

INTERNATIONAL FOCUS PROGRAMME

FREEDOM OF EXPRESSION ONLINE

CONCLUDING REPORT



INTERNATIONAL
FOCUS
PROGRAMME

elsa

The European Law Students' Association

FOREWORD

Dear Network,

We are honoured to present you the Concluding Report of the first year of the International Focus Programme on Law and Technology.

ELSA, an association which envisages “a just world in which there is respect for human dignity and cultural diversity”, has a self-evident obligation to promote human rights and human rights education among its members. In this context, ELSA’s annual Human Rights Campaign constitutes a reference point for its potential to bring human rights to the fore and inform, raise awareness and sensitise its entire Network.

This Report marks the completion of this year’s campaign and aspires to serve as an example of the diversity of events, people engaged and impact that such a campaign may have. We do hope that future officers, members and friends of the Network will continue with the same eagerness realising and taking advantage of the countless learning opportunities that such an initiative has to offer. That being said, the torch is being passed to next year’s campaign, which aims to give prominence to the interplay of human rights with the rapidly developing concept of Artificial Intelligence (AI).

With commitment to our vision,

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1. Introduction

Each year, the ELSA Network organises a Europe-wide Human Rights Campaign falling under ELSA's International Focus Programme (IFP).¹ The IFP, adopted in 1995, aspires to raise awareness on a specific theme for the Network during a determined time frame through the development of a forum where law students and young lawyers can interact in various activities on the chosen theme. For the period from 1 January 2020 to 31 July 2022 the IFP touches upon matters falling under the topic area of "law and technology". The aforementioned topic, although not a set area of law, often monopolises the interest of the legal community, since at the present time not only national, regional and international regulation affects the realisation of the potential of technology, but also technology itself affects law.

Having the above under consideration, the aim of ELSA's annual Human Rights Campaign is to raise awareness on the importance of human rights protection and create a forum for the voice of law students and young lawyers across Europe.² In 2019/2020, ELSA organised an information campaign on the importance of Freedom of Expression Online. Through the development of the internet, free dissemination of ideas, opinions and information has been enhanced resulting in the violation of core human rights. Existent phenomena, such as hate speech, fake news, cyberbullying and child pornography, threaten democratic societies and often impose the restriction of the non-absolute right to freedom of expression.

With a view to providing the Network enough food for thought and fire the further organisation of national and local events, ELSA:

- Launched an awareness survey to examine the knowledge of European citizens on the topic and the level of preservation of freedom of expression online in Europe;
- Created a video to engage the entire united ELSA Network and raise awareness on the topic;
- Presented the results of the survey and discussed the legal background thereof during the annual webinar with the Council of Europe;
- Concluded an international comparative report on internet censorship;
- Encouraged further inclusion of articles on human rights law in the ELSA Law Review;
- Published the Freedom of Expression Online Report;
- Offered traineeships to ELSA members in the field of human rights law;
- Organised an online legal course on the topic of law and technology;
- Publishes this Concluding Report.

¹ More information on the International Focus Programme at: <https://elsa.org/international-focus-programme/>.

² More information on the Human Rights Campaign of ELSA at: <https://elsa.org/human-rights-campaign/>.

The aim of this Concluding Report is to inform all interested stakeholders on the impact of the campaign through the presentation of the events conducted, people engaged and statistics. At the same time, it signals the completion of the campaign passing on the baton in next year's campaign. In 2020/2021, the ELSA Network will dedicate its attention to the interplay between artificial intelligence and human rights.

2. Elements

As part of the International Focus Programme, ELSA's Freedom of Expression Online Campaign aimed to raise awareness of this fundamental online right within the law students' society as well as in general, bringing light to the main aspects of the topic when addressing issues such as media freedom, online data protection and misinformation. The following events and activities helped ELSA achieve this aim. These events are presented in this report following the structure of the educational cycle of ELSA.

2.1. We stand for Freedom of Expression Online Video³

To encourage ELSA members to take part in ELSA's Freedom of Expression Online Campaign and the awareness survey, ELSA launched a video for the Campaign on ELSA's Facebook page on 14 November 2019. Participants from all 44 countries stood together as a united network for freedom of expression online. The video can be found here.

2.2. Freedom of Expression Online Survey⁴

As part of the campaign, ELSA launched an awareness survey for the pursuit of examining the awareness of the society across Europe about freedom of expression online. The participants were asked general and specific multiple-choice questions about the topic. Over 1000 respondents contributed to ELSA's aim through their participation in the survey. Most of the responses came inside of the European Union and the average responder was a law student between ages of 18-23.

The results of the survey may be defined as positive. The survey showed that the general human rights awareness and knowledge of key instruments is very high amongst young people. This correlates to the fact that the majority of the respondents answered that they have had human rights education at school. In addition, access to information concerning human rights and human rights violations is generally at good level according to the respondents.

³ We stand for Freedom of Expression Online video: <https://www.facebook.com/elsa.org/videos/44-countries-1-united-network-we-stand-for-freedom-of-expression-onlinetake-part/619003071969691/>.

⁴ The Freedom of Speech Online Report is available at https://files.elsa.org/IFP/Freedom_of_Expression_Online_Report.pdf.

