Parliamentary Assembly
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COUNCIL OF EUROPE
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Final version

Internet and politics: the impact of new information and communication technology on democracy

Parliamentary Assembly

1. The Parliamentary Assembly notes that the expansion of the Internet has had major consequences in terms of the exercise of the fundamental rights which are central to the construction of our democratic societies, such as the right to freedom of information, expression, opinion, assembly and association, and the protection of an individual's privacy.

2. This expansion and the exponential acceleration of the capacity for transmission on the network have put an end to the concentration of informative power and changed the paradigm of communication. The public space has been enlarged and the web has become an enormous unbounded field, a veritable global forum where all individuals can seek and exchange information, share knowledge, express opinions on any subject and become committed to an idea or a cause.

3. The upheavals caused by the Internet have altered the relationship between the political world and citizens and the balance between representative democracy and direct democracy. They make it imperative for us to discuss both the new prospects that are opening up for a stronger and more dynamic form of democracy and the new dangers which may undermine it, along with the role that legislators should play in this process.

4. The Internet helps citizens to rally together and ensures increased visibility for their action. It has also radically changed institutional communication and the structure of the relationship between voters and the political parties, as well as among citizens, elected representatives and government departments. More broadly, it has extended the possibilities for participation in political life. The Internet is thus an essential part of modern democracy, and the political institutions must take account of the plethora of citizen participation initiatives which take shape on the web.

5. The development of communication technologies in future will allow the use of electronic voting for the expansion of the traditional mechanisms of democracy. This process should be gradual.

6. However, the Assembly does not think that in today's complex world it would be possible to replace the universal-suffrage model of political representation with any sort of model based primarily on processes of direct democracy through electronic channels, even supposing that everyone had access to the consultation procedures and voted via the Internet and that appropriate means were found to remove all obstacles to the general use of electronic voting.

7. The definition and implementation of policies necessitate a number of long-term choices, requiring complex negotiations and involving conflicting interests which are difficult to balance; such complexity is not sufficiently appreciated in the decision-making processes on the web, which must necessarily simplify the content of discussions. Public policies also require internal coherency and co-ordination, to which the fragmentation of the decision-making process on the web would set up insuperable obstacles.

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1. *Assembly debate* on 29 January 2014 (5th Sitting) (see Doc. 13386, report of the Committee on Culture, Science, Education and Media, rapporteur: Ms Anne Brasseur; and Doc. 13399, opinion of the Committee on Political Affairs and Democracy, rapporteur: Mr Hans Franken). *Text adopted by the Assembly* on 29 January 2014 (5th Sitting).
See also Recommendation 2033 (2014).

8. Lastly, in such a system, those people – having more resources and necessarily fewer in number – who would *de facto* dictate the final decisions would neither be known nor required to account for these decisions, and would therefore wield a type of power which was both illegitimate and unaccountable. In this case we can no longer speak of democracy.

9. Participation and representation are inseparable; this requires representative democracy to be genuinely participative. For several years now, the Assembly has been regularly observing the erosion of public confidence in political institutions. In order to halt this tendency, politicians should listen more, develop citizen participation and promote active citizenship.

10. In this regard, the Assembly notes that the Internet and social media are opening new doors to enlarged dialogue between citizens and elected representatives and stimulating more dynamic participation in democratic life. We must seize this opportunity to reconnect the democratic institutions, via the Internet, with the citizens who have moved away from them, and develop, particularly in our parliaments, the capacities and competences required for exploiting this positive potential provided by the Internet.

11. Alongside the elected representatives, the political parties have an extremely important role to play; the Assembly invites them to reflect on their relations with their electoral bases and on the use of new information and communication technology in order to develop permanent dialogue with voters and involve them in devising, and subsequently implementing, their political programmes.

12. However, the Assembly is aware that the Internet increases the risks of abuses and aberrations liable to jeopardise human rights, the rule of law and democracy: it accommodates the expression of intolerance, hatred and violence against children and women; it fuels organised crime, international terrorism and dictatorships; it also intensifies the risk of biased information and manipulation of opinion, and facilitates insidious monitoring of our private lives.

13. Control over the lawful use of data processed on the web is difficult: national legislations on data protection differ and privacy policies of the transnational Internet corporations – which are the world's largest personal data operators – are subject only to the law of the States where the corporations are registered. It is especially worrying that personal data have been reduced to tradeable goods and are misused for commercial or political purposes, posing a serious threat to the protection of private lives. In addition, the increased use of new semantic polling techniques can lead to the manipulation of public opinion and distort political processes.

14. The Internet belongs to everyone; therefore, it belongs to no one and has no borders. We must preserve its openness and neutrality. However, the Internet must not be allowed to become a gigantic prying mechanism, operating beyond all democratic control. We must prevent the web from becoming a *de facto* no-go area, a sphere dominated by hidden powers in which no responsibility can be clearly assigned to anyone.

