



Digital Rights



PROTECTING DIGITAL FREEDOM

Posted by: **European Digital Rights (EDRi)**



2014 Charter [WePromise.eu](#)

In a connected world, our human rights are digital rights. Advances in information and communication technologies have created new opportunities for the protection of human rights and democracy, but also new challenges and threats, particularly in the areas of surveillance and freedom of expression.

The [WePromise.eu](#) campaign brought digital rights to the agenda of the European elections. And rightly so: The protection of rights and freedoms on the internet turned out to be one of the most important aspects for the legislative term 2014-2019.

The campaign re-invented the idea of an election promise. Rather than just asking candidates for the European Parliament to make a promise, voters also made a promise. Candidates promised to support a Charter of ten core digital rights principles. Voters promised to vote – for candidates who have, by

election day, signed the Charter (download the [Charter booklet](#)). More information related to the campaign can be found [here](#) and [here](#) and check out the interview with the journalist [Glyn Moody](#).



83 candidates who signed the Charter were elected Members of European Parliament (MEP) – they are your elected digital rights superheroes.

A few notable votes that happened in the EU Parliament during this legislative term are closely linked to our Charter.

The PNR Directive - Air passenger surveillance

Vote Breakdown



On 14 April 2016, the European Parliament adopted a surveillance measure, the so-called “EU Passenger Name Record Directive”. The measure was fast-tracked following the terrorist attacks in Europe.

This Directive obliges airlines to hand EU countries their air passengers’ data to allegedly help the law enforcement agencies to fight terrorism and serious crime. This requires a systematic collection, use and retention of data (travel

dates, contact details, meal preferences and medical information, hotel bookings) on all air passengers flying in and out of the EU.

Only two MEPs (from the S&D group) that signed the WePromise Charter did not live up to their promise: “I will not support blanket, unchecked surveillance measures”.

The Regulation (EU) 2015/2120 on open internet access

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With the Plenary vote on 27 October 2015, MEPs took a step towards fulfilling their third WePromise pledge, to “defend unrestricted access to the internet and online services”.

Unfortunately, the Parliament avoided to make decisions on crucial points, which means that some loopholes remained. As a result, national regulators will have to decide on those – especially when it comes to abuses imposed through ‘zero rating’.

You can help enforce net neutrality by reporting net neutrality violations via the portal [here](#).

The General Data Protection Regulation (EU) 2016/679

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On 14 April 2016, Europe took a big step to adopt stronger, harmonised EU-wide data protection rules. The finalisation of the General Data Protection Regulation took around four years, and put the second pledge of the WePromise campaign into practice: “I will support legislation that promotes and protects the fundamental right of citizens to privacy.”

As a result – and in spite of the world’s biggest ever lobbying onslaught – this agreement has successfully saved the essential elements of data protection in Europe. Now, individuals have a legal instrument to hold the powerful to account and this legal regime will play an essential part to empower citizens and consumers.

Towards 2019

While the European Union does not yet have new copyright rules, works for an update are underway in the EU Parliament. EDRI’s network is campaigning to remind MEPs of their Charter promise nr. 4 – which is to support easier access to culture by harmonising existing optional exceptions to copyright, mandating copyright exceptions for public institutions and not-for-profit entities, and ensuring that publicly-funded works are made available in the public domain.

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Moreover, discussions about the right to encryption vs. law enforcement’s request to access data in criminal proceedings have just started at the EU level. EDRI is fighting to convince MEPs to support point 6 of the Charter to promote online anonymity and encryption.

Finally, MEPs will have to adopt a new Regulation to revise its legislation on data protection, privacy and confidentiality of communications in the electronic communications environment: the e-Privacy Directive. EDRI

campaigns for MEPs to respect point Nr 2 of our Charter.

