NEWROPEANS AND THE INFORMATION SOCIETY

WORKING PAPER

This Newropeans' working paper on the Information Society in Europe is to be publicly discussed. It is by relying on the participation of netizens and stakeholders through a commons-based peer production model that this paper will be shaped and improved.

Anyone is invited to comment the content of this proposal on the wiki here:
http://interneteurope.pbwiki.com

After this public discussion, members of Newropeans will be invited to approve the final text. Newropeans members reserve the right to integrate or not public suggestions, but they will be providing regular feed-back throughout the process.

1.Importance of the information society

Moving towards information handling as the basis for the economy is crucial for prosperity and quality of life in the European Union. ICT is indeed the single most important source of productivity growth, accounting for 40% of its total.

High-speed Internet is the passport to the Information Society and an essential condition for economic growth. Europe should ensure high-speed broadband access from all the EU territory and for all EU citizens providing a widespread and affordable access. Moreover a fully recognized universal access right represents in fact the prerequisite for a diffused commons-based critical knowledge.

This can be most easily done by setting minimum standards for services, in the same way there are minimum standards set for the automobile industry. Such standards should move upwards as better technologies become cheaper.

The Single Market requires promoting the free movement of knowledge and innovation thus encouraging open access to knowledge and open innovation by removing the barriers which prevent the EU from further developing and exploiting ICT on a trans-European scale. **We want to contribute in the building of the Single European Information Space defining legal and economic instruments to achieve the goals of the i2010 strategy and go beyond them**.

2.Promoting a European Bill of digital rights

Newropeans want to support the completion of a Single European Information Space which promotes an open internal market for information society and media. We should indeed prevent market forces from distorting and limiting rights of e.g. web users.

We think recent governmental, technological and corporation influence on web users' rights have clarified the need of a constitutional dimension for the protection of fundamental rights in the information society. We imagine a bottom-up approach starting from the existing debate though stakeholders and eventually from the Internet Governance Forum meetings results. We decided to wide the concept of digital rights beyond the Internet frame to ensure their future application independently from the (next) technological architecture.

We are strong supporters of the idea of a European Bill of digital rights to achieve the enforcement of fundamental rights so far in the Internet environment (as declared in Tunis at the World Summit for Information Society 2005). These rights and principles should include, among others, privacy, data protection, freedom of expression, universal access, network neutrality, interoperability, global reachability of all Internet nodes, the use of open formats and standards, public access to knowledge and the right to innovate. The same principles should later be applied to the next generation technologies that will replace the contemporary Internet.

3.Preserving net neutrality

Internet services must enable users to deliver packets to any other point of the Internet and at the same time must accept packets from any other Internet user or service. Otherwise the Internet would lose its democratic character, degrading into a centralized and controllable platform. Today users choose the bandwidth, pay the relative cost of connection and get access to the entire Internet. Any internet user can develop a new application without asking their ISP (Internet Service

Providers), or the cable company or the government. These are some of the most relevant features of the neutral internet.

So far consumer groups and civil liberties organizations underline that a lack of legislation about net neutrality guarantees will cause a loss of the economic, cultural and political benefits brought by Internet. On the other side, telephone and cable companies oppose any neutrality regulation, assuming that non-discrimination obligation will limit their incentives to invest in the next generation broadband networks.

We believe indeed in the principle of net neutrality as a way to preserve the benefits of internet as a free and open technology. This ensures that information on the Internet is not prioritized on the basis of its sender or its destination. The EU should stimulate neutral broadband networks free of restrictions on content, sites or platforms, on the kinds of equipment that may be attached, and on the modes of communication allowed. The micro-economics concerns should not prevail on macro-economics benefits of an internet offered on a non-discriminatory basis. The Internet has to remain a free and open technology fostering innovation, economic growth and democratic communication.

A short-term solution to ensure the continued existence of an open network connecting general-purpose computers is regulation. This consists fundamentally in **splitting the responsibilities for content of data from those of transfer of data**. Requiring ISPs to be divided into ITPs (Internet Transfer Providers) and IHPs (Internet Hosting Providers). ITPs are required to treat all packets equally. Companies shall not provide both services.

The middle-term goal should be the development of municipal broadband networks. This model would allow the emergence of a neutral information transport infrastructure on a nonmarket model. These systems would be public, like highways, sidewalks, and parks. The physical fiber going to the home — without the devices determining the use of the connectivity — should be built by the municipality.

4.Strengthening Privacy Protection

The EU should strengthen privacy protections for the digital age and harness the power of technology to hold government and business accountable for violations of personal privacy. We are concerned about the fact that the improper use of technologies to protect copyright holders could be detrimental to the protection of personal data of individuals. At the same time we would work to ensure that the principle of registered identity of individuals and companies accessing the net would be accepted in the EU legislation.

Newropeans consider privacy as a key component of the equality society. **We intend to emphasize the relevance of the right to the protection of personal data** in the digital environment; privacy, in fact, is today a pre-requisite to be part of the democratic processes and an essential tool to allow citizens to act autonomously.

5.On Standards

The EU must play an active role in developing innovative and interoperable ICT applications, standardisation and increase reliability and security, in order to maximize the benefits of ICT to business productivity. We intend to seek the implementation of standards internationally enforceable.

The most important aspect of using standards is the guarantee of accessibility to data over time and space.

Over space: by promoting a set of interoperable and open data formats to be used across the EU territory, much in the same way that the Union does not allow the sale of products marked in other than agreed amounts of metric units, which allows customers to compare prices easily.

