

# DIGITAL DEMOCRACY WITH A PURPOSE

## LISBON DECLARATION

### PREAMBLE

1. We, considering the Communication “2030 Digital Compass: the European Way for the Digital Decade” and acknowledging the Berlin Declaration on Digital Society and Value-Based Digital Government, from December 2020, on the occasion of the **Digital Assembly on the 1st of June 2021**, aim to contribute to a model of digital transformation that strengthens the human dimension of the digital ecosystem with the Digital Single Market as its core, **by promoting human rights and fundamental freedoms, the rule of law and democratic principles in the digital world**, digital literacy, cybersecurity, digital skills and competences, ethical development and use of digital technology, access to mobile government, international cooperation, as crucial conditions for a trustworthy, fair, transparent, sustainable, innovative, secure and competitive digital world.
2. Reaffirming that **all human rights are universal**, indivisible and interdependent and interrelated and that the same rights that people have offline must also be protected online.
3. Digital and other technological innovations are transforming every aspect of human life. As the digital revolution continues to unfold, so will the importance of embedding our societal and **democratic values** and goals into a forward-looking framework for the ever-evolving and acceleratingly green digital transformation.
4. The COVID-19 crisis has highlighted the fact that connectivity, access to data and digital technologies are a vital resource for governmental, educational, research, economic activity and innovation and will be central for the recovery efforts, including **social and societal well-being**. At the same time the COVID-19 crisis has exposed vulnerabilities and weaknesses in our digital societies. Digital tools have effectively lessened the negative impacts of the pandemic, while exacerbating the existing disparities.
5. As labour markets, consumption, learning and teaching environments, and social interactions are undergoing a rapid change we must ensure that **“no one is left behind”** by promoting digital inclusion and literacy, reducing the digital divide between and within societies and eliminating all forms of discrimination. We must actively support the **2030 Agenda for Sustainable Development, the Green Deal and the European Pillar of Social Rights**, which expresses principles and rights essential for fair and well-functioning labour markets and welfare systems in the 21st century and support the green growth, connectivity for all and technological competitiveness of companies (and especially start-ups and SME) in the internal market that are key factors for a fair, **competitive and sustainable development**.
6. We reconfirm our commitment of the Berlin Declaration that emerging and disruptive technologies, free and safe international data flows, digital infrastructures, digital products and services, networks, and the (re)use of personal and non-personal data must be in line with international law and ensure full respect for human rights and fundamental freedoms. These **technologies should be human-centered**, human-controlled, promote human well-being and human dignity.

7. Digitalization is a key factor for promoting competitiveness and sustainable development but also bears the **risk of deepening existing inequalities** or being misused to undermine democracies and social cohesion or violate human rights. Furthermore, the lack of connectivity or inadequate digital skills can lead to the creation of a new divide between the connected and digitized people, business and regions and those who remain disconnected and not-digitized.

8. In the light of these challenges, we must ensure that the **twinning of green digital transformation** is based on intentions and actions stemming from joint efforts of multiple stakeholders, not only individuals, governments and public authorities at all levels, but also international organizations, enterprises, businesses associations, social partners, civil society organizations and academia, both from EU and non-EU countries.

9. Therefore, we invite the policy-makers and all relevant stakeholders to join this Declaration as a political statement. The Declaration will contribute to the process stemming from the Commission's Communication "**2030 Digital Compass: the European way for the Digital Decade**", will complement and reinforce the public engagement.

10. **Digital Principles**, as developed through the adoption of policy initiatives, are not intended to substitute, or in any way alter or affect the application or scope of existing rights, obligations and principles contained in legally binding instruments of national, European, or international law, instead they aim to complement and aim to reinforce the effective application of these existing rights, obligations and principles and to contribute to their application in the overall public interest.

### **We agree to strengthen our efforts to establish a model of social and economic development based on the following rights and values:**

11. **Respecting democratic principles and human rights** obligations, with the principle of non-discrimination at the centre. Those human rights include, in a non-exclusive way, the freedom of expression and opinion, access to information, privacy and access to effective justice.

12. **Fostering a digital ecosystem** that is human-centric, inclusive, privacy-preserving, transparent, secure, resilient, interoperable, competitive, trustworthy and responsible, as a precondition to enable citizens, businesses and governments to reap the economic and social benefits of digitalisation

13. **Upholding the "European Way of doing Business"** in terms of the protection of personal data and privacy, the development of empowering, trusted and secure digital identity and protection against misinformation, disinformation and malicious cyber activities.

14. **Enhancing the trust of individuals**, whether as students, learners, researchers, workers, jobseekers, consumers as well as enterprises in the digital ecosystem to stimulate their involvement in a fair, sustainable, inclusive, democratic and competitive digital transformation;

15. **Ensuring equal access** to and use of a free, open, stable interoperable and secure digital technologies and internet while combatting discrimination of any kind and not restrict, moderate, or manipulate online content, disrupt networks to deny users access to information, or employ internet censorship technologies that are contrary to international obligations.

