

Chapter I

Parliament, ICT and the Information Society

Today people live in a fast changing world where the free flow of information, ideas and knowledge exchanged across the globe are having a profound impact on the way the world functions.

Technological and scientific advances have significantly changed the way that information is gathered, stored, processed and disseminated. Evidence of this is seen in all sectors of society, including business, entertainment, education, and public services. Given the pace of technological change, one cannot predict with any certainty what new capabilities may emerge for individuals to communicate and share information and what new societal developments may be possible to achieve.

The Internet has become an important global resource, critical to both developed and developing countries in their quest to expand economic and social opportunities for all. New information and communication technologies have been adopted for different purposes: by individuals and communities to make their voices heard; by businesses and institutions to compete in the global economy; by public governance authorities to innovate and better serve their citizens. In sum, they have been used as a means to make political, business and technical processes more effective and efficient.

While no final conclusions can yet be drawn on the impact of ICT on good governance, it is clear that these technologies have been helping countries respond to international calls for higher standards of accountability, transparency, and participatory governance as critical elements of democracy and State legitimacy. Computer and communication technologies have empowered citizens, organizations representing civil society, and the media to expand their participation in public debate, while also helping increase the dialogue among State institutions and the society at large.

In the words of the World Summit on the Information Society (WSIS), the global challenge is to harness the potential of ICT to achieve common development goals and, “to build a people-centred, inclusive and development-oriented Information Society, where everyone can create, access, utilize and share information and knowledge, enabling individuals, communities and peoples to achieve their full potential in promoting their sustainable development and improving their quality of life”. This global vision resulted from long and complex negotiations among world leaders and reflects the dialogue held with many actors who contributed to its formulation through the multi-stakeholder and participatory process that characterized the WSIS proceedings.

Yet, the benefits of the ICT revolution are still unevenly distributed between developed and developing countries. And within societies, including the most advanced, opportunities are often not available - or are not available on an equal basis - to marginalized and vulnerable groups, such as unemployed and underprivileged people, migrants, minorities, older persons, and persons with disabilities. Much remains to be done to narrow the divides of technology, skills and knowledge and to remove all barriers to access.

THE PARLIAMENTARY CONTRIBUTION TO A DEMOCRATIC INFORMATION SOCIETY

While the executive branch has taken steps to address these issues at national, regional and global levels, parliaments need to play a more proactive policymaking role as promoter of the principles of the World Summit on the Information Society through their legislative and oversight responsibilities¹ and to be more active in applying new technologies in their own environment.

As outlined in the IPU's guide to good practice *Parliament and democracy in the twenty-first century*, "Parliament makes a vital contribution to democracy at many levels simultaneously. Within the institutions of government it is the representative body through which the will of the people finds expression, in which their diversity is manifested, and in which the differences between them are debated and negotiated. At its best, parliament embodies the distinctive democratic attributes of discussion and compromise, as the means through which a public interest is realized that is more than the sum of individual or sectional interests. Moreover, the effectiveness with which parliament carries out its central functions of legislation, budgetary control and oversight of the executive is essential to the quality of democratic life. In carrying out these tasks it works together with the associations of civil society, and has the distinctive responsibility of safeguarding the individual democratic rights of citizens. It can only do all this, finally, if it observes democratic norms, by showing itself open, accessible and accountable to the electorate in its own mode of operation".²

In line with the above, the same publication sets out the key characteristics of a democratic parliament as follows:

- *representative*: that is, socially and politically representative of the diversity of the people, and ensuring equal opportunities and protections for all its members;
- *transparent*: that is, being open to the nation through different media, and transparent in the conduct of its business;
- *accessible*: this means involving the public, including the associations and movements of civil society, in the work of parliament;
- *accountable*: this involves members of parliament being accountable to the electorate for their performance in office and integrity of conduct;
- *effective*: this means the effective organization of business in accordance with these democratic values, and the performance of parliament's legislative and oversight functions in a manner that serves the needs of the whole population.