However, the survey showed more dispersion in specific questions. Even though a large number of respondents felt that their freedom of expression online is rather well protected, only half of the respondents were aware of specific legal provision protecting this right in their countries. The same goes for the more general legal provisions, which could restrict the access online. When it comes to respondent's personal experience online, a high degree of respondents has experienced fake news and also direct or indirect hate speech and violations of personal data online. Taking this into account, it was not surprising that the majority of survey respondents chose these topics as the most relevant aspect to improve to create a better legal framework around the freedom of expression online.

2.3. Freedom of Expression Online Webinars

To contribute to the discussion around freedom of expression both online and offline, ELSA and the Council of Europe organised a webinar discussing the survey conducted on freedom of expression online and held a panel discussion about the current issues concerning the survey topic. The webinar was the fourth annual webinar hosted by ELSA and the Council of Europe. It was broadcasted live from Ljubljana, Slovenia on the 27 November 2019. The webinar can be accessed here.

The panel discussion was led by ELSA International's Vice President in charge of Academic Activities, Sarah Ikast Kristoffersen. The expert panel included Patrick Penninckx, the Head of Information Society Department at the Council of Europe, Leila Dervisagic, the Head of the Corporation Unit in the Media and Internet Division at the Council of Europe and Helle Tiikmaa, the President of the Estonian Association of Journalists. The panel discussed the current legal framework regulating the freedom of expression online as well as offline, the difference and responsibilities of actors and internet intermediaries as well as fake news and disinformation.

The panel concluded that the European Convention on Human Rights is still the key instrument protecting the freedom of expression. Even though the Convention is 70 years old, the jurisprudence of the European Court of Human Rights makes sure that the Convention is interpreted in the modern-day context. The panel also concluded that when it comes to the issue of responsibility of actors online, it really depends on the platform where the content has been published. For traditional media, there are more specific rules than, for example, social media. In addition, countries and private internet intermediaries have different policies and aims when regulating the freedom of expression online and therefore these regulations can vary. To combat the issue of fake news and disinformation, the panel again concluded that countries and internet intermediaries have different approaches. There are already legal frameworks, which regulate for example cybercrime. In addition to this, it is the responsibility of

⁵The Freedom of Expression Online Webinar is available online on the Facebook Page of ELSA:
<https://www.facebook.com/elsa.org/videos/496630751197138/>.

the internet intermediaries to ensure that good quality information is easy to access and found first. This requires special algorithms and provides the need to regulate the use of artificial intelligence.

2.4. Freedom of Expression Online Survey Report⁶

To conclude the finding of the Freedom of Expression Online Survey and the webinar held on the topic including the panel discussion as mentioned above, ELSA presented a report on the topic. The report includes the results of the survey with commentary and conclusion of the expert panel discussion.

2.5. International Legal Research Group on Internet Censorship

This term/year, the International Legal Research Group (“ILRG”) focused on internet censorship as part of the ELSA’s international campaign for freedom of expression online. More than 250 people contributed to the ILRG on Internet Censorship from 24 participating countries. The ILRG on Internet Censorship concentrated on the balance between safeguarding freedom of expression online and surveilling internet users to protect other rights.

In addition to the main question, the ILRG on Internet Censorship examined questions concerning the protection of privacy online as well as the legitimacy of information through takedown procedures. Also, the group analysed the legal consequences of LegalTech involving in this takedown procedure. Furthermore, the researchers in the group took a look into public and private regulations surrounding the topic.

The results were published in a Final Report spanning more than 2200 pages, and the key conclusions were published in a Concluding Report which was printed and distributed to key stakeholders and decision-makers by the Council of Europe.

2.6. Law Review on Law and Technology

ELSA Law Review is a bi-annual, student-edited, and peer-reviewed law journal published by ELSA. The mission of the Law Review is to create a forum for the analysis and discussion of contemporary legal issues by serving as an avenue for the ELSA network to publish its academic work.

The two topics for the 2020 ELSA Law Review are Human Right Law and Law and Technology. The topic of Law and Technology is wide and includes all aspects of law necessary for writers to analyse the challenges and opportunities technological advancements have provided to the legal world. This topic specifically seeks to explore two questions; how technology and technological development have affected

⁶The Report on Freedom of Speech is available at: https://files.elsa.org/IFP/Freedom_of_Expression_Online_Report.pdf.

law as well as how law and different regulations can affect positively to advance technology and innovations.

2.7. The Student Trainee Exchange Programme (“STEP”)

The Student Trainee Exchange Programme (STEP) operates in two annual intake periods (STEP Cycle 1 and 2). As part of the ELSA’s current International Focus Programme, Traineeships were offered to ELSA members in the field of Law and Technology and Human Rights. In STEP Cycle 1, the search engine on the STEP website was modified to include separate categories for Traineeships offered in IFP-related areas and human rights. Due to unexpected circumstances COVID-19 created for the Trainee programme, ELSA offered for the Cycle 2 online vacancies in addition to the “normal” on-site STEP traineeship vacancies. This was the first time digital Traineeships were introduced to equip ELSA members with skills necessary when working remotely.

For the STEP Cycle 1, 170 Traineeship providers offered 251 Traineeship spots for law students and young lawyers. From these STEP Traineeships, 20 were from Human Rights Traineeship Providers and 13 were offered by IFP-related Traineeship Providers. For the STEP Cycle 2, 66 Traineeship Providers offer 114 Traineeships spots. From these traineeships, 18 were offered by the Human Rights Providers and 10 from IFP-related Providers.

