

# European Declaration on Digital Rights and Principles for the Digital Decade

Text agreed between the negotiators of Parliament, Council  
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Changes to the Commission proposal COM(2022)0028 are  
highlighted in ***bold-italic*** and ~~striketrough~~

# European Declaration on Digital Rights and Principles for the Digital Decade

The European Parliament, the Council and the Commission solemnly proclaim the following joint Declaration on Digital Rights and Principles for the Digital Decade

## *Preamble*

Whereas:

- (1) *The European Union (EU) is a ‘union of values’, as enshrined in Article 2 of the Treaty on EU, founded on respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. Moreover according to the Charter of fundamental rights of the European Union, the EU is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity. The Charter also reaffirms the rights as they result, in particular, from international obligations common to the Member States.*
- (2) The digital transformation affects every aspect of people’s lives. It offers significant opportunities for a better quality of life, ~~innovation~~, economic growth and sustainability.
- (3) *~~The digital transformation~~, but it also presents new challenges for the fabric, security and stability of our ~~democratic~~ societies, and our economies ~~and for individuals~~. With the acceleration of the digital transformation, the time has come for the EU to spell out how its values and fundamental rights ~~applicable offline~~ should be applied in the ~~online world~~ *digital environment. The digital transformation should not entail the regression of rights. What is illegal offline, is illegal online. This Declaration is without prejudice to offline policies, such as having access to key public services offline.**
- (4) The Parliament has made several calls for ~~ensuring the full compliance of the establishment of ethical principles guiding~~ the EU’s approach to the digital transformation, *as well as ensuring the full compliance* with fundamental rights such as data protection ~~or~~, *the right to privacy*, non-discrimination, *and gender equality*, and with principles such as *consumer protection*, technological and net neutrality, *trustworthiness* and inclusiveness<sup>1</sup>. It has also called for a strengthened protection of users’ rights in the digital environment<sup>2</sup>, *as well as workers’ rights and the right to disconnect*<sup>3</sup>.
- (5) Building on previous initiatives such as the “Tallinn Declaration on eGovernment” and the “Berlin Declaration on Digital Society and Value-based Digital Government”, the ~~Council~~ *Member States* have called, through the “Lisbon Declaration – Digital Democracy with a Purpose”, for a model of digital transformation that strengthens the human dimension of the digital ecosystem with the Digital Single Market *at* as its core. ~~The Council also~~ *Member States have* called for a model of digital ~~transition~~

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<sup>1</sup> ~~2020/2216(INI)~~

<sup>2</sup> ~~2020/2018(INL); 2020/2019(INL); 2020/2022(INI); 2020/2012(INL); 2020/2014(INL); 2020/2015(INI); 2020/2017(INI)~~

<sup>3</sup> ~~2020/2216(INI); 2020/2018(INL); 2020/2019(INL); 2020/2022(INI); 2020/2012(INL); 2020/2014(INL); 2020/2015 (INI); 2020/2017 (INI); 2019/2186(INI); 2019/2181(INL); 2022/2266 (INI)~~

**transformation** that ensures that technology assists in **addressing** the need to take climate action and protect the environment.

