**Core questions for all stakeholders**

1. **In what ways do new and emerging digital technologies help to protect and promote human rights? How can the positive benefits of these technologies be realised?**

The internet has profoundly changed the way media are made and experienced. People obtain most of their news and other information online, over social media websites and blogs, as quickly as possible and preferably free of charge. New actors in the media ecosystem have eliminated the traditional journalistic filters of accuracy, fact-checking and separation of opinion from fact. They have increased pressure to distribute news in real time, and, as an unsettling result, they have shaken the traditional media business models. Hopefully, these trends have also demonstrated the value of accurate, credible information for decision making and an informed society.

However, the internet can be seen as both the greatest enabler and disabler of the modern world. It is a platform where, on the one hand, virtual reality worlds are enhanced by machine learning and artificial intelligence, technologies so advanced that most of us do not grasp their operation. On the other hand, it can be used to foster illegal content. Because of digital technologies’ potential for helping democracy flourish, or to disrupt democratic processes, the future regulation of online environment, but also that of the media as the primary facilitator of informed societies, merits our utmost attention.

Furthermore, recent advancements in the development of artificial intelligence (AI), mainly stemming from progress with machine learning technologies, will affect society in an unprecedented way due to its speed and scale, the amount of data that can be processed and used and the ability of machines to mimic and even surpass the cognitive functions of a human being. While their benefits may be manifold, their impact on peoples’ enjoyment of human rights and fundamental freedoms in the digital age will be significant and will require careful analysis and decisive action from member states and all relevant stakeholders.

To this regard, and in view of the radical changes to the media and internet environment, brought *inter alia* by the new wave of technologies, it is imperative that member states act in close interaction with the United Nations and other international organisations, i.e. the Council of Europe UNESCO, OSCE, etc, at the highest level.

1. **What are some of the key human rights challenges arising from new and emerging digital technologies? How can these risks be mitigated? Do new and emerging digital technologies create unique and unprecedented challenges or are there earlier precedents that help us understand the issue area?**

Member states should consider the urgent implications of the growing range of AI-powered products for the exercise of the rights to privacy and freedom of expression, in particular in light of their significance as key foundations of democratic societies. Furthermore, social media’s involvement in electoral processes and their implications for democracy justify strong state concern in this area. The objectives behind the regulation of electoral campaigns and the general requirement of a level playing field for all political options should be – but is not – effectively applied also in the digital domain.

There is thus a clear need for member states to review and adapt the existing regulation of electoral campaigns to the new media environment to protect the integrity of elections.

Since AI development will continue to reshape the world as we know it, respect for individual rights and democratic oversight should be embedded in every aspect of its systems’ operation. Member states, in line with the international organisations, namely the United Nations and Council of Europe, should act in that regard from a common human rights’ based agenda.

1. **Is the existing international human rights framework adequate to safeguard human rights in an era of rapid technological innovation? Why or why not? If not, what types of reforms are needed?**

Based on the Convention system, we strongly believe that international organisations (i.e. United Nations, Council of Europe, UNESCO, OSCE, etc) are best placed to address the new threats to the enjoyment of human rights in the media and information environment, in particular the rights to privacy and freedom of expression, off- and online, and to ensure that any interference be prescribed by law, necessary and proportionate. We strongly believe that human rights, the rule of law and ethical considerations must apply equally to the real and the virtual environmentand the existing international human rights framework adequate to safeguard human rights in an era of rapid technological innovation. However, member states should be further urged and encouraged to implement the international Conventions and recommendations.

1. **In your opinion, are there any gaps or overlaps in existing efforts to respond to the issue of new and emerging digital technologies? Are some human rights or technologies being overlooked?**

We believe that personal data retention must be applied restrictively, on a case-by case basis and only for law enforcement or security purposes in order to strike a balance between security and the rights to freedom of expression and privacy.

1. **As opposed to focusing on a selected few technologies, do you think a holistic and inclusive approach will help reduce any gaps in the existing system for addressing human rights challenges from new and emerging digital technology?**

We strongly believe that a holistic and inclusive approach in mitigating the risks of new and emerging digital technologies to human rights would be more appropriate to identify potentially vulnerable groups, e.g. users that are structurally excluded from receiving news, in danger of receiving a less diverse information offer, or pay an un-proportionally high price and develop solutions that give users more agency in exercising their freedom of expression rights. While AI-driven tools can create new opportunities for users to exercise their freedom of expression rights, a holistic and inclusive approach of risks would help to the prevention of the creation of new digital inequalities and unequal opportunities of access to information to all citizens.