2.8. ELSA Webinars Academy on Law and Technology

ELSA Webinars Academy is a brand new project of ELSA, namely online legal courses organised by National and Local Groups of ELSA. The first ever ELSA Webinars Academy, on the topic of law and technology was organised by ELSA International, in June 2020. After receiving over 200 applications, the course hosted almost 120 participants from all over the world, different age groups and professions. ELSA Webinars Academy on Law and Technology comprised of six webinar lessons delivered by the representatives of: the Council of Europe, LexisNexis, IE Law School, Arnold & Porter and University of Tartu. During the course participants had a chance to learn more about such topics as: general introduction to law and technology, AI & human rights, e-governance, the toolkit of tomorrow’s lawyer, LegalTech, and competition law in the times of digitalisation.

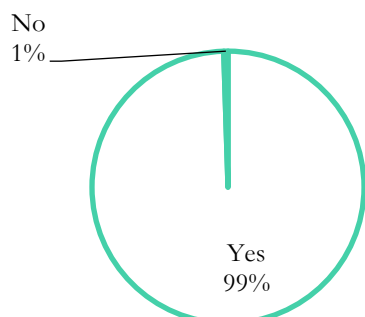
3. Freedom of Expression Online Survey

Below, the reader may find an exert from the Freedom of Expression Online Survey.

3.1. General knowledge on human rights

The second part of the survey consisted of questions regarding the general human rights awareness of the respondents.

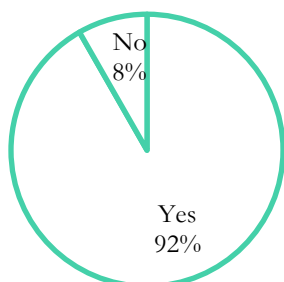
3.1.1. Do you know what human rights are?



Luckily, almost all of the respondents are aware of what human rights are. Human rights are rights, which belong to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include, for example, the right to life and liberty, freedom of opinion and expression, the right to work and education. Everyone is entitled to these rights, without any discrimination.⁷

The Universal Declaration of Human Rights is one of the most important documents in the history of human rights. The document has been drafted by representatives from different cultural backgrounds and legal systems and it was proclaimed by the United Nations General Assembly in Paris on 10 December 1948. The declaration set out for the first time the fundamental human rights, which should be universally protected.⁸ The document has been translated to over 500 languages.⁹

3.1.2. Do you know what the European Convention on Human Rights is and what is the content of it?



The majority of the respondents, 92% of them, had knowledge on what is the European Convention of Human Rights and what is the scope and content of it. The European Convention on Human Rights sets forth a number of fundamental rights and freedoms. The Convention is an international treaty between the states, which are members of the Council of Europe. It was signed in 1950 and entered into force in 1953. The Convention was the first instrument, which gave effect to the rights stated in the UN Declaration of Human Rights.¹⁰ Parties of the Convention are obligated to secure these rights and freedoms to everyone within

their jurisdiction. The Convention also establishes an international enforcement machinery, known as the European Court of Human Rights.

⁷ United Nations. n.d. *Human Rights*. [online] Available at: <<https://www.un.org/en/sections/issues-depth/human-rights/>> [Accessed 8 May 2020].

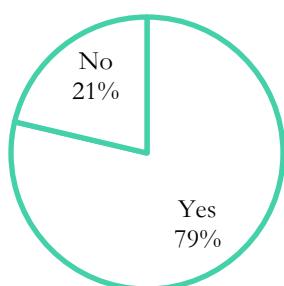
⁸ *ibid.*

⁹ United Nations. n.d. *Universal Declaration Of Human Rights*. [online] Available at: <<https://www.un.org/en/universal-declaration-human-rights/>> [Accessed 8 May 2020].

¹⁰ European Court of Human Rights. n.d. *European Convention On Human Rights - Official Texts, Convention And Protocols*. [online] Available at: <<https://www.echr.coe.int/Pages/home.aspx?p=basictexts>> [Accessed 8 May 2020].

The Convention has been hugely important in raising standards and increasing awareness of human rights across Europe, and beyond, which constitutes basic knowledge on it necessary.

3.1.3. Do you know the scope of the activities of the European Court of Human Rights (ECtHR)?

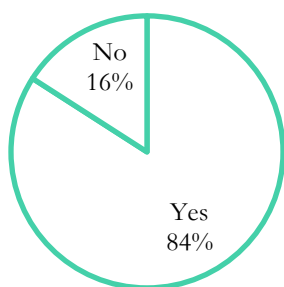


When it comes to the function of the Court, a bigger number of respondents were not aware of the ECtHR's activities (21%), however the majority of the respondents gave the positive answer (79%).

It seems that, in contrast with the European Convention on Human Rights itself, knowledge on the Court activities is more limited. The ECtHR is an international court set up in 1959. It exists as a safeguard of the Convention, deals with individual and inter-State petitions. In almost fifty years, the Court has delivered more than 10,000 judgments. The parties to a case must follow the Courts' judgments and take all necessary measures to comply with them. The Court is based in Strasbourg, in the Human Rights Building.¹¹

Since the ECtHR's interpretation of the Convention's text makes it a living instrument and one of the most relevant present day human rights Conventions, better understanding of the Courts' activities is desirable.