- (6) The EU vision for digital transformation puts people at the centre, empowers individuals and fosters innovative businesses. The Commission has recently presented a Proposal for a Decision on a "Path to the Digital Decade **Policy Programme 2030**", which sets out the concrete digital targets based on four cardinal points (digital skills, digital infrastructures, digitalisation of businesses and of public services) that will help us achieve this vision. The EU way for the digital transformation of our societies and economy should encompass **in particular** digital sovereignty **in an open manner, respect of fundamental rights, rule of law and democracy**, inclusion, **accessibility**, equality, sustainability, resilience, security, trust, improving quality of life, **the availability of services and** respect of **everyone's** people's rights and aspirations and. It should contribute to a dynamic, resource efficient, and fair economy and society in the EU.
- (7) This Declaration ~~aims to explain~~ **spells out** shared political intentions **and commitments, and** Not only does it recalls the most relevant rights in the context of the digital transformation, it should also serve as a reference point for businesses and other relevant actors when developing and deploying new technologies. The Declaration should also guide policy makers when reflecting on their vision of the digital transformation: putting people at the centre of the digital transformation; **supporting** solidarity and inclusion, through **connectivity, digital education, training and skills, fair and just working conditions as well as access to digital public services online**; restating the importance of freedom of choice **in interactions with algorithms and artificial intelligence systems and in a fair digital environment; fostering** participation in the digital public space; **increasing** safety, security **and empowerment in the digital environment, in particular for children and young people, while ensuring privacy and individual control over data; promoting** sustainability. **The various chapters of this Declaration should form a holistic reference framework and should not be read in isolation.**
- (8) **This Declaration should also serve as a reference point for businesses and other relevant actors when developing and deploying new technologies. Promoting research and innovation is important in this respect. Special attention should also be given to SMEs and start-ups.**
- (9) The democratic **functioning** oversight of the digital society and economy should be further strengthened, in full respect of the rule of law principles, effective justice remedies and law enforcement. This Declaration does not affect lawful limits on the exercise of legal rights, in order to reconcile them with the exercise of other rights, or necessary and proportionate restrictions in the public interest. The Union should promote the Declaration in its relations with other international organisations and third countries with the ambition that the principles serve as an inspiration for international partners to guide a digital transformation which puts people and their human rights at the centre throughout the world.
- (10) This Declaration notably builds on primary EU law, in particular in the Treaty on European Union, the Treaty on the Functioning of the European Union, the EU Charter of Fundamental Rights **of the European Union** and the case-law of the Court of Justice of the EU, as well as on secondary law **and the case-law of the Court of Justice of the European Union**. It also builds on and complements the European Pillar of Social Rights. It has a declaratory nature and, **as such**, does not as such affect the content of legal rules or their application.
- (11) **The EU should promote the Declaration in its relations with other international organisations and third countries, including by reflecting these rights and principles in**

*its trade relations, with the ambition that the principles guide international partners towards a digital transformation that puts people and their universal human rights at the centre throughout the world. The Declaration should notably serve as a reference for activities in the context of international organisations, such as the realisation of the Agenda 2030 for Sustainable Development, as well as the multistakeholder approach to Internet governance.*

- (12) The promotion and implementation of the *Declaration* ~~digital principles~~ is a shared political commitment and responsibility of the ~~EU~~Union and its Member States within their respective competences and in full compliance with ~~EU~~Union law. The Commission ~~has proposed that the annual report on the “State of the Digital Decade”, to be submitted to the Parliament and Council, would cover the monitoring of the digital principles~~ *will regularly report to the Parliament and the Council on the progress made. The Member States and Commission should take into account the digital principles and rights as laid down in this Declaration when cooperating in view of achieving the general objectives as set out in the Decision on a “Digital Decade Policy Programme 2030”.*

## **Declaration on Digital Rights and Principles for the Digital Decade**

We aim to promote a European way for the digital ~~transition~~ *transformation, putting people at the centre, built on European values and EU fundamental rights, reaffirming universal human rights, and benefiting all individuals, and businesses, and society as a whole.*

We therefore declare:

### **Chapter I: Putting people at the centre of the digital transformation**

1. People are at the centre of the digital transformation in the European Union. Technology should serve and benefit all ~~Europeans~~ *people living in the EU* and empower them to pursue their aspirations, in full security and respect of their fundamental rights.

We commit to:

- a) strengthening the democratic framework for a digital transformation that benefits everyone and improves the lives of all ~~Europeans~~ *people living in the EU*;
- b) taking necessary measures to ensure that the values of the ~~EU~~Union and the rights of individuals as recognised by ~~EU~~Union law are respected online as well as offline;
- c) fostering *and ensuring* responsible and diligent action by all ~~digital~~ actors, public and private, *in for a safe and secure the* digital environment;
- d) actively promoting this vision of the digital transformation, also in our international relations.

