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Digital future

SLOGAN

Make Digital technology work for an open and economically and environmentally sustainable society

THE GREEN/EFA PRINCIPLES UNDERLYING OUR APPROACH TO DIGITAL FUTURE

Like the flint axe of the Stone Age and the steam engine of the industrial revolution, information technology is bringing profound environmental, social and economic changes.

We believe legislation should be “technology neutral”: goods or services delivered digitally should not receive better or worse treatment in law than others.

Technology itself is never neutral however. The approach of the Greens/EFA has always been to fight to **promote ethical design and uses that are truly beneficial to ordinary citizens** rather than those that primarily benefit “Big Tech”, “Big Brother”, speculators or any other vested interests.

On the internet, as in the “analogue” world, we **defend free access to knowledge and education**, **diversity of culture and linguistic expression** and the right to **privacy**.

For us **the internet belongs to all of us** and should not be controlled by political or economically

powerful actors who can decide who has access and on what terms.

When it comes to **robotics and Artificial Intelligence** we see many useful applications but fiercely promote **transparency in automated decision making** and **human accountability** for any mistakes.

Lastly and importantly, **"smart" technology can help accelerate the Green Transition** to a sustainable environmental-social-economic model of our societies by increasing energy efficiency.

KEY MESSAGES

The interests of "Big Tech" must not be put ahead of ordinary people

The role of public policy must be to defend the public interest, particularly to counterbalance the narrow interests of powerful corporate lobbies.

Greens/EFA has always pushed for policies that prioritise the legitimate interests of those who use digital technology for **personal, collaborative or other non-profit purposes** as well **as ordinary consumers of digital goods and services** and **individuals and small businesses whose livelihood depends on digital technology.**

This is why we seek to promote and preserve the notion of the **internet as a "commons"** - a virtual space that belongs to all - and the principle of **"net neutrality"** under which no internet traffic is given priority just because corporations are willing to pay for such privileges.

This is also why we have supported efforts to **promote real competition in digital goods and services**. For example, we are in favour of incentivising big banks to allow suitably protected access for start-ups of innovative online banking tools.

We actively promote an open environment, from **open standards and innovative licensing models, to open platforms and transparency, in order to avoid vendor and platform lock-in** that restrains interoperability and innovation.

Large multinational **tech companies typically pay significantly less tax** (often less than 10%) than both normal companies and individuals, and frequently use profit shifting techniques to lower their tax bills thus abusing the initial idea to incentivise development.

Big Tech companies **benefit from a healthy, educated workforce and publicly funded infrastructure** just as much as everyone else and need to make **a fair contribution through tax**.

The Greens/EFA group have long been calling for companies such as Google, Amazon, Facebook and Apple to pay their fair share in the countries where they operate and where they generate revenues.

In addition, we have fought to ensure that the new form of "platform capitalism" (like Uber, AirBnB, Deliveroo etc) does not become the latest source of "economic rents" - extracting rather than adding economic value - and circumvent employment legislation applicable to other jobs.

The rights of creators are perfectly compatible with freedom of expression on the web

Much noise has been made about **the new rules on copyright currently being negotiated** between the Parliament and Council. By raising the alarm to the dangers of upload filters for online culture and independent creators, **Greens/EFA have been able to prevent their adoption so far**.

Greens/EFA continue to fight **against the false choice between ensuring fair remuneration for creators of content and defending freedom of speech**.

We want platforms to sign licencing agreements and pay creators and rights holders.

However, this cannot be done while forcing these platforms to filter the web.

Automatic blocking (through software filters) of any uploaded content is extremely bad legislation that imposes disproportionate solutions on all Internet users and actors. This could seriously jeopardise the way the Internet is functioning, as well as citizens' rights - the right to freedom of expression, to benefit from copyright exceptions, to access a judicial authority to contest an undue request, etc.

Such filtering measures would effectively give platforms a key role in deciding what can and cannot be posted on-line, instead of legislators and courts. Do we want to design rules that only multinational Tech giants can afford to comply with thanks to their efficient filtering tools? **We do not want European citizens' access to culture online to be decided by Google's technology**.

The risk is that platforms will sign licences with the biggest content providers and then block any uploads about which there is the slightest doubt as to whether they are covered.

This **helps big platforms and big media** but will **hurt the majority of new and small platforms, independent creators' ability to spread their work and all ordinary users** who produce and share various "memes" for entertainment, education or information.

Equally harmful is the proposed "link tax" which would oblige platforms using journalistic content - even for small excerpts such as those accompanying a hyperlink - to obtain a licence from the publisher.

It would mainly protect big publishers' rights and limit public access to news as it will become more difficult for smaller websites to reference journalistic articles (for example in a press summary). Germany adopted such 'ancillary copyright' for the benefit of press publishers, which has proven to be inefficient, and even counter-productive, with no money paid to journalists at the end of the chain and a net economic loss for press publishers who decided to enforce the new right.