3.1.4. Was the topic of human rights mentioned during your education at school?



The majority of the respondents gave a positive response (84%).

According to the preamble to The Universal Declaration of Human Rights, 1948: "Every individual and every organ of society ... shall strive by teaching and education to promote respect for these rights and freedoms." Human rights education has been defined by the United Nations World Programme for Human

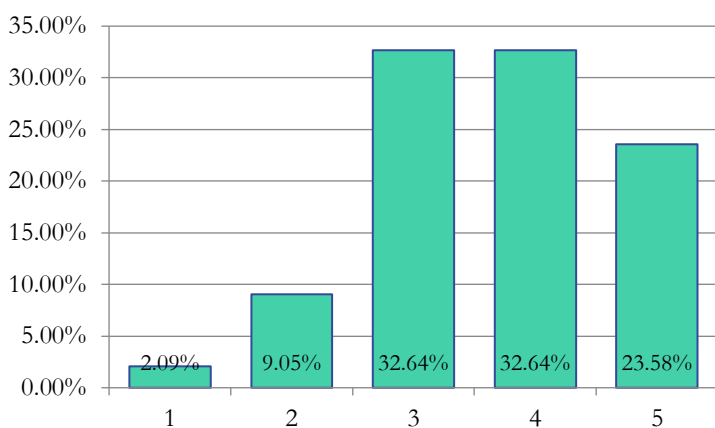
¹¹ n.d. *The Court In Brief*. [ebook] European Court of Human Rights. Available at: <https://echr.coe.int/Documents/Court_in_brief_ENG.pdf> [Accessed 8 May 2020].

Rights Education as “education, training and information aimed at building a universal culture of human rights”.¹²

Good education in human rights does not however only provide knowledge about the rights themselves and their protection mechanism but also passes on the skills needed to promote, defend and apply human rights in our daily lives. Human rights education especially advances the attitudes and behaviours, which are needed to uphold human rights for all members of society.¹³

3.1.5. How do you rate the access to information about human rights and human rights violations in your environment?

The options were from 1 to 5 (with 1 meaning no access at all).



Most of the respondents stated that they do have rather good or even very good access to such information. Only a small percentage of the participants had bad or no access at all.

The positive result shows that the right to information, an integral part of the right to freedom of expression online works accordingly with the international

instruments, such as the Universal Declaration of Human Rights.¹⁴ The Declaration states in Article 19 that the fundamental right of freedom of expression encompasses the freedom “to seek, receive and impart information and ideas through any media and regardless of frontiers”.

3.2. Freedom of expression online

The third part of the survey aims at revealing the level of awareness around freedom of expression online and its legal framework.

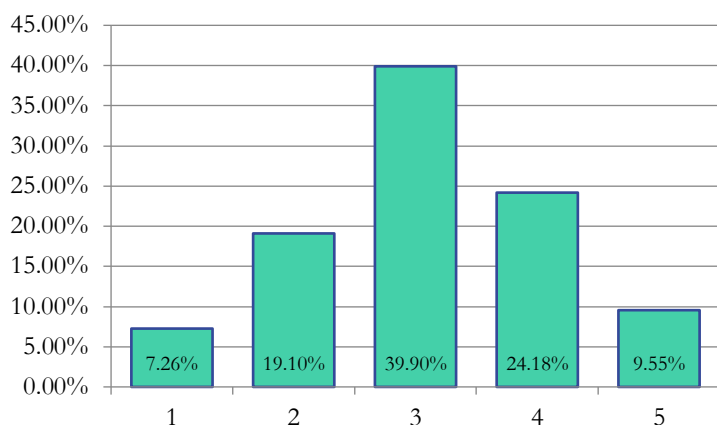
¹² Council of Europe. n.d. *Compass: Manual For Human Rights Education With Young People - Introducing Human Rights Education*. [online] Available at: <<https://www.coe.int/en/web/compass/introducing-human-rights-education>> [Accessed 8 May 2020].

¹³ *ibid.*

¹⁴ The Universal Declaration of Human Rights (UDHR) proclaimed by the United Nations General Assembly in Paris on 10 December 1948.

3.2.1. Do you feel like your freedom of expression on the internet is sufficiently protected?

The respondents could answer from 1 to 5 (with number 1 meaning very insufficient and number 5 very sufficient).

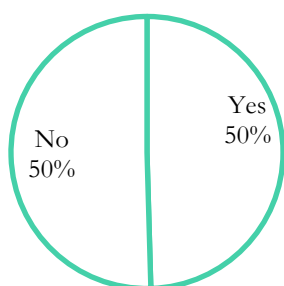


According to the survey, a large number of the respondents feel like their freedom of expression online is rather well protected and exercised. Only a small percent of the respondents feel that it is not protected or exercised at all.

