

German Parliament Enquete Commission on Internet and digital Society

On 13th January we learned [1] that the German National Parliament (Bundestag) group of the CDU (Christlich Demokratische Union), the conservative party, which is part of the government plans the initiation of an Enquete Commission on 'Internet and the digital Society'. This 'EC-I+dS' will be a Commission by the German Bundestag and will have members sent by all political parties.

It will focus on long-term problems, and try to balance legislative, economic, social or ethical aspects to reach a joint recommendation which could be accepted by the majority of the population (this is from the definition of what Enquete Commissions should be..).

The present initiative for an Enquete Commission on Internet and digital Society has been decided by the CDU and will be discussed with the coalition partner, the Free Democratic Party (FDP). It is planned that within two years a result should be reached.

The commission will have 13 parliament members and 13 external experts.

Some of the Topics will be

- strengthening of the awareness of intellectual property;
[but read '[words to avoid](#)']
- strengthening of a functioning competing market to avoid monopoly-like position of some companies;
- Initiatives for the free access to the results of public funded research (Open Access)
- Strategies for free access to government information (Open Data)

The commission is seen also as a reaction to the last petition to the Bundestag on the freedom of the Internet and barriers which had an overwhelming success and led to the foundation of a new political party, the PIRATENPARTEI, which got immediately about 2.5% of the votes in the last National Parliament election.

The law in question of the Coalition on blocking of e.g. children pornography was in the meantime not signed by the President of Germany and is thus pending.

The press release [3] of the CDU of 14th January claims as the main topic the freedom of the Internet.

At least this says that also the topic of Open Access for scientific documents has now reached the level of serious evaluation in the German Bundestag, an interesting outcome of the Nationwide heated discussion prior to the last Bundestag-election last fall on Copyright as seen from an outsider, a confessing [Kafka fan](#).

For the future of Open Access it will be decisive, that the intended next step of adapting the Urheberrechtsgesetz (copyright law) in Germany will give a secure and safe backing to two topics:

- ensuring Open Access, publishing a digital copy of any scientific document on Institutional Repositories;
- paving the way towards routine regulations within research Institutions for ensuring Open Access realization (mandate with the possibility to ask for an exception). This will enable the Institutions to set up an Open database of its own documents.

<http://poynder.blogspot.com/2010/02/germany-plans-enquiry-into-digital.html>

Addendum 1: 6.Feb.2010: Richard Poynder gave a complete survey and view of the Enquete Commission and the German Scene [4].

Addendum 2: 17.Febr.2010:

[Text of the motion to the German Bundestag for an Enquete Commission with the title *Internet and digital Society*](#) presented by the Coalition (it is not intended to adapt the text to make the application more fitting for the Opposition to join).

A rough translation of the application is given here:

The German Bundestag should vote:

The German Bundestag installs an Enquete Commission 'Internet and digital Society'.

1. Present status:

The internet is the most liberal and efficient information- and communication forum of the world and contributes decisively to the development of a global society.

The digital society offers a new scope for everyone as well as new opportunities for the further democratic development of our society, for economic activities and for the knowledge society.

The usage of these communication- and information-opportunities all along belong to the everyday life of the overwhelming majority of the people in our country. But now we experience a new change: the internet is no longer not only a technical platform, but but develops to an integral part of the live of many people, since societal changes representatively take place in and with the Internet, such as the selection, indexing, and validation of the almost infinite available information material.

The basic rights and in especial the personal rights and the right of informational self-determination have to be respected and enforced. The Government has the task to protect the Internet as a free medium. The citizen has to be able to rely on that the constitutional state assures by framing requirements that confidentiality and integrity are assured. We observe that in authoritarian States, Democracy and freedom of opinion are in danger, when traditional media are censored and controlled.

For the citizen, for the economy and for science a free un-hindered access to the internet is essential and decides upon the wealth of our society.

[remark by me as trying to translate the German text: The german text reads even more vague and has at least one logical flaw.]

Eberhard R. Hilf

[1] [Netzpolitik.org Blog](#)

[2] [Press release](#) of CDU-CSU 14.1.2010

[3] [Vorschläge für die Enquete-Kommission: Urheberrecht](#); Jan Wesselmann; Jan.2010; Telemedicus - Rechtsfragen der Informationsgesellschaft

[4] [Germany plans enquiry into the digital society](#); (Enquete Commission Germany); Richard Poynder; Blog: Open and Shut? 6.Feb.2010.

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