CIVIL
LIBERTIES
UNION FOR
EUROPE

DEMOCRACY, THE RULE OF LAW AND FUNDAMENTAL RIGHTS IN EU POLICY

Backgrounders for the Von der Leyen Commission

November 2019

This document contains a collection of 10 concise backgrounders in selected areas of EU policy. The paper features analysis on those topics on which Liberties has expertise to offer the Commission. Each backgrounder outlines the state of play, identifies factors interfering with the realisation of the EU's founding values and offers potential solutions the Commission could pursue.

Table of contents

Implementing the Commission's blueprint for the rule of law 2
Protecting civic space 3
Microtargeted online political campaigns. 4
Artificial intelligence 5
Implementing Article 17 of the Copyright Directive 6
Revision of the e-Commerce Directive 7
Countering online disinformation 8
Criminalisation of assistance to refugees and migrants 9
Search and rescue missions in the Mediterranean 10
Successful inclusion of newcomers 11
Further reading 12
The rule of law and civic space 12
Microtargeted online political campaigns & artificial intelligence 12
Disinformation, e-commerce and copyright 12
Migration and asylum 13
Experts 14

Implementing the Commission's blueprint for the rule of law

A number of governments are undermining the basic values on which the EU is founded, set out in Article 2 of the Treaty on European Union (TEU). The problematic policies that these Member States are implementing include: interfering with the independence of the judiciary, interfering with the independence and pluralism of the media, restricting the activities of civil society organisations (CSOs) and restricting the right to peaceful protest, as well as rhetorical attacks and restrictive policies targeting marginalised groups such as migrants, ethnic minorities, women and LGBTI people.

The EU has thus far had modest success in persuading governments to desist from and reverse these policies. A Commission communication published in July 2019 set out a blueprint for the rule of law with a range of measures divided into categories of promotion, prevention and response. This backgrounder briefly outlines how a selection of these measures could be effectively implemented.

Promotion

The Commission has announced its intention to use the new Rights and Values Programme to build a "rule of law culture" in EU Member States. To give effect to this intention, the Commission should ensure that the "values" strand of the programme is dedicated to building the capacity of CSOs to create grassroots support among the public for Article 2 values. This will require the Commission to change its existing practices and interpret its financial rules more flexibly so as to make funding more easily accessible to CSOs working at national and local level. In addition, funding should be made available to CSOs in a way that guarantees their long-term financial sustainability through, for example, long-term project grants and grants covering operating costs. Among other activities, the Commission should dedicate funding to building the capacity of CSOs to communicate with the public through values-based framing. This method of communication is proven to generate support for Article 2 values. The programme should also support CSOs to develop effective communications strategies and deploy effective communications tools.

Prevention

The Commission has announced its intention to initiate an annual rule of law review cycle, leading to an annual report on the rule of law. To allow the European Parliament and the Council to follow up effectively on this report, the Commission should ensure that the report contains recommendations specific to each Member State and that national governments are not given the opportunity to water down the report's findings.

Response

The Commission should carry out an internal review of how existing EU law that may seem superficially unrelated to protecting Article 2 values can be used in litigation to protect these values. The Commission should also build the capacity of CSOs to use EU law to litigate both in national courts and before the European Court of Justice to protect Article 2 values. This should include financial support for litigation, as well as training on EU law.

Protecting civic space

Civil society organisations are key to the proper functioning of a healthy democracy. Like the media, CSOs inform the public about political debates that may affect their rights and quality of life, so that the public can make informed decisions. Like the judiciary, CSOs uphold the rule of law by making sure governments are accountable to the law. CSOs also put participatory democracy into practice by offering the public organised channels through which to speak to their representatives.

Challenges facing CSOs

Governments with authoritarian agendas are creating an increasingly restrictive environment for CSOs that promote the rule of law, democratic pluralism, fundamental rights, anti-corruption and environmental protection. Broadly speaking, the problems facing CSOs are:

- Hostile rhetoric and smear campaigns by political figures and allied media outlets. This is designed to undermine public trust in and support for CSOs and undermine staff morale.

- Cuts in public funding and attempts to block private funding. This is designed to reduce the resources available to CSOs.