Article 10 of the European Convention on Human Rights states that everyone has the right to freedom of expression and to access to information. This right

applies to both offline and online, and it should be balanced with other legitimate rights and interests. For individuals to enjoy freedom of expression online, the Internet needs to be open for everyone. Technical failures and intentional disruptions can impact access to online and information regardless of frontiers. Therefore, for example, the Council of Europe has developed a framework of international cooperation to prevent and respond to eventual disruptions of the Internet.¹⁵

3.2.1. Are you aware of any specific legal provisions on the right to access the Internet in your country?



Surprisingly only half of the participants responded positively.

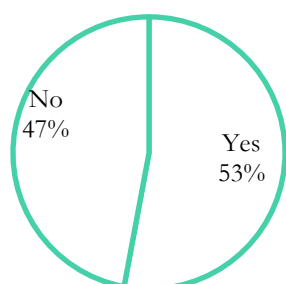
The Parliamentary Assembly of the Council of Europe, with its Resolution 1987 of 2014, recognised the right to Internet Access and defined it as “*the right to access, receive and impart information and ideas through the Internet without interference from public authorities*”.¹⁶ The same Resolution calls Member States to undertake all appropriate measures to ensure its realization of the right, since it is acknowledged as an essential requirement for exercising rights under the European Convention on Human Rights.

¹⁵ Council of Europe. n.d. *Protecting Freedom Of Expression And Information*. [online] Available at: <<https://www.coe.int/en/web/portal/protecting-freedom-of-expression-and-information>> [Accessed 8 May 2020].

¹⁶ PACE. n.d. *Resolution 1987 (2014) - The Right To Internet Access*. [online] Available at: <<http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20870&lang=en>> [Accessed 8 May 2020].

The result of the survey demonstrates that a high number of the countries have specific legislation regarding the access to the internet, while others keep imposing multiple restrictions. It is suggested to the readers of the Report to make a thorough research on the situation in their national legal orders.

3.2.3. Are you aware of any general legal provisions which could restrict your access to the internet?

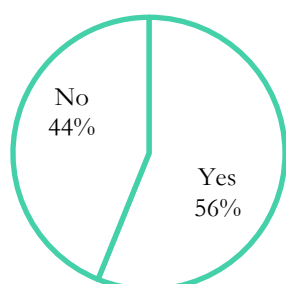


The question divided the respondents almost in half. 53% of the respondents answered yes as the 47% of the respondents answered no.

The fact that only 53% of the participants gave a positive reply follows the previous answer regarding the knowledge on provision, which provides access to the internet.

According to the aforementioned Resolution 1987 (2014) of the Parliamentary Assembly of the Council of Europe, any restrictions to the right to Internet access “*should be provided by law, pursue a legitimate aim and be necessary in a democratic society*”¹⁷.

3.2.4. Are you aware of any specific (public or private) hotline, entities or similar to where you can report potential illegal content on the Internet (e.g. hate speech or IP violations)?



Over half of the respondents (56%) replied in the affirmative.

As an example, one of the good hotlines is the International Association of Internet Hotlines (INHOPE),¹⁸ which provides an extremely important service by enabling members of the public to anonymously report online content that they suspect to be illegal. INHOPE hotlines “ensure that the matter is investigated and if found to be illegal the information will be passed to the relevant Law Enforcement Agency and in many cases the Internet Service Provider hosting the content”.¹⁹

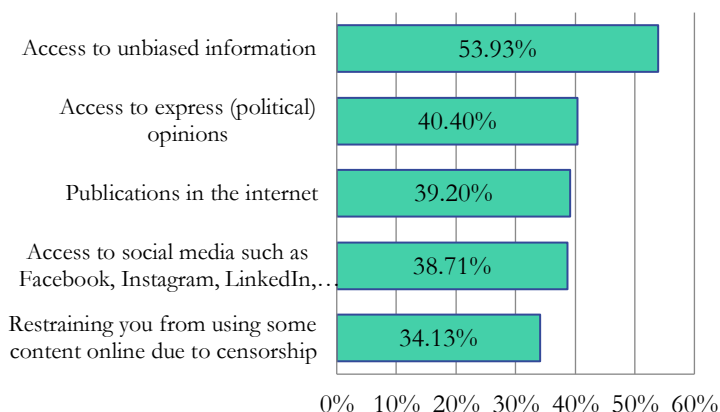
¹⁷ *ibid.*

¹⁸ Inhope.org. n.d. *INHOPE*. [online] Available at: <<https://www.inhope.org/>> [Accessed 8 May 2020].

¹⁹ *ibid.*

3.2.5. Which of the following areas of freedom of speech on the internet are in your opinion not sufficiently protected by the respective law?

The options were: a) Publications in the internet, b) Access to express (political) opinions, c) Access to unbiased information, d) Access to social media such as Facebook, Instagram, LinkedIn, Twitter or YouTube, and e) Restraining you from using some content online due to censorship. The respondents were able to choose more than one option.



