full tweet / article [here](#).

The Regulation could essentially hurt free speech, privacy and the right to a fair trial.

To counter this, EDRi and 13 civil rights organisations came together to imagine **four scenarios** that clearly depict how our future could unfold if the Regulation is approved, and to give recommendations to prevent this dystopian future.

By publishing this compendium of scenarios, the hope is to contribute to the current debate at the European level. The organisations, representing a diverse group of stakeholders, used these stories to urge the European Parliament and the Council to uphold a high level of fundamental rights safeguards during their negotiations.

“EDRi’s position, challenging the expansion of police surveillance in the Prüm framework, was quoted in the European Commission’s legislative proposal.”



PRESS Mention

“The volume of European case Law on mass surveillance has steadily increased, providing an ever-clearer picture of the possible extent and limits of retention and access to communications data” - Chloé Berthélémy, Policy Advisor, EDRi

Full article in **Digital Freedom Fund** [here](#).



EDRi 
@edri

The e-Evidence Regulation could hinder freedom of information as informants' willingness to collaborate with journalists might decrease, possibly reducing the information available for public democratic scrutiny.

↻ 109 ❤️ 121 - Full tweet / article [here](#).

Implement GDPR Now [Report](#)

Access Now published its third annual report on the implementation of the General Data Protection Regulation.

Through this report, they provided an overview of the state of play of the enforcement and application of the law, identified key issues in the functioning of the enforcement mechanisms, and provided a series of recommendations to the European Commission and Data Protection Authorities to improve the application of the law.

To prepare and promote this report, **Access Now** relied on information and actions from the EDRi network, in particular members active in the area of GDPR enforcement (NOYB, Open Rights Group, the Panoptikon Foundation, etc).

Challenging insufficient data protection

Digitale Gesellschaft Switzerland was able to stop the introduction of a law that would have allowed the commercialisation of an official ID card (E-ID) in Switzerland.

The E-ID could be issued by private providers, increasing the risk of insufficient data protection for all denizens. In the end, the federal referendum was won with an unprecedented 64% of votes against it.

Digitale Gesellschaft Switzerland

consequently laid the groundwork in the Swiss parliament for a new legislative motion, supported by all political factions, which will push for a state-wide solution that takes into consideration digital self-determination, data economy and data protection.

▾ Say goodbye to pesky cookies

NOYB launched its second mass litigation project that tackles dark patterns in cookie banners. This semi-automated project resulted in over 450 complaints being filed across EU Member States. The project had a widespread spillover effect resulting in many websites adjusting their cookie banners, finally offering website visitors a real choice to reject the setting of cookies on their devices.

- Challenging data violations of people on the move

In a long legal battle, **Open Rights Group** has been arguing that the “immigration exemption” introduced as part of the 2018 Data Protection Act threatens the data rights of all UK residents. The exemption, used by the Home Office to deny people access to their personal data, is far too

EDRi	OUR IMPACT IN 2021		2021	39
<div>12345</div> <div><div><p>broad and imprecise. Administrative errors are notoriously common in immigration cases, but if residents can't access their own data they'll have little chance of overturning mistakes. In May 2021, the court of appeal unanimously found that the UK immigration exemption is incompatible with Article 23 of the GDPR.</p><p>▼ Another attempt to weaken encryption In Belgium, in a <u>coordinated response</u> to yet another data retention proposal, Liga voor Mensenrechten countered the weakening of encryption and continued to advocate for the rest of the proposed law to be in line with EU Court of Justice case law and other human rights standards.</p></div><div><p>▼ Responding to data retention in Denmark IT-Pol Denmark engaged extensively with the Ministry of Justice on a revision of the Danish data retention framework. As such, it quickly managed to bring public and media attention to this matter <u>by analysing</u> the proposal at different stages of the process.</p><p>The detailed legal analysis greatly benefited from the work on data retention done by EDRi, especially in relation to the EU Court of Justice case law.</p><p>▼ UK secret data capture is illegal After 6 years of litigation by Privacy International <u>challenging the UK bulk communications data regime</u>, the court found UK legislation to be incompatible with EU law and human rights standards. The result of the judgment is that a</p></div><div><p>decade's worth of secret data capture – which would have remained a secret if not for Privacy International - has been held to be unlawful.</p><p>The ruling is significant as it reinforces the principles of the rule of law. It also sends a clear message to the government that it cannot bypass its obligations to provide an appropriate legal framework, accountability mechanisms and other safeguards, and to ensure transparency in its practices.</p><p>▼ Faulty COVID apps Defesa dos Direitos Digitais (D3) <u>rejected</u> several attempts to revive the Portuguese COVID contact-tracing app. Despite certain stakeholders suggesting that the app could have other potential uses in the future,</p></div></div>				

EDRi	OUR IMPACT IN 2021	2021	40
<div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> </div> <div> <p>D3 challenged these ideas on the basis of facts and research on how ineffective and problematic the app was.</p> <p>▼ GFF saves privacy</p> <p>Gesellschaft für Freiheitsrechte e.V's advocacy efforts have left a mark on the new German government coalition's agreement in the area of digital rights. As a result, the coalition plans to introduce a right to encryption and strengthen the right to anonymity in public spheres and on the internet. However, the biggest advocacy success is the inclusion of the protection against digital violence.</p> <p>The coalition has understood that an obligation to use clear names on the internet is not an adequate solution to this issue and is instead planning to implement a law against digital violence.</p> </div> <div> <p>▼ Challenging telecoms data retention</p> <p>Statewatch <u>published a European Commission presentation</u> that sought the views of Member State authorities on possible ways to reintroduce mass telecoms data retention, and subsequently filed a request for Member State's responses to the Commission's questions.</p> <p>The publication of the documents has made it possible for organisations and individuals to understand their government's proposals, enabling preparation for future legal or policy proposals. Meanwhile, the process of trying to obtain further documentation has enabled collaboration between the EDRi network.</p> <p>▼ Taking police drones down</p> <p>La Quadrature du Net (LQDN) has been building a movement against police drones.</p> </div> <div> <p>In January, the CNIL (French data protection authority) sanctioned the Ministry of the Interior and forced it to stop all drone flights over the territory. LQDN has strategically built a popular discourse against the police state and against a future where people would be surveilled from a distance, like objects, by militarised cameras and robots, with no possible contact or human interaction.</p> <p>In May 2021, after successfully mobilising efforts on the streets and in public debate, the Constitutional Council invalidated the provisions that would have allowed police drones.</p> <p>▼ Challenging state surveillance</p> <p>Following Snowden's revelations, Open Rights Group teamed up with Privacy International, English PEN, and Dr Constanze</p> </div>			