### **Chapter II: Solidarity and inclusion**

2. ~~Everyone should have access to~~Technology *should be used to* ~~that aims at uniting,~~ and not ~~dividing,~~ people. The digital transformation should contribute to a fair *and inclusive* society and economy in the ~~EU~~Union.

We commit to:

- a) making sure that ***the design, development, deployment and use of*** technological solutions respect ***fundamental*** people's rights, enable their exercise and promote ***solidarity and inclusion***;
- b) a digital transformation that leaves nobody behind. It should ***benefit everyone, achieve gender balance, and*** include notably elderly people, ***people living in rural areas***, persons with disabilities, or marginalised, vulnerable or disenfranchised people and those who act on their behalf. It should also ***promote cultural and linguistic diversity***;
- c) developing adequate frameworks so that all market actors benefiting from the digital transformation assume their social responsibilities and make a fair and proportionate contribution to the costs of public goods, services and infrastructures, for the benefit of all ~~Europeans~~ ***people living in the EU***.

## **Connectivity**

3. Everyone, everywhere in the EU, should have access to affordable and high-speed digital connectivity.

We commit to:

- a) ensuring access to excellent ***high-quality*** connectivity, ***with available Internet access***, for everyone, wherever they live ***in the EU***, and ~~whatever their~~ ***including for those with low income***;
- b) protecting ***and promoting*** a neutral and open Internet where content, services, and applications are not unjustifiably blocked or degraded.

## **Digital education, training and skills**

4. Everyone has the right to education, training and lifelong learning and should be able to acquire all basic and advanced digital skills.

We commit to:

- a) ***promoting high-quality digital education and training, including with a view to bridging the digital gender divide***;
- b) supporting efforts that allow ***all*** learners and teachers to acquire and share ***the all*** necessary digital skills and competences, ***including media literacy, and critical thinking***, to take an active part in the economy, society, and in democratic processes;
- c) promoting and supporting efforts to equip all education and training institutions with digital connectivity, infrastructure and tools;
- d) giving everyone the possibility to adjust to changes brought by the digitalisation of work through up-skilling and re-skilling.

## **Fair and just wWorking conditions**

5. Everyone has the right to fair, just, healthy and safe working conditions and appropriate protection in the digital environment as in the physical work place, regardless of their employment status, modality or duration.
6. ***Trade unions and employers' organisations play an important role in the digital transformation, particularly in relation to the definition of fair and just working conditions, including with regard to the use of digital tools at work.***

We commit to:

- a) ensuring that everyone ~~is shall be~~ able to disconnect and benefit from safeguards for work-life balance in a digital environment;

- b) *ensuring that, in the working environment, digital tools do not put workers' physical and mental health at risk in any way;*
- c) *ensuring respect for workers' fundamental rights in the digital environment, including their right to privacy and the right to associate, right of collective bargaining and action, as well as protection against unlawful and unjustified surveillance;*
- d) *ensuring that the use of artificial intelligence in the workplace is transparent and follows a risk-based approach and that corresponding prevention measures are taken to maintain a safe and healthy working environment;*
- e) *ensuring in particular that human oversight is guaranteed in important decisions affecting workers, and that workers are generally informed that they are interacting with artificial intelligence systems.*

## Digital public services online

7. Everyone should have **online** access to ~~all~~ key public services ~~online~~ in the ~~EU~~ **Union**. Nobody is to be asked to provide data more often than necessary when accessing and using digital public services.

We commit to:

- a) ensuring that ~~all~~ **people living in the EU** are offered **the possibility to use** an accessible, **voluntary**, secure and trusted digital identity that gives access to a broad range of online services;
- b) ensuring wide accessibility and re-use of ~~government~~ **public sector** information;
- c) facilitating and supporting seamless, secure and interoperable access across the ~~EU~~ **Union** to **digital public services designed to meet people's needs in an effective manner, including and in particular** digital health and care services, **notably including access to electronic** health records, ~~designed to meet people's needs.~~

## Chapter III: Freedom of choice

### Interactions with algorithms and artificial intelligence systems

- 8. **Artificial intelligence should serve as a tool for people, with the ultimate aim of increasing human well-being.**
- 9. Everyone should be empowered to benefit from the advantages of **algorithmic and** artificial intelligence **systems including** by making their own, informed choices in the digital environment, while being protected against risks and harm to one's health, safety and fundamental rights.