- Disproportionately burdensome administrative obligations, for example on financial reporting. These are intended to drain CSO resources and distract them from their normal activities.

- Harassment through legal channels such as audits and the threat of criminal sanctions. This is designed to drain CSO resources, and deter them from carrying out their normal activities, as well as to undermine staff morale.

Protective steps the Commission could take

The Commission could take a number of steps to create an environment in which CSOs can flourish in their role as protectors and promoters of pluralist democracy, the rule of law and fundamental rights. These include:

- Designating a Commissioner responsible for civil society, whom CSOs can inform of attacks and restrictions, and who will follow up on these through diplomatic interventions towards the relevant Member States.

- Making full use of infringement proceedings to protect civic space, and publishing guidelines for Member States on how to implement relevant EU law, such as rules on anti-money laundering and terrorist financing, in line with the right to freedom of association in the Charter of Fundamental Rights.

- Supporting CSOs through the Rights and Values Programme to build their capacity to use EU law to protect civic space in litigation at national level and before the ECJ.

- Ensuring that the EU's financial rules are interpreted flexibly to make funding under the Rights and Values Programme more easily accessible to CSOs working at national and local level than is currently the case.

- Promoting the financial sustainability of CSOs by establishing the practice of making long-term project grants and grants covering operating costs.

Microtargeted online political campaigns.

Democracy is one of the values on which the European Union is founded, as set out in Article 2 of the Treaty on European Union. However, the digital revolution is transforming the world of politics and poses a threat to our democracies. Online political microtargeting allows for the formulation of personalised messages and their direct delivery to groups and individuals. While political targeting existed prior to the information age, fine-grained online political microtargeting informed by advanced statistical and machine learning algorithms is a new phenomenon made possible by the increased availability of demographic, lifestyle and personality data on voters.

Online political microtargeting has possible advantages for citizens, in the sense that it can reach those who ignore traditional mass media. It can also stimulate interest in politics among those who are disengaged, by delivering information on subjects tailored to their interests. However, the technique also poses some threats.

Foremost among these threats is polarisation. In a well-functioning democracy, citizens encounter points of views that differ from their own. However, targeted advertising tends only to expose citizens with opinions similar to their own, which reinforces their views instead of causing them to assess them critically. Second, dishonesty. Microtargeting campaigns allows the same actor to provide different categories of voters with plainly contradictory messages while concealing this duplicity.

How the European Commission could mitigate potential harm to democracy

- Ensure the data protection rules are enforced. The United States has more experience of advanced microtargeting models than Europe. And in recent years, political parties across Europe have started to hire US experts to apply these techniques in their campaigns. Microtargeting as practiced in the US relies on voter databases. It would not be possible to maintain such databases in a country that complies with the General Data Protection Regulation (GDPR). However, national data protection authorities (DPAs) rarely investigate personal data use by political parties. This is presumably because they fear reprisals through a funding cuts, and because they already lack adequate funding and staff. The Commission should urge Member States to provide DPAs with the funds necessary for the tasks they are expected to undertake and should explore ways of supporting DPAs directly, for example by providing them with expertise and services.

- Promote transparency. When individuals are made aware of why they are receiving specific messages, they are more likely to evaluate them critically. In response to regulators' concerns, digital platforms have recently started to offer some transparency mechanisms. However, these are still rudimentary. The Commission should urge digital platforms to strengthen these.

- Facilitate best practices. Elections are regulated differently and by different bodies across the Member States, meaning that there are many models and experiences to draw on. The Commission should help Members States consult each other regularly on how to tackle the challenge of preserving democracy in the digital age.

Artificial intelligence

Artificial Intelligence (AI) is a set of technologies that are inspired by the ways people sense, learn and reason. The term AI refers to a collection of technologies that includes, among other things, machine learning, natural language processing, big data analytics, predictive models and algorithms.

AI could help us fight climate change, transform health care, and revive sluggish economies. But it could also undermine our fundamental rights. Concerns are growing that in its recent applications, AI is perpetuating bias in criminal justice and in job markets by amplifying the embedded biases in the data it is trained on (thereby breaching the prohibition on discrimination) and that it facilitates increased surveillance (thereby restricting privacy, freedom of expression and freedom of assembly). Activists and researchers are also warning of its potential to facilitate the spread of disinformation and to exacerbate inequality and market concentration. Furthermore, a vast amount of data is needed to train AI systems through machine learning. Unless such processes secure the necessary consent from individuals for their data to be used in this way, this violates the right to the protection of personal data under the General Data Protection Regulation.

