



PROTECTING DIGITAL FREEDOM

Annual Report

January 2014 – December 2014

European Digital Rights was founded in June 2002. Currently, 34 civil rights organisations have EDRi membership. They are based or have offices in 19 different countries in Europe.

Members of European Digital Rights have joined forces to defend civil and human rights in information society. The need for cooperation among organisations active in Europe is increasing as more regulation of our digital communications networks is originating from European institutions, or from international institutions with strong impact in Europe.

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PROTECTING DIGITAL FREEDOM

HIGHLIGHTS OF 2014



13 May

The European Court of Justice ruling on Google v Spain

12 March

European Parliament votes on the Data Protection Reform

3 April

European Parliament votes for net neutrality

30 September

Response to draft decision of the European Ombudsman on internal rules concerning whistle blowing

4 December

Launch of the Council of Europe Issue Paper on the Rule of Law

30 November

UNESCO's consultation for a comprehensive study on Internet related issues

3 April

The European Court of Justice ruling on the UPC Telekabel v Constantin on web blocking

15 July

FCC consultation on net neutrality: Protecting and Promoting the Open Internet

3 December

European Parliament refers the EU-Canada agreement on PNR to the CJEU

8 April

The European Court of Justice rules that the EU legislation on mass surveillance contravenes European law

3 October

EU Commission consultation on the renewal of the EU Internal Security Strategy

31 October

European Ombudsman's public consultation in relation to the transparency of the TTIP negotiations

PROTECTING
DIGITAL
FREEDOM

Executive Summary

Since 2009, European Digital Rights has undergone substantial changes and evolved from a decentralised alliance with no staff to a growing organisation that is expanding its work and influence at the end of 2014. This report covers the period from January 2014 until December 2014. We continued to strengthen and focus the activities of the digital rights activist community in Europe and maximise the opportunities to campaign with a single voice.

Information technology has a revolutionary impact on our society. It has boosted freedom of communication and democracy but has also led to new approaches to surveillance and is increasingly used to impose restrictions on fundamental rights. Our role is to ensure that citizens' rights and freedoms in the online environment are respected whenever they are endangered by the actions of political bodies or private organisations.

Freedom, transparency and the rule of law are therefore our core priorities.



FREEDOM

Freedom, in its most basic sense, means the right to live without arbitrary and unwarranted interferences, intrusions or limitations. It is one of the most important elements of a democratic society.

To ensure a functioning democracy, basic rights and freedoms need to be guaranteed. In Europe, these rights are established by the Charter of Fundamental Rights of the European Union, the European Convention on Human Rights and by national constitutions. In the digital environment, among the most relevant are the right to privacy and data protection, the right to a fair trial, freedom of thought, expression and information and the right to an effective remedy when our rights have been breached.

Our priorities

In 2014, we continued to advocate for laws and policies that protect our rights and freedoms to defend this cornerstone of our society. We focused our efforts on copyright reform, network neutrality, data protection and privacy.

Copyright reform

Europe's copyright rules have not yet been adapted to the digital age. This situation is currently leading to barriers for citizens to access cultural content, to unintended consequences for the freedom of communication and to the fact that creators do not enjoy harmonised protections in the EU. Our efforts contributed to the growing awareness in the European Commission and the Parliament that reforms are urgently needed. On 30 January, we were invited to present our positions at the European Parliament hearing "Intellectual Property rights in Europe: a tool for growth and jobs".

In December 2013, the Commission launched a public consultation. In order to facilitate the submission of answers for citizens, EDRi and twelve other organisations, the [C4C coalition](#), created an answering guide and made it available at youcan.fixcopyright.eu. EDRi's detailed response to the consultation was published in March 2014 and can be [downloaded here \(pdf\)](#).

On 1 July 2014, the European Commission adopted an "action plan" in which it announced to move away from penalising citizens and to adopt a "follow the money approach". It has also been planning to publish a White paper to announce the next steps. However, EDRi's internal analysis of a leaked draft showed that the document favourising the approach to licensing instead of a comprehensive legal review. The official release of the White paper has been postponed after opposition within the Commission.

We campaign for more efficient access to online content and culture as a means of supporting freedom of communication and reducing the risks to fundamental rights caused by excessive enforcement measures.

