

# Our Visby Agenda

The Visby Conference Edition

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# Contents

1	The form and purpose of an ICT-policy .....	3
2	Conflicting issues – The need for cooperation.....	5
2.1	Intellectual property rights (IPR).....	5
2.2	Network neutrality.....	6
2.3	Security vs. Openness .....	7
3	Three perspectives on ICT-policy.....	8
3.1	Infrastructure as an empowering platform. ....	8
3.1.1	Developing Infrastructure .....	8
3.1.2	Internet Governance .....	9
3.1.3	Access and e-Inclusion.....	9
3.1.4	Security and trust.....	10
3.2	Democracy and society .....	12
3.2.1	A transparent and interactive government.....	12
3.2.2	Digital memory.....	14
3.2.3	Democracy and citizens' rights .....	15
3.3	Innovation and creativity.....	17
3.3.1	Making sure that Internet is an open platform.....	17
3.3.2	Create an internal market for services.....	17
3.3.3	Access to public information .....	17
3.3.4	Open Standards in government procurement.....	18
3.3.5	Identification and authentication.....	18
3.3.6	Competitive regulation .....	19
4	Is this the last ICT-policy? .....	20

## 1 The form and purpose of an ICT-policy

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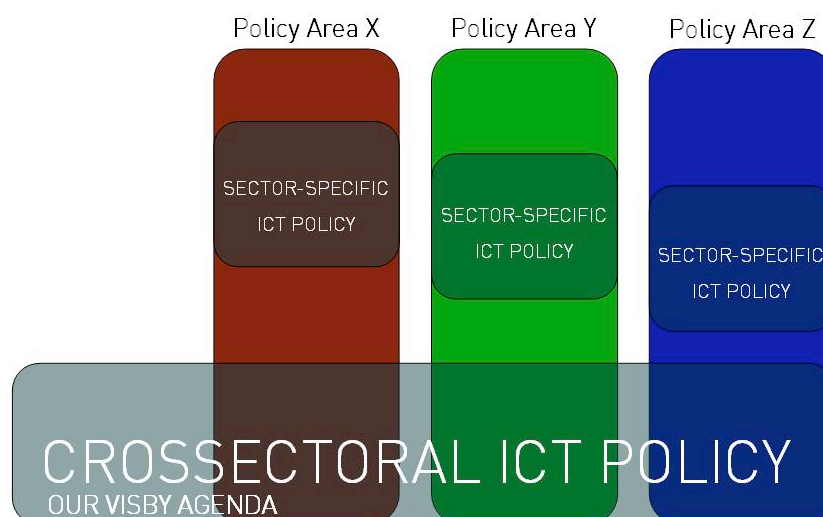
A discussion of the content of ICT policy requires some deliberations on its form and purpose.

We believe that an ICT-policy should focus on general issues and not comprise policies for each and every societal sector. Moreover, what is included and what is not included in an ICT-policy should not depend on the shifting popularity of other policy areas.

This follows from the fact that ICT today affects almost every aspect of society, from traditional industrial enterprise to the social patterns of the European youth. Recognising the heterogeneity of Europe, we can still assert that Europe is an information society and ICT is an integral part of an information society.

Hence, the focus of an ICT-policy should be on long-term issues and infrastructural questions of general importance, paying attention to governance that stimulates innovation and use without endangering basic human rights and democratic values.

However, this does not mean that sectoral ICT-implementation should be disconnected from a general ICT-policy. This means that ICT in other policy areas should share the same visions as the general policy but be implemented within those areas, where the resources, problems and potentials are better known than on a general level.



From the figure above it is possible to view an ICT-policy as a horizontal vision to be implemented in the vertical sectors of society.

Given the previous argument, the purpose of an ICT-policy for Europe should be to identify and flesh out general areas of importance for the information society, declare what issues within those areas are most urgent, and provide guidance for sectorial implementation. This must be done while making sure that the general infrastructure, in

the form of hardware, software, processes and institutions, are developing. Of such an agenda, both visionary elements and more concrete suggestions are demanded.

## **2 Conflicting issues – The need for cooperation**

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Any vision of change comprises contradictory aims. In certain areas, conflicting interests are easy to work around. In others they are severe and seem insolvable. On a general policy level, conflicts are problematic. That is why they are not articulated. We believe, however, that it is wise to recognise that the information society is facing a number of issues where there are strong conflicting interests. The possibility of development rests partly on our ability to find ways of resolving these conflicts.

