Openness, Freedom, Participation – Using the Opportunities of the Internet – Shaping Digital Change with Green Values!

How we live together in society has changed fundamentally over the last 20 years. Following the peaceful revolution and the end of the Cold War, a further decisive phase in globalisation was ushered in with the ground-breaking development of the World Wide Web. Since then, we have found ourselves in a progressive process of global democratisation, while the dangers of censorship and monitoring by both state and private organisations have increased rapidly during the same period. The intensification of transparency and opportunities for participation that are offered to us by the capabilities of the Internet have permanently changed society and politics around the world. The digitalisation of the educational landscape and access to knowledge for all confronts us with a challenge. In the mean time, there are about two billion people on our planet online, 60 million of them in Germany alone. All these people have more or less free access to global knowledge resources, and forms of economic, social, political and cultural participation. As we have learned recently from North Africa and the Middle East, they are using the possibilities of communication that are being offered to them for the first time to demand and introduce more democracy and transparency, to document human rights violations and to generate worldwide public attention. In many dictatorships and authoritarian regimes, the Internet – or at least a certain part of it – constitutes the last mouthpiece and only remaining bulwark of liberty, even if a few individuals or state agencies are manipulating information, sources, images and videos in their attempts to direct public attention in a different direction with their propaganda. This all makes the Internet and the digital revolution one of the biggest advances seen in the media since the invention of letterpress printing.

Against the background of these positive innovations, we are aware that we have reached a decisive fork in the road. It is now necessary to answer questions about how we want to live together democratically and in what kind of digital future, and how we would like to address and resolve the new challenges that are being thrown up by increasing digitalisation and the spread of the Internet. Alliance 90/The Greens have been engaging passionately with these questions for more than a decade, and the public discussion has been partly shaped by Green voices for years. In this respect, we are not campaigning for any one group that either uses the Internet especially actively or hardly at all, we are not adopting just one perspective, but campaigning for the possibilities and strengthening of the Internet as a whole.

The global spread of the Internet throws up questions that cannot be answered overnight. In this respect, it is a question of processes that we ourselves are helping to shape, in which we Greens too will learn new things over and over again. We want to further develop our ideas and concepts in dialogue with other actors from academia, the arts, civil society and business. The challenges of the Internet cannot be mastered with the answers of the 20th century. Although program codes and algorithms, the basis of digital progress, are ever more frequently becoming the central control mechanisms of the 21st century, we also know that they are not rigid, but fluid, that they are in constant flux. This flux will not coalesce around a single political issue or confine itself to a niche, but influence all areas of policy. The digitalisation of our life and society will have impacts on all political fields, and Internet policy will become

even more of a horizontal function in future, since it is not just a question of technical, but above all societal changes and possibilities, which we wish to shape by political means. We grasp this as an opportunity to make sure Internet policy is informed by our fundamental values – ecology, self-determination, the expansion of justice and a vibrant democracy.

In previous centuries, states' sovereignty was manifested in the exercise of governmental powers and therefore the enforcement of their laws over clearly defined territories. The Internet is creating a new global reality in some respects: the digital sphere is literally boundless. For us, this brings home the necessity of further developing democratically legitimated institutions and establishing new forums for democratic involvement in decision making, partly in order to preserve the freedom of the Internet. This is all the more crucial against the background of the growth of state interference in the infrastructure of the Internet, not just in states such as China or Iran, but also in Europe, e.g. in Turkey and Ukraine.

Nonetheless, this aspiration must not be misconstrued as a call for the greatest possible deregulation of the Internet. The Internet undoubtedly needs certain rules: to combat the economic dominance of a few players, to guarantee the greatest possible participation, to permit proportionate law enforcement, to promote innovations and to make openness a lived reality. We want to foster creativity and not leave creative practiners behind, but take them with us and make it possible for them to use channels that give them an appropriate financial stake in the proceeds from their work. Securing an open, free Internet for all will be one of the central challenges for our democracy and Green policymaking in the decades to come.

Digital change in full flow

The ever more intensive use of the Internet is setting changes in motion all over the world, the consequences of which are influencing and transforming political systems structurally and permanently. In Germany as well, which has frequently exploited digital opportunities far too tentatively up until now, this process of transformation must be managed democratically in a spirit of solidarity. In the 21st century, however, the freedom of the Internet is unfortunately no longer something that can be taken for granted. Around the world, state interference and the curtailment of civil rights on the Internet are becoming increasingly common – there is therefore a need to actively mould and permanently safeguard Internet freedom. Free, equal access to information contributes to the rise of democracy in matters both small and large, creating transparency and making participation possible. At the same time, a free Internet that is open to all offers more new educational opportunities, more new knowledge, and more new possibilities for social participation and economic development. We Greens want to use the Internet and its digital forms of public space, and support their development in order to establish a new democratic culture that is oriented more towards citizens and can consequently become a real system of government by citizens for citizens.