Observatory on infringements of intellectual property rights: In 2013, EDRi joined the European Observatory on infringements of IP rights. One of its stated objectives is to provide evidence-based contributions and data to enable EU policy-makers to shape effective IP enforcement policies and to support innovation and creativity.

The Observatory drafted terms of reference for a study on “voluntary measures” for copyright enforcement. We raised our concerns about such a study during a Plenary meeting and a meeting of the digital working group. EDRi initiated a joint letter with BEUC and Wikimedia in order to raise concerns regarding the Observatory’s planned study on “voluntary measures” pointing out that measures proposed in this area have been found to breach fundamental rights and freedoms in recent decisions of the Court of Justice of the European Union. It was sent to the Observatory and the President of the Office for Harmonization in the Internal Market (OHIM) on 10 April.

The Observatory also launched an incoherent, badly written and heavily biased draft report on copyright infringements in the digital world. After two rounds of extensive criticism by EDRi, the Observatory decided to abandon the project.

Achievements

- ✓ We facilitated direct citizen participation in the democratic processes of the EU. Our answering guide for citizens on youcan.fixcopyright.eu and work with the [Copyright 4 Creativity coalition](#) lead to over 11,000 replies to the EU Commission’s copyright consultation.
- ✓ We successfully persuaded the IP Observatory to abandon its biased report on copyright infringements in the digital world.
- ✓ We are continuing to fight to ensure a good outcome of the “voluntary measures” proposal.
- ✓ We carried the message for reform to policy-makers at several high-profile conferences, such as the European Voice conference on “[Copyright 2015](#)”.

Press coverage

- ✓ Our efforts were mentioned by: [EurActiv](#), [TorrentFreak](#), [TechDirt](#)...
- ✓ Read EDRi’s complete press review 2014: <https://edri.org/edris-press-review-2014/>.

Network neutrality

Network neutrality is the principle whereby internet access providers must treat all data equally. This allows everyone to communicate with everyone online, maximising freedom of communication, competition and innovation.

When Vice-President Neelie Kroes took office as European Commissioner for the Digital agenda in 2010, she stated that Net neutrality would be a central issue. However, since then she launched two consultations in four years and did not table a proposal until September 2013, just eight months before the European elections. This draft Regulation for a “Telecoms single market” is a major piece of legislation since it would become directly applicable law in all Members States.

In 2014, we carried out several activities to raise awareness on this issue, [published analysis of the proposed legislation](#), drafted crucial [amendments](#) and met with policy-makers across the political groups. We published an FAQ for citizens on the draft Regulation ([pdf](#)) and promoted our “save the internet” portal: <http://savetheinternet.eu>. It contributed to over 20,000 faxes being sent to the European Parliament by concerned citizens. In the course of the year, we held several meetings on the “Telecoms single market” dossier with national permanent representations to the EU.

Net neutrality was also an issue on the other side of the Atlantic. Since these discussions have repercussions in Europe, we responded to a consultation launched by the US Federal Communications Commission ([pdf](#)) and we spoke at a [RightsCon panel](#) on “net neutrality - how to identify discriminations and advance solutions” that took place in the U.S. in March 2014. The Telecoms package was handed over to the Council of the European Union. EDRi followed the [developments of the dossier](#), engaging with Member States representatives and proposed amendments.

In November 2014, [leaked documents](#) from the Council showed that Net neutrality could be in danger. EDRi joined forces with other civil society organisations to relaunch the savetheinternet.eu. As a result, [the European Parliament fought back](#), led by 131 MEPs.

As an observer to the Steering Committee on Media and Information Society of the Council of Europe, EDRi sent a letter to the members of the Committee and proposed amendments to the draft Recommendation on “protecting and promoting the right to freedom of expression and the right to private life with regard to network neutrality”.

Achievements

- ✓ Our **public campaign led to more than 20,000 faxes** being sent by concerned citizens to their elected representatives.
- ✓ We **successfully campaigned for the adoption of crucial amendments** by the European Parliament to ensure net neutrality protections.
- ✓ We continued to contribute to the [IGF's dynamic coalition on net neutrality](#).



SAVE THE INTERNET

Your freedom online is threatened by an EU proposal.
The fight for an open Internet is happening right now in Brussels.