### **2.1 Intellectual property rights (IPR)**

One of the most debated issues today is intellectual property rights. We must revisit the principles of intellectual property and initiate a discussion about the fundamental role of regulation in a knowledge society where digital technologies challenge several assumptions underlying the current IPR regulative framework.

ICT policy definitely needs to include an IPR perspective. There will inevitably be both winners and losers to any such policy, since IPR-regulation has consequences at every level of a societal ICT system. The way forward is through a multi-stakeholder process, and multi-disciplinary educational efforts on many levels, to create a collective understanding of and consensus concerning what current legal frameworks can accommodate, and what, in earnest, really needs to be added or subtracted.

IPR is not only a business-to-business legal framework today, as it mostly used to be in the pre-digital age. We propose that an educational effort aimed at all the large stakeholders is initiated and funded within the EU. Basic understanding for everyone involved in the debate is fundamental to avoiding many of the misunderstandings and exaggerations that have plagued the debate to date.

We also need to look at harmonising IPR across national borders and across industries. IPR takes on many different regulatory forms: copyright, patent, trademark and more. Different industries use IPR differently to allow for industry specific dynamics.

A new IPR regime will not only involve law, but increasingly lean on emergent norms and sustainable behaviours of the digital age. Younger generations have grown up with an understanding of the consequences of the ‘perfect copy’. And they are reaching an understanding of the need for balance between freedom, rights and responsibilities. A sustainable regulatory framework for IPR must in the same way strive to find a balance between capital economies and gift economies.

The following are a number of different issues that need to be considered in a constructive discussion about IPR:

- The speed of the economy is increasing. Hence the time a certain innovation carries economic value is decreasing. But protection times are generally increasing. Is this good?
- Non-commercial uses such as digital access for libraries must be discussed. Is it reasonable that copyright concerns in the form of DRM limit access for private use? The concept of e-inclusion is important in this debate, and allowance for format-shifting.
- IPR is based on the assumption that all intellectual property is equal. However, the use of e.g. patents in different industries differ. One industry use trademarks or copyright, where another industry use patents. Is it then reasonable that different industries with different “innovation paces” have the same protection-times?
- How do we create an allowing culture that encourages innovation and re-use while still protecting the rights of the original innovators. (Should IPR protection for instance lead to an obligation to license?)

Also note that much of what is considered “wrong with IPR” today is not dependent on the actual regulation but instead has much to do with the way IPR-holders are (over)using their rights. A more modest use of IPR-rights, allowing participation and certain balanced cases of format-shifting, could mitigate a lot of the current criticism.

A radical change in the IPR regime is necessary, but will not come smoothly. We must therefore proceed both with care and thought, while not hesitating to make radical changes affecting a large part of society.

## 2.2 Network neutrality

If intellectual property rights are a part of the general discourse, the discussion of network neutrality is the unknown out of town cousin of IPR. Still, network neutrality has a natural place at the heart of all ICT-policy discussions. The situation is very different in Europe compared to the USA, where the competitive situation when it comes to consumer choice have resulted in problems with non-disclosed discrimination against destinations and particular types of Internet traffic inside major Internet Service Provider networks. In Europe, the discussion of network neutrality must be oriented towards the future with respect to innovation climate, investment incentives, and the right to free speech among other things.

The underlying tension in the network-neutrality issue is whether commercial actors are willing to upgrade and extend the infrastructure if they are not guaranteed long-term control of the use of that infrastructure, the argument being (in short) that a control of the infrastructure is a prerequisite for economic gain. The citizen and the consumer, on the other hand, need to be certain that choice is easy and that access is undisturbed.

Society must monitor changes and develop strategies for recovery in the event of a, from the long-term perspective, suboptimal development. Such a situation might, for example, occur if more than a certain percent of ISP customers in a certain region choose to buy limited ICT communications services, effectively limiting their exposure for new innovative services. At such times, ISPs might be required to promote a more open product. An important issue concerning this monitoring is how to educate consumers in better understanding the specifications and limitations of the services they buy. There is a need for informed market-based consumer choice to guarantee that society's stake in an open information society is taken into account.

