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Council of Europe

**Democracy, human rights and the rule of law in the
Information Society**

**Contribution by the Council of Europe
to the 2nd Preparatory Committee for the
World Summit on the Information Society**

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Executive summary

The Council of Europe's contribution puts forward a series of issues that should be reflected in the WSIS summit declaration and plan of action. It takes its inspiration from the various Council of Europe legal standards and ongoing discussions in its intergovernmental and parliamentary bodies. The key issues include:

Human rights and fundamental freedoms in the information society

- Ensuring that freedom of expression and information is fully respected with regard to Internet content with any restrictions not going beyond what is necessary in a democratic society;
- Preparing and applying effective legal instruments to combat cybercrime and ensure the protection of personal data;
- Establishing a framework of self-regulation or co-regulation as opposed to outright state regulation;
- Finding the right balance between the protection of intellectual property rights and the legitimate public interest in affordable access to information and cultural products.

Improving communication between public authorities and the citizen

- Multi-channel access to official information, social services and justice;
- Connected, accountable and transparent public institutions;
- E-enabled representation (e-voting) and citizen participation in the shaping of public policies;
- Strengthening local and regional democracy in the information society.

E-inclusion

- Bridging the digital divide by remedying existing access, skills and trust deficits;
- ICT-powered teaching and life-long learning in the information society;
- Media education and Internet literacy for all as essential conditions for citizenship and social inclusion;
- Using ICT's full potential to improve the quality of life of the elderly, the chronically ill, and people with disabilities.

Introduction

1. Digital technology is radically altering the network of relationships and inter-dependencies within and between nations. Alongside the most visible trends in the digital economies of the developed world, its structural effects on the global economy challenge the livelihood and cultural traditions of people, including those living in remote and isolated areas. Potentially, new information and communication technologies give access to an unlimited number of people to an infinite amount of information, placing the cultural heritage of humanity within reach regardless of space and time.
2. Economic and socio-cultural dynamics unleashed by the information revolution confront the established notions of community and power, and call into question conventional structures and mechanisms of societal management. Yet, the primary needs of freedom, safety, learning, exchange, and development remain essential for all human beings.
3. The Council of Europe and its member states believe that democracy, human rights and the rule of law are central to the satisfaction of the primary needs of all members of society. This conviction, enshrined in the European Convention on Human Rights, has guided the Council of Europe over the last 53 years in its efforts to assist member states in implementing the highest standards of democracy, human rights and the rule of law in societies in constant change. These standards should be upheld in the context of the information society by adapting legal frameworks, institutional arrangements and policies to the changing circumstances.
4. The Council of Europe is a pan-European inter-governmental organisation with 44 member states, covering virtually the entire continent of Europe, thus representing 800 million Europeans. It seeks to develop common democratic and legal principles through standard setting and a culture of co-operation. With regard to new information and communication technologies, the Council of Europe has developed minimum standards in areas that are of concern to all member states, from cyber crime to data protection. It constantly highlights the importance of the human and democratic dimension of communication and promotes e-inclusion and the empowerment of citizens in a democratic information society in such a way as to take advantage of opportunities and prevent risks which may result from the new information and communication technologies.
5. At the Strasbourg Summit of 1997, the Heads of State and Government of the Council of Europe called for “a European policy for the application of new information technologies with a view to ensuring respect for human rights, promoting cultural diversity, fostering freedom of expression and information and maximising the educational and cultural potential of these technologies”.¹ Following the Summit’s appeal, a comprehensive declaration was issued by the Committee of Ministers² to develop a coherent legal and policy framework which would assist member states in encouraging access and

¹ Cf. Action Plan of the Second Summit of the Council of Europe, Strasbourg, October 1997

² Cf. Declaration of the Committee of Ministers on a European Policy for New Information Technologies, (adopted by the Committee of Ministers at its 104th session on 7 May 1999)

participation, competence and empowerment, creativity, diversity and ensuring the protection of all members of the European Information society.