The best way to support quality journalism is to facilitate access to it, not to restrict it. We think that the journalism crisis in our digital world is essential in our democracies. However, the solution is not to be found in copyright law. We have to think bigger than that and we should not put barriers to access and to expression on the Internet.

Greens/EFA strongly believe that creators should be enabled to make full use of existing copyright rules to defend their livelihood. If someone infringes copyright this should then be a matter for the courts, not internet platforms nor dominant tech players, to decide.

Europe needs a coordinated vision for digitising industry

We cannot allow a digital divide within society or between nations in the EU – otherwise we will all be left weaker.

Digitalisation of products and services **could add more than 110 billion EUR per year of revenue** for

industry in the next 5 years

A digitalisation strategy can also **generate huge socio-economic and environmental benefits**.

New, **quality jobs can be created** and **jobs currently "offshored" by EU businesses could be provided to EU workers** offering diverse job models and work time schemes, and opportunities for lifelong learning.

In addition, by allowing easier formats of accessing and storing information digitalisation can contribute to **providing consumers with better choices and information**.

It can also **make more efficient use of resources and reduce the material intensity of manufacturing industry,** contributing to a strengthened European circular economy and the achievement Europe's goals in climate policy.

To ensure that different technologies work smoothly together and reduce the risks of failure, Europe must base its industrial digitalisation strategy on **clear standards in partnership with the European Standardisation Organisations**.

Adapting to the new industrial trends, however, will not be possible if Europe does not provide every encouragement to investment in digital infrastructure.

That means **ensuring investment in the best infrastructure** for Europe's economy, for example ensuring the fastest possible internet speeds and coverage via 5G and fibre optics, promoting innovation and R&D, as well as stimulating investments in new technologies and modernisation.

A **European strategy with a European coordinating platform** is crucial to ensure that national strategies work to common goals and do not contradict each other.

Digitalisation must be pursued as an enabler to **advance competitiveness, sustainability and quality jobs** but we also need **to improve our ability to continuously deliver the intended outcome despite** technological transformations and disruptions.

SMEs must play a major role, as they have sadly been lagging behind in digitalisation. There is a need to help SMEs get on board where, in terms of energy, resource efficiency and production efficiency, the relative gains from digitalisation efforts would be the highest.

This can be achieved through the **modernisation and interconnection of Europe's industries and economic value chains** and through **increasing public and private investments in digitising sustainable sectors** of the real economy.

In this context, **access to finance** is very important. In Germany for example, while the government provides public funds to help with digitalisation, **compared to China the funds are thousands of times smaller**.

Use of **EU funding** mechanisms should be continued, but private investment sector funding also needs to be facilitated.

The social dimension of the Digital Future needs to be integral to policy making

It is clear that the digitalisation of Europe's industry is also bringing challenges.

Without a joined-up strategy, digitalisation could, according to various studies, bring job-losses and social precariousness while, at the same time, Europe lacks skilled workers. It could also lead to the marginalisation of certain sections of society if the social impact of certain digital strategies is not properly assessed.

This is why **action with regard to education, taxation and social security systems** is required urgently in order to avoid social disruption and to capture the social benefits of the digital future while mitigating or eliminating the downsides as much as possible.

Greens/EFA have long called for the **implementation of a skills guarantee** and ways to satisfy citizens' needs for **continuous (re-)training, upgrading skills and lifelong learning**.

Such a skills guarantee should apply across business and society ensuring that the skills deficit in SMEs is tackled, the dearth of women in the IT sector and the needs of the elderly and otherwise disadvantaged are explicitly catered for.

Digital skills must be integrated into national education curricula and it is important to have specialised teacher training for digital skills and to teach them to all children.

The **potential of digitalisation with regard to the accessibility of social services and other public services**, as well as the **inclusion** of persons with disabilities and persons with limited mobility in the labour market, represents a significant opportunity.

Research into, and development of, assistive technologies are key as they could be used and become new industrial products for the inclusion of disabled people. Such assistive technologies should always be **built by and with the people who are going to use them**.

Finally and importantly, **stronger Europe-wide digital cultural platforms** that don't rely on geo-blocking can be opportunities for improving engagement and **making cultural experiences, sites and artefacts throughout Europe more accessible** regardless of geographical location.

More investment is required to make digital work for the needs of a multilingual Europe

The increasing digitalisation of European society is leading to disparities in access to information and services in the society and between speakers of widely used and lesser-used languages. Cross-border access to basic, reliable background information about history, culture, society, economy and/or politics is essential for anybody wanting to participate in society as an active citizen. **For information to be truly accessible to everyone, it needs to be available in his or her mother tongue, regardless of where they live**.