15. The accountability of Internet operators is therefore a key issue which the Assembly is currently dealing with via two reports on the right to Internet access and on co-ordinated strategies for effective Internet governance. At the European Union level, the "Code of EU online rights" and the "Digital Agenda for Europe" initiatives are also concerned with this issue.

16. Web surfers can help make the Internet a safer environment which respects human rights and the operators must shoulder their responsibilities in fighting abuses and aberrations. Self-regulation is vital here to guarantee Internet neutrality and should be encouraged; it would not, however, appear to be sufficient.

17. States must take concerted action and adopt common rules, while ensuring that the supervisory mechanisms themselves do not threaten fundamental freedoms, to protect the Internet as an area of freedom. The revelations about the operations of intelligence agencies which go beyond any legal framework by ordering systematic intrusions into private life are unacceptable; this must lead us to reflect seriously on the price we pay for our security and on the precautions which we must take in order to avoid annihilating the space for freedom on the Internet.

18. National parliaments provide key forums for discussing democracy and the possible renewal of the democratic system in the Internet age; they must, however, open up, intensively involve all stakeholders – such as state institutions, private entities and commercial companies – and mobilise the whole of civil society for the debate on democracy, politics and the Internet.

19. Accordingly, the Assembly recommends that the member States, and in particular their national parliaments:

19.1. increase the capacity of the political – and in particular the parliamentary – institutions to use new information and communication technology to improve the transparency of the decision-making process and dialogue with citizens, in particular through social networks, parliamentary Internet channels and other platforms allowing citizens to provide feedback;

19.2. continue, in this context, developing targeted Internet training programmes for elected representatives, modernising the websites of parliaments and governments and improving the use of online consultation and participation facilities;

19.3. not merely reproduce traditional tools online but reach out to citizens in the virtual spaces they are creating and think creatively about the Internet's potential as a platform for engagement and knowledge sharing;

19.4. use the Internet more effectively as a source of aggregate data that can be used to identify citizens' preferences and needs so that the political agenda on all levels of government better reflects the issues of concern to society, while bearing in mind the long-term effects in the context of the general interest;

19.5. take advantage of the functions of the Internet to boost co-operation between the authorities, civil society and universities with a view to developing and implementing initiatives to promote political and democratic engagement among citizens;

19.6. combat the socio-cultural inequalities which perpetuate the digital divide, including by introducing educational programmes aimed at teenagers and young students so that they acquire the necessary competences for using the Internet as well-informed web surfers;

19.7. promote the convergence of education in the new media and education for democratic citizenship and human rights, which should take due account of the advantages and problems of the Internet, and develop programmes capable of reaching the various age brackets and social groups; these programmes should mobilise school and university circles, social partners and the media;

19.8. invite universities to develop academic courses in the area of data science, including ethical, technical, legal, economic and societal aspects;

19.9. initiate, both at the national level and within the Council of Europe, discussions on norms and mechanisms, keeping pace with the development of the technologies, required for:

19.9.1. creating a safe space on the web while also guaranteeing freedom of expression as set out in Article 10 of the European Convention on Human Rights (ETS No. 5) and the protection of private life as set out in Article 8;

19.9.2. preventing the risk of information distortion and manipulation of public opinion, and consider, for instance:

19.9.2.1. devising coherent regulations and/or incentives for self-regulation concerning the accountability of the major Internet operators;

19.9.2.2. establishing an independent institution with sufficient powers, technical competences and resources to give expert opinions on the algorithms of the search engines which filter and regulate access to information and knowledge on the web, while averting the risk that such an institution could undermine the very nature of freedom of expression;

19.9.2.3. developing principles and general standards for regulating the new semantic polling practices;

19.9.2.4. devising regulations that must be applied by companies offering Internet communication systems to prevent the abuse of individuals' personal or family life by trolling activities, while maintaining a balance with freedom of expression;

19.10. ensure on the one hand respect for human rights on the web and, on the other, freedom of the Internet, and take action within the international bodies responsible for Internet governance to preserve these rights and this freedom throughout the world, especially where democracy has been weakened, threatened or abolished;

19.11. unreservedly support the proposal to launch the preparation of a Council of Europe white paper on democracy, politics and the Internet set out by the Assembly in its Recommendation 2033 (2014) "Internet and politics: the impact of new information and communication technology on democracy".

19.12. pursue the reflection, in close co-operation with the European Commission for Democracy through Law (Venice Commission), with a view to elaborating a protocol to the European Convention on Human Rights on the right to participate in the conduct of public affairs, as stressed in Resolution 1746 (2010) and Recommendation 1928 (2010) "Democracy in Europe: crisis and perspectives", and pay special attention to the role of the Internet and other digital tools of participation, such as social networks, online discussion platforms, electronic voting and open government initiatives.