

EDRi

EUROPEAN DIGITAL RIGHTS

ANNUAL
REPORT
2018

European Digital Rights (EDRi) is the biggest European network and thought leader defending rights and freedoms online. Our [mission](#) is to promote, protect and uphold the right to privacy, data protection, freedom of expression and information, human rights and the rule of law online.

In 2018, 39 civil rights groups from across Europe were a member of EDRi. Our network works to ensure respect for civil and human rights in Europe's countries - with a strong focus on empowering individuals - in response to the growing number of actions by governments and corporations that threaten core democratic rights.

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PREFACE - THE YEAR 2018

2018 - Sixteen years and counting

In 2002, a handful of committed people of national digital rights organisations, including myself, founded EDRI, the network of European digital rights organisations based in Brussels. Back then we understood very well that what was at stake with the ongoing development of digital technologies and their regulation was not less than the protection of the human rights of the entire European population. Given the amount of legislative activities on both the national and EU levels, many of us also thought back then that we were in the middle of a negotiation process on how the "new technologies" could be utilised in the best interest of humankind. This impression was wrong. We were still at the beginning, not in the middle of such a process.

In the past sixteen years, an uncountable number of legislative initiatives dealt with data protection, copyright, freedom of expression, security, surveillance, privatised law enforcement and many other aspects that directly or indirectly affect the protection of human rights in the context of digital technologies. It's been a back and forth, but still no final societal agreement on the most basic fact has been reached: That human and fundamental rights equally apply offline and online.

The year 2018 is a good example. On 25 May, the General Data Protection Regulation (GDPR) entered into force and delivered largely unified rules to secure fundamental rights – foremost but not only the rights to Privacy and Data Protection – in the field of data processing. At the same time, the national governments represented in the Council of the European Union still did not manage to find an agreement on a related legislative dossier, the e-Privacy Regulation, which is meant to protect fundamental rights in the field of electronic communications and online services. By the end of 2018, the negotiations on this dossier had already lasted for almost 700 days. And still it seems to be difficult for governments to acknowledge that the same rights that apply for data processing offline, also need to apply online.

Unfortunately, lawmakers seem to struggle to commonly assemble behind the fundamental values of the European Union, as enshrined in the Charter of Fundamental Rights of the European Union. Still, they send a message of disunity and doubt to the European population and the world. Instead of

understanding the fundamental values of our society as a driver for innovation and market leadership, the concerns of our governments seem to focus on the potential effects on the revenues of a few multinational corporations.

It appears to be difficult for governments to consistently convey a simple message. Fundamental rights are a cornerstone of the European peace project called the European Union, and technology has to adapt to these fundamental values, not the other way around. The GDPR and the e-Privacy Regulation are just two of many dossiers that kept us busy in 2018. However, they demonstrate quite well that we still have not achieved what we as a society negotiate already for such a long time. An agreement that all fundamental rights apply equally offline and online.

The year 2018 has been my last full year as EDRi's President. After 15 years on the EDRi Board and more than 10 years as the organisation's President, I'll hand over to my successor in the first half of 2019. My personal commitment to our digital rights, however, will continue, and I'll remain an active member of the EDRi network.

These days, I ask myself where we stand as a society in our negotiations on digital rights. I hope that we're at least somewhere in the middle. One thing became crystal clear for me in the course of the past sixteen years: The EDRi network will continue to be needed for a very, very long time. Today and in the future, EDRi is prepared to ensure that our rights and freedoms in the online environment are respected whenever they are endangered by the actions of political bodies or private organisations.

I'm grateful that I had and have the opportunity to be part of a network that ensures that fundamental rights are and remain an essential cornerstone of our society.



Andreas Krisch
President

2018 Key Achievements

1. Our major [SaveYourInternet.eu](#) campaign to act upload filters in the Copyright Directive which engaged supporters to send 150 000 emails, 15 000 tweets and hundreds of phone calls to Members of the European Parliament (MEPs), and resonated in major national media. The campaign led to the rejection of the text by the European Parliament Plenary in the summer and to a renegotiation in committee. The text was eventually adopted in plenary later in the year.
2. The [ground-breaking clauses](#) adopted by the European Commission upgrading data protection safeguards in trade agreements, building on the [General Data Protection Regulation \(GDPR\)](#) success and following civil society pressure.
3. The civil society coalition led with our member Electronic Frontier Foundation (EFF) asking for [inclusive participation](#) of civil society in the Council of Europe's negotiations on access to data by law enforcement in the context of criminal investigations, [submitting substantive input](#) for the negotiations, and presenting our perspective to more than 60 country representatives.

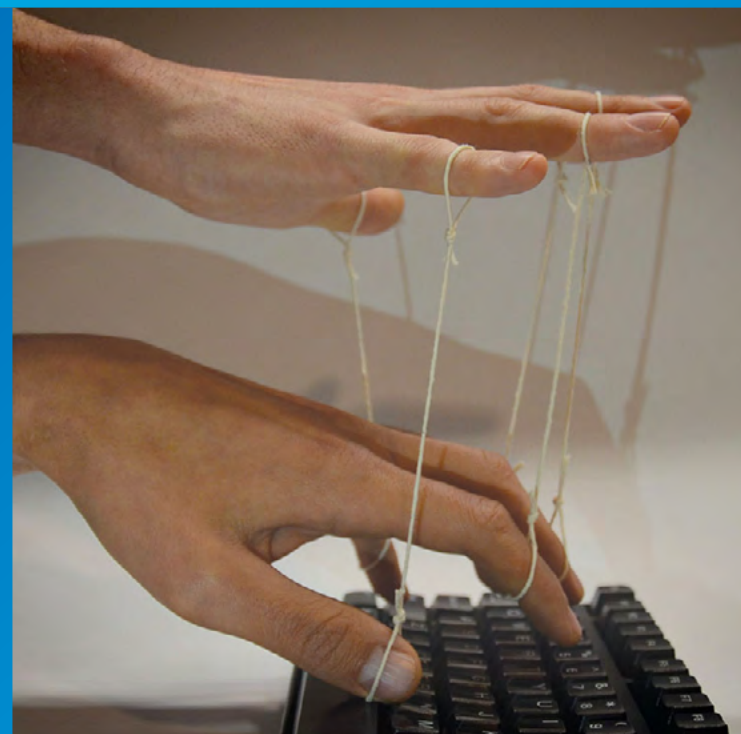
15th anniversary of European Digital Rights

In April 2018, we celebrated [EDRI's 15-year anniversary](#) of protecting and promoting human rights online. Since its creation, EDRI has grown from a loose network of European organisations to a professional organisation supported by our valued members. Since 2003, the network's activists, members, observers and donors have worked together to protect human rights in a quickly developing technological environment. We've grown the network from 10 member organisations to 39 members and 22 observers, our office to eight permanent staff, and our supporters to around 300 individuals annually.

We are proud to look back on some major milestones and victories:

- in 2003, our network presented the Big Brother Awards in 14 different countries
- at the 2005 "What the Hack" conference, we launched a broad campaign against the EU's data retention proposals
- in 2005, together with a broad coalition of civil rights groups, we defeated the Software Patents proposal
- in 2010, we successfully called for the rejection of the proposal for mandatory EU-wide web blocking
- in 2012, we contributed to the defeat of the Anti-Counterfeiting Trade Agreement (ACTA)
- in 2015, we successfully pushed for an EU Regulation on net neutrality
- in 2018, the Council of Europe adopted its Recommendation on the Roles and Responsibilities of Internet Intermediaries, following extensive and decisive engagement by EDRI
- between 2012 to 2016, we played a key role in the adoption of the EU's General Data Protection Regulation (GDPR).

PRIVATISED LAW ENFORCEMENT AND THE RULE OF LAW



In 2018, our efforts focused on engaging on the fundamental rights impact of proposed initiatives from the European Commission on countering illegal content online, such as "terrorist" content, disinformation or hate speech. As these are serious societal issues, the trend of transferring state responsibility to big tech companies like Facebook, Google, Twitter or Microsoft continues to not only undermine the intended policy goals, but also democratic values and principles enshrined in human rights law.

EUROPE

Disinformation: We issued a joint EDRI, [Access Now](#) & [Civil Liberties Union for Europe](#) (Liberties) [reaction](#) to the Commission's strategy on fake news, and published a [joint report on disinformation](#) with Access Now and Civil Liberties. The report was well received and welcomed by the United Nations Special Rapporteur David Kaye.

Tackling illegal content online: EDRI wrote an [answering guide for users](#) to respond to the Commission's consultation on tackling illegal content online. We published a [paper](#) together with the European Network Against Racism (ENAR) to bring the anti-racism and the digital rights community together. We submitted [our response](#) to the Commission's consultation on illegal content online.

Counter-Terrorism Directive: We participated in the two transposition workshops on the [Terrorism Directive](#) to discuss with Member States how can best transpose EU legislation in line with digital rights and joined group discussion with member States on fictional cases highlighting human rights implications of transposition/implementation.

Ad hoc Terrorism Committee of the European Parliament: Together with other human rights NGOs, we met the Rapporteurs and the Chair of the report of the Terrorism Committee as well as several members to influence the outcome of the report.