6. The Council of Europe does, however, stand for a Europe, and European citizens, that take their place in an increasingly interdependent global community. The new technologies are creating a “global village”, but the village is divided. The quality of communication - especially in recognition of shared values and mutual respect for differences - lags behind its technical quantity and efficiency. The Council of Europe shares UNESCO’s concern to use new technologies ambitiously in the interests of global peace, and is sympathetic to its emerging initiatives for public action to widen access to the cultural heritage of humanity through the digital commons.
7. The Council of Europe stands ready to take an active part in the preparations for the World Summit on the Information Society (WSIS), as well as the Summit event itself, so as to ensure that its core values and principles as well as its achievements in the various fields can further enrich the Summit’s declaration and action plan.
8. The present document gives an outline of instruments in place³ and future perspectives issuing from the declaration of the Committee of Ministers. The following section describes the role of the Council of Europe with regard to safeguarding human rights in the information society. Section II deals with the work of the Council of Europe on improving communication between public authorities in member states and the citizen. Section III looks into the issues of universal access to digital communication and of digital literacy. Finally, section IV goes beyond the national context and addresses the scope of and requirements for co-operation at European and global level on the information society.

I. Human rights and fundamental freedoms in the information society

9. The information society provides individuals with unprecedented opportunities to exercise some of their most basic human rights, in particular freedom of expression and information and cultural rights. New information and communication technologies are also an important tool to promote democracy. They are an effective means to inform the public and relevant institutions about violations of human rights and can therefore be a valuable tool in combating oppressive and undemocratic regimes, which tend to act in secret.
10. On the other hand, as the world becomes increasingly dependent on global digital networks, it becomes clear how vulnerable users, whether private, corporate or government, are to criminal intrusion and misuse. Moreover, this virtual world of networks, which every user hoped would offer unprecedented benefits, is increasingly threatened by crime. Today’s networks make it possible to distribute illegal content, such as paedo-pornography, racism and xenophobia, computer viruses, at a phenomenal speed and to an unlimited number of users.
11. The Council of Europe has developed a series of internationally binding legal instruments and policy recommendations which should enable member states to strike an appropriate balance between freedom of expression and information and other fundamental human rights in the information society.

³ A list of all legal instruments quoted in the present document is to be found in the Appendix

Freedom of expression and information

12. Individuals with a connection to the digital networks have the possibility of reaching a potentially global audience at low cost. At the same time, they gain access to a wealth of information, for instance in the fields of science, culture and education. The Internet, which is essentially borderless, provides an opportunity for individuals to benefit in an unprecedented manner from their freedom of expression and information right, which includes, as stated in **Article 10 of the European Convention on Human Rights**, the freedom to “receive and impart information and ideas without interference by public authority and regardless of frontiers”. Respecting this borderless character of freedom of expression and information, public authorities should allow the Internet to reach every corner of the planet not subjecting the free flow of information to unnecessary obstacles.
13. This being said, freedom of expression and information must co-exist with other fundamental rights and values. Legal frameworks, necessary as they are, must be designed in such a manner that any restrictions on freedom of expression and information serve legitimate purposes and do not go beyond what is necessary in a democratic society. In particular, content on the Internet should not be subject to restrictions which go further than those applied to other means of content delivery. On the European continent, this refers first and foremost to **Article 10 of the European Convention on Human Rights**, the relevant **case law of the European Court of Human Rights**, as well as the **Declaration of the Committee of Ministers of the Council of Europe on the freedom of expression and information** of 29 April 1982. In this respect, the Council of Europe has highlighted the importance of self-regulation as opposed to state regulation, where the different actors of the information society take measures to protect the rights of individuals, in particular minors, and to promote tolerance and inter-ethnic understanding.
14. As far as the role of mass media in the information society is concerned, the Council of Europe holds the view that independent, professional journalism, adhering to ethical standards, will not be less important in the information society than before. The provision of relevant, timely and well-researched information by media professionals will continue to be essential in laying the foundations of an informed public debate about current affairs and public policy. The necessary conditions for journalists to be able to pursue their scrutiny of the state and other powerful forces in society, and thus providing an indispensable counterbalance, must be maintained. These conditions include not only legal protection against harassment of a physical or other nature, but also the ability of media organisations to enable journalists to carry out their work properly, despite increased pressure from the market with respect to instant and low-cost provision of information.
15. Genuine independent public service broadcasting should be recognised as an essential component of the information society, guaranteeing quality information. There is a need for trusted sources of information as a point of reference in a world where the flow of unmediated raw data increases steadily. The multitude of information sources with any particular mass media reaching a lesser part of the population than before, carries furthermore the risk of diminishing social cohesion. Here again, public service broadcasting can play a vital role in creating common frameworks of reference.