EDRi	OUR IMPACT IN 2021	2021	41
<div>12345</div> <div><p>Kurz, to mount <u>a legal challenge</u> against the UK Government's mass surveillance of the internet. Finally, in May 2021, the Grand Chamber of the European Court of Human Rights (ECHR) ruled that the UK Government's mass surveillance programme violated fundamental rights, and established clear new safeguards and oversight for bulk interception programmes.</p><p>▾ Ensuring encryption & reinforcing the DPA</p><p>In reaction to a statement by the Dutch government on “plans to weaken the security of chat messages” Bits of Freedom brought together an exceptional coalition including traditional adversaries such as Google and Facebook, with the aim of safeguarding encryption.</p></div>			
<div><p>A day after the launch of the statement, a minister sent a letter to the Dutch parliament which forced the government to put a hold on its plans to weaken encryption.</p><p>Bits of Freedom also called for more resources for the Data Protection Authority (DPA), which led to the Parliament agreeing that more money should go to the DPA to the tune of €8 million.</p><p>▾ COVID-19 vs data retention Report</p><p>Alternatif Bilisim prepared a <u>monitoring report</u> on Covid-19 apps and personal data retention. This was an important collective effort, done in collaboration with several other organisations working on digital rights in Turkey.</p></div>			
<div><p>▾ American Privacy</p><p>EPIC's Privacy Impact Assessment Project has continued to litigate and advocate for transparency and accountability in the personal data collected by US federal agencies. Based on this work, EPIC was selected by the United States Government Accountability Office to participate in a review of government compliance with the E-Government Act's Privacy Impact Assessment (PIA) requirement.</p><p>▾ Increased accountability of secret service Campaign</p><p>As part of the <u>“Nobody will tell you when they will follow you”</u> campaign, the Panoptikon Foundation drafted a petition in which they called for an independent body in charge of controlling how police and secret services use their powers, and supporting</p></div>			

EDRi	OUR IMPACT IN 2021		2021	42
<div><div></div><div></div><div></div><div></div><div></div></div>				
<div><div>people's right to be informed about being subjected to surveillance in the past. They managed to mobilise more than 5000 concerned citizens around the petition.</div><div><div>▼</div><div>Oversight of secret services</div><div>In anticipation of a new proposal to scale-down supervision of Dutch intelligence services, Bits of Freedom spoke with Dutch Senate members about the already existing Amendment Proposal to the act and advised that it should be adopted. It was. They also spoke with policymakers, supervisors, and media about the risks that scaling back supervision would entail.</div></div></div>				
<div><div>▼</div><div>Campaigning for privacy</div><div>Wikimedia France joined EDRi to challenge the regulation against “terrorist” content online. As a result, well-known French public figures took part in a video campaign, and Wikimedia FR convinced Thomas Le Bonniec, the Apple whistleblower, to publish a column on the subject, which caused quite a stir.</div></div>				

7.3. 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 whom they should benefit. Harmful practices include data mining, surveillance, the spread of disinformation, and exacerbating power imbalances.

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

Freedom of expression online

The way that large, centralised online platforms have shaped today's digital space has tremendously impacted how people across the globe express opinions online.

While social networks and other services have enabled everyone to broadcast their opinions to a global audience 24/7 for free, the Big Tech firms behind those services have optimised their platforms in ways that also led to promoting toxic, polarising and harmful content. EDRi has led efforts to ensure that regulatory attempts address the root cause of these issues rather than push for a rapid removal of online content, which reinforces the platforms' arbitrariness.

Copyright reform

EDRi's contribution to the European Commission's guidance on the Copyright Directive helped feed into the German implementation law. This involved a joint civil society open letter and the successful inclusion of a right to collective redress for users' organisations in the German implementation of Article 17 of the DSM copyright directive.

Terrorist content Regulation

The EDRi Office, along with EDRi members Access Now and Wikimedia Germany and its partner Liberties, led efforts to reject the Terrorist Content Regulation (TERREG) proposal on the dissemination of online terrorist content.

61 human rights and journalist organisations sent a joint letter to Members of the European Parliament, urging them to vote against the proposed Regulation on addressing the dissemination of terrorist content online. A series of videos were also circulated to raise civil society concerns, and affected groups were mobilised to share testimonials.

This led to an encouraging level of mobilisation outside of the digital rights bubble. Despite this, in April the regulation was adopted with a strong focus on forcing

platforms to remove content within a 1-hour removal deadline, forcing platforms to use content filtering, and empowering state authorities to enable censorship.

Platform regulation

In the digital space, a handful of large online platforms dominate key digital markets, including personal messaging, social networking, operating systems, browsers, and online shopping. These platforms almost unilaterally decide how people are able to use these kind of services. As a result, our digital environment is more and more defined by the commercial interests of those companies rather than the needs of users and our democratic societies for individual exchanges and healthy public debate.

That is why EDRi launched the Platform Power campaign, aiming to create the conditions for a democratic, fair and open internet for a just society by taking our power back from Big Tech corporations.

Digital Services Act (DSA)

In 2021, the proposal of the Digital Services Act (DSA) and challenging the surveillance advertising industry were the main focus of EDRi's work on platform regulation.

EDRi, as well as EDRi members directly involved in EU level advocacy such as EFF, the Panoptikon Foundation, ARTICLE 19 Access Now and Wikimedia Germany were able to establish themselves as the go-to partners for EU institutions working on the DSA.



The European Parliament approved the EU regulation against “terrorist” content online (TERREG) without a vote in plenary. The Regulation that gives national authorities the power to censor online content without a judge's approval will enter into force in 1 year.

↻ 400 ❤️ 420 - Full tweet / article [here.](#)

EDRi organised meetings with key Members of the European Parliament (MEPs), and created MEP alliances around key issues like intermediary liability, interoperability obligations for gatekeepers, surveillance advertising and enforcement. Some of EDRi's amendment proposals were reflected in the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and Committee on the Internal Market and Consumer Protection (IMCO) opinions, as well as in the final DSA position of the European Parliament approved in January 2022.