Language technologies offer new opportunities for digital communication, technology- enabled communication and cooperation in all European languages giving speakers of different languages equal access to information, knowledge and (cross-border) services and preventing under-resourced languages from being digitally extinct.

Language technologies are behind many everyday digital products, since most of them use language to some extent. Mobile communications, social media, intelligent assistants, and speech-based interfaces are transforming the way citizens, companies and public administrations interact in the digital world. Furthermore, language technologies are also helpful in developing multilingual resources and content outside of the digital sphere, and can positively affect the well-being of European citizens, in areas such as

education, culture and health.

Although **language technologies constitute an enormous opportunity**, both economically and culturally, Europe remains far behind, due to market fragmentation driven by vested corporate interests, inadequate investment in knowledge and culture, poorly coordinated research, insufficient funding and legal barriers. The market is currently dominated by non-European actors, which are not addressing the specific needs of a multilingual Europe; the EU needs to shift this paradigm and reinforce European leadership in language technologies by creating a project tailored specifically to Europe's needs and demands.

We must ensure proper protection of workers in a changing job market

The nature of work has been changing, thanks to digital technology. This can have benefits when it translates into greater flexibility for workers but there is also the risk that employers will exploit any "flexibilities" in legislation that might be used to weaken the job quality or security of employees.

In the digital age, the growth of "platform capitalism" (such as Uber, Deliveroo) and "click work" (short outsourced tasks done at home) has been accompanied by "zero-hours" contracts and bogus self-employed contracts with all the advantages on the companies' side;

To adapt to these changes the EU needs better and stronger rules to protect workers, instead of allowing the "Jobs and Growth of any kind will do" mantra to be used to favour corporate interests over citizens' wellbeing.

While Greens/EFA have been central to obtaining ***clarity of contracts***[1]*, there is a pressing need to* ***strengthen trade unions in the digital workplace****, and to ensure tech workers can unionise and organise more easily.*

We also need to make sure that public policies are shaped to reflect the importance of adapting education systems, training and life-long learning systems and putting active labour market policies at the centre of policy making.

Digital technology can greatly facilitate interaction between citizens and public authorities

In many Member States, interaction with the state means a trip to the council, meeting a public servant seated behind a counter and time spent waiting for a reply.

If simply the time to go there could be eliminated, it would help considerably. Digitalisation can do much more, however.

It can reduce the need to interact with administration, when official documents can be retrieved from a single point of contact and public administrations do not require the citizen to produce them again and again. Greens/EFA have achieved that **all EU countries will have to publish information on citizens' and family rights online**, including rules on gender recognition and the legal treatment of same-sex couples and their children that are particularly important for the LGBT+ community to exercise their right of free movement in the EU.

Making financial declarations, paying taxes and getting support for the state can also benefit greatly from the efficiency brought by digitalisation and connectivity. Thanks to Greens/EFA, a larger number of **daily administrative tasks such as registering a change of address, filing your taxes, applying to university or claiming retirement benefits will become fully accessible online** in all Member States over the next four years.

In the case of taxes, well designed electronic collection systems could reduce the risk of evasion and help reduce the EU's enormous tax gap.

Greens/EFA are also strong champions of transparency of public administration, without which citizens cannot really hold a government to account. Well-designed government websites explaining the ins and outs of democracy in practice, publication and even livestreaming of important government processes - all these things could significantly help in the fight to encourage citizen engagement. Greens/EFA have been successful in **improving the new European Open Data Directive that will require all Member States to make information such as company registers, maps and weather data available for free online**. This data will be crucial for anti-corruption work, investigative journalism and innovative apps that will make your daily life easier.

Lastly, as Greens/EFA **we welcome the possibility of saving many forests** by eliminating the tonnes of paper printed every day for interactions with public administration.

Humans must remain legally accountable and liable for the actions of robots and AI

The complexity of technology is sometimes portrayed as overwhelming, even to the point where, in the

case of a malfunction, engineers and operators might want to deny responsibility for how a machine or a program acted.

The outputs of artificial intelligence (AI) depend on data sets, programming, user and sensory input. Even though, given the involvement of many factors, it may be hard to explain the exact behaviour of an AI application, that behaviour is the consequence of choices made by the developer and user.

Therefore, the fact that the behaviour of a robot or program was unintended **should not exonerate manufacturers, programmers or operators from liability and responsibility**. A failure to keep track of how an action occurred that has significant consequences for a human or their belongings should constitute an act of negligence.

In order to reduce the possible repercussions of failure and malfunctioning of sufficiently complex systems, we think that **strict liability concepts should be evaluated, including compulsory insurance policies.**

Such **approaches need to be balanced** and should avoid placing too heavy a burden on enthusiasts, academia or useful innovation.