TAKE ACTION!

 **E-MAIL**
your parliamentarian

 **CALL**
your parliamentarian

 **FAX**
your parliamentarian



SaveTheInternet – in front of the EU Parliament, 1 April 2014
 with MEPs Weidenholzer (S&D), Lange (S&D), Ernst (GUE/NGL) and Hirsch (ALDE)
 - with campact and wikimedia, photo: <https://www.flickr.com/photos/campact/>

Press coverage

- ✓ The Wall Street Journal: [EU Parliament backs tighter internet traffic rules](#), 3 April 2014.
- ✓ Le Soir: [Roaming contre Internet neutre: le grand marchandage](#), 21 March 2014.
- ✓ Tagesschau: [Sorge vor Zweiklassensystem im Internet](#), 3 April 2014.
- ✓ EurActiv: [MEPs strengthen Net neutrality in telecoms overhaul](#), 4 April 2014.
- ✓ EU Observer: [Italian EU presidency weakens net neutrality, says NGO](#), 21 November 2014.
- ✓ The New York Times: [Europe Takes Another Look at Net Neutrality](#), 25 November 2014.
- ✓ The Guardian: [EU divided on issue of net neutrality](#), 27 November 2014.
- ✓ Read EDRI's complete press review 2014: <https://edri.org/edris-press-review-2014/>.

Data protection and privacy

On 12 March 2014, the European Parliament adopted the Data Protection Reform Package. The package is now in the hands of the Council of the EU. Despite the announcement of heads of state and government to commit to a “timely” adoption of the data protection legislation in October 2013, there are still efforts by certain Member States - namely Germany and the UK - to obstruct negotiations. Although some improvements to the Commission’s initial proposal have been made by the EU Parliament in 2014, the text adopted by the Parliament contains measures that undermine the strength of the overall Regulation. We therefore continued our efforts to strengthen the text in the Council of the European Union.

On 9 May, we met with the chair of the DAPIX working group of the Council in order to discuss the advancement of the reform package. We continued to push for a quick adoption of a strong package and criticised attempts by the Council of the European Union to delay the urgently needed reform.

In addition, we coordinated civil society efforts in a working group (Bits of Freedom, Privacy International, Panoptikon, Open Rights Group and La Quadrature du Net) to support the Regulation and have organised virtual working group and strategy meetings. At the request of the Working Party of EU national data protection commissioners (“Article 29 Group”), we submitted comments on draft contractual clauses for cross-border data transfers between an EU-based processor and a non-EU-based subprocessor.

Snowden's documents revealed the extent of government surveillance helped by private companies and highlighted the urgent need for sound, harmonised, well-enforced data protection legislation that promotes data minimisation and effective data security.

Achievements

- ✓ In March, we published [analysis](#) of the European Parliament's vote on the LIBE committee's report which represented another crucial step towards protecting European right to privacy.
- ✓ Our comments on current data protection events were quoted in several international online publications (for ex. [NPR](#), [Intellectual Property Watch](#)).
- ✓ In February, EDRi provided input to a conference of the Green party in Helsinki on the topic of corporate lobbying against the EU data protection reforms.
- ✓ We successfully campaigned for an amendment (42a new) to the Data Protection Regulation banning the unauthorised export of personal data for law enforcement purposes.
- ✓ Together with other NGOs, we sent a letter ([pdf](#)) to Google's Advisory Council on the so-called "right to be forgotten" and took part in a high level conference on this topic.

Press coverage

- ✓ SvD: [Amazon pressar EU om kunders skydd](#), 16 January 2014.
- ✓ The Independent: [Billy Hawkes: The Irishman with a billion people's privacy to protect](#), 7 February 2014.
- ✓ El Pais: [La directiva se ha prestado a abusos. Tenemos ejemplos](#), 8 April 2014.
- ✓ Daily Mail: [UN: Nations Hide Rise in Private Digital Snooping](#), 16 July 2014.
- ✓ For more articles, read EDRi's complete press review 2014: <https://edri.org/edris-press-review-2014/>.

Surveillance

Data retention: EDRi has been campaigning against the Data Retention Directive since its launch in 2005. For more than eight years, it required telecommunications providers to store citizens' communications data and lead to fundamental rights abuses throughout Europe. In 2014, the Directive was successfully challenged before the Court of Justice of the European Union by EDRi-member Digital Rights Ireland together with the Human Rights Commission Ireland and AK Vorrat Austria.

