



Strasbourg, 15 October 2020

GT-DT(2020)8

**EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE
(CDDG)**

**WORKING GROUP ON DEMOCRACY AND TECHNOLOGY
(GT-DT)**

MEETING REPORT

VIDEOCONFERENCE MEETING

23 September 2020

1. Opening of the meeting and adoption of the agenda

The Chair, Mr Almir Šahović (Bosnia and Herzegovina), welcomed the members of the Working Group. The list of participants can be found in Appendix I. The agenda was adopted as it appears in Appendix II.

2. Information on recent activities and developments

The Chair informed the Working Group about the 11th plenary meeting of the CDDG on 10 and 11 September and pointed out that the CDDG devoted great attention to the issue of digital transformation.

Mr Paul Rowsell, CDDG Rapporteur, presented the Handbook on e-Democracy, which the CDDG had approved during its 11th plenary meeting. He highlighted the relevance of the Handbook for the activities of the Working Group and its emphasis on key principles such as inclusivity, non-discrimination and equality. The Secretariat added that the Handbook was a practical tool addressed to practitioners and including case studies and checklists. It aimed at facilitating the implementation of Recommendation CM/Rec(2009)1 of the Committee of Ministers to member states on electronic democracy (e-democracy).

Mr Peter Andre, CDDG Rapporteur on Democracy and Technology, informed the group on the recent activities of the Ad Hoc Committee on Artificial Intelligence (CAHAI). During the 2nd Plenary of CAHAI in July 2020, a discussion on three expert reports had been held. Amongst them, the report by Prof. Mantelero referred to the 12 Principles of Good Democratic Governance. The reports could be found on the CDDG shared webspace. Furthermore, CAHAI had established 3 Working Groups. Mr Andre would participate in the Policy Development Group (PDG) which would draft the feasibility study. In this way he would be able to contribute to the CAHAI work by promoting the issue of democracy as well as highlighting the importance of accountability, transparency and inclusiveness as well as the 12 Principles. The next meeting of the PDG would be on 15 and 16 October. The working group on the legal framework would start in January 2021.

The Secretariat informed the group of ongoing activities in other Council of Europe bodies with regards to digital technologies, stressing the need for coordination. Relevant public documents from the Council of Europe would be uploaded onto the shared webspace. Members were invited to share relevant documents.

3. Study on the impact of digital transformation on democracy and good governance (task i.)

The Secretariat presented a preliminary draft of the study. The structure was based on two main chapters, one on democracy and another one on governance. The former used the parameters which had been identified by the Secretary General's yearly reports on *The state of Human Rights, Rule of Law and Democracy* to define a democracy; it would highlight the impact of digital transformation on elections (esp. microtargeting), participation (new forms of engagement) and democratic oversight. The chapter on governance would focus on the digitalisation in public administration and highlight issues related to the use of AI in the public sector (among others automated decision making, bias in data, smart cities). The study would analyse how digital transformation represented an enabler or a risk to the implementation of the 12 Principles of Good Democratic Governance and would highlight mitigating measures that should be introduced.

In the discussion, members stressed that the study should focus more clearly on the question of impact. As such, the study should identify the benefits and risks of digital transformation and explore how risks were mitigated in member States. Furthermore, the study should highlight the impact of the Covid-19 pandemic on the acceleration of digitalisation in the public sector and include remarks on the significance of this change. For this, the study should draw from the current work by the CDDG with regards to the issue of democratic governance in times of Covid-19.

With regards to the chapter on Democracy, the study should be expanded to include examples of specific AI applications, highlight the role of the local level in the context of participation, and also make references to the 12 principles of good democratic governance, in particular transparency, accountability, openness and inclusiveness. The study should also emphasise the ethical dimension and highlight the preconditions for democracy, e.g. freedom of speech, assembly and association.

With regards to the chapter on Governance: explainability should be added as it was essential when public authorities provided information to citizens and in the context of the use AI applications in public administration. Furthermore, the study should mention measures taken by public authorities to protect the needs of vulnerable groups and minorities who were impacted by digital transformation.

Overall, additional case studies should be included. The Secretariat encouraged the members to share case studies on the shared workspace.

The Working Group heard presentations from:

- Mr Peter Wolf, International IDEA, on "Micro-targeting in political campaigns: state of current debates";
- Ms Ines Mergel, Professor of Public Administration in the Department of Politics and Public Administration at the University of Konstanz, on "Digital transformation of public administration: best practice and trends".