Important questions to ask are: At what 'level' do customers require choice? Do customers only need to be able to access all services from everywhere, or does choice have to exist at the conduit level, at the ISP level, or even at all levels?

Most importantly, it must be recognized that this is a multi-dimensional question involving several different themes such as freedom of speech, innovation, incentives to invest in new infrastructure, methods of network management, security, ability for internet to evolve, etc.

## 2.3 Security vs. Openness

Is it fine to ask for increased Security everywhere at all levels in the same ICT-policy that also applauds Openness and Transparency? We think not. There are tradeoffs to be considered.

The ICT infrastructure cannot be accountable in every aspect, and at the same time allow for privacy and integrity. Every time security is mentioned, it must be stated: in relationship to what? At what cost? What benefit is received? How much more cumbersome does this or that action get, because of the proposed security measure? Etc.

Many security problems, in the ICT infrastructure and elsewhere, arise when the user has a deficient security model, or see no incitement to understanding risks vs. rewards.

Security should not be hidden out of sight so that users of ICT infrastructure get a false sense of security. At the same time, general 'trust' in the system, in its ability to recover after a mishap or breach, is important to establish and to further the usage and societal benefit from a modern ICT infrastructure.

## 3 Three perspectives on ICT-policy

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In this section, central in our Visby Agenda, we will draw out what we think should be the most important general aspects of an ICT-policy and give suggestions on implementation.

### 3.1 Infrastructure as an empowering platform.

It is important to uphold the open, decentralised and dynamic nature of the Internet and the development of technical standards that enable its ongoing expansion and contribute towards innovation, interoperability, participation and ease of access. This will guarantee that ICT infrastructure continues to be an empowering platform for all parts of society.

#### 3.1.1 Developing Infrastructure

The reach and quality of ICT infrastructure varies greatly between the different EU-countries, and the problems differ. Hence, it is difficult to provide specific policy instructions on a EU-level of what has to be done in order to extend network reach and policy.

In Europe, much of the Internet connectivity today is based upon the old telecom copper network. The capacity of this infrastructure is limited and there is a need for new infrastructure enabling a continuation of the increase in capacity.

This next generation of network infrastructure will consist of several different technologies meeting the different needs in different areas of Europe at varying stages of ICT adoption. Generally, a varying scope of technologies is desirable, but the base infrastructure will most likely be a fibre optic backbone connecting various end-user connections, which is a necessity for other access technologies.

High capacity broadband networks reaching all residents are a prerequisite for all other areas of ICT-policy. It is therefore fundamental that EU member states make efforts to ensure that broadband networks and services are developed to attain the greatest practical national coverage and use. Therefore, we argue that the following issues need to be addressed:

- Stimulate the establishment of new network infrastructure replacing the elderly copper network without hindering competition, mainly by establishing stable regulation, which balances competition and incitements for investments.
- Encourage a more efficient use of the radio frequency spectrum to facilitate access to the Internet and the introduction of new and innovative services, while taking into account public interest objectives. There is a need for deregulation in two areas as more intelligent devices lower the need for spectrum regulation. First it is important to provide open spectrum in order to encourage innovation.

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Second, as much spectrum as possible should be made technology neutral. Spectrum policy should be harmonised within the EU where possible in order to prevent fragmented markets.

- Ensure that convergence benefits both consumers and businesses, without limiting choice or imposing restrictions on terminal devices and content.
- Ensure that there is competition on all layers in the network.
- Shared infrastructure such as conduit, radio-towers and other infrastructure is a way to lower the costs of establishing competition in rural areas. Shared infrastructure could be stimulated by regulatory frameworks or by government-sponsored infrastructure that network operators may utilize.
- Encourage the adoption of the new Internet protocol (IPv6). First EU should act as a responsible procurer making sure that all government services are reachable over IPv6. Secondly by stimulating private sector adoption by means of education, policy and finally, if necessary, create regulation enforcing IPv6 deployment to end-users both on service and product level.
- Define what an Internet access provider (ISP) is what the bounds of its role(s) are. An increasing amount of new regulation targets the various actors helping provide network access and services. Different regulations use different terms, both between various member states and within them. There is a need to clarify what we really mean and the different roles of these actors.
- Protect the principle of '*Mere conduit*'. The current directive on electronic commerce is not clear enough on where these principles should be applied and not and therefore needs to be reworked so that the principle of mere conduit is preserved.