1. **What should be the role of the private sector in mitigating the risks of new and emerging digital technologies to human rights? What about the role of other key stakeholders?**

We believe that private sector, along with academia, civil society, as well as other stakeholders, i.e. media and media outlets, should be further engaged to ensure the mitigation of any potential negative impact of new and emerging digital technologies on fundamental rights, like freedom of expression and privacy. To this regard, they should ensure and promote accountability and transparency, as well as a meaningful multi-stakeholder participation, including civil society actors, in setting technical standards, regulation, and industry guidelines for AI systems, technology policy and industry standards to ensure transparent processes and legitimacy of outcomes.

Indeed, it’s imperative for private sector to build civil society coalitions and expertise networks, so as to emphasise the need to develop knowledge-exchange programs and facilitate joint-strategy development between civil society organisations; so far, academia and industry have taken the lead in moving the debate on the societal impact of AI forward. While private sector plays a crucial role in these debates of risks of new and emerging digital technologies, it is important to strengthen the voice of those working on technology in the public interest.

**Specific questions for States**

1. **What measures, if any, (legislative, administrative, institutional, or other) have been put in place in your country to deal with human rights risks arising from new and emerging digital technologies? Are these measures still in the process of being implemented? If not, why are they no longer in progress?**

In order to foster a culture of informed public debate and active participation in the democratic process, with a view to empower individuals to understand the new and emerging digital environment and its challenges, Greece has recently implemented several initiatives, activities and best practices, in order to raise public awareness against disinformation and reinforce democracy through informed citizens, as follows:

* The National Centre for Audiovisual Media and Communication (EKOME S.A.), has a leading role at the UNESCO GAPMIL European Sub-Chapter Mediterranean Group with a view to boosting policy-making and action on **media literacy in the greater Mediterranean region.** In October 2018, EKOME published its White Paper[2] on Media and Information Literacy. The White Paper reflects EKOME’s principles and planned action on Education, setting out a paradigm for national infrastructure on media and information literacy. By highlighting the main priorities in the field, the White Paper aims at contributing to a national strategic plan that would promote, inter alia, activities on media and information literacy and awareness raising campaigns against disinformation.
* In the Council of EU Ministers on Audiovisual Affairs (Brussels, 27 November 2018), Greece has highlighted the importance of establishing a network of strong and **independent news fact-checkers**. Greece is in favor of setting up an independent **European fact-checking network**, which will establish common and transparent working methods, exchange best practices across the EU and participate in joint actions to counter hate speech, disinformation and malinformation via content verification. The purpose of this pan-European network would be to facilitate the collection of data by using edge-cutting analysis and statistics tools by Member States and to access open data at a pan-European level, as well as to enable partners to act as trusted flaggers.
* Through the **online media registry** “**e-media**”[3] Law 4339/29.10.2015 (Art.52-54) all media owners with online presence (website) are encouraged to register their activities online. This initiative is important in that it enhances transparency in online media ownership, in accordance with the rules of journalistic ethics (and, hence, the principles of preventing hate speech).
* The Hellenic Public Broadcaster, supported by our Service, organised a seminar entitled **RespectWords**[4] on journalists’ approach regarding migratory processes, ethnic and religious minorities’ issues, along with good practices of balanced and reliable news items far from using hate speech. RespectWords, the European project in which Greece participates along with other member states (Germany, Austria, Slovenia, Spain, Hungary, Ireland and Italy)includes a series of actions, such as seminars addressed to journalists, European radio campaigns and televised messages, as well as the planning and implementation of an online interactive map of European best practices for migration processes and minorities. The major conclusion of the RespectWords seminar has been the drafting and issuing of the **European Ethical Code for the Media**[5] driven by more than 150 Respect Words broadcasting media partners and intended to be a key element in the process of improving the media coverage for migration processes and ethnic and religious minorities in Europe.
* Last but not least, Greece participates in the **sub-group on countering hate-speech online** (established in the context of the European Commission’s High Level Group on combating racism, xenophobia and other forms of intolerance), which monitors the implementation of the Code of Conduct on countering illegal hate speech online[6]|[7].
* What’s more, in the context of the European Action Plan against disinformation, adopted in December 2018 in Brussels, Greece is part of the **Rapid Alert System**, which was established to combat disinformation in a joined-up manner, ahead of the European elections and beyond. Our service participates in the national cross-ministerial group which forms a part of the Rapid Alert System network, by providing the required feedback and proposals -falling under its scope of competence- possible projects on tackling hate speech and disinformation online.

These initiatives/activities, as described here above, will help Greek citizens to effectively access relevant and trustworthy news and information and make them aware of the risks of engaging with, and spreading, deceptive, malicious, or blatantly false content and fake news.