As far as military use of robotics and artificial intelligence goes, we are strongly of the opinion that **the decision to harm or kill a human being should never be made by a machine**.

Autonomous weapons systems must be banned internationally.

Personal data is not just another commodity

One important fundamental right is that of the individual's control over his or her personal data. We cannot accept a fully-fledged “surveillance capitalism” like in the United States, and neither can we accept a “gamified 1984” like in China. Europe has been leading the world in the regulation and protection of personal data. The general **Data Protection Regulation (GDPR), which the Greens spearheaded** in both European Parliament and Council of Ministers, is already used globally as the gold standard for protecting personal data and thereby protecting persons from unfair treatment or imbalanced power relations.

Personal data should be processed only where really necessary, and used for a specific purpose and not collected just because it is possible. The **individual should always have the right to access, correct and delete data** undergoing processing. Commonly used interoperable interfaces can facilitate this process.

We emphasise the need to include “privacy by design” into the development phase of new IT systems and services. This is especially the case for communications equipment, which could be used to track persons and even listen in on their conversations. Products that contribute to infringing privacy rights, such as unsecured toys and unprotected remote cameras should not be allowed for sale. Thanks to the GDPR, if a company is caught misusing your personal data, it can be slapped with a large fine. **Greens/EFA are currently fighting to allow users to collectively sue companies for compensation when they violate data protection or consumer rights, by introducing a European collective redress system.**

We emphasize that **privacy and data protection are inalienable human rights** and thus **cannot be for sale** or compromised.

The term “data ownership” sometimes used in this context is quite misleading; **an individual should not be excluded from the control over his or her personal data, and personal data should never be allowed to become payment for a service.**

Therefore, we reject the notion of “data ownership” as a new form of property right. Nevertheless, we have worked to ensure that **you have the same consumer rights when you use a “free” online service that uses your personal data as when you have paid for a service**.

All Europeans have a right to safety in the digital world

Cybersecurity is essential, and needs to be at the core of digitalisation strategy. If everything becomes digital and connected, we need to ensure that the infrastructures, products and services are secure. Greens/EFA recognise the need to raise awareness on enhancing cybersecurity and **considers cyber-resilience as a crucial responsibility for business leaders and national and European industrial and security policymakers**.

The internal market should contain built-in cybersecurity. Producers should be made responsible for ensuring that safety and **cybersecurity standards are built into all digital innovations.** We have long proposed setting the right incentives for better IT security, eg through manufacturer and product liability for software, and for mandatory security updates over the lifespan of a product. Connected devices such as “smart” household appliances or even connected cards should meet mandatory minimum standards for IT security, depending on the danger they pose.

Best-practice sharing between EU Member States could facilitate European cyber-resilience in that regard. This should include responsible disclosure of vulnerabilities to the producers, so they can be fixed. Government agencies keeping quiet about IT vulnerabilities to use them for their own purposes (government hacking and trojans) only make all of us less secure.

The best way to ensure cybersecurity is to make sure that hardware and software can be freely inspected by researchers and enthusiasts. That's why support for Free and Open Source Software is essential. **Greens/EFA have successfully started a project[2] where software developers are paid from the EU budget to find vulnerability in Free and Open Source Software** that is commonly used in society as well as in the European institutions.

An artificial body part should be treated as any other body part

Every person should have a right to receive the best possible medical treatment, with respect to their wishes. This should also apply in the case of developments in advanced medical prostheses and implants. Such devices should work to the benefit of the person carrying them and never reduce their autonomy or self-determination.

The person carrying such devices should be **considered the full owner of the respective device and all its components, including software source code.** Only if a person can fully understand the workings of the device and modify its functioning, they can be fully capable of deciding their fate.

In particular, devices that serve a medical purpose should be considered analogous to body parts and free from the threat of confiscation. By the same token it should never be legal to extract detailed historical information from a pacemaker, glucose monitoring implant or other such device and use it as evidence against the person in whose body the implant resides.

Advanced medical devices are usually highly specialised. Modifying or reprogramming them requires extensive knowledge of the device's design, as well as access to specialised programming devices, for example, to communicate with the medical device in order to instal fixes. This also requires medical and technical expertise.

That is why we **suggest the creation of trusted, independent entities capable of providing such care**. Manufacturers should, to this end, be obliged to **supply these independent entities with comprehensive design instructions, as well as the program source code**, similar to provisions requiring the deposit of

publications to national libraries. We call for a revision and modification of copyright and other related norms to allow for these goals.

Down with digital borders in the single market

Cyberspace has no natural borders.

Nevertheless most consumers still face geographical barriers due to

· costs or web site/product access restrictions, also known as “geo-blocking” - based on the consumers’ nationality or location and

· “portability” restrictions - under which a consumer gets a different product for the same subscription if they cross borders (as is the case for NetFlix and Spotify for example).