In acknowledging these problems, the tech industry is increasingly turning to ethics for guiding principles on AI. But sectoral self-regulation based on vague ethical principles will lead to variations in standards, lower levels of protection for citizens and costly legal challenges. Fundamental rights, rather than ethics, should be placed at the core of developing and deploying AI. In contrast to ethics, fundamental rights are detailed and uniformly understood guarantees, built through decades of law-making and judicial interpretation. Fundamental rights thus create legal certainty and a uniform standard of protection for citizens, as well as being legal rights that can be enforced through the courts. Furthermore, the EU and its Member States are legally obliged to respect, protect and promote fundamental rights through all their laws, policies and activities. The regulation of AI is no exception to this.

How the Commission could ensure AI respects and promotes fundamental rights

- Place fundamental rights, rather than ethics, at the core of the development and deployment of AI.

- Work with stakeholders. Governments alone cannot deal with the challenges posed by new and constantly developing technologies. The Commission should continue working with the private sector, academia and civil society organisations to address the challenges posed by the development of AI systems.

- Strengthen national data protection authorities (DPAs). The Commission should also recognise that national data protection authorities (DPAs) are frequently understaffed, underfunded and lack the requisite expertise in advanced information technologies. The Commission should urge Member States to provide DPAs with the necessary funding and explore means of providing resources (such as expertise and services) to DPAs directly.

Implementing Article 17 of the Copyright Directive

Following the recent adoption of the Copyright Directive, the Commission is organising a series of stakeholder dialogues to feed into future guidelines on the application of Article 17. Article 17 changes the liability regime for content service providers by eliminating the limited liability rule established in Article 14(1) of the current e-Commerce Directive 2000/31/EC. The liability regime set out in Article 17 of the Copyright directive creates the risk that intermediary service providers will engage in overly cautious prior filtering and removal of content in a way that interferes with fundamental rights such as freedom of expression and data protection. The future guidelines will set out the safeguards that Member States and content-sharing providers are expected to put in place to ensure these rights are upheld.

Some Member States have already started to transpose Article 17. If Member States transpose Article 17 without the benefit of the guidelines, this increases the risk that the directive will not be applied uniformly across the EU and that implementing legislation in those countries will not respect fundamental rights.

To reduce the risk that Article 17 is applied in a way that breaches fundamental rights, or is not applied uniformly, the Commission should take the following steps.

- Urge Member States to wait for the guidelines to be published before transposing Article 17 and to holding stakeholder dialogues at national level, similarly to the Commission.
- Give individuals a right to challenge decisions taken by automated content management systems and require that such challenges be decided by a human being. If providers use a content ID system and proactively filter content, this increases the likelihood of violations of freedom of expression. First, because these tools easily create false positives. Second, because these systems are often unable to identify lawful use of copyrighted material.
- Ensure transparency for users. Service providers should be obliged to inform users how decisions are taken over the removal of content, which user data is collected and how it is used, when content is removed, and the extent to which user activity is monitored.
- Reconsider the system of sanctions. If platforms only face sanctions for failing to remove or block offending content, this creates an incentive to be overly cautious and block or remove anything that creates the slightest risk of sanction. Blocking or removing content that does not infringe on copyright violates freedom of expression. Accordingly, the guidelines should introduce a rebalancing incentive. Rights holders and content-sharing service providers should be held liable for removing or blocking lawful user-generated content.
- Ensure access to an effective remedy. Users cannot enforce their rights without access to an independent judiciary. When content is blocked or removed, the service provider should be obliged to provide precise reasoning beyond merely pointing to an infringement of Terms of Services or copyright. Unless proper reasons are given, users will not be able to contest a decision. Liberties supports the suggestion that free legal mechanisms to settle disputes and offer compensation should be available not only for rights holders but also for users.

