EX ANTE PUBLICITY FOR NEGOTIATED PROCEDURE FOR MIDDLE VALUE CONTRAT

Monitoring the implementation of the Code of conduct on countering hate speech online
JUST/2020/RRAC/PR/RIGH/0088

1. Contracting authority

European Commission
Directorate-General Justice and Consumers
Directorate C
Unit C2
Rue Montoyer 59
Brussels 1049

2. Negotiated procedure for middle value contract

Expressions of interest should be submitted in one of the official languages of the European Union by electronic means at the following address: JUST-04-PROCUREMENT@ec.europa.eu.

Inclusion on the list entails no obligation on the part of the contracting authority concerning the conclusion of contract.

3. Information and documents to be provided

Interested parties should provide their full contact details.

4. General description of the procedure

Interested parties are invited to submit an expression of interest in accordance with the rules set out in this notice.

The contracting authority will invite all economic operators who have expressed their interest to submit a tender and will send them the tender specifications relating to the contract in question.

5. Protection of personal data

If processing your expression of interest involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EU) 2018/1725[1] of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. Unless indicated otherwise, your reply to this notice and any personal data requested are required for the purposes indicated above in point 4 and will be processed solely for those purposes by the contracting authority indicated in point 1, which is also acting as data controller. Details concerning the processing of your personal data are available on the privacy statement at:

https://ec.europa.eu/info/data-protection-public-procurement-procedures_en.

Your personal data may be registered in the Early Detection and Exclusion System (EDES) by the responsible Authorizing Officer of the Commission, should you be in one of the situations mentioned

[1] OJ L 295, 21.11.2018, p. 39

in Article 136 of the Financial Regulation. For more information, see the Privacy Statement on http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm).

6. Use of the list resulting from this notice

The list resulting from this ex ante publicity will be used exclusively for selection of candidates to be invited in a negotiated procedure for middle value contract.

7. Full description of the fields covered by the call for expressions of interest

The Commission is evaluating the progress on the implementation of IT Companies as regards the commitments provided by the Code of Conduct on countering illegal hate speech online[2]. The contract aims at monitoring online illegal hate speech. The contractor shall monitor IT Companies/social media platforms (namely, but not exclusively, Facebook, YouTube, Twitter, Instagram, Snapchat, Dailymotion, jeuxvideo.com and TikTok) and notify to them cases deemed as illegal hate speech according to national criminal law transposing the EU legislation on combatting racism and xenophobia[3]. The contractor should also track the follow up given by the social media platforms to the notifications (e.g. removal of content), record and compile all the data and report to the Commission at the end of each monitoring period. The contract envisages the realisation of three monitoring exercises of the duration of six weeks each, focused on publicly available content available on social media platforms in 21 EU countries and correspondent languages (Austria, Belgium, Bulgaria, Croatia, Czechia, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, The Netherlands). The monitoring exercises could be spread over a higher number of monitoring phases, involving a lower number of countries, depending on policy priorities.

The following tasks are to be carried out:

- Active search and screening of potentially **illegal hate speech** content hosted on the social media platforms which are part of the Code of conduct on countering illegal hate speech online in the EU countries/languages listed above;
- Analysis of cases identified and selection of hate speech content deemed illegal according to national criminal law transposing the EU legislation combatting racism and xenophobia;
- Notification of illegal hate speech content to the social media platforms, either through special reporting channels (such as channels for “trusted flaggers”) or through channels available to all users;
- Follow up to the notifications made (checking status, reacting to queries by social media platforms, etc.)
- Reporting on the follow up given to the notifications (i.a. removal, time of assessment, feedback by the social media platform) through data analysis and graphical representations.

Candidates will be requested to prove sound legal expertise in detecting illegal hate speech in the official language of the countries in the scope, as well as sound knowledge and familiarity with the landscape of illegal hate speech online and hate crime episodes in the national contexts. In particular, the candidates should also prove sound legal knowledge regarding illegal hate speech and hate crime against specific communities such as LGBTI+ people, Roma, Muslim and Jewish communities. Candidates will also be requested to prove to be a trusted reporter/trusted flagger or part of any similar specialised programme by IT Companies in the area of racist and xenophobic speech. Detailed requirements regarding selection criteria will be specified in the tender specifications.

[2] http://ec.europa.eu/justice/fundamental-rights/files/hate_speech_code_of_conduct_en.pdf

[3] Council Framework Decision 2008/913/JHA, of 28 November 2008, on combating certain forms and expressions of racism and xenophobia by means of criminal law

The indicative maximum amount of these activities is set to €139 000.

8. Place of delivery

European Commission premises.

9. Deadline for expressions of interest

The interested economic operators should express their interest at the latest on **30 September 2020**.

10. Ex-post transparency

Details on the contractors who have concluded a contract of more than €15 000 awarded following the procedure set out at point 4 shall be published on the website of the contracting authority before 30 June of the year following contract award. These details include name, locality (address for legal persons and region of origin for natural persons), amount, and subject of the contract. For natural persons, the information shall be removed two years after the year of contract award.