The uprisings in the Middle Eastern and North African states were the first revolutions to topple dictatorships while functioning primarily according to the rules of the digital world. Videos that could be downloaded all over the globe became a protective shield against the further, rapidly escalating use of excessive force by the representatives of the state, text messages contributed decisively to the mobilisation of democratic protest, and bloggers who became eyewitnesses on the ground enriched the reporting of events or often took over this function completely. The Green Movement in Iran too protected and mobilised itself in part with new digital technologies, while text messages are being used to uncover scandals and whip up political pressure within very short periods of time in China.

All this should enable us to reach a clear understanding of the Internet's societal significance in all its various facets, and makes it plain why it is necessary to combat the eagerness for increasing surveillance by both state and commercial organisations, something that is also to be met with in Germany. Software and hardware from Germany are being deployed to censor the Internet and keep citizens under surveillance in the dictatorships of our time. Among other things, Internet connections are also being cut off by European companies in response to state pressure. Human rights policy is therefore coming to have a digital component in the 21st century. For Alliance 90/The Greens, this means no less than conducting the struggle for freedom of opinion and freedom of the press on the Internet with all the resolve we can muster. A free Internet strengthens freedom of information, informational self-determination, freedom of assembly and freedom of association. This is what we are working for – nationally, and at the European and international levels.

For a free, open Internet

The mistakes that have been made around the world as civil rights have been undermined since the atrocities of 11 September 2001 must not be repeated, especially where it is a matter of warding off attacks from state and private actors on the Internet. 'Cybersecurity' may be the buzzword of the moment, but it must not be used as a cloak for the dismantling of a free, open Internet. In concrete terms, this means in our view that we should reject in the clearest possible terms the blanket storage of information irrespective of whether there is any suspicion a crime has been committed or not, as is intended to be the case when telecommunications data are retained for possible future use. This leads to the monitoring and collection of data by the state in ways that undermine the foundations of our rule-of-law polity. In consequence, all citizens find themselves under permanent general suspicion, and they can be subjected to constant surveillance because the authorities have comprehensive access to their data. We Greens are therefore arguing all over Europe for the rapid ending of this practice, and are instead calling for solutions that respect civil rights and are triggered by the launch of criminal prosecutions – the 'quick freeze' procedure for instance, under which data are secured temporarily for the purposes of a criminal investigation, e.g. Internet traffic data in cases where there is a concrete suspicion of wrongdoing.

We also oppose the privatisation of law enforcement without orderly, rule-of-law procedures. Fundamental rights such as freedom of opinion and freedom of information should only be encroached upon if there is a statutory foundation for this action and it is taken on the basis of court decisions. We reject secret spying on computers, and want to abolish the secret online search at the federal level and in the Länder in order to help ensure that the newly created fundamental right to guarantees concerning the confidentiality and integrity of information technology systems finally has an impact at the policy level, and to protect individuals' intimate sphere in the digital age. The Internet is not devoid of fundamental rights!

In order to underpin this, we are arguing for a global code to safeguard our civil liberties and civil rights on the Internet. Some talk of this objective as a Magna Carta for the 21st century, others want the Universal Declaration of Human Rights to be brought into the Internet age. Back in 2003, the United Nations stated unanimously that the Declaration should also constitute the foundation for the information society. We Greens are quite clear that we must protect universal human and civil rights worldwide on the Internet as well.

This is why we are campaigning for stronger, effective controls and an end to the exportation of know-how, technology and software that make it possible to censor, block and monitor the Internet. Even though we are aware of the technical complexities and the possibilities of dual

use technology in this field, it is nevertheless necessary to find ways of halting and outlawing these practices by policy means, so as to combat restrictions on the freedom of the press and freedom of opinion on the Internet, and to fight effectively against the persecution of bloggers and Internet activists, for example. We have the greatest respect and admiration for those who dare to take a public stand in undemocratic regimes with their reports, videos or tweets, taking big risks with their own personal safety to give the world insights into the day-to-day politics of their homelands and the societal changes they are undergoing.

We will continue to work with all our strength for freedom of opinion and freedom of the press, and fight against torture, draconian punishments, and threats to life and limb.

Yet diversity of opinion is under threat in Germany too, for example from the impending abolition of network neutrality. Since its creation, the technological structure of the Internet has been neutral – regardless of the content transmitted: whether video data, text data, images or language –, and the data packages and files routed through the Net have been treated equally without any discrimination. This principle of network neutrality has not just been a guarantee for the democratic development of the Internet to date, but is also of elementary importance for its future. Alliance 90/The Greens understand network neutrality as the equal treatment of data transmitted on the Internet, irrespective of their origin, their destination, their content, and the applications or devices used, in which respect equal treatment is defined as the transportation of data via the transmission channels of the Internet without obstructive interference such as blocks, measures that slow down traffic and the falsification of data. This entails the prohibition of discrimination between different types of data.

The preferential routing of certain data undermines democratic principles and hinder free competition. The further development and expansion of the Internet must not result in less freedom for those who use it, whether they access it from a broadband connection within their own four walls or a mobile device. We categorically reject this huge encroachment on the fundamental democratic structure of the Internet in favour of the preferential routing of data from a few large enterprises, and are working instead for effective steps to ensure there is a level playing field for freedom of opinion on the Internet. We are campaigning for network neutrality to be anchored in law and want to make future funding for the expansion of networks provisional on commitments to network neutrality from the network operators.