Revision of the e-Commerce Directive

After almost twenty years, the e-Commerce Directive is understandably in need of an update to take account of developments in technology, trade practices and new legislation. However, there is a risk that revising the directive will negatively affect fundamental rights, especially due to the choice of liability regimes for internet companies that host and communicate content that is deemed unlawful. This creates the danger that intermediary service providers will engage in overly cautious prior filtering and remove content in such a way that interferes with rights like free speech and privacy.

The trend towards introducing intermediary liability can be seen in a number of legislative developments at EU and national level. The recently revised Copyright Directive makes intermediaries directly responsible for content uploads that might breach copyright. The revised Audiovisual Media Services Directive and the proposed Regulation on preventing the dissemination of terrorist content online aim to create similar intermediary liability regimes. The same is true for Germany's Network Enforcement Act (NetzDG) and the French anti-disinformation law. All of these developments conflict with the approach to regulating internet content introduced by the original e-Commerce Directive, which attempted to strike a fairer balance between fundamental rights and commercial and public interests.

Regulation of digital services should be achieved without compromising fundamental rights. The Commission should ensure that the following safeguards are in place when elaborating the Digital Services Act, which is expected in the coming years.

- The process of creating new legislation should be transparent and be based on input from relevant stakeholders. Besides market players this should include civil society organisations and users' organisations.
- The process of creating new legislation or self-regulatory regimes must respect users' fundamental rights, such as freedom of expression, privacy and access to information.
- Intermediary service providers offer various services. New legislation should differentiate between those who have significant market power and small and medium-sized companies and start-ups. Services that enjoy a quasi-monopoly should be regulated differently and could be considered as a providing a public service, rather than a purely commercial service.
- If the EU chooses to pursue regimes that create intermediary liability, it should create an incentive to balance out the inherent tendency for intermediaries to err on the side of caution to avoid sanctions when removing or prohibiting access to certain content. Platforms should be liable for banning access to lawful content and not only for restricting access to unlawful content. This solution will guarantee that freedom of expression is more effectively protected.
- General monitoring and filtering mechanisms endanger both the freedom to receive and impart information as well as data protection. New mechanisms should avoid imposing or incentivising the introduction of monitoring and filtering systems.
- Platforms should be obliged to be transparent towards users both through their terms of service and in how those policies are implemented. This would lead to better accountability.
- New legislation should not hinder innovation and the online market.

Countering online disinformation

Targeted online disinformation campaigns have the potential to compromise the fairness of elections and referendums. Disinformation became prominent on the EU's agenda following revelations about the 2016 US Presidential election, the Brexit referendum and the Facebook-Cambridge Analytica data scandal. In response the Commission has elaborated an Action Plan on disinformation. In addition, internet platforms, leading social networks, and the advertising industry have agreed to a self-regulatory Code of Practice on Disinformation. The future Digital Services Act is also expected to regulate cross-border micro-targeted political advertising in the context of disinformation campaigns.

It is important to safeguard the fairness of elections and referendums. But there is a risk that measures to tackle disinformation will interfere with freedom of expression, which also damages democratic processes. One of the biggest challenges in countering online disinformation is being able to distinguish between misleading content, errors, parody and biased news. This makes it difficult to respond to disinformation simply by prohibiting offending content. This kind of approach carries a high risk of interfering with legitimate free speech.

Because of the dangers this approach poses to freedom of expression, Liberties recommends that the Commission thoroughly analyse the actual impact of disinformation on elections and on the society before taking further regulatory measures. The reporting mechanism prescribed by the Code of Practice on Disinformation should make this possible. The Commission will only be in a position to develop a proportionate response once the impact of disinformation is clear.

Rather than focusing on prohibiting content based on its validity, which carries risks for freedom of expression, the Commission should instead concentrate on neutralising the potential impact of disinformation, through at least two measures.

First, through thorough enforcement of the General Data Protection Regulation and adoption of the ePrivacy Regulation. Online disinformation can only have an impact if it reaches the audience it targets. And targeting sections of the public without their consent in this way is only possible if an organisation has engaged in profiling based on unlawful data controlling and processing. In this way data protection rules offer an effective indirect route to combating online disinformation while preserving freedom of expression. The Commission should consider providing support to under-resourced national data protection authorities to facilitate this work.

Second, the Commission should invest in further activities to improve media literacy among the public. This is crucial to empower people with relevant knowledge and diminish the possible harm of disinformation.