Greens/EFA has successfully pushed for these restrictions to be dropped in some contexts, such as roaming and streaming services.

However, geo-blocking is a problem that most adversely affects those who need access to services not offered in their countries of residence, such as linguistic minorities or immigrants.

Further action is required to allow anyone to access culture and knowledge in their own language or from their countries of origin.

The recent law on **geo-blocking** only addresses three very specific cases of location-based discrimination – and not the ones Europeans most commonly run into:

1. Purely digital services like web hosting must be accessible to customers in all of Europe
2. Services provided in a specific physical location, like car rental for a trip, must be available to everyone equally
3. Physical goods must be sold to you no matter which member state you’re from – but only if you’re able to organize their collection yourself, which is hardly realistic in most cases.

The regulation **completely excludes all digital media**. It **does not ensure that sellers ship goods** to your country, and it **doesn’t even harmonize prices**.

Greens/EFA pushed for this law to extend to media as well. The European Parliament voted to include video games, ebooks and music (but not videos), but in the end the **member state governments opposed even a partial ban on geo-blocking for digital media**, when the trader did have the necessary copyright licenses to sell them all over Europe.

Geo-blocking is also widespread among TV and radio stations’ streaming and catch-up offerings. For example, members of the Danish language minority in northern Germany have little access to TV shows in their language from the website of the Danish broadcaster – and vice versa.

A Regulation on **portability** has prohibited geo-blocking of online content across the EU under certain requirements. The Regulation aims to ensure that European consumers who buy or subscribe to online content services providing access to films, sports broadcasts, music, e-books and games at home are able to access them when they travel in other EU countries, but only if the subscription is available in the country they live. The portability regulation does nothing to help people who find themselves living on the wrong side of the border.

These legislative initiatives are first steps towards better cross-border access to digital content for EU citizens, but also towards cultural diversity in the digital world

Much remains to be done, however, to remove the many remaining barriers to a true digital single market.

Q&A

Q: You want free software because you do not want to pay. How will the programmers survive?

A: We want free software as in freedom not as free beer. There are many alternative business models that are not based on creating artificial scarcity and keeping users prisoner.

Open source and free software is a well-established model and its community has long provided constant checks and updates of the code. As a consequence, this transparency leads to more security, safety and trust.

Q: Robots are taking our jobs.

A: Machines, whether hardware or software, have taken over human tasks throughout history. This is also true of the Digital age. However, through history we have also always come up with new jobs related to new goods and services. The real challenge as we see it is to stimulate the creation of the new jobs we need now to face our future. New jobs in the digital economy need new skills and the EU and its Member States must invest in ensuring today's and tomorrow's workers have them. In addition we see the potential for millions of jobs in the Green Economy sector (energy efficiency, renewables, circular economy etc)

Q: [on the debate on copyright Articles 11 and 13]: But big platforms need to pay. They earn so much. They have to pay.

A: Articles 11 and 13 do nothing to ensure that platforms will pay more. On the contrary, it will make the big platforms bigger and drive the small ones out of business. In the case of the link tax, we know that press publishers are more than happy to give away their content for free to Google to get exposure, but will

charge Google's smaller competitors. Article 13 does not require platforms to pay rights-holders at all as long as the platform uses state of the art filters. Of course, the state of the art is currently defined by the filters that Google and Facebook use, so they will not have to pay a cent more to creators than they do today. Small and medium businesses as well as start-ups would be disproportionately burdened, as they do not have the necessary resources to compete with the tech giants or to build and implement filtering technologies, or to acquire all the licenses from billions of right-holders. Press articles and other works are already protected by copyright today; these rights do not need to be extended further.

ADDITIONAL INFORMATION

u FACTS/EUROPEAN COMPETENCE

The internet has no borders and digital goods and services are evolving much faster and are often qualitatively different from "hardware" and people-based services.

This means that making sure the legal framework of the single market is appropriate to the delocalised, intangible and very diverse applications of digital technology requires a coherent EU-wide approach.

The Digital Single Market Strategy adopted by the EU Commission in 2015 included a set of targeted actions to be delivered during the legislature.

It is built on three pillars:

1. better access for consumers and businesses to digital goods and services across Europe;

2. creating the right conditions and a level playing field for digital networks and innovative services to flourish;

3. maximising the growth potential of the digital economy.

From Facebook and Google, through internet banking and roaming charges to training and education in digital skills, digital policy in the EU affects all of us significantly in our daily lives.

u WHERE DO WE MAKE THE DIFFERENCE
(compared to other political groups/parties)?

To the Greens/EFA, the Internet is not just a marketplace; EU policies have to benefit society at large.