During the process, EDRi has been approached for comments on the two legislative proposals by Commission officials, Member State representatives and MEPs from across the political spectrum.

EDRi members have been instrumental in intensifying advocacy efforts towards the European Parliament and the Council on the DSA. EFF and Access Now led the publication of a **joint letter** calling for more attention to fundamental rights in negotiations in the European Parliament Committees.

At least 66 amendments with positive effects on fundamental rights in IMCO were shaped or inspired by EDRi's work. Even the otherwise very problematic JURI Committee Report on the DSA contains some positive aspects as a result of EDRi advocacy.

Ahead of the crucial vote on DSA in the lead European Parliament committee, EDRi, with input from its members and observers Access Now, Amnesty International, EFF, IT-Pol and the Panoptikon Foundation, published a **guidebook for MEPs** through the

jungle of the thousands of amendments that had been proposed for the DSA. The guide was well-received by MEPs according to feedback from several parliamentary staff members.

EDRi's Senior Policy Advisor Jan Penfrat was invited as guest speaker to the IMCO public to hearing on targeted advertising, contributing to a joint message with other experts on the need to regulate the surveillance advertising industry.

EDRi – with several members – also amplified the impact of the Parliament's hearing with Facebook whistleblower Frances Haugen in the IMCO committee through social media efforts and op-eds. These activities drew public attention to highly problematic plans to introduce a media exemption in the DSA report, which were later dropped as a result of public

pressure. EDRi was also interviewed by **ARTE TV**, TV3 Catalonia, and numerous radio stations.

EDRi's collective work led to a partially successful result in the final vote by the IMCO committee in December. The report dismantled the media exception and maintained the cornerstones of EU internet regulation, namely the conditional liability regime for online intermediaries and the prohibition of general monitoring obligations – without adding additional time constraints on its removal. However, the report also lacked ambition in ending surveillance advertising.

Despite a commitment in the fall from the European Parliament (in a report with recommendations to the Commission on

the DSA), the December vote by the IMCO committee fell short on the need to regulate exploitative advertising systems that are based on pervasive surveillance.

This can be explained by intense levels of corporate lobbying, as documented by the NGO Corporate Observatory Europe. Facebook held a gigantic offline and online advertising campaign, which is estimated by Lobbycontrol as being worth €6.8 million on print advertising in Germany alone since December 2020.

EDRi successfully shifted the focus of the political and public debate from legislating rapid removal of user content by platforms, to discussing how to rein in Big Tech's exploitative dominant business model. This is a hard-won success considering the amount of corporate lobbying and the EU's security-first focus towards the removal of 'terrorist' content.

EDRi's Senior Policy Advisor Jan Penfrat was invited as guest speaker to the IMCO hearing on targeted advertising, contributing to a joint message with other experts on the need to regulate the surveillance advertising industry.

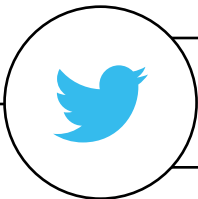
According to the Global Disinformation Index, at least \$235 million in revenue is generated annually from ads which run on extremist and disinformation websites. Some of the online advertisers show advertising to people that have been categorised as survivors of incest, rape and sexual abuse, people with mental health issues, impotence or infertility.

What kind of industry is this? How do they work and why are they allowed to? To answer these questions and propose solutions, EDRi published **“Targeted online: An industry broken by design and by default”, a guidebook to the ad tech industry.**

In addition, EDRi was influential in leading 19 MEPs to launch the **Tracking-free Ads Coalition**. The Coalition is an often-cited

powerhouse of surveillance ads regulation and has grown to 24 MEPs and over 50 supporting organisations, including more ethically-minded EU tech companies.

This Coalition's support for rights-respecting regulation of surveillance ads was tabled and eventually approved by a sizeable majority of MEPs. An open letter for action against surveillance-based



EDRi

@edri

EDRi staff did a hot take on the public hearing at the European Parliament of the Facebook whistleblower Frances Haugen, providing live updates and policy analysis of the recommendations made on platform regulation.

↻ 38

♡ 25

- Full tweet / article [here.](#)



PRESS

Mention

“As we rely on technology to live, work, study or secure essential services, the power of a handful of corporations is ever-growing. While Facebook mediates the social lives and personal messages of over three billion people, Google has taken control of mobile devices, email inboxes and search queries. The DSA and the DMA could become two cornerstones of a radically-changed environment for how citizens use technology and are affected by it”, said Diego Naranjo, EDRi's Head of Policy.

Full opinion piece in **Social Europe** [here.](#)

advertising sent by human rights and consumer organisations has been cited by Politico, further highlighting the issue.

Digital Markets Act (DMA)


On the Digital Markets Act, the plenary vote added a number of welcomed improvements to the European Commission proposal. These included core services interoperability requirements for instant messaging and social media services provided by gatekeepers, more impactful data protection clauses; and a stronger involvement of civil society in the monitoring and enforcement of DMA compliance. These provisions were pushed for by EDRi, its members and allies.

In addition, the website Interoperability news was launched as a central information hub on European interoperability policy in cooperation with EDRi members and independent academics.

The website features analyses and updates on how technical interoperability can serve user interests and increase contestability on key platform markets. It contains contributions from a wide range of expert authors to inform the public policy debate in the context of the DMA.

As of result of all of this work, the DMA reports were heavily strengthened as compared to the original proposals from the European Commission in terms of the protection of fundamental rights and the empowering of users online.

However, there is still work to be done to make those two pieces of legislation as powerful as they should be in order to contribute to the creation of a truly open, inclusive and decentralised digital environment.



PRESS
Mention

“Such specific measures for minors have the huge downside that to implement them, online platforms first need to collect verifiable age information about everyone,” Jan Penfrat, a senior policy advisor at European Digital Rights (EDRi), told EURACTIV.

Full article in **Euractiv** [here](#).

▾ Litigating against giants

EDRi put German member **Gesellschaft für Freiheitsrechte e.V (GFF)** in touch with Quad9, an independent DNS resolver, which was involved in a litigation case against Sony Music. GFF is now supporting Quad9 in the court case against an interim injunction ordering Quad9 to set up network blocks.