Regulation on preventing the dissemination of terrorist content online (TERREG): EDRI was among the first civil society organisations raising concerns over the measures included in the European Commission proposal to prevent the dissemination of terrorist content online. We met with the EDPS to discuss the TERREG proposal and held a series of meeting in the European Parliament with shadow rapporteurs and the Rapporteur. In December 2018, we led a coalition of 31 civil society organisations that published a [letter](#) that raises significant concerns regarding the [proposal for a Regulation to prevent the dissemination of terrorist content online](#). The letter was addressed to the EU Member States' Home Affairs Ministers, ahead of their meeting on 6 December.

EDRI was quoted on the [joint comments](#) sent to the EU by the UN Special Rapporteurs on freedom of expression and opinion and that on counter-terrorism and human rights.

EDRI'S MEMBERS

Austria

[Epicenter.works](#) showcased the dangers of real name policies for disenfranchised groups, prepared for national legislation on platform regulation (NetzDG).

Bulgaria

[Internet Society \(ISOC\) Bulgaria's](#) Chair published a book, "Caught in the Net" (Sofia University Press), which by the end of the year had three prints, and raised awareness in national media about ways to tackle hate speech and trolls. Internet Society Bulgaria co-organised a [conference](#) "No to hate speech and extremism".

Germany

[Digitale Gesellschaft](#) brought attention to the German Anti-Hate-Speech-Law in the [press](#).

[Reporters Without Borders](#) worked on the German NetzDG / German telemedia act reform (regulation of Social networks).

The Netherlands

[Bits of Freedom](#) generated national attention for Women on Waves' [suspensions from YouTube](#) and the crippling effect of content moderation on our freedom of speech.

Poland

[Panoptykon Foundation](#) stopped the government from adopting the "transparency law" which was supposed to oblige about 0.5 million public servants to publish statements of their wealth online.

Romania

[ApTI](#) organised a round table on platforms and freedom of speech, and launched a Freedom of expression [brochure](#). ApTI was the main agenda organiser for the Internet Freedom Summit held in Struga, Macedonia.

Turkey

Alternative Informatics (Alternatif Bilisim) participated in the Freedom of Press and Rule of Law in the Turkey session organised by Wikimedia in the European Parliament.

International

Together with EDRi and Liberties, Access Now published a shadow [report](#) of the EU Commission's report and Communication on fighting disinformation. Access Now also contributed to UN Special Rapporteur on Freedom of Expression David Kaye's report to the Human Rights Council on online content regulation. Access Now also published a [press release and organised a press briefing](#) with EDRi on the EU Regulation on the prevention of the dissemination of terrorist content online, cooperated with the UN Special Rapporteur on Counter-terrorism and human rights, drafted a position paper and participated in workshops and events related to the topic. The proposal enables an effective civil society coalition both in Brussels and including global voices.

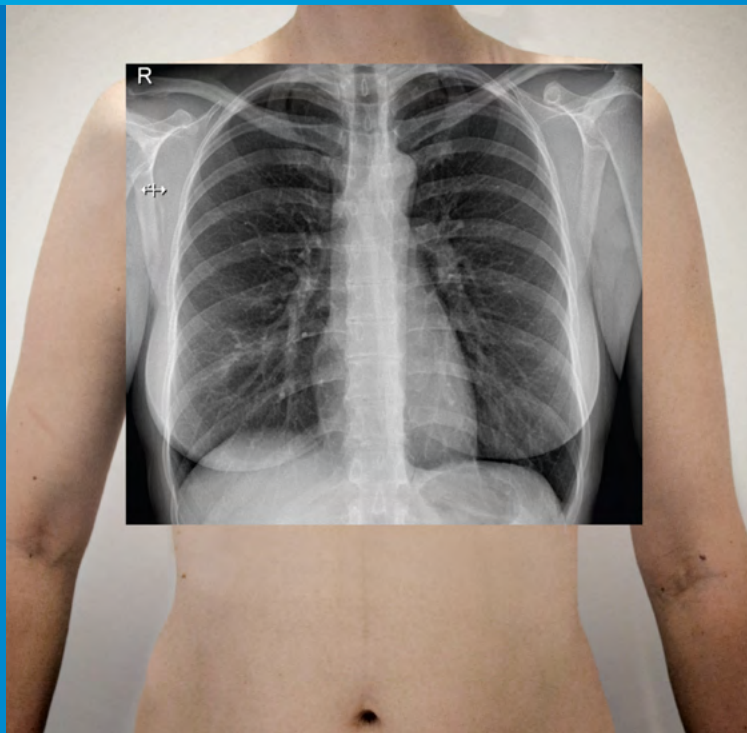
OUR MOST POPULAR PUBLICATIONS

- EU Commission's Recommendation: Let's put internet giants in charge of censoring Europe <https://edri.org/eu-commissions-recommendation-lets-put-internet-giants-in-charge-of-censoring-europe/>
- LEAK: European Commission's reckless draft Recommendation on "illegal" content <https://edri.org/leak-european-commissions-reckless-draft-recommendation-illegal-content/>
- Terrorist Content Regulation: Warnings from the UN and the CoE <https://edri.org/terrorist-content-regulation-warnings-from-the-un-and-the-coe/>
- ENDitorial: Facebook can never get it right <https://edri.org/endoritorial-facebook-can-never-get-it-right/>
- The EU Council's general approach on Terrorist Content Online proposal: A step towards pre-emptive censorship <https://edri.org/the-eu-councils-general-approach-on-terrorist-content-online-proposal-a-step-towards-pre-emptive-censorship/>
- Council of Europe takes world-leading step towards protecting online rights <https://edri.org/council-europe-takes-world-leading-step-towards-protecting-online-rights/>
- Press Release: "Fake news" strategy needs to be based on real evidence, not

assumption <https://edri.org/press-release-fake-news-strategy-needs-based-real-evidence-not-assumption/>

- Terrorism Directive: Document pool <https://edri.org/terrorism-directive-document-pool/>
- Women on Waves: how internet companies police our speech <https://edri.org/women-on-waves-how-internet-companies-police-our-speech/>
- CJEU hate speech case: Should Facebook process more personal data? <https://edri.org/cjeu-hate-speech-case-should-facebook-process-more-personal-data/>
- ENAR and EDRi join forces for diligent and restorative solutions to illegal content online <https://edri.org/enar-edri-join-forces-diligent-restorative-solutions-illegal-content-online/>
- Cambridge Analytica/Facebook: Will EU politicians back up their words with deeds? <https://edri.org/cambridge-analytica-facebook-will-eu-politicians-back-up-their-words-with-deeds/>
- EU's flawed arguments on terrorist content give big tech more power <https://edri.org/eus-flawed-arguments-on-terrorist-content-give-big-tech-more-power/>
- The TERR Committee votes on its irreparable draft Report <https://edri.org/the-terr-committee-votes-on-its-irreparable-draft-report/>

DATA PROTECTION AND PRIVACY



Pressure to weaken the rights to data protection and privacy increases because companies continue to use profitable business models based on data exploitation. This year, many of our members continue to challenge unlawful practices through campaigns and litigation. We work to promote information about the state of GDPR implementation and to advance on the reform of electronic communications privacy (e-Privacy).

EUROPE

GDPR implementation

European legislation protecting your personal data (the General Data Protection Regulation, or GDPR in short) applies since May 2018. We worked on the national implementation of this legislation. With the entry into application of the GDPR, we launched, along with Panoptykon Foundation and Bits of Freedom, the [GDPRexplained.eu](#) website. After the summer we launched, together with members Panoptykon Foundation, Access Now and Open Rights Group, the [GDPR Today](#) newsletter which gathers updates, tools, data and actions around the implementation of GDPR at national level. Two editions were produced in 2018 and coordinated by our members. EDRI coordinated EDRI members' input. We [met](#), along with Access Now, Commissioner Jourová to discuss the revision of the Privacy Shield and the implementation of the GDPR.

e-Privacy Regulation

We worked intensively to update the EU rules governing the privacy and confidentiality of electronic communications, the e-Privacy reform. Despite EDRI keeping this on the EU agenda, the regulation has been blocked by Council in 2018. EDRI coordinated several letters to State representatives: one in [March](#) and one in [April](#). We also sent a joint letter signed by EDRI, [Privacy International](#), Bits of Freedom, Access Now, [IT-Pol](#) and on e-Privacy to the European Commission (Commissiners, DG CNECT). We held a subsequent meeting with DG CNECT to discuss the ePrivacy Regulation proposal.

We met with Permanent Representations of Austria, Croatia, Slovenia, Romania and Germany. In May, we organised a [meeting with permanent representations of Member States](#) (about 12 attachés to the EU Council) who work on the e-Privacy Regulation proposal together with Access Now and Privacy International. The meeting was hosted by the Dutch Permanent Representation in Brussels and the Bulgarian EU Council Presidency. The meeting aimed to push for a swift adoption of the Regulation in order to ensure legal certainty, enhance privacy protections and ban pervasive tracking of individuals.

We participated in a round-table organised by MEP Albrecht to discuss data retention and e-Privacy. We met other MEPs on this file.

In December, we [joined a letter of 30 representatives](#) from civil society and online industry, to the Ministers in the Telecoms Council, to express the wide support for the e-Privacy Regulation. The letter describes the clear and urgent need to strengthen privacy and security of electronic communications in the online environment, especially in the wake of repeated scandals and practices that undermine citizens' right to privacy and the trust on online services.

Throughout the year, we met with representatives of the industry to discuss the e-Privacy proposal (Twitter, Vodafone, Start Page, Google, Snap and other companies).