Over time: by supporting mechanisms to move from older to newer data format standards, so that data can either still be accessed in older formats or that migration to newer formats can happen in an orderly fashion.

There are of course several core standards that everyone knows: unicode for text, XML for structure, jpeg for images and so on, and we do not propose that the EU should develop standards. The touchstone is the accessibility of data.

6.Open Source Data Formats and Open Source Software

Apart from the data itself there is the question of operating on it through software, either for creating new data or for transforming or reusing existing data. We are aware of the wide benefits of using open source software (OSS) for the Information Society at large. We do believe that public administrations all over Europe should prefer (and be encouraged to chose) OSS to converting what in a traditional office are paper processes into electronic processes, with the goal being to create a paperless public administration.

While it is theoretically irrelevant what software/hardware is used so long as the data produced is accessible in the sense of the previous point, **we do believe that the efficient use of the human resources does depend on training and familiarity with software that conforms to some guidelines**.

Harmonisation of software has been attempted before and usually failed miserably because the industry was moving very fast in previous decades. But just like the automobile industry has converged towards well-accepted interfaces for cars (we all use the same layout for pedals for example) the software industry has similarly converged on a set of interfaces now that progress in the basic tools is no longer so fast. A new attempt at harmonisation may be more successful this time and certainly would have broad benefits.

7.Encouraging innovative Intellectual Property policies

Newropeans intend to ensure that international intellectual property policies are adopted through democratic processes and with public interest participation. We intend to promote alternative forms of licensing for creative material (including, but not limited to, Creative Commons licenses), open access to scientific publications and research results, management of works whose authors are unknown. We consider intellectual property being very important but at the same time we are concerned about the respect of civil rights and of web architecture.

We are worried about the current legal battle concerning P2P (causing privacy violations, copyright infringements and economic growth limitations) and we imagine a role for the EU as avant-garde exploring solutions for the digital ecosystem within voluntary collective licensing models. Newropeans claim, in fact, despite risks of P2P systems this technology could enrich human interaction setting the conditions for innovative ways of collaboration and creative relationships.

We strongly challenged the recent Commission proposal (COM(2008) 464 final) aimed at extending the term of protection for performers and phonogram producers to from 50 years to 95 years. Indeed Newropeans believe the public domain is an essential tool for new creators.

8.Media control

We consider imperative to encourage diversity in the ownership of broadcast media and to promote the development of new media outlets for expression of diverse viewpoints. We believe democracy requires a wide citizens' exposition to different topics, ideas and different point of view not specifically selected in advance.

The financing of the media is a burning question: at present there is a vicious triangle of author-reader-advertiser. The readers should actually directly pay the authors for their works or the enjoyment of them. As long as works were distributed on physical media that were difficult to reproduce, such as books and vinyl discs, the reader's purchase of a copy was also the way to pay the author and for a specific work at a specific time. But broadcasting and certainly the digital media changed that model. The vicious triangle also has built-in the possibility of control over expression by the advertiser.

We propose an experiment with micro-payments and digital cash to break this vicious triangle. The availability of micro-payments could also solve many problems of intellectual property, since these are now implicitly connected to macro-payments for goods that no longer have a physical substrate.

9.Data Ownership

As information processing reaches the population at large, computers and the net are being used by people who are not technically adept and do not want to be. This development is similar to what happened with cars: at first cars were for technically astute hobbyists, but the average driver of today has no knowledge of thermodynamics or even simple mechanics. Likewise the average computer user is not interested in programming and has often no idea of the capacities of the machine or how the data on it are organised.

This opening up of computing to the masses means an overwhelming majority of users are unable to look after their data, make regular backups, update their operating system and application software.

As a result services for storing data and providing on-line applications are becoming increasingly popular. The home computer is effectively becoming a simple terminal to a gigantic centralised computer. We are returning to the feudal system of centralised IT management, the "republic of responsible citizens" is fast becoming a minority as far as information processing is concerned.

But we all know what centralised IT management means: the user loses control. Fortunately there is still a choice of services and different types of services are provided by different companies.

There are monopolistic trends at work, but the worst aspect is that very often the service is provided by a company that is outside the legal space of the user. Yet the user thinks or is led to believe that they have control over the data they store with the service and that the service is indefinite and universal.

We urge the implementation of laws regulating the storage of private data outside the user's private space. The issues to be addressed are:

  •access over time (can I still look at my photos on a photo storage site in ten years from now?)

  •privacy (can I be sure that no-one, not even the employees of the service company, can access my data unless I permit it?)

  •extraction (can I be sure that I can take my data back off the server in a usable format if I want to move to a different service or want to leave the service altogether?)

•emigration (can I be sure that the service keeps no data about me or about my data if I wish to leave completely?)

•jurisdiction (can I be sure that the servers I use are subject to the laws of the country I live in or at least those of the EU?)

If users submit to contracts with data storage and application providers, they must retain control over their data.

10.Social networking

Social sites have all the characteristics of data services as discussed in the previous point, but in addition they capture a large amount of effort. For example, the virtual reality site Second Life allows its users to program virtual environments. Apart from the potentially addictive nature of these sites, their users spend much time in constructing "exo-memories", complete with complex programming. Therefore, users do not only store data on sites like My Space and Facebook, they weave an entire web about themselves. It has little meaning to "extract" these constructs because they cannot be used in stand-alone on the user's local machine. In that respect they are not simply data as in the previous point.

We urge the implementation of laws to regulate the behaviour of companies providing these social networks. The issues are similar to those for data storage, but are complicated by many psychological aspects. A study is necessary to understand where the law should progress to include social networking in ways similar to how associations, political parties and public service companies are regulated.

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