The case is important as it touches upon general questions of intermediary liability of copyright enforcement that may feed back into EDRI's work on the DSA and on the upcoming evaluation of IPRED.

Copyright done right

Frënn vun der Ënn, in cooperation with the **Chaos Computer Club**, created a **portal** that led to a large public debate about copyright, its much-needed reform and how to implement it.

Upload filters violate our right

Gesellschaft für Freiheitsrechte e.V (GFF) has closely monitored the implementation of the EU Copyright Directive into German law. The Directive poses risks to fundamental rights, especially the introduction of mandatory upload filters. Expert Felix Reda explained that the introduction of upload filters would be incompatible with the EU Charter of Fundamental Rights which had led to amendments to the draft law.

▼ Funding propaganda

Citizen D / Državljan D continued mapping Slovenian propaganda outlets and their public funding sources, sharing the report with local and EU denizens. The report exposed a systemic funding of propaganda via public funds, and aims to put public pressure on political representatives, urging them to act.

Make software free again

The **FSFE** examined the new Open Source Strategy of the EU for 2020-2023 and raised its concerns. While the benefits of Free Software are emphasised and the Commission is ambitious on paper about its future use of Free Software, concrete goals and a clear commitment to the use of Free Software are lacking.

Media pluralism in Greece

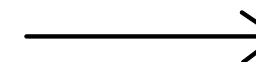
Homo Digitalis participated in the research project “Observatory for Media Diversity 2021”. The project aimed to monitor and evaluate media media pluralism and freedom of expression through specific indicators.

EDRi	OUR IMPACT IN 2021	2021	50
<div>123</div> <div><div><div><div>▼ Better digital public spaces</div><div><p>Open Future played a key role in launching the Shared Digital European Public Spaces, a coalition of over 30 organisations advocating together for policies that support a digital public space. The first campaign of the coalition, coordinated by Open Future, resulted in the adoption of a principle on digital public spaces in the draft <u>Declaration of European Digital Rights and Principles</u>.</p></div></div><div><div>▼ Stomping out COVID-19 disinformation</div><div><p>ISOC Bulgaria ran a hugely successful <u>campaign</u> around COVID-19 disinformation, reaching more than a million Bulgarian Facebook users (about 15% of the total population). They provided factual information about COVID-19, debunked rumours about the virus, treatments, etc., and published video interviews with top Bulgarian experts in the field.</p></div></div></div><div><div><div>▼ DSA Human Rights alliance</div><div><p>Access Now not only covered the DSA from an EU perspective, but also focused on the international regulatory spillover that the proposed DSA could have on other jurisdictions around the world.</p><p>Together with the Electronic Frontier Foundation (EFF), a fellow member of the EDRi network, they founded the DSA Human Rights Alliance. The alliance promotes a world standard for internet platform governance. It is composed of digital and human rights advocacy organisations representing diverse communities across the globe, including in the Middle East and North Africa, Europe, Latin America, and the US.</p></div></div></div><div><div><div>▼ Public education in 7 countries</div><div><div>Report</div><p>Centrum Cyfrowe shared the results of their research from 7 European countries on teachers' practices in remote education. The aim was to provide evidence on content usage that can help shape both copyright policies and programmes that support the development and funding of public educational content and platforms.</p><p>The research reached a wide audience, triggering new opportunities for research and policy.</p><div>▼ Wikimedia ensures user rights</div><p>Wikimedia worked on the Copyright Reform Transposition across Europe, managing to secure some safeguards for user rights, especially in Germany. In many countries, they worked together with the members of the EDRi network.</p></div></div></div></div>			

EDRi	OUR IMPACT IN 2021	2021	51
<div>123</div> <div><div><div><div>▼ Internet freedom in Serbia</div><div>Report</div><div><p>SHARE Foundation researchers, in cooperation with Freedom House, wrote the first <u>Freedom on the Net report</u> for Serbia. It was a good opportunity to find out how Serbia stacks up against other countries around the world when it comes to internet freedom.</p><p>According to the methodology used by Freedom House, Serbia received a score of 71 points out of 100, i.e. a country with “free internet” status, but on the very edge of the group of countries with partly free internet.</p></div></div><div><div>▼ Eradicating dark patterns through the DSA</div><div></div><div><p>Through their advocacy efforts and together with the EDRi office, the Panoptikon Foundation managed to get some of the solutions they have been advocating for included in the Digital Services Act.</p></div></div></div><div><p>These notably cover dark patterns and transparency obligations for recommender systems, including parameters and optimisation goals.</p><div><div>▼ Algorithms of trauma</div><div>Report</div><div><p>A case study examined by the Panoptikon Foundation demonstrated how Facebook uses algorithms to deliver personalised ads that exploit users' mental vulnerabilities. This <u>case study</u> proved crucial in illustrating and justifying their policy recommendations. New evidence confirmed that:</p><div><div>(i) optimisation of algorithms plays a crucial role in delivering sponsored content;</div><div>(ii) optimisation oriented for user engagement may lead to serious individual harm;</div><div>(iii) despite Facebook's claims, affected individuals have no effective tools to control this process. The research was covered by the mainstream media both in English (by the Financial Times) and in Polish (Spiders' Web+), and widely circulated in the EDRi network.</div></div><p>Bits of Freedom published the research of design researcher <u>Holly Robbins</u> on manipulation by platforms, and launched the related “Short Course on Manipulation”.</p><p>The research shifts the framing from content moderation to manipulation, bringing together a number of diverse manipulative tactics for the first time, and shows how these techniques build on and reinforce each other.</p></div></div></div></div>			

Campaigns and Mobilisation

In 2021, traditional campaign tactics were insufficient for a new pandemic reality based on social distancing. In effect, EDRi's campaigners moved away from physical promotion/coordination events, offline mass mobilisation and social organising.



EDRi pivoted instead to a coalition-driven approach to campaigning using digital tools that captured the voice of a critical mass of supporters and pandemic-proof calls to action.

In 2021, EDRi ran the #ReclaimYourFace campaign and the Platform Power campaign. The two campaigns fed into EDRi's policy strategy concerning the AI Act, DSA and DMA negotiations, as well as into the broader EDRi Network Strategy 2020 - 2024.