In areas where the expansion of broadband is still faltering or has not made any advances yet at all, the gaps in coverage finally have to be filled in. Funding for the expansion of glass fibre networks is important and sensible – it is the only way we can overcome the digital divide in our society. It is integral to the Green understanding of social participation in the 21st century that access to broadband should be secured as a part of essential public provision by making it a mandatory universal service, while it should be stipulated that the equipment required to access the Internet cannot be seized when court orders are enforced. We therefore want to legislate that access to the Internet at a speed of 6 Mbps must be available to all citizens as of 2013. We want to guarantee a nationwide service for every household with transmission rates of 10 Mbps or higher within the next five years. In the medium term, we want to regularly adjust and gradually increase this bandwidth by establishing a dynamically configured universal service, and so make Germany fit for the digital age. In line with the EU's Digital Agenda, 30 Mbps connections should be available throughout the country by 2020. We believe this should also involve an increase in the upload rate, since the uploading of data is fundamental to a participative Internet, in which the user is simultaneously both the sender and the receiver. In addition to this, we want to actively support projects that are aimed at the expansion of free-of-charge WLAN networks – whether in the public or private sectors, in urban areas,

in public places or on public transport – and therefore create technological infrastructure that is responsive to ordinary people's needs.

Furthermore, we want to promote technologies that make it possible for Internet bandwidth to be shared and anonymity guaranteed for those who access or use the Internet. This would not just allow global exchanges of knowledge to be organised that would be valuable for all concerned, but could also put tools in people's hands that would enable them to use the Internet anonymously in authoritarian and totalitarian states. For we regard the ability to use pseudonyms or anonymity as a central component of the free Internet that should be given legal protection. Furthermore, against the background that, with good reason, the German Telemedia Act already sets clear standards today by obliging the providers of telemedia services to make anonymous use possible, we would reject in clear terms any obligation for users to reveal their real names. Anyone who demands 'pseudonym bans' on the Internet is documenting their ignorance of the current legal situation and risking further data scandals at the same time.

As the revolutions in the Middle East and the Arab world have shown, the Internet and its openness could be elementary factors in the further development of our democracy and its vitalisation. It makes new opportunities for participation in political and societal processes possible. The Internet also opens up new forms of protest, whether it is through the publication of information or new methods of civil disobedience. We regard virtual sit-ins, when groups block websites by swamping them with repeated visits, as civil disobedience, providing this is done without using potentially illegal technological instruments such as botnets, networks of infected computers controlled remotely from a central location.

Freedom of information 2.0: transparent democracy at a time of digitalisation

The possibilities for the creation of transparency, the uncovering of human rights infringements and the pillorying of societal ills have been given new impetus by the Internet. The publications by Wikileaks about the pollution of the environment in Africa, corruption in the banking system and human rights infringements during the Iraq war have drawn global public attention to these ills. Even if the right to transparency is not unlimited, we Greens nevertheless stand for a new culture of openness that guarantees transparency, makes participation possible, minimises secrecy, and simultaneously safeguards personal rights and protected spaces.

This is why we are campaigning for an extension and modernisation of freedom of information, in which the current, fragmented laws on access to information would be consolidated into a single Citizens' Information Act. In future, it would be necessary to disclose the reasons why administrative documents or other public records were classified as secret and therefore not made accessible to the public. We want to reverse the principle that has been applied until now and oblige administrative bodies not just to provide documents, analyses, expert reports, surveys and statistics on demand, but to work proactively to make them freely available as 'open data' from the outset. We are calling for the use of machine-readable, free formats for all state publications, including those issued by parliaments, and an appropriate selection of licences for both private and commercial use that allow information value creation chains to develop. In emulation of the example set by the Bremen Information Register and the Berlin Open Data Portal, we want to move as rapidly as possible to introduce a central, Germany-wide portal for open data, which will be provided and maintained by the German Federation, the Länder and local authorities.

We want to establish a culture of cooperation between citizens and public authorities, and further develop this step by step together with public authorities, academia and the interested public. 200 years of German administrative culture must evolve further in the 21st century, and we want to make greater involvement and transparency possible, in spite of the resistance that is to be expected. We want political decision-making processes to be more comprehensible, increased participation in societal debates, corruption and murky backroom politics to be eliminated, and large numbers of people to be motivated to participate in our political and social life.

In this respect, we are committed to the principles of open governance and administration. For us, this involves the use of innovative collaborative tools in Internet-based cooperation that serves communication with citizens. We support the initiatives to organise governance and citizens' participation in a spirit of open government that have come from the Länder where the Greens are governing in coalition with other parties.

The Internet is the means of choice when it comes to active participation on the part of citizens. Plan approval procedures should be made transparent online at the earliest possible point in time, while it should be compulsory for public sector contracts with private sector actors to be published. With these proposals, we are aiming primarily at greater participation in the decisions taken by the government and public authorities, which will benefit from citizens' knowledge as their involvement is secured. The modernisation of public authorities within the e-government framework must not only be directed towards rationalisation, but above all towards transparency and participation.