This framework has been translated into Figure 1-1, where "democratic values and requirements are set out in the first two columns. The third column itemizes the possible procedural means and institutions through which these values may be realized. Of course parliaments differ from one another, both in terms of their governmental systems and in terms of their social and economic context. There are federal and unitary states. There are presidential and parliamentary systems. There are single- and dual-chamber parliaments. Above all there are enormous differences between countries, not only in their size, but also in their levels of economic development, and in the resources that are consequently available to parliaments for carrying out their work. The sheer diversity and creativity of practices exemplified in this Guide bears out the conclusion of the United Nations 2005 World Summit that 'there is no single model of democracy'. At the same time, the basic values outlined in the framework provide a clear sense of direction and set of criteria to enable us to recognize what a democratic parliament might look like".³

1 See President's Summary, International Conference *The policymaking role of Parliaments in the development of the Information Society*, March 2007 (www.camera.it/ictconference).

2 *Parliament and democracy in the twenty-first century: A guide to good practice*, Inter-Parliamentary Union, 2006.

3 *Ibid.*

Figure 1-1

Framework: the parliamentary contribution to democracy		
Basic objectives or values. A parliament that is:	Requirements	Possible procedural and institutional means for the realisation of these objectives or values
Representative	An elected parliament that is socially and politically representative, and committed to equal opportunities for its members so that they can carry out their mandates.	<p>Free and fair electoral system and process; means of ensuring representation of/by all sectors of society with a view to reflecting national and gender diversity, for example by using special procedures to ensure representation of marginalised or excluded groups.</p> <p>Open, democratic and independent party procedures, organisations and systems.</p> <p>Mechanisms to ensure the rights of the political opposition and other political groups, and to allow all members to exercise their mandates freely and without being subjected to undue influence and pressure.</p> <p>Freedom of speech and association; guarantees of parliamentary rights and immunities, including the integrity of the presiding officers and other office holders.</p> <p>Equal opportunities policies and procedures; non-discriminatory hours and conditions of work; language facilities for all members.</p>
Transparent	A parliament that is open to the nation and transparent in the conduct of its business.	<p>Proceedings open to the public; prior information to the public on the business before parliament; documentation available in relevant languages; availability of user-friendly tools, for example using various media such as the World Wide Web; the parliament should have its own public relations officers and facilities.</p> <p>Legislation on freedom of/access to information.</p>
Accessible	Involvement of the public, including civil society and other people's movements, in the work of the parliament.	<p>Various means for constituents to have access to their elected representatives.</p> <p>Effective modes of public participation in pre-legislative scrutiny; right of open consultation for interested parties; public right of petition; systematic grievance procedures.</p> <p>Possibility for lobbying, within the limits of agreed legal provisions that ensure transparency.</p>
Accountable	Members of parliament who are accountable to the electorate for their performance in office and for the integrity of their conduct.	<p>Effective electoral sanction and monitoring processes; reporting procedures to inform constituents; standards and enforceable code of conduct.</p> <p>Adequate salary for members; register of outside interests and income; enforceable limits on and transparency in election fundraising and expenditure.</p>

(Source: Parliament and democracy in the twenty-first century: A guide to good practice, Inter-Parliamentary Union, 2006)

Figure 1-1 (continued)