Privacy and data protection

16. The rapid progress made in the field of information technology and, in particular, the developments in electronic data processing and the setting up of extensive data banks, have increasingly facilitated not only the collection and storage of data, but also the processing and interlinking of personal data.

17. Whilst these developments offer considerable advantages in terms of efficiency and productivity, they also contain potential risks. Modern technology provides access in seconds to limitless quantities of personal data and the possibility of creating “personality profiles” through the combination of different data files.
18. In the information society, and this regardless of the degree of development, the protection of personal data must be considered a key issue if we are to avoid infringements of the rights and fundamental freedoms of individuals, in particular their right to privacy. Data protection should be an essential guarantee of the balance between individual freedoms and security requirements, between privacy and the need for exchanges of information.
19. The Council of Europe has taken a pioneering role in this field, starting with the adoption of its **Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention on Data Protection)**. The adoption of other international legal instruments, such as Committee of Ministers **Recommendation (99) 5** for the protection of privacy on the Internet, has greatly contributed to the development of the legal framework of the information society.
20. As the only binding instrument in this field with a worldwide scope of application, the Council of Europe’s data protection Convention provides a main point of reference for those states which are currently drafting or reforming national legislation in the field of personal data protection. Moreover, the Committee of Ministers of the Council of Europe has adopted a number of Recommendations in relation to the protection of personal data in different fields (see the list of documents in the Appendix).
21. The Council of Europe data protection committees are currently examining the implications for personal data of several issues which are directly related to the new information society, namely smart cards, video surveillance, the transfer of personal data to third countries which do not ensure an adequate level of protection and the use of biometric data (e.g. fingerprints, face recognition, hand geometry etc.) for identification purposes.

Cybercrime

22. The **Convention on Cybercrime** is the first international treaty on crimes committed via the Internet and other computer networks, dealing particularly with offences against the confidentiality, integrity and availability of data or computer systems, computer-related offences, content-related offences and offences involving the infringement of intellectual property and related rights.
23. The Convention also seeks to establish common rules concerning procedural powers in order to ensure that traditional measures of collection, such as search and seizure, remain effective in the volatile technological environment.
24. As regards international co-operation, one of the fundamental objectives of the Convention is to enable the application of common computer-crime specific procedural powers at an international level, through a range of cooperation channels, including existing mutual assistance arrangements and also new avenues (the 24/7 network).

Racist and xenophobic content

25. The Internet offers unprecedented means of facilitating the cross-border communication of information on human rights issues related to anti-discrimination. The Council of Europe is deeply concerned by the fact that the Internet is also used for disseminating racist, xenophobic and anti-Semitic material, by individuals and groups aiming to incite to intolerance or racial and ethnic hatred.

26. **The European Commission against Racism and Intolerance (ECRI)**⁴ adopted, on 15 December 2000, its general policy recommendation N° 6 on “Combating the dissemination of racist, xenophobic and anti-Semitic material via the Internet”. The recommendation asks the Governments of member states, inter alia, to ensure that relevant national legislation applies to racist, xenophobic and anti-Semitic offences committed via the Internet and to prosecute those responsible for this kind of offences. ECRI recommends also to support the self-regulatory measures taken by the Internet industry to combat racism, xenophobia and anti-Semitism on the net, such as anti-racist hotlines, codes of conduct and filtering software, and to encourage further research in this area.
27. An **Additional Protocol** to the Convention on Cybercrime concerning the criminalisation of acts of a racist or xenophobic nature committed through computer systems, has been recently adopted. The aim of this Protocol is to harmonise criminal law with regard to the dissemination of racist and xenophobic material, racist and xenophobic motivated threat and insult, as well as denial, gross minimisation, approval or justification of genocide or crimes against humanity, through computer systems. A second and even more important effect of the Protocol will be that the investigative powers as defined in the cyber crime Convention and in the instruments for mutual assistance are made applicable to racist and xenophobic crimes committed by means of the Internet.