16. **Supporting media literacy to develop critical thinking** in view of a wide choice of information and content and as a key element of active citizenship and an effective fight against disinformation;

17. **Leveraging the potential of technology and digital trade** while preserving and building on human rights, democratic principles and the rule of law and addressing opportunities as well as risks associated with digitalisation, and promote and strengthening international cooperation and openness while ensuring open strategic autonomy also as a prerequisite for a norms-based approach to digitalisation;

18. **Boosting investments in research and development, innovation, and digital infrastructure**, ensuring sustainable, resilient, green and competitive digital technologies at the forefront of future economic growth, while taking into account the need to address regional connectivity inequalities, in particular, regarding 5G roll-out, and the risks and impacts associated to the digital transformation;

19. **Promoting digitally-enabled open and free participation in policy making** and inclusive co-creation of digital public services with citizens and other stakeholders, as well as ethical, proactive, and sustainable behaviour in business activities and proactive digital corporate environmental and social responsibility as well as encourage trustworthy values-based digitalisation through soft law solutions;

20. **Acknowledging that the digital transformation is a key element to achieving the United Nations Sustainable Development Goals for 2030 (SDGs)**, in line with the 2030 Agenda for Sustainable Development, which declared that “the spread of information and communications technology and global interconnectedness has great potential to accelerate human progress, to bridge the digital divide and to develop knowledge societies”.

**With a view to contributing to the process stemming from the Commission’s Communication “2030 Digital Compass: the European way for the Digital Decade, we commit to:**

21. **Promoting human rights**, by:

21.1. **Underlining the principles of human-centric design**, human rights by design transparency, privacy, fairness, openness, pluralism, trustworthiness, sustainability, accessibility, inclusion and democratic inclusiveness in the digital ecosystem, including in digital public services;

21.2. **Ensuring active participation** of all in the digital transformation by promoting nationwide connectivity, digital and media literacy, competences and skills for all and ensuring a human rights approach to digital public and private services, thereby overcoming the digital divide, including in education and training; by fighting online violence, sexual and gender-based harassment, cyberbullying and hate speech against a person or group based on discrimination of any kind;

21.3. **Striving for an open and secure online environment** protected from malicious cyber activities and illegal content, provides a diligent response to emerging online societal risks such as disinformation and empowers citizens to exercise their rights.

22. We further aim **to promote a digital democracy with a purpose by:**

22.1. **Promoting children’s participation** in the democratic life and decision-making processes to empower them to develop their critical thinking, becoming active members of democratic societies and to ensure that their views are safely expressed and that consultative processes are inclusive of children who lack access to technology, digital literacy or the skills to use it safely.

22.2. **Developing and implementing common guidelines** and updating them as necessary, as well as fostering exchange of good practices with the support of experts and relevant stakeholders, particularly in disruptive technology areas such as artificial intelligence, big data, robotics, edge, cloud and quantum computing, as well as on social media platforms, cybersecurity and encryption;

22.3. **Fostering a free, open, secure, trusted, safe and inclusive digital ecosystem**, including digitised workplaces, that guarantees compliance with existing rules for the protection of human rights, including privacy and personal data protection, freedom of expression, the protection of consumers and workers.

22.4. **Promoting women’s and girls’ participation and leadership** in the field of Science, Technology, Engineering and Mathematics by unleashing their potential in tech to ensure better inclusion of all societal groups and equal participation in the digital economy.

22.5. **Ensuring the rule of law online** through equal access to justice, and the possibility for the judiciary and law enforcement to effectively protect democratic values and human rights. To this end, legal professionals including bailiffs, notaries, and legal aid providers are encouraged to provide digital services.

23. **Promoting digital international cooperation**, by:

23.1. **Encouraging multi-stakeholder approach to policy making**, international connectivity, interoperability, digital trade, free data flow based on trust and respect for privacy, security and legitimate public policy objectives,

and global digital cooperation, supporting the developing countries in the digital transition;

23.2. **Creating an open, free and secure international environment**, based on human rights, democracy, rule of law and other legal standards safeguarded by common regulatory principles or broadly adopted codes of conduct supporting agile regulation, in order to promote the use of technology with a focus on sustainability, well-being, human-centricity and prosperity;

23.3. **Promoting the deployment of digital infrastructures**, including cross-border and intercontinental digital infrastructures, and fostering economic, social, and cultural development;

23.4. **Promoting existing common technical standards** as well as developing new standards through multistakeholder cooperation where needed, in order to ensure interoperability, reduce context costs, support business development, trade, and digital services and enable sharing of experience and good practices;

23.5. **Implementing dedicated multistakeholder monitoring structures** for the digital transition in an international setting and in the context of existing organisations, supporting the design, implementation, and evaluation of public policies.

