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Annual EPTA Conference 2018

Towards a digital democracy: Opportunities and challenges

The European Parliamentary Technology Assessment (EPTA) is the alliance of all the entities, bodies and institutions in Europe whose purpose is to advise parliaments in the fields of technology and science; CAPCIT has been an EPTA member since 2009. In 2018, CAPCIT occupied the annual rotating presidency of the European Parliament's STOA office (Science and Technology Options Assessment). On the right, poster of the 2018 conference. (Source: EPTA)

Key ideas

- The laws on emerging new technologies are still inchoate both state-wide in Spain and in Catalonia.
- In contrast, these technologies are the subject of different planning instruments.
- Our public administrations have incorporated the digital technologies and the use of the new connectivity to a significant degree, although not in every sphere; they are much more common in economic, administrative, fiscal and security matters than in political or juridical matters, or to open and share information.
- Efforts are still needed to draw up a charter of citizens' digital rights and responsibilities which focuses on the advantages and hazards that digitalisation poses to democracy.
- The use of the new technologies *per se* does not mean citizen empowerment unless it is accompanied by monitoring and a reformulation according to what has been evaluated.

Every year, EPTA holds a conference open to MPs and members of the scientific community which advises parliaments. On the 4th of December 2018, it was held at the headquarters of the European Parliament in Brussels with the title of "Towards a digital democracy: Opportunities and challenges". Following the example of previous conferences, STOA requested contributions following a standard format in order to obtain a comparative document.[1] This bulletin contains the contributions of CAPCIT.

Status quo

Current legislation on new or emerging technologies in the country or region: Is there any legislation regarding these new technologies? At which level does they apply (national, regional, local)? What is its scope? How is it implemented?

New or emerging technologies are not an area in which first legislation is issued on the matter and then it is developed in practice. Nor are they a field in which there are fully comprehensive regulations; instead problematic aspects or those related or connected to existing regulations are regulated, such as data protection or citizen rights.

In this vein, there is Spain-wide legislation on cybersecurity and data protection (but not a specific regulation on data protection because of the massive use of personal data). There is also more defined Spain-wide legislation on specific applications of these emerging technologies, such as drones.[2] Likewise, the Spanish Parliament has approved non-legislative recommendations and proposals to promote autonomous cars.[3] However, there are specific aspects which still have no legal regulations either Spain-wide or in Catalonia (crypto-currencies, autonomous vehicles, blockchain and labour rights stemming from remote work).

These legislative shortcomings do not mean that these fields are not developing measures through planning instruments. For example, the Government of Catalonia has spearheaded the implementation of these advanced technologies through programmes and sectoral plans. In 2014, the Government of Catalonia approved the SmartCAT strategy, which is aligned with the Europe 2020 strategy of the European Commission. Its goal is for Catalonia to become an internationally renowned smart region which makes use of the digital technologies to innovate in public services, foster economic growth and promote a smarter, more sustainable

Autors: CAPCIT, with the contributions of RACAB and the Department of Digital Policies and Public Administration.

Speech by the president of the Parliament, Roger Torrent i Ramió, at the EPTA conference held on the 4th of December 2018. (Source: Parliament of Catalonia)

and integrative society.[4] Subsequently, it promoted the idea of making Catalonia an international benchmark Smart Country.[5] The "SmartCatalonia" brand was also created so that citizens could identify the projects that are being developed within the framework of the SmartCAT strategy.[6]

As part of the SmartCAT strategy, a big data programme is being planned in the Catalan Government which stipulates how data, analytics, tools and professionals related to this speciality can contribute to better management of the data that the Catalan Government and Catalonia as a whole generates with the goal of improving public services and promoting economic activity. Measures have also been approved in the area of big data to foster research into this field.[7]

With regard to big data, it is worth noting that Catalonia and its capital Barcelona are one of the European regions with the highest density of companies and entities devoted to this field. Furthermore, it is also the home to multinationals like Nestlé, Zurich, Volkswagen, Oracle, IBM, HP and T-Systems, which have invested in Catalonia as the site of their world datacentres, which contributes to promoting Catalonia as a global big data and data centre hub.

With regard to blockchain technology, Agreement 65/2018 of the Government of Catalonia (dated 24 July 2018) is worth citing, which promotes the implementation of blockchain technologies in the activity of the Catalan public administrations.[8] This Agreement of the Government of Catalonia is framed as a planning instrument, not a rigid, closed-ended regulation, and for this reason a Plan to Promote Blockchain Technology in Catalonia must be approved.