Online profiling. EDRI participated in a peer-review meeting organised by the EU Agency for Fundamental Rights (FRA) on their [updated guide on unlawful profiling](#). The guide provides practical guidance on how to avoid unlawful profiling in police and border management operations. A chapter is dedicated to algorithmic profiling.

EDRI'S MEMBERS

Austria

Epicenter.works raised awareness and introduced safeguards for the opening of private health data for marketing research and organised an open letter together with 20 organisations calling for swift e-Privacy negotiations under the Austrian EU Council presidency.

[noyb](#) filed three complaints over invalid consent before three different data protection authorities in May 2018.

Belgium

The [Liga voor Mensenrechten](#) celebrated a victory against BIM law (permitting an easier use of special investigatory measures such as telephone taps for secret services) and pushed for an opt-out system for smart meters in Flanders.

Bulgaria

ISOC Bulgaria continued to stay in touch with government officials, parliament members (both on national and EU level) and kept them informed about the latest developments in the area of digital rights.

Czech Republic

[Iuridicum Remedium \(IuRe\)](#) organised [Big Brother Awards](#) and gained wide visibility in media. The [Czech version of Digital Rights Defenders](#) was distributed to schools. IuRe held GDPR training sessions for NGOs, municipalities, and the [Parliament](#).

Denmark

IT-Pol gave a number of [media interviews](#) on data protection (and Facebook).

Finland

[Electronic Frontier Finland](#) increased the amount of their Tor nodes.

Germany

Digitale Gesellschaft, together with other organisations, associations and academic associations sent an [open letter](#) to the Federal Ministry for Economic Affairs that is in charge of the ePrivacy proposal demanding consumer-friendly rules and the adoption of the ePrivacy Regulation in early 2019.

[Gesellschaft für Freiheitsrechte](#) (GFF) submitted a constitutional complaint against the statutory establishment of a compulsory electronic identity card by the Gesetz zum elektronischen Identitätsnachweis. GFF also submitted an amicus brief to the United States Supreme Court regarding the case United States of America v. Microsoft Corp.

[Digitalcourage](#) ran a successful campaign against a startup that promoted the idea to track school children for traffic safety. Digitalcourage contributed to media competency by publishing a lexicon-style guidebook for young Internet users and organised CryptoParties and published an advent calendar for digital self-defence.

Reporters Without Borders Germany had a victory in a lawsuit against German intelligence agency BND about metadata collection.

Greece

[Homo Digitalis](#) participated in the UN Human Rights Council 39th session and delivered a joint statement with the International Organization for the

Elimination of All Forms of Racial Discrimination. Geneva International Centre for Justice (GICJ) and Homo Digitalis [spoke](#) on the right to privacy in the digital age.

Italy

Hermes Centre for Transparency and Digital Human Rights organised two conferences: one on the effects of the GDPR on emerging technologies and one on AI. The NGO [sent a letter](#) with Wikimedia Italia and CILD to the Ministry of Economic Development to push for a prompt finalisation of ePrivacy regulation

Luxemburg

Frënn vun der Ënn ran [Tor Exit Nodes](#) for everyone. The organisation participated at hack.lu and held information-raising activities about Tor.

Macedonia

Metamorphosis Foundation for Internet and Society was recognised as a leading digital rights CSO and was invited to join the government's working groups for reforms of legislation on surveillance and data protection, resulting in new laws which include improved human rights protection. Metamorphosis published reports and analyses of the data protection and privacy legal frameworks and their implementation, and conducted a series of large-scale public events, resulting in increased media impact.

The Netherlands

Bits of Freedom launched My Data Done Right: <http://mydatadoneright.eu/> and forced the Dutch public broadcasting organisation to [dismantle its tracking wall](#). Bits of Freedom supported the projects GDPR Explained and GDPR Today.

Poland

Panoptykon Foundation led the GDPR campaign with other EDRI members in the EU including the GDPR Today newsletter: <https://www.gdprtoday.org/>

Panoptykon raised awareness on GDPR in Poland, by demystifying and promoting positive change.

Portugal

Associação D3 - Defesa dos Direitos Digitais monitored the e-Privacy legislation and ensured Portuguese MEPs in key EP committees would listen and support the interest of the citizens.

Romania

ApTI reacted and covered the RISE Project case on GDPR being misused as a tool to silence freedom of the press. ApTI was an active contributor to the GDPR Today and translated GDPR Explained. ApTI supported EDRI in the e-Privacy negotiations, and created short videos/tutorials on privacy.

UK

Open Rights Group (ORG) launched Data Rights Finder, a public service tool that enables people to understand their rights under GDPR: <https://www.datarightsfinder.org>. ORG brought a judicial review against the UK government for the Immigration Exemption to the Data Protection Act. The NGO [filed complaints](#) with the Irish DPA and the ICO into RTB in the AdTech industry's data practices. ORG ran an event on GDPR for over 200 campaigning NGOs in Feb 2018.

Serbia

SHARE Foundation launched a GDPR self-assessment tool and privacy policy generator: <https://gdpr.mojipodaci.rs/> (Serbian) and "My Data, My Rights" [guidebook](#) which covers new data protection rules. SHARE Foundation drafted a Guidebook on Personal Data Protection and the Journalistic Exemption and campaigned with EDRI members for the [transparent selection](#) of the new Data Protection Commissioner in Serbia.

Spain

Xnet opposed the use of data protection to hide corruption, and prepared [several strategic litigations](#) for 2019.

Sweden

The Swedish regulatory authority for telecommunications adopted [Dataskydd.net proposals](#) for implementation of the e-Privacy cookies decisions into

its recommendations for municipal website developers. Dataskydd.net translated Webbkoll, the privacy-enhancing features monitoring tool, into German.

DFRI continued to run a number of large exit-relays in the Tor network providing a significant capacity. DFRI also submitted written comments on a number of proposed national laws that affect privacy (such as on data retention).

Turkey

Alternatif Bilisim worked with data protection and privacy community on medical data in Turkey and wrote an [article in English in EDRI-gram](#) on privacy of children. The organisation held a seminar on data protection to Academics for Peace Germany community and at-risk scholars in Berlin.

International

As the result of an [Electronic Privacy Information Center \(EPIC\) lawsuit](#), a presidential commission that undertook an unprecedented effort to collect voter data from across the country ended its collection effort and was disbanded. EPIC and the Public Voice coalition launched the Universal Guidelines on Artificial Intelligence (UGAI).

Privacy International was proud that data protection laws made it to legislative agenda. In 2018, various countries finally prioritised the need to adopt comprehensive data protections laws. New bills were presented for consultation in India, Pakistan, Kenya and Uganda. Privacy International worked closely with its national partners to present in-depth legal analysis of proposed legislation with key areas of concerns to be addressed to ensure the laws were in line with internationally recognised standards and principles.

Access Now launched a lawmakers guide on data protection on global privacy day. The booklet has been translated to [Spanish](#) and [Arabic](#) and used in advocacy for data protection laws in Australia, Argentina, India, Tunisia, Chile, the US, Serbia, Pakistan and more. On the basis of this guide, Access Now provided analysis to several legislative project on data protection including in [India](#), [Panama](#), [Argentina](#), and Australia. They co-created the platform [GDPR Today](#) and was selected as [member](#) of the EU Commission Expert Group on the implementation of the GDPR. Access Now called for data protection in the US, in particular in light of the Facebook scandals, and continued effort to ensure the adoption the ePrivacy reform: large number of meetings with

government representatives and coordinated civil society letter, coordinated and joined several letters with EDRI to provide input on the negotiations in Council. Access Now wrote and [coordinated the first ever letter](#) between NGOs and privacy friendly industry to show EU government that a wide range of stakeholder support the reform.

OUR MOST POPULAR PUBLICATIONS

GDPR:

- Complaints: Google infringes GDPR's informed consent principle <https://edri.org/complaints-google-infringes-gdprs-informed-consent-principle/>
- General Data Protection Regulation: Document pool <https://edri.org/gdpr-document-pool/>
- A Digestible Guide to Individual's Rights under GDPR <https://edri.org/a-guide-individuals-rights-under-gdpr/>
- The GDPR Today – Stats, news and tools to make data protection a reality <https://edri.org/the-gdpr-today-stats-news-and-tools-to-make-data-protection-a-reality/>
- Press Release: GDPR: A new philosophy of respect <https://edri.org/press-release-gdpr-philosophy-respect/>
- GDPRexplained Campaign: the new regulation is here to protect our rights <https://edri.org/gdprexplained-gdpr-new-regulation-protect-our-rights/>

e-Privacy:

- e-Privacy revision: Document pool <https://edri.org/eprivacy-directive-document-pool/>
- Civil society calls Council to adopt ePrivacy now <https://edri.org/civil-society-calls-council-to-adopt-eprivacy-now/>
- EU Council considers undermining ePrivacy <https://edri.org/eu-council-considers-undermining-eprivacy/>
- Five reasons to be concerned about the Council ePrivacy draft <https://edri.org/five-reasons-to-be-concerned-about-the-council-eprivacy-draft/>
- ePrivacy: Civil society letter calls to ensure privacy and reject data retention <https://edri.org/eprivacy-civil-society-letter-calls-to-ensure-privacy-and-reject-data-retention/>
- NGOs urge Austrian Council Presidency to finalise e-Privacy reform <https://edri.org/ngos-open-letter-austrian-council-presidency-eprivacy/>

- Your ePrivacy is nobody else's business <https://edri.org/your-eprivacy-is-nobody-elses-business/>
- How the online tracking industry "informs" policy makers <https://edri.org/how-the-online-tracking-industry-informs-policy-makers/>
- ePrivacy: Public benefit or private surveillance? <https://edri.org/eprivacy-public-benefit-or-private-surveillance/>

SURVEILLANCE



EDRi continued to work on state and corporate surveillance, and the blurred lines between private and public actors interfering the rights to data protection and privacy. This year, many of EDRi members challenged national surveillance laws and practices. EDRi advocated for broader fundamental rights safeguards on EU proposals on cross-border access to data.