If the Commission can neutralise the impact of disinformation through enforcement of data protection rules and support for media literacy, this will make risky measures that threaten freedom of expression unnecessary, while preserving the integrity of elections and referendums.

Criminalisation of assistance to refugees and migrants

In several EU Member States, civil society organisations (CSOs) and private individuals are being harassed, intimidated and prosecuted for providing assistance to refugees and asylum seekers. CSOs have experienced a number of restrictions, including limitations on access to funding and criminal prosecutions. These measures constitute obstacles to the effective implementation of EU policy and in some cases breach EU law. Relevant EU legislation should be revised, clarified and enforced.

Facilitation Directive

Directive 2002/90/EC requires Member States to sanction individuals who assist a third country national to enter or transit a Member State in breach of national law. The directive gives Member States discretion to refrain from applying sanctions in relation to individuals offering humanitarian assistance to asylum seekers without seeking profit. However, there is no express obligation to refrain from sanctioning such behaviour, and some Member States have chosen to sanction individuals providing humanitarian assistance. Member States that do this are violating EU law. Article 18 of the Charter of Fundamental Rights guarantees the right to asylum. Article 53 of the Charter states that the Charter must be interpreted in conformity with international treaties to which the EU is a party. The EU is party to the UN Protocol against the Smuggling of Migrants, which states that facilitation is only a crime when done in exchange for “financial or other material benefit”. States that are criminalising humanitarian assistance to asylum seekers are thus violating the Facilitation Directive read in light of the Charter. The Commission should begin infringement proceedings against Member States that persist in this policy and consider clarifying the text of the directive.

Supporting Civil Society Actors

The EU is committed to protecting and strengthening a vibrant and independent civil society. However, Hungary, Italy and other Member States have passed laws designed to disrupt the work of CSOs providing assistance to refugees and migrants, for example, by imposing taxes on foreign funding or making any kind of assistance to undocumented migrants illegal. Liberties welcomes the fact that the Commission has taken legal action against Hungary following the introduction of new laws attacking CSOs. Proceedings should also be initiated against comparable policies elsewhere, such as Legislative Decree 53/2019 adopted by Italy this summer, which imposes heavy fines on CSOs conducting search and rescue operations if they enter Italian waters without permission. Further, Article 8(2) of Directive 2013/32/EU guarantees asylum seekers the right to a fair trial. This requires national governments to ensure that CSOs have the possibility to provide legal services to asylum seekers. However, in Hungary, Croatia and other Member States, the work of CSOs is impeded, making it very hard to provide legal counselling. The Commission should open infringement proceedings in these circumstances. In Member States where CSOs are being targeted in this way, the Commission should take over direct management of the Asylum, Migration and Integration Fund to ensure CSOs are sufficiently funded. In addition, a Commissioner could be charged with monitoring the policing of humanitarian actors and intervene as needed with the relevant Member States.

Search and rescue missions in the Mediterranean

Since 2015, at least 15,000 people have drowned attempting to reach European shores. The Mediterranean has become the world's deadliest border. The EU has closed its ports and outsourced responsibility for search and rescue (SAR) operations and disembarkation to the Libyan Coast Guard, which is known for abusive treatment towards migrants. As a result, a request has been made to the International Criminal Court to investigate the EU and its Member States for committing crimes against humanity. Even if such cases are not successful, this development highlights how the EU's asylum policy is likely to undermine its standing towards third countries, which will in turn make it more difficult for the EU to pressure third countries over humanitarian or human rights concerns.

Crackdown on Civil Society Organisations (CSOs)

CSOs who have attempted to fill the gap left by Member States have been accused of facilitating illegal entry and colluding with smugglers. This summer, Italy adopted Legislative Decree 53/2019 which imposes financial penalties of up to 1 million euros for CSOs and the confiscation of their ship if they enter Italian waters without permission. It can also penalise shipmasters who refuse to disembark migrants in Libya, although, according to several UN actors (IOM, UNHCR, OHCHR, UNSMIL), it does not have a safe port of return.
The decree would thus oblige shipmasters to violate international maritime law and the principle of non-refoulement, which is recognised in EU law. The Commission should initiate infringement procedures if Italy does not change its course.

