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

Committee Opinion¹

Committee on Political Affairs and Democracy

Rapporteur: Mr Hans FRANKEN, Netherlands, Group of the European People's Party

A. Conclusions of the committee

1. The Committee on Political Affairs and Democracy welcomes the draft resolution and the draft recommendation presented by the Committee on Culture, Science, Education and Media to the extent that it aims to reinforce the capacity of democratic institutions, especially national parliaments, to make more effective use of the Internet as a tool for transparent parliamentary and governmental action as well as a forum for exchange and dialogue with society.
2. The committee agrees with the overall conclusions of the rapporteur with regard to the two main issues which guided her analysis, namely how the Internet has provided an opportunity for achieving a stronger and dynamic democracy and how it has raised new dangers, and to what extent it has changed the balance between representative democracy and direct democracy.
3. Taking into consideration the debates held at the recent Council of Europe World Forum for Democracy on 28 and 29 November 2013 in Strasbourg, the committee would like to draw attention to the opportunities and risks related to the use of the Internet and social media in political life and to encourage further reflection on how to combine traditional and digital tools of participation. The committee reiterates the Assembly's position that everyone has the right to participate in the conduct of public affairs, and that a balance between new forms of e-democracy and traditional representative democracy must be found to fight disengagement, boost participation, and make political infrastructures more accountable, functional and democratic.

B. Proposed amendments

Amendment A (to the draft resolution)

After paragraph 13, insert the following paragraph:

"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."

1. Reference to committee: [Doc. 12924](#), Reference 3871 of 25 June 2012. Reporting committee: Committee on Culture, Science, Education and Media. See [Doc. 13386](#). Opinion approved by the committee on 27 January 2014.



Amendment B (to the draft resolution)

At the end of paragraph 17.1, add the following text:

“, in particular through social networks, parliamentary Internet channels and other platforms allowing citizens to provide feedback;”

Amendment C (to the draft resolution)

At the end of paragraph 17.9.2.2, add the following text:

“, while averting the risk that such an institution could undermine the very nature of the freedom of expression;”

Amendment D (to the draft resolution)

After paragraph 17.11, add the following sub-paragraph:

“pursue the reflection, in close co-operation with the Venice Commission, with a view to elaborating a protocol to the European Convention on Human Rights (ETS No. 5) on the right to participate in the conduct of public affairs, as stressed in Resolution 1746 (2010) and Recommendation 1928 (2010), and pay special attention to the role of the Internet and other digital tools of participation, such as social networks, online platforms of discussion, electronic voting and open government initiatives”.

C. Explanatory memorandum by Mr Franken, rapporteur for opinion

1. I welcome the report of the Committee on Culture, Science, Education and Media, and the detailed and comprehensive explanatory memorandum prepared by the rapporteur, Ms Anne Brasseur, focusing on the Internet as an area of freedom and citizen participation, which has ended the information oligopoly, allows free expression of opinion and political protest, and creates new forms of political aggregation and “liquid democracy”, but which also brings about new dangers for individual freedoms and risks of disinformation, manipulation and populism.

2. The theme of last year’s Council of Europe World Forum on Democracy (23-29 November 2013) was “Rewiring democracy – connecting citizens and institutions in the digital age” and it focused on how the Internet is revolutionising our democratic practices, in particular through social networks, blogs, and online media. These digital tools offer citizens the possibility to contribute to the decision-making process, to debate policy options in real time and to influence decisions made by their elected representatives.

3. It is important to bear in mind that the use of digital communication technologies may also erode civil and political rights, fragment the democratic debate and undermine the capacity of representative institutions to analyse, discuss and shape a common position.

4. Some of the Forum workshops thoroughly analysed current practices of “liquid” democracy and potential risks for human rights, as well as problems related to the digital divide, Internet voting and open government initiatives. Many participants wondered whether the digital age can provide a remedy for a democracy in poor shape and whether technical innovations are changing the very nature of democracy.

5. Recent political initiatives, such as “Pirate Parties” which have spread to over 70 countries worldwide and count more than 30 000 followers, have indeed increased participation and allowed for an open discussion on various topics and initiatives, which are especially attracting the young. Other experiments, such as online platforms for participative budgets and open government initiatives, e-consultations, e-referenda, and e-initiatives, have offered the opportunity to debate in a more open fashion and boosted democratic participation. They also have the potential to re-establish the link between citizens, policy makers and civil servants by increasing transparency and co-operation. Internet voting, even with its limitations, has been proved to increase the turn out, attract young voters and improve the efficiency of the ballots.

6. I agree with the Forum’s conclusions, that these developments do not, for the moment, constitute an alternative to representative democracy. The key issue is how to use the Internet and other digital tools to make representative democracy more functional or, as it has been rightly said, to “democratise democracy”, and make us politicians more accountable so that we can better serve the needs of the people.