EUROPE

Cross-border access to data

EDRi met with Commissioner Timmermans' cabinet member Liene Balta on cross-border access to data by law enforcement agencies, also called access to "e-evidence". Together with our member Electronic Frontier Foundation (EFF) we organised a private meeting on cross-border access to data with representatives from the European Parliament, the CNIL, the Council of Europe and EDRi members, and subsequently met with representatives of European Commission DG Home & DG Justice officials.

In April, the European Commission published its [proposals on access to electronic data](#), and EDRi [analysis](#) warned against extending the proposals to include mass surveillance of citizens by foreign authorities. We had numerous meetings with journalists, lawyer associations, NGOs, industry, academia, and policy-makers. These included meetings with European Commission's DG Home and DG Justice officials, Members and advisors of the European Parliament, political advisors of European groups in the European Parliament, officials from the European Data Protection Supervisor (EDPS), ten EU Member State Permanent Representations (Slovenia, Denmark, Germany, Spain, Slovakia, Ireland, Lithuania, Finland, Belgium, Luxembourg and Poland), Canadian government representatives, and Council of Europe officials.

We also met with representatives of the industry (Microsoft), and with the Council of Bars and Law Societies of Europe (CCBE) and the German Bar Association.

In December, the Justice and Home Affairs Council (JHA) [adopted its general approach](#) – a political agreement before entering into negotiations with the European Parliament – on the proposal for a Regulation on European Production and Preservation Orders in criminal matters. EDRi [expressed concerns](#) as the Council's text entails a severe deterioration of the few provisions that were meant to safeguard fundamental rights.

Data retention

In April, EDRi, together with other civil society organisations, sent a follow up to our previous open letter to the permanent representations of EU Member States in Brussels calling to reject data retention.

EDRI'S MEMBERS

Austria

Epicenter.works prevented legislation that would have re-introduced data retention in Austria, prevented reduction of protocol data retention of accessing surveillance data, and postponed legislation to legalise government spyware. Epicenter.works launched litigation against implementation of the EU Passenger Name Records (PNR) Directive.

Finland

Finland has been drafting new civil and military surveillance legislation. Effi followed the drafting closely, provided statements, and visited parliamentary committees. Effi was on national TV and gave interviews to media about the topics.

Germany

A grand coalition of NGOs was formed under the name "#unteilbar" (literally translated: "indivisible", "never be divided"). The coalition speaks out for an "open and caring society", connecting the issues of migration, social (in) security, freedom of expression, and surveillance. On 13 October, the coalition was able to mobilise over 200 000 people to take the streets of Berlin, forming one of the biggest marches in German history. Digitale Gesellschaft (Digiges) was among the first organisations signing the call to take the streets and joined the mobilisation.

GFF filed a constitutional complaint against the intrusive practices of the German Intelligence Service to the German Federal Constitutional Court and a constitutional complaint against governmental hacking by law enforcement. GFF also filed a constitutional complaint against the reform of the Bavarian Police Act that accords vast and largely unchecked new powers to the Bavarian Police and a Constitutional complaint against the Baden-Württemberg Police Act.

Digitalcourage submitted a Constitutional Complaint against the introduction of state trojans in a reform of the German Code of Criminal Procedure. Digitalcourage continued activities against drastic new police laws in almost all German states, pursued ongoing campaign against data retention, and researched attempts of re-introducing data retention via other legislation.

Greece

Homo Digitalis sent an [open letter](#) to the Greek Parliament regarding the reinforcement of the Personal Data Protection Authority and the Authority for the Confidentiality of Communications with adequate human, technical and economic means. Homo Digitalis sent an [open letter](#) against the Greek draft law implementing the PNR Directive. Homo Digitalis also launched a [petition](#) to the Greek Parliament concerning the use of the "IBORDERCTRL" system in the Greek borders

Italy

Hermes Center for Transparency and Digital Human Rights gave a security training for journalists at DIG Festival on how to protect their data and sources from government surveillance. Together with more than 60 NGOs, the Hermes Center sent complaints to the European Commission on the data retention provisions of several EU members states. The Hermes Center organised the [Big Brother Awards](#), and monitored companies that sell surveillance and policing technologies to law enforcement authorities.

The Netherlands

In the referendum on the Dutch mass surveillance law, Bits of Freedom secured a majority vote against the [law in its current form](#), and subsequently challenged the law in court. Bits of Freedom provoked a debate on the use of zero days in the Dutch hacking proposal and contributed to a better law, and after a four-year battle, secured an obligation for the government to disclose figures on "wiretapping" by the secret services.

Macedonia

Within the frames of the Working Group for Reforms of the Surveillance System, Metamorphosis successfully advocated for increased levels of civic oversight in the resulting legislation, based on previous cooperation with Privacy International and EDRI. The Parliament of Republic of Macedonia accepted a Metamorphosis representative as a member of the Council for Civic Oversight.

Poland

Panoptykon won a case against the Ministry of Digital Affairs regarding statistics of accessing the database of biometric passport photos by Internal Security Agency, and a case against Polish railways which had to provide information about CCTV cameras applied in the railway stations. After many years, Panoptykon also won a case against Military Counter Intelligence Service about providing statistics on data retention.

Portugal

In the context of the [StopDataRetention.eu](#) initiative, Associação D3 delivered to the EU Commission a complaint regarding the Portuguese government not following the CJEU case law on data retention.

Romania

ApTI contributed to Privacy International's study on information sharing between countries, and covered national issues such as a problematic protocol between the national security agency (SRI), and the General Prosecutor of Romania.

Serbia

SHARE Foundation updated research on data retention in Serbia.

Sweden

The Swedish proposal for law enforcement hacking included most of Dataskydd.net's recommendations on safeguards.

The Swedish police called for changes to national laws, in order to be able to develop or acquire exploits to use in offensive surveillance tools. DFRI opposed this in a written comment to the proposal.

UK

ORG and several other human rights NGOs worked on preparing the hearing on mass surveillance at the Grand Chamber of the European Court of Human Rights.

International

Access Now assessed all existing EU PNR legislations for an EU study and pointed out the several structural deficiencies of the laws. Access Now published a report documenting two years of observation of the traditionally German-made FinSpy software. Access Now European Policy Manager testified before the Human Rights sub-committee (DROI) of the European Parliament to highlight the EU's responsibility in the promotion of human rights inside and outside the EU borders.

The UN High Commissioner for human rights released a global report listing some of the main challenges of respecting and protecting the right to privacy in the digital age. Privacy International and partners discussed these challenges and provided recommendations during a side event at the UN in Geneva.

EPIC began participation in CJEU case Data Protection Commissioner v. Facebook ("Schrems II") on whether consumer data transfers between the EU and US violate fundamental rights. Following a petition from EPIC and leading scientific societies requesting the opportunity for public comment on national policies for Artificial Intelligence, EPIC submitted comments urging the National Science Foundation to adopt the Universal Guidelines for Artificial Intelligence. EPIC testified before the European Parliament LIBE Committee on the e-Evidence Proposal and the CLOUD Act.

OUR MOST POPULAR PUBLICATIONS

Surveillance:

- Denmark prepares for passenger data exchange with the EU <https://edri.org/denmark-prepares-for-passenger-data-exchange-with-the-eu/>
- EDRI members in joint protest against "surveillance zone" in Saxony <https://edri.org/edri-members-in-joint-protest-against-surveillance-zone-in-saxony/>
- Germany: New police law proposals threaten civil rights <https://edri.org/germany-new-police-law-proposals-threaten-civil-rights/>
- German police raids privacy group's premises <https://edri.org/german-police-raids-privacy-groups-premises/>
- ECtHR gives a half-hearted victory against UK mass surveillance <https://edri.org/ecthr-gives-a-half-hearted-victory-against-uk-mass-surveillance/>

- New EU proposals foresee mandatory biometrics in national ID cards <https://edri.org/new-eu-proposals-foresee-mandatory-biometrics-in-national-id-cards/>
- Europol: Delete criminals' data, but keep watch on the innocent <https://edri.org/europol-delete-criminals-data-but-keep-watch-on-the-innocent/>
- Bavarians protest against vastly extended police powers <https://edri.org/bavarians-protest-against-vastly-extended-police-powers/>
- UN Security Council mandates worldwide air traveller profiling <https://edri.org/un-security-council-mandates-worldwide-air-traveller-profiling/>

e-Evidence:

- EU "e-evidence" proposals turn service providers into judicial authorities <https://edri.org/eu-e-evidence-proposals-turn-service-providers-into-judicial-authorities/>
- EU Council's general approach on "e-evidence": From bad to worse <https://edri.org/eu-councils-general-approach-on-e-evidence-from-bad-to-worse/>
- Growing concerns on "e-evidence": Council publishes its draft general approach <https://edri.org/growing-concerns-on-e-evidence-council-publishes-draft-general-approach/>
- CLOUD Act: Civil society urges US Congress to consider global implications <https://edri.org/cloud-act-letter-uscongress-global-implications/>
- New Protocol on cybercrime: a recipe for human rights abuse? <https://edri.org/new-protocol-on-cybercrime-a-recipe-for-human-rights-abuse/>

Data Retention:

- Litigation against the Danish government over data retention <https://edri.org/litigation-against-the-danish-government-over-data-retention/>
- EU Member States fight to retain data retention in place despite CJEU rulings <https://edri.org/eu-member-states-fight-to-retain-data-retention-in-place-despite-cjeu-rulings/>
- Danish High Court ruling on data retention use and file sharing cases <https://edri.org/danish-high-court-ruling-on-data-retention-use-and-file-sharing-cases/>
- Proposal to revoke data retention filed with the Czech Court <https://edri.org/proposal-to-revoke-data-retention-filed-with-the-czech-court/>

COPYRIGHT



While the European copyright reform is a chance to promote access to culture and support authors, creators and journalists, it poses a serious threat to freedom of expression, access to culture and innovation and therefore it was a priority dossier for EDRi since its publication in September 2016. This year we kept leading the civil society efforts to ban upload filters.

