

SHAPING THE INFORMATION SOCIETY: THE ROLE OF PARLIAMENTS AND LEGISLATORS

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THE ROLE OF ITALY'S PARLIAMENT IN THE DEVELOPMENT OF THE INFORMATION SOCIETY

Introduction

The telecommunications sector has been undergoing a profound transformation for several years due to the ongoing digitalization of the mass of information circulating in society and the economy. This transformation is helping create a **single market of information technologies and communication**.

Another phenomenon is the progressive **reduction of the distance between IT products and processes**, leading to an ever-closer correlation between different economic sectors: this phenomenon is nowadays termed *convergence*.

If Information and Communications Technology (ICT) today represents a strategic sector and a vital instrument for increasing the competitiveness of economic systems that is basically due to the twin processes of convergence and the tumultuous growth of the single market.

With its Lisbon Strategy – launched by the Council in march 2000 - the European Union has for some time now made the joint development of information and ICT one of the key elements of its strategic vision.

Parliaments are called on to play a crucial role in these processes:

-- through the coordination of their **legislative activities** and by exercising constant **control** over Government initiatives.

-- through their involvement in the field of **fundamental rights** – which are constantly being challenged by technological progress – as well as in that of **market regulation**, incentives for **innovation**, and the **promotion of the development** of this important economic sector.

The importance and complexity of the role of Parliaments in helping develop the Information Society were discussed at a **Conference on “The policymaking Role of Parliaments in the development of Information Society”** hosted by the Chamber of Deputies in Rome (3-4 March 2007).

The present Conference provides us with the opportunity of further developing the orientations that emerged at the Rome conference and of examining more closely the situation existing in a number of countries.

The role of Italy’s Parliament in defining market rules and in promoting technological development

In Italy the development of the telecommunications market has gone hand in hand with the introduction of a **new normative framework**. This partly originates in community legislation, with the contribution of a complex **regulatory activity** undertaken by a special Authority, **the Authority for the Guarantee of Communications**, set up in 1997 and charged with the responsibility of granting the free competition among the enterprises and protecting the fundamental rights of citizens.

Market structure

The first task before Italian legislators was to guarantee **that the structure of the market was conducive to the sector’s growth**. The market’s previous structure was extensively modified to permit the entry of a **number of new players** alongside Telecom, which had previously operated in a monopoly situation. The process was

accelerated, however, by the gradual emergence of **new services and functions** (e.g. broadband services, high-speed telecommunication services, wireless local loop, Wimax, etc.) which helped increase financial and commercial opportunities across the entire sector.

Technological development

But, however important it may be, the structure of the market must also help support real processes of technological development. Here too a policy is needed, requiring the coherent and ongoing participation of the Government, Parliament and regional and local institutions with the objective of making up for lost time.

On 10 October 2006, at a hearing before the Italian Senate's competent Committee, Viviane Reding, EU Commissioner for Information Society and Media, underlined the difficulties many European countries were having in moving promptly towards the full utilization of new technologies and in particular in adapting to **broadband networks** (i.e. connection infrastructures suitable for multimedia and interactive forms of communication). Referring to **Italy** the Commissioner, while acknowledging that progress had been made, noted that:

- our country is still below **the European average in terms of broadband penetration rates** while at the same time broadband coverage is mainly concentrated in **urban areas**. It is therefore clear that there exists a digital divide in Italy in a crucial field like broadband;
- at the same hearing Ms Reding acknowledged, however, that Italy **is above the European average** as regards **the provision of e-Government services**;
- similarly, the remarkable growth of Italy's **mobile telephone network** - together with one of the highest penetration rates in the EU – represented a second trump card held by Italy in the field of ICT.

Broadband

We know that the development of broadband represents a strategic objective shared by all European countries and that it is identified as a leading priority in the *e-Europe* 2005 plan. In view of the fact, and given the delays still registered in Italy (delays noted by Ms Reding) the Italian parliament has devoted special attention to the subject for some time now.

Legislation approved six years ago (**article 6 of Law 273/2002**), for example, provided measures aimed at promoting the development of broadband through:

- **tax exemptions**, and specifically:
 - tax exemptions for activities involving the **installation and supply of public telecommunications infrastructure**;
 - tax exemptions for the **supply of voice telephone services to the public** and of mobile and personal communications services, including for those who invested in broadband infrastructure after suffering business losses.
- the 2003 and 2004 Budget Bills provided **subsidies for purchasing or renting receivers** for broadband Internet access.
- The same laws set up a Fund for under-utilized areas aimed at financing interventions under the **Programme for Broadband Development in the Mezzogiorno**. Financial resources available to the Fund were further increased under the 2007 and 2008 Budget Bills.

