



Strasbourg, 8 March 2021

GT-DT(2021)3

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

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

**MEETING REPORT**

**VIDEOCONFERENCE MEETING**

**8 February 2021**

**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 Secretariat informed the working group of the adoption of [Guidelines on facial recognition](#). With regards to the Ad Hoc Committee on Artificial Intelligence (CAHAI), the Secretariat pointed out that, in addition to contributing to its ongoing work, the CDDG might be called to complement it through guidelines or a recommendation in its areas of competence.

Mr Peter Andre, CDDG Rapporteur on Democracy and Technology, informed the group on the recent activities of CAHAI. The CAHAI feasibility study had been adopted by the CAHAI in December 2020. It would be discussed in May at the Committee of Ministers Meeting.

CAHAI had established three working groups. The Policy Development Group (PDG) had contributed to the drafting of the feasibility study and was now tasked to further develop specific parts. Two sub-groups had been set up, one on Impact assessments and one on AI in the public sector. Among others, the latter group would look at procurement, capacity building for public servants, oversight policies and transparency issues. The Legal Framework Group would meet later in the week. The Rapporteur indicated that the CDDG might be asked to provide input on a short notice.

The Rapporteur informed the working group about a high-level event on “AI and regulation”, which had been organised under the German presidency of the Committee of Ministers in January 2021. The conclusions of the event could be found on the website and the shared webspace. Among others, the conclusions recognised that specific requirements for Artificial Intelligence to ensure transparency, the quality of training data, human autonomy, sufficient complaint options and remedies, as well as guaranteeing effective enforcement mechanisms, were of utmost importance when developing elements of a future legal framework for Artificial Intelligence.

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

The Secretariat presented the modifications to the draft study based on comments made during the CDDG plenary meeting, case studies provided by the member States and case studies added by the Secretariat on the basis of desk research or drawn from the Handbook on e-Democracy. Digital technologies and policies were constantly evolving. In order to avoid that the information presented in the study would be quickly outdated, the chapter on international developments was presented in the form of an addendum. With this change, there was no need to modify the structure of the study.

Overall, the study looked at the impact of digital transformation on democracy and good governance by describing positive and negative effects; highlighting potential benefits and enabling factors of digital transformation; pointing out potential risks and possible mitigation factors.

With regards to the introductory part, the sub-chapter on definitions could be expanded, if necessary.

With regards to the chapter on the impact on democracy, the chapter now included a list of different forms of democracy (representative, participatory, deliberative, aleatory etc.), as digital technologies impacted them differently. The Secretariat also indicated which of the added case studies were taken from the Handbook on e-Democracy.

With regards to the chapter on the impact on good governance, the focus of the chapter was the use of digital technologies, including automated decision making, in the public administration. The chapter was largely based on an expert paper by Ms Mergel and also included the full speech by Mr Markus Richter, State Secretary and Federal Commissioner for Information Technology, Federal Ministry of the Interior, Building and Community, Germany, delivered during the 12<sup>th</sup> CDDG plenary. Mr Richter described Germany’s approach to digital transformation in the public sector and highlighted the mix of measures ranging from labs, strong participation by citizens and tandems between the federal and central state. Furthermore, the chapter included an extensive section on the use of AI and automated decision making in the public sector highlighting the issues of discrimination, accountability and transparency, to name a few.

In the discussion, members welcomed that the study was taking a broad view of democracy and addressed new trends of democracy (especially deliberation). Members also welcomed that the case studies added by the Secretariat included the perspective of young people and youth participation. Members pointed out that technology offered ways to enhance participation and that deliberative methods should not be understood in opposition to representative methods but rather as complementary measures to enhance trust.

Members highlighted that, if done wisely, digital transformation had the potential to improve service delivery and policy making, e.g. with the appropriate training digital tools could promote equality and participation among marginalised groups.

It was suggested to expand on the concept of smart city; to add smart regions to highlight the different impact of digital transformation on urban and rural areas; and to showcase how technologies could be used to foster cooperation between different levels of governance. Furthermore, the concept of trust needed to be highlighted throughout the study.

The working group agreed that an executive summary should be added and the conclusions should be developed. The 12 principles of good democratic governance should be placed at the beginning of the conclusions. Overall, the conclusion should also put forward political statements, add possible actions for the CDDG's terms of reference for its next biennium and suggest possible activities for the Centre of Expertise of Good Governance around public administration reform, technical cooperation and exchange of good practice.

With these changes, the working group approved the study in substance. At the request of the working group, the Rapporteur on democracy and technology accepted to review the draft study prior to its final submission to the CDDG, with a view to adding an executive summary, further developing the conclusions, taking account of the most recent developments and ensuring consistency with ongoing Council of Europe work, namely the work being carried out in CAHAI. The working group took note of the offer by the UK delegation to support the Rapporteur in the final drafting.