Over the half of the respondents (53.93%) consider that access to unbiased information is not sufficiently addressed in law. Access to express (political) opinions and publications on the internet are the other two most insufficiently protected areas, since 40.40% and 39.30% of the participants recognize them as such respectively. Access to social media and censorship were the two least popular options, yet

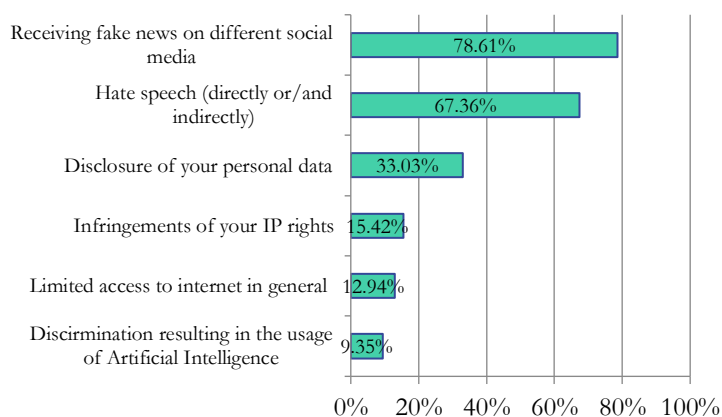
their percentages, namely 38.71% and 34.12% respectively, reveal that a notable number of people expect a better legal framework addressing such issues.

Article 10 of the ECHR protects all kinds of expression, not only offline, but also online. More specifically, it provides that everyone has the freedom to express themselves online and to also access information and opinions or expressions of other people, including political statements and religious views. Only in cases which incite discrimination, hatred or violence, restrictions may apply. Such restrictions must be, however, lawful, narrowly tailored and executed with court oversight.

According to the survey, the area of the freedom of speech that needs further regulatory framework is access to unbiased information. However, the facts that the percentages of all options are notably high and that there is no major divergence between them, prove that freedom of speech on the internet in general is not, according to the participants of the survey, sufficiently legally protected.

3.2.6. Which of the following third-party actions have you experienced online?

The options were: a) Receiving fake news on different social media, b) Hate speech (directly or/and indirectly), c) Infringements of your IP rights, d) Limited access to internet in general based on the discriminative grounds, e) Disclosure of your personal data, f) Discrimination resulting in the usage of Artificial Intelligence. The respondents were able to choose more than one option.



Regarding the personal experiences of the respondents, the majority, 78.61% of them stated that they have come across fake news online. A notable number have also experienced hate speech (67.36%) and disclosure of personal data (33.03%) online. Less common experiences seem to be an infringement of IP rights, limited access to the internet and discrimination resulting in the usage of AI, since only 15.42%, 12.94% and 9.35% of the respondents had such an experience respectively.

In the past few years, fake news has become more insidious, more plentiful, more subtle and subverted for manipulation of information and public opinion. This is a huge issue, which requires more completion in the future. However, the Council of Europe avoids using the term “fake news”, since it does not find it adequate enough to describe the complexity of the phenomenon of information pollution. In its Report on “Information Disorder: Toward an interdisciplinary framework for research and policy making”, the Council of Europe describes three types of “information disorders”, namely:

- a) mis-information, when false information is shared, but no harm is meant,
- b) dis-information, when false information is knowingly shared to cause harm, and
- c) mal-information, when genuine information is shared to cause harm, often by moving information designed to stay private into the public sphere.²⁰

The aforementioned Report of the Council of Europe is a useful tool which explains all aspects of information disorder, the challenges that it may cause, and provides a series of means to address information pollution.

Furthermore, over the half of the respondents have experienced hate speech on the Internet, either direct or indirect. Although there is lack of a universally accepted definition, the term “hate speech” can be understood, according to the Council of Europe, “*as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people*

²⁰ Council of Europe. n.d. *Information Disorder*. [online] Available at: <<https://www.coe.int/en/web/freedom-expression/information-disorder>> [Accessed 8 May 2020].

of immigrant origin”²¹. In 2013, the Council of Europe Youth Department launched the No Hate Speech Movement, a youth campaign aiming at combating hate speech and promoting human rights online among young people.²² More information about hate speech and a comprehensive overview of the concepts of online hate speech in European countries can be found in the Final Report on Online Hate Speech, the output document of the International Legal Research Group on Online Hate Speech organised by ELSA International in cooperation with the Council of Europe as a part of the No Hate Speech Movement Campaign, published in February 2014.²³

Last but not least, 33.03% of the respondents have experienced disclosure of their personal data online. It is undeniable that privacy is constantly challenged in the digital era, since searching, processing and storing personal data has now become easier than ever, mainly due to developments, such as the extensive use of social media. According to the Convention No. 108 of the Council of Europe, the first binding legal instrument addressing data protection, personal data can be defined as “*any information relating to an identified or identifiable individual*”.²⁴ The need to deal with challenges resulting from the use of new ICTs soon established a comprehensive dialogue on the need of the modernisation of the Convention. The 128th Ministerial Session of the Council of Europe’s Committee of Ministers adopted the Modernised Convention for the Protection of Individuals with Regard to the Processing of Personal Data.²⁵

3.2.7. Which one of the following third-party actions do you think that is the biggest threat to society in general nowadays?

The options were: a) Censorship Online, b) Fake News on Different Social Media, c) Hate Speech (Direct or Indirect), d) Infringements of IP Rights, e) Limited Access to Internet in General Based on Discriminative Grounds, f) Disclosure of Personal Data, and g) Implications of Artificial Intelligence. The respondents were able to choose more than one option.

