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A TELEMATICS UNION

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Abstract

Checks and balances are of the essence of democratic decision-making. Moreover, the information relating to the decisions made upon these checks and balances should be available publicly, transparent to any body (and anybody) in the Member States. Only thus shall we implement a European information market and shall we approach a meaningful European citizenship.

1 Introduction

In 1989, the Commission of the European Communities published Guidelines for improving the synergy between the public and private sector in the information market. Although these guidelines were published, at the right level, the European one, they had limited effect: they were advisory, not binding.

Since then, this advisory nature has prevented effective measures. In reaction the Commission publish an action programme called INFO 2000. It has been accepted by the European Parliament and is under consideration of the Council. As part of the INFO 2000 programme: "The Commission will produce, in close collaboration with Member States and market actors, a Green Paper analysing the situation in the different Members States, the relative position of the EU in a global context and the various possibilities for convergence of national approaches".

2 The position of information

A brief review of the theoretical position produces little but chaos. In Horace's words:

"Grammatici certant et adhuc sub iudice lis est"
(Scholars dispute, and the case is still before the courts)

So is, in more contemporary words, the position of information in an open society.

Whatever Law would decide, practice has overhauled. Internet as it branches out into globality cannot be stopped. It follows that information within Europe is available for users to exploit, whatever legal stipulations may exist. This roughly and crudely ignores issues such as:

- the meaning of citizen's rights;
- the degree of openness within national governments and the EU institutions;
- the position of the EU with respect to other countries.

Let us look at these three issues when dealing with the notion of access to the various information items in Europe and in the world.

3 Access in Europe

From a legal point of view, there are three relevant perspectives when answering the question of the necessity of access in Europe.

In a first perspective, rights must ensure that decision-making processes are meaningful, not only within the Union, but also within the Member States.

The second perspective is that of the transparency of the internal market in general and of the information market in particular. The exploitation of public sector information is needed to develop Europe's internal market economy.

The third perspective deals with national administration that uses its own information technology for national purposes.

If the three aforementioned perspectives are accepted, the European Union will outpace the public information sector to double at least the one available in the United States. For this reason much more extensive EU policy dawns on the horizon. Scientists, politicians and industrialists should play their part when establishing a telematics union.

4 The internal market

Within the internal market, we recognise three essentials:

- exploitation of the information;
- exploitation of the technology;
- competition in the market.

There is, at present, no instrument which can determine what information is available. All those, by any name or form, are available to anybody with proper resources. It follows that there is no information hideable.

4.1 Which information?

For a minimum, there is a conflict: is one obliged to make the information available to the net? Or is one obliged to withhold it? Neither answer is satisfactory: a granted access is risky, a granted non-access fails the business' essential purpose. Thus, we are in a quandary.

At whatever level we regard the problem, there is antinomy between publicly available information and information that cannot be made available for reasons of privacy and secrecy. Whether these data are to be publicly available or not, is almost irrelevant, being given that with the current technology all data are accessible and interchangeable.

4.2 The technology as is

While legislation may attempt to determine positions, it has the traditional disadvantage of running behind the facts. In the particular area of information security, we find that any attempt to introduce legislation is poorly adapted to matters as they stand.

The networks in Europe are one and indivisible; they will not be distinguished by nation nor by origin; the World-Wide Web (WWW) is a fact, and any theorising about it is only too likely to be behind the facts. In conclusion, all we can predict is that Europe, however much it may number as 250 million souls, is only a fraction - admittedly a large fraction - of a huge network, encompassing the globe.

4.3 Competing in the market

What will be the essence of the World-Wide Web? It is beyond our powers to provoke. We can, though, confidently predict that it will be as simple and as open as using a telephone you now have on your desk.

As the information market develops, competition becomes less fierce by the openness and transparency of information though it might have been predicted otherwise; as time goes on, it will appear that first industrial competitiveness reigns, but that soon thereafter, the competition focuses on the price per information bit. The price will be very low, but the number of bits overwhelming. Whatever the market, whatever the communication, we all can be sure by then that Internet does nothing in vain.

5 Where do we start?

While we are in the midst of change, we are equally in the midst of our own range. As I see it, there is a large scope of policies, all of them applicable in a large scope of environments, all of which will work in a modest work space! In my opinion, it is not a bad world which grew so quickly from 16 K to 16 M and even to 16 Giga. Since we know that evil communication corrupts good manners, it is now time for the European Parliament to impose regulations on the communication protocols of Internet.

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