This will entail the establishment of effective protection for whistleblowers and informants. Anyone who reveals societal ills, makes criminal machinations public or uncovers illegal practices deserves to be protected and not dragged through employment proceedings or actions for damages. Ever more platforms like Wikileaks will spring up, focussing on particular topics or limiting themselves to individual regions. These platforms deserve to be protected just as much as other new intermediaries, and we regard them as elements of an information culture that is covered by the principle of freedom of the press. In consequence, we categorically reject the approach taken by certain enterprises in their dealings with Wikileaks. Regardless whether they were responding to state pressure or pursuing their own interests: freedom of the press and freedom of opinion must be protected, content on servers must not be deleted in response to pressure from state bodies without a judicial decision, accounts must not be blocked, and domain names and IP addresses must not be suspended. We welcome the efforts that are currently being made to develop a modern, journalist- and whistleblower-friendly media and Internet law in Iceland, and we intend to campaign for a similar 'modern media' package in Germany as well.

Data protection in the digital age

Fundamental reforms of data protection that are inspired by the principle of informational self-determination and our motto 'my data belong to me' will be indispensable. Alliance 90/The Greens are continuing to call vigorously for such reforms. We do not believe that privacy and its protection have become outdated, but that they need to be underpinned by the interplay between different pieces of legislation, societal debate and technological solutions. We believe a world without privacy would not be worth living in. Privacy and the intimate sphere, secrets and selective flows of information are the essential basis for a free society, part of a creative culture and an expression of autonomous individuality. We want a form of data protection that is anchored and guaranteed explicitly in the German Basic Law, but enables

everyone to publish their own data and information freely in a self-determined fashion, and actively share them with others. There must be legal clarity as to what information may be published in what forms, and what principles apply for the protection of privacy.

We will also need a comprehensive modernisation of the data protection system for this purpose. Modern data protection legislation is characterised by innovative approaches that focus on preventive action, take up indirect control mechanisms, and always include procedural precautions such as sunset clauses and ongoing evaluations of their own effectiveness. Regardless of constructs such as the Data Protection Foundation, it must be guaranteed that data protection also becomes effective in practice as a competitive factor. In consequence, we are calling for an ambitious piece of legislation on quality marks and auditing to finally be brought forward. The private sector also has obligations in this field. The business models of social networks, e-commerce providers and search machine operators are founded on the gathering and evaluation of data, which must be undertaken in conformity with data protection rules, something predicated on a legislative basis that can be enforced robustly.

With increasing digitalisation, the integration and evaluation of databases are becoming ever easier and prompting wishful demands from both private and state actors. This is why we are arguing at the European and international levels that there should be binding standards for data protection and the protection of fundamental rights on the Internet in order to combat the inroads that are being made into online freedom. We reject orgies of data hoarding where there is no reasonable suspicion of wrongdoing, such as the recording of flight passenger data. The forwarding of data to the USA for security purposes (PNRs, SWIFT, etc.) is still insufficiently constrained, and the legal protection is woeful. The relevant agreements deserve to be cancelled or require massive renegotiation. We support the EU Justice Commissioner in her ambitious project to revise the European ePrivacy Directive and help ensure the better implementation of data protection rules – including action at the international level –, in part by applying concepts such as 'privacy by design' and 'privacy by default'.

No Internet blocks

In a digitalised world, freedom means both the protection of the individual and the enforcement of her or his rights. The completely disproportionate blocks on Internet connections that have been used to infringe copyright in France, a measure that is hardly compatible with the French constitution, the deployment of filter technology in the UK and the blacklists compiled in Finland encroach massively on individual fundamental rights. They encourage the building up of corresponding forms of blocking and censorship infrastructure. As a party of civil rights, Alliance 90/The Greens stand for the strengthening of our civil rights and not their dismantling. With regard to the protection of minors in the use of media on the Internet, content that glorifies violence or incites enmity and hatred, the protection of personal rights, and platforms that are dedicated exclusively to the abuse and defamation of other people, those who commit crimes must be prosecuted consistently. We Greens are still arguing for the effective deletion of prohibited content, subject to rule-of-law principles, but also continue to object in clear terms to fantasies about blocking all harmful material. Apart from the effective, yet proportionate prosecution of criminal acts, it is also important to support the acquisition of media competence and build up suitable programmes to strengthen users' self-determination.