Copyright issues

28. The information society and the digitisation of information pose again the question of finding the appropriate balance between, on the one hand, the legitimate rights of creators of works, and on the other hand, the wide circulation of works and the interests of the public in having access to information and cultural products - the former as a necessary incentive and fair reward, the latter as a means to wide access by the public in its many capacities, not only as consumers but learners, scholars, competitors, employees and above all as citizens.
29. Committee of Ministers **Recommendation (2001) 7** on measures to protect copyright and neighbouring rights and combat piracy, especially in the digital environment, highlights the need to find efficient ways to protect rights holders in the information society. They should be granted adequate rights under national legislation which cover new forms of exploitation and the legal tools to react to violations should be updated.
30. In its **Recommendation 1586 (2002)** on the digital divide and education, the Parliamentary Assembly of the Council of Europe stresses that digitalisation introduces a new risk of dividing those who can afford access for the purposes of education and research from those who cannot. It believes in ensuring fair access to digital material for educational and other socially necessary purposes and considers that, in order to take account of new information technology, a new balance has to be established between rewarding intellectual property owners and making their work available to the larger public. The Assembly also stresses that the Council of Europe should join forces with UNESCO, and other international bodies in order to establish the public service principle in the digital environment and to draw up norms for the use of such material.

⁴ ECRI is a Council of Europe human rights monitoring body on issues related to racism and racial discrimination. It is composed of independent members and its action covers all necessary measures to combat violence, discrimination and prejudice faced by persons or groups of persons on grounds of race, colour, language, religion, nationality and national or ethnic origin.

II. Improving communication between public authorities and the citizen

E-governance

31. A strong trend exists across Council of Europe member states (and others) towards the modernisation of government organisations, including the redesign of internal structures and business practices - for example the rise of outsourcing arrangements and public-private partnerships. Underpinning e-government is the widespread recognition of the potential of 'e' to enable more effective delivery of national and local political imperatives – from improving the efficiency of government operations to providing better health care, to reducing crime.
32. However, ICT is also commonly seen as a means to bridge the perceived disconnect, dislocation or increased distance between citizens and state, as reflected in falling turn-out at local and national elections. This is often characterised as a 'loss of faith' in democracy or the elected elite on the part of citizens – and results in a political process tainted by a national democratic deficit. E-governance, defined as a set of technology-mediated processes that are changing both the delivery of public services and the broader interactions between citizens and government, is seen as a remedy to this predicament.
33. The Council of Europe has recently launched a broad consultation with governments and other stakeholders in view of developing policy guidelines on e-governance which would enable member states modernise and democratise public service delivery through the use of digital technology and maximise the potential of this technology to facilitate deliberative and participatory democracy.
34. The policy guidelines for e-governance will build upon existing European treaties and recommendations, as well as on work in progress. E-enabled access to information, social services and justice, the development of comprehensive cultural strategies and sustainable spatial planning policies for the information society, the role of local and regional authorities in implementing e-governance, and standards for e-enabled voting, will be among the central components of these guidelines.

Access to official documents

35. In February 2002, the Committee of Ministers adopted **Recommendation (2002) 2** on access to official documents. This Recommendation recognises the general principle according to which everyone should have access to official documents held by public authorities, subject to the appropriate protection of other and legitimate rights and interests, in particular personal data protection. The Recommendation addresses also the requests and forms of access as well as the principle according to which a public authority should take the necessary measures to make public information which it holds. The explanatory memorandum of this Recommendation mentions electronic ways of disseminating public information as an efficient means to be used.
36. Recent discussions at Council of Europe level suggest that member states and civil society strongly support the idea to prepare a binding instrument in this field. Therefore, work is likely to commence in 2003 on the drafting of a framework convention on access to official documents which will take up the principles contained in the above Recommendation, while imposing binding obligations on contracting parties. The Convention is likely to deal, *inter alia*, with the provision of access to official documents by digital means. The Convention should commit public authorities to implementing innovative strategies for increased transparency of public information by making such information available with the help of the new technologies in a neutral, comprehensive and easily accessible manner, allowing enhanced public control over and active participation in public affairs.

E-justice

37. Information technology has now become an essential tool to facilitate access to justice, to improve the efficiency and the functioning of the judicial system, to reduce the costs of justice and to extend the service provided.
38. Two recent **Recommendations** to the governments of member states have been adopted by the Committee of Ministers and concern the design and re-design of court systems and legal information systems in a cost effective manner and the delivery of court and other legal services to the citizen through the use of new technologies. Two additional recommendations are expected to be finalised in 2003 on the archiving of electronic documents and on the interoperability of information systems in the justice sector.
39. The means to make best use of appropriate new technologies to provide improved legal services will be at the core of the activities of the newly established **European Commission for the efficiency of justice (CEPEJ)**, whose aims are to improve the efficiency and the functioning of the justice system of member states, thereby generating increased confidence of the citizens in the justice system, and to enable a better implementation of the international legal instruments of the Council of Europe concerning efficiency and fairness of justice.