We commit to:

- a) **promoting human-centric, trustworthy and ethical artificial intelligence systems throughout their development, deployment and use, in line with EU values;**
- b) ensuring **an adequate level of** transparency about the use of algorithms and artificial intelligence, and that people are empowered **to use them** and **are** informed when interacting with them;
- c) ensuring that algorithmic systems are based on ~~suitable~~ **adequate** datasets to avoid ~~unlawful~~ discrimination and enable human supervision of **all** outcomes affecting people's **safety and fundamental rights;**
- d) ensuring that technologies, such as ~~algorithms and~~ artificial intelligence are not used to ~~pre-determine~~ **empt** people's choices, for example regarding health, education, employment, and their private life;

- e) providing for safeguards *and taking appropriate action, including by promoting trustworthy standards*, to ensure that artificial intelligence and digital systems are, *at all times*, safe and used in full respect of people's fundamental rights;
- f) *taking measures to ensure that research in artificial intelligence respects the highest ethical standards and relevant EU law.*

### **A fair online digital environment**

- 10. Everyone should be able to effectively *and freely* choose which online services to use, based on objective, transparent, *easily accessible* and reliable information.
- 11. Everyone should have the possibility to compete fairly and innovate in the digital environment. *This should also benefit businesses, including SMEs.*

We commit to:

- a) ensuring a safe, *and secure and fair online digital environment based on fair competition*, where fundamental rights are protected, *users rights and consumer protection in the Digital Single Market are ensured*, and responsibilities of platforms, especially large players and gatekeepers, are well defined;
- b) *promoting interoperability, transparency, open technologies and standards as a way to further strengthen trust in technology as well as consumers' ability to make autonomous and informed choices.*

### **Chapter IV: Participation in the digital public space**

- 12. Everyone should have access to a trustworthy, diverse and multilingual ~~online~~ *digital* environment. Access to diverse content contributes to a pluralistic public debate and ~~should allow everyone to~~ *effective participation in democracy in a non-discriminatory manner.*
- 13. Everyone has the right to freedom of expression *and information, as well as freedom of assembly and of association* in the ~~online~~ *digital* environment.
- 14. Everyone should have the means to know *be able to access information on* who owns or controls the media services they are using.
- 15. ~~Very large~~ *Online platforms, particularly very large online platforms*, should support free democratic debate online. ~~Given the role of their services in shaping public opinion and discourse, They~~ *Very large online platforms* should mitigate the risks stemming from the functioning and use of their services, including *in relation to* ~~for~~ *disinformation misinformation, and disinformation* campaigns, and protect freedom of expression.

We commit to:

- a) continuing safeguarding *all* fundamental rights online, notably the freedom of expression and information, *including media freedom and pluralism;*
- b) supporting the development and best use of digital technologies to stimulate ~~citizen~~ *people's* engagement and democratic participation;
- c) taking *proportionate* measures to tackle all forms of illegal content ~~in proportion to the harm they can cause, and~~ in full respect of the *fundamental* rights, *including the right* to freedom of expression and information, and without establishing any general monitoring obligations *or censorship;*
- d) creating an ~~online~~ *digital* environment where people are protected against disinformation *and information manipulation* and other forms of harmful content, *including harassment and gender-based violence;*
- e) *supporting effective access to digital content reflecting the cultural and linguistic diversity in the EU;*

- f) *empowering individuals to make freely given, specific choices and limiting the exploitation of vulnerabilities and biases, namely through targeted advertising.*