At the EU level, EDRi built campaigns with over 70 civil society organisations, organised over 25 coordination and planning sessions, and supported investigative research and press outreach across these coalitions.





#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 campaign's tactics focused on coalition building, awareness-raising, press and events, as well as coordinating pandemic-proof mobilisation actions.

▼ Coalition building

In December 2020, the #ReclaimYourFace campaign was present in 8 European countries, with the coalition counting 12 digital rights civil society organisations.

In December 2021, the campaign expanded to **18 countries across Europe**: Greece, Italy, the Netherlands, Germany, France, Slovenia, Czech Republic, Switzerland, Serbia, Croatia, Spain, Denmark, Norway, Austria, Macedonia, Finland, Portugal and Belgium. The coalition grew steadily to count **65 organisations** working on digital rights and civil liberties, workers' rights, the rights of Roma and Sinti people, LGBTQ+ rights, media freedom and the protection of migrants and people on the move.

▼ Awareness Raising

Together with Privacy International, we worked on an art project that tested the limits of facial recognition technologies. We produced 6 videos explaining research report findings, the European Citizens' Initiative, as well as the topic in the Roma Sinti dialect. Finally, we published 23 blog posts on the #ReclaimYourFace website and a comprehensive resource page offering **ready-made materials** for volunteers willing to raise awareness about the campaign.



We sent a total of **28 supporter mailings**, reaching **535 287 people** across the coalition's supporters. On social media, we published **290 posts across 3 #ReclaimYourFace channels** (Twitter, Facebook, Instagram). Our posts were seen **1 764 472** times by #ReclaimYourFace followers on social media.

▼ **Press and events**

In 2021, we published 8 opinion editorials and have counted **over 230 press mentions**. The coalition issued 26 press releases. Notable outlets reporting on the #ReclaimYourFace campaign include POLITICO, Financial Times, FORTUNE, Wired, TechCrunch, Reuters, Deutsche Welle, Arte, El Pais, La Stampa and Naftemporiki.

We organised **1 webinar** and 1 AskMeAnything Reddit session, and contributed to a day of action around

the European Citizens' Initiative Day 2021. In total, the organisations in the #ReclaimYourFace coalition attended over 84 events promoting the campaign.

▼ **Coordinating mobilisation actions**

EDRi launched what has become, according to the European Economic and Social Committee, "the most politically powerful" European Citizens' Initiative (ECI), signed in 2021 by over 60 000 people. The fact that the European Commission had to validate the ECI when it was launched, forced a public recognition of the EU institution's

competence on the matter of biometric mass surveillance. We coordinated 2 important social media actions: a Twitter storm and a social media challenge.

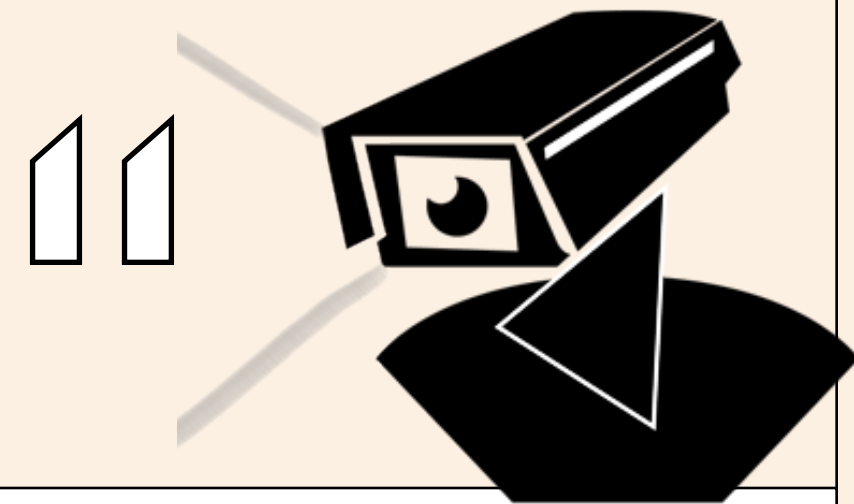
The #WalkTheTalk 6-language Twitter storm engaged 19 NGOs in the EU and US and 5 MEPs aiming to influence the Trade and Technology Council launch. The #PaperBagSociety social media challenge attracted hundreds of supporters: over 20 NGOs and 3 MEPs posted photos and videos of them wearing a paper bag on their head in protest of biometric mass surveillance.

Millions are given to private facial recognition companies to develop their tech with public money without any democratic debate or consideration for basic humans rights.

#ReclaimYourFace supporter



“Technologies such as facial and emotional recognition should be banned: they are biased and have a negative impact on non-caucasian profiles.”



Gabriela Ramos. UNESCO A. Director-General for the Social and Human Sciences.

PLATFORM POWER

The Platform Power campaign aimed to form a civil society movement around the regulation of very large platforms and to raise awareness among the general public on key topics regarding Big Tech's power in the context of the Digital Services Act and the Digital Markets Act. The campaign calls for accountability, individual choice over what we see online, as well as an end to surveillance advertising.

Finally, the campaign focuses on freedom of expression, in particular the need to safeguard the voices of political dissidents who organise and speak out online, but also those of human rights defenders, journalists, activists and marginalised groups whose content is randomly taken down by platforms.

▼ Building coalitions


EDRi coordinated 6 civil society organisations around the narrative and messaging of 2021 communication materials, as well as around the 2022 planning of the Platform Power campaign actions. In addition, EDRi was an active member of the PeopleVsBigTech coalition, contributing to the public affairs scoping of the coalition's campaigns actions.

▼ Raising Awareness

In 2021, EDRi launched the platformpower.eu website, which showcases testimonies of different people affected by the exploitative power of Big Tech.

Through quantitative research, we documented EDRi supporters' attitudes towards Big Tech's power and published several articles on the campaign website with updates from the advocacy actions.





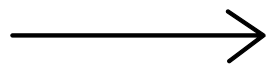
“ Like many other Black women,
I personally face racist and misogynist
abuse online on a daily basis. But
attempts to deal with online hatred
should not take away free expression
from the very people they are
supposed to protect. ”



Rokhaya Diallo-France. Journalist, author, and activist.