Framework: the parliamentary contribution to democracy		
Basic objectives or values. A parliament that is:	Requirements	Possible procedural and institutional means for the realisation of these objectives or values
Effective		
a) At all levels:	Effective organisation of business in accordance with these democratic norms and values.	<p>Mechanisms and resources to ensure the independence and autonomy of parliament, including parliament's control of its own budget.</p> <p>Availability of non-partisan professional staff separate from the main civil service.</p> <p>Adequate unbiased research and information facilities for members; parliament's own business committee; procedures for effective planning and timetabling of business; systems for monitoring parliamentary performance; opinion surveys among relevant groups on perceptions of performance.</p>
b) At the national level:	Effective performance of legislative and scrutiny functions, and as a national forum for issues of common concern.	<p>Systematic procedures for executive accountability; adequate powers and resources for committees; accountability to parliament of non-governmental public bodies and commissions.</p> <p>Mechanisms to ensure effective parliamentary engagement in the national budget process in all its stages, including the subsequent auditing of accounts.</p> <p>Ability to address issues of major concern to society; to mediate in the event of tension and prevent violent conflict; to shape public institutions that cater for the needs of the entire population.</p> <p>For parliaments that approve senior appointments and/or perform judicial functions: mechanisms to ensure a fair, equitable and non-partisan process.</p>
c) In relation to the international level:	Active involvement of parliament in international affairs	Procedures for parliamentary monitoring of and input into international negotiations as well as overseeing the positions adopted by the government; mechanisms that allow for parliamentary scrutiny of activities of international organisations and input into their deliberations; mechanisms for ensuring national compliance with international norms and the rule of law; inter-parliamentary cooperation and parliamentary diplomacy.
d) In relation to the local level:	Cooperative relationship with state, provincial and local legislatures	Mechanisms for regular consultations between the presiding officers of the national and sub-national parliaments or legislatures on national policy issues, in order to ensure that decisions are informed by local needs.

(Source: Parliament and democracy in the twenty-first century: A guide to good practice, Inter-Parliamentary Union, 2006)

It is evident that ICT are one of the important tools that parliament can use as it seeks to realize these values and objectives. Three broad, non-exhaustive examples should be considered.

First, transparency, accessibility and accountability, as well as people's participation in the democratic process, largely depend on the quality of information available to members of parliaments, parliamentary administrations, media and the society at large, and on citizens' access to parliamentary proceedings and documents. Both can be improved through ICT applications, which in turn could dramatically strengthen the policymaking process.

Second, the efficiency of the internal business practices, of services to members and staff, and the performance of the organization as a whole may impact on the effectiveness with which parliament carries out its legislative process and scrutiny functions, and members their duties. Both the efficiency and effectiveness can be increased by a sound adoption of new technology coupled, if necessary, with organizational re-engineering.

Third, full participation in the emerging global information network is crucial for an institution that wants to avoid marginalization. Parliaments today are confronted with a new reality of information integration and knowledge exchange, as well as with an increasing demand for inter-parliamentary cooperation. And that requires a change in the way parliaments act internally and in the way they interact with the outside world, including through the use of ICT.

As these examples illustrate, there are clear political implications for parliament in using ICT. Leaders of legislative bodies and members of parliaments around the world need to be actively engaged in envisioning and in guiding the implementation of ICT within their institutions, as well as in demonstrating the political will to move parliamentary ICT developments forward in a positive fashion. The effective use of ICT can result only from a clear vision of how they are to be used to support the work of parliament, a strategic plan that sets realistic goals, and strong management to ensure that objectives are achieved. Without political involvement in these efforts, not only may parliaments waste resources and create systems that fail to serve their many functions and higher goals, but they may also fail to keep pace with the evolution of society around them, thus broadening the gap between citizens and their representatives.

Box 1.1

“As parliamentarians, you realize as much as I do how favourably we value the importance of information and communication technology (ICT), which has impacted on our life over the past few decades and took mankind into leaps of progress with an accelerated pace that knows no boundaries.

Ladies and Gentlemen, we live in a world where illiteracy is increasingly defined as certainly not the lack of ability to read and write but rather the inability to understand, communicate or make use of information and communication technology. This goes across the board from aerospace to households. This goes from the hands of skilled labor to the fingertips of our children and grandchildren.

In fact, if William Shakespeare was sitting among us today, he would have said... to “e” or not to be. And that my friends would be the real question.”