In the 2014-2019 mandate the Greens/EFA activity in the files consolidating the Digital Single Market has brought recognition of the group as an open data supporter, net neutrality advocate and digitalisation

champion.

While the European Parliament decisions need the support of a majority of its members, it was the Greens/EFA amendments that galvanised the others and pushed good ideas to fruition. As in the past, Greens were instrumental in bringing the voice of the people to the European Parliament and rejecting ACTA, now it was Green amendments that have established net neutrality and reduced the intra-EU calls costs.

Greens/EFA are also leading the opposition against some dangerous reform proposals that would limit users' fundamental rights online, especially mandatory upload filters, that have been proposed in several legislative instruments (copyright, terrorism) but thanks largely to the pushback from Greens/EFA, have not been put into law so far.

Protect creators and cultural heritage institutions

Our Group strongly supports **fair remuneration for authors and for artists**. We managed to get the European Parliament to support this principle, against the opposition of the conservatives, and are fighting to also convince national governments in Council to keep the message in the Copyright Directive: creators need to receive proportionate remuneration from publishers and other intermediaries.

Copyright is also about cultural heritage, and creating a safe legal framework for our cultural heritage institutions, such as museums and libraries, to fulfil their public interest mission. Thanks to our amendments, we achieved the introduction of provisions that work towards this, and the protection of public domain works from privatisation.

Enforcing public interest limits to copyright

Our Group supports copyright exceptions adapted to the evolution of the digital environment: we want existing copyright exceptions, like parody, pastiche or citation, to effectively apply on the Internet. Users having legal access to content, and acting in a private or non-commercial manner, should be able to fully benefit from new technologies, such as text and data mining. Creative Commons licenses should also be treated differently, as they are conceived to be apart from the usual copyright rules. **We are leading the political groups (with the support of S&D and GUE) in the JURI committee to underline these specificities and to request to qualify the legal framework to duly take them into account**, and thus allow legal certainty for right-holders and for users.

u WHERE IS THIS ISSUE FELT BY CITIZENS? HOW CAN YOU CONNECT IT TO

THE REALITY IN YOUR HOME COUNTRY?

Answered by candidates themselves.

u GREENS/EFA ACHIEVEMENTS

General Data Protection Regulation

The Greens/EFA group have been the driving force behind protecting individuals' right to privacy through the adoption of the EU's strengthened **General Data Protection Regulation (GDPR)**, which ensures better protection against online and offline surveillance of citizens and consumers. From Japan to California, the GDPR serves as the global model for data protection laws.

Passenger data (PNR)

The Greens/EFA group ensured that the passenger data (PNR) agreement with Canada was thoroughly assessed by the European Court of Justice before being ratified. The Court confirmed our assessment that the mass surveillance of all travellers is illegal, leading to other PNR agreements, as well as the EU directive, coming under scrutiny, and will likely not stand.

Net neutrality

Greens/EFA have been at the forefront of fighting for net neutrality (having authored amendments that inserted this provision in the EU legislation), and bringing the voice of the people into the European institutions. Despite the constant opposition from EPP and ECR, with Amelia Andersdotter, Michel Reimon and Julia Reda the Greens EFA group has been consistently promoting net neutrality and is recognised as its main supporter in European politics. A new fight is expected to break out over net neutrality in mobile 5G networks during the next plenary term and Greens/EFA will continue the fight!

European Electronic Communications Code (CODE)

The new European Electronic Communications Code creates a common framework for the communication in the internal market, further harmonising the requirements for enterprises and consumer rights. Thanks to amendments by Greens/EFA MEPs Julia Reda and Michel Reimon, users of electronic communications could benefit from a Reverse 112 system, informing them of life-threatening events in their location, and will benefit from a reduction in charges for phone calls to another EU country (the so-called intra-EU calls).

The Greens/EFA also made a decisive contribution to ensuring that consumers are properly informed of their rights, the contracts for communication services are understandable and reflect the true quality of services paid for. Last but not least, access to the digital society, access to the Internet is now a right in the European Union, due to the inclusion of the rights to an accessible and affordable Internet connection.

Open Data Directive

The Open Data Directive (renamed by Greens/EFA from the original title “Public Sector Information Directive”) ensures that public sector data - covering data held by governments and by public companies in sectors such as energy or transport - is made available to the public.

This is progress, because businesses can thrive on new datasets. And it is important for investigative journalists and civil society that can hold governments and companies accountable on the basis of open data.

The Directive that will be voted into European law before the elections was the consequence of an IMCO committee opinion by a Greens/EFA rapporteur, and many Greens/EFA amendments in the ITRE committee.

We have fought to make as much information available for re-use as possible and set the basis for a effective implementation by the member states, by making sure that the costs for reuse are as low as possible, and quality and relevant data is available.