As seen in the table above, fake news, hate speech and disclosure of personal data constitute the biggest threats to society. These three third-party actions seem to concern over 50% of the respondents, namely 74.28%, 62.46% and 50.94% of them respectively. However, fake news seems to be by far the area of

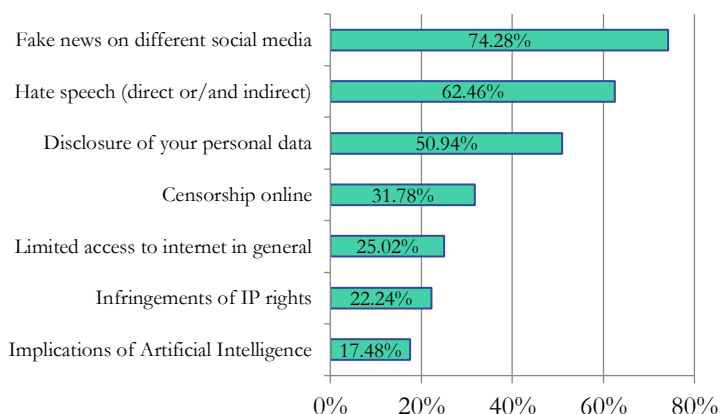
²¹ Recommendation No. R (97) 20 of the Committee of Ministers to the Member States on “Hate Speech”.

²² Council of Europe. n.d. *No Hate Speech Youth Campaign*. [online] Available at: <<https://www.coe.int/en/web/no-hate-campaign>> [Accessed 8 May 2020].

²³ 2014. *Final Report on Online Hate Speech*. [ebook] ELSA International in cooperation with the Council of Europe. Available at: <https://files.elsa.org/AA/Final_Report_OHS_Final.pdf> [Accessed 8 May 2020].

²⁴ Council of Europe. n.d. Convention 108 And Protocols. [online] Available at: <<https://www.coe.int/en/web/data-protection/convention108-and-protocol>> [Accessed 8 May 2020].

²⁵ Search.coe.int. n.d. [online] Available at: <https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016807c65bf> [Accessed 8 May 2020].



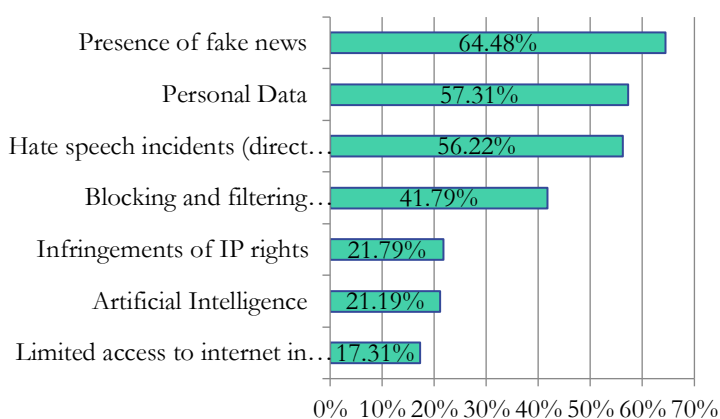
the highest concern for Internet users, in contrast with IP rights and Artificial Intelligence, which concern them evidently less.

It seems that the participants in the survey pointed out as the biggest threats to society the challenges that they have faced themselves online to a greater extent: fake news, hate speech and disclosure of personal information.

Broader dissemination of information, opinions and ideas has become remarkably easier in cyberspace, yet the uncontrollable speech has given rise to phenomena such as hate speech and information pollution, as described above. In fact, massive use of social media platforms has exacerbated the situation even more. At the same time, users keep sharing personal information, pictures and videos of private moments more often than ever, neglecting that their data are used by the platforms, mainly for advertising purposes. In this way, the aforementioned challenges have now become common phenomena, which continue to constitute threats to democracy and human rights.

3.2.8. Which one of the following require in your opinion a better legal framework in the environment you operate in?

The options were: a) Presence of Fake News, b) Personal Data, c) Hate Speech, d) Blocking and Filtering Content Online, e) Infringements of IP rights, f) Artificial Intelligence and g) Limited Access to Internet in General. The respondents were able to choose more than one option.



Over half of the participants consider that fake news (64.48%), personal data (57.31%) and hate speech (56.22%) require a better legal framework. Over 40% of them hold that there is the same need when it comes to blocking and filtering content online. Lastly, it is important to recognise that a better legal framework for Artificial Intelligence is supported by many respondents, namely 21.19% of them.

When it comes to legal framework, States have adopted different policies and balanced approaches between regulation and self-regulation when it comes to legislative issues around freedom of expression online.

At the same time, international cooperation supports such efforts. For example, the Council of Europe tries to achieve greater unity in its Member States legislation through Recommendations, which give the Committee of Ministers the ability to define guidelines for Member States.

So far, a series of important legal instruments that deal with aspects of human rights online have been mentioned in this Report, such the Convention No. 108 of the Council of Europe. It is of utmost importance to highlight that, since there are tools that regulate freedom of expression and human rights in general online, there is a major need for States to learn how to implement and take advantage of such instruments, so that their efficiency is tested and the need for further regulatory development is examined.

4. Events of the network

You may find below a list of some of the most unique events hosted this year by Local and National Groups of ELSA. The selection among all submitted events was based on a variety of criteria, including the uniqueness of the (sub)topic, intersectionality and the impact of the event.