Societal and political debate

Is there ongoing debate on the impact of these new technologies on our societies and democracies?

In Catalonia, the debates are mostly limited to experts outlining their views in a variety of conferences, seminars and chats, but it is difficult to find long-term objectives in the discussion about the good and bad aspects of the new technologies. A few topics, such as robotics, seem to be better known because of their impact on the labour market. However, other debates have not reached a significant part of Catalan citizens. Apart from that, the media generally seem more interested in the negative aspects of the issue.[9]

Organised public debates on the quality of democracy (information, fake news, privacy, etc.) are less common. However, there is an increasing debate on digitalisation that is more geared towards its effects on future work opportunities, media and the loss of privacy than its advantages and dangers for democracy.

For this reason, the Government of Catalonia is preparing a framework for debating digital democracy and citizens'rights and responsibilities which began with a workshop entitled: "eDemocracy: Digital rights and responsibilities".[10] The idea is for it to become an open, participative process that culminates with the drafting of a charter of citizens'digital rights and responsibilities.

How about their political and public acceptance? Which arguments are used? Which stakeholders are involved?

In general, the political and public acceptance is positive. This return channel for peer-to-peer communication is a big opportunity for the public transparency of policymakers and the administration. No doubt it is great step forward in shaping the meaning of democratic participation. The only regret is that again the "appeal" of the technology hides the potential problems derived from malicious use of it. The rule is that democracies have to spend the same time in deployment as in resources to define access rules and responsibilities derived from a use that is not aligned with basic ethical rules.

The major actors in the advantages and solutions to the problems are information providers and communications operators. Policymakers have to start thinking about incentives for operators to reward those operators and information providers who cater to us by providing (or trying to provide) confidentiality in our communications and reliable content. Assuming this code of ethics is recommended (along with gender equality, equal opportunity, etc.), it has to be a minimum requirement to be a service provider of our administration and public services.

There is very little positioning by politicians. From the viewpoint of citizens, again, the quality of information is sensed not to be very high. Likewise, citizens are mostly unaware of the social media's capacity to "build the truth".

Technological advances always pose challenges which must be defined and grappled with (Source: www.pixabay.com)

This is the same as saying that the quality of our democracy is questionable.

The main stakeholders involved are related to political or economic power, more specifically: Government (regional ministries of Education, Enterprise and Knowledge, Digital Policies and Public Administration), civil society organisations, management and labour organisations, universities and research centres, political parties, media and digital platforms.

Can new technologies empower citizens in voicing their interests and concerns in a more effective way? If yes, how? Can e-participation (e-petitioning etc.) by citizens in parliamentary affairs create stronger connections between citizens and the decision-making process? Can the transparency of parliamentary activities be improved by technological means?

The use of technologies does not imply citizen empowerment *per se* if the specific technological applications implemented are not accompanied by a design with this purpose in mind, monitoring and reformulation according to what is evaluated. For example, the number of petitions to the Parliament of Catalonia grew the first year in which the e-petition system was implemented, and later plateaued.[11] This e-petition system did not lead citizens in general to use the system of signing e-petitions, with the exception of very specific e-petitions. It is difficult to claim that the e-petition system has increased citizens'connections and that they have viewed it as a way of increasing their participation in the decision-making process.

The Parliament of Catalonia made a citizen participation space called "Escó 136" (because the Parliament of Catalonia has 135 seats, and "escó" means "seat") available to citizens so that they could make their contributions, comments or suggestions about the bills and draft laws that were in process. The tool was not as successful as expected and only worked for specific draft laws. The experiment is currently being analysed in order to redefine it.

On the other hand, the transparency of the Parliament of Catalonia's parliamentary activity has increased through transparency portals and the institution's own website. Its priority was to increase the amount of information published in open format, along with the need to constantly structure the information in order to make it more understandable and accessible.

Experiences and outlook

Have new technologies been integrated into the day-to-day operation of the institutional and legislative system in your country/region?

The day-to-day integration has only been partial. There are attempts to use new technologies in the health system, for example, essentially an effort to be more efficient in terms of budget, as well as for professionals to offer better healthcare.

Our public administrations have significantly incorporated digital technologies and the use of the new connectivity, although not in a general way; they are much more common in economic, administrative, fiscal and security matters than in political or legal matters, or to make information open and to share it. In general, right now our administrations are not characterised by being at the cutting edge in the use of technologies. We can notice a certain push in their desire to improve services by using the best technology at hand; however, resources are not always available.