EDRi continued to be the leading civil society voice on the issue of long-term storage of data related to innocent citizens in Europe. In the past year, we monitored the EU's mass data collection systems and agreements, such as new Passenger Name Record (PNR) agreements, the Terrorist Finance Tracking Program (TFTP) and the EU PNR proposal. Massive EU-wide retention of flight passenger data has become a target for governments in the name of the fight against terrorism. However, the European Commission so far has failed to provide evidence that would demonstrate the effectiveness, necessity and proportionality of such a measure.

Mass surveillance: On 12 March 2014, the European Parliament was the first democratically elected institution in the world to adopt a report on the impact of mass surveillance programmes on EU citizens. In March, we were invited to speak at a panel during the "[South by Southwest](#)" Festival in Austin, USA, which focused on public reactions in the United States and Europe to the NSA scandal ([audio](#)). On 13 June, EDRi co-hosted a round-table on surveillance in Berlin, Germany. We started to coordinate the cooperation between European NGOs.

Achievements

- ✓ On 8 April, European Court of Justice decided that the Data Retention Directive, an EU legislation on mass surveillance, contravenes European law, thanks to a case brought by Digital Rights Ireland and AK Vorrat Ireland. EDRi and its member organisations provided considerable analytical support for the case over several years.
- ✓ The European Parliament report on mass surveillance includes a seven point action plan, a "European Digital Habeas Corpus" which we will follow in the coming months.
- ✓ After a short and fierce campaign, we achieved a major victory for civil liberties with regard to ongoing Passenger Name Record (PNR) initiatives. In November 2014, we campaigned in favour of a [resolution for a referral to the EU Court of Justice \(CJEU\)](#) which was adopted with a substantial majority. The EU-Canada agreement on the transfer of PNR will now be tested for its compatibility with the EU treaties and Charter of Fundamental Rights.



TRANSPARENCY

Fighting for our rights and freedoms is only possible if we can hold the private and the public sectors to account. We advocate for openness, transparency and accountability of government and business. We believe that transparency empowers each of us to participate in the democratic debate, to allow us to understand where problems are and to be able to tackle them.

We advocate for effective transparency to allow meaningful participation of citizens in decision-making processes.

Our priorities

In 2014, we continued to campaign for increased transparency in trade agreements negotiated by the European Commission, in order to increase accountability and to facilitate citizen participation in the EU's decision-making processes.

Trade agreements

In response to a complaint by EDRi, on 28 January 2014, the European Ombudsman “advised the Parliament to ensure that the Commission and the Council do not sign confidentiality agreements in the future that could undermine Parliament’s ability to deliberate openly on such issues” ([press release](#)). Furthermore, EDRi encourages the Ombudsman to ensure that the President of the Parliament stands by his commitment of not repeating the failures of the Anti-Counterfeiting Trade Agreement (ACTA).

Trade agreements go beyond trade, including chapters on “intellectual property rights”, telecommunications, e-commerce, services and investment which have the potential to restrict EU citizens' rights and freedoms online. In 2014, EDRi had meetings with different civil society groups, policy and decision-makers and participated in several events.

The Transatlantic Trade and Investment Partnership (TTIP): The European Commission organised a public consultation on investor-state dispute settlement (ISDS) which they would like to include in TTIP and other trade agreements. In order to help citizens and other civil society organisations respond, EDRi created an extensive answering guide for the consultation ([online form](#)) and submitted its answer ([pdf](#)). We also provided a detailed response to the European Ombudsman’s consultation on transparency of the TTIP negotiations ([pdf](#)) and welcomed her initiatives to open investigations on both the European Commission and the Council of the European Union to ensure that transparency and public participation in TTIP negotiations. On 14 and 15 July, EDRi co-organised a civil society strategy meeting including three sessions focused on digital rights issues. This was an important occasion to network, plan and encourage collaboration between NGOs from different sectors.