In this respect, we believe the protection of minors in the use of electronic media is not an expression of antiquated, outdated thinking, but a necessary task for the whole of society in a digitalised world. At the same time, we want to distinguish to a greater extent between the protection of children and the protection of adolescents. However, the efforts to protect mi-

nors in the use of media must of course be weighed up against other fundamental liberal rights. Establishing a balanced relationship between these concerns is another challenge we will have to address in future. The updated text of the Interstate Treaty on the Protection of Human Dignity and the Protection of Minors in Broadcasting and Telemedia Services (JMStV), which we reject, has not done justice to this aspiration to balance and appropriateness. Rather, it has set a course that treats commercial services preferentially and hinders access to global services. What is at stake for us is how to make it possible for minors to be protected while maintaining access at the same time. We reject mandatory advance controls and classification systems that are impossible to implement. We want to drive ahead a youth protection policy that strengthens the media competence of all concerned and helps carers. In our eyes, the protection of minors in the use of media is a multi-stakeholder task. This complex challenge can only be resolved by carers, children and adolescents, teachers, professionals who work with children and adolescents, and the operators of Internet services by taking concerted action. In contrast, mandatory programmes or preinstalled filter technologies are the wrong kinds of approach. It is important to us that the criteria for determining whether content should be accessible or inaccessible are transparent and comprehensible. Otherwise, it will only be possible to prevent abuse or one-way commercialisation with some difficulty. On this basis, we will examine very closely the first decisions to be taken by the Commission for the Protection of Minors in the Media (KJM) concerning the certification of programs to protect young people, and critically monitor the deployment and results of this software.

Knowledge of the opportunities and risks is the fundamental precondition if measures to protect minors in the use of media are to function. The capacity to use the Internet critically cannot be conferred by qualifications such as 'Internet driving licenses'. We therefore reject concepts that conceive of media competence as the kind of knowledge that can be acquired by tick-box learning, as is the case with some 'media driving licences'. Media competence demands experiential, progressive learning, interactivity, and the deployment and use of media in the most varied situations, and it requires constant further development. The engagement with this competence and corresponding programmes must not end when people leave school. This is a process that continues throughout the user's lifetime – and is vital for both 'digital natives', who have never known a world without the Internet, and 'silver surfers', intensive, frequent users who have recently discovered the Internet at an advanced age. In this field, we want to pay more attention to international successes and increase the funds for corresponding programmes at the level of the Länder, e.g. media education schemes. For us, this entails the recognition that digitalisation is changing our cultural environment as well.

Computer games are part of the culture of games-playing, and we view them as cultural goods. We regard both the populist calls for the banning of 'killer games', as they are referred to in general public discourse, and the use of this term itself as misguided. The current restrictions on the sale and advertising of games, and the provisions concerning the criminal prosecution of those who break the law are quite adequate. We see computer games and media applications not least as fields of activity that are becoming ever more important for the creative industry and that should also be promoted with the instruments of media funding.

The experience gained over the last few years has shown that better law enforcement requires a strengthening of cross-border European and international cooperation between investigating authorities. Our principled approach requires this to be embedded in a global Internet governance structure. There are still many decisions to be taken in this field. We want to force the pace on this question with all concerned, i.e. by means of a multi-stakeholder approach. Once the foundations have been laid for both the preservation of Internet freedoms and law enforcement, the escalating surveillance and blocking measures that threaten our fundamental

rights and have proven to be poor ways of attaining our goals will hopefully be consigned to the past at last.

Making barrier-free access a reality

People become able to use the Internet comprehensively not just because they are taught the relevant skills, but also because appropriate content and platforms are provided. Barrier-free access must be made a reality on the Internet as well. In this connection, we want to see the implementation of the German Federal Ordinance on Barrier-Free Information Technology (BITV 2.0), which has at last been adopted, make it mandatory for all public institutions and work intensively for its application in the private sector. This is the first step towards low-barrier access with the ultimate aim of achieving genuine barrier-free access on the Internet. We want to put inclusion into practice and see crucial, worthwhile opportunities in this field, especially for people with disabilities, for whom the Internet can be a source of assistance and support. We want to promote this potential, whether in the form of virtual town plans for wheelchair users or training platforms for people with learning disabilities.

If services like those in the field of barrier-free access are to become feasible, there will also be a need for standards on the Internet that underpin open access and free use, and prevent complications due to incompatibility.

The question of what kind of society we want to live in tomorrow is directly linked with the question of what technology comes to be deployed. Alliance 90/The Greens are working for the societal role of technological standards, and the standardisation of formats, interfaces and transmission protocols to be given consideration at the national and international levels. Our democratic concept of society must be drawn on during the elaboration of standards, inform-ing both the treatment of substantive issues and the standardisation process. The technology for a free digital society cannot be created by closed, antidemocratic circles. A free, digital, knowledge society can only thrive under conditions of openness and pluralism. Our goal is to increase the social and societal participation of all, with and on the Internet, and to eliminate differences and disadvantages, whether they are due to sex, origin, appearance, social situa-tion or age.

Openness and a fair balance of interests for the digital knowledge society

The digitalisation of our lives is one of the most powerful driving forces for societal change. The ability to reproduce content rapidly and economically on an unlimited scale while main-taining a consistent level of quality, and the possibility of global dissemination via the Internet hold out enormous opportunities. Digitalisation delivers an enormous gain in freedom because information, knowledge and cultural goods become more simply and freely accessible, and new opportunities for participation in knowledge and culture arise as more resources are gath-ered in the public domain. In the Internet age, the knowledge society can massively strengthen social participation, sustainably improve educational opportunities for all, and above all vital-ise and fundamentally strengthen our democracy. Instead of excluding others from knowledge and information, we want to make participation possible for all, which will include free trans-fers of knowledge between the global North and the global South.