EUROPE

EDRi continued its advocacy to improve the outcome of the negotiations on the copyright reform, which we support, overall, in order to modernised the framework. Unfortunately, the proposal has fallen short of this expectation. Instead, it forces online platforms to implement upload filters and brings only minor improvements in other areas. The proposal could lead to unlawful restrictions on freedom of speech and reduce access to knowledge.


At the beginning of the year, we ran a small campaign ([Act now to stop Europe from adopting the world's worst filtering law](#)), which, combined with our direct work in the European Parliament, led to a positive outcome in the Committee on Internal Market and Consumer Protection (IMCO).

Throughout the year, we met with Permanent Representations (Belgium, the Czech Republic, Hungary, Poland), the European Commission DG CNCT, MEPs and their assistants. EDRi participated in several working group meetings of the European Union Intellectual Property Office (EUIPO).

In June, we supported Copyright for Creativity (C4C) with the launch of the [SaveYourInternet.eu](#) campaign to act against Article 13 which pushed citizens to send 150 000 emails, 15000 tweets, and hundreds of phone calls to MEPs. The vote in European Parliament JURI Committee on the copyright Directive was unsuccessful, but it was overturned in July, thanks to the mobilisation of the weeks before and after the vote of 20 June. The Parliament voted in majority against the negotiating mandate of the JURI Committee, allowing all the MEPs to send edits and suggestions for improvements. The European Parliament took note of the criticism raised by a large numbers of individuals, civil society groups, creators, academics and the World Wide Web's inventor. Regardless of the huge lobbying from the rightsholder industry, the Parliament decided to have open discussions aimed at finding an optimal text that balances all views on the Directive and that removes the risk of privatised censorship.

In September, EDRi coordinated and participated in the Copyright Action Week ahead of the vote in the European Parliament plenary. The vote supported the introduction of controversial measures. EDRi followed the trilogue until the end of the year.



 EDRi celebrated its 15th anniversary on 12 April 2018 in Brussels.

EDRI'S MEMBERS

Austria

Epicenter.works organised four demonstrations against upload filters in three different cities, launch open letters and legal analysis, and started a broad coalition in Austria against upload filters.

Czech republic

luRe ran a campaign against internet filtering in the Copyright Directive proposal, and co-organised a [seminar](#) in the Parliament.

Finland

Effi provided written statements and visited parliamentary committees to provide arguments against parts of the Copyright Directive and participated in an [information campaign in Finnish](#) about the topic.

Germany

In the weeks before the important plenary vote on the Copyright Directive in September, Digitale Gesellschaft joined forces with other digital rights organisations to mobilise against upload filters, and wrote a guest article about the upload filter issue for "c't – Magazin für Computertechnik".

Wikimedia Germany worked to get a BGH (highest court) ruling in Germany about the reproduction of a public domain work. Several Wikipedias were blacked out to oppose parts of the Copyright Directive proposal.

Greece

Homo Digitalis promoted and joined EDRI's #SaveYourInternet campaign.

Italy

The Hermes Center for Transparency and Digital Human Rights joined EDRI's Campaign against Articles 11 and 13 of copyright Directive proposal, contacting the Italian MEPs.

Luxemburg

Frënn vun der Ënn joined the letter to the EU Council: Stand for citizen's rights and the European digital economy in the copyright negotiations!

The Netherlands

Vrijschrift drafted analysis of and did advocacy work on the EU copyright reform.

Bits of Freedom launched the campaign website [Savethememe.net](#)

Macedonia

Metamorphosis established an Open Educational Resources Alliance based on Creative Commons usage for educational content creation, produced a report on legal framework on copyright, and issued recommendations regarding implementation and changes.

Poland

Panoptikon participated in the campaign against blocking in the Copyright Directive.

Portugal

Associação D3 held a one-day conference on the copyright reform, together with Wikimedia Portugal, at the National Library of Portugal, wrote several articles about this subject, signed open letters, and made campaigns around it, such as and <https://artigo13.eu/>. Associação D3 made a partnership with Wikimedia that allowed them to have a representative in Brussels for a week, which provided an unique opportunity to meet with Portuguese MEPs and Permanent Representation to the EU on this subject.

Romania

ApTI supported EDRI in policy and advocacy efforts on the proposed Copyright Directive by engaging with MEPs, the Ministry of Culture, and so on. ApTI held national awareness campaign with rounds of calling MEPs, organising events, and distributing postcards.

Serbia

SHARE Foundation did an educational video on copyright in the digital era, featuring MEP Julia Reda and EDRI member representative Javier Ruiz (ORG).

Spain

Xnet lead the SaveYourInternet campaign in Spain. The official study for the European Parliament JURI Committee, "Strengthening the Position of Press Publishers and Authors and Performers in the Copyright Directive", referred to Xnet's reporting the case of Axel Springer, which paid itself the so-called "AEDE Levy".

Turkey

Alternatif Bilisim worked with at-risk journalists, and connect them with at-risk scholars for advocacy regarding upload filters in cooperation with Open Knowledge Society.

UK

The UK Supreme Court ruled in favour of Open Rights Group's intervention in the Cartier jeweller case, in which Cartier sought a court order requiring Internet Service Providers (ISPs) to block websites which sold goods infringing their trademarks.

OUR MOST POPULAR PUBLICATIONS

- EU Member States agree on monitoring & filtering of internet uploads <https://edri.org/eu-member-states-agree-on-monitoring-filtering-of-internet-uploads/>
- We can still win: Next steps for the Copyright Directive <https://edri.org/next-steps-copyright-directive-article-13/>
- Press release: MEPs ignore expert advice and vote for mass internet censorship <https://edri.org/next-steps-copyright-directive-article-13/>
- Join the coordinated calls against EU's Censorship Machine <https://edri.org/coordinated-action-censorship-machine-call/>
- Copyright reform: Document pool <https://edri.org/copyright-reform-document-pool/>
- Press Release: EU Parliamentarians support an open, democratic debate on Copyright Directive <https://edri.org/press-release-eu-parliamentarians-support-open-democratic-debate-around-copyright-directive/>

- Letter to the EU Council: Stand for citizen's rights and the European digital economy in the copyright negotiations! <https://edri.org/letter-to-the-council-stand-for-citizens-rights-in-the-copyright-negotiations/>
- Copyright: Compulsory filtering instead of obligatory filtering – a compromise? <https://edri.org/copyright-compulsory-filtering-instead-of-obligatory-filtering-a-compromise/>
- EU Censorship Machine: Legislation as propaganda? <https://edri.org/eu-censorship-machine-legislation-as-propaganda/>
- #CensorshipMachine – How will the decision be taken? <https://edri.org/censorshipmachine-how-will-the-decision-be-taken/>
- Leak: The "copyright troika" launches another censorship machine attack <https://edri.org/leak-the-copyright-troika-launches-another-censorship-machine-attack/>
- Moving Parliament's copyright discussions into the public domain <https://edri.org/moving-parliaments-copyright-discussions-into-the-public-domain-2-0/>
- Final Copyright "compromise": Upload filters for everyone but Google & Co <https://edri.org/final-copyright-compromise-upload-filters-everyone-google-co/>
- How the EU copyright proposal will hurt the web and Wikipedia <https://edri.org/how-the-eu-copyright-proposal-will-hurt-the-web-and-wikipedia/>
- LEAK: France & Germany demand more censorship from internet companies <https://edri.org/leak-france-germany-demand-more-censorship-from-internet-companies/>
- Press Release: EU Parliament flip-flops backwards on copyright <https://edri.org/press-release-eu-parliament-flip-flops-backwards-on-copyright/>
- EP Plenary on the Copyright Directive – Who voted what? <https://edri.org/who-voted-what-in-the-ep-plenary-on-the-copyright-directive/>

NETWORK NEUTRALITY AND TELECOMMUNICATIONS



This year, EDRI contributed to the work of the Body of European Regulators or Electronic Communications (BEREC) in enforcing the EU Net Neutrality Regulation. Our members were key to monitor the state of implementation and enforcement of this rules, three years after their adoption.