### **3.1.2 Internet Governance**

A working model for Internet Governance is fundamental for an efficient ICT platform. The EU has an important role to play in this aspect.

The multi-stakeholder Internet Governance model utilised today is working and should be supported. The EU should be an active participant in this environment, making sure that the openness, neutrality and uncensored nature of the Internet is supported even though this is seen as a threat to many governments, both within and outside the EU.

### **3.1.3 Access and e-Inclusion**

As ICT rapidly is becoming a prerequisite to accessing public services and participating in the society the question of access becomes crucial.

This development raises the question whether Internet access should be declared a legal right. Several countries have held such a development back as the liability to actually

provide Internet access to all citizens would be burdensome. In the long run, this cannot be avoided and should be made a policy goal even though the timeframe and methods of achieving it will vary between member states depending on their local conditions.

It is not only limited network reach that hinders the development; there is also a part of the population who are currently not using technology even though they might be able to. Since it is getting more and more difficult to participate in the society without ICT those who are currently not connected should be encouraged to learn.

Therefore, we argue that the following issues need to be addressed:

- In the short perspective there is a need for more education and encouragement, as Internet-based communication moves from a secondary to a primary means of communication. There might also be a need for special services or community offices assisting those in need.
- ICT has the ability to deliver services and improve the quality of life for disabled and older people (e-inclusion), but this requires special considerations when designing products and services. Member states should use its procurement procedures to set examples improving accessibility. When governments procure accessible products these feature requirements will spill over to products in the private sector. The use of open standards may also enable third party software solutions targeting these user groups.

### **3.1.4 Security and trust**

An open platform will always be sensitive to security problems and trust issues. This is unavoidable as long as we want to keep the infrastructure open. As long as we allow anyone to use the network, anyone may do this both in a responsible and non-responsible way. Still, in order for ICT to remain an efficient tool, people must be able to trust it in a general sense. We need to strengthen the resilience and security of the Internet and related networked ICT systems and devices to meet the increasing demands and needs of our economies and societies. We argue that:

- As we increasingly rely on these services, a robust and resilient infrastructure is needed. Today, only a minority of users have a good understanding on how they depend on ICT and where the weaknesses are. There is a need for more research, education and contingency planning in order to improve our abilities to respond to attacks and other infrastructure disturbances. We need to secure critical information infrastructures.
- As several security related incidents have involved multiple member states, there is a need for cross-border co-operation in this area. There has been a positive trend in this area during the last few years, but this development needs to be further encouraged.

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- Security problems in hardware and software are mainly dealt with by the private sector. The EU should act as a responsible procurer and make sure that network connected equipment are configured to be secure by default and that security patches are offered for free and kept separately from feature updates.
- In order to protect personal data the level of information security must be improved. The importance of this is growing with the increased use of cloud computing and Web 2.0-services where information is stored not within the organizations and governments themselves but at different solution providers in the cloud. Public organisations must ensure good procedures for information security management. One way to ensure this is to encourage compliance and certification of information security management standards such as the ISO 27000. Sufficient information security must also be a requirement in public procurement of ICT systems and in the design of new systems.
- Even while utilising the best possible information security protocol, breaches will occur from time to time. Currently, there are a number of incidents each year where sensitive information, such as credit-card information or other personal data is leaked and/or stolen. In order to encourage good practices, enable problem mitigation and build better statistics Security-Breach Notification Laws should be considered. Such a law would require notification when information have leaked and would give citizens the right to know that their private information is at drift.
- Finally, all open systems are vulnerable to social engineering. Raising the level of knowledge among the end-users should improve this situation.

## 3.2 Democracy and society

ICT has historically been accredited with a strong democratic potential, and it is central to ICT-policy to address and to encourage the realisation of that potential. In this section we approach these issues from three perspectives: the need for transparency in government procedures, our responsibility towards our informational heritage, i.e. our digital memory, and the value of democratic and political participation.

### 3.2.1 A transparent and interactive government

Transparency is not a one-dimensional or linear issue. That is to say, it is not in any way clear that more transparency is always better or worse. Transparency in and of itself lacks value, so when discussing transparency it is necessary to put it into context – in our case: what do we mean by making information transparent and why do we want to do it? The case for a transparent government is really the case for a revitalization of political participation as well as for democracy in the information society in general. However, it is not a case for full disclosure of governmental information, nor is it a case for a completely transparent government.