Event #1	
Name of the Event:	Law@Web IP & Technology by EY Law
Organising Group:	ELSA Poland
Event Testimonial:	ELSA Poland, in cooperation with the law firm EY Law, organised a series of webinars on intellectual property and new technologies, offering 20 students (among the 120 applicants) the opportunity to participate in interactive discussions/presentations and familiarise themselves with regulations and legal practice on the topic at hand. Apart from the academic knowledge acquired, the participants benefited from networking with other law students and legal professionals.
See also:	Poster of the event

Event #2	
Name of the Event:	ELSA Day - The competition about our knowledge about Freedom of expression online.
Organising Group:	ELSA Lublin (ELSA Poland)
Event Testimonial:	ELSA Lublin hosted a competition aiming at testing participants' knowledge on law regulations regarding freedom of expression online at national and European level. The prizes for the winner of the competition were provided by the partners of the Local Group.

Event #3	
Name of the Event:	E-nternational Conference Digital Innovation and the Law: a Roadmap for Next Generation Lawyers
Organising Group:	ELSA Bologna (ELSA Italy)
Event Testimonial:	The International Conference "Digital Innovation and The Law: a Roadmap for Next Generation Lawyers" would be the first ELSA International Conference hosted in Italy. Due to the COVID-19 pandemic, the event was held online. It provided a 15-hour academic programme focused on copyrights, digital marketing and advertising, data protection, legal tech, AI, blockchain, smart contract and legal design. The event, despite the challenges, managed to gather more than 100 participants and paved the way for the organization of more international conferences in the future in the country.
See also:	Poster of the event

Event #4	
Name of the Event:	ELSA Day - Panel Discussion: “Don’t be afraid to Express Yourself with ELSA Lublin!”
Organising Group:	ELSA Lublin (ELSA Poland)
Event Testimonial:	The event took place in November 2019 at the Faculty of Law, Canon Law and Administration of the John Paul II Catholic University of Lublin. ELSA Lublin invited different stakeholders to join the panel, including a psychologist, a policeman, a judge, a counsellor, even a youtuber. The variety of speakers gave the participants a holistic view on how topical and significant the issue of freedom of expression online is, as well as on how many fields of interest can be related to it.

Event #5	
Name of the Event:	ELSA Maastricht Law Review (EMaas)
Organising Group:	ELSA Maastricht (ELSA the Netherlands)
Event Testimonial:	The second annual edition of EMaas, ELSA Maastricht Law Review, will be published this summer containing exclusively articles under the topic of law and technology.
See also:	Poster of the Call for Submissions

Event #6	
Name of the Event:	ELSA Day Live Podcast

Organising Group:	ELSA Lithuania
Event Testimonial:	ELSA Lithuania organised an online podcast in the event of ELSA Day dedicated to hate speech on the Internet. In such a direct way the National Group managed to raise awareness on hate speech online and promote human rights among a wider audience. The podcast gathered more than 3.442 views.
See also:	Podcast (on Facebook)

5. Externals

With the aim to raise awareness around Law and Technology, ELSA International has focused on creating a network of stakeholders with expertise in the respective area. This is advisable for the National and Local Groups of ELSA, as every advocacy effort can have a stronger impact on the society when it is supported by corporations, the academia and finally institutions. Some very significant International Focus Programme Partners are the following.

The European Legal Technology Association (ELTA) is an international organization focused on innovation and digital transformation of the legal sector at a European level. As an organisation, it is actively involved in social and political debate. ELTA promotes science and research and encourages a dialogue between legal technology users and developers.

LexisNexis is the Legal Tech and Rule of Law partner of ELSA. LexisNexis Legal & Professional is a leading global provider of legal, regulatory and business information and analytics that help customers increase productivity, improve decision-making and outcomes, and advance the rule of law around the world. As a digital pioneer, the company was the first to bring legal and business information online with its Lexis® and Nexis® services. LexisNexis Legal & Professional, which serves customers in more than 130 countries with 10,000 employees worldwide, is part of RELX Group, a global provider of information and analytics for professional and business customers across industries.

Europrivacy is the data protection certification scheme developed through the H2020 European Research Programme to certify conformity with the European General Data Protection Regulation (GDPR) and complementary national regulations. It is managed by an international board of experts and the European Centre for Certification and Privacy. Europrivacy offers free training courses for auditors and implementers to ELSA members and alumni of ELSA.

6. Conclusions

The Freedom of Expression Online Campaign aimed to raise awareness of this fundamental online right, bringing light to the main aspects of the topic when addressing issues such as media freedom, online data protection and misinformation. To achieve this goal, all 44 ELSA member countries contributed to the campaign by engaging in multiple events, submitting academic research and participating in ELSA's survey. Together the Network made this campaign another ELSA success.

Due to unusual circumstances Covid-19 presented to the world and to this campaign, ELSA had to creatively organise more online events for the campaign. As an example, for the first time ever, ELSA offered digital Traineeships in their STEP programme. This incredible opportunity during the pandemic aim to equip ELSA members with skills necessary when working remotely.

The campaign would not have been successful without the contribution of National and Local Groups. The presentation of the events in this concluding report shows the passion and the creativeness of these groups. They contributed to the campaign by organising inspiring panel discussions, podcasts and publishing an own law review focusing on law and technology, proving the impact that ELSA's annual Human Rights Campaign may have.