European standards for e-enabled voting

40. The Council of Europe is preparing to adopt a set of standards for e-enabled voting, that reflect Council of Europe member states' diverse election systems, and can be expected to be followed by the ICT industry. This set of standards will consist of legal, operational (which principally include organisational and procedural matters) and core technical standards for e-voting.

Access to social rights

41. Information and communication technology can also improve access to social rights by helping to overcome the barriers that prevent people from effectively claiming their rights, and interlinking discrete public services to increase efficiency and shorten response time. Building on the recommendations of a recent report on access to social rights, the Council of Europe will shortly start work on how to improve the effectiveness of social services by involving users more fully. Among the innovative solutions to be examined will be ways in which ICT can be used as a tool to help people find their way through the labyrinths of bureaucracy so as to claim their rights more effectively.

Cultural citizenship and cultural heritage

42. The Council of Europe's "**Vital Links**" project⁵ explored interconnections between access to digital technology, cultural participation and citizenship. It demonstrated the need for a government-supported framework for cultural policy which should incorporate the notion of 'media ecology', and the role/s that each new media channel can and should play, across sectors, in contributing to the 'maximisation' of ICT's overall potential. Thus, the development of a new generation cultural policy for the information society should be an integral part of e-governance in an increasingly interdependent (and perhaps therefore more complex) world.

⁵ The results of this project are to be found in: *Vital Links for a Knowledge Culture: Public Access to New Information and Communication Technologies*, Council of Europe Publishing, 2001

43. Recent work done in the Council of Europe's media sector suggests that policy measures must be found to promote cultural diversity and combat concentrations in media markets which may be detrimental to pluralism and to facilitate the sufficient availability of local content in the spheres of information, culture, science and education in the national languages.
44. **Cultural Policies in Europe: a compendium of basic facts and trends** is one of the largest, up-to-date and comprehensive e-content projects in the field of cultural policy in the world. It provides easy access to data, facts, trends and summaries of current debates on national cultural policy in some 30 European states, with more expected to join shortly (<http://www.culturalpolicies.net>). An information gateway to issues such as freedom of expression and cultural rights, the Compendium will be the basis of a cultural policy monitoring system registering changes occurring in cultural policy in member states. Moreover, it is beginning to inspire the development of information systems for culture issues and policies in different regions of the world.
45. A **Framework Convention on cultural heritage** is being prepared to bring forward principles and common methods for cultural heritage governance in the context of the information society. The Convention is likely to establish :
- the right of access to the cultural heritage, including Internet public access;
 - the principle of equal treatment for representative heritages of the various cultural traditions (including languages) ;
 - regulations with regard to copyright law concerning the use of cultural heritage assets, bearing in mind on-going discussions at the World Trade Organisation on cultural artifacts;
 - an obligation for governments to develop cultural and educational initiatives, using ICT, to encourage inter-cultural dialogue and understanding;
 - a pan-European basis for co-operation in the joint formulation of sustainable criteria for the use of knowledge and experience as a development resource.

ICT in service of sustainable spatial planning

46. Committee of Ministers **Recommendation (2002) 1** on the guiding principles for sustainable spatial development of the European continent requests that particular attention be paid by all regions to ensuring that access to information is not restricted by physical and other constraints. Telecommunications networks should be improved and extended to cover the whole area. Tariffs should not be prohibitive. Encouragement should be given to national and regional interfaces between information suppliers and potential users, such as technology parks, technology transfer institutes and research and training centers, and to the establishment of on-line data banks, covering areas such as products, skills and tourism, to enable all regions to market themselves and increase their links with the global economy.
47. The European Heritage Information Network (HEREIN), developed with support by the European Union, provides useful information to administrations, researchers and trainers (<http://www.european-heritage.net/>). Discussions are in progress between UNESCO and Council of Europe about the use of the HEREIN system simultaneously for the monitoring of Council of Europe heritage conventions and the UNESCO World Heritage Convention.

Local and regional information society

48. The issue of regional disparities in the European information society is likely to become more important in the next few years and demand more of the attention of policymakers.

Indeed the development of the knowledge economy that so many regions are actively pursuing, exacerbates many of these tendencies, increasing the returns to education and knowledge with the result that disparities of income and wealth have widened considerably. This phenomenon is more notable in some countries than others but is increasingly a factor of life for many of Europe's citizens, threatening social cohesion.