We Greens are also continuing to work for a modernisation and reform of copyright law and a fair balance between the interests of originators and users, i.e. everyone who uses the Internet. We want to strengthen originators and artists – as well as those who exploit and market their works, but also to put in place appropriate financial rewards for the free use of their copy-

right-protected content on the Internet. At the same time, we want to end the criminalisation of the non-commercial use of copyright-protected works on the Internet and fundamentally facilitate access to them. If copyright-protected material is offered directly on an Internet site or platform that earns a not-negligible level of income (more than enough to cover its costs) from the fees paid by members and purchasers, or from advertising or paid links, it is operating on a commercial scale.

We also view with great concern the practices of many 'new rights exploiters' on the Internet who are profiting from the distribution of creative works without giving artists an appropriate share in the proceeds or investing in their promotion and development. This is also the reason why we want to reform contract law at the European level in order to put originators in a stronger negotiating position and make new options for access and use possible.

For Alliance 90/The Greens, a copyright system adapted to the challenges of the digitalised world would have the objective of creating a balance between the interests, claims, personal ties and rights of those who create original works, and society's interests in cultural participation. By granting originators exclusive rights to the exploitation of their works for a defined period, copyright law is intended to make it possible for originators to benefit financially to an appropriate degree from their work (provided they wish to do so) as a building block of their finances, and not just from the associated indirect income (e.g. performances, merchandise, marketing of their personalities, etc.). This should ensure that artists are able to concentrate on the creation of new works and not forced to take up other jobs that do not correspond to their artistic or creative qualifications. We hope this will ensure greater diversity of cultural goods and therefore a higher level of cultural prosperity for society than would be achieved without copyright law.

In the past, this fundamental objective, of achieving the highest possible levels of cultural diversity and participation while simultaneously allowing creative practitioners a stake in the proceeds from their work, has been thwarted in many fields by the building of market-dominant structures for the exploitation of intellectual property, which has also contributed to the significant decline in acceptance for copyright law among certain segments of society. The debate about the introduction of a form of ancillary copyright for newspaper and magazine publishers, which we reject, and public campaigns that equate infringements of copyright law with serious crimes, are only further intensifying this trend. At the same time, a system of warning notices has become established in the last few years that is exacerbating this loss of acceptance. It sets the wrong incentives and results in the mass issue of warning notices, which frequently target the innocent. This is why we want to fundamentally change the system of warning notices, especially those for copyright infringements. There is a need for proposals concerning the reduction of the values at stake, the abolition of charges to cover the costs of the first warning notice, the reduction of the standard value at stake, the abolition of plaintiffs' right to bring action before any court of their choice in Germany and an improvement of the cost capping regulations for straightforward cases, and we will support and further pursue such proposals.

The digitalisation of cultural goods is creating new opportunities, but also new challenges as far as the availability of content and users' habits of use are concerned. At one time, it was only possible to play a vinyl record on a record player at home or at a friend's house, but today works are saved on mobile telephones, tablets and notebooks or even in the cloud, and reproduced or played back on devices of all kinds. We want to protect and strengthen these advances in forms of use, and are therefore campaigning for the right to private digital copies and provisions that allow immaterial goods to be resold, which we want to anchor in con-

sumer law. Private digital copies must not be ruled out by either technological measures, above all digital rights management (DRM), or legal restrictions. However, the purchase of such a copy for private use and the right to transfer this copy onto one's own devices, including laptops, MP3 players, tablet PCs and smartphones, should not automatically grant the right to share it publicly with others as well. Private digital copies would have to be paid for by means of appropriate royalties, just like private analogue copies.

Remix culture and transformative use

Digitalisation allows people to produce content themselves with comparatively simple technical equipment and at modest cost, use it with others and make it accessible to a broad public on the Internet. In this way, users themselves can sometimes become creative practioners as well, and in the process they sometimes use copyright-protected content for their creations. Artists who build on other creative practioners' digital content in their works therefore find themselves in the user role in their own turn. Creative habits of use and formats are evolving on the Internet that make it difficult to observe third party originator's rights, even where good will is assumed.

Copyright law should be improved to ensure it is compatible with new options for use and licensing, as well as comprehensible to users and originators. In a society where almost every individual is equipped with the technological capabilities to both create and adapt content, copyright law must also do its bit to develop this potential, which requires it to be formulated in simpler, more comprehensible terms.

The emancipated, sustainable handling of one's own creative content, as well as the fair treatment of third party content must be objectives for the necessary reorganisation of copyright. Copyright law must neither ignore nor hinder the potential of digitalisation. It is just as important, however, that artists' rights are not curtailed either.

This is why we want to introduce a limitation on copyright comparable to the fair use arrangements in US law that would allow non-commercial forms of use and should be aimed at the further development and adaptation of existing works. Creative activity must not be stopped by restrictive copyright rules. We want to change the restrictions that are in place under copyright law by promoting alternative forms of license, e.g. creative commons that clearly distinguish between commercial and non-commercial approaches to the use of original works, as well as making greater use of such forms ourselves.