When addressing transparency issues in the ICT policy area, it is important to be clear about what it means to make information transparent. On the one hand it is a question of making information available so that every citizen who so pleases can access and take part of it. This is a form of *visual transparency*, which already today exists in most democracies where citizens can apply for access to all governmental information that is not explicitly classified. On the other hand, transparency can also be interpreted so that every citizen should be able not only to access but also to interact with, make copies of and manipulate copies of information. This second definition of transparency – an *interactive transparency* - has been more or less purely theoretical prior to the age of widespread ICT infrastructure, when the thresholds for gathering, copying and handling information decreased significantly.

The idea that citizens should be able to access information about governmental procedures and decisions is in no way new to democratic societies. In many ways, this is simply a question of replacing outdated policies for such access and making use of the potential increase in interactivity and efficiency that ICT provides. Personal or otherwise classified information does not by definition need to be disclosed to the public in order to establish a more transparent government.

Transparency is furthermore an issue of complexity and categorization. The amount of information that could be made available within a single government, or even more so within the European Union, is far too large for a single citizen to sort through to get an overview of it. In order for governments to be transparent, information must not only be available and interactive, it must also be searchable and the information infrastructure must be visualized.

It is primarily governmental processes, and not so much their explicit content, that first and foremost needs to become more transparent to citizens. The thresholds for taking part is knowing what questions are being addressed, what the processes and political decision-making looks like, as well as what the outcome of those questions and decisions are should be kept as low as possible for all citizens.

ICT not only enables direct and active political participation, it also catalyzes an increased awareness of current political issues and politics in general by lowering the threshold for citizens to access information. Although much focus is being put on the active political participation of a few, it is necessary not to trivialize the silent participation of all those who access information and share it in discussions or social interactions elsewhere.

In a democratic transparent government, interactive transparency should be the norm for all unclassified non-personal information, and any exceptions from this norm should be explicitly motivated.

Summarizing, on our way to a democratic transparent government, we need to address the following issues:

- Remove legal restrictions on paper-only communication.
- Establish digital procedures, including enabling electronic signatures, for all communications that so far have required paper procedures.
- Electronic communication should replace paper-form communication as default within governments and public sector organizations. Paper forms should only be used when citizens are not able to communicate and participate electronically.
- Governments and public sector organizations should use open formats for storing information.
- Unclassified non-personal information should be made available and interactive.
- All available information should be made searchable.
- Information should also be made citable. This is difficult today as much data is served on web-solutions with non-stable links. Solutions are readily available but must be implemented.
- Public information infrastructure should be clearly visualized.
- Civic engagement and political participation should be encouraged, and decisions-processes should be clearly visualized with their respective deadlines.
- Establish procedures for benchmarking efficient public information management and documenting best practises.

### 3.2.2 Digital memory

Ironically, at the same time as we are experiencing a unprecedented overflow of information, we are also witnessing a decreasing capacity to preserve our informational heritage. Archiving and preserving documents in the digital world is a challenge yet to be addressed. If actions are not taken we will lose large parts of our heritage. Also, the fundamental characteristics of ICT enable large amounts of information to be gathered, categorized, stored and made available and searchable in ways that used to be unthinkable. Hence, addressing the issue of our digital memory is not only a question of preventing negative consequences such as information loss, it is also a question about promoting positive effects such as increased efficiency and access to our cultural, political and informational history. Archiving printed books and documents is no longer enough to preserve history as it unfolds.

One of the most visible problems in the changing nature of information infrastructures is the increasing problem of “dead links”, links that are referring to information or documents that have been moved or removed. In the process of preserving digital memory, an important step is to enable permanent stable links through archived information, so that it is possible in the future to go back and see what information a certain link was referring to in the past.

There are already promising initiatives, such as *Archive.org*, that address the issue of storing information and making it traceable with respect to time. There is no need to form a specific government body to replicate what these initiatives are doing, but there is a need for support, endorsement and cooperation between European governments and these initiatives. In a long-term perspective, such cooperation could form the basis for either a stronger independent initiative or a European organization to continually work with these issues and improve the handling of our collective digital memory.

