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## Internet governance and human rights

**Reply to Recommendation<sup>1</sup>:** Recommendation 2144 (2019)  
Committee of Ministers

1. The Committee of Ministers examined with interest [Recommendation 2144 \(2019\)](#) of the Parliamentary Assembly on “Internet governance and human rights”, which it has transmitted to the Steering Committee on Media and Information Society (CDMSI) and the European Committee on Democracy and Governance (CDDG), for information and possible comments.
2. The Committee of Ministers concurs with the Parliamentary Assembly on “the key role [of the Council of Europe] in advocating stronger recognition of the human rights of internet users and their effective protection on the web, as well as its contribution to enhanced decision making on internet governance issues” (paragraph 1 of the recommendation). It also shares the position expressed by the Assembly emphasising the importance of multi-stakeholder dialogue on internet governance, based on human rights and the principles of fairness, accountability and transparency.
3. As underlined by the Assembly, the Council of Europe has a firm human rights approach when dealing with internet governance issues. This is reflected in the numerous standard-setting instruments adopted by the Committee of Ministers, such as Recommendation [CM/Rec\(2007\)16](#) on measures to promote the public service value of the internet, Recommendation [CM/Rec\(2012\)4](#) on the protection of human rights with regard to social networking services, Recommendation [CM/Rec\(2016\)1](#) on protecting and promoting the right to freedom of expression and the right to private life with regard to network neutrality, or more recently Recommendation [CM/Rec\(2018\)2](#) on the roles and responsibilities of internet intermediaries and the Declaration on the manipulative capabilities of algorithmic systems of 13 February 2019. A draft recommendation on the human rights impacts of algorithmic systems is also under preparation and should be examined by the Committee of Ministers next year.
4. As regards recommendation 7.1, the Committee of Ministers agrees that the implementation of the Council of Europe standards is a priority and it reiterates its call on the member States to fully implement the standards and guidelines set out in the relevant Council of Europe instruments. It recalls that the CDMSI is currently responsible for the supervision and follow-up of the Council of Europe’s work in the fields of freedom of expression, media, internet governance and other information society related issues as well as of personal data protection. In carrying out this task, the CDMSI pays due attention to developments and discussions taking place at various internet governance forums such as the UN Internet Governance Forum (IGF), EuroDIG and to national initiatives. In addition, the CDDG has been entrusted by the Committee of Ministers with the preparation of guidelines on e-democracy and the supervision of the implementation of the priority “Building democracy online” of the Council of Europe Strategy on Internet Governance (2016-2019).
5. As regards recommendation 7.2, the Committee of Ministers recalls that the Council of Europe, within the framework of the Convention on Cybercrime (ETS No. 185), pro-actively promotes an exchange of experiences addressing the challenges of cybercrime and access to electronic evidence. Concerning the Assembly’s recommendation to launch a study on how to strengthen the existing forms of co-operation in the field of prevention of cyberattacks, the Committee refers to its reply of April 2016 to [Recommendation 2077 \(2015\)](#) of the Assembly on “Increasing co-operation against cyberterrorism and other large-scale attacks

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1. Reply adopted at the 1346<sup>th</sup> meeting of the Ministers’ Deputies (14 May 2019).



on the internet", and in particular the specific activities undertaken by the Cybercrime Convention Committee (T-CY). Furthermore, the joint capacity building programmes of the European Union and the Council of Europe, including GLACY+, iPROCEEDS, CyberSouth and others, support countries worldwide with expertise on how to strengthen their capacities to apply legislation on cybercrime and electronic evidence, as well as enhance their abilities for effective criminal justice action in this area. Synergies with the European Union (European Commission, European Council, Eurojust, Europol, the Fundamental Rights Agency of the European Union, ENISA – the European Union Agency for Network and Information Security) are promoted both in the context of the T-CY work, as well as within capacity-building activities deployed worldwide. In addition, the ongoing negotiation of an Additional Protocol to the Convention on Cybercrime, on international co-operation and access to evidence in the cloud, is conducted in co-ordination with the European Union.

6. Lastly, the Committee of Ministers wishes to underline that issues relating to internet governance and freedom of expression will remain high on the agenda of the Council of Europe in the years to come. The forthcoming consideration on the terms of reference of the Council of Europe steering committees for 2020-2021 will be the adequate framework for discussing specific activities relating to internet governance and human rights and co-operation between steering committees and with external partners. In the current budgetary context, attention will be duly given to the necessity to avoid duplication.