49. **Recommendation 54 (1999)** on local and regional information society, adopted by the Congress of Local and Regional Authorities of Europe (CLRAE), calls on governments to elaborate national plans and strategies for the transition to the information society which should include elements for awareness raising, for education and life long training, development of methods for public consultation and actions for the ICT to flourish. Governments should also inform, encourage and assist local and regional authorities in their efforts to develop the information society at local and regional levels, for finding suitable partners and for exchanging experience in this field.
50. In addition, **Resolution 76 (1999)** on local and regional information society adopted by the CLRAE, calls on local and regional authorities to use these NTIC for more effective, which are easily accessible to all citizens, transparent and high quality services offered by public administrations. They should play a role for preventing a two-tier information society, increase equality both between individuals and different regions; develop partnerships in this field with other tiers of government as well as the private sector; establish public consultation with different social groups, users and service providers; provide online networking opportunities for local communities including in the less favoured and rural areas, and use ICT for strengthening democratic governance and increasing citizens involvement in local life.

III. E-inclusion

51. The Council of Europe is promoting a multi-faceted notion of the digitally literate citizen whose formation would depend on the implementation of coherent and co-ordinated ICT-based education policies. Such policies should focus both on providing universal access to digital communications, and re-conceptualising the delivery of educational content.

Universal access

52. The "Digital Divide", which may be more or less pronounced across states, refers to the lack of Internet penetration of homes or businesses, the perceived or actual cost of Internet access, the skills deficit that can exist across and within socio-economic and age groups, and the minimal trust that citizens may be inclined to bestow on public institutions in relation to their management of privacy and personal information. Capacity and skills to seek and process information are also essential components of the concept of "access". It is clear that the potential benefits of digital technologies will remain out of reach for many people as long as there is insufficient investment in the social capabilities required to engage effectively with others in emerging information-intensive societies. Human capital is the key to success in a more knowledge-based economy and society and developing that capital, by investing in people, is the only way to address the *causes* of the digital divide. Investing purely in technology, will just treat the *symptoms*.
53. The Council of Europe's position is outlined in Committee of Ministers **Recommendation (99) 14** on universal community service, and **Recommendation 54 (99)** on local and regional information society by the Congress of Local and Regional Authorities of Europe. These texts recognise that there are three main aspects of public access to Internet services:

access, services and knowledge. Access to Internet terminals can be facilitated by establishing public access points in libraries, educational institutions, public administrations or other places at an affordable price.

54. Ways should be explored to extend the principles put forward by the Council of Europe in the field of public service broadcasting also to the Internet, notably as regards ensuring a minimum provision of low-cost valuable content and services: news, information essential for participation in the democratic society, cultural heritage in the public domain, etc.
55. One of the dividing lines in the information society is related to **gender**. Although women are online as users, if not producers, in increasing numbers, particularly in countries where relative levels of Internet usage are high, women's participation in higher education courses on IT or engineering is decreasing in some countries. The Parliamentary Assembly adopted in 1999 **Recommendation 1435** on the role of women in the field of science and technology. This argues that notwithstanding considerable progress, inequalities concerning the participation of men and women in science and technology continue to exist in Europe and recommends further research on this field, including a study of the methods of attracting girls to these careers and a study of the measures taken to promote the development of out-of-school science and technology education for girls and women.
56. While some technologies hold out the hope of full participation in society, others may create new obstacles and new exclusions, particularly concerning the elderly, chronically ill persons, and people with disabilities. The Council of Europe adopted **Resolution ResAP(2001) 3**⁶ towards full citizenship of persons with disabilities through inclusive new technologies, which takes as a starting point the right of all individuals, including persons with disabilities, to equality of opportunity, independent living, full citizenship and active participation in the life of the community. This includes the right to access to and use of technology. The Resolution recommends drawing up national strategies to ensure that persons with disabilities benefit from the manifold opportunities of new technologies. All products and services for people with disabilities should take account of the following principles: availability, accessibility, affordability, usability, adaptability, appropriateness, awareness, attractiveness, and compatibility. To that end, a co-ordinated set of measures should be developed, applying the following instruments: legislation and regulations, design for all, user involvement, standardisation, centres of excellence, public procurement policies, evaluation, international exchange of information, and international follow-up.