All the information previously stored in other analogue or proprietary formats needs to be continuously reconverted to open digital formats, before the technology used to read the information or the media itself is outdated and/or degraded.

It is crucial that the work to preserve information history is conducted so that all data is stored in open formats to make it accessible and retrievable publicly without restrictions due to incompatible formats or platforms. This is important for two reasons: first to make it broadly available, and second to make it available over a longer time-span. This applies not only to text-documents, but also to audio and visual data.

Libraries and other public archives, which together contain vast amounts of information – for example large repositories of newspaper microfilm - that is not easily accessible to the wide public today, must be included in our digital memory. In order to preserve this information, as well as to make it publicly available, the contents of our public archives and library archives should be digitalised, and all the information should be made publicly available and searchable. Cooperation with and support to initiatives such as the Open Content Alliance should be encouraged and prioritised.

Not only would digitalized public archives make our informational heritage more readily available, it would also benefit research and innovation to be able to access and build upon this data.

There are many public archives within the European Union, all of which have gathered an impressive amount of information. These archives should be connected using ICT, so that citizens can access all of them instead of just one at a time.

In addition, access to research information and data can help to spur further research and innovation. The European Union should encourage such *open access* initiatives by making all publicly funded research-data available to the public and searchable. Every such research project should be obliged to submit their research-data within six months upon completion of the funded project.

In order to make the different types of information that comprise our collective digital memory publicly available in digital form, adjustments will have to be made, for example concerning copyright legislation (see separate section on IPR).

In order to preserve, improve and add to our digital memory, the following issues need to be addressed:

- Enable permanent and stable links by preserving historical digital information and making it available and searchable
- Only open formats should be used for storing digital memory.
- Support initiatives such as Archive.org to preserve our digital history.
- Continuously reconvert information stored on analogue and proprietary media formats and make it available in open formats and searchable.
- Digitize public archives and library archives, and make the information available and searchable.
- All publicly funded research-generated data within the European Union should be made publicly available and searchable.
- Support initiatives such as the Open Content Alliance to digitize and make information available to the public.

### **3.2.3 Democracy and citizens' rights**

The democratic potential of ICT should be viewed as a dynamical variable and not a fixed goal in ICT-policy.

The purpose of ICT-policy is not to enforce *certain* forms of democratic and political participation, but to enable such participation to take on a multitude of forms. That is to say, first and foremost this is a question of how to avoid preventing the

development of the democratic potential of ICT, rather than a question of how to realise this potential in a predetermined way through regulation.

Government initiatives should focus on being incentive compatible, so that citizens perceive a value in entering and furthering the interaction and participation. A key measure in achieving such value lies in establishing feedback-loops with participants. It is not enough to simply give citizens access to information and hope for sympathetic participation, governments must also be open to responses from the participants. It is not participation unless it comes with a two-way communication.

Furthermore, as Internet access has become a natural part of our everyday communication, there is an increased need to address issues concerning privacy and data protection. The greatest worry today is that citizens as well as legislators are unaware of what effect new legislation has on privacy. In order to address privacy concerns, all relevant legislation should be reviewed from a privacy and integrity perspective in order to comprise a complete picture of the current situation.

In order to encourage the use of ICT in political participation and democratic action, the following issues need to be addressed:

- Review legislation concerning open records and freedom of information to clarify on what conditions governmental representatives can communicate with the public.
- All governmental initiatives to promote political and democratic participation should enable and encourage two-way communication with participants.
- National governments as well as the European Union should create electronic, open and aggregating structures for public referrals, where citizens can find information about current referrals and have the opportunity to read others' responses or to leave their own.
- Recent regulation, such as the data retention directive (2006/24/EG), has had severe effects on privacy and data protection. These laws, as well as future legislation, must be continuously evaluated both individually and for their combined impact on privacy and data protection so that all legislation is proportional and motivated.

### **3.3 Innovation and creativity**

ICT has the potential to empower business and innovation and lead to increased economic growth in several areas. This can be achieved by better competition, by new products and services and by the creation of new markets.

#### **3.3.1 Making sure that Internet is an open platform**

The open nature of the Internet where individuals and companies may build and launch new products and services on the edge on the network without asking for any permission first significantly lowers the barriers of entrance and increases the levels of innovation compared to previous more closed networks where only licensed services were allowed.