In order to make a culture of transformative use possible, the goal of our policy is to provide as much knowledge and as many cultural goods as possible for free use. We therefore want the collecting societies to permit creative commons licences in order that artists are free to choose the channels through which they wish to exploit their works. A marked shortening and flexibilisation of copyright periods, e.g. to five years, would have to be accompanied by options for renegotiation. This would mean originators being granted a five-year copyright period from publication with subsequent options to extend it several times for a fee. We want to relax the restrictions for blind people in order to make it easier for them to enjoy books.

We believe public service broadcasters have a particular responsibility for the promotion of free knowledge and cultural goods. The community has supplied considerable funds to finance a diversity of works that should, in our opinion, be made available under free licenses and digitalised for repeated use in freely accessible archives. We see public service broadcasting as part of our digitalised world, and are therefore opposed to the artificial dictates and

arbitrary time restrictions currently being imposed on users. The obligation to de-publish their content placed on public service broadcasters by the statutory provisions conflicts with our ideas of diversity and digital participation. The provision that requires a significant proportion of the content they produce to be removed from media libraries after seven days is wrong and is rejected by Alliance 90/The Greens.

The Federal Republic of Germany's film archives store a rich and historic film heritage. The digitalisation of this heritage represents a great opportunity, and is becoming more and more of a necessity all the time. Rolls of film can only be preserved for a limited period, even in good storage conditions. We are arguing for long-term digital archiving that will keep our cinematic heritage alive and accessible to a broader audience in the future as well. More extensive digitalisation of the film heritage may also open new channels that allow it to be accessed over the Internet or on DVD.

Academic authors will have every opportunity to benefit quite considerably from the new digital realities as long as we create the political conditions for this to happen. Many of our current copyright rules do not accord with the requirements and practice of academic work, academic discourse, and the further dissemination of knowledge in research and teaching. In the academic context, we support the open access principle, and free access to publications and other information. We are striving for arrangements under which all research results and data that have been produced with the aid of public funding would be made permanently accessible to the public free of charge in future. Against the background of the international experience that has been gained, we want to examine what channels and instruments are particularly well suited to achieve this goal – for instance corresponding clauses to be applied when public funds are granted. Copyright must also be organised in such a way that it allows and facilitates the publication of academic papers under open-access conditions. Academic authors require legal security when they publish work under open-access conditions, for example concerning their inalienable right to the second use of papers published in academic periodicals and collections of articles, providing they have been written in the course of teaching and research activities financed wholly or in part out of public funds. Furthermore, an up-to-date copyright law must contain practical, legally secure provisions concerning limitations that are of benefit to academic authors, including rules for the fair use of intellectual property. This relates above all to work with digital documents on teaching and learning platforms, in seminars and in research environments, as well as long-term digital archiving and the distance selling of digital copies.

Flat-rate charging

There is also a need for future-proof, new solutions in the field of private use that enable us to achieve the balance of interests between originators and users we are calling for. The increasing prosecution of users, the restriction of their opportunities to use content, and the escalating encroachments on privacy of the kind that are being seen in France and the UK conflict with our goal of an open knowledge society. We reject them expressly – they are disproportionate and counterproductive. Our goal is for appropriate royalties to be paid for the non-commercial use of works protected by copyright, the use of which cannot be prosecuted under either criminal or civil law.

In order to preserve the balance between forms of use and entitlements to financial remuneration, we are looking to the continuation of an established system in the digital age: the collection of flat-rate charges. For more than 40 years, Germany has dealt with non-commercial uses not by bringing prosecutions, but by arranging for the payment of royalties. For instance,

levies are collected on blank disks such as recordable CDs and DVDs, photocopiers and storage media.

We want to apply this system to Internet connections and collect a flat-rate charge each month that would be based on the bandwidth of the connection. The report from the Institute of European Media Law commissioned in 2009 by the Green parliamentary group in the Bundestag and the Green political group in the European Parliament shows that such an approach can be legally implemented, even though it would radically change existing structures for the distribution and exploitation of cultural goods. We want to further develop this approach into a concrete concept, discuss it and in this way ultimately make it possible to live in an information and knowledge society that is not dominated by criminalisation, warning notices, the restriction of civil rights, prosecutions and the blocking of Internet connections. This policy is part of our new Green social contract, since it is oriented towards the goal of thinking politically about the changes our world is going through in new contexts.

Engine for innovation and progress

Economically, the openness of the Internet also makes new impulses possible and will support the social-ecological transformation. Investment in or on the Internet is ubiquitous, and there have to be good reasons for any failure to plough resources into this field today, given that the positive knock-on effects of such investments are so far-reaching. Free and open-source software is being further developed on a global scale. The people involved in small start-ups are continuing to make plans for innovative ideas, so creating many new jobs. Action to safeguard this potential for innovation must not be halted by restrictions on access to the Internet. Internet businesses are among the most valuable brands of our time, although this does not justify the compartmentalisation of markets for a few major commercial groups. On the contrary: We are campaigning against the formation of monopolistic and oligopolistic structures on the Internet as well. We are also continuing to campaign in users' interests for diversity and effective consumer rights.

