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# 6th Report of the Information Society Coordination Group (ISCG) to the Federal Council

June 2004

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Editorial Information Society Coordination Service, OFCOM

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# Foreword

In December 2003, the Swiss government played host to the UNO World Summit on the Information Society. The themes of the World Summit on the Information Society (WSIS) in Geneva were the opportunities and risks of the new communications technologies; its central concerns were the inequality of access to information and the North-South divide. Increasing the awareness of the general public to the topic of the worldwide digital divide was equally as important as the Declaration of Principles which was finally adopted and the Action Plan which was formulated.

This digital divide also runs through Switzerland. In comparison with the developing countries, internet access and internet use by the Swiss population are indeed very high: today, some two in three Swiss people use the internet at least occasionally. However, there are major differences depending on level of education, age, origin and gender. The higher the education, the better the access: 80 percent of academics work and obtain information regularly on the internet; in the case of people who have only the compulsory school-leaving certificate, the figure is a mere 28 percent. These facts indicate a need for action from the Confederation in terms of social and education policy.

A modest contribution to the digital inclusion of everyone in the information society was made in the autumn of 2003 by the Confederation's "Tour-de-Clic.ch" project. For three weeks, an internet-enabled 'infomobile' toured Switzerland and offered a one-to-one beginners course in using the internet at different locations. Older people, as well as migrants, were especially interested in "Tour-de-Clic.ch".

In addition to this dimension of the information society, the past year also saw other steps taken to implement the Federal Council's strategy for an information society in Switzerland.

Among other things, they included the Law on the electronic signature, which is intended to make an electronic signature equivalent to a hand-written signature in transactions under private law. Parliament adopted this federal law in December 2003. As a result, it can be assumed that electronic commerce will be encouraged.

In the past year, steps have also been taken to combat the darker side of the information society. For example the Federal Council decided at the end of last year to strengthen its commitment to combating cybercrime. Responsibility under criminal law for illegal internet content is to be specially regulated and new facilities for investigations at federal level are to be proposed. In addition, the Federal Council has approved a reporting and analysis centre for information assurance, in order to be ready to deal with interference to, and failure of, critical infrastructures which are heavily dependent on information and communications technologies.

Moritz Leuenberger  
Federal Council

## **Sincere thanks...**

to the colleagues in the following agencies for their information and contributions to this ISCG report:

Federal Office for Professional Education and Technology (BBT)

Federal Office of Justice (BJ)

Federal Office of Communications (OFCOM)

Federal Office of Culture (BAK)

Federal Chancellery

Swiss Federal Statistical Office (BFS)

Swiss Agency for Development and Cooperation (Deza)

Swiss Federal Data Protection Commissioner

Swiss Federal Institute of Intellectual Property (IGE)

Swiss Federal Strategy Unit for IT (ISB)

Swiss Conference of Cantonal Ministers of Education (EDK)

Swiss Mission to the European Union

Swiss Federal Archives (BAR)

State Secretariat for Economic Affairs (seco)

## Key points in brief

The Federal Council's strategy for an information society in Switzerland was adopted in 1998. Since then, the principles and measures anchored in the strategy have been implemented in a decentralised manner by competent agencies. This work is managed and coordinated by the Interdepartmental Information Society Committee (IISC), under the chairmanship of OFCOM. The Information Society Coordination Service is also based within OFCOM.

### The information society in Switzerland in figures

In Switzerland, both within the population and in business and the administration, information and communication technologies are a significant part of everyday life: there is at least one PC in more than two-thirds of households and PCs, e-mail and the internet have been introduced in more than 90% of businesses. The increasing dissemination of e-commerce in Swiss businesses is also apparent.

63% of the Swiss population are now using the internet at least occasionally. However, in terms of internet use, there are significant differences according to *education, age and gender*. Thus, for example, 28% of those with a compulsory school-leaving certificate are internet users, whilst the figure is 80% for those with a university degree. Such digital divides indicate a need for action in terms of social and education policy, in order to achieve the goal of universal inclusion in the information society.

On the infrastructure side, after the opening-up of the telecommunications market in 1998, competition in this sector has generally ensured a performance improvement in terms of quality and price. In this context, however, there are still shortcomings in the area of subscriber connections – what one might call the gateway to the information society – where the range of offerings is still inadequate, particularly with regard to broadband access.

### The 2003 World Summit on the Information Society in Geneva

The first phase of the UNO World Summit on the Information Society (WSIS) took place in Geneva in December 2003. Within the framework of the WSIS, a Declaration of Principles and an Action Plan were adopted. In intensive negotiations with the other countries, Switzerland was able to ensure that a consensus in these matters was reached. 13,000 representatives of national governments, international organisations, civil society and the private sector from 175 states took part in the WSIS. The second phase of the WSIS will take place in Tunis in 2005.

## **Implementation of the Federal Council's strategy according to the action areas**

**Education:** The "Public Private Partnership – Schools on the Net" (PPP SiN) initiative launched jointly by the Confederation, cantons and business, with a view to equipping schools with ICT infrastructure and the training and professional development of teaching staff, was continued. In the reporting year, businesses provided schools with more than CHF 30 million worth of internet connections, networks, hardware and software. By February 2004, 2,700 schools with about 590,000 pupils had been provided with broadband internet access under the initiative. In parallel with this, the Confederation has initiated projects for the training and professional development of teachers in ICT in the cantons, with funding of CHF 35 million. However, the pledged credit for such e-projects was reduced from its original CHF 100 million to 35 million and this is endangering the achievement of the set e-target. A similar situation applies to promoting the training and professional development of teaching staff. The Swiss Virtual Campus incentive programme to disseminate e-learning to Swiss universities was concluded successfully at the end of 2003. In this context, a consolidation programme was started by the new legislature. The Swiss education server also became operational in 2003. The Confederation has committed itself to contributing to stable financing in the medium term.

**E-government:** The work on implementing the e-government strategy continued. It included the founding of eVanti.ch, with the aim of supporting coordination and cooperation of e-government participants at all levels of the state. The standardisation organisation eCH.ch, in which the Confederation, cantons, municipalities and representatives of businesses and interested parties are involved, continued its work. The portal of the Swiss authorities, ch.ch, was presented to the public last autumn. Since then, practically all municipalities are now networked to www.ch.ch.

**E-democracy:** On 1 January 2003 the revised federal law on political rights and the corresponding decree entered into force. The first legally valid and successful internet vote took place in January 2003 in the Geneva municipality of Anières, and a second one took place in Cologny in November 2003.

**The law:** In the reporting year, the Law on the digital signature was adopted and a new legal framework for domain names was established. At the end of 2003, the Federal Council also decided to combat network crime more rigorously. In addition, in the spring 2004 session the National Council decided to approve the revision of the LTC [Law on Telecommunications]. The LRTV [Law on radio and television] was adopted in the same session of the National Council. On the other hand, the federal law on data protection was rejected by the National Council and returned to the Federal Council.

**Data protection:** There is a need for action in terms of *raising awareness* among the public, the administration, researchers and technology manufacturers.

**Security and availability of information:** The Reporting and Analysis Centre for Information Assurance (MELANI) in the area of the information and communications infrastructure will become operational in the course of 2004. Permanent finance with a view to guaranteeing the long-term availability of the federal administration's digital information has not yet been assured. Technical and legal questions are posed with regard to the availability of state information offerings, and these have yet to be resolved. A report on this matter is being produced.

**Culture:** The Federal Office of Culture, in cooperation with external partners, has developed measures to promote media art, which will be implemented from 2004 onwards (project support, research and development in the areas of archiving and transmission). However, the "Referencing and Digitising" project has been deferred because of its considerable financial requirement. Initially it must be clarified whether the project should be integrated into the project for a national memory policy. At present, therefore, only the most important inventories of cultural collections are being made available electronically. Financial reasons have also led to the cancellation of the planned focus on promoting socio-cultural ICT projects which make a contribution to overcoming the digital divide, planned by the Pro Helvetia Foundation for 2004-2007.

**Future action:** In its evaluation of the implementation work, the IISC comes to the conclusion that this is heterogeneous, in some cases untargeted, incomplete and at serious financial risk. In view of this circumstance and the fact that there is also a need for action in areas which are not a part of the Federal Council's 1998 strategy (e.g. e-health, e-content, implementation of the WSIS Declaration and Action Plan), the IISC will this year be conducting a detailed *discussion* on the *status* of the information society in Switzerland and updating the *strategy* and future work of the Confederation in relation to the information society. It will also involve additional experts from the federal administration as well as external technical specialists and organisations.

On the basis of these debates, it is expected that it will be possible to present proposals for future action by the Confederation in the area of the information society to the Federal Council in the ISCG report for 2005.

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# 1 The information society in Switzerland

## 1.1 Strategy of the Federal Council and organisations

The beginnings of the Confederation's activities on promoting the information society date back to the 1990s. In 1995 the Federal Council decided to participate in the pilot projects of the G7 states to shape the international information society. In 1996 it set up a *Groupe de Réflexion*, independent of the federal administration. Its task was to discuss the risks and opportunities of an information society in Switzerland and to present its findings in a report to the Federal Council. This report, entitled *Towards an Information Society in Switzerland*, was used by the Federal Council as the basis for formulating its strategy. This Federal Council *strategy for an information society in Switzerland* was adopted on 18 February 1998.<sup>1</sup>

*Groupe de Réflexion 1996*

The strategy includes *principles* and *measures* (cf. Chapter 2) which are being implemented in a decentralised manner in the Departments and competent agencies. Even today, six years after it was adopted, it still applies as the basic document for the activities of the federal administration in promoting the information society in Switzerland.

*Principles and measures*

In 1998, on the basis of this strategy, the *interdepartmental Information Society Coordination Group (ISCG)* was formed with a mission to coordinate and monitor implementation of the Federal Council's strategy. This mandate was originally limited to two years and has since been extended: from 2002 to 2005. With the extension, which resulted from an evaluation of current activities, a minor substantive and structural change was introduced (cf. Chapter 2 or 4<sup>th</sup> ISCG Report, chapter 5–7).<sup>2</sup>

*Information Society Coordination Group*

The ISCG has a management body, the *Interdepartmental Information Society Committee (IISC)*<sup>3</sup>, in which each Department and the Federal Chancellery are represented (cf. appendices). The IISC is chaired by OFCOM. The IISC is tasked with taking strategic decisions on implementation of the strategy and coordinating the current work. Here the Committee does not have the power to instruct the individual official agencies.

*IISC*

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<sup>1</sup> Cf. [www.infosociety.ch](http://www.infosociety.ch) → Publications

<sup>2</sup> Cf. [www.infosociety.ch](http://www.infosociety.ch) → Publications

<sup>3</sup> Until the end of 2002 this body was called the ISCG committee.

With a view to implementing the above-mentioned strategy, in recent years *interdepartmental working groups* have produced concepts and action plans. Implementation of these is carried out in the *competent agencies*.

*Implementation*

The *Information Society Coordination Service*, the IISC's secretariat responsible for content and administration, is housed within OFCOM. Its activities are described in chapter 2.1.

*Coordination Service*

## 1.2 The information society in Switzerland in figures

Since 1999 the Swiss Federal Statistical Office (BFS) has been responsible for *monitoring the information society*. Indicators on the information society have been available on-line since 2001<sup>4</sup>. The statistics show the development of internet use in different population groups in Switzerland. They demonstrate the importance of information and communication technologies (ICT) in the Swiss economy and in comparison with other countries. The BFS also monitors the development of computer and internet use in Swiss schools<sup>5</sup> and shows the role that ICT play in politics and government.

*Monitoring the BFS*

The Swiss Federal Statistical Office's *Indicators on the Information Society* describe the social and economic significance of ICT in various social sectors (households and the population, business, the administration, education, science and technology, ICT and content sector). The data are compared with international data, and this provides a statistical snapshot of the information society in Switzerland.<sup>6</sup>

*Indicators on the information society*

### 1.2.1 ICT equipment in households

In 2002 over two thirds (67%) of Swiss households were equipped with a personal computer (PC). This value is still well below the number of Swiss households with television sets: in virtually every household there is at least one TV (94% of households).<sup>7</sup>

*67% of households have at least 1 PC*

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<sup>4</sup> [www.infosociety-stat.admin.ch](http://www.infosociety-stat.admin.ch)

<sup>5</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/publ/dpub03-01.htm](http://www.statistik.admin.ch/stat_ch/ber20/publ/dpub03-01.htm)

<sup>6</sup> Cf. Also the latest BFS publications on the information society in Switzerland at:

[http://www.statistik.admin.ch/stat\\_ch/ber20/publ/dpub01-01.htm](http://www.statistik.admin.ch/stat_ch/ber20/publ/dpub01-01.htm) and

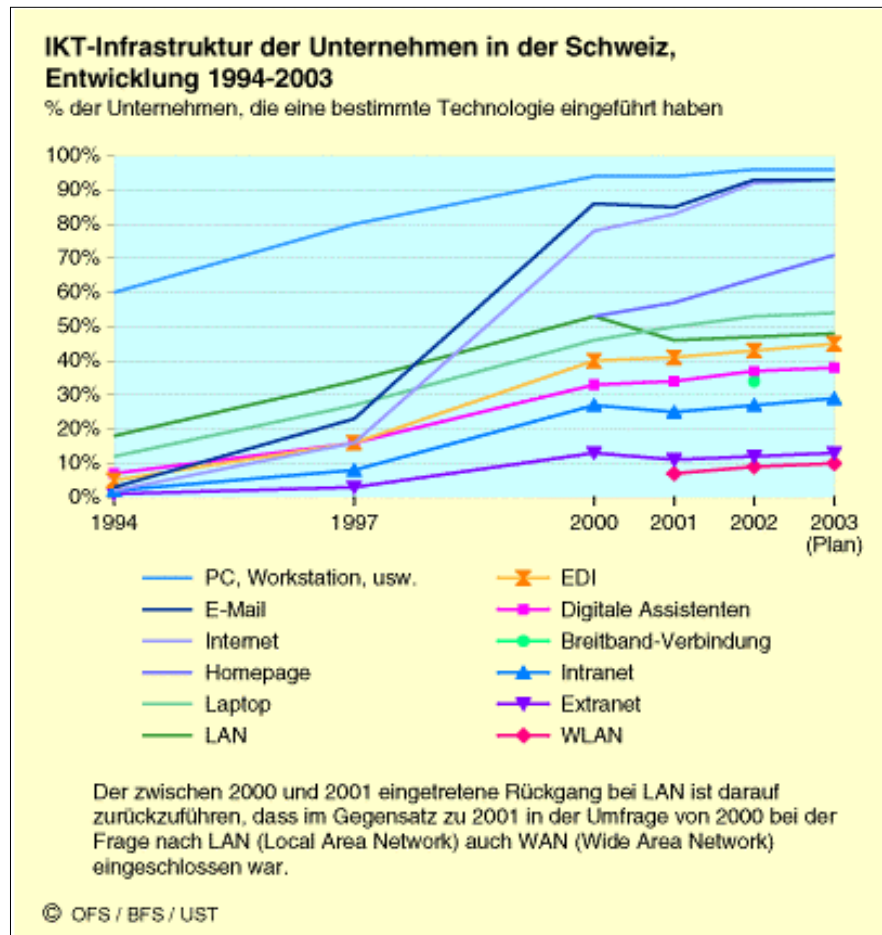
[http://www.statistik.admin.ch/stat\\_ch/ber20/publ/fpub01-01.htm](http://www.statistik.admin.ch/stat_ch/ber20/publ/fpub01-01.htm)

<sup>7</sup> BFS 2002

## 1.2.2 ICT infrastructure in businesses

ICT have now become established in most sectors of the economy. More than 90% of businesses have introduced PCs, e-mail and the internet.<sup>8</sup> As the following figure shows<sup>9</sup>, use of most ICT increased dramatically at the end of the 'nineties. This applies especially to e-mail, the internet and networks based on internet technology. Since then, there has been a continuing distinct increase, above all in companies' websites and a slightly smaller increase in the internet, laptops and digital assistants.