Besides Parliament – and the Government – the development of broadband is increasingly involving **regional and local authorities**. Given that the interventions concerned are aimed at filling the digital divide **they have to be directed at the areas that are lagging furthest behind**. In Italy, a best practice is represented by the programming agreements entered into by the Ministry of Communications and various regions (Sardinia, Emilia-Romagna, Lazio, Liguria, Marche, Umbria) **for the development of broadband**

infrastructures. Under the agreements, the Ministry and the Region concerned establish a cooperation extended to all the administrative and financial aspects involved.

Today it may be said that this combined set of initiatives – promoted and closely followed by Parliament – is producing some important results: in Italy the level of penetration of broadband has increased from 11,80% (January 2006) to 14,46% (January 2007) and to 17,12% (January 2008). This is considered a good result, even if it remains still below the average UE (20%).

Mobile telephones

In Italy, the mobile telephone sector has enjoyed very extensive, spontaneous growth, generating not only economic benefits but also affecting the lifestyle and habits of Italians.

In this area, Italian legislation has opted for a **closer protection of competition** and of consumers, in line with EU orientations. In particular, Decree Law n. 7 of 2007 introduced a ban on companies operating in the sector setting time limits on card use or applying additional charges for re-charging prepaid cards. Mobile telephone companies must offer their products in a transparent way so that consumers can **compare various tariffs** and make **informed choices**.

More closely-focussed legislation will need to be introduced in the near future to promote the development of innovative services which can take advantage of the capillary nature of Italy's adoption of mobile telephones.

Digital television

Another fundamental aspect of technological progress and the development of the new Information Society is the **conversion of television broadcasting from analog to digital**. In Italy, the date of the final switch-off from analog broadcasts was recently extended – by Decree Law n. 159 of 2007 – from December 2008 to **December 2012**.

It should be noted, however, that conversion to digital television started on an experimental basis in 2007 in two regions (**Sardinia** and **Valle D'Aosta**). Other regions where it is intended to convert to digital ahead of the deadline are Trentino and Piedmont.

Satellite navigation systems

Worthy of mention among the most important applications of the new technologies are those involving satellite navigation systems and in particular the **Galileo system**, a radionavigation programme developed at the initiative of the Commission and the European Space Agency.

In recent months Italy's Parliament approved two bills providing for the ratification of **international accords** reinforcing and extending cooperation in completing the Galileo programme. The accords cover a whole range of strategic sectors such as scientific research, industrial production, training, the application and development of services and of the market, as well as aspects linked to the radio spectrum and the system's integrity.

Role of Italy's Parliament in the promotion of digital administration

Among the recommendations of the 2007 Rome Conference was ensuring that Parliaments act as guarantors to protect socially weaker groups. As regards Italy, the launch of the **Code of Digital Administration** in 2005, provided an **overall normative framework aimed at underpinning the entire complex process of modernizing the country's Civil Service procedures**.

Worth mentioning in particular is the close relationship existing between the need to bring Italian Civil Service structures up to date from a **technological viewpoint** and the **parallel simplification of bureaucratic procedures and services** with a view to providing ever greater protection for the public in their relations with the Civil Service.

Protection of fundamental rights

The development of the Information Society is a tumultuous and in many ways spontaneous process governed by market forces. Chances are great that the weakest and most vulnerable may be left behind. Should that happen it would mean that technology has ceased being a factor for progress and become a factor for injustice.

Parliament must therefore make certain that such a change does not take place. This requires extensive and focussed efforts as we have seen in the case of the development of broadband.

In the recent years, the Italian Parliament devoted particular attention to the question of **access to information and new technologies** on the part of individuals challenged in various ways, by approving law n. 4/2004. It is worth recalling that the Chamber of Deputies has been one of the first Italian state institutions engaged in a complete rearrangement of its own website in order to make it compliant with the strict requirements established by this law.

I hope my presentation has provided an overview of the principal and most recent interventions by the Italian Parliament, thus contributing to the important international debate promoted by this Conference.