The Trade in Services Agreement (TiSA): EDRi has been monitoring developments in the negotiation of TiSA. Despite the fact that it has been under way for more than a year, there has been almost no public information regarding the contents of this agreement or even the negotiating mandate. Furthermore, we fear that TiSA’s “Digital economy” chapter could include rules on telecommunications and e-commerce, before EU legislation is adopted. Similarly, EDRi is concerned that the inclusion of text on “data flows” may undermine rules adopted by the EU Parliament and the advancement of the data protection reform.

Transparency of the EU institutions

Access to document requests have remained an important tool for us to increase transparency of the EU institutions and to raise awareness for the EU's legislative and non-legislative work. In 2014, we submitted access to document requests in order to obtain information on the expenses that the Commission pays to stakeholders in order to participate in TTIP meetings and on the meeting schedule of the new Commissioner for the Digital Economy and Society since he took office.

On 1 April 2014, we spoke at a panel discussion in the European Parliament on "Transparency and access to documents: how to bring closer the daily practice of EU institutions Agencies and bodies with the EU constitutional principles and legislation".

Since information is sometimes difficult to find on the different online sources of the European Commission, we continued to publish and update an [overview of consultations](#) of importance to digital rights in 2014.

The European elections

Between 22 and 25 May, elections for a new European Parliament took place in 28 European Union Member States. The [WePromise](#) campaign was launched in January 2014 and brought digital civil rights issues onto the agenda of the election campaigns of all European political parties like never before. The campaign also had broader benefit: It encouraged people to vote – and vote positively – in the election, **increasing democratic participation and positive engagement** in the political process. It was a very constructive project in an election polluted by negativity.

Candidates agreed to support a “Charter” of 10 key digital rights principles, while voters are asked to sign up to promise to vote in the elections for a candidate that has signed the Charter.

The project established a “Charter of Digital Rights” which aimed to give long-term leverage to European digital rights groups for the next five years. It enabled EU citizens the possibility to find out who supports digital civil rights (via the portal [wepromise.eu](#)) and vote for these candidates. In addition, the candidates were able to raise their profile of internet policy issues during their election campaigns. The European election were a huge opportunity for our campaign to launch a positive agenda and to give the wider civil digital rights community a common point of reference for the next five years.

The project gathered wide support from throughout the political spectrum as well as from civil society and citizens, exceeding all expectations. It enabled voters to take an active role in national and EU level discussions on issues of significance for citizenship and fundamental rights in the digital environment. The campaign was translated by our network into 16 European languages (Bulgarian, Czech, Polish, Spanish, Italian, Hungarian, Swedish, Finnish, Danish, Dutch, French, English, Croatian, Rumanian, Portuguese and German). The project received financial support by Centr, the .SE domain registry and the Open Society Foundations.

In September, we published a booklet which explains each point of the digital rights Charter to the MEPs. The booklets have been distributed to the 751 newly elected and re-elected Parliamentarians.

Achievements

- ✓ 83 candidates that signed the Digital Rights Charter were elected Members of the European Parliament, you can access them at: <https://edri.org/eu-elections-elected-digital-superheros/>.
- ✓ Citizens and organisations from all over Europe will now be able to hold these Parliamentarians accountable on the basis of their promise to digital rights
- ✓ In April, we organised an event on digital rights and the EU elections in the Parliament which gained support from across the political spectrum, speakers were: Pavel Zalewski (EPP, Poland), Marietje Schaake (ALDE, NL), Joseph Wiedenholzer (S&D, Austria) and Christian Engström (Greens/EFA, Sweden)
- ✓ Between January and May, our campaign was frequently mentioned in the press and international blogs, such as [BoingBoing](#), [Le Monde Diplomatique](#) and [Süddeutsche Zeitung](#).
- ✓ You can access our complete press review for the year 2014 at <https://edri.org/edris-press-review-2014/>.

The EDRi papers
EDITION 10

THE CHARTER OF DIGITAL RIGHTS



A guide for policy-makers



Leveraging the power of national civil society

EDRi provides a platform for our national member organisations, individual observers and activists via specific online working groups on the topics of net neutrality, data protection and copyright issues

We continued to provide an essential **platform for our member organisations in their understanding of, and interactions with, the European institutions**. We briefed our members and observer once per week via the weekly report. This report sums up the latest developments regarding the activities of the EU institutions, legislative processes, events and hearings and is then archived online.