*ICT have become established in businesses*



## 1.2.3 Internet use by the population

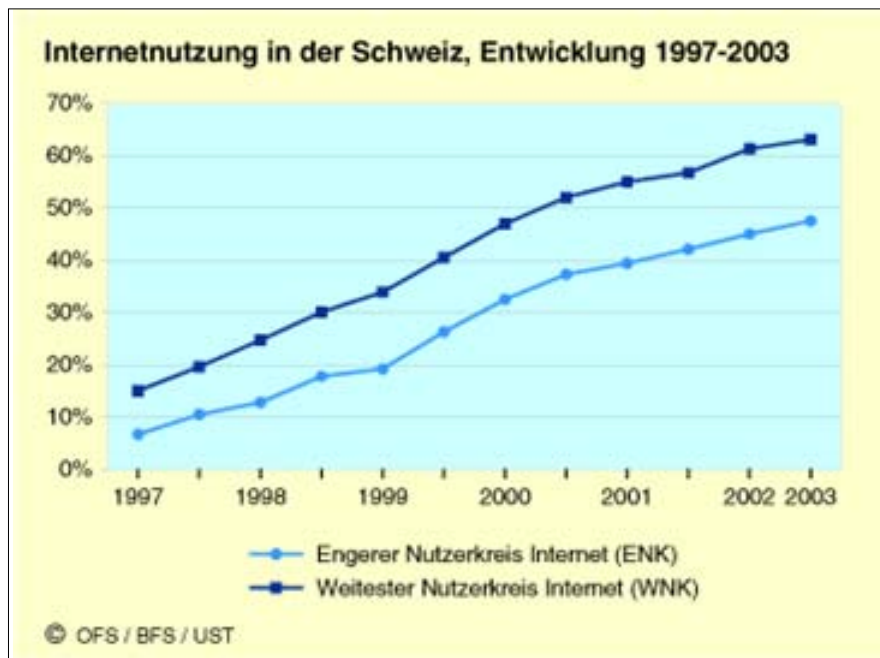
*Internet use by the Swiss population is considerable: at the beginning of 2003, 63% used the internet occasionally, and 48% used it several times a week. Whilst in 1997 only 7% were regular users of the internet, today the technology has become an everyday medium for almost half the population. At*

*63% of the population use the internet occasionally*

<sup>8</sup> A report on this is available at: [http://www.statistik.admin.ch/stat\\_ch/ber20/publ/dpub04-01.htm](http://www.statistik.admin.ch/stat_ch/ber20/publ/dpub04-01.htm)

<sup>9</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30201d\\_1\\_synth.htm](http://www.statistik.admin.ch/stat_ch/ber20/indic-soc-info/ind30201d_1_synth.htm)

the beginning of 2003, 62% of the Swiss population had private internet access; 48% had the possibility of accessing the internet from their educational institution or workplace.<sup>10</sup>



Although internet use in Switzerland is high overall, there are marked differences according to social groups – so-called digital divides according to *education, gender and age*.

*The digital divide*

In terms of the *level of education*: the more educated people are, the more they use the internet. In 2003, 28 percent of those whose highest educational qualification is the *compulsory school-leaving certificate* were regular internet users. In the case of those with *secondary level II*, the corresponding proportion was 46 percent, for those with a *higher vocational qualification* about 69 percent and for those with a *university degree* 80 percent.

*Divide according to education*

Classifying regular users according to gender indicates 36 percent women and 59 percent men.

*Divide according to gender*

Age also plays a part in internet use. In general, young people use the internet more frequently than older people: some 61 percent of 14- to 19-year-olds, and 65 percent of 20- to 29-year-olds are regular internet users; the figure for those aged 50 and over is “only” about 25 percent.<sup>11</sup>

*Divide according to age*

<sup>10</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30106d\\_1\\_synth.htm](http://www.statistik.admin.ch/stat_ch/ber20/indic-soc-info/ind30106d_1_synth.htm)

<sup>11</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30106d\\_1\\_synth.htm](http://www.statistik.admin.ch/stat_ch/ber20/indic-soc-info/ind30106d_1_synth.htm)

## 1.2.4 The spread of e-commerce

As mentioned above, ICT have become established in businesses.<sup>12</sup> This is also reflected in the spread of e-commerce among Swiss businesses. In this area, e-procurement, at 44% of businesses, is more than twice as widespread as internet-based e-sales (16% of businesses). The frequency of both types of e-commerce changed only marginally between 2000 and 2002.<sup>13</sup>

*e-commerce*

In July 2002, in terms of the important *infrastructure* for electronic commerce (e-commerce), Switzerland, with 215 *secure web servers* per million inhabitants, was well placed in comparison with the other OECD countries (average of 142 secure servers). Countries such as the USA or Canada are better placed than Switzerland. The number of secure servers has increased greatly in Switzerland; in July 1998 only 21 servers per million inhabitants were registered. This distinct increase in the number of secure web servers reflects the desire of economic players to keep pace with the development of e-commerce.<sup>14</sup>

*Good conditions for e-commerce: secure web servers*

## 1.2.5 Businesses in the ICT sector

The branch of the economy which produces goods and provides services in the information and communication technologies (ICT) sector has become a key factor in the country's competitiveness. The number of *companies active in the ICT sector* has increased markedly since the mid-eighties: in 2001 there were almost four times more ICT companies than in 1985. In the same period, the number of all companies increased by only 27%. In 2001 *4% of all companies* belonged to the *ICT sector* (1985: 1%). The number of companies active in data processing more than doubled in the second half of the 'nineties. The upward trend between 1995 and 1998 in those companies providing telecommunication services can be explained by the liberalisation of the Swiss telecommunications market.<sup>15</sup>

*4% of companies are in the ICT sector*

In 2001, the number of people working in the ICT sector was 5% of the total number of employees.<sup>16</sup>

*5% of employees work in the ICT sector*

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<sup>12</sup> A report on this is available at: [http://www.statistik.admin.ch/stat\\_ch/ber20/publ/dpub04-01.htm](http://www.statistik.admin.ch/stat_ch/ber20/publ/dpub04-01.htm)

<sup>13</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30204d\\_1\\_synth.htm](http://www.statistik.admin.ch/stat_ch/ber20/indic-soc-info/ind30204d_1_synth.htm)

<sup>14</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30204d\\_2\\_synth.htm](http://www.statistik.admin.ch/stat_ch/ber20/indic-soc-info/ind30204d_2_synth.htm)

<sup>15</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30602d\\_1\\_synth.htm](http://www.statistik.admin.ch/stat_ch/ber20/indic-soc-info/ind30602d_1_synth.htm)

<sup>16</sup> [http://www.statistik.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30603d\\_1\\_synth.htm](http://www.statistik.admin.ch/stat_ch/ber20/indic-soc-info/ind30603d_1_synth.htm)

## 1.2.6 Online service offerings from the administration

Compared with other countries, Switzerland has a rather lower percentage of basic public services provided via the internet. In October 2003 this proportion was 55%, i.e. Switzerland is half-way towards a fully web-based public service (cf. also chapter 2.4.1). In terms of internet service offerings, the Scandinavian countries and Ireland are in the lead.<sup>17</sup>

*Internet service offerings from the administration*

## 1.3 Developments in the telecoms sector

It is well known that the telecommunications market in Switzerland was opened up in 1998. The liberalisation was followed by growth of the sector and a distinct reduction in prices. More than 300 telecommunication services providers were able to establish themselves in the Swiss market and the services which were offered were extended. This success is largely attributable to the numerous technological innovations which stimulated the launch and development of new services and market segments.

*Liberalisation in 1998*

However, the failure to open up the last mile as a key requirement for a competitive national broadband infrastructure might prove to be a serious disadvantage on the road to the information society.

### 1.3.1 The mobile telephony market in Switzerland

The following companies are currently active in the *Swiss mobile telephony market*: Orange Communications SA, TDC Schweiz AG (Sunrise) and Swisscom Mobile. These offer mobile telephony services on the basis of the GSM standard. At present, *more than 6 million mobile phones* are in use. This corresponds to a penetration rate of over 86%.

*Over 6 million mobile phones in use.*

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<sup>17</sup> [http://www.bfs.admin.ch/stat\\_ch/ber20/indic-soc-info/ind30303d\\_2\\_synth.htm](http://www.bfs.admin.ch/stat_ch/ber20/indic-soc-info/ind30303d_2_synth.htm)

With over 61%, *Swisscom* has the largest market share, ahead of *Sunrise* with over 20% and *Orange* with over 17%.<sup>18</sup> Service offerings include in particular voice and messaging services (SMS/MMS) as well as mobile data services (GPRS). The existing networks cover more than 97% of the Swiss population.

*Swisscom: largest market share*

In summer 2003 the Federal Communications Commission (ComCom<sup>19</sup>) put additional *mobile telephony licences* based on the GSM-1800 standard out to tender. *The objective* of the invitation to tender was *to stimulate the Swiss mobile telephone market* and promote innovative projects. In December 2003 ComCom awarded the companies *Tele2* and *In&Phone* one licence each. *In&Phone* will offer innovative solutions for local GSM networks, above all in the business customer sector; *Tele2* will focus on the private customer market and wants to stimulate this market through low prices. The first services are expected in the course of 2004.

*New GSM licences*

*Tele2 and In&Phone*

Within the framework of an auction at the end of 2000, ComCom awarded 4 licences for *third-generation mobile telephone systems – UMTS* (Universal Mobile Telecommunications System) – to *Orange*, *TDC Schweiz*, *Swisscom Mobile* and *3G Mobile (Telefonica)*. This standard allows higher data transfer rates than the existing second-generation (GSM) networks. Corresponding *networks* are *currently under construction*.

*UMTS licences*

In Switzerland, *constructing mobile telephone networks* is difficult because of the *stringent limits* laid down in the Decree on Protection from Non-ionising Radiation (NISV) and the strong *resistance* among the *population* and has now led to costly and prolonged building approval procedures. In contrast to the three existing operators, in the case of 3G Mobile no network-construction activity is taking place, as the parent company has stopped constructing networks in Switzerland, Germany, Austria and Italy for strategic reasons. According to the licence, *the operators must cover 50% of the Swiss population by the end of 2004*. The first services are expected in the course of 2004.

*Construction of mobile telephone networks*

It is to be assumed that in Europe in 2004 numerous third-generation networks will come into operation and mobile telephony services with high transmission speeds will increasingly be offered. The networks of the second generation (GSM) and third generation (UMTS) complement each other ideally.

*GSM and UMTS*

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<sup>18</sup> Source: OFCOM 2004 (unpublished data).

<sup>19</sup> <http://www.fedcomcom.ch/comcom/d/homepage/index.html>

## 1.3.2 Broadband connections

Worldwide there are some *63 million broadband subscriptions*.<sup>20</sup> The Republic of Korea tops the league in terms of broadband coverage, with about 21 subscribers per hundred inhabitants. Hong-Kong (China) is in second place with 15 subscribers per hundred inhabitants and Canada is third with just over 11 subscribers per hundred inhabitants.

*63 million broadband subscribers worldwide*

One of the reasons for the large increase in the number of broadband users is the growing *demand for faster internet connections*. Broadband internet connections are at least *five times faster* than connections via an analogue telephone line. This enables, for example, more efficient downloading of music or videos, or faster data access and data exchange.

*Broadband 5 times faster*

Broadband services came onto the market in a phase of economic growth and were therefore in demand. Forecasts continue to predict that broadband services in certain markets will be among the most dynamic consumer services in the communications sector. Thus, for example, in the USA the market penetration of broadband connections will reach 25 percent more quickly than was the case for PCs or mobile telephones.

It would appear that broadband technology is increasingly becoming a real catalyst for economic success in the information economy. For more and more national economies, it is vital for the population to acquire broadband connections under affordable conditions. In most cases it is the private sector above all which is investing in broadband services.

*Economic success with broadband technology*

Since broadband solutions via satellite and radio are still relatively new, most broadband subscribers use *wire-bound fixed network connections* for *internet access*. Above all, these are *digital subscriber lines*, which are based on traditional fixed network telephony (*DSL*), or *cable modems*, i.e. cable television networks are used.

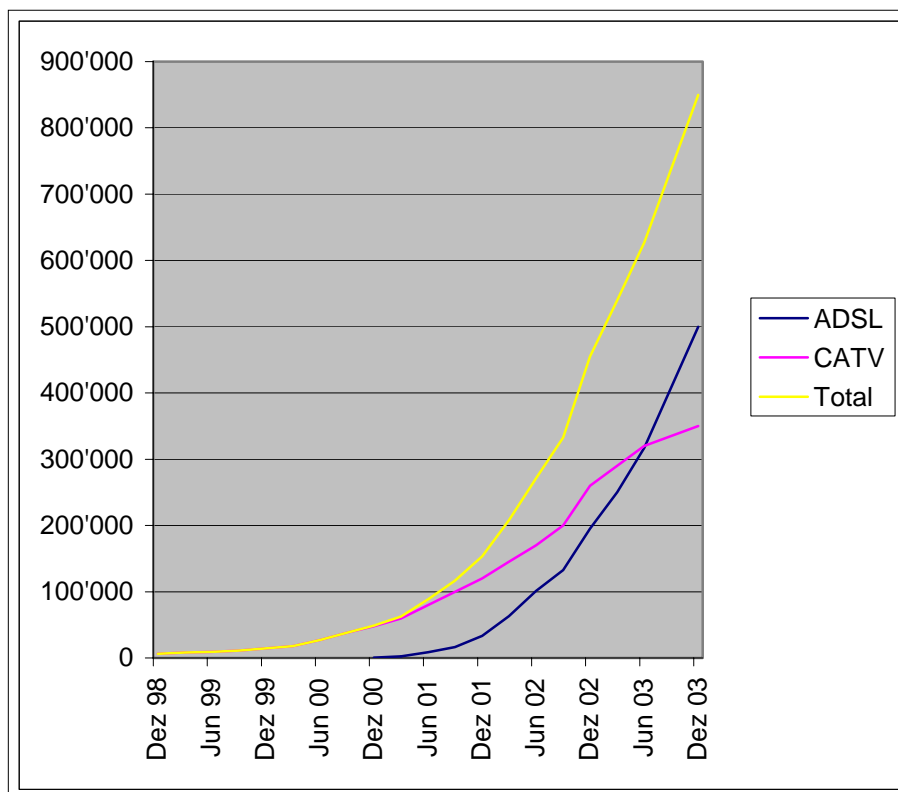
*Broadband solutions*

The DSL services, which have been offered recently on the market, have within a short time become a widespread form of broadband access. In Switzerland at the end of 2003, the number of subscribers was 500,000; worldwide there were more than 32 million (end of 2002).