One huge success of the Greens/EFA in this Directive is that company registers, including information about the ownership of corporations, will have to be made available online free of charge. Such data is crucial for uncovering corruption, such as in the case of the Czech Prime Minister Babis, whose company illegally obtained EU funds.

Accessibility

Greens/EFA have achieved good results for **access to digital materials by persons with disabilities** in

· the **web accessibility directive,** which contributed to maximising access to services and content on government websites;

· the **EU implementation of the Marrakesh treaty** (where Greens/EFA MEP Max Andersson led the negotiations) which makes exceptions to some copyright rules for books and other materials in accessible formats for people who are blind or visually impaired (such as audiobooks);

· the **accessibility act**, which, while quite disappointing in other areas, made substantial improvements in the area of digital goods and services (ebooks etc).

Digitising European industry

Greens/EFA MEP Reinhard Bütikofer led the Parliament in setting out a comprehensive position on this subject, making our group instantly recognisable as an authority on the topic.

In response to the European Commission's efforts to advance the digitalisation of EU industry, the report sets the scene for future development and creates a reference point in both the parliamentary activity and in the European discussion.

The report proposes to develop an integrated strategy aimed at creating conditions conducive to reindustrialising the European economy so that it can fully benefit from opportunities offered by digitalisation.

Copyright

Without us, the highly mediatised "Article 13" - which in its current form would require the upload filters we criticise above - would have been adopted a long time ago.

Greens/EFA managed to get the initial Parliament position rejected in July, which ensured that negotiations continued on the most contentious issues.

In the meantime, a blocking minority formed in Council and **now it may never be adopted** at all, or at least postponed to next term.

In addition, Greens/EFA led negotiations on the internal Parliament report on copyright, which was very progressive, and on the Marrakesh treaty, which has eliminated copyright barriers for blind people

Negotiations with the Council of the EU to arrive at a final law are ongoing

e-Privacy Regulation (protection of privacy of electronic)

Although the rapporteur was from S&D, Greens/EFA had a big impact on the position adopted by the EP on 26 October 2017.

Due to the leadership we have shown in the GDPR, but also due to better technical understanding of the details of e-Privacy, we managed to include, among other things:

· mandatory do-not-track settings to prevent “stalking” by advertisers;

· protection of devices (such as mobile phones or laptops) against tracking, but also against listening in to our physical surroundings etc.;

· a ban on location tracking by wifi-hotspots;

· mandatory end-to-end encryption;

· a ban on government surveillance “backdoors”;

· a prohibition of forced consent to being tracked through "cookie walls".

Negotiations with the Council of the EU to arrive at a final law are ongoing

Transparent and Predictable Working Conditions (OCT 2018)

Greens/EFA were central in reaching a productive compromise in the European Parliament's Employment and Social Affairs Committee on the directive proposed by the European Commission in December 2017 to make working conditions more transparent and predictable across the EU.

This is an important step on the road to better protect workers. It is vital to improve legislation to put an end to abuses that arise from the evolution of new patterns of work. Part-time workers or those on very short-term contracts, engaged in domestic work or any new forms of employment such as on-demand work, will benefit from greater clarity and predictability. From Uber or Deliveroo to all the jobs created on uncommon contracts, workers will finally be able to better assert their rights throughout the EU

This directive is one of the initiatives linked to the European Pillar of Social Rights.

Negotiations with the Council of the EU begin soon, with the possibility of an agreement in early 2019.

u GREEN PROPOSALS FOR THE NEXT EUROPEAN PARLIAMENT (INCLUDING ALSO NEXT EU COMMISSION)

· Final adoption of the ePrivacy regulation, once Council has finally agreed on its negotiation position.

· Final adoption of the collective redress proposal, which will allow consumers and data subjects to sue companies for breaches of consumer protection or data protection law;

· A new proposal to end geo-blocking also for digital media (the Commission promised to evaluate it a few years after the adoption of the geo-blocking proposal).

· A single European copyright law (to make copyright exceptions for parody, quotation, freedom of panorama etc. mandatory throughout the EU).

· More funding for Free and Open Source Software, for example through adoption of the proposal for a Cybersecurity Competence Centre (Greens/EFA rapporteur).

· We demand substantial changes to the Commission's proposal on access to electronic evidence in criminal matters.

We fully reject the Commission’s proposal to give law enforcement authorities in one EU Member State the powers to request electronic evidence from online service providers in another Member State, without the authorities or courts of the receiving Member State having any say in the procedure. This goes against the established principle of executive powers limited to the territory of their state, and would delete important safeguards we also have in established instruments such as the European Arrest Warrant or the European Investigation Order. It does not even have a dual criminality requirement any more. The Commission has also proposed extending these powers to providers established in third countries, and is working on a negotiation mandate for an agreement with the US, which would give US authorities the same powers for electronic evidence stored in the EU.

