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**Submissions from entities in the United Nations system and elsewhere on
their efforts in 2014 to implement the outcome of the WSIS**

Submission by

Council of Europe

This submission was prepared as an input to the report of the UN Secretary-General on "Progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels" (to the 18th session of the CSTD), in response to the request by the Economic and Social Council, in its resolution 2006/46, to the UN Secretary-General to inform the Commission on Science and Technology for Development on the implementation of the outcomes of the WSIS as part of his annual reporting to the Commission.

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FLOW OF INFORMATION FOR THE FOLLOW-UP TO THE WORLD SUMMIT ON THE INFORMATION SOCIETY

Reply of the Council of Europe Secretariat to the letter of Mukhisa Kituyi, Secretary-General of UNCTAD of 1 October 2014.

1. Executive summary

In 2014, the Council of Europe focused on the implementation of the Internet Governance Strategy 2012-2015 to protect and promote human rights, the rule of law and democracy online. The Strategy was adopted by the Committee of Ministers in March 2012 and includes a Guide to human rights for Internet users which was adopted on 16 April 2014. Preparations for an Internet Governance Strategy 2016-2019 are already underway.

Furthermore, the Council of Europe's work on safety of journalists and other media actors and on the protection of journalism advanced substantially. In a Declaration of the Committee of Ministers, adopted on 30 April 2014, the Organisation was alarmed by the deteriorating safety situation of journalists and other media actors, and urged member States to protect them as a priority with consideration given to further measures to ensure their protection from threats and acts of violence, as well as measures to eradicate impunity. This was followed-up on 20 November 2014 with the setting-up of an Internet-based platform for the protection of journalism and safety of journalists.

Considering that capacity building is the most effective way ahead to meet the challenge of cybercrime, the Council of Europe established a dedicated Cybercrime Programme Office (C-PROC) in Bucharest, Romania, to support countries worldwide in the strengthening of their criminal justice capacities in line with the Budapest Convention on Cybercrime.

At the global level, the Council of Europe actively participated in the UN-led Internet Governance Forum (Istanbul, 2-5 September 2014), in ICANN50 and ICANN51 meetings to contribute to the discussion on the human rights responsibilities of ICANN, and in the 'NETmundial' Global Multi-stakeholder Meeting on the Future of Internet Governance, held in Sao Paulo, on 23-24 April, 2014.

2. Analytical overview of trends and experience in implementation

Capacity-building and co-operation activities are ongoing in the fields of cybercrime and data protection, and this has recently been extended to cover Internet governance (e.g. Joint Programme between the European Commission and the Council of Europe for Ukraine: "Strengthening Information Society in Ukraine"). Benchmarks, transversal expertise and experience in Internet governance are currently being developed.

Council of Europe activities on education, culture, children's rights, (bio-)ethics, democracy, young people, and legal cooperation, are beginning to address the challenges of new emerging technologies. Encouraging other relevant Council of Europe sectors of activity to embrace these challenges is ongoing as is the need to promote transversal working in order to render policy-making coherent and holistic.

The Guide to Human Rights for Internet Users has been translated into 8 languages, and the development of awareness-raising activities is underway. The Guide's implementation is being done by means of a multi-stakeholder effort aimed at inter alia raising

awareness of existing national human-rights mechanisms available to users to seek redress and remedies when their human rights are challenged.

3. a) Innovative policies, programmes and projects undertaken

A series of standard-setting instruments on the WSIS theme of Internet governance are expected to be finalised in early 2015, including:

- Recommendation of the Committee of Ministers on the protection of the right to freedom of expression and the right to private life with regard to network neutrality.
- Recommendation of the Committee of Ministers on Internet freedom.
- Recommendation of the Committee of Ministers on trans-boundary flow of information on the Internet.

In 2014, information society-related events were organised, supported and/or facilitated by the Council of Europe:

- The event of the Austrian Chairmanship to the Committee of Ministers entitled "Shaping the Digital Environment Ensuring our Rights on the Internet" (Graz, 13-14 March 2014), which proposed to the Council of Europe to elaborate a framework agreement to protect and promote the universality, integrity and openness of the Internet, and to reinforce users' rights including the right to effective remedies.
- Two proposals of the Council of Europe Secretariat were retained in the final 'NETmundial' Multi-stakeholder Statement, namely that "the Internet is a global resource which should be managed in the public interest" and that "Governments have primary, legal and political accountability for the protection of human rights". At the European level, the Council of Europe also supported and actively contributed to the European IGF "EuroDIG" (Berlin, 12-13 June 2014).
- Participation of the Secretary General of the Council of Europe in the ICANN High Level Panel on Global Internet Cooperation and Governance Mechanisms which culminated in a Report by the Panel on Global Internet Cooperation and Governance Mechanisms. The report recommended inter alia the need for coalescing and supporting broad multi-stakeholder alliances, and developing new and strengthening existing Internet governance mechanisms.
- World Forum for Democracy, the overarching theme of which was entitled "From participation to influence: can youth revitalise democracy?" (Strasbourg, 3-5 November 2014).