Privacy Camp 2021

The 9th edition of the European Digital Rights annual flagship conference “Privacy Camp” took place online on 26 January 2021 and revolved around the topic of **Digital rights for change: Reclaiming infrastructures, repairing the future.**



#PrivacyCamp21

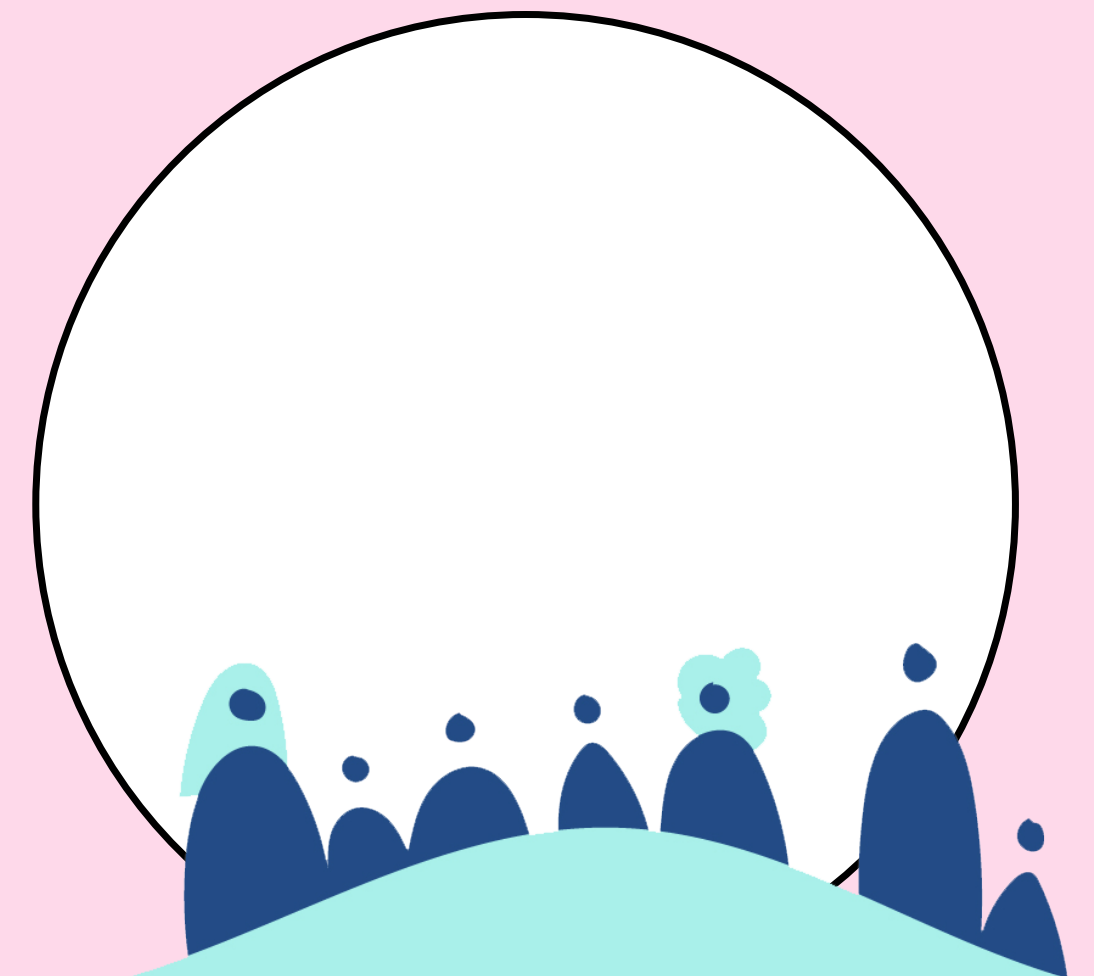
The conference brought together a diverse range of audiences including EDRi's members and observers, other digital rights advocates, members of NGOs and activists, as well as academics, journalists, artists and policymakers from all across Europe to discuss the most pressing issues threatening human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

2020 has highlighted the importance of digital infrastructures. Many facets of our personal and social lives rely on these infrastructures – from public health to education, from labour to services and from politics to intimate relations. Although this is not completely new, society has realised that there is a need to design and maintain

digital infrastructures to prioritise the public interest – resituating the interests of private actors that so often dominate practice and discourse on the topic. In this context, digital rights are more important than ever. Privacy and data protection are important tools to question, limit and counter massive data collection and intrusive surveillance technologies. Their impact goes well beyond individual interests.

During the event, nearly 300 digital rights enthusiasts discussed a new model for consent for the processing of personal data in the age of AI and big data. Participants took a bird's-eye view of Big Tech's power expansion into public service areas at the European Data Protection Supervisor (EDPS) Civil Society Summit. There, they heard about threats to encryption, explored the restorative justice model principles regarding content moderation,

and heard about worrying trends in worker surveillance, among others. With a total of 14 sessions including a storytelling session from digital rights activists and several hands-on workshops, the 2021 event was hailed a success.



Missed the event? No worries, check out the highlights of the sessions [here](#):

1. Storytelling: STORIES of digital rights activism.

2. A new model for consent?

Rethinking consent among complex infrastructures and complex explanations.

3. Local perspectives: E-life and e-services during the pandemic.

4. The #ReclaimYourFace campaign: Ban biometric mass surveillance.

5. Wiring digital justice: Embedding rights in Internet governance “by infrastructure”.

6. On Art and Digital Rights Activism.

7. Cryptowars: The battle for encryption.

8. The EDPS Civil Society Summit “Big tech: From private platforms to public infrastructures”.

9. The Privatised Panopticon: Workers' surveillance in the digital age.

10. #ReclaimYourFace, Reclaim Your Space: Resisting the criminalisation of public spaces under biometric mass surveillance.

11. Teach me how to hurdle: Empowering data subjects beyond the template.

12. Algorithmic Impact Assessments.

13. Platform resistance and data rights.

14. Can Restorative Justice Help Us Govern Online Spaces?

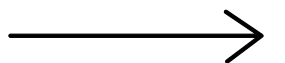
We would like to thank our co-organisers VUB, Privacy-Salon and the Institute for European Studies, as well as our supporting partners CENTR, the European Data Protection Supervisor, Mysterium Network, Mozilla and Computers, Privacy and Data Protection conference (CPDP).