In order to better coordinate civil society more generally and lead discussions on topics of current importance, EDRi increased its number of subject-specific mailing lists. We now manage mailing lists on web blocking, data retention, data protection, copyright, net neutrality and TTIP.

Furthermore, we supported member organisations and observers seeking to interact with the European Union institutions through the preparation of briefings and introductions or hosting of events. For example, EDRi organised two visitor groups to the European Parliament as part of the annual privacy advocates' summit "[Freedom not Fear](#)". We participated in and organised capacity-building events for members as well as workshops on topics of importance for activists.



Since 2003, we have been publishing a fortnightly newsletter which focuses on digital civil rights in Europe, the “EDRi-gram”. The topics cover EU-level issues, national subjects from European countries and sometimes guest editorials. Our members use the newsletter to share information about developments and events in their respective member states. It is widely read in the European institutions, international organisations and national activists.

All editions and subscription information can be accessed at <https://edri.org/newsletters/>.

As a sign of the growing importance of digital rights issues, we were approached by both the European Disability Forum (EDF) and the Child Rights Information Network (CRIN), who requested our support for submissions to United Nations consultations of importance to their members. We were very happy to provide our input and, subsequently, CRIN wrote a chapter for our report on online human rights infringements for the Council of Europe.

Energise! Network! Mobilise!

“[Energise! Network! Mobilise!](#)” laid the foundations for a series of capacity-building and networking meetings. On the occasion of the world wide web’s 25th anniversary, we organised a two-day “birthday party event”. It took place on 4 and 5 September in Belgrade, Serbia and aimed at exchanging knowledge and experience between central European digital rights NGOs and local activists. EDRi partnered with the SHARE Defense, a relatively new digital civil rights organisation, and Wikimedia Serbia.

The event was launched with a panel discussion and participants then split into thematic workshops, which were partly self- and partly pre-organised. Some workshops focussed on sharing best practices and capacity-building questions. Building capacity in Eastern and Southern Europe is also essential for the visibility of civil society in global policy debate of importance to citizens of the region. The project aimed at networking and building sustainable structures in order to enable responses to fundamental rights threats, mass surveillance or censorship measures in countries that are not currently part of the European Union.

Internet governance

On 12 February, the European Commission produced a broadly solid Communication ([pdf](#)) on global internet governance. Some of the policies promoted on a global level by the European Commission are excellent and we welcomed its approach to defend and promote fundamental rights and democratic values, multi-stakeholder governance structures and clear rules that respect rights and values and a single unfragmented network.

NetMundial

On 23 and 24 April, the global multistakeholder meeting on the Future of Internet Governance “Netmundial” took place in Brazil. While we welcomed efforts to increase the involvement of civil society, [we criticised](#) the outcome document since it called for private policing via “cooperation among all stakeholders (...) to address and deter illegal activity, consistent with fair process” as this would be outside the rule of law and hence in violation of human rights instruments.

IGF in Turkey

In preparation of the next [Internet Governance Forum \(IGF\)](#), which was held in Istanbul on 2-5 September, the European Commission organised an exchange of views with civil society on 7 August. During this meeting, we welcomed the European Commission's commitment to increased civil society participation, but highlighted that the Commission itself still has a long way to go with regard to establishing meaningful multistakeholder processes when it comes to Internet policy issues. We initiated and encouraged the organisation of a meeting between our Turkish member organisation Alternative Informatics Association and Vice President of the European Commission Neelie Kroes that took place during the IGF.

In parallel to the IGF, EDRI-member Alternative Informatics Association organised an [Internet Ungovernance Forum \(IUF\)](#) in order to tackle important issues such as freedom of speech, surveillance, privacy and Turkey's recent censorship activities.



RULE OF LAW

Without the rule of law to give meaning to legal safeguards, legal protections mean little. It ensures that all persons, institutions and entities, public and private, including the government itself, are accountable to enforceable and predictable laws that are impartially enforced. Constitutions, charters and conventions that bind states mean little if they can be breached with impunity by private companies, or by states that know that there is no way of enforcing the laws that they are suppose to respect.