DSL technology is very widespread in Asia and Europe; cable technology is widespread particularly in the USA. In Switzerland at the end of 2003, there were more than 350,000 subscriptions for internet access via cable modems.

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<sup>20</sup> Cf. the report *Birth of Broadband* by the International Telecommunications Union ITU of 16.9.2003. <http://www.itu.int/home/index.html>



Development of cable (CATV) and ADSL connections in Switzerland, 1998-2003; Sources: OFCOM, Swisscable and Swisscom

### 1.3.3 WLAN and Wi-Fi (Wireless Fidelity)

WLAN stands for *Wireless Local Area Network*. Instead of wire-bound networks, *electromagnetic waves* are used to *transmit or receive data* over short distances. Mobile devices access the network by connecting up to a wire-bound access point using radio waves; the access point carries traffic to and from the network. Using a *WLAN*, *wireless internet access* can be shared via a *broadband connection* within a radius of 100 m.

*WLAN – wireless local networks*

*In addition*, WLANs are being used increasingly in *rural areas* and *developing countries* to establish broadband connections over large distances. This is done by using special equipment and special technology which optimises the effective distance between access points.

*Broadband connections via WLAN*

The most widespread form of WLAN is known by its abbreviation *Wi-Fi*; however, *Wi-Fi* is only one of several WLAN standards and is not a synonym for WLAN. The other WLAN technologies are known as Home RF2, HiperLAN2 and 802.11a.

*Wi-Fi*

As mentioned above, WLAN technology – especially *Wi-Fi* – is particularly important in regions which have no access to classic wire-bound infrastructure. *In rural areas* and *developing*

*WLAN attractive for rural areas*

*countries they allow broadband access to telephony and data communications services as well as the internet. WLAN technologies such as Wi-Fi are easy to install and low-cost.*

Currently there is worldwide research into how WLANs can be used to provide coverage over the last mile.

*Coverage over the last mile?*

In general the conditions for bringing Wi-Fi services onto the market differ from the rules which apply to commercial broadband services where frequencies subject to licensing are used, e.g. certain microwave systems. Actually, the family of *Wi-Fi standards* uses part of the *frequency spectrum* which is *not subject to the licensing obligation* for use of the frequency spectrum.

The range of these systems is short, though prices are lower and the equipment can be modulated. Consequently, providers have developed many different models of economic activity which are based precisely on those frequencies which are not subject to licensing.

At present, two approaches are favourites for provision of *Wi-Fi access*: the "*top-down*" model: the major network operators provide so-called *hotspots* at various public locations – e.g. airports, stations or hotels – and charge for broadband access. Such public installations provide users with the possibility of *accessing the internet* without having to physically *connect their laptop* or personal digital assistant (PDA). The "*bottom-up*" model: private individuals offer wireless access free of charge.

*Hotspots*

Both models have a number of *disadvantages*. In the first case, fragmentation of the market is problematic, since the various hotspots are operated by different operators and the user has to open multiple accounts to enjoy internet access at different locations. In the second case the lack of economic sustainability is problematic, because no profits are generated. In addition, there is a risk of misuse by consumers.

*Disadvantages of hotspots*

Recently, hybrid models have combined the two approaches. A user is able to open just one account for wireless access and use it at the hotspots of all the service providers who are active in the market.

### **1.3.4 Wireless technologies**

Powerful new technologies are changing working methods and increasing the mobility of more and more employees. The convergence of telecommunications and IT will make it possible to take one's office anywhere. This means that connection to a company network or to the internet is possible without the constraints of time or place. Laptops, mobile telephones and

*Mobile access using wireless networks*

other personal assistants will make this *mobile access* possible, using *wireless networks*. Devices will evolve and offer more and more: more autonomy, large high-resolution screens and computing power which is several thousand times greater than that which allowed man to land on the moon. To ensure that these devices can be adopted by customers, the corresponding services must be simple to use, they must increase productivity and they must be commercially available at reasonable prices. To believe the estimates of TELECOM WORLD 2003, the future belongs to wireless services. In Switzerland it is estimated that a million people, or 13% of the population, use laptops or PDAs – a trend which is growing rapidly.

Depending on one's location (at home, at the workplace, on the move), there are three forms of wireless technology: *Bluetooth*, *WLAN* and *UMTS technology*.

*Wireless technologies: Bluetooth, WLAN, UMTS*

*Bluetooth technology* allows wireless transmission of data between the different devices which are used at home or in the office - PCs, PDAs, printers, hands-free mobile telephone headsets.



*WLAN technology* is used to cover a radius of about a hundred metres. It provides a wireless extension of an existing network and so is not a direct internet connection. An internet access provider is therefore essential. This technology is being used, for example, in companies, residential areas, hotels and stations.

*UMTS technology* makes it possible to establish fast internet connections via mobile telephones. The use of this technology is significant in connection with worldwide mobility.

## 1.4 Data protection: a key requirement for the information society<sup>21</sup>

The internet has changed our society radically. Our behaviour has changed with the developments in information technology – faster networks and improved reliability. As statistics indicate (cf. Chapter 1.2), PCs and mobile telephones are now among the most important means of communication.

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<sup>21</sup> The opinion of the federal data protection commissioner is reflected in this section.

Data processing is characterised by digitisation and networking of data as well as decentralisation, miniaturisation and the mobility of IT systems. Without questioning the numerous positive effects of these technologies and the benefits they have in everyday life, possible negative effects must also be considered. When these technologies are used, traces are left behind which are not absolutely necessary for providing the desired services or for the corresponding charging procedure but which could be used for other purposes.

*Positive and negative effects of ICT*

It may well be the case that as a result of the rate of progress and technological development, applications may appear on the market to the detriment of consumers. It must also be considered that these new technologies could endanger respect for human rights and basic freedoms. For example, they allow comprehensive user profiles to be generated (consumer habits, determination of location, monitoring of movements, etc.) or facilitate surveillance activities.

*Potential dangers*

Nowadays everyone – citizens, consumers, businesses, service providers and users – are confronted with technology and are able to use information technology in numerous activities. The necessary effort to make people aware of the dangers associated with its use must therefore be made.

*Awareness raising is essential.*

In the information society and especially when the corresponding information systems are set up, *data protection* plays a *critical role*. Guaranteeing rights and basic freedoms when personal data are processed is an indispensable condition for the development of a free, democratic information society.

*Great importance of data protection in the information society*

The goal of data protection is therefore to enable individuals to use online services with confidence and to communicate freely and without restrictions. However, a technology which controls and influences the decisions, behaviour and means of communication and information of users violates their right to self-determination in the realm of information and adversely affects their opportunities to freely choose information sources and communications partners.

An individual may justifiably expect that his personal data will be processed transparently – either by private companies or by public authorities – that it will be used only for defined, specific and legitimate purposes, that the principle of data relevance and appropriateness will be taken into account with regard to these purposes and that their rights will be respected.

*Data protection and personal data*

Shaping the information society in a way that meets data protection requirements is essential for participation by individuals. New legal regulations are not necessarily re-

*Compliance with the law on data protection*

quired to ensure this, as the *existing data protection laws* already contain adequate requirements. Nevertheless, the law alone, however good it may be, cannot guarantee protection of the private domain. It does permit a search for solutions which guarantee rights and basic freedoms when personal data are processed.

In particular, this includes consideration of the fundamental principles of data protection when information technologies and systems are being developed and the technologies are being applied, thereby making the legal norms more effective. In order that the surveillance potential of specific technologies which are used in the information society can be limited or excluded, researchers, developers and manufacturers of these technologies must be made aware of data protection and must acquire the know-how necessary to develop products and systems which meet the legal requirements. In particular, systems which conform to the data protection requirements must comply with the principle of data economy and integrate technologies which are favourable to data protection (Privacy Enhancing Technologies – PET) which, among other things, allow the anonymisation or pseudo-anonymisation of data.

Current *projects to process personal data* within the framework of the information society *do not take sufficient account of data protection requirements*. The *people* responsible for the processing do not yet possess the necessary knowledge to take account of data protection aspects from the outset of project implementation. However, in order to reduce or exclude the risk of abuse of rights and basic freedoms, the necessary *knowledge of data protection* must be present in every *organisation*. In addition, a data protection concept must be elaborated for each project and implemented during development of the project. In the long term, systems with a high level of data protection will prevail; they will be more profitable than systems which offer low protection or none at all and which are driven by an immediate return. In the public administration in particular, a high level of data protection is a prerequisite for citizens having *confidence* in e-government and making use of the online services which are offered. Certification is a good means of verifying the level of data protection achieved.

In order to prevent the information society from becoming a global control system, it is not sufficient to prevent or eliminate abuses. In addition, it is essential to conduct a debate on the opportunities and dangers of the information society, including the question of the way in which it serves citizens and how it protects their privacy.

*Awareness of data protection issues essential*

*Projects using personal data do not meet data protection requirements*

*Lack of awareness of data protection issues in the administration*

*Necessary debate on opportunities and dangers*

## 1.5 Parliamentary initiatives on the information society

In the reporting year (2003 to February 2004) the federal *parliamentarians dealt with 21 initiatives concerning the information society*.<sup>22</sup> These dealt with various aspects of the subject. Four were concerned with the World Summit on the Information Society which took place in Geneva last autumn (cf. chapter 4.2). The content of the others revolved around the Confederation's web presence, data protection, consumer protection issues in internet commerce and cybercrime. Cf. Appendix 2.

## 1.6 The administration's internet web presence and the press portal: The Confederation's internet strategy

### 1.6.1 The starting point

As new technologies have been introduced into the administration, offices and departments have set up their own websites. In connection with the adoption of the *Confederation's internet strategy* in May 2003, the Conference of Information Services of the Departments commissioned the Confederation's Webforum<sup>23</sup> to draw up implementation measures in the following four areas where shortcomings exist: 1) better and faster searches, 2) the press portal, 3) identifiability, 4) usability (navigation using the same tools and nomenclature, plus minimum requirements for websites). The projects are briefly outlined below:

*Measures based on the internet strategy*

### 1.6.2 Usability

The aim of the *Usability* project is to *improve the user-friendliness and accessibility of the websites*. Navigation and minimum requirements relating to form and content are to be better adapted to users within and without the administration.

*Federal websites: user-friendly and accessible*

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<sup>22</sup> <http://www.parlament.ch/>

<sup>23</sup> The web managers of the departments, the Federal Chancellery, the parliamentary services, the CC Internet BIT and the DIK VBS are represented in the Web forum.

It should be possible to find the desired information as simply and as quickly as possible, by presenting content classified according to subjects, products or target groups. In addition, the navigation logic is to be standardised and websites will have to comply with predefined standards. Sites must be accessible to people with a disability. The standards, rules and instructions which have been drawn up should enter into force by the end of 2004.

### 1.6.3 The press portal

The purpose of a *press portal* is to provide Swiss and foreign media with *central access to relevant information and services* from the federal administration in this area. Conversely, the press services in the federal administration have an opportunity to contact media representatives directly.

*Access to relevant information for the media*

The heart of the press portal is a *Confederation central news service* based on the design of the news service of the Department of Environment, Transport, Energy and Communications. Such a news service provides users with a one-time registration procedure and a tailored selection of information which is sent to them by e-mail.

*The Confederation's news service*

It is expected that the Confederation's *news service* will be launched in *autumn 2004*. Upgrading the *press portal* is envisaged for the spring of 2005.

*News service from autumn 2004*

### 1.6.4 Searching for and identifying Confederation sites

The *better, faster searches* projects are intended to supersede the existing countrywide AltaVista search engine. The *new search infrastructure*, which is expected to be set up by the end of 2005, is intended to be efficient and meet the requirements of the public.

*A better search infrastructure*

The *Identifiability* project is intended to make the *administration's websites identifiable and perceptible* as such. The following measures should enable this: the systematic use of a *uniform domain name* (e.g. admin.ch). Each website must be accessible via a secure connection.

*Uniform appearance*

## 2 Status of implementation of the Federal Council's strategy for an information society in Switzerland according to the action areas

The Federal Council's strategy for an information society in Switzerland dates back to 1998 (cf. chapter 1.1). It contains principles and priority measures. These measures had been analysed at that time and appropriate work had been started. Chapter 2 gives an overview of the status of implementation of this work. The goals derived from the strategy<sup>24</sup> precede the section devoted to each individual area.

The work on implementing the Federal Council's strategy is managed and coordinated by the Interdepartmental Information Society Committee (IISC) (cf. chapter 1.1). The Information Society Coordination Service constitutes the IISC secretariat and is also housed within OFCOM. The Coordination Service itself initiates activities and projects within the framework of the Federal Council's strategy. Thus it acts as the secretariat for the *Knights of Communication* competition, publishes a monthly *Newsletter* and founded and runs the *Tour-de-Clic.ch* campaign, as outlined in the following section.

### 2.1 The Coordination Service's key areas of work

The Coordination Service hosts the [www.infosociety.ch](http://www.infosociety.ch) website where contributions on the topic of the information society at national and international level are published. The site, for example, also publishes the annual reports of the ISCG to the Federal Council and federal administration press releases relating to the information society.

*The infosociety.ch website*

The *Infosociety Newsletter*, to which it is possible to subscribe from the website, has been appearing online every month since December 2001. It is currently read by more than 1000 people in the administration, the business sector, universities and colleges. The authors of the articles generally also come from this environment.

*The Infosociety Newsletter*

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<sup>24</sup> The strategy is available at: <http://www.infosociety.ch> → Publications

## 2.1.1 The Knights of Communication competition

The *Knights of Communication* competition honours projects and initiatives which provide access for people in Switzerland to information and communication technologies (ICT) and promote the use of ICT. It is sponsored by the Federal Office of Culture and the Federal Office of Communications and is supported by various companies and institutions. The patron of the competition is Federal Councillor Moritz Leuenberger. In 2003 neither the *ICT and illiteracy* special prize nor the youth prize was awarded, since no sufficiently mature projects had been submitted for the two prizes.