## Chapter V: Safety, security and empowerment

### A protected, safe and secure ~~online~~ digital environment

16. Everyone should have access to digital technologies, products and services that are *by design* safe, secure, and privacy-protective ~~by design~~, *resulting in a high level of confidentiality, integrity, availability and authenticity of the information processed.*

We commit to:

- a) *taking further measures to promote the traceability of products and make sure only products which are safe and compliant with EU legislation are offered on the Digital Single Market;*
- b) protecting the interests of people, businesses and public institutions against *cybersecurity risks and* cybercrime including data breaches and ~~and cyberattacks~~. ~~This includes protecting digital identity from~~ identity theft or manipulation. *This includes cybersecurity requirements for connected products placed on the single market;*
- c) countering and holding accountable those that seek to undermine, *within the EU*, security online and the integrity of the ~~Europeans' online~~ *digital* environment or that promote violence and hatred through digital means.

### Privacy and individual control over data

17. Everyone has the right to *privacy and to* the protection of their personal data ~~online~~. ~~The~~ *latter* right includes the control *by individuals* on how their *personal* data ~~is~~ *are* used and with whom ~~it is they are~~ shared.
18. Everyone has the right to the confidentiality of their communications and the information on their electronic devices, and ~~no one shall~~ *not to* be subjected to unlawful online surveillance, *unlawful pervasive tracking* or interception measures.
19. Everyone should be able to determine their digital legacy, and decide what happens with ~~the publicly available~~ *their personal accounts and* information that concerns them after their death.

We commit to:

- a) *ensuring that everyone has effective control of their personal and non-personal data in line with EU data protection rules and relevant EU law;*
- b) ensuring *effectively* the possibility *for individuals* to easily move *their* personal and non-personal data between different digital services *in line with portability rights;*
- c) *effectively protecting communications from unauthorised third party access;*
- d) *prohibiting unlawful identification as well as unlawful retention of activity records.*



***Protection and empowerment of children and young people should be protected and empowered online in the digital environment***

20. Children and young people should be empowered to make safe and informed choices and express their creativity in the ~~online~~ ***digital*** environment.
21. Age-appropriate materials ***and services*** should improve ~~children's~~ experiences, well-being and participation ***of children and young people*** in the digital environment.
22. ***Specific attention should be paid to the right of children and young people*** to be protected from all crimes, committed via or facilitated through digital technologies.

We commit to:

- a) providing opportunities to all children ***and young people*** to acquire the necessary skills and competences, ***including media literacy and critical thinking, in order to navigate and engage in the online digital environment*** actively, safely and ***to make informed choices when online***;
- b) promoting ***positive experiences for children and young people in an*** ~~positive~~, age-appropriate and safe digital environment ~~for children and young people~~;
- c) protecting all children ***and young people*** against harmful and illegal content, exploitation, manipulation and abuse online, and preventing the digital space from being used to commit or facilitate crimes;
- d) ***protecting all children and young people against illegal tracking, profiling and targeting, in particular for commercial purposes***;
- e) ***involving children and young people in the development of digital policies that concern them.***

**Chapter VI: Sustainability**

23. To avoid significant harm to the environment, and to promote a circular economy, digital products and services should be designed, produced, used, ***repaired, recycled and*** disposed of ~~and recycled~~ in a way that ~~minimises~~ ***mitigates*** their negative ***impact on the environment and on society and avoids premature obsolescence*** ~~environmental and social impact~~.
24. Everyone should have access to accurate, easy-to-understand information on the environmental impact and energy consumption of digital products and services, ***their reparability and lifetime***, allowing them to make responsible choices.

We commit to:

- a) supporting the development and use of sustainable digital technologies that have minimal ***negative*** environmental and social impact;
- b) ***incentivising sustainable consumer choices and business models, and fostering sustainable and responsible corporate behaviour throughout global value chains of digital products and services, including with a view to combating forced labour***;
- c) ***promoting the development, deployment and active use of innovative digital technologies*** ~~developing and deploying digital solutions~~ with a positive impact on the environment and climate, ***in order to accelerate the green transition***;
- d) ***promoting sustainability standards and labels for digital products and services.***