Ahmed Fathy Sorour, President of the People’s Assembly of Egypt
Opening speech at the inauguration of the Global Centre for ICT in Parliament

DEFINING E-PARLIAMENT

Many have attempted to define e-parliament in the past. An early definition from the European Centre for Parliamentary Research and Documentation (ECPRD) focused on the organizational aspects of parliament, where relevant stakeholders and processes – both internal and external – interact through the use of modern information and communication technologies and standards “in order to achieve transparency, quality, throughput, efficiency and flexibility”.⁴

4 ECPRD, ICT Working Group Seminar, 6-7 November 2003, Nicosia, Cyprus.

E-parliament, though, can go beyond this definition to encompass the broader impact on governance and the development of the information society in general. The conventional use of the prefix ‘e’ to reflect the digital nature of the concept does not fully convey the value that the use of ICT can actually add to parliament’s ability to foster development and change.

The key word in e-parliament is still parliament. Therefore e-parliament should be regarded as a complementary concept describing the institutional approach to applying modern technologies. Yet, this concept is continually evolving as new technologies arise, innovative ICT applications in the parliamentary environment emerge, and the evolution of the global information society advances.

For the purposes of this Report, one can therefore define an e-parliament as a legislature that is empowered to be more transparent, accessible and accountable through ICT. It empowers people, in all their diversity, to be more engaged in public life by providing higher quality information and greater access to its parliamentary documents and activities. It is an organization where connected stakeholders use information and communication technologies to support its primary functions of representation, law-making and oversight more effectively. Through the application of modern technology and standards and the adoption of supportive policies, it fosters the development of an equitable and inclusive information society.

THE POLITICS OF E-PARLIAMENT

The emergence of the information society presents both opportunities and challenges for parliament as it seeks to affirm itself as a vital democratic institution of the 21st century. Parliament is the central institution representing the people in a democracy, and it plays a critical role in advancing social and political values that benefit all members of a community in all their diversity. In order to maintain and further the special relationship that parliament enjoys with the citizens it must exercise strong leadership in the deployment of ICT and the development of a legal and regulatory framework that fosters broad access to information, while ensuring freedom of expression, privacy, and security of data. Parliament is therefore uniquely positioned to use new technologies to demonstrate the values of openness and transparency in government and, as a key public governance authority at the centre of the polity, to influence the information society agenda through this approach.

In some cases, ICT choices require political decisions, as well as technical considerations; in other cases, the technical deployment forces the political reactions. For example, applying open document standards to legislative materials, adopting accessibility standards for websites, or experimenting with new forms of interactive communication with citizens, are all areas where e-parliament can have a strong impact on the society due to the inherent political implications of these decisions and the possible emulation effects generated on other governing authorities.

In the first instance, the formal decision⁵ recently adopted by the Assembly of the Republic of Portugal to make available all documents and information published on the Internet and their Intranet in open format will eliminate constraints created by the use of proprietary software for accessing content. And even if this resolution applies only to parliament itself, it sets an important precedent and an authoritative example for other institutions in the country. This decision likely will affect other institutions in the country and generate similar reactions in parliaments around the world, leveraging its effects on the information society.

Moreover, Laura DeNardis and Eric Tam argue in their contribution to the Internet Governance

5 Resolução da Assembleia da República n.º 53/2007, *Aprova a Iniciativa Software Livre no Parlamento*, Diário da República, 1.ª série — N.º 202 — 19 de Outubro de 2007.

Forum's dynamic coalition on open standards that "... document standards have political implications for democratic governments. Free and open access to many types of government documents is crucial for democratic government, either because ensuring dependable, equal, and free access constitutes a condition of democracy, or because the provision or recordation of certain documents constitute core public duties".⁶

Box 1.2

"It is evident that document formats have significant democratic implications, depending on the application's context. In general, the format of publicly accessible documents serves as an important condition of democracy. As we argued above, it is therefore necessary that standards relevant to accessing government documents and records generally remain free of barriers to the format's widespread public use. Due to the information technology revolution, citizens commonly access electronic documents through the use of personal computers and other consumer electronic devices. Such access cannot be restricted by potentially discriminatory barriers in the form of royalty fees or interoperability barriers. Technical specifications for government documents must allow for full competition in the manufacture of products for accessing and using such documents. Given the importance of documents to the communicative processes that constitute the lifeblood of both formal and informal democratic activities, it is clear that the entire polity has a stake in the implications flowing from the government's technical specifications for its documents.