Resume SAR operations

The EU has stopped SAR operations in the Central Mediterranean. Operation Sophia focuses on border control and fighting smuggler networks and has no naval assets. Frontex and a number of national governments argue that SAR operations create a pull factor. Yet, studies have shown that the existence of SAR operations have little impact on the number of attempted crossings. However, there is a correlation between the end of SAR missions and the rising death rate. With the help of willing Member States, the Commission should press for a resumption of SAR operations in the Central Mediterranean and halt returns to Libya.

Disembarkation and relocation

The "ship-by-ship" approach is not only exacerbating the suffering of people blocked on rescue boats. It also severely damages the European Union's international reputation and thus its credibility in external relations with authoritarian regimes like Russia and Turkey, and its ability to promote human rights towards third countries. We welcome the initiative taken by several Member States to create a "coalition of the willing" and the role of the Commission in coordinating the negotiations. The EU needs to establish a permanent disembarkation and relocation mechanism based on objective criteria such as GDP per capita and population size of Member States. This would allow for more solidarity and responsibility sharing.

Successful inclusion of newcomers

Some Member States are struggling to integrate newcomers into labour and housing markets, education systems and mental and physical health services. It is crucial to invest in integration early upon arrival to avoid higher costs generated by non-integration in the future, including intergenerational poverty and social exclusion. To realise the benefits of successful integration, Member States have to promote active participation in economic, social and cultural life, while strengthening the sense of belonging of newcomers. The Commission plays a vital role as policy coordinator, promoter of knowledge exchange and funder of innovative projects. The Commission should consider following measures.

Intensify support at local level

The implementation of integration policy largely takes place at local level. Civil society organisations (CSOs) and local authorities have extensive experience in receiving newcomers. However, they have little say in integration policies and suffer from a lack of funds. The EU should make funding directly available to local authorities rather than channelling them through national governments, especially in Member States that have a track record of failing to implement EU asylum law and policy. One way to achieve this could be for the Commission to increase the budget of the Urban Innovative Actions initiative, which is directly accessible to local government. To involve local actors more in migration policy debates, the Commission could intensify its support for city networks such as EUROCITIES, which have been successful in the reception and integration of refugees.

Social innovation

CSOs have helped governments reap the fruits of successful integration. New initiatives and social enterprises have emerged all over Europe. These help to implement innovative integration projects and policies that have the potential to be scaled up and implemented more broadly. Successful projects include mentoring programs, where jobseekers are connected with retirees, co-housing arrangements, where newcomers are matched with locals of a similar age or innovative funding models, such as social impact bonds (SIBs), which mobilise private investors to fund a social service, such as housing or language courses. The Commission should support social entrepreneurs and increase financial support for research and networking between national and local authorities to assess, compile and scale up good practices.

Communication

In March 2019, the Commission published the factsheet “Debunking Myths about Migration” to tackle false information and challenge alarming rhetoric. While the intention is good, the approach is counterproductive. To convince people of the positive effects of migration and counter anti-immigration narratives, myth-busting is largely ineffective. Extensive research in the field of the cognitive sciences shows that positive, solution-oriented stories resonate much more with members of the public with conflicted views on migration. The Commission should support CSOs who have experience in reframing migration narratives to train other CSOs on how to communicate about migration.

Further reading

The rule of law and civic space

Butler, I., 'A Response to the Commission Communication on further strengthening the rule of law within the Union', Civil Liberties Union for Europe, June 2019

Butler, I., 'Countering populist authoritarians: A guide for funders and civil society organisations', Civil Liberties Union for Europe, May 2019

Butler, I., 'Analysis of the Commission's proposal for a rights and values programme', Civil Liberties Union for Europe, June 2018

Butler, I., 'Two proposals to promote and protect European values through the Multiannual Financial Framework: Conditionality of EU funds and a financial instrument to support NGOs', Civil Liberties Union for Europe, March 2018

Butler, I., 'Participatory democracy under threat: Growing restrictions on the freedoms of NGOs in the EU', Civil Liberties Union for Europe, August 2017

Holmes, T. (et al.), 'The Common Cause Handbook: A guide to values and frames for campaigners, community organisers, civil servants, fundraisers, educators, social entrepreneurs, politicians and everyone in between', Public Interest Research Centre, 2012