7. What is important is not how voters will vote but to ensure that voters can influence the power structures, which in turn will need to listen more to the citizens. All available means of communication must be used to prevent alienation of the people from their governments.

8. It is therefore undeniable that the Internet and social media constitute an essential component of democracy. However, as parliamentarians we must bear in mind a number of warnings related to the use of blogs, Facebook, Twitter and other online tools in our political work, as follows:

- direct contacts between policy makers and citizens only concern a limited number of issues and not other relevant subjects and overall priorities which are dealt with by parliament;
- Twitter users who react to parliamentarians' tweets often do not participate in the election process (sometimes they don't even have the right to vote), whereas regular voters are confronted with a broader action programme;
- online reactions could also come from a software or fictitious people;
- by instantly reacting to citizens' tweets, parliamentarians miss an important element of democracy, which is analysis, reflection and discussions with other parliamentarians, which allows them to ponder the feasibility of a proposal;
- opinions and tweets of a single parliamentarian can be the source of wrong expectation by the public;
- in some Council of Europe member States, such as my own, the Netherlands, parliamentarians do not enjoy the immunity which they have when speaking in their parliaments, if they express their opinions via Twitter;
- third parties may manipulate some messages with semantic polling techniques.

9. We need to pursue our reflection on how to combine traditional and digital tools of participation and to find a balance between forms of "liquid" and representative democracy, so as to strengthen the infrastructures of our political life, boost participation and improve our democracies.

10. At the last European Conference of Presidents of Parliaments on 20 and 21 November 2012, President Mignon stressed that national parliaments should not oppose changes in society, but adapt to societal and technological developments, while guaranteeing the stability of democracy by building a strong link between the institutions of representative democracy and citizens. This should be done, *inter alia*, through the establishment of better communication channels with the public, notably via the Internet, social networks, parliamentary television channels and/or civil society associations. Parliaments should move into social networks so as not to lose contact with the younger generations.² At the same time, parliaments should pay attention to the risks of information distortion and manipulation of public opinion. That is why I suggest **Amendment B** to the draft resolution to better clarify the actions expected by our parliaments.

11. The accountability of Internet operators is a key issue which needs to be mentioned along with the concerns expressed in paragraph 13 of the draft resolution, related to the Internet becoming a no-go area, dominated by hidden powers with no clearly assigned responsibility. Two Assembly reports are being prepared on the right to Internet access and on co-ordinated strategies for effective Internet governance and two important initiatives exist at European Union level, namely the "Code of EU online rights" and the "Digital Agenda for Europe", which should be mentioned in the resolution (**Amendment A**).

12. This amendment should be seen in conjunction with **Amendment C**. Neutrality needs to be ensured on the Internet as well and not just on television and other traditional media. Paragraph 17.9.2.2 suggests establishing an independent institution with sufficient powers, technical competences and resources to give expert opinion on the algorithms of the search engines which filter and condition access to information and knowledge on the web. However, we should be aware of the risk that such an institution could undermine the very nature of the freedom of expression by exerting undue influence and creating unnecessary restrictions.

13. **Resolution 1653 (2009)** on electronic democracy stressed that the technological evolution of e-democracy should be pursued in accordance with democratic principles. E-democracy can only be instrumental in a democratic environment in which human rights and the rule of law are implemented and observed. I should also like to refer to Recommendation CM/Rec(2009)1 of the Committee of Ministers on electronic democracy, which was the first international legal instrument to set standards in the field of e-democracy. The recommendation was prepared by the ad hoc Committee on e-democracy (CAHDE, 2006-2008) and offers all European Governments and other stakeholders substantial guidelines and

2. Conclusions of the President of the Parliamentary Assembly, Mr Jean-Claude Mignon, 21 September 2012.

principles when dealing with e-democracy. This text was accompanied by a number of practical tools prepared for those who require hands-on information about combining modern information and communication tools and democratic requirements and practice.

14. Finally, in the framework of the 2010 debate on “Democracy in Europe: crisis and perspectives”, our Assembly stressed that the right to participate in the conduct of public affairs, be it at local, regional, national or European level, is a human right and a fundamental political freedom, which should thus be embodied as such in the European Convention on Human Rights. The Assembly decided to undertake further reflection in close consultation with the European Commission for Democracy through Law (Venice Commission), with a view to elaborating such a protocol.³ I believe that this reflection should include the contribution of the Internet and other digital tools, such as social networks, online platforms of discussion, electronic voting and open government initiatives. For this reason, I propose **Amendment D** to the draft resolution.

3. [Resolution 1746 \(2010\)](#) and [Recommendation 1928 \(2010\)](#), “Democracy in Europe: crisis and perspectives”, 23 June 2010.