These concerns may be intensified with regard to documents used in formal democratic processes, or documents that play a central role in the execution or maintenance of functions for which government possesses a particular responsibility."

From Laura DeNardis and Tam Eric, *Open Documents and Democracy – a Political Basis for Open Documents Standards*, Yale Information Society Project White Paper, 2007

Another case where e-parliament can influence information society developments is the decision to adopt standards for parliamentary website accessibility, even in the absence of an internal mandatory decision, act or legislation. Often a voluntary and enlightened decision to allow persons with disabilities access to key public information can be a source of inspiration for other institutions to adopt similar solutions or for the enactment of new legislation in line with the values expressed in the Convention on the Rights of Persons with Disabilities.⁷

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Box 1.3

"Article 9 - Accessibility

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas."

Excerpt from Article 9 of the Convention on the Rights of Persons with Disabilities adopted by the United Nations General Assembly on 13 December 2006

Finally, as the national entity most responsive to citizens through its representative function, parliaments have an added responsibility to act as political catalysts to direct national policies towards social and economic development goals while protecting the diversity and identity of different constituen-

6 DeNardis Laura, Tam Eric, *Open Documents and Democracy – a Political Basis for Open Documents Standards*, Yale Information Society Project White Paper, 2007.

7 *Convention on the Rights of Persons with Disabilities* adopted by the United Nations General Assembly on 13 December 2006

cies and communities. They can accomplish this goal by engaging their citizens in a true dialogue and by providing a space for developing consensus.

The impact of new technologies on the political sphere is at an early stage, but its potential can already be glimpsed as the ever broader range of opportunities made available by ICT gives citizens the chance to intervene actively in several ways and break the silence between one election and the next. Examination of the possibilities offered by electronic petition systems, by the use of the Internet to exercise the citizens' right of initiative, and the prospects for groups of citizens to submit bills for public debate are already part of a vibrant discussion in some countries. At the same time, candidates for elected office are already employing web-based applications, such as social networks and blogs, to reach a more diverse audience and, in particular, the younger generations of voters.

Parliaments that have begun exploring new forms of communication with citizens have faced difficult challenges in opening online channels for dialogue that are both viable and open to all on equal terms. The effectiveness with which parliaments use ICT for connecting with the electorate and the rest of the world will significantly shape their ability to govern responsibly in the context of a rapidly changing and increasingly complex environment.

The definition of e-parliament must therefore take into proper account the inevitable and broader societal impact of applying information and communication technologies to the parliamentary context. A parliamentary organization capable of connecting stakeholders and processes both internally and with the external world would in fact transform itself into a representative institution at the centre of the knowledge society. The implementation of technical decisions in its environment, even if not supported by formal political acts, may have immediate repercussions beyond its own environment and lead to changes of attitude in other public institutions and in the society at large. Therefore, through a thoughtful deployment of new technologies, parliament can deliberately reinforce, in new and innovative ways, its "traditional functions" - policymaking, legislation, oversight and representation - through which it promotes the information society.

Moreover, by taking such measures parliaments open themselves up to the world. By doing so, they will give interested parties outside the country, such as their own citizens living or travelling abroad, foreign governments and businesses, and international media, the opportunity to access information and follow the country's public life. On the other hand, they will be able to connect to diverse information resources as part of a global parliamentary knowledge base available to all and to become both contributors and beneficiaries in a system that facilitates inter-parliamentary cooperation.

There is no doubt, therefore, that legislatures, as well as their leadership and membership, can and must do more in this area, acknowledging e-parliament as a concrete means, and an effective linkage, to the information society. And as people sharing the same interests from around the world form powerful communities to advance their own goals, parliaments should find strength in a global partnership to advance the application of ICT in the interest of their citizens and democracy.