As mentioned above, the Government of Catalonia has approved several agreements to plan and promote the use of the new technologies in the institutions of Catalonia. Two projects are worth mentioning. First, the Government of Catalonia has used big data tools and strategies to improve the quality and efficiency of its citizen hotline 012.[12] Secondly, the Catalan Government has sent a bill to the Parliament of Catalonia to regulate the e-voting procedure for Catalans living abroad.[13]

Technology increases the transparency of the Parliament's activities and makes it more accessible and understandable to citizens. It also fosters and makes possible different avenues of participation. (Source: website of the Parliament of Catalonia)

References

1. See: https://eptanetwork.org/images/documents/minutes/EPTA-Report2018.pdf
2. See: https://www.boe.es/buscar/act.php?id=BOE-A-2018-10751 (measures to adapt the European data protection regulations); https://www.boe.es/buscar/act.php?id=BOE-A-2018-12257 (security of networks and information systems); https://www.boe.es/buscar/act.php?id=BOE-A-2010-1330 (national security scheme in the sphere of e-government); https://www.boe.es/boe/dias/2017/12/29/pdfs/BOE-A-2017-15721.pdf (drones).
3. See: http://www.congreso.es/public_oficiales/L12/CONG/BOCG/D/BOCG-12-D-232.PDF#page=9.
4. See: http://smartcatalonia.gencat.cat/web/.content/01_SmartCAT/documents/SIG14EMO0858.pdf.
5. See: http://smartcatalonia.gencat.cat/web/.content/01_SmartCAT/documents/AG-impuls-SmartCAT-per-a-Smart-Country-diligenciat.pdf.
6. See: http://smartcatalonia.gencat.cat/web/.content/01_SmartCAT/documents/AGOV_marcaSmartCatalonia.pdf.
7. In 2017, the Government of Catalonia approved the “Advanced Digital Technologies Research and Innovation Programme”. The programme seeks to promote and coordinate the different research and innovation agents within the field of ICTs and make Catalonia a European and global hub in digital technologies that can transform its economy and society. See: http://presidencia.gencat.cat/web/.content/departament/transparencia/acords_govern/2017/2017_03_21/SIG17PRE0148.pdf.
8. See: http://portaldogc.gencat.cat/utilsEADOP/PDF/7672/1688840.pdf.
9. It is hard to find reports in general-audience newspapers on projects such as equipping the Barcelona Supercomputing Center with a quantum computer. See: http://smartcatalonia.gencat.cat/en/detalls/noticia/projecte_qilimanjaro_bsc_ordinador_quantic. One exception is this news item: https://www.elconfidencial.com/tecnologia/2018-05-01/ordenador-cuantico-espanol-quilimanjaro_1557163/.
10. See: http://smartcatalonia.gencat.cat/.content/03_Actualitat/Actualitat_Comunicats/2018/11/edemocracia.html.
11. See: https://www.parlament.cat/document/bopc/149811.pdf#page=7.
12. The project consisted in the application of advanced analytical and big data techniques in the records of 694,763 calls to 012 in the months of January to October 2016 with the goal of identifying and quantifying the factors that influence the assessment of the service. See: http://www.govern.cat/pres_gov/AppJava/govern/notespremsa/300566/generalitat-utilitza-cop-eines-estrategies-big-data-millorar-qualitat-leficiencia-servei-telefonic-012-datencio-ciutadana.html.
13. The vote issued will be deposited in an electronic urn, and its integrity will be guaranteed by an electronic seal. All the phases of the electronic voting process will be encoded. The vote issued will also be transmitted and stored in encoded form until the day the votes are counted. See: https://www.parlament.cat/document/bopc/280804.pdf.

Annual EPTA conference held on the 4th of December 2018 at the European Parliament in Brussels. (Source: Parliament of Catalonia)

PARLAMENT DE CATALUNYA

The Parliamentary Advisory Council on Science and Technology (CAPCIT) is a parliamentary body created in 2008 with the objective of co-ordinating the information and advice on science and technology that members and bodies of Parliament require. CAPCIT is a combined body made up of members of Parliament appointed to the Council and representatives of the leading scientific and technical institutions of Catalonia: the Catalan Studies Institute (IEC), the Catalan Foundation for Research and Innovation (FCRi), the Catalan Scientific Communication Council (C4), the Royal Academy for Sciences and Arts of Barcelona (RACAB) and a representation of public and private universities. For further information: http://www.parlament.cat/capcit

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