EUROPE

Net neutrality

In 2018, we continued to monitor the implementation and enforcement of Europe's net neutrality rules. We [responded to the Body of European Regulators for Electronic Communications \(BEREC\) 's consultation](#) on its Work Programme 2019, and to [BEREC's consultation](#) on the implementation of the EU Net neutrality Regulation.

We provided a response to a European Commission study on the implementation of the EU net neutrality rules, and encouraged our members to respond to a survey, so that civil society views would be included in the study. Led by EDRI member Bits of Freedom, we wrote twice to the Commission and [raised concerns](#) about the potential bias of this study.

On 27 April 2018, EDRI and 14 other organisations sent a [letter](#) to the European Parliament's rapporteur on the [European Electronic Communications Code \(EECC\)](#). In the [letter](#), we urged the European Parliament to defend its mandate, and not to weaken the enforcement of EU net neutrality rules and reaffirm the role of national regulatory authorities and BEREC in doing so in a coherent and coordinated manner.

In December, EDRI participated in a European Commission workshop on the implementation of net neutrality.

EDRI'S MEMBERS

Austria

Epicenter.works published a report on the net neutrality situation in Europe which contains many strong arguments on the first 2,5 years of net neutrality enforcement. Epicenter.works managed to transform Austria from a country without any penalties for net neutrality violations to the top of the European benchmark, and submitted evidence to the Portuguese and German regulator on net neutrality violations in their countries.

Denmark

IT-Pol participated in the multi-stakeholder Net Neutrality Forum.

Finland

Effi introduced a programme item about net neutrality at Finnish Internet Forum and sent a delegate to International Telecommunication Union (ITU) meeting.

Luxemburg

Frënn vun der Ënn kickstarted the debate about a nationwide net neutrality law.

The Netherlands

Bits of Freedom took the Dutch regulatory authority to court over T-Mobile's violation of the European net neutrality legislation.

Portugal

Associação D3 organised the response of 13 NGOs to the consultation of the Portuguese regulator ANACOM on three of the most significant net neutrality violations in Europe.

Romania

ApTI commented on the national implementation of the Directive on security of network and information systems (NIS Directive).

Serbia

SHARE Foundation produced a new educational video on net neutrality.

Spain

Xnet [complained](#) in the European Parliament Committee on Petitions on the violation of network neutrality guidelines in Spain.

UK

Mike Morel from ORG gave a TedTalk "Net neutrality's survival is democracy's challenge". ORG were invited and [gave evidence](#) at the House of Lords Communications Committee on possible future paths for internet regulation.

International

Access Now has participated in [joint statement](#) on 5G and net neutrality in the context of the negotiations of the EU telecoms code as proposal were endangering the net neutrality protections in the EU. As a result, the harmful language was not introduced in the text of the code. Access Now joined several actions from EDRi members to provide feedback to the EU Commission on the implementation of the Net Neutrality Regulation. In April, Access Now joined 13 EDRi members to [submit evidence](#) to the Portuguese regulatory authority on violations of the net neutrality in the country. In December, Access Now participated to a day-long workshop in the EU Commission providing input to the functioning of the Regulation and calling for a clear ban of zero rating in the BEREC guidelines.

OUR MOST POPULAR PUBLICATIONS

- Portuguese ISPs given 40 days to comply with EU net neutrality rules <https://edri.org/portuguese-isps-given-40-days-to-comply-with-eu-net-neutrality-rules/>
- Will the evaluation of the net neutrality rules be balanced? <https://edri.org/will-the-evaluation-of-the-net-neutrality-rules-be-balanced/>
- Net Neutrality vs. 5G: What to expect from the upcoming EU review? <https://edri.org/net-neutrality-vs-5g-what-to-expect-from-the-upcoming-eu-review/>
- Can you do independent research without being independent? <https://edri.org/independent-research-colored-glasses/>
- 15 organisations ask the European Parliament not to weaken net neutrality enforcement <https://edri.org/15-organisations-parliament-not-weaken-netneutrality-enforcement/>

TRADE



In 2018, EDRi continued to be a key civil society actors to safeguard data protection and other digital rights in international trade fora and agreements. The focus was the EU-Japan Economic Partnership Agreement.

EUROPE

EDRi continued to advocate for data protection safeguards in trade agreements. We met with MEPs' assistants, and together with BEUC, with European Commission President Juncker, and Commissioners Timmermans and Malmström's Cabinet members, and with representatives from DG JUST and DG Trade on data flows and data protection in trade. We met with the Australian Embassy's representatives on digital trade at their request.

EDRi was part of the Trade Expert Group Meeting, and participated in two meetings of the group, having organised NGOs preparations before the meetings. The result of our efforts led to the inclusion of data protection safeguards in the European Commission [proposal](#), after consultation with Member States. The text has now been proposed by the EU during trade negotiations with Indonesia and Chile, and the Commission is expected to propose it to Australia (and perhaps New Zealand).

EDRI'S MEMBERS

Germany

GFF supported peace activist Herrmann Theisen's criminal defence. Hermann Theisen was indicted on counts of inciting weapon manufacturer Krauss-Maffei Wegmann's employees to betray business secrets by distributing leaflets nearby its company grounds and openly called for whistleblowing.

Reporters without borders worked on the EU's dual use regulation. This didn't lead to a victory for us, but thanks to these efforts, there was no victory for the other side either.

The Netherlands

Vrijschrift did advocacy work on the new Dutch model investment treaty and the EU-Japan trade agreement's effect on algorithmic transparency, data protection, and intellectual property, and drafted analysis of it.

International

Access Now continued to be a [leading voice](#) on the export controls recast in the EU, which gave countless opportunities to present the harms that surveillance technologies have on users around the globe. Access Now is annually participating in the [EU export controls forum](#) where they help shape the agenda, as well as in [industry events](#). In December, Access Now participated in a consultation with David Kaye on "human rights in surveillance trade", presenting the EU voice and a call to action.

OUR MOST POPULAR PUBLICATIONS

- EU-Japan trade agreement not compatible with EU data protection <https://edri.org/eu-japan-trade-agreement-eu-data-protection/>
- EU – Japan trade agreement undermines algorithmic transparency <https://edri.org/eu-japan-trade-agreement-undermines-algorithmic-transparency/>

TRANSPARENCY



This year, our work on making sure that transparency is a reality - and not just a principle on paper - focused on the legislative work of the Council of the European Union. Some of our members also worked actively on the EU Directive for the Protection of Whistleblowers.

EUROPE

On 13 February, the European Ombudsman Emily O'Reilly published a [Recommendation](#) regarding the transparency of the legislative work of the Council of the European Union. Her strategic inquiry, which involved the examination of the Council's work around the legislative course of the [General Data Protection Regulation \(GDPR\)](#), among other files, showed that the Council's general practice not to publish its legislative documents constitutes maladministration. The Ombudsman's Recommendation includes most of the comments we made in [our response to the consultation](#).

EDRI MEMBERS

Italy

Hermes Center for Transparency and Digital Human Rights launched the [Digital Whistle-blowing Fund](#).

Spain

Xnet created a [template](#) for the "perfect" whistle-blower law that was used for draft laws in Spain, Catalonia and the Basque Country. Xnet's analysis and proposals for necessary modifications to the draft EU Directive for the Protection of Whistleblowers have been integrated in the [draft by the Rapporteur](#). Xnet worked on a report on the right to record abuses in Spain by the Witness organisation by the UN Rapporteur on Freedom of Expression (to be published in 2019). Xnet produced Guidelines for the Preservation of Fundamental Rights on the Internet which were used during the Catalan crisis.

OUR MOST POPULAR PUBLICATIONS

- Serbian Data Protection Commissioner: NGOs call for transparency <https://edri.org/ngos-transparency-dpc-serbia/>
- EU Parliament criticises incompetent Commission work on child abuse <https://edri.org/eu-parliament-criticises-incompetent-commission-work-on-child-abuse/>
- Nearly 100 public interest organisations urge Council of Europe to ensure high transparency standards for cybercrime negotiations <https://edri.org/global-letter-cybercrime-negotiations-transparency/>

INTERNATIONAL & EVENTS



In 2018, EDRI kept promoting digital rights across Europe and beyond.

INTERNATIONAL

EDRi gave numerous expert presentations in the European Parliament, the European Commission, the Council of Europe, national Permanent Representations to the European Union, and other key institutions. We also spoke about our work in many universities to explain the importance of digital rights, and hosted several students and study groups to present our work and the issues we are concerned about. In addition, we wrote guest articles in various publications and were quoted in international news outlets.

Furthermore, we participated in key international events, including the [Computers, Privacy and Data Protection International Conference \(CPDP\)](#), the [Internet Freedom Festival \(IFF\)](#), [Re:publica](#), [RightsCon](#), the [OSCE-Council of Europe's Internet Freedom Conference](#), [Council of Europe's expert meetings on intermediaries](#), the [United Nations Internet Governance Forum](#), the [OECD Global Forum on Trade](#) and the [Chaos Communication Congress](#).

EDRi participated in the drafting meeting on the Toronto Declaration on AI and non-discrimination that EDRi later endorsed.

We co-organised [Privacy Camp](#), an annual conference for civil society and academia in Brussels.

We spoke at the Belgian Bozar's One World Brussels Opening after the screening of the documentary "The Cleaners" on content moderation.