There therefore needs to be a focus on economic models that emphasise a particular commitment to our goal of an open knowledge society. Open business models and social-ecological business ideas rely on an approach characterised by sharing, openness and mutuality, and are therefore making extraordinary contributions to the advances in prosperity that benefit us all. The era of compartmentalisation must be overcome. We are campaigning for openness rather than patent wars, and support free and open-source software (FOSS) at all levels because the use of these products is also a political statement for openness and against monopolies. In consequence, our Internet economy should be particularly focussed on users' rights. Data protection and the realisation of consumer rights are quite central points in this respect.

Alliance 90/The Greens therefore advocate open standards that make it possible for different kinds of software to interact smoothly (interoperability) and the prohibition of patents on software. We want to counter the network externalities and lock-in effects of social networks that e.g. prevent everyone from simply switching between social networks, and taking the contacts and content they have created with them, while we want to open up these networks by examining the options for rules that require platforms to be separated from user-generated content. In consequence, the functioning of networks or platforms should be detached from the storage or input of data or information.

From the point of view of innovation policy, the end of network neutrality would be a bitter blow. Entrepreneurial creativity and ideas would be inhibited if free access to the end cus-

tomer were no longer possible without incurring additional costs or if platforms on the Internet could block out other services.

However, the openness we are pursuing as an economic engine must also have societal effects. The Internet is a significant economic factor today, and the successes of the last few years have shown that prosperity and new jobs will be created by suitable forms of provision. We want to support a start-up culture that fosters creative start-ups, grants them independence, and increases the societal acceptance for this step into self-employment and entrepreneurship on the Internet in and of itself. We are working to improve the opportunities to obtain risk capital, since venture capital is an elementary requirement if start-ups are to be funded in the Internet sector. Germany has made a name for itself around the world as the land of engineers, and innovative business ideas could make it the most attractive location for young, creative Internet start-ups outside North America. We want to support this goal politically. Transfers between academia and the Internet economy must be strengthened.

Green IT policy always has a social level, nationally and internationally. In Germany, many people who work in the IT sector and the creative economy find themselves in precarious jobs – at least at the beginning of their professional careers. The 'Intern Generation' is especially heavily represented among this group. We also want to address the intermittent, project-based working patterns of self-employed people by putting a better social safety net in place. To ensure social insurance contributions can be paid permanently and intermittent careers do not become a risk factor for the Federal Employment Agency or the welfare insurance schemes, we are focussing our labour market policy concepts especially on this target group. Furthermore, new models for more flexible, more family-friendly working times and employee participation, particularly in the IT industry, set examples that deserve to be further promoted.

However, the IT industry bears tremendous responsibilities at the international level as well, in relation to both production conditions and the disposal of waste. We are relying on sustainable IT and communications solutions to promote fair, green information technology (fair IT/green IT), instead of short life cycles and unnecessarily large increases in power, memory and pixels. Electronic goods must be produced in line with the principles of sustainability and in humane conditions. Freedom from contaminants, recyclability and low power consumption must be promoted as quality characteristics of modern electronic devices in all fields of application. International concerns, especially, as well as the public sector, have a duty to commit themselves to suitable working and environmental conditions, both in their own operations and among their suppliers. The conflict over rare earths, for example, has made clear the necessity of rethinking sustainability as an aspect of the sector's evolution. Information technology also offers potential for the better management of our ecological future: We see opportunities and challenges in becoming 'green through information technology', e.g. in the field of teleworking, the development of smart power grids, and the sustainable management of the urban environment and traffic flows.

Digitalisation shaped by Green values

Internet policy touches on almost all areas of society and fields of policy, higher education and cultural policy, legal and home affairs, policy for children and adolescents, economic and consumer policy, environmental and labour market policy – examples could be cited from all areas of government action. Internet policy is the great horizontal issue of our time. In our opinion, the Internet itself is not just a technological instrument, but a social forum that has to be used in order to achieve greater democratic involvement in decision making. However, it is just as important that people without digital skills should always be able to take part in the full

range of societal processes. Our Internet policy is socially inclusive and oriented towards participation for all. The national and international process that will lead us into our digital future will demand multiple pathways to multiple solutions, since there is no one single correct approach. It is a global process that requires discussion with numerous actors, in which lobby interests are becoming ever more prominent and conflicts of interest are preprogrammed. In this respect, the Green approach is oriented towards our values and not the political headline grabbing of routine politics. The interests and rights of users stand in the foreground as far as we are concerned, not the interests of a few players. We want to further develop our Internet policy concepts on an ongoing basis together with the interested public, in a culture that practices transparency, civil rights and openness, and respects individual decisions, and intend to carry on campaigning for a progressive Internet policy and the diverse opportunities it has to offer.

As they elaborate their Internet policy concepts, Alliance 90/The Greens are not just aware of their responsibility to all who use the Internet, but also of their responsibility to those who do not wish to use the Internet and should not find themselves left by the wayside as a result. In an open knowledge society, it must be possible to participate in the life of society both on the Internet and away from it.

Alliance 90/The Greens are facing up to the challenge of acting online and offline to help shape the transition from the 20th century to the 21st century, with all the new and exciting democratic possibilities it holds. We Greens are addressing this challenge.