The Council of Europe also contributed to the implementation of WSIS action lines in the following areas:

C3 – Access to information and knowledge

The 10th Council of Europe Conference of Ministers of Culture, organised in 2013, offered a platform for exchange on the impact of digitisation of culture. A first multi-stakeholder platform meeting in Baku in July 2014 identified the main concerns of governments and the culture sector concerning the transition of cultural institutions from the pre-digital to the digital-era, media and information literacy issues, and conditions for access to,

creation and distribution of cultural content. The concerns are to be addressed in policy guidelines to harness the potential of ICTs while avoiding the risks to human rights, democracy and the rule of law. This relates to WSIS targets B and D, in particular regarding the modernisation of cultural institutions, improving Internet access to local populations, and providing infrastructure and equipment. Further, it relates to WSIS targets G and I regarding CoE work on CT literacy through school curricula and lifelong education. The basic skills to be attained are the ability to access and critically consider information on the Internet and generate new content (i.e. trans-literacy).

C4 – Capacity building

Capacity building on Internet governance started in Ukraine as a component of the Joint Programme between the European Commission and the Council of Europe for Ukraine: "Strengthening Information Society in Ukraine"; the other components cover media freedom and data protection. Similar projects in other countries are underway to start from 2015.

In 2014-2015, awareness-raising activities among young people about no hate speech online continued. This includes encouraging young people and youth organisations to become active promoters of human rights on-line.

In 2014, teachers and their trainers were trained in the responsible use of social media in particular web 2.0. This included the development, publication and dissemination of training materials, and the exploration and description of the attitudes, skills and knowledge necessary for a responsible use of the media.

C5 - Building confidence and security in the use of ICTs

In the field of cybercrime, the Council of Europe reinforced the role of the Cybercrime Convention Committee (www.coe.int/tcy) and – by setting up a specific Cybercrime Programme Office (C-PROC) – created the infrastructure to expand capacity building programmes. C-PROC became operational in April 2014. Some 100 capacity building activities are supported each year.

The number of Parties to the Budapest Convention on Cybercrime and States formally committed to join this treaty increased considerably. These include States in Africa, Asia/Pacific, Caribbean and Latin America.

The quality and impact of the Budapest Convention are ensured through a stronger role of the Cybercrime Convention Committee which assesses implementation by the Parties and the adoption of Guidance Notes on how to apply the provisions of the treaty to new phenomena.

The global process of harmonizing cybercrime legislation on the basis of the Budapest Convention continues: more than 125 States have reformed or are reforming their laws that are at least partially inspired by the Budapest Convention.

In the framework of the Convention of the Prevention of Terrorism, the use of the Internet in the recruitment for terrorism has been included in the evaluation round of the Convention.

C9 - Media

In April 2014, a Declaration was adopted by the Committee of Ministers on the protection of journalism and safety of journalists and other media actors. This is

currently being followed up and developed with guidelines as part of a Recommendation of the Committee of Ministers. There is also on-going work on the development of a web based platform on the protection of freedom of expression to promote the protection of journalism and safety of Journalists.

C11 – International and regional cooperation

The Council of Europe supported and facilitated the European Dialogue on Internet Governance (EuroDIG) (Berlin, 12-13 June 2014) which resulted in 'Messages from Berlin' to help prepare European stakeholders for the IGF, held in Istanbul on 2-5 September 2014. Council of Europe experts and secretariat participated in over 17 workshop and plenary events in the IGF.

The Council of Europe contributed to the preparation of the Policy on the Protection of Personal Data of Persons of Concern to UNHCR. It also contributed to the project carried out by UNICRI on "Profiling". A response was provided to the Office of the High Commissioner for Human Rights in respect of actions of the Council of Europe to promote and protect the right to privacy (in the context of the information gathering carried out by the OHCHR according to para 5 of Resolution 68/167 on "The right to privacy in the digital age" with a view to preparing the report issued by the OHCHR on 30 June 2014).

3.b) Future actions and initiatives to be taken on implementation

With new data protection challenges arising every day, Council of Europe Convention 108 on data protection will be amended to respond to new realities. The technological developments of the information and communication society as well as the globalisation of exchanges lead to unexplored challenges and potential new risks for the protection of personal data. The Council of Europe is assessing if the protection provided is still in line with today's needs and is to this end modernising the Convention.

The Council of Europe will be providing secretariat support and for the eighth edition of EuroDIG (Sofia, 4-5 June 2015) and will be contributing to the tenth edition of the IGF (Brazil, November 2015).

Other foreseen actions by the Council of Europe include:

- Comparative legal study on Internet blocking, filtering and takedown of content in the Council of Europe 47 member states; it is expected that preliminary elements be available by April 2015, with the full report being finalised by the end of 2015.
- In the framework of the Budapest Convention on cybercrime, solutions to enhance the efficiency of international cooperation and criminal justice access to evidence in the cloud in line with rule of law requirements are to be developed.
- Developing policy responses to hate speech online, and the devolution of the NO Hate Speech campaign to the national level in member states in 2015.