Moreover, we remained an active member of the [Trans Atlantic Consumer Dialogue \(TACD\)](#), a member of the [Non Commercial Users Constituency \(NCUC\)](#) and of the [CSISAC's](#) Steering Committee, the voice of civil society at the OECD's Committee on the Digital Economy Policy. EDRi has now observer status to the [Council of Europe's Convention 108 Committee](#).

PRIVACY CAMP 2018

The sixth annual [Privacy Camp](#) conference took place in Brussels in January 2018 and it brought together nearly 200 representatives of civil society, policy-makers and academia to discuss existing and looming problems for human rights in the digital environment. In the face of a "shrinking civic space" for collective action, the event aims to provide a platform for actors from across these domains to discuss and develop shared principles to address key challenges for digital rights and freedoms of individuals.

The theme of Privacy Camp 2018 was "Speech, settings and [in]security by design". The event featured two main tracks - the first one focused on challenges to freedom of speech online and the potential of a digital public sphere and the second one on the security of devices and infrastructure. In addition, Privacy Camp 2018 hosted the Civil Society Summit of the European Data Protection Supervisor (EDPS).

Privacy Camp 2018 was organised in cooperation with [Computers, Privacy and Data Protection conference \(CPDP\)](#), [Privacy Salon](#), [USL-B Institute for European Studies](#), and [Vrije Universiteit Brussel – Law, Science, Technology & Society Studies](#), [Université Saint-Louis Bruxelles](#), and with the support of our partners [Mozilla](#), [TomTom](#) and [Centr](#).

OUR NETWORK



In April, we held our annual General Assembly with a new record number of 25 voting members (and more than 50 participants) from all over Europe. We welcomed four new members: [Xnet](#) from Spain, [Hermes Center for Transparency and Digital Human Rights](#) from Italy, [noyb](#) based in Austria but with a European scope, and [Free Software Foundation Europe](#). Three organisations became observers: [Homo Digitalis](#), the first digital rights organisation in Greece, [One World Platform](#) from Bosnia and Herzegovina, and [Dataskydd.net](#) from Sweden. We now count 39 members based in 19 countries.

The network adopted "Standards for internal communications" which aim to facilitate constructive, trust-based discussions on our internal communication channels among members and observers. The standards foresee that EDRi would not tolerate "any kind of harassment or insults related to national origin, gender, gender identity and expression, race, ethnicity, sexual orientation, physical characteristics, disability, religion and age".

The pool of translators, created at the end of 2017, is now formed by 80 EDRi supporters who volunteer to break down language barriers and spread the message of EDRi and its members. In 2018, they translated documents, campaigning materials and booklets into 13 languages.

Thanks to the hard work of members and some significant coordination efforts, noteworthy initiatives have emerged of the network such as the [SaveYourInternet.eu](#) campaign on the Copyright reform and the [GDPR Today](#) newsletter.

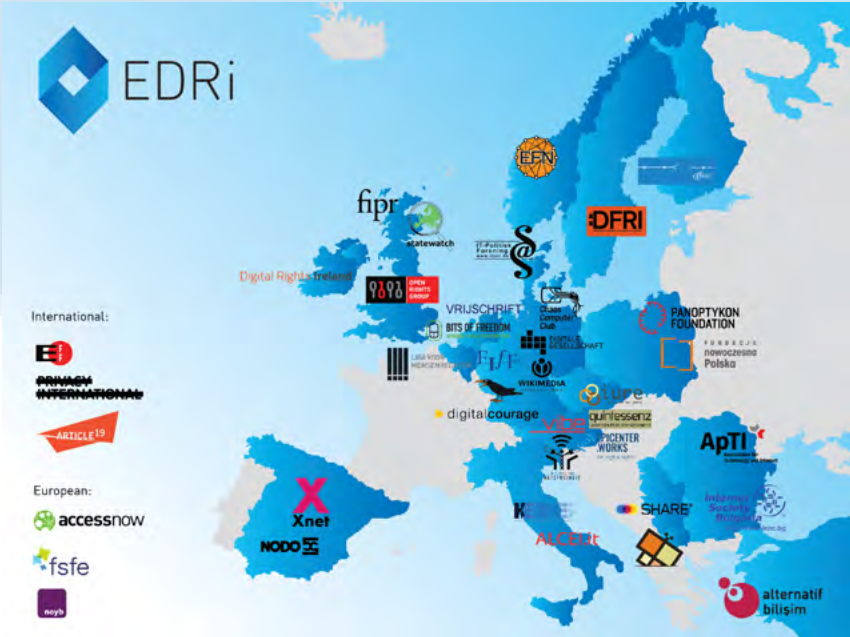
Capacity building for the network is a long-term commitment – we helped provide funding, but for volunteer-based organisations human resources and immaterial support is often even more valuable. Many organisations rely on volunteers or a very small core of staff, and do not have the resources to grow their existing projects and ideas further. There are very few instruments for small NGOs to address time-sensitive matters, and to form effective temporary coalitions around common issues. Learning those lessons from previous years, we extended the [Digital Rights Fund](#). This small grants programme, operated by the Renewable Freedom Foundation, ran on peer-led decisions from our digital rights community, based on an easy application process that allows for a quick distribution of funds. In 2018, more than 27 000 euro were distributed in 19 different projects. Those funds enabled, for example, the organisation of Big Brother Awards in Bulgaria, the Czech Republic, Italy, and the Netherlands, the improvement of the [Webbkoll](#) website privacy checker, offered travel support for activists to be present in several events, and facilitated various awareness-raising campaigns and materials.

FINANCES

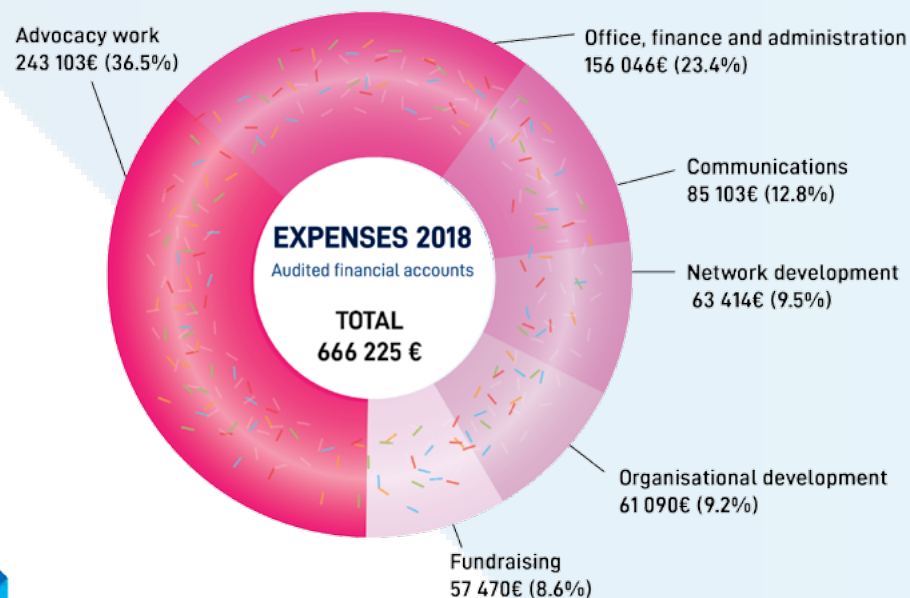
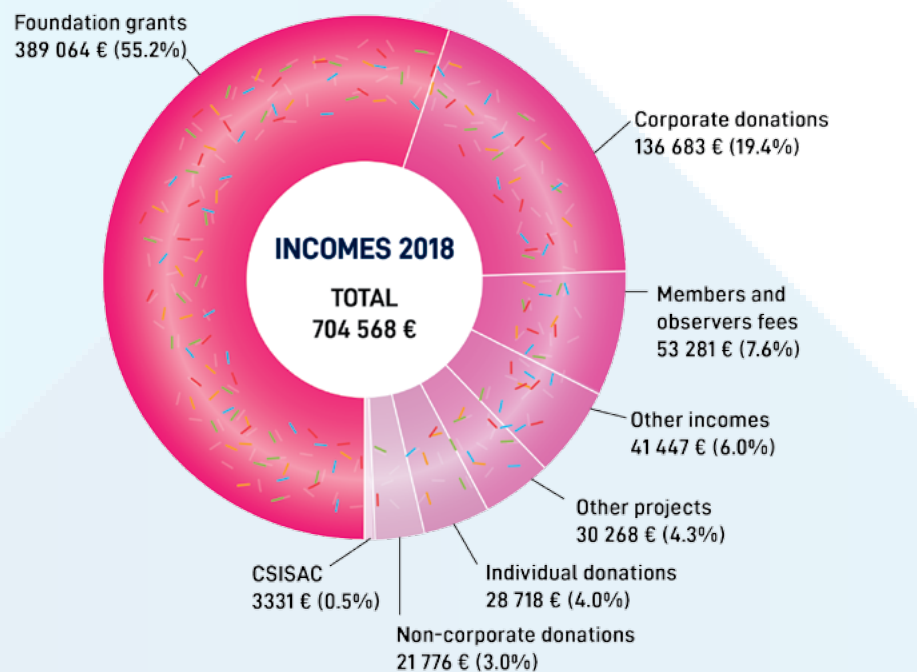
In 2018, we hosted in our offices, in the framework of the [Brussels Exchange programme](#), two policy officers, one from ApTI (Romania) and one from [Epicenter.works](#) (Austria).