Working group members were invited to provide, within a one-week deadline, additional case studies to be included in the study, to reflect greater geographical diversity.

**4. Developing standards on new technologies and the different stages of the electoral process (including voter registration, transmission and tabulation of results, etc.) in the form of a Committee of Ministers' recommendation or guidelines (task ii.)**

The Secretariat reminded the working group of its decision to develop Committee of Ministers' guidelines rather than a recommendation. To this end, a questionnaire on the use of digital technologies had been drafted with the help of the expert consultant, Ms Ardita Maurer. The questionnaire had been sent out to the members of the CDDG. A compendium of the replies had been distributed to the members of the working group.

The working group welcomed two new experts to support the work on task ii): Mr Robert Krimmer, ERA-Chair Full Professorship of e-Governance, Skytte Institute, University of Tartu, Estonia and Ms Melanie Volkamer, Karlsruhe Institute of Technology, Germany. Both experts briefly presented themselves and pointed out that they were both familiar with the Council of Europe as they had participated in the drafting of Recommendation CM/Rec(2017)5 of the Committee of Ministers to member States on standards for e-voting.

Ms Ardita Driza Maurer presented an analysis of the replies to the questionnaire. There was a wealth of information available from the compendium. It showed that most countries had digitalised at least some parts of their electoral processes, albeit only few countries implemented e-voting or e-counting. The impact of the Covid pandemic on elections was mentioned by those countries which had planned, held or needed to postpone elections during the last year. The need to improve digital skills and digital literacy, especially for those involved in managing elections, was a recurrent theme.

In the discussion, members welcomed taking an inclusive and multi-disciplinary approach. Members stressed that the guidelines should be technology neutral and focus on principles. With regards to principles, it was suggested to highlight accessibility / usability, security and data protection. Furthermore, the guidelines should address questions of risk and incidence management, as well as capacity building for civil servants. Additional issues to be considered included multi-level government, the role and responsibilities of private companies and the tension between the one-time event (election) and the election management administration working continuously.

The working group agreed that with regards to task ii), the Secretariat would work closely with the experts to develop a skeleton structure for the guidelines to be presented to the Bureau. The [Guidelines](#) on the implementation of the provisions of Recommendation (2017)5 on standards for e-voting could provide inspiration for that structure.

## **5. Other issues**

The new Secretary of the Governance Committee of the Congress provided information on upcoming reports. "Home sharing platforms: challenges and opportunities for municipalities," accompanied by draft resolution and draft recommendation, would be discussed at the next Governance Committee meeting. The report "Holding referendum at local level" accompanied by draft resolution and draft recommendation, was on the agenda for approval at the next Monitoring Committee meeting. Furthermore, the report "Ensuring respect of European charter of local self-government in major crisis situation" was also set for adoption. It examined new challenges imposed by the pandemic and highlighted the need to strengthen multi-level governance. Finally, the report on smart cities would now be expanded to include smart regions and would be published later this year. It addressed among others challenges and risks related to the digital divide and misuse of digital data and it also pointed to good practice.

Once available, the Secretariat would upload all relevant documents from the Council of Europe to the shared webpage.

## **6. Date and place of next meeting**

The next meeting would be held on 1<sup>st</sup> of June 2021, most likely online.

**APPENDIX I**  
**LIST OF PARTICIPANTS**

**CHAIR / PRESIDENT**

Ambassador Almir ŠAHOVIĆ, Assistant Minister for Multilateral Affairs, Ministry of Foreign Affairs of Bosnia and Herzegovina, Sarajevo

**AUSTRIA / AUTRICHE**

Mr Gregor WENDA, Deputy Head of Electoral Affairs Department, Directorate General of Legal Affairs, Federal Ministry of the Interior, Vienna

**CZECH REPUBLIC / REPUBLIQUE TCHEQUE**

Mr Zdeněk HRACH, E-Government Department, Ministry of Interior, Praha

**FINLAND / FINLANDE**

Mr Markku MÖLLÄRI, Ministerial adviser, Department for Local Affairs and Regional Administration, Ministry of Finance, Helsinki

**GREECE / GRECE**

Ms Vasiliki MASOURA, Expert, Directorate of Organisation and Functioning of Local Government

Mr Nikolaos DIKAROS, Head of the Department of Design and Development of Information Systems, Directorate of E-Government

Ms Elli STILIANIDI, Expert, Independent Department of International and European Relations

**ITALY / ITALIE**

Mr Francesco GIUSTINO, Presidenza del Consiglio dei Ministri, Ufficio Attività Internazionali, Roma

**POLAND / POLOGNE**

Ms Justyna PRZYWOJSKA, Expert for methodology of public services research, National Institute of Local Government

Mr Michal WOJDALA, National Institute of Local Government

**SWITZERLAND / SUISSE**

Mr Bertrand BISE, Chef suppléant de l'unité Projets législatifs I, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Domaine de direction Droit public, Berne