23.6. **Exploring opportunities in cross-border data flows** in the context of international trade agreements, allowing access to new services and markets as well as ensuring trust, security, privacy and compliance with applicable data protection legislation.

**24. Foster an economy based on green digital technology as an enabler for prosperity and competitiveness, respecting environmental aspects, and recognize the economic impacts of digital transformation**, by:

24.1. **Encouraging an ethical, proactive and sustainable behaviour** in business activities, including the role of self-regulation, corporate environmental and social responsibility and trust as pillars of the digital ecosystem;

24.2. **Promoting a regulatory environment with the Digital Single Market as the focal point** that stimulates innovation, investment in sustainable and secure digital infrastructure, development of digital equipment and services in a wide range, competition, economic and social development, supports new market entry, that respects human rights and the rule of law, public interest, ensures digital security and ultimately contributes to building an economy that works for people;

24.3. **Supporting SME and entrepreneurs in harvesting the benefits of the digital transformation** including fair and secure access to data in line with existing applicable legislation, as they are important drivers of the sustainable digital transition and catalysers of widespread economic and social development;

24.4. **Supporting workers in adjusting to changes brought on by digitalisation to the labour market**, including their working conditions health, wellbeing and safety, while being able to reap its opportunities, notably through education, training, up and re-skilling in a lifelong learning perspective and strengthening social dialogue;

24.5. **Aligning R&D initiatives with the infrastructure and digitalization plans**, thus promoting fundamental and applied research, enhancing the links between civil society, academia, the public and the private sector, and fostering the adoption of emerging and disruptive technologies;

24.6. **Supporting the development of accessible and affordable digital infrastructures**, high-speed connectivity and equipment that supports the digital transition of businesses, services, public sector and society, recognising the challenge of overcoming the digital divide;

24.7. **Supporting isolated, remote, low density, low-income and outermost regions and communities** in the digital transformation process in order to improve territorial cohesion, digital inclusion and local economic development, including by providing them access to appropriate and affordable connectivity and developing the necessary digital skills and competences;

24.8. **Promoting responsible and secure data management by the public and private sector**, in compliance with existing applicable legislation, acknowledging the importance of data and of data economy in the digital transformation and, in particular, for the development of AI applications;

24.9. **Promoting cybersecurity awareness** raising and education in order to equip all citizens with knowledge of how to use Internet and digital technologies in a secure way and to advance the cybersecurity culture throughout the society.

24.10. **Supporting a better use of digital technology** for teaching, training, including vocational training, and learning, in a life-long perspective, in order to better prepare individuals for a fast-changing labour market;

## Final remarks

25. As supporters of the **Lisbon Declaration – Digital Democracy with a Purpose**, we commit to participate in and contribute to the implementation of the values and principles set out herein and state our commitment to pursue the joint actions expressed above.

## ANNEX

### CONTRIBUTION FOR A COMMON FRAMEWORK ON DIGITAL PRINCIPLES

#### PREAMBLE

**Digital Transformation** has brought unquestionable benefits to citizens, businesses and society as a whole, while it has also led to challenges and risks regarding human rights and fundamental freedoms and persisting inequalities in the digital environment and well as its environmental footprint.

As initiated by the Berlin Declaration, it is of great importance to start assessing and analysing how to realise concrete measures to ensure the **reinforcement of principles leading to the protection, respect and fulfilment of human rights in the digital environment**, based on the implementation of the existing human rights framework in the digital context.

Digital Transformation has created a world with new frontiers while it has also overcome many others. It is of fundamental importance that we jointly define a framework that ensures **a new era of digital democracy with a purpose**.

The following framework, built from previous work in this domain, does not envisage to be a replacement of rights and duties already laid down in existing international law and other legally binding documents. Aligned with the Commission's Communication "**2030 Digital Compass: the European way for the Digital Decade**", it aims to be the starting point of a wide discussion of how to ensure the effectiveness of human rights in the digital environment through a direct and inclusive collaboration that joins **all relevant stakeholders, namely public authorities, enterprises, non-governmental organisations, academia and citizens**. Implementation of the existing framework into the digital domain will enhance effectiveness.

**As confirmed many times, the same human rights that apply offline, should also apply online.**

As a cumulative, growing and maturing process, initiated by the Berlin Declaration that the Lisbon Declaration builds upon, **we (re)affirm the following:**

**Guiding Digital Principles to be considered in the context of the process stemming from the Commission's Communication "2030 Digital Compass: the European way for the Digital Decade"**

#### 1. On digital identity

1.1. Everyone should be able to have a personal digital identity, to fully enjoy citizenship in the digital environment and avail of legal protection against any form of discrimination in the online environment.