Microtargeted online political campaigns & artificial intelligence

Berhet, A., 'Why do emerging AI guidelines emphasize "ethics" over human rights?, Open Global Rights, July 2019

Latonero, M., 'Governing artificial intelligence: Upholding human rights & dignity', Data & Society, October 2018

UK Information Commissioner's Office, 'Democracy disrupted? Personal information and political influence', July 2018

Gorton, W., 'Manipulating citizens: How political campaigns' use of behavioural social science harms democracy', 38 New Political Science (2016) 61

Bennett, C., 'The politics of privacy and the privacy of politics: Parties, elections and voter surveillance in western democracies', 18 SSRN Electronic Journal (2013)

AI100 Standing Committee and Study Panel, 'Artificial Intelligence and Life in 2030', Stanford University, September 2016

Disinformation, e-commerce and copyright

Pachl, U. & Valenti, P. (eds.), 'A human-centric digital manifesto for Europe', OSEPI & BEUC, September 2019

Rosati, E., 'What does the European Commission make of the EU copyright acquis when it pleads before the CJEU? The Legal Service's observations in digital/online cases', European Law Review (forthcoming), September 2019

'EU directive of copyright in the digital single market and ISP liability: What's next at international level?', Available at SSRN, August 2019

Access Now, Civil Liberties Union for Europe (Liberties) & European Digital Rights Initiative (EDRi), 'Informing the "Disinformation" Debate', October 2018

Access Now, 'Primer: Respecting human rights in content regulation in the digital age', January 2018

Wardle, C. & Derakhshan, H., 'Information disorder: Toward an interdisciplinary framework for research and policy making' Council of Europe, report DGI(2017)09, December 2017

Migration and asylum

Council of Europe Commissioner for Human Rights, 'Lives Saved. Rights protected: Bridging the protection gap for refugees and migrants in the Mediterranean', June 2019

Vosyliūtė, L. and Conte, C., 'Crackdown on NGOs and volunteers helping refugees and other migrants', ReSoma, June 2019

Bendel, P. et al., 'A Local Turn for European Refugee Politics Recommendations for Strengthening Municipalities and Local Communities in refugee and asylum policy of the EU', Heinrich Boell Foundation, March 2019

International Centre for Policy Advocacy, 'Reframe the debate! New Migration Narratives for Constructive Dialogue', 2018

European Union Agency for Fundamental Rights, 'Fundamental rights considerations: NGO ships involved in search and rescue in the Mediterranean and criminal investigations', October 2018

Steinhilper, E. and Gruijters, R., 'Border Deaths in the Mediterranean: What We Can Learn from the Latest Data', March 2017

Experts

Dr. Israel Butler, head of advocacy, responsible for:
EU tools for the protection and promotion of Article 2 values
Protection of the civic space
Countering populist authoritarians
Values-based framing
Contact: i.butler@liberties.eu

Dr. Eva Simon, senior advocacy officer, responsible for:
Media freedom and pluralism
Copyright reform
eCommerce reform
Countering disinformation
Accessibility of public institutions to journalists
Contact: eva.simon@liberties.eu

Dr. Orsolya Reich, advocacy officer, responsible for:
Privacy & data protection
Artificial intelligence
Monitoring the civic space
Contact: o.reich@liberties.eu

Jascha Galaski, advocacy officer, responsible for:
Migration and asylum
Contact: j.galaski@liberties.eu

The Civil Liberties Union for Europe (Liberties) is a non-governmental organisation promoting and protecting the civil liberties of everyone in the European Union. We are headquartered in Berlin and have a presence in Brussels. Liberties is built on a network of national civil liberties NGOs from across the EU. Unless otherwise indicated, the opinions expressed by Liberties do not necessarily constitute the views of our member organisations.

Website:
liberties.eu

Contact info:
info@liberties.eu

The Civil Liberties Union for Europe e. V.
Prinzenstr. 103.
10969 Berlin
Germany

Please consider supporting Liberties:
https://www.liberties.eu/en/donate
IBAN: DE18 1009 0000 2679 5830 02
BIC: BEVODEBB (Berliner Volksbank)