In his presentation, Mr Wolf highlighted that a key challenge was to define political advertising. It remained an open question whether microtargeting rendered political debates opaque, polarised and susceptible to being captured by narrow interests (groups) or, on the contrary, it was contributing to a better democratic discourse as citizens received personalised information that was relevant to them and parties could more effectively connect with their voters and citizens. Different political and human rights would need to be balanced with regards to microtargeting. There was an ongoing debate about where and how to draw the line, especially with a view to the scale and speed of information in the digital age. A central question in this regard was: At what point do disadvantages clearly outweigh the advantages for democracy? Mr Wolf pointed out that there was a growing consensus that platforms' self-regulation was insufficient.

Furthermore, Mr Wolf highlighted challenges for election administration authorities, fragmentation of enforcement and oversight, distribution of responsibilities amongst different agencies and regulators and the cross-border nature of online campaigning. In addition, the perception of urgency in regulating microtargeting varied between countries.

If countries moved towards more regulation, the Council of Europe could be developing frameworks for balancing fundamental rights, setting standard (e.g. define political ads) and monitoring the risk of abuse and over-regulation.

In the discussion, it was also pointed out that the issue was not so much about targeting as such. It was rather about how political information was produced and distributed in the digital age, which raised issues with regards to transparency, accountability and digital literacy among others.

In her presentation Ms Mergel defined digital transformation as “a holistic effort to revise core processes and services of government beyond the traditional digitization efforts.” She introduced and explained the concepts of e-government, e-governance, digital government and digital governance. Ms Mergel emphasised the importance of taking a user perspective. She used the term “user” as the term “users” include both internal stakeholders (public servants) and external stakeholders (e.g. citizens, businesses).

In her recommendations, Ms Mergel stressed that public administrations needed to invest in building digital competences of their work force and in changing work processes, e.g. multi-disciplinary, cross-functional teams and working in the open. She highlighted that user-centricity was key for modernising the public administration and digital services should be simplified based on user needs.

The discussion centred around the questions of public value, preparedness of public administration for digital transformation, human resources management (competencies, training, trust in workforce), prominent role of local government, cost effectiveness and impact of Covid-19.

The information provided was uploaded to the shared webspace and would be used in the preparation of the study.

4. Contributions from members of the working group and exchange of views

A recent study from the Netherlands was looking at new challenges due to the use of AI applications, such as voice cloning, deep fakes, psychographic. In addition, a report about the role of city councils with regards to digitalisation would be published. Preliminary findings suggested that this was not a priority for city councils so far. The reports would be uploaded to the shared webspace. Several case studies and reports had been carried out in the UK, too, which would also be shared. Finland highlighted that large sets of data needed to be explained, which is why Finland provided citizens with visual information to understand budgets for example.

5. Other issues

The Secretariat explained the next steps with regards to the study: the Secretariat would prepare a revised version of the preliminary study taking into account the comments. A consolidated draft would then be presented at the 12th CDDG meeting at the end of November for further comments.

The Secretariat clarified that task ii. (*Develop standards on new technologies and the different stages of the electoral process, including voter registration, transmission and tabulation of results, in the form of a Committee of Ministers’ recommendation or guidelines*) would also be discussed at the next Working Group meeting, most likely on 23 October.

6. Date and place of next meeting

The next meeting would be held on 22 and 23 October 2020 online.

APPENDIX I**LIST OF PARTICIPANTS****CHAIRPERSON / PRESIDENT**

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APPENDIX II

AGENDA

1. **Opening of the meeting and adoption of the agenda** [GT-DT(2020)OJ2]
2. **Information on recent activities and developments**
 - Report from CDDG meeting by Mr Almir Šahović, Chair of the Working Group [CDDG(2020)12]
 - Update on developments at the CAHAI by Mr Peter Andre, CDDG Rapporteur
 - Information by the Secretariat as regards recent developments in other Council of Europe bodies [GT-DT(2020)6]
3. **Study on the impact of the digital transformation on democracy and good governance (task i.)**
 - Consideration of a preliminary draft report [GT-DT(2020)7]
 - Discussion and exchange of views [CDDG(2020)6]

Presentation:
 "Micro-targeting in political campaigns: state of current debates"
 By Mr Peter Wolf, International IDEA
4. **Study on the impact of the digital transformation on democracy and good governance (task i.) continued**

Presentation:
 "Digital transformation of public administration: best practice and trends"
 By Ms. Ines Mergel, Professor of Public Administration in the Department of Politics and Public Administration at the University of Konstanz
5. **Contributions from members of the working group and exchange of views**
6. **Any other business**
7. **Next meeting is on 22.-23. October 2020**
Venue to be seen, most probably online.

End of the meeting