Mr Oliver SPYCHER, Chancellerie Fédérale

**UNITED KINGDOM / ROYAUME-UNI**

Mr Paul ROWSELL, Head of Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government, London

Ms Siobhan SMYTH, Senior Policy Adviser, Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government, London

Mr Gurpal CHEEMA, Policy Adviser, Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government, London

Mr Daniel SCHLAPPA, Cabinet Office, London

Ms Cara BRANDER, Policy Adviser, Security and Preparedness, Elections Division, Cabinet Office, London

**PARTICIPANTS / PARTICIPANTS****CONFERENCE OF INGOS OF THE COUNCIL OF EUROPE / CONFERENCE DES OING DU CONSEIL DE L'EUROPE**

M. Didier SCHRETTTER, Representative of the INGOs at CDMSI and CAHAI

**CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE / CONGRES DES POUVOIRS LOCAUX ET REGIONAUX DU CONSEIL DE L'EUROPE**

Mr Roman CHLAPAK, Governance Committee / Commission de la Gouvernance

**RAPPORTEUR ON DEMOCRACY AND TECHNOLOGY / RAPPORTEUR SUR LA DÉMOCRATIE ET LA TECHNOLOGIE**

Mr Peter ANDRE, Senior Expert for Legal Affairs, Ministry of Interior, Wien, Austria

**EXPERT-CONSULTANTS / CONSULTANT-EXPERTS**

Ms Ardita DRIZA MAURER, Juriste, LL.M., Consultante indépendante, Droits politiques et nouvelles technologies de vote, Suisse

Mr Robert KRIMMER, ERA-Chair Full Professorship of e-Governance, Skytte Institute, University of Tartu, Estonia

Ms Melanie VOLKAMER, Karlsruhe Institute of Technology, Germany

**SECRETARIAT**

Ms Sonia SIRTORI, Head of the Democratic Governance Division / Cheffe de la Division de la gouvernance démocratique – Secretary of the CDDG / Secrétaire du CDDG - Directorate of Human Dignity, Equality and Governance / Direction de la dignité humaine, de l'égalité et de la gouvernance, Directorate General of Democracy / Direction générale de la démocratie

Ms Judith ORLAND, Democratic Governance Division / Division de la gouvernance démocratique – Directorate of Human Dignity, Equality and Governance / Direction de la dignité humaine, de l'égalité et de la gouvernance, Directorate General of Democracy / Direction générale de la démocratie

Mr Markus ADELSBACH, Head of the Election and Civil Society Division / Chef de la Division des élections et de la société civile / Directorate of Human Dignity, Equality and Governance / Direction de la dignité humaine, de l'égalité et de la gouvernance, Directorate General of Democracy / Direction générale de la démocratie

Ms Isabelle ETTER - Assistant / Assistante

**Interpreters / Interprètes**

Ms Corinne McGEORGE  
Ms Isabelle MARCHINI



## APPENDIX II

### AGENDA

#### **10.30 am-1.00 pm**

**1. Opening of the meeting**

**2. Adoption of the agenda**

*[GT-DT(2021)OJ1]*

**3. Recent developments**

- Update from the Secretariat
- Update from the Rapporteur on democracy and technology
- CAHAI: Feasibility Study

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

- Update from the Secretariat
- Tour de table of members of the working group
- Finalisation of the draft study with a view to its submission to the 13<sup>th</sup> plenary meeting of the CDDG for approval

*[GT-DT(2021)1+Addendum]*

*Other reference document: Handbook on E-Democracy*

#### **2.30-5.00 pm**

**5. Develop standards on new technologies and the different stages of the electoral process (including voter registration, transmission and tabulation of results, etc.) (task ii.)**

- Update from the Secretariat
- Presentation of the compendium of the replies to the questionnaire and discussion on a tentative structure for the Committee of Ministers' guidelines *[GT-DT(2021)2]*
- Tour de table of members of the working group
- Discussion with the participation of experts:
  - Ms Ardita Driza Maurer, University of Zurich, Zentrum für Demokratie Aarau, Gimel, Switzerland
  - Mr Robert Krimmer, ERA-Chair Full Professorship of e-Governance, Skytte Institute, University of Tartu, Estonia
  - Ms Melanie Volkamer, Karlsruhe Institute of Technology, Germany

*Other reference documents:*

- > *Recommendation CM/Rec(2017)5 of the Committee of Ministers to member States on standards for e-voting*
- > *Guidelines on the implementation of the provisions of Recommendation CM/Rec(2017)5 on standards for e-voting*
- > *Questionnaire on member States' experience in relation to e-voting and Recommendation CM/Rec(2017)5 on standards for e-voting [CDDG(2019)2]*

**6. Other business**

**7. Date and venue of the next meeting**

1 June 2021 (modalities to be confirmed)