[1] Available on:<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Al33178>

[2] Available on:<https://www.ekome.media/wp-content/uploads/EKOME_White-Paper-_ENG-1.pdf>

[3] The online media registry ‘e-media’ was launched by law 4339/29.10.2015 (Art. 52-54). Available on:<http://emedia.media.gov.gr/login>

[4] This seminar was organised in the framework of the European project Respect Words. Available on:<https://www.respectwords.org/en/project/>

[5] Available on:<https://www.respectwords.org/en/ethical-code/>

[6] The Code of Conduct on countering illegal hate speech online was agreed by Facebook, Twitter, Microsoft and YouTube with the European Commission in May 2016 and includes a series of commitments on behalf of platforms to combat illegal rhetoric on the Internet in Europe.

[7] The two Greek national authorities participating in the sub-group on countering hate speech online are the competent Ministry of Justice, supported by the Secretariat General for Information and Communication.

1. **How are new and emerging digital technologies affecting the protection and promotion of human rights in your country? What unique challenges or advantages does your country have in responding to the issue? What are the lessons or best practices that can be shared?**

The technological evolution of the past decades has radically changed how news and other media content are produced, circulated and received. News is now extensively distributed online, with a few platforms acting as powerful intermediaries and with many individuals accessing news through social media, search engines and similar online services and resources, and increasingly via mobile devices.

The digital environment provides also in Greece new opportunities for free expression and diversity of opinions, but is also susceptible to manipulation, disinformation and spread of hateful messages. To this regard, disinformation is addressed with a growing concern by the General Secretariat for Information and Communication, the competent national authority, as regards the large-scale implications of the phenomenon through the exploitation of nationalistic, ethnic, racial and religious tensions.

Apart from the above mentioned activities/initiatives taken in Greece to tackle disinformation and fake news, but also to promote and strengthen human rights and, especially, freedom of expression, in the face of the challenges posed to the media and internet in the digital age (*see answer to Question 1*), a great challenge for Greece is the forthcoming transposition of the revised Audiovisual Media Services Directive (AVMSD), published in the Official Journal of the European Union on 28 November 2018[[1]](#footnote-1). The new AVMSD has enlarged its scope to cover platforms where the principal purpose of the platform or of a dissociable section thereof or an essential functionality of the platform is the provision of programmes and/or user-generated videos[[2]](#footnote-2), so-called "video-sharing platforms" (hereinafter ‘VSPs’). The new AVMSD , *aiming to better reflect the digital age and create a more level playing field between traditional television and on-demand and video-sharing services,* is addressing content regulation on any kind of digital platform and is expected to be transposed into Greece’s respective legal and institutional framework within September 2020.

Under this light, it’s worth mentioning that AVMSD focuses, *inter alia*, on national media regulators’ new legal responsibilities for overseeing content on privately owned internet platforms. These duties, included for the first time in the Directive, particularly concern hate speech, child pornography, children’s physical and mental development, and terrorism. Greek national authorities are also given the responsibility to verify that VSPs have adopted “appropriate measures”, which could include revising and enforcing Terms of Service; having appropriate flagging, reporting, and declaring functionalities; implementing age verification or rating and control systems; establishing and operating transparent, easy-to-use and effective procedures to resolve users’ complaints; and providing media literacy tools.

Last, but not least, it’s important to mention, as a unique challenge provided by the implementation of the AVMSD, that VSPs will play a fundamental role in determining the boundaries of legitimate political speech or the right to adopt and express unconventional social and cultural points of view. Although they already had the responsibility to take down known unlawful content as hosts under the EU’s eCommerce Directive, the AVMSD, adds a series of additional responsibilities which will be subject to additional administrative oversight for the promotion and protection of citizens’ human rights (i.e. AVMSD requires VSPs to protect users’ rights, and provides users with a wide array of safeguards, including rights to appeal, enforced by public authorities).

1. **In your country, which government agency has an initiative in the decision-making of new and emerging technologies policies? Does your country have a special agency that exclusively deals with the issues of new and emerging digital technologies? (for example: The Disruption Council in Denmark, the Presidential 4th Industrial Revolution Committee in Korea). If so, how much does the agency take the human rights issues into account in its agenda?**

Responsible for policy initiatives in the area of audiovisual media (including audiovisual content provided through new and emerging technologies) is the General Secretariat for Communication and Media.

1. AVMSD (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending AVMSD 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services AVMSD) in view of changing market realities, OJ L 303, 28.11.2018 [↑](#footnote-ref-1)
2. “User generated video” is defined in Article 1(ba) as: “*a set of moving images with or without sound constituting an individual item, irrespective of its length, that is created by a user and uploaded to a video-sharing platform by that user or any other user*”. [↑](#footnote-ref-2)