A great number of initiatives for the “self-regulation” of online companies have served to undermine long-established fundamental rights principles and much of the democratic value of the Internet. Despite successful campaigns against the Anti-Counterfeiting Trade Agreement (ACTA) in Europe or the Stop Online Piracy Act (SOPA) in the United States, Internet companies continue to be pressured by states to police and punish alleged infringements.

Our priorities

In 2014, our work concentrated on a campaign against the inclusion of arbitrary blocking and filtering measures being explicitly recognised in the “Telecoms Single Market” proposal and against these and similar measures being implemented for the purpose of copyright enforcement.

Telecoms Single Market

In the draft Regulation for a Telecoms Single Market (“European single market for electronic communications”) published in September 2013, the European Commission included a provision that foresees the possibility for internet access providers to block and filter communications arbitrarily, in order to “prevent or impede serious crime” - with none of the relevant terms defined in the legislation. This is in clear breach of the Commission’s obligations under the European Charter of Fundamental Rights and the European Convention on Human Rights. This provision gives internet companies open-ended rights to interfere with online communications, in the absence of court orders or even clarity about what offences are targeted.

Despite a shockingly dishonest [last-minute lobby](#) backed by one key Member State, we successfully persuade the Parliament to completely delete this text from the proposal.

Voluntary measures and copyright enforcement

In July 2014, the EU Commission announced its wishes to adopt a “follow the money” approach in the hope that arrangements with private actors (such as advertisers and financial services) to impose arbitrary punishments on online services accused of copyright violations will help fight copyright infringements online. We are continuing our campaign to defend a rule-of-law based approach to copyright enforcement.

Achievements

- ✓ As a result of our advocacy work and public campaigning, the draft text for voluntary measures in the “Telecoms single market” proposal was removed by a majority the EU Parliament in April 2014.
- ✓ We continued to raise awareness for this issue and to criticise initiatives, relevant proposals in international agreements.
- ✓ We published a new booklet “[Human Rights and privatised law enforcement](#)”.
- ✓ We [highlighted the problems](#) in the outcome document of the NETmundial conference which called for private policing via “cooperation among all stakeholders (...) to address and deter illegal activity, consistent with fair process.”
- ✓ We initiated and spoke on a panel at the [RightsCon 2014](#) discussing privatised enforcement and corporate censorship ([YouTube](#)).



Human Rights and privatised law enforcement

Abandoning rights - abandoning democracy - abandoning law

23 February 2014

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The Brussels office

The EDRi office is growing! Compared to equivalent organisations in the USA (such as the EFF or the ACLU), EDRi is still dramatically under-resourced but we were able to grow to six paid staff in 2014.

In January 2014, Kirsten Fiedler started in her new position as the organisation's Managing Director to professionalise internal processes and the organisation of the office, to increase our fundraising efforts and liaise with our members more efficiently. In February 2014, Heini Järvinen started as our Communications and Community Manager as both our internal and external communications needed to be improved. In March and April 2014, we hired a Junior Advocacy Manager who temporarily supported the Executive Director's policy work on network neutrality until the vote by the European Parliament. In September and October 2014, Diego Naranjo and Maryant Fernandez Perez joined the Brussels office as our two new Advocacy Managers.

In the past year, we improved our internal organisation and implemented infrastructure reforms pushed ahead by the new Managing Director. In February 2014, a three-day capacity building visit by OSF resulted in a number of action points that the Brussels office started to implement. In March, all key reforms decided in previous General Assemblies were formalised via an amendment of EDRi's statutes at the General Assembly 2014 in Copenhagen. In May, we participated in a special episode of the documentary series "Elektrischer Reporter", which focused on our organisation and our work in Brussels. It was broadcast on German public television ZDF on 3 July 2014 ([YouTube](#)).

Finances

During the reporting period, we successfully addressed one key challenge which we were facing over the past years: Whereas the administration of the organisation's finances was spread across Europe, with an accountant in Austria and the Brussels office, we were able to finalise the move of the administration to Brussels with a financial handover meeting in February 2014. The organisation has submitted one successful grant proposal to the World Wide Web Foundation to build capacity in South-Eastern Europe in order to enable responses to fundamental rights threats, such as mass surveillance or censorship measures.

However, funding in the digital rights field remains difficult in Europe and a great deal more outreach is planned for the next year. Eventually, we fully expect the funding pool to diversify significantly.

EDRi transparency report 2014