We want to either completely reject the proposal, or at the very least put it back into the EIO framework with proper checks and balances also in the receiving state, dual criminality requirements, and no deal with

the US – where there is already a mutual legal assistance agreement, which rather should be improved.

· A **legislative proposal on robotics and AI**, notably in the purpose of clarifying the applicable civil liability rules.

· Strengthening the **protection of citizens in the field of cybersecurity risks**.

We want proposals to increase support for informing citizens about the risks and ways of reducing them, regulate and enforce the market entry of connected devices in a way that will ensure that security is part of every new connected device in the Single Market. Support for participative and open source projects contributing to higher IT security. Encourage cooperation instead of building silos.

u ADDITIONAL FACTS

Voting behaviour of other political groups

General Data Protection Regulation

· Huge success for Greens/EFA with EP rapporteur Jan Philipp Albrecht and also the Greens' Minister of Justice in Luxembourg, Felix Braz, who held the Council Presidency during the trilogue, second half of 2015.

· Adopted in plenary on 12 April 2016 without vote (no amendments tabled).

· In the final LIBE vote, only three right-wing MEPs voted against (EFDD Kristina Winberg, Beatrix von Storch; ENF Harald Vilimsky), one MEP abstained (ENF Lorenzo Fontana). See the RCV results at the end here: http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A8-2016-0139&language=EN

· In the previous LIBE vote on the political agreement (17 December 2015), two EPP MEPs voted against (shadow rapporteur Axel Voss, DE, and Anna-Maria Corazza Bildt, SE).

· Axel Voss is a particular case, because he had initially supported the political agreement on the EP's position, which was also adopted with an extremely large majority in March 2014. But then he changed his mind and tried to undermine the EP negotiation mandate and massively weaken data protection. In the end, he voted (as shadow rapporteur for EPP) against his group's support of the GDPR. Voss also later

undermined his EPP colleague Michal Boni's attempt to agree with centre-left groups on a broad compromise on the e-Privacy regulation (see below).

e-Privacy Regulation (protection of privacy of electronic communications and of terminal equipment)

· Although the rapporteur is from S&D, Greens/EFA had a strong impact on the EP's position that was adopted on 26 October 2017. Due to the leadership shown in the GDPR, but also due to better technical understanding of the details of e-Privacy, we managed to include, among other things: mandatory do-not-track settings; protection of the full terminal equipment (such as mobile phones or laptops) against tracking, but also against listening in to our physical surroundings etc; a ban on location tracking by wifi-hotspots; mandatory end-to-end encryption; a ban on government backdoors; and a prohibition of forced consent to being tracked through "cookie walls".

· On this file, EPP and ECR abandoned their previous support for stronger and more effective protection of personal data and privacy of EU citizens and residents, mainly due to heavy lobby pressure from the online advertising and tracking industry and some German publishers. Although the EPP shadow rapporteur Michal Boni (PL) tried to come to a moderate compromise with centre-left groups, his group would not let him. As a result, the compromise package was even made stronger than expected, because there was no longer any need to make EPP happy.

· As a result, the LIBE committee and the plenary were clearly split: S&D, ALDE, Greens, GUE in favour of strong protection of privacy, EPP and ECR against.

LIBE RCVs here at the end:

http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A8-2017-0324&language=EN ; plenary RCVs here, item 4, page 11:

http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20171026+RES-RCV+DOC+WORD+V0//EN&language=EN

Possible allies among Civil Society Organisations

· European Digital Rights Initiative

· Access Now

· NOYB

- Bits of Freedom
- Privacy International
- Free Software Foundation Europe

One good-practice example from the EU

u RESOURCES AND ADDITIONAL MATERIALS

A) Thematic Video for sharing on-line (Greens/EFA)

Privacy:

https://www.youtube.com/watch?v=HyN99rFJYjE

https://www.youtube.com/watch?v=R5bsxUtWWEo (find the Easter Egg at 0.39)

https://www.youtube.com/watch?v=yE6fQbhV9gg

B) Studies done within the Greens/EFA (Executive summaries)

C. Greens/EFA 2014 - 2019 Position Papers / Briefings

Robotics and Artificial Intelligence (2016)

https://www.janalbrecht.eu/wp-content/uploads/2018/01/20170305-JPA-Robotics_Booklet-ENG-WEB-01.pdf

D. Public actions as pétitions etc. (links)

Possible actions

E. Round-Table with optional Greens/EFA Support

F. Info-points organised by candidates themselves

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[1] DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on transparent and predictable working conditions in the European Union

[2] https://juliareda.eu/2018/12/eu-fossa-bug-bounties/

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Attached documents

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