Enhancing digital literacy

57. ICT-based education is one of the principal challenges facing future education policies. ICT form part of a general context of change, innovation and far-reaching transformations of the demands made by society on the education system. In particular, ICT can affect in a

⁶ Resolution ResAP(2001) 3 was prepared by the Partial Agreement in the Social and Public Health Field. In the sphere of integration of people with disabilities, co-operation between states is ensured by the Committee on the Rehabilitation and Integration of People with Disabilities (CD-P-RR). The aim is to integrate people with disabilities into the community by defining and contributing to the Europe-wide implementation of a coherent disability policy. The following States are Members of the Partial Agreement: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland and the UK.

profound and unpredictable manner the way of learning as well as the relations between teachers and learners.

58. The Standing Conference of the European Ministers of Education which will take place on 6-7 November 2003 in Athens, is expected to adopt guidelines dealing with the new role of the teacher in ICT-based education, the restructuring of curricula to take full advantage of digital learning technologies in the range of subject-matters, and with regard to education for democratic citizenship. Special consideration is likely to be given to the need to create a global network for teaching with technology.
59. The Council of Europe recognises that ICT competence, or digital literacy, is a vital component of political literacy in the Information society. In its **Recommendation 1466 (2000)** on media education, the Parliamentary Assembly stresses that, with the advent of the information society, the individual of today lives immersed in a world of media messages. For many young people, whose ability to make value based judgements is not yet well-developed, the modern media are their “virtual reality”, where the best and the worst can be done and undone. On a global level, there is a serious risk of a new form of social exclusion for those who cannot communicate through the media and/or are unable to assess its content critically. The Assembly underlines the need for promoting media education in order to create a critical and discerning attitude towards the media and to form citizens who can make their own judgements on the basis of the available information. Media education should be aimed at children, parents and teachers and should be a life-long process which requires a co-ordinated approach also involving non-governmental organisations and media professionals.
60. To support the implementation of the above Recommendation, the Council of Europe is currently developing an on-line educational toolkit on Internet literacy. The toolkit will deal in a balanced and interactive manner with, *inter alia*, the ethics of communication, the safe use of the Internet and optimising the search for information, and copyright issues. It will not only point to the dangers of the Internet but also stress that using the new services can be a positive and enriching experience.

IV. Co-operation at European and international level

61. For the global information society to nourish human and social development in line with the fundamental values of democracy, human rights and the rule of law, a global consensus needs to be found on normative frameworks and policies enabling such development. Governments, local and regional authorities, international organisations and civil society actors should aim at establishing a co-ordinated approach to defining and implementing coherent and comprehensive policies.
62. In its **Recommendation 1332 (1997)** on the scientific and technical aspects of the new information and communication technologies, the Parliamentary Assembly stresses that a proper understanding of these aspects is essential to a clear view of any other problems that might accompany the development of the new technologies. The Assembly underlines that economic growth will depend, on the one hand, on access to information, and on the other hand, on the skills necessary to exploit that information and recommends coherent political measures, on a continental scale, to ensure the full realisation of the benefits of the information society for the whole of Europe.
63. In its **Resolution 1191 (1999)** on information society and a digital world, the Assembly suggests stronger co-operation in the area of standardisation in information and

telecommunication technologies and stresses that Europe must take advantage of the opportunities offered by the proliferation of digital technologies in order to put in place a favourable environment for job creation, growth, increased choice for citizens and promoting cultural diversity. A series of measures are proposed to the Council of Europe member states and to the European Union, concerning: education networks, open access for all, virtual enterprises and electronic commerce, data security, etc.

64. The Council of Europe is ready to take part in an international debate on the above issues. It is already contributing to the establishment of an infrastructure for sharing information related to the regulatory basis of the information society, by adopting a **Convention on Information and Legal Co-operation concerning "Information Society Services"** (October 2001). The Convention enables cross-border legal questions concerning "Information Society Services" to be addressed and allow minimum standards and a degree of harmonisation to develop in this rapidly evolving field by facilitating an exchange of information and expertise. The main role of the Council of Europe in the operation of the Convention is to act as a "clearing house" of all information flowing under the Convention in particular the texts, summaries and written observations of the Parties.

Appendix

Bibliography of Council of Europe work relating to the Information Society

Conventions

Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol no. 11

Convention on Information and Legal Co-operation concerning "Information Society Services" (ETS 180)

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Recommendation No R (89) 9 on computer-related crime

Recommendation No. R (90) 19 on the protection of personal data used for payment and other related operations

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