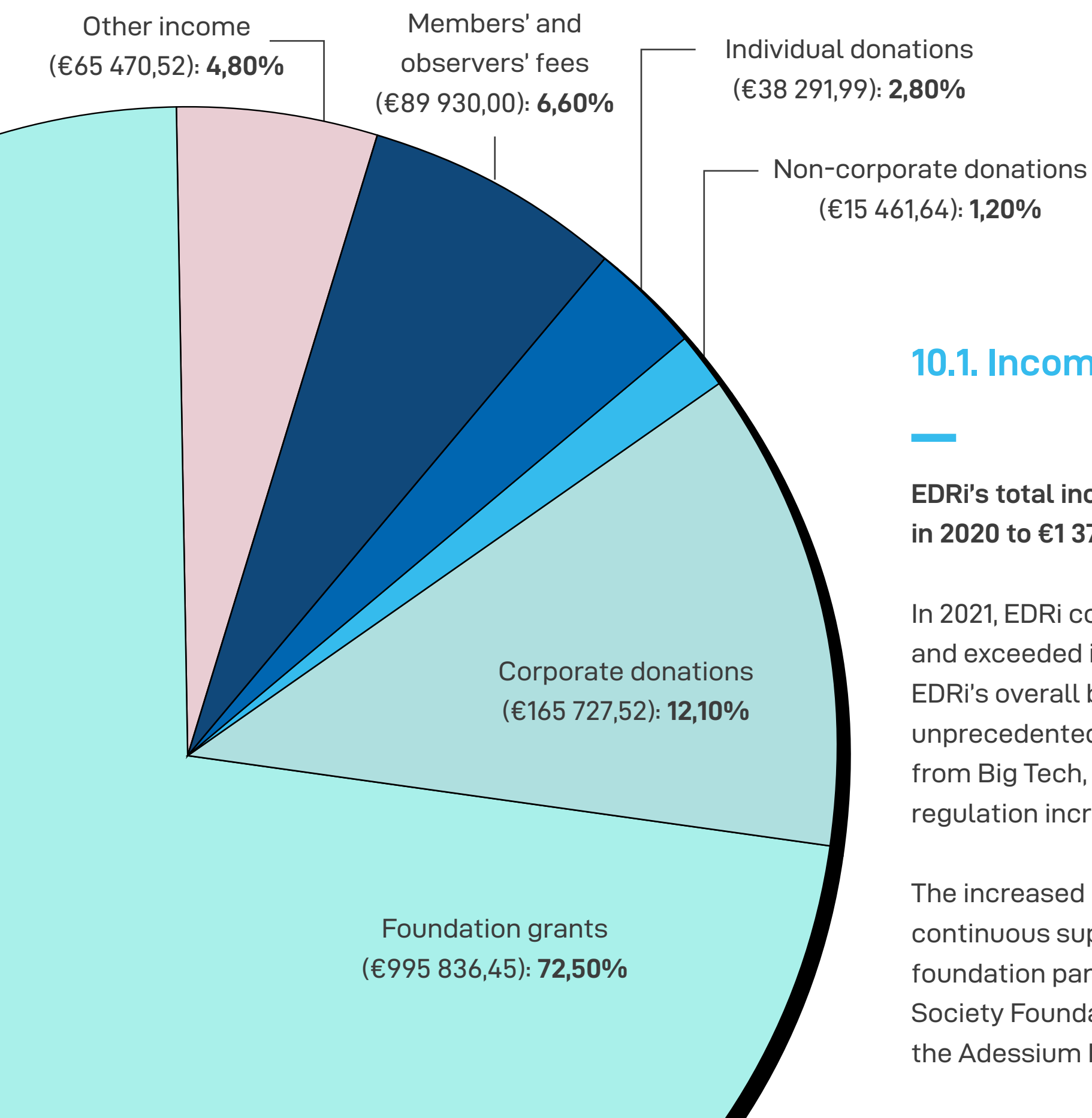
We are very grateful to all the session organisers, moderators, speakers and to the audience, for making Privacy Camp 2021 a success.



Our Finances

The pursuit of a diversified and stable funding base in a constantly evolving **ecosystem** remains a priority for EDRi. Financial resilience enables EDRi to prioritise its mission and react to unexpected developments.





10.1. Income

EDRi's total income grew from €1 131,675 in 2020 to €1 370,718 in 2021.

In 2021, EDRi continued to grow its income and exceeded its financial goals for the year. EDRi's overall budget remains small to face unprecedented levels of corporate lobbying from Big Tech, or to cope with the tech regulation increase in Brussels.

The increased income was a result of the continuous support received from our foundation partners such as the Open Society Foundations, the Ford Foundation, the Adessium Foundation, the Democracy

& Media Foundation, Luminate and Civitates, as well as from new partners such as the European AI Fund and Stiftung Mercator; EDRi remains highly dependent on foundation grants but is less dependent on one single large donor, thanks to a diversification of foundation support.

Also other sources of funding such as corporate and individual donations, as well as membership fees, grew steadily.

Members' and observers' fees	€89 930,00
Individual donations	€38 291,99
Non-corporate donations	€15 461,64
European Data Protection Supervisor (EDPS)	€5 439,80
The Council of European National Top-Level Domain Registries (CENTR)	€5 000,00
Electronic Privacy Information Center (EPIC)	€4 111,84
Electric Frontier Finland (EFFi)	€660,00
That Might Be Right (TMBR)	€250,00
Corporate donations	€165 727,52
DuckDuckGo	€63 770,09
Proton Technologies	€30 000,85
Mozilla	€28 756,58
Apple	€15 000,00
Microsoft	€15 000,00
Twitter	€10 000,00
Kobler	€2 500,00
Blockdev / Mysterium Network	€500,00
Other donations under 500€	

Foundation grants	€995 836,45
Luminate / The Omidyar Group	€281 544,19
Open Society Foundations	€164 190,11
Ford Foundation	€129 406,51
Adessium Foundation	€120 675,89
Open Society Initiative for Europe	€108 382,59
Civitates II & III	€40 622,58
Stiftung Mercator	€34 800,00
Democracy and Media Foundation	€30 000,00
NLnet foundation & Vietsch Foundation	€20 400,00
European AI Fund	€19 978 83
NetGain Partnership	€17 963 55
European Cultural Foundation	€10 372,50
SHARE Foundation (SEE project)	€6 768,00
Digital Freedom Fund	€6 616,00
Public Citizen Foundation	€4 112,70
Other income	€65 470,52
Other incomes	€9 465,46
Sub-renting of the office and related costs	€56 005,06
TOTAL	€1 370 718,12

10.2. Expenditure

EDRi's total expenditures grew from €1 009.038 in 2020 to €1 272.260 in 2021.