1.2. Everyone should be able to use convenient, trusted and secure electronic identification means and trusted services that can be used for accessing public and private online services, including cross-border, where the user can increasingly exercise their rights over their own data.

#### 2. On privacy, data protection and cybersecurity

2.1. Everyone should be able to use the Internet in an open, safe and secure way that protects their privacy.

2.2. Everyone should be able to maintain the highest possible level of confidentiality of their private life and communications in the digital environment.

2.3. Everyone should be able to use secure and encrypted communications, namely to enable a free exercise of their rights.

2.4. Everyone should be able to transfer their own personal data from one service provider to the other free of

charge, in line with applicable legislation.

### **3. On access, use and internet neutrality**

3.1. Everyone should be able to have access the internet in a non-discriminatory way.

3.2. everyone should be protected against deliberate interruptions to internet access, or to limitations to the information that can be exchanged online, within the respect of net neutrality principles.

### **4. On the use of artificial intelligence**

4.1. The design, development, deployment and use of artificial intelligence must fully respect the rights of individuals and be trustworthy.

4.2. When artificial intelligence systems are used in high-risk areas, they must be transparent, duly documented, without discriminatory effects, preceded by risk assessment when required by law, subject to adequate human scrutiny and auditable by the competent entities, without prejudice to the compliance with EU personal data protection rules, including those related to data protection impact assessment and the rights of data subjects in respect of automated decision making processes.

### **5. On the freedom of expression and information**

5.1. Everyone should be able to freely express, share, receive and hold ideas within the digital environment without any arbitrary limitations, censorship or intimidation, while respecting law and rights of others, in conditions that facilitate pluralistic and free press and media literacy.

5.2. Everyone should be protected from any forms of discrimination and from crimes in the digital environment.

5.3. Everyone should be empowered to make informed choices on the information they are exposed to and should be protected from intentional or coordinated attacks manipulating online spaces (including those conducted without human intervention through automated processes) for the dissemination of disinformation, created for economic gain or to intentionally deceive the public and with an actual or foreseeable negative effect to democratic, political and policymaking processes as well as to citizen's health, the environment or security.

### **6. On the freedom of assembly and association**

6.1. Everyone, including groups in a situation of vulnerability, should be able to participate in public life and to associate and meet with others in a peaceful and lawful way in the digital environment.

### **7. On child protection, care and freedom of expression**

7.1. Children should be protected and receive age appropriate information to help them stay safe online, underpinned by implementation of security-by-design and by default principles that take into consideration their specific needs in order to guarantee their well-being and security.

7.2. Children may express their views freely in the digital environment. Such views should be taken into consideration on matters which concern them in accordance with their age and maturity.

### **8. On digital education**

8.1. Everyone should be able to access quality digital education and to improve their own digital skills, competences and literacy, in a lifelong learning perspective, where all the necessary conditions, such as infrastructure, connectivity, equipment, content and pedagogical practices are in place.

### **9. On digital platforms**

9.1. Everyone should receive clear, simple and unambiguous information about the rules of operation of digital platforms, including information on any contractual changes, and in the latter case they must be able to terminate the contract under the terms of the law.

9.2. Everyone should have their consumer rights protected in the digital environment, including digital services and markets, in accordance with the applicable consumer protection legislation.

### **10. On digital public services**

10.1. Everyone should be able to access user-friendly digital services that follow clear and transparent procedures and to receive assistance according to their needs and preferences.

10.2. Everyone should be able to access human-centric, inclusive and secure digital public services provided by efficient public administrations that, following the Once Only and the Digital by Default Principles, reuse data and provide services proactively wherever possible, thus reducing the administrative burden on individuals and

businesses.

10.3. Digitalization should not restrict the right of access to public services by individuals, who are not able to use digital means.

10.4. Everyone should be able to access digital public services in other countries, following the same principles to the extent possible, while recognizing that they may have to actively register to the services to gain access.

### **11. On copyright and other intellectual property rights**

11.1. Authors and other right holders are entitled to the protection and the fair share in the use of their intellectual property and to access to legal remedies to defend their rights in the digital environment.

11.2. Everyone should have access to education about copyright and intellectual property rights.

### **12. On digital legacy**

12.1. Everyone should be able to decide over their own digital personal legacy.

### **13. On effective remedy and access to justice**

13.1. All persons whose rights and freedoms guaranteed by law have been violated in the digital environment should be entitled to access to effective remedy.

13.2. Everyone should be able to submit, individually or collectively, to the competent bodies or to any independent authorities, petitions, representations and complaints in order to defend their rights in the digital environment, as well as the right to be informed, within a reasonable time, about the result of the respective assessment.

13.3. In order to bring justice to victims and keeping our society safe there should be effective criminal prosecution. In performing their legal responsibilities law enforcement requires access data based on powers granted by law necessary in a democratic society, in a proportional manner, and respecting fundamental rights.