*Competition to bridge the digital divide*

The Information Society Coordination Service in OFCOM manages the competition and provides the secretariat for the competition. The *Knights of Communication* is a prize of recognition and is accompanied by total prize money of CHF 50,000. Of this, CHF 20,000 is awarded each year for a youth prize and CHF 10,000 for a special prize with a different theme each year.

*Prize money*

In December 2003, as part of the World Summit on the Information Society (cf. 4.2), Federal Councillor Leuenberger honoured the following winners: The *main prize* was awarded to the *Multimondo* organisation from Biel for its IT *integration project for young migrants*. A special mention was given to a *Puschlav e-learning project*, organised by the *e-comunicare*<sup>25</sup> company. Invitations to enter the Knights of Communication 2004 were issued in February 2004. The theme of this year's special prize is *Learning to read and write with ICT*. Further information on the competition is available at [www.comknight.ch](http://www.comknight.ch).

*Projects honoured in 2003*

*Entries for 2004*

## 2.1.2 Tour-de-Clic.ch

New information and communication technologies (ICT) – for example the internet – are increasingly becoming part of the everyday lives of the Swiss population (cf. chapter 1.2). Thus 60% of its inhabitants use the internet occasionally, and 48% use it several times a week. However, *not all* layers of the population are participating in this development to the same extent. *Digital divides*, according to current statistics, can be found above all between *educationally advantaged and educationally disadvantaged layers*, but also between *young and old*, between the *Swiss population and migrants* and between *men and women*. Internet use therefore reflects existing social inequalities and potentially reinforces these, indicating the need for action on education and social policy in the information society.

*The digital divide in Switzerland*

*Need for action on education and social policy*

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<sup>25</sup> <http://www.ecomunico.ch/>

On the initiative of the Information Society Coordination Service and under the title *Tour-de-Clic.ch* ([www.tour-de-clic.ch](http://www.tour-de-clic.ch)), an internet-enabled *infomobile* of the Confederation travelled through Switzerland from 3 October to 25 October 2003, stopping for one, two or three days at *ten locations*. *Tour-de-Clic.ch* set off from Biel, travelled via Langenthal to Zurich and Chur, from Lugano via Bellinzona to Locarno and from Vevey to La Chaux-de-Fonds and Geneva.

*Infomobile on the road*

The *goal* of *Tour-de-Clic.ch* was to address the 40 percent of the *Swiss population who are not yet PC users*. *Tour-de-Clic.ch* offers them easy access and undemanding initial contact with the internet, a kind of *introductory course*. This one-to-one training was provided by the employees of the Coordination Service, OFCOM, the Federal Chancellery and the Federal Office for Professional Education and Technology. In addition, representatives of other interested organisations which are involved with the target groups of *older people* and *migrants* also helped on the infomobile: e.g. ProSenectute, Seniorweb, Computerias, ProSeniors and Multimondo, Interunido or ECAP. These partner organisations made a substantial contribution to the *Tour-de-Clic.ch* pilot project.

*Target groups: older people and migrants*



*Tour-de-Clic.ch 2003: stopping off in Vevey*

The 1,200 people who visited the *Tour-de-Clic.ch* infomobile during its three weeks on the road spent an average of 45 minutes learning the basic concepts of the internet. Depending on their personal interests they searched for information on a leisure-time activity, consulted timetables or looked up information on public authorities. The visitors much appreciated this personalised introduction and self-motivated learning, especially learning at their own pace.

*1,200 people were reached*

Visitors left the infomobile with a simple, practical *set of instructions on using the internet: First Steps on the Internet*. This educational material allows them to extend their knowledge at a later date, whether at home or from a public internet access point. In addition, visitors could take away with them leaflets about local and regional computing and internet courses or address lists for Computera centres.

*Educational material*

The small but successful Tour-de-Clic.ch *awareness-raising campaign will continue in 2004*. In addition to the above-mentioned target groups, this year's campaign will be targeted primarily at women and parents. Further information plus the itineraries for the two stages are available at [www.tour-de-clic.ch](http://www.tour-de-clic.ch).

*The success of Tour-de-Clic.ch*

*To be continued: 2004*

The following chapters outline the status of implementation of individual actions areas within the Federal Council's strategy.

## 2.2 Education

### Goals set for implementation

- Training and professional development of teachers
- Investigate, implement and apply new methods of teaching and learning; further develop the organisation of schools and teaching
- Ensure appropriate, broad-based qualification offerings at all levels
- Promote a general framework of regulation for the education market, i.e. ensure transparency and mobility, increase flexibility, promote recognition of courses and training programmes, introduce quality assurance.

### 2.2.1 The Public Private Partnership – Schools on the Net (PPP-SIN)

In the reporting year, the *Schools on the Net* project was affected by the programme to reduce the federal budget. In the autumn 2003 session, the Houses of Parliament followed the advice of their Commissions<sup>26</sup> and agreed to a *reduction* in mandatory credits which went substantially beyond the application from the Federal Council<sup>27</sup>. In the course of the cuts

*Project funding cut from CHF 100 to 41 million*

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<sup>26</sup> Recommendations of the Commission ([http://www.parlament.ch/poly/mm\\_anhang/2003/09/d\\_2003-09-02\\_047\\_01.pdf](http://www.parlament.ch/poly/mm_anhang/2003/09/d_2003-09-02_047_01.pdf)) and the accompanying press release ([http://www.parlament.ch/mm-medienmitteilung.htm?m\\_id=2003-09-02\\_047\\_01](http://www.parlament.ch/mm-medienmitteilung.htm?m_id=2003-09-02_047_01))

<sup>27</sup> Message of the Federal Council on the budget reduction programme 2003, p. 5668 (<http://www.admin.ch/ch/d/ff/2003/5615.pdf>)

adopted in 2002 by the Federal Council and in 2003 by the two Houses of Parliament, the originally approved contribution by the Confederation to the *PPP-SiN project of CHF 100 million was cut to approximately CHF 41 million*, of which CHF 6 million was lost in 2002 as residual credit. So in real terms, only about CHF 35 million is still available to support the cantons in their training and professional development of teaching personnel. *Many projects which were submitted can therefore no longer be supported.*

*Many projects can no longer be supported*

*ICT infrastructure: Swisscom and Apple, among others, were in the news regarding their provision of modern ICT infrastructure to schools. As of February 2004, Swisscom has provided more than 2,700 schools with broadband internet connections and their sponsorship of cantons and municipalities, originally envisaged for 3 years, has been extended indefinitely. As a first, Apple Switzerland carried out a campaign with the blessing of its parent company in the USA and advertised its offering and Schools on the Net (with the partnership logo!). Other active partners included IBM, Cisco, Dell and Sun. However, the Ascom company was not able to sustain its Powerline offer and withdrew as partner from Schools on the Net.*

*2,700 schools on the net*

*Training and professional development of teachers: Of the 30 new projects submitted within the framework of the federal law on promoting the use of ICT in schools<sup>28</sup>, eight were accepted. The priorities for selecting projects included training and professional development of teachers, developing skills in structurally weak areas and projects based on empowering teaching staff to integrate ICT directly into their teaching. In all, the authority responsible for implementation, the Federal Office for Professional Education and Technology (BBT) has so far approved 43 applications and has already supported the initiative to the tune of over CHF 32 million.*

*8 new projects for training and professional development*

*Prospects: Though the impetus has certainly slowed as a result of the cut in federal resources, it was nevertheless possible to give targeted support. The challenge is now to achieve as much as possible with the available resources. The hitherto fruitful cooperation with the cantons and the private sector should continue to be assured. Apart from the minimised support for new projects, the focus will now be on implementation, exchanging experiences, dissemination and an evaluation of the current projects.*

*Impetus slowed as a result of the cut in federal resources*

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<sup>28</sup> SR 411.4

## 2.2.2 The Swiss virtual campus

The *Swiss Virtual Campus* (SVC) initiative was successfully concluded in 2003. It was possible to support fifty projects relating to the use of internet-based courses at university level. The third tender process, for the 2004-07 legislative period, was carried out under the title *Consolidation Programme*.<sup>29</sup> The objective is to *ensure the sustainability* of the projects and to establish e-learning in all Swiss universities:

*Consolidation of projects in the university sector*

1) continuation of existing projects, 2) development of new e-learning courses (new projects, limited to two years), 3) establishment of competency, services and production centres in every university (competency centres), 4) services for universities and coordination.

*Sustainability*

The *responsibility* for the university section of the programme continues to be exercised by the Swiss University Conference (SUK). As of January 2004, the *Rectors' Conference of the Swiss Universities* was entrusted with the operational implementation of the consolidation programme. The BBT is responsible for the cooperation of the universities of applied sciences. It coordinates its activities closely with the SUK and CRUS respectively.

*Responsibility: the Rectors' Conference of the Swiss Universities*

## 2.2.3 ICT and education task force

The national *ICT and Education Task Force* was founded on the initiative of the general secretariat of the Swiss Conference of Cantonal Ministers of Education (EDK) in 2000. It includes representatives of the general secretariat of the EDK, the official agencies concerned<sup>30</sup>, the teaching associations, the Swiss Office for Information Technologies in Education association of IT organisations and the Swiss Office for Information Technologies in Education. Its main tasks include *coordinating* the work of the partners involved, such as work on the above-mentioned *Schools on the Net* programme. It additionally promotes international cooperation in the *training and professional development of teachers* in ICT.

*Intercantonal coordination and cooperation*

In the reporting year, the ICT and education task force primarily had *two focal points*: It adopted the concept paper entitled *ePilotage*, which includes elements relating to management of the innovation process in relation to the integration of ICT in schools. It additionally adopted a position paper on *Content*

*ePilotage and eContent*

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<sup>29</sup> <http://www.virtualcampus.ch/>

<sup>30</sup> Federal Office for Professional Education and Technology, the Federal Office for Education and Science, The Swiss Federal Statistical Office, the Federal Office of Communications

and initiated further clarifications and measures related to this. A third focal point is also being established with regard to co-ordination of Swiss participation in the projects of international organisations.

On behalf of the Task Force, the SFIB<sup>31</sup> designed an *ICT and Education 2003 publication* which gives an overview of the ICT situation in education at levels ranging from kindergarten to secondary stage II, including vocational education. This publication is now available. It corresponds to a measure in the ePilotage concept.

*ICT and education publication*

## 2.2.4 The Swiss education server

The Swiss education server, as a *national portal to education in Switzerland*<sup>62</sup> went operational in 2003. It provides a series of different applications and services: databases with links and teaching materials, a database with professional development opportunities (especially for teachers), information on the Swiss education system, and virtual classrooms for classes and workgroups. The *education server* will be funded jointly by the *Confederation and the cantons*. The platform can also be used by the partners (e.g. the cantons).

*National education portal (Confederation and cantons)*

Currently the strategy on the education server is being redefined by the Confederation and the cantons. The Confederation, or rather the BBT, has promised its current *financial commitment* for the medium term, albeit at a slightly lower level.

*Less federal funding*

## 2.3 Revisions to laws and planned legislation

### Goals set for implementation:

- Establishment of a suitable, reliable regulatory environment
- Development of global standards
- Ensuring high-quality, generally accessible and low-cost telecommunications infrastructure and services
- Development and support of trustworthy security solutions for electronic transactions
- Promotion of innovative applications

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<sup>31</sup> <http://www.sfib.ch/aktuell/index.html>

<sup>32</sup> Cf. the dossier "Information society" at [www.bbt.admin.ch](http://www.bbt.admin.ch) or the [www.educa.ch](http://www.educa.ch) site.

## 2.3.1 Law on Telecommunications (LTC), revision

Despite liberalisation of the telecommunications sector in Switzerland (cf. chapter 1.3), Swisscom still occupies a monopoly position in various sectors. This applies in particular to wire-bound connections (leased lines, local telephone services and broadband access services).

In the summer of 2002, the Federal Council issued for consultation an OFCOM draft for the *Revision of the Law on Telecommunications (LTC) and the Decree on Telecommunications Services (DTS)*. The Federal Council opened up the last mile as of 1 April 2003 by means of an amendment to the Decree on Telecommunications Services.

*Opening up the last mile at the decree level*

It subjected fast bitstream access, shared line access and full unbundling to the interconnection regime. The Federal Council also wanted to anchor the opening-up of the last mile in the revised Law on Telecommunications, for political reasons.

The Federal Council instructed the Department of Environment, Transport, Energy and Communications to submit a *message* to it relating to the amendment of the Law on Telecommunications (03.073). This was adopted by the Federal Council on 12 November 2003 and contained the following key points:

*Message on the Law on Telecommunications*

The *opening-up of the last mile* should be mentioned *explicitly in the law*. Various areas such as *consumer protection*, in particular protection from *spamming* (i.e. a ban on unsolicited mass advertising), and the protection of personal data should be improved; this was welcomed by the Federal Commission for Consumer Affairs.<sup>33</sup> In particular, the establishment of an *arbitration office* for disputes between customers and telecommunication services providers or added-value services providers was envisaged. The Federal Council further proposed to *abandon telecommunication services licences* and to replace them with an obligation to notify. However, licences should continue to be necessary for the universal service and for the use of the radio-frequency spectrum.

*Liberalisation of the last mile by law*

In the National Council's advisory Committee on Transportation and Telecommunications (KVF), liberalisation of the last mile was a particular point of dispute between the SP and SVP on the proposal.

*KVF decides not to intervene*

On 10 February 2004 the Commission decided not to intervene in the revision of the law, with the argument that further liberalisation would endanger security of planning for busi-

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<sup>33</sup> On 2.3.2004, the Federal Commission for Consumer Affairs sent the Federal Council a recommendation on the effective and rapid combating of spam and requested it to develop a strategy in this area. Cf. <http://www.konsum.admin.ch/>

nesses and would adversely affect the security of investments. The Commission was of the view that the undisputed areas relating to consumers, especially protection from spamming, should be regulated by other means.<sup>34</sup>

In the *spring 2004 session*, however, the National Council decided to *intervene in the revision of the LTC*. The matter is therefore being returned for *detailed consultation* to the National Council's Commission.

*National Council decides to intervene*

On 19.2.04, on the basis of an interconnection application from TDC Switzerland (Sunrise), the Federal Communications Commission (*ComCom*) decreed that the *last mile* could be unbundled pursuant to the Federal Council's *decree* which had been in force since 1 April.<sup>35</sup> Swisscom will be contesting this decision before the Federal Court.

*ComCom: unbundling at the decree level*

### **2.3.2 Ban on use of 090x added-value service numbers with web diallers**

Services which are charged to telephone bills are offered on 0900, 0901 and 0906 numbers. Such added-value numbers are used for advice or emergency services, games, horoscopes or adult entertainment with erotic content. They make it possible to charge for specific services in a simple manner.