Thanks to a steadily growing income, EDRi was able to strengthen both direct and indirect programme expenses, as well as its core mission expenses. **This enabled EDRi to continue to drive its organisational purpose and mission.**

One of the EDRi's biggest challenges remains to follow or act on the full range of human rights impacts in a connected world in the 21st century. **The EDRi team grew from 11 members in 2020 to 16 members in 2021** and its capacity to carry out activities is

visibly larger now. **It also empowered EDRi to effectively act as a watchdog against state and corporate powers lobbying in Brussels and beyond.**

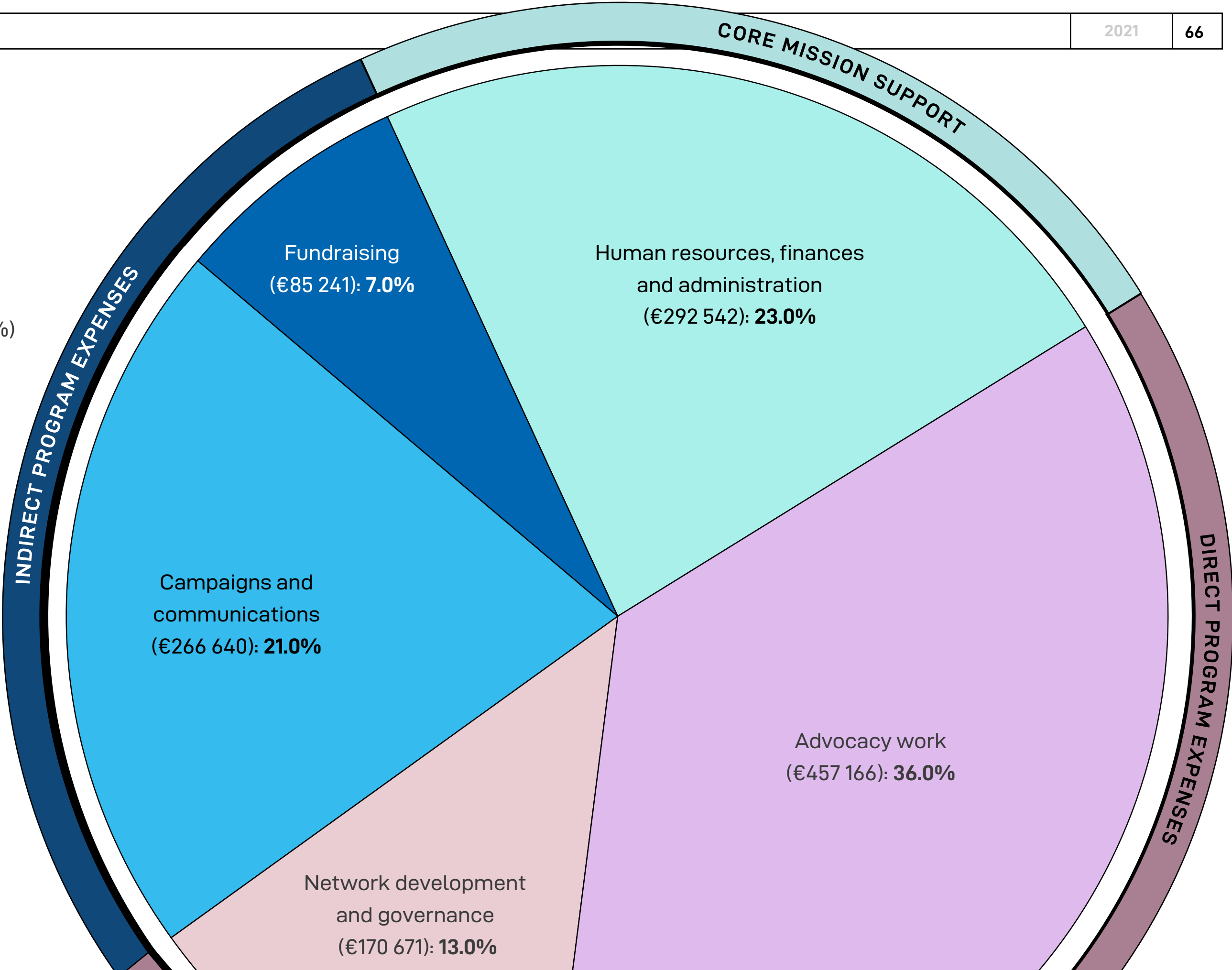
In 2021, **EDRi was able to complement regular support provided to the network members with an internal donation scheme, which reached nearly €53 000.**

This funding was aimed to support members' engagement in building the field of digital rights, and the delivery of their ambitious advocacy and campaign plans in their country.

An operating reserve is an unrestricted fund balance set aside to stabilise EDRi's finances against unexpected expenses or events and provides a chance to react to unforeseen opportunities in the future.

EDRi started to build its operating reserve and a designated Social Reserve Fund in a systemic way from May 2021 onwards (after receiving approval from the General Assembly). Results permitting, this reserve should grow together with the EDRi budget, to keep representing at least three months of operations.

EDRi keeps its expenses on human resources, finance and administrative management and fundraising as low as possible (30%) and allocated 70% of the budget towards its primary objectives in 2021: to create a fair and open digital environment that allows everyone to flourish and thrive to their fullest potential.



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DONATE NOW:

<https://edri.org/take-action/donate-now/>

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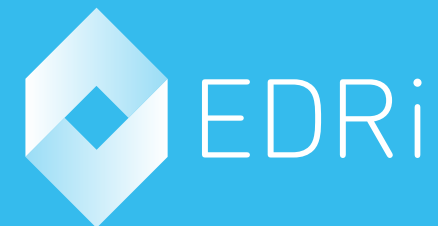
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EUROPEAN DIGITAL RIGHTS

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