In 2018, EDRi also launched a knowledge-sharing platform: the Project Library on our MediaWiki. Members and observers can now share lessons learned and best practices from their home countries and browse and search for others. As the greatest experience of networking and the most efficient way of working is by face-to-face meetings, we made sure to gather a maximum number of activists in several EDRi meet-ups: at Privacy Camp in January, at Internet Freedom Festival in March, and at Freedom Not Fear in September. We also set up and coordinated a wider digital rights assembly at 35C3 in December - About:Freedom.

EDRI'S MEMBERS IN 2018



INCOMES AND EXPENSES



Incomes

Members and observers fees:	53 281 €	7.6%
Individual donations:	28 718 €	4%
Non-corporate donations:	21 776 €	3%
EPIC	10 000 €	
The Swedish Internet Foundation	5 000 €	
IT-Pol	2 480 €	
Centr	2 000 €	
Electronic Frontier Finland	704 €	
Association for computational Linguistics	699 €	
Netzpolitik	498 €	
GONG	200 €	
Gesellschaft für Freiheitsrechte	90 €	
Privacy Training Center	50 €	
Association D3	40 €	
Frënn vun der Ënn	15 €	
Corporate donations	136 683 €	19.4%
Handshake	86 286 €	
Mozilla	35 296 €	
Twitter	10 000 €	
AirVPN	4 000 €	
Mailfence	710 €	
Schmidt Devops	200 €	
Letfield	120 €	
Netsend	60 €	
Earthport FX	10	
Foundation grants	389 064 €	55.2%
Adessium Foundation	111 789 €	
Democracy & Media Foundation	102 004 €	
Ford Foundation	50 000 €	
Open Society Foundations	125 271 €	
Other projects	30 268 €	4.3%
Fundamental Rights Review of EU Data Collection Instruments and Programmes	25 900 €	
Digital Task Project	4 368 €	
Other incomes	41 447 €	6%
CSISAC	3 331 €	0.5%
TOTAL:	704 568 €	100%

EDRI FUNDRAISING POLICY

EDRI encourages individual and corporate donations and the acceptance of funds for purposes that will help us to develop and fulfill our mission. Secure and diverse funding enables EDRI to maintain its independence, protect its reputation and to operate effectively. New grants and project funding should be compatible with EDRI's strategy and priorities.

1) Donors

EDRI solicits funds from EU institutions, public authorities, NGOs, companies, foundations and individuals.

2) Policy

Before accepting funds from potential supporters, EDRI will conduct a due diligence exercise to ensure that:

1. EDRI's independence, integrity, impartiality and credibility are not compromised, EDRI is not diverted from its mission.
2. A maximum of 30% of EDRI's yearly budget can be funded from corporate donations. A single corporate donation cannot exceed 7.5% of its total income of the previous year. If we are in a situation when a corporate donation will exceed to above-mentioned limits, it will need to be discussed and decided by the Board on a case by case basis.
3. The company or organisation issuing the donation must be legally operating in the European Union.
4. Any plans to publicise a donor's support for EDRI are discussed and agreed by the Board before accepting donations and will not limit EDRI's ability to act independently.
5. Receiving funding from corporations or donors from the private sector does not imply endorsement of a donor's policies and record.

6. EDRI will transparently report about received support from all its donors and how it was spent in its annual report. EDRI accepts support only under condition that it can openly inform about receiving it in its annual report and via other communication channels.

7. EDRI will only accept donations to support its core activities as agreed in its multi-annual strategy and not work on the basis of projects funded by companies or industry groups unless the initiative comes from EDRI.

8. EDRI will only accept funding from European Union institutions to support its core activities as agreed in its multi-annual strategy and/or for projects initiated directly by EDRI.

2018

DECEMBER

- 11 We spoke at the International Human Rights Conference in Valencia.
- 19 We spoke at the Council of Europe workshop on intermediaries in Georgia.
- 27-30 We participated in and spoke at the Chaos Computer Club Congress (35C3).

NOVEMBER

- 8 We spoke at the European Parliament GUE/NGL event on internet monopolies.
- 9 We met with European Commission Secretary-General Martin Selmayr on the next digital agenda of the EU Commission.
- 12-13 We participated at the IGF Paris and spoke at IGF Open Forum.
- 13 We spoke at Public Policy Exchange event on consent in GDPR and tech monopolies.
- 27-30 We participated in the Observatory on IP infringements working groups in Warsaw.
- 29 We spoke at GUE/NGL event at the European Parliament on tackling terrorism.
- 29 We spoke at the 7th Annual Freedom Online Conference in Berlin.

OCTOBER

- 3-4 We participated in a Communia workshop on the human-centric internet.
- 8 We met with Commissioner Jourová to discuss Privacy Shield and GDPR implementation.
- 11 We meet with EDPS staff to discuss the Terrorist Content Online Regulation.
- 23 We spoke on privacy at a UNESCO event.
- 28 We spoke at MozFest panel "Who Controls the Internet?".
- 31 We gave a keynote speech at the 2nd Annual Workshop on Abusive Language Online.

SEPTEMBER

- 3-7 We organised a Copyright Action Week to prevent upload filters.
- 5 We spoke in a EU Parliament event on trade agreements on online services.
- 14 We participated in a EU Commission workshop on transposition of the Counter-terrorism Directive.
- 18 We participated in the Council of Europe meeting on artificial intelligence.
- 21-23 We organised six workshops and talks at the Freedom Not Fear conference.
- 25-27 We spoke about copyright and content moderation in the Fundamental Rights Forum.
- 27 Our Executive Director received the EFF Pioneer Award.

AUGUST

- 30 We spoke about on fake news and hate speech at International Young Lawyers' Congress.

JULY

- 5 We participated in a US Mission to the EU meeting to discuss privacy and data protection.
- 11 We spoke at the Council of Europe event on cybercrime and electronic evidence.
- 16-20 We participated in a workshop in Montenegro to plan follow up actions on GDPR implementation with EDRI members.
- 17-19 We participated in the 13th International Regulatory Workshop organised by the Commission for Communications Regulation of Colombia.

JANUARY

- 10 We participated in the Workshop on the Transposition of Directive 2017/541/EU on combating terrorism.
- 23-24 We co-organised Privacy Camp 2018, spoke at the EDPS Civil Society Summit and the CPDP conference, and participated in the Cybersecurity Forum in Lille.
- 31 We spoke at the event on net neutrality in Paris.

FEBRUARY

- 22 We participated in a meeting organised by the Fundamental Rights Agency to provide feedback on their Guide On Preventing Unlawful Profiling.

MARCH

- 1 We participated in a meeting with Commissioner Jourová and Vice-President Ansip to discuss e-Privacy, GDPR implementation, and cross-border access to data.
- 6 We spoke at the Internet Freedom Festival on cross-border access to data.
- 9 We met with the Assistant Supervisor at the EDPS office to discuss the role of intermediaries and content moderation.
- 21 We spoke in the activist workshops on copyright reform at the European Parliament.

APRIL

- 11 We participated in a strategy meeting at the EU Parliament on the future of data retention and targeted criminal investigations.
- 12 We participated in the EU Commission roundtable on encryption in criminal investigations.
- 17 We participated in the Observatory on IP Infringements working group meetings.
- 18 We spoke at the Brussels Privacy Hub event on US Cloud-Act.

MAY

- 9 We spoke at a workshop about e-Commerce and digital rights in trade agreements in Berlin.
- 16-18 We participated in and spoke at the RightsCon.
- 29 We met with Juncker, Timmermans & Malmström's Cabinet members on trade and data protection.
- 31 We met with permanent representations from ten EU Member States from the Council Working Party on Telecommunications and Information Society on e-Privacy.

JUNE

- 2 We spoke at Yo!Fest at the European Youth Event (EYE) in Strasbourg.
- 19 We spoke about intermediary liability in the EU Parliament IMCO Committee hearing.
- 18-19 We participated in the Trans-Atlantic Consumer Dialogue (TACD) meetings in Brussels.
- 28 We spoke at roundtable on the European Production and Preservation Orders for electronic evidence in criminal matters.

EDRi's year in numbers

We celebrated **15** years of existence.

We sent out **13** press releases,
that resulted in more than **200** press mentions.

We edited **24** EDri-gram newsletters,
that were sent out to **22 803** subscribers.

We published **214** blogposts on our website
that had **645 000** unique visits during the year,
By visitors using: Windows **45.1 %**
Linux **21.8 %**
Macintosh **19.1 %**

We were happy to welcome **4** new members: NOYB, Xnet, Hermes Centre for
Transparency and Digital Human Rights, and
Free Software Foundation Europe.

Our article "EU Member States
agree on monitoring & filtering of
internet uploads" was viewed **59 959** times.

We held **220** advocacy meetings.

Our Digital Defenders booklet was translated into **3** new languages: Czech, Swedish, and Norwegian.

We counted **19** public consultations on issues
that have an impact on digital rights.

Our social media channels had **22 115** followers in total.

For our Save Your Internet campaign on copyright, we...

sent out **150 000** emails
tweeted **15 000** tweets

...and made hundreds of phone calls to MEPs.

In the EDri Brussels office, we have **3** coffee machines, and
we drank **5 638** cups of coffee (approximately).

2 new EDri babies were born this year.

SUPPORT OUR WORK REGULARLY AND
BECOME AN OFFICIAL EDRI SUPPORTER:

<https://edri.org/supporters/>

DONATE TO EDRI:

<https://edri.org/donate/>