*0900 numbers*

Although the majority of added-value numbers do not cause any problems and comply with the regulations in force, abuses often make the headlines: Consumers complain about horrendous bills because web diallers were installed automatically and without their knowledge. This means that a considerable number of operators are grossly abusing the conditions of use applicable to web diallers. If one assumes that an added-value number can be used on an unlimited number of websites, usually pages with an erotic content, it is clear that a single erroneously operated added-value number can entrap an unlimited number of users.

*Abuses*

To remedy this deplorable state of affairs, OFCOM was the first supervisory authority worldwide to decide that from 1 April 2004 *the use of PC diallers in conjunction with 090x numbers would be banned*.

*Ban on use of 090x numbers with PC diallers*

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<sup>34</sup> [http://www.parlament.ch/homepage/mm-medienmitteilung.htm?m\\_id=2004-02-10\\_056\\_01](http://www.parlament.ch/homepage/mm-medienmitteilung.htm?m_id=2004-02-10_056_01)

<sup>35</sup> <http://www.fedcomcom.ch/comcom/d/communiques/2004/240.html>

This ban *forbids* owners of 0900, 0901 and 0906 numbers from offering customers *downloads of PC diallers* for dialling the internet via their added-value numbers. In addition, OFCOM published a *leaflet* entitled *Numbers which cost* in order to inform consumers of this topic and make them more aware.<sup>36</sup>

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<sup>36</sup> <http://www.bakom.ch/de/service/tc/0900/index.html?>

### 2.3.3 Law on Radio and Television (LRTV), revision

On 18 December 2002, the Federal Council adopted the message on revision of the Law on Radio and Television (LRTV) for the attention of parliament.<sup>37</sup> The *key areas* of the draft revision are ensuring a *strong public service* and *liberalising the regulations for private broadcasters*. The principal responsibility for the public service is to remain with the Swiss Broadcasting Authority SRG, which in return receives the major part of the reception fees. At the same time, *support from reception fees* is also to be extended to *local and regional* broadcasters, in order to promote public service offerings on a local basis. In order to give private broadcasters more room for manoeuvre, the regulations on advertising have been relaxed, whereas for SRG programmes, stronger restrictions on advertising and sponsorship apply.

*Key areas: stronger public service, relaxation of the regulations for private broadcasters*

In *relation to the information society*, it must be emphasised that the revision is a response to rapid and profound changes to not only the economic but also the *technological framework conditions for radio and television*. The draft law takes better account of the *convergence of broadcasting and telecommunications* which is made possible by the digitisation of the distribution channels. Convergence makes it possible to transmit broadcasting and telephony services over the same channels. Against this background, the new LRTV secures sufficient frequencies for broadcasting, against possible claims from telecommunications providers, both in the allocation of entire frequency ranges and in the use of individual frequencies on digital platforms. An important precondition for limiting transmission capacities is the uniform regulation of transmissions: all *transmissions*, including radio and television, will now be *subject to the Law on Telecommunications*. Only a few special rules will apply to broadcasting.

*Convergence*

*Convergence* is also forcing a *clear definition* of the *scope* of the LRTV and of broadcasting, in order to clearly distinguish it from individual communication. With this in mind, the draft LRTV is explicitly restricted to regulation of (*radio and TV*) programmes with a minimum element of *editorial relevance*. The new LRTV will therefore cover only those telecommunications signals to which a certain significance can be attached for *opinion-forming*. A programme is characterised by the fact that it is directed at the community, that it is offered on a continuous basis and that it is delimited in time. As far as *validity is concerned*, the *technical means* by which a radio or television programme is disseminated is *irrelevant*. A *service disseminated via the internet* is therefore subject to the LRTV only if it constitutes an *editorially relevant programme*; specific internet regulation is therefore unnecessary.

*Editorial relevance of programmes*

*The internet*

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<sup>37</sup> <http://www.parlament.ch/homepage/do-dossiers-az/do-rtvg-revision.htm>

Within the framework of *digital transmission of programmes* there are various new possibilities of interacting with or enhancing programmes, e.g. multiplexing, set-top boxes, access control systems for Pay-TV, electronic programme guides. This so-called "*programme packaging*" creates new *gate-keeper positions* and conceals the danger of programme broadcasters or other companies restricting and channelling programme transmission for economic reasons. Therefore, in the interests of maximum diversity of opinions and offerings, the new LRTV *also allows for measures against abuses in the case of programme packaging.*

*Programme packaging: new gate-keepers*

*Measures against abuses*

With regard to the *SRG* it should be mentioned that it does not have to fulfil its *public service mandate* with its own programmes alone. If necessary, it will be able, as part of its licence, *to also provide teletext or internet services and finance them from the reception fees.* For such *SRG service offerings*, the Federal Council may – as in the case of the *SRG programmes* – impose restrictions on advertising and sponsorship.

*Teletext and internet services*

*Programmes* must continue to be *archived* by broadcasters for four months. On the basis of the scope of the *new LRTV, online services are not subject to the archiving and retention obligation.*

*Archiving*

The new law is not expected to enter into force until 2006 at the earliest.

## 2.3.4 Domain names – a new legal framework

With the adoption of the *Law on Telecommunications* of 30 April 1997 (LTC), the administration of all addressing resources in Switzerland – and hence also the ".ch" domain names – was transferred to OFCOM. In the consultations on the law, para. 2 was introduced into article 28 of the Law on Telecommunications (LTC), pursuant to which OFCOM can *delegate the responsibility* for specific addressing resources to *third parties.*

*".ch" domain names*

On the basis of article 28 para. 2 LTC, *OFCOM, together with Switch*<sup>38</sup>, *drew up the legal framework* for the *administration of ".ch" domain names* (Art. 13 ff and 14 ff Decree on Addressing Resources in the Telecommunications Sector and the technical and administrative regulations in the domain name sector). With the conclusion of a *contract under administrative law* between OFCOM and Switch on 24 January 2003, the *administration of ".ch" domain names was transferred to the Switch foundation.*

*A new legal framework*

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<sup>38</sup> <http://www.switch.ch/>

A partial revision of the technical and administrative regulations introduced *internationalised domain names* in Switzerland from *March 2004*. This makes it possible to use characters in addition to letters and numbers in the English alphabet to form domain names; for example, domain names containing accents and umlauts in the Swiss national languages (e.g. Müller instead of Mueller) can now be used.<sup>39</sup>

*Partial revision of technical and administrative regulations*

*Internationalised domain names*

In addition, in accordance with art. 14g of the Decree on Addressing Resources in the Telecommunications Sector, a *dispute resolution procedure* was introduced for “.ch” domain names. This extrajudicial dispute resolution service, operated by a neutral third party, is intended to make it possible to combat domain-name grabbing (the registration of domain names involving infringement of identity rights) simply, quickly and economically.

*Dispute resolution service*

## 2.3.5 Network crime

The rapid development of *information and network technology* has *effects on crime*. On the one hand, the new technological methods facilitate “*traditional*” crimes (such as depictions of violence, defamation, pornography, racial discrimination or the distribution of works protected by copyright).

*New forms of criminality*

On the other hand, computer technology and networks provide opportunities for *new forms of criminality* such as unauthorised acquisition of data (art. 143 of the Criminal Code - StGB), damage to data including the production and dissemination of computer viruses (Art. 144<sup>bis</sup> StGB) or fraudulent acquisition of computer services (“time theft”, art. 150 StGB).

Under Swiss criminal law it is clear that the above-mentioned activities are forbidden. However, there is *no clear, explicit regulation* of the question of *who is responsible for illegal internet content*. Because of the *international context*, implementing the law in relation to the internet has particular problems: Often, content providers can be identified only with difficulty and are frequently based abroad.

*Responsibility for illegal content not clarified*

The criminal responsibility of *hosting providers* (who provide content providers with an internet server on which they can offer their own information) and *access providers* (who provide end users with internet access) is not clear. It is particularly disputed whether and to what extent the provisions of the criminal law on the media (article 27 of the Criminal Code) as well as the general rules of the Criminal

*Commission of experts on cybercrime set up*

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<sup>39</sup> <http://www.switch.ch/>

Code are applicable to providers. Parliamentary initiatives have therefore demanded *legally secured, practicable and if possible internationally harmonised regulation in the criminal law*. Against the background of the Pfisterer<sup>40</sup> motion adopted in 2001, the Federal Department of Justice and Police set up an *expert commission on cybercrime* in the autumn of 2001.

The *Commission of Experts* proposed to the Federal Council in *summer 2003* that the Criminal Code [Strafgesetzbuch – StGB] should include a new *special provision on criminal responsibility on the internet*, by analogy with the *E-commerce directive* of the European Union (EU). The author and the *content provider* are to be *fully responsible* in criminal law for the illegal internet content originating from them. The *hosting provider* is to bear only *limited responsibility* for illegal content: it shall be punishable if in an automated manner it holds information by means of which punishable actions are committed and omits to prevent the use of such information even though it is technically possible and reasonable for it to do so. In addition, hosting providers which do not forward to the criminal prosecuting authorities references to illegal information received from third parties shall also be punished. The *access provider*, on the other hand, may be held *not responsible* for the illegally circulating content.

*Proposals from the experts' commission on cybercrime*

The expert commission's report also puts forward proposals on more efficient prosecution in cases which extend beyond individual cantons and international cases.

The Federal Department of Justice and Police also commissioned the *Genesis* working group, drawn from the Confederation, the police and the justice system to analyse the legal and organisational framework of the national operation against *child pornography on the internet*, with reference to future cases, and to elaborate proposals for improvement.

*Genesis working group*

In November 2003 the Federal Council held its first discussion based on the two reports. It decided to *reinforce its commitment to combating cybercrime*. In particular, it wants *responsibility under criminal law for illegal internet content* to be specially *regulated* and *new facilities for investigations* at federal level to be proposed. However, the Federal Council wishes to stop short of establishing a new federal competency or area of federal jurisdiction. The *Confederation's criminal prosecuting authorities* are to be able to implement *coordination functions* only in the *first phase* of prosecution and *arrange for* individual urgently necessary *investigations*. However, the cantonal prosecuting competencies are to be retained.

*Federal Council wants to combat cybercrime*

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<sup>40</sup> 00.3714; AB 2001 p 27f.; AB 2001 N 1087ff.

A proposal for implementation of the two reports (together with the reports as documentation) is to be issued for *public consultation* in 2004.<sup>41</sup>

## 2.3.6 Electronic signature and electronic commerce

On 1 May 2000 the decree of 12 April 2000 on electronic certification services (CertDV) entered into force.<sup>42</sup> When it was adopted, the Federal Council envisaged a submission which would ensure *recognition of the electronic (digital) signature in private law*. With the draft of 3 July 2001 of a federal law on certification services for electronic signatures<sup>43</sup>, the Federal Council kept its promise. From autumn of 2002 parliament consulted on the submission. The law was passed by parliament in the *winter session 2003*.

*Law on digital signature adopted at the end of 2003*

*Swiss contract law* is characterised by the principle of contractual freedom. This is expressed, among other things, in formal freedom (art. 11 para. 1 Swiss Code of Obligations). *Contracts* can thus generally also be concluded *verbally or electronically*, e.g. by e-mail or by accepting an online offering on data networks such as the internet. Swiss law demands formal requirements only as an exception.

*Electronic conclusion of contracts*

It is now possible to conclude electronically those contracts for which the written form is prescribed. To this end, the contract must be provided with a *qualified electronic signature* by the person accepting the obligation. With this equivalence of the qualified electronic signature and a written signature, the Federal Council is complying with the Spoerry<sup>44</sup> and Leumann<sup>45</sup> motions referred as postulates.

*Electronic signature*

The CertES decree essentially corresponds in content with the CertDV decree, with liability remaining excluded. The CertDV decree was not able to provide for any liability decree which deviated from the Swiss Code of Obligations. The passing of a law now makes this possible. Accordingly the CertES decree states that in certain cases the owner of a signature key may be liable for its misuse (art. 59a E-OR). At the same time the certification services provider is responsible for the quality of his service as required in law (art. 16 CertES). Thus the *CertES ensures optimal conditions for secure legal commerce on an electronic basis*.

*Electronic commerce*

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<sup>41</sup> [http://www.ejpd.admin.ch/doks/mm/content/mm\\_view-d.php?mmID=1935&mmTopic=Internet-Kriminalitaet](http://www.ejpd.admin.ch/doks/mm/content/mm_view-d.php?mmID=1935&mmTopic=Internet-Kriminalitaet)

<sup>42</sup> Certification services decree (CertDV); SR 784.103. [http://www.admin.ch/ch/d/sr/c784\\_103.html](http://www.admin.ch/ch/d/sr/c784_103.html)

<sup>43</sup> CertES, BBI 2001, 5679 ff.

<sup>44</sup> Spoerry motion (94.3115), Legally binding nature of electronic signatures, amendment to 14 OR (AB 1994 N 1883).

<sup>45</sup> Leumann motion (99.3288), Digital Signature (AB 1999 S 819 f.).

Simultaneously with the CertES, on 17 January 2001 the Federal Council submitted a preliminary draft of a *revision of the Swiss Code of Obligations and the federal law against unfair competition* for consultation. In particular, this submission is intended to ensure that *consumers are not disadvantaged as a result of their participation in electronic commerce*. In this way, the Federal Council has adopted the recommendations of the Federal Commission on Consumer Affairs whilst at the same time fulfilling – at least in part – the Vollmer<sup>46</sup> motions transferred as postulates. At the end of 2002, the Federal Council instructed the EJPD to draw up a message. This is expected to be available by the end of 2004.

## 2.3.7 Copyright law

According to postulate 01.3417 from the Commission on Legal Affairs (copyright law, partial revision) and in order to ratify the WIPO agreement on copyright law (WCT), and on performances and phonograms (WPPT), the *Copyright Law (Urheberrechtsgesetz - URG)* must be revised. The *most important changes with regard to the internet* relate on the one hand to the introduction of *legal protection for technical measures and information on enforcement of rights* and on the other hand to the introduction of the exercise of rights on the *internet* (the online right).

*Copyright law and the internet*

In this way, Switzerland is adapting its laws to international standards. In the USA, this took place with the *Digital Millennium Copyright Act* and in the EU a directive on copyright in the information society has been issued<sup>47</sup>. In summer 2000 the Institute for Intellectual Property (Institut für Geistiges Eigentum - IGE) sent a preliminary draft of a law to the parties directly concerned for informal consultation. The results were assessed and summarised in a circular dated 4 April 2001<sup>48</sup>. On 11 February 2002 a discussion took place with the organisations directly concerned regarding the next steps. In accordance with this discussion, the IGE is continuing preparatory work at the level of the administration and in parallel is pursuing two goals: the implementation of the two WIPO agreements on the one hand and on the other the concerns additionally incorporated in the revision as a result of the parliamentary initiatives. Several working groups dealt with these topics between June 2002 and September 2003. The

*Harmonising copyright law*

result of these discussions was published by the Federal Institute of Intellectual Property in its report<sup>49</sup>. The draft should be passed in autumn 2004 for consultation.