Therefore, maintaining Internet as an open platform, supporting permission-free innovation and a free flow of information is a prerequisite for flourishing entrepreneurship and an innovative Europe.

#### **3.3.2 Create an internal market for services**

The internal market currently does not function as well for services as it does for products. One example is the on-line music services where different services are only allowed in different regions. This limits competition and must therefore be resolved so that the EU becomes one single dynamic market. We argue that:

- This requires harmonisation of laws, regulations and processes. It will also require definitions of various terms, which are different used and understood within different contexts.
- This regulation, in the same way as all other regulation should be made as general as possible and should not be ICT-specific where this can be avoided.
- A fully functioning cross-border service market will also require improved consumer protection in order to ensure effective dispute resolution and other measures in order to make sure that consumers can trust cross-country online transactions and purchase services with low risk.

#### **3.3.3 Access to public information**

Access to and business development around the re-use of publicly-produced information is an important area where parts of the EU have made large progress over the last few years. Much remains to be done, and much care is needed to balance with integrity and competitiveness issues.

PSI (Public Sector Information) is the common label used for all the information that is collected by public authorities and actor within the public sector. Examples include among other things maps, weather data, legal information of various kinds and

government process documentation as well as information about traffic.

Increased ICT capabilities have created new opportunities beyond the needs that originally motivated the collection archiving of this information from the outset.

Enabling open access to PSI-data is a goal that deserves increased attention and efforts. With the exception of a few governmental agencies which have up until now had an effective monopoly on this information, all stakeholders will benefit from a deregulation of access to PSI archives – this holds especially true for small and medium-sized enterprises (SMEs).

Wider access to PSI data could also lead to better accountability, as more eyes get to view and review the information. Transparency, and the benefits thereof, is one motivating factor, but the economic potential of putting this information to wider use is the key reason for encouraging this development.

### **3.3.4 Open Standards in government procurement**

The use of Open Standards stimulates competition, encourages information exchange and reduces vendor lock-in. It also enables SMEs to provide extensions and provide add-on services for parts of the processes and gives better abilities to adapt and develop processes.

Therefore EU should continue its current effort to modernise ICT-Standardisation as detailed with the latest whitepaper (COM(2009) 324 final) but needs to go even further and make sure that:

- Open Standards is the natural choice for government procurement. It should be considered the main alternative, and the use of proprietary standards should only be allowed when no open alternatives exist. And in such areas, the development of open formats should be proposed and stimulated.
- The governments should be active participators in the open standard making process as one of many stakeholders making sure that open standards are established in order to fulfil their needs.

### **3.3.5 Identification and authentication**

The issue of identification and authentication is an important enabler for both business and cross-border movements such as applying for education in other countries. It may also be a key in simplifying electronic business transactions (e.g. knowing who you are shipping your products to).

Efficient cross-country mechanisms are therefore an important area where government participation might be needed.

It is important that such a mechanism is built in a federated way, built on open standards that are easy to integrate, available on all platforms and are operated in a way so that it have low transaction costs. Policymakers must be careful not to regulate this in such a way that it limits progress, but help in encouraging cross-border collaboration.

### **3.3.6 Competitive regulation**

ICT-policy has the potential to encourage innovation and creativity in business as well as in other sectors of society. However, the aim of such policy should not be to drive innovation in any predetermined direction, but rather to encourage wide, open-ended exploration. The problems and solutions we believe we can formulate today are not necessarily the answers to the questions we will need to ask tomorrow.

ICT is a diverse market where small and large investments as well as short- and long-term enterprises come together. Hence, actors in this market need to be able to trust that the market conditions will be stable over time. The best way to achieve such stability is to have clear and long-term competition regulation with as few exceptions as possible.

## 4 Is this the last ICT-policy?

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If ICT today is a general policy area, as we have argued, for how long is there a need for a specific ICT-policy? When have ICT been implemented to such an extent and depth that it has become integral to the specific sector and hence belongs to the visions and policies of that particular sector? Is it possible that this is the last ICT-policy?

Given the fact that the nations of the European Union face different challenges, we might still need ICT-policies on a European level in the future. Broadband access, digital literacy and innovation climate varies across nations as does individual security and GNP per capita. The goal, however, should be to work for a society in which ICT is used just as any other technology and to which our normal laws and norms apply.