## 2.4 E-government and e-democracy

### Goals set for implementation:

- Consistent use of the ICT in communications between the population and public authorities, between individual administrative agencies and between administrations and other bodies – the state as a model user
- Greater involvement of the population in political decision-making processes
- Provision of appropriate structures

## 2.4.1 E-government – Activities of the Confederation: principles and responsibilities

The state and the administration are being greatly affected by the spread of information and communication technologies (ICT). With the *e-government strategy of the Confederation* dated 13 February 2002, the Federal Council highlighted strategic target areas on which the federal administration, as well as the cantons and municipalities, can orientate themselves when defining priorities in this sphere. The strategy pursues *prime objectives* with regard to *efficiency* (improved flow of information and communications), *flexibility* (easier adaptation to a changing environment), *transparency* (of administrative procedures) and *participation* (participation in political processes).

*eGovernment-Strategy 2002*

*Efficiency, Flexibility, Transparency, Participation*

In the first phase of the strategy (extending over a four-year period) three strategic target areas form the basis of a successful implementation of the e-government strategy:

*3 target areas*

1) At the centre of the first target area – *establishing the pre-conditions* – is the establishment of the organisational, technological and security-related pre-conditions which will guarantee smooth cooperation within the administration and its target groups.

*Establishing the pre-conditions*

2) The second target area – *service excellence* – is a contribution to the continuing development of electronic cooperation between the state and its partners, private sector institutions

*Service excellence*

as well as organisations set up under public law. Access to state services is being made easier and more transparent. The exchange of information and data with the administration is to be considerably improved, on the basis of the newly established pre-conditions.

3) The subject of the third target area *networking* is the targeted support of projects relating to the electronic integration of the governmental and administrative activity of the federal government, cantons and municipalities with the economy and society. Attempts are being made to network the administrative agencies of the different levels of the state as well as networking the state and its partners.

*Networking*

The e-government strategy is based on the following definition: “e-government is comprised of support for the relationships, processes and political participation within state agencies at all levels (the Confederation, the cantons and the municipalities) as well as between state agencies (Confederation – cantons – municipalities) and their stakeholders (residents, businesses, institutions) through the provision of appropriate possibilities of interaction using electronic media.”<sup>50</sup>

*Definition of e-government*

Information and communication technologies therefore *support* administrators in performing *existing* tasks: the design, configuration and effects of an e-government project are determined by the tasks to be accomplished.

In the case of the *Confederation*, therefore, the *main responsibility for implementing the e-government strategy* lies with the departments and the federal chancellery. They implement concrete projects. Within the framework of overall control of information technology, the Confederation's *Informatics Council* coordinates the federal administration's projects. The *Swiss Federal Strategy Unit for IT* (ISB) is responsible for standards, coordinating the exchange of information and reporting. The *Federal Chancellery* plays a central role as the operator of the *guichet virtuel* one-stop shop ([www.ch.ch](http://www.ch.ch)).

*Responsibilities*

The *cantons and municipalities* are invited to implement the e-government strategy independently, under their own responsibility and in an appropriate form.

#### 2.4.1.1 The Confederation's e-government projects

As part of the elaboration of the February 2002 strategy, e-government projects of the departments and the federal chancellery were identified and described in an appendix.<sup>51</sup>

The table below lists selected e-government projects and solutions within the seven departments and in the federal chancellery. It does not include all projects but gives an overview of important projects of different types. The *production of a portfolio of e-government projects* which is as complete as possible is under way as part of the *eVanti.ch*<sup>52</sup> initiative (cf. chapter 2.4.1.2).

Responsible	E-government project:	Description
Federal Chancellery	<b><i>Guichet virtuel one-stop shop</i></b> ( <a href="http://www.ch.ch">www.ch.ch</a> )	Establishing access to the authorities, organised on the basis of citizens' everyday tasks. Following the pilot phase which runs until the end of 2004, the actual operation phase begins on 1.1.2005. The question of transactions is in the process of being examined.
Federal Department of Foreign Affairs	<b><i>APIS foreign policy information system</i></b>	Information platform for department employees in the head office, foreign delegations and the rest of the federal administration. In particular, the information platform supports the department's delegated tasks relating to maintaining the federal administration's international relations.
Federal Department of Home	<b><i>Harmonisation of official registers of persons</i></b>	Harmonisation of official registers of persons for use by the public administration,

<b>Affairs</b>		especially for official statistics.
	<b><i>Federal buildings and dwellings register (GWR)</i></b>	Modernisation of statistical surveys for the register of buildings and dwellings, in particular relieving the burden on municipalities and respondents in future population censuses.
	<b><i>IZBUND</i></b>	Establishing online access to search facilities, context information and selected documentation of the federal archives and networking with similar offerings from other archives in Switzerland.
	<b><i>Sitemapping.ch</i></b>	Promotion of artistic creation using NICT, dissemination and conservation of works. Project at the interface between art, science and the economy.
	<b><i>ARELDA</i></b>	Development and implementation of a solution for archiving electronic digital data and documents deemed worthy of preservation from the Swiss federal administration in the federal archives.
<b>Federal Department of Justice and Police</b>	<b><i>eGRIS (elektronisches Grundstückinformationssystem – electronic land information system)</i></b>	Development and introduction of a uniform data model and interface in the area of the federal land register.
<b>Responsible</b>	<b>E-government project:</b>	<b>Description</b>
	<b><i>Infostar (computerised status register)</i></b>	Automation of communications on marital status events (the Confederation's central database for the cantons and civil status offices of the municipalities).
	<b><i>GovLink</i></b>	Joint initiative of the Federal Court, the Swiss associations of lawyers and the Federal Office of Justice to promote and harmonise electronic communications between authorities, especially in the legal sector.
<b>Federal Department of Defence, Civil Protection, and Sports</b>	<b><i>e-geo.ch</i></b>	Establishment of a national geo-data infrastructure with a view to networking the data, facilitating access and encouraging its use.
<b>Federal Department of Finance</b>	<b><i>simap.ch</i></b>	Internet-based information and awarding platform for public procurement by the Confederation, cantons and municipalities.
	<b><i>IT Tax Suisse</i></b>	Establishment of a favourable framework for electronic processing of tax matters at all levels of the Swiss tax system.
	<b><i>GEVER business management</i></b>	Support for integrated, organisation-based and task-oriented processing of document-based business processes in the elements of the federal administration.

	<b>Basic IT infrastructure of e-government:</b>	Provision of e-government support services for the federal administration (infrastructures, basic functionalities for electronic payment transactions, secure document exchange, content management for websites).
<b>Federal Department of Economic Affairs</b>	<b>Business ID</b>	Development and introduction of a uniform identification number for businesses in Switzerland.
	<b>kmuinfo.ch</b>	Portal for businesses (SMEs), esp. start-ups, with access to all the administration's relevant data.
	<b>SHAB-online</b>	Automation of the production process of the Swiss Official Gazette of Commerce (SHAB) and online offerings for SHAB readers.
<b>Federal Department of Environment, Transport, Energy and Communications</b>	<b>e-ofcom</b>	Processing of applications for allocation of addressing resources, especially individual numbers, via a virtual counter on the internet.

#### 2.4.1.2 E-government projects of the cantons and municipalities

As part of the *eVanti.ch*<sup>53</sup> project, the development of a *nation-wide e-government portfolio* is being undertaken. This will allow e-government participants at all levels to use interactive search functions to find projects or solutions in specific subject areas. This basis for transferring and exchanging knowledge is intended to allow synergies to be exploited in many different areas of the administration. As a *first step*, the *Confederation's e-government projects* are being integrated as completely as possible. Subsequently, it is expected that the projects at canton and municipal level will be incorporated.

*E-government portfolio for Switzerland*

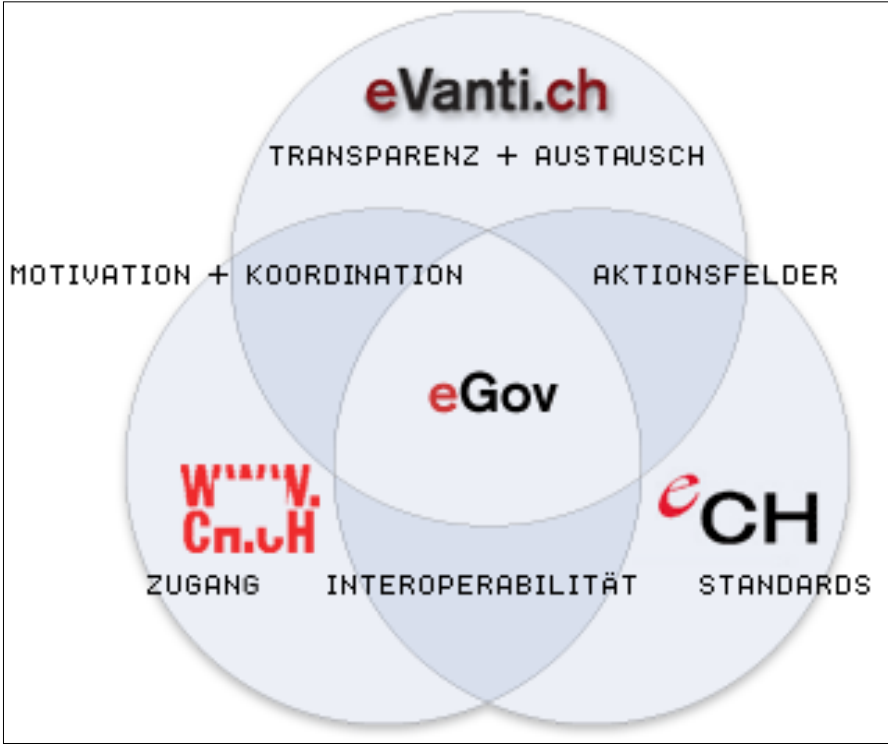
#### 2.4.1.3 Progress on e-government in Switzerland

As part of the e-government strategy<sup>54</sup> the *vision of Switzerland* playing a leading role in implementing *e-government* in comparison with other countries was formulated. Various international comparative studies, however, show that Switzerland is not one of the front-runners and that the *implementation* of e-government here is proceeding rather *slowly*.

*Vision and reality*

An analysis of the reasons indicates that the distinctly *federal state organisation* with its many participants and complex administrative processes makes it more difficult to implement e-government in comparison with other countries. In recent years, many e-government solutions have been implemented at all levels of the state. However, in most cases this took place in an *uncoordinated manner*, so they are often *incompatible* in technical and process terms. Since then, all the specialist bodies concerned have acknowledged that the further development of e-government in Switzerland demands improved coordination. The three federal layers must work closely together to ensure that the new technologies contribute to a more efficient and more user-friendly fulfilment by the state of its mission.

Three initiatives constitute a framework for this cooperation – though each has a different focus:



*www.ch.ch* is an electronic portal to the *Swiss authorities*, organised according to everyday tasks. The cooperation of all levels (the Confederation, the cantons and the municipalities) is essential to keep the portal up-to-date and allow it to develop appropriately. Cf. chapter 2.4.2).

One-stop shop  
([www.ch.ch](http://www.ch.ch))

The *standardisation organisation eCH*<sup>65</sup> is drawing up e-government standards which are intended to provide for secure, smooth transaction processing. Authorities at all levels, as well as their partners and clients, are expected to take part in the production of standards within the eCH framework.

Standardisation –  
[www.eCH.ch](http://www.eCH.ch)

*eVanti.ch*, via an *e-government portfolio*, provides an overview of e-government activity in various areas and at all levels of the federation. This encourages appropriate exchanges between e-government participants. In addition, the progress in implementing e-government can be measured and made transparent.

*Overview and progress*  
[www.eVanti.ch](http://www.eVanti.ch)

## **2.4.2 One-stop shop – [www.ch.ch](http://www.ch.ch) – the portal of the Confederation, cantons and municipalities**

The websites of the Confederation, cantons and municipalities in Switzerland vary greatly and are constantly being expanded. The services provided range from information on everyday life, online communication with the authorities through to the first transactions (e.g. tax declarations). In view of the amount of information on the net, the *www.ch.ch* portal acts as a navigation aid. As a guide to all the Swiss authorities, *ch.ch* leads users to the information they seek.

*A portal for citizens*

A project team was set up in the Federal Chancellery for the *www.ch.ch* project. Since the start of the work on the project, the ‘subject tree’ of the portal – some 1000 hierarchically arranged terms – has been created and a large number of brief informative texts have been written in five languages (German, French, Italian, Rheto-Romansh and English) which relate to the situations of everyday life. A search tool facilitates navigation. Users are guided directly to the information they seek from the Confederation, cantons and municipalities. At present, twelve subject areas can be consulted.

Since mid-January 2002, the pilot version of *www.ch.ch* has been made accessible to all the project partners in phases. On the basis of the reactions received, the ergonomics, content and technical applications are continuously being improved. In addition, more links are being established with the pages of the Confederation, cantons and municipalities.

Since then, all federal offices, all the cantonal websites and some 99% of the municipalities have been linked to *www.ch.ch*. Municipalities which do not yet have their own website can post basic information about their municipality at *www.ch.ch*. To date, 640 municipalities have made use of this opportunity.

*99% of municipalities linked*

The *www.ch.ch* portal has been operating as a test version since February 2003. It was presented to a broader *public* in *autumn 2003*.

*www.ch.ch accessible to the public in autumn 2003*

The Confederation and cantons signed a new cooperation agreement for the 2003/04 operational phase on 3 October 2002. This confirms the current strategy of positioning the information portal of the Swiss public administrations and at the same time establishing the pre-conditions for secure, simple transactions and interactive offerings. By the end of 2004 the development of a tracking and identification system will be well under way.

*Agreement between Confederation and cantons*

By agreement, the *cantons* participated in the financing of the operation for the first time by taking over half of the hosting costs for 2003. A working group set up by the steering committee is in the process of preparing the agreement for the years 2005 to 2008. This new agreement envisages 50% participation in the total operating costs on completion of the project.

### 2.4.3 Electronic voting

The revised federal law on political rights and the decree of the same name entered into force on 1 January 2003. According to this law, the *Federal Council can*, at the request of a *pilot canton*, permit electronic voting for trials which are limited chronologically, geographically and materially. Allowing pilot trials is associated with a readiness to recognise a result obtained in this way as binding throughout Switzerland and to take responsibility for the trustworthiness of the entire voting process. The conditions will be examined before every valid implementation of electronic voting at federal level in polls or elections by a monitoring group consisting of representatives of the cantons, the Confederation and independent experts.

*Pilot trials of electronic voting*

By order of parliament the *pilot trials* must be accompanied by *scientific* monitoring. The parliamentary decision requires as a minimum that the age, sex and educational level of people voting electronically be recorded. In addition, the *effects on participation in voting and voting habits* are to be researched.

*Ongoing research*

The *first communal electronic vote* took place on 19 January 2003 in the Geneva municipality of *Anières*. In terms of both the high proportion of electronic votes (43%) and the perfect functioning organisation, plus great worldwide media interest, this, Switzerland's *first ever legally valid internet vote* can be deemed a *great success*. The second time electronic voting was employed, as part of a municipal vote in Cologny (GE) on 30 November 2003, also passed off successfully.

*Electronic voting in Anières and Cologny (GE)*

On the basis of this experience, the Geneva City Council submitted an application to carry out a pilot trial of electronic voting within the framework of a federal referendum. In April 2004, a further municipal vote with electronic voting is to take place in Carouge.

*Pilot trial with federal implications?*

In the cantons of *Neuenburg and Zurich*, which are also running pilot projects in cooperation with the Federal Chancellery, the respective developments will be concluded by the end of 2004. The first trials using the Neuenburg and Zurich solutions are planned for federal referendums in 2005.

*Progress in Neuenburg and Zurich*

Generally, the various *pilot trials* of electronic voting primarily raise questions of *organisation* and *legislation*, in addition to those related to the *technical* development of appropriate systems. On conclusion of the pilot phase, the *Federal Council* and the Swiss parliament will rule on the *introduction of electronic voting* as a third variant of polling, in relation to the signing of initiatives and referenda and the signing of National Council voting proposals.

Various countries are intensively developing solutions for electronic voting. Within Europe, in May 2003 Great Britain for the second time carried out an extensive series of tests on the occasion of the council elections in different municipalities. Switzerland can contribute its most recent experience of internet polling within the framework of the production of standards for *e-enabled voting* to the Council of Europe.

*Switzerland – international comparison*

## 2.5 New forms of culture

### Goals set for implementation:

- Promotion of artistic forms of expression using ICT
- Opening up electronic access to the cultural heritage of the Confederation and long-term digital archiving
- Guaranteeing access and enabling all layers of the population to access and use ICT
- Preventing the danger of individualisation and alienation in the establishment of the information society

### 2.5.1 The referencing – digitising project

The Confederation has numerous valuable stocks, though only parts of these are available to the interested public, or access is frequently poor. By means of a common procedure applied by the partners involved (federal art collections, federal archive for the preservation of monuments, the Swiss national library, the Swiss archive of literature, the Swiss national museum and the Swiss federal archive) this *cultural heritage* is to be *opened up and referenced completely electronically, and in part digitised* and made available via the internet (a portal) for the largest possible audience who are interested in culture and education and for teaching and research.

Objectives

In 2001 the report *Bausteine eines Business Plans zum Projekt Referenzierung und Digitalisierung* (Modules of a business plan for the referencing and digitising project) was produced. It contains a comprehensive overview of the status of referenc-

*State of play*

ing and digitising in the participating organisations, clarifies the technical requirements for commonality, defines the requirements for a common internet portal, proposes a plan for possible implementation and establishes the approximate financial requirements (some CHF 170 million over 10 years). In view of the substantial financial requirement, the EDI deferred the implementation of the *entire project*. First of all, it is essential to define at a national level who collects, preserves and transfers what data and in what form; the EDI has commissioned the BAK to clarify these issues as part of a national archiving policy. As a preliminary stage, since mid-2003 the BAK has been clarifying the same questions for its own collections (BAK archiving policy); the first related concrete measures are expected in 2004.

*Project deferred*

Against the background of the ongoing clarifications, *only the most urgent and most important elements of collections* will be made electronically accessible in the near future; the remainder will be *deferred* until concrete results become available from the national archiving policy. In connection with the national archiving policy, IDHEAP has also submitted a key project to the Swiss National Fund. If it is implemented, it will allow important conclusions to be drawn for future work. The internal BAK clarifications are also expected to provide experience relevant to the configuration of a national archiving policy.

*Prospects*  
*Only the most important inventories of cultural collections are being made available.*

## 2.5.2 The Sitemapping.ch project > Virtual centre

Within the Sitemapping project, the BAK has examined *what specific public support role* pertains in the area of cultural creation and transmission using ICT (*media art*) and which *instruments of support* are appropriate for the development of media art creation in Switzerland. Under the Sitemapping project, in addition to important research work, the BAK has also made an early start on developing appropriate general conditions which correspond to the needs of media artists. In 2002 it financed the launch of the *Active Archives* project, and in 2003 it set up the new promotional instrument *Mediaprojects*, which enables artistic projects to be implemented.

*Goals*

In 2003, the BAK was able to start implementing the three support measures developed in the action plan entitled *Sitemapping.ch in Action*. As a result of developments to date, the BAK will be *transforming the Sitemapping.ch project* into a *virtual centre of media art*: the Virtual Centre.<sup>56</sup> Under this heading, the BAK's goals in terms of cultural policy for the

*State of play*

*Transformation of Sitemapping into a Virtual Centre*

media art sector will be pursued, further developed and implemented. The current management of Sitemapping.ch will take over the management of the Virtual Centre.

Further development of these two BAK initiatives, *Active Archives* and *Mediaprojects*, is to continue in the Virtual Centre.

1. *Active Archives*: the Active Archives research project, which was launched in 2002 and carried out in cooperation with Hochschule für Gestaltung, Kunst und Konservierung in Berne and the Swiss Institut für Kunstwissenschaft, was awarded further funding of CHF 80,000 for the conclusion of the pilot phase.

*Instrument of support: Active Archives project*

2. In addition to the Active Archives (research and development) project, *Mediaprojects* is the *second new instrument of support* by means of which the Federal Office of Culture (Bundesamt für Kultur – BAK) is implementing the Federal Council's strategy for an information society in Switzerland and laying the foundations for a Swiss cultural policy of digital cultural creation. The new instrument will enable the implementation of artistic projects which feature artistic involvement with the new (digital) media and which derive innovative developments in the dynamic area where art meets new technologies.

*Instrument of support: Mediaprojects*

3. *Forum*: The third area of activity is the *Forum*. With this initiative the BAK, in cooperation with cultural institutions, will initiate *projects for disseminating media art* (exhibitions, net platforms, etc.) and focus in particular on the following objectives:

*Forum – disseminating media art*

- promoting cultural discourse regarding the information society and supporting the development of experimental content
- strengthening the existing structures in the media arts sector (institutions, platforms, private, scientific and artistic initiatives) in their task of presenting media arts to an interested public.
- supporting artists researching the interactions of art, technology and science and promoting an exchange of views and a discussion on the cultural and social effects of new technologies.
- integrating Swiss artists in the international networks (EU, UNESCO);

In addition to coordinating the tasks of *Active Archives*, *Mediaprojects* and *Forum*, new competencies will be acquired continually by the Virtual Centre for the media arts sector and the cultural policy framework will be flexibly adapted to suit the latest social developments. The decentralised structure offers maximum flexibility.

*Prospects*

### 2.5.3 Support for socio-cultural projects

The danger of a *digital divide*<sup>57</sup> also exists in Switzerland. It can be combated primarily by educational and infrastructure measures. In addition, however, suitable *socio-cultural projects* can make a contribution if they use ICT for a creative dissemination process based in participation, democratisation and interaction and bring into contact with ICT those people who are otherwise potentially excluded from the information society. Such projects are being supported and criteria for support are being developed under the leadership of the Pro Helvetia cultural foundation.

*Goals*

#### State of play

*Socio-cultural projects*

Within the framework of the pilot phase, the following projects are being or have been supported:

- *Wir wollen alles und zwar subito* (We want it all and we want it now) is a project relating to the 1980s youth unrest in Switzerland. It was successfully concluded in 2001. ([www.sozialarchiv.ch/80](http://www.sozialarchiv.ch/80)).
- The contemporary history project *Grabe-wo-du-stehst* ([www.grabe-wo-du-stehst.ch](http://www.grabe-wo-du-stehst.ch)) was concluded in October 2002. This was a research project by lay people concerning everyday culture.
- HAPPY HOUR MOUVEABLE MIXER from the art-in-context project *Lokalzeit* in the St. Jakob Quartier in Basle ([www.lokalzeit.ch](http://www.lokalzeit.ch)). The project is in progress. Among other things, it aims to give the local population access to the internet.
- *FAB* (Filters and Blockers) is an art project which was implemented by the City of Basle together with an international group of artists, technicians and designers ([www.co-lab.ch](http://www.co-lab.ch)).
- *Musenalp Worldwide Online* – the free magazine for the young and young at heart is available online at [www.musenalp.com](http://www.musenalp.com). Support for phase 1. (The first language will be German, but English, French, Spanish and Portuguese versions are being developed).

- *T.room* – a socio-cultural ICT project for women (www.t-room.ch). The *Kaffeekränzchen* project supported in 2001 has assumed larger dimensions. T.room includes net art, socio-culture and scientific research and is therefore interactive, interdisciplinary, trans-regional and multi-lingual. Project duration: May 2003 – June 2004. The development of the project can be monitored on the net.
- *Tunnel.tracks* – workshops for digital music production. In Gwatt, Flüelen and Lugano, young people had the opportunity to learn the basics of sound processing, arrangement and composition using computer technology.

The planned original intention of initiating and promoting new and innovative *socio-cultural ICT projects* cannot be realised in its desired form. The major support envisaged from Pro Helvetia in the years 2004-2007 had to be cancelled *for financial reasons*.

*Prospects:  
Projects cancelled  
for financial reasons.*

The projects supported to date are very diverse. An analysis of the experience to date can therefore only provide isolated results. The *T.room* project is being analysed comprehensively.

## 2.6 Security and availability of information

### Goal set for implementation:

- Ensuring the security of Switzerland's information and communications infrastructures

## 2.6.1 Security – safeguarding information

In the information age, the *functioning of critical infrastructures* depends on many different kinds of information. Without information, all systems fail – this is true of energy supply, emergency and rescue services, telecommunications, transport and traffic, banking and insurance, governments and public administrations. Consequently everything possible must be done to ensure that the necessary information is available at all times and in the required quality. Guaranteeing this is the task of the specialist field *information assurance*. However, complete security against failure cannot be achieved. Notwithstanding extensive precautions, technical failures, human error or natural events can lead to the failure of information and communication infrastructures and hence to massive adverse effects on society. It is therefore appropriate to prepare for such eventualities with a comprehensive protection concept, based on the following four pillars:

*Information must be guaranteed*

*Information assurance*

*Prevention (InfoSurance)*: prevention, awareness raising and promoting cooperation will ensure that any damage is kept to an absolute minimum. This is the mission of the *InfoSurance foundation*<sup>58</sup>, in which the Confederation and well-known companies from the private sector are involved.

*Prevention: InfoSurance*

*Early detection (MELANI)*: dangers and threatening situations must be detected as early as possible so that appropriate counter-measures can be taken. It must be possible to detect faults in the information and communications infrastructure as early as possible. *Continuous analysis of events* and *constant monitoring of the situation* is indispensable. This task is handled by MELANI (**M**elde- und **A**nalysestelle Informationssicherung - Reporting and Analysis Centre for Information Assurance). It will be important for MELANI to be *networked internationally*, since such incidents know no frontiers.

*Early detection: MELANI*

*Damage limitation (SONIA with MELANI and National Economic Supply)*: If, notwithstanding prevention and early detection, a failure of information and communications technology causes *critical infrastructures* such as *power supplies* or the *financial sector* to be seriously affected or even to crash, the first task will be to *reinstate their functionality as quickly as possible*. A special information assurance agency (SONIA), composed of representatives of the Confederation and business, will ensure that the crisis can be tackled in a uniform manner and overcome. In this respect MELANI provides the specialist support.

*Damage limitation*

*Combating the cause of the crisis (MELANI and partners):* Finally, the *technical causes* of the failures must be established and overcome. This task must be carried out by an agency which will on the one hand provide a technical understanding and which on the other hand is already maintaining contacts with the key IT operators from the private sector and the administration, as well as with the *Computer Emergency Response Teams (CERT)*. This agency is MELANI, with its partners in business and government.

*Combating causes of crises*

### **2.6.1.1 Current status of the work and perspectives**

InfoSurance and SONIA are already established. On 29 October 2003 the Federal Council decided to set up the Reporting and Analysis Centre for Information Assurance (MELANI); it will become operational in the course of 2004 and will be fully operational from 2005 onwards.

*Setting up MELANI*

Partners who are already performing similar tasks are working closely together within MELANI. The office will be operated under the management of the Swiss Federal Strategy Unit for IT (ISB), together with partners from the EJPD (Federal Department of Justice and Police) and the Swiss Education & Research Network SWITCH (Computer Emergency Response Team – CERT).

*Cooperation*

Thanks to this cooperation model it has been possible to reduce the originally envisaged costs for MELANI by about two-thirds to *CHF 2.8 million per year*. Internationally, the Swiss system is one of the leanest, which provides urgently necessary services but consistently avoids duplications.

*Costs*

## **2.6.2 Availability of information**

### **Goal set for implementation:**

- Assuring long-term, complete and coherent access to high-quality substantive and technical information.

The interdepartmental working group on security and availability, or rather its Availability section, did not meet during the reporting year. Any work which arose was dealt with either by individual offices or within the framework of other cooperation committees. The goals of positioning the Confederation as a model user and thereby promoting confidence in the state institutions and on the other hand promoting possibilities of participation within the e-democracy framework, continue to be the reference context for all activities in this area.

*Basic orientation*

The cooperation attempted over several years between the Swiss Federal Strategy Unit for IT, the Federal Chancellery and the Swiss Federal Archive was revived in the reporting year with the aim of *pushing the introduction of business management systems (GEVER)*. These are intended to achieve efficient business management within the federal administration. With the increased *use of administration portals* such as *www.ch.ch* (cf. chapter 2.4.2) and *www.admin.ch* and the foreseeable introduction of the *principle of public accountability*, digital transaction management will become even more significant and its country-wide adoption even more urgent. The above-mentioned re-organisation has led to major further steps being taken in this key e-government project.

*Promoting transaction management in the Confederation*

In order to ensure reliable long-term *security of digital documents of the federal administration*, the project work has been forging ahead in a second key e-government project, *ARELDA* (cf. chapter 2.4.1.1). In particular, a WTO invitation to tender for the purchase of a storage infrastructure was concluded successfully and the chosen equipment has been installed. This project was implemented with close cooperation between the Swiss Federal Archive and the Swiss National Library. For the Swiss National Library, the equipment will form the basis for storing electronic publications (e-Helvetica).

*ARELDA  
Shared storage infrastructure*

In order that the *reliable, long-term availability* of digitally created documents can be guaranteed, the Swiss Federal Archive has set itself the goal of securing continuous financing from 2004 onwards. In this respect *decisive progress* has been made for the years 2005 to 2008. For financial reasons, the partial digitisation of the Federation's own archive, library and museum stock was abandoned, as was the 1998 strategic goal of making all archive, library and museum stock available online; now the *long-term security of original digital documents* can be regarded as guaranteed, for the first time. As a result, the knowledge which has been built up and the valuable experience of the last four years will be preserved and it will be possible to use this on a sustainable basis. This is important because the dynamic of technological development does not allow any pause for thought without complete abandonment of what has already been achieved.

*Gaps in financing closes*

*Long-term security of digital documents assured by 2008*

Subsequent to the pragmatic start of cooperation work in the operation of a common technical infrastructure for the long-term conservation of the Confederation's archived material and library collections, work has begun on a corresponding *strategy paper*. The further operating potential for optimisation and improvements in efficiency are being evaluated on the basis of *ISO standard 14721*<sup>59</sup>. Both the technical infrastructure and other aspects of the cooperation are being designed so that they remain open to other federal agencies.

*Open standards used as a basis*

Conversely, it has proved difficult to develop solutions to problems when ICT are part of the problem rather than a tool for solving them, as is the case with guaranteeing long-term availability. Such projects require competencies to be agreed, key areas of work, perspectives and project timetables coordinated between the responsible technical agencies and the service providers, as well as a definition of standardisation processes and procedures and a clarification of the appropriate mid- to long-term finance options. These are all questions which mean additional initial complications for project work, but it has always been possible to find a solution in the final analysis.

*Obstacles to availability*

Overall, the accessibility of high-quality information has also been improved within the framework of various projects. These include for example, in the Swiss Federal Archives: improved retrieval facilities in essential parts of the search inventory, access to particularly fragile documents such as photographs on glass plates and online access to the digitised Bundesblatt (official journal) from 1848 onwards. In the

*Access to high-quality information*

Swiss National Library, a general catalogue of posters in Switzerland has been made available, with digitised images from collections in Geneva, Neuenburg, Basle, Zurich and Berne. Other projects are under way or are planned (e.g. further digitisation of official printed publications). In the process, different partnerships and alliances are being established, depending on the goal of the project. As a result, information provision by the Confederation is being gradually extended in an active and appropriate manner in accordance to the participation requirements of citizens. The possibility of changing the project-related networking of federal offices is an important factor for success in this context and is also a precondition both for quality assurance and for the economical use of resources.

In summary, it can be stated that the work of the *Security and Availability* working group has concentrated more on concrete project work, as was announced in the last report. However, it continues to be important as a coordinating body.

The focal points continue to be *clarification of the future long-term finance for guaranteeing complete, coherent, long-term access to high quality information* and *clarification of basic legal questions*. On this last point, the cooperation with the Federal Office of Justice will provide clarification of the questions of the state's obligation to provide information and citizens' claims to unrestricted, no-cost access to high-quality information; this is also urgent with regard to the whole e-content discussion. A report by the Federal Office of Justice will provisionally be available in summer 2004. Finally, future steps will also have to take into account the work on a national memory policy (cf. chapter 2.5.1).

*Prospects: clarification of finance and guaranteeing access to state information*

## 2.7 Scientific monitoring

In 2002, the *Scientific Monitoring* interdepartmental working group of the Information Society Coordination Group (ISCG), consisting of representatives of BFS, OFCOM, seco, SNF and TA SWISS, under the chairmanship of the GWF, had submitted to the Federal Office for Education and Science a proposal for a new interdisciplinary National Research Programme (NRP) on the information society, entitled *Les défis de la société de l'information*. On 26 June 2002, the Federal Council decided to submit this proposal to the SNF to examine its scientific feasibility. The SNF is currently examining four different programme outlines, of which between one and three will be combined in an NRP. The result of the analysis is expected to be published in spring 2004.

*To date no information society research programme*

## 2.8 E-health

The topic of e-health was not mentioned in the Federal Council's 1998 strategy for an information society in Switzerland. Nevertheless, in 2002, on the basis of the results of an evaluation on federal activities in the area of the information society, the Federal Council commissioned the Federal Department of Home Affairs to inform it of the *need for action from the Confederation on health* with regard to new technologies.<sup>60</sup>

*Need for action by the Confederation*

E-health refers to the incorporation of new information and communication technologies in the health sector. The following figure shows that the e-health tools can or could be widely applied. They are used for communication (e.g. exchange of data and information) and for organising the health sector (medical and economic management). These tools include, for example, the internet, electronic patients' records or an electronic patient's card.

*Definition*

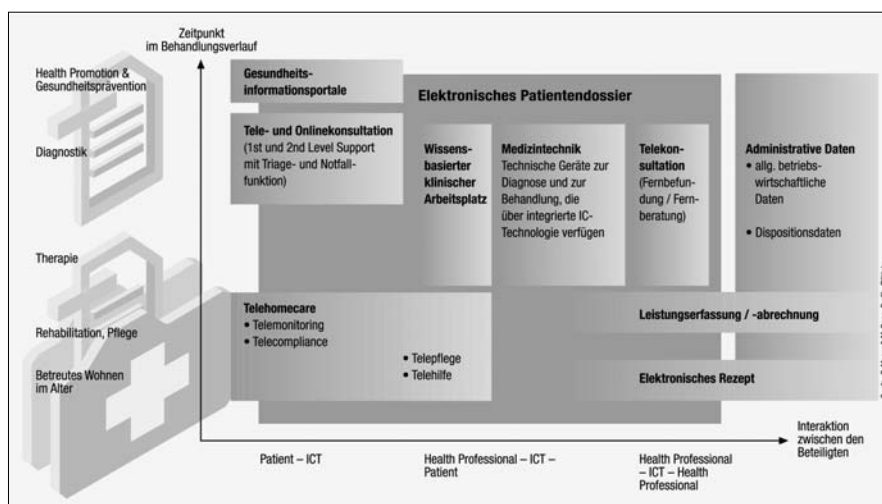


Figure from: *Situationsanalyse eHealth*. Produced for BSV/BAG by Swift Management AG, 2004

In mid-2003, the competent Federal Office of Public Health (Bundesamt für Gesundheit – BAG) and Federal Office for Social Security (BSV), in cooperation with OFCOM's Information Society Coordination Service commissioned the company Swift Management AG to present a report with a view to referencing existing studies and to collate responses from interviews with experts on the subjects. For the report more than 30 experts from institutions and organisations in the health sector were questioned regarding areas concerning them<sup>61</sup>:

*Mandate*

patients' and consumers' interest groups, Federal offices, cantons and managers of e-health projects in cantons, professional associations, companies and service providers.<sup>62</sup>

The *content* of the report was as follows:

*Content of the report*

- Definition, instruments and measures in the e-health sector in Switzerland. Identifying any problem areas, advantages and disadvantages.
- Estimates of the usefulness of these e-health instruments from the viewpoint of the respondents, including their effects on the evolution of costs in the health sector.
- Opinions on the Confederation's obligation to take policy action in the e-health sector.

The *results of the report* in brief:

### a) Summary – focus on patients and clients

The survey shows that *knowledge* and the status of the implementation of e-health in Switzerland is very *heterogeneous*. The rule is: the level of knowledge of decision-makers is modest. However, they do acknowledge the potential of e-health.

*Knowledge and status heterogeneous*

*Individual sectoral organisations* which treat the chronically ill have a significantly *higher level of knowledge* and differentiated forms of practical application: in addition to internet sites they have call centres, provide telehomecare service offerings and in a few cases work with electronic patient files.

Most organisations, which are only beginning to get to grips with e-health instruments, have a cautiously optimistic approach to the subject. From the viewpoint of the surveyed players, there is a *need for action* in the following areas, for some of which the Confederation is responsible.

#### Need for action by the Confederation:

- *promoting quality* in online service offerings in the health sector
- a wish for firmer, more application-orientated instructions on data protection and data security
- a wish for public discussion and information exchange regarding e-health between the Confederation and the organisations/players involved
- a minimum of trans-cantonal *coordination on standardisation* of electronic *patient files* (health card), in order to guarantee interworking.
- *efficiency and cost effectiveness* studies of existing pilot projects should be carried out by the Confederation

### b) Summary – Focus structure of the health sector

*Knowledge and awareness of e-health* are generally still *low*. Thus *concrete concepts* and *comprehensive activities* are also essentially lacking. Applications – if they exist at all – take place in *isolation and are poorly coordinated*. Against this background, the following priorities are being established with regard to the need for action and the instruments of support:

- *e-health-related activities* in Switzerland and within the federal government must be *communicated and coordinated*. Exchange of experiences at home and abroad is desirable.
- *e-health should be integrated into the Federal Council's strategy for an information society in Switzerland*. To do this, the corresponding strategies of neighbouring countries should be evaluated.
- one focal point should be *promotion of research* in connection with e-health.

The management of the Federal Office of Public Health will discuss the report in the first half of 2004. An information memo will then be submitted to the Federal Council.

## 2.9 E-content: A mission which cuts across education, the economy and culture

The production, distribution and use of digital content is one of the key competencies of modern economies. Digital goods constitute an ever larger proportion of the wealth creation system and are therefore considered to be a growth industry. Digital content is particularly relevant to the media sector. In Switzerland, about 2.2 percent of the labour force is employed in this sector. However, the production of digital content is becoming increasingly important not only in the media sector, but also in many other areas (education, financial services, tourism, the health sector, etc.).

*Digital content*

Broad initiatives have been taken to promote digital goods and services in many countries. Some of these adopt a supranational approach, such as the extensive eContent programme of the European Union (cf. chapter 4.3.4). Other measures are being taken at national or regional level.

E-content was not mentioned in the Federal Council's strategy for an information society in Switzerland. An initial evaluation of the implementation of this strategy in 2001 revealed this shortcoming.<sup>63</sup>

Subsequently, the Federal Council commissioned the EDI and EVD to produce a report on *possible federal measures in the area of e-content*. The BBT, OFCOM and the BAK have commissioned a report which is to draw up possible strategies to promote the production, distribution and use of digital content (e-content) in Switzerland and proposals for future action. This work should be carried out within the context that Switzerland has excellent local advantages for producing digital goods and services. These include, for example, skills in the production of multi-lingual content and the mature information and communication infrastructure. Under such conditions, e-content can be expected to enjoy substantial growth potential.

*Clarifying the need for action by the Confederation*

The report, "Massnahmen im Bereich eContent als Querschnittsaufgabe zwischen Bildung, Wirtschaft und Kultur" (Measures in the e-content sector as a mission which cuts across education, the economy and culture) was produced in 2003 by the Institute for Media and Communications Management at the University of St. Gallen. This report is based on a survey of experts within the federal administration and external partners. The report contains recommendations for state measures in the form of a seven-point programme. In addition to the high-level strategic goal of promoting the attractions of Switzerland as a location for the production, distribution and use of digital content, the report names the following areas for action:

*E-content report*

1) *Public information as a stimulus for economic, social and cultural development*: Upgrading public information provides fertile ground for innovative information products and services. Easier access, greater transparency and more intensive cooperation between public agencies and third parties must be ensured in a targeted manner to make the most of the as yet unrealised potential of public information.

*Recommendations*

2) *Ensuring access to international datasets and markets and optimisation of national facilities*: the production of e-content is characterised by high initial investment and low distribution costs.

The use of digital content demands mobile, trans-frontier services. Access to international data environments, markets and research activities is critical for the development of a competitive e-content industry in Switzerland. The conditions of access of Swiss companies to international data environments, markets and research activities must be continuously monitored and optimised. At the same time, if possible, attempts should be made to increase the attractiveness of Switzerland as a production location by making sure there is an adequate legal framework.

3) *Dynamic definition of the general legal conditions*: adequate configuration of the legal framework in the strongly technology-driven environment of digital goods and services must take place dynamically. The implications of digital content in various areas, especially business, culture and education, must be considered with a view to integration and must be constantly evaluated. The report recommends the establishment of a legal advisory council to draw up model solutions on a continuous basis for public bodies and political committees.

4) *Legal security in the use of public information*: the conditions of use of public information in Switzerland are still not clear. The report therefore proposes possible guidelines for a *Use of Information Act* within the framework of a *prospective legal planning* project.

5) *Regulations for the e-content activities of public bodies*: within the administration there are no uniform regulations on producing, distributing and using digital content. In this context, the relationship between public bodies and third parties must be clarified, especially in the area of commercial information products.

6) *Promotion of cooperation between the public and private sector by a supervisory organisation*: The objective of promoting cooperation is to make better use of the unrealised potential of collections of public information through targeted adaptation to market requirements and more efficiently designed production and distribution processes. The transfer and monitoring of cooperation projects between public agencies and private companies should be transferred to an independent supervisory organisation outside the administration.

7) *Establishment of monitoring instruments for the e-content sector*: technological developments in the e-content sector are resulting in changes in market conditions and user behaviour. The report urges the establishment of a network of experts in this area which would ensure continuous monitoring of developments in the e-content sector.

The proposed package of measures constitutes an integral framework of action extending across different areas. The next step will entail applying to the Federal Council for the top-priority measures to be taken. The BBT and BAK have agreed to formulate a corresponding *application* to the *Federal Council* in the *first half of 2004*.

*Future action: Application to the Federal Council in 2004*

## 3 The Interdepartmental Information Society Committee: activities in the reporting year

### 3.1 Meetings of the IISC

In 2003 the Interdepartmental Information Society Committee (IISC) met for five sessions. When it did so, it was informed of the status of work in the individual offices and departments. In addition, the IISC dealt with e-health, e-content, open source software, designing websites for use by the disabled, and strata of society with little formal education in the information society.

The IISC made efforts to ensure that the topic of the information society was included in the legislative goals of the Federal Council for the years 2004-2007.

### 3.2 Evaluation of the work

Six years after the adoption of the Federal Council's strategy for an information society in Switzerland, the IISC acknowledges that ICT have become established in Switzerland in the last few years: More than 6 million mobile phones are in use in Switzerland. More than two-thirds of households have at least one PC and over 63% of the population use the internet occasionally. In business and the administration, using ICT is part of everyday life. In view of the fact that the internet is used differently depending on education, age and gender, i.e. that 40% of the population do not use the internet, the IISC considers that the *principle of access for all* to the information society has not yet been implemented and is looking into the need for appropriate action in education and social policy.

The IISC's report of the work on implementing the *action areas* defined in the strategy is as follows:

With regard to *education*, it notes that at university level the *Swiss virtual campus* is entering its consolidation phase, and at school level, the fact that 2,700 schools have now been connected to the internet as part of the *PPP-SiN Schools on the Net* project can be considered as positive. Yet in view of the massive reduction in the project budget from CHF 100 million to 41 million as part of the Confederation's programme of cuts, it considers that the systematic achievement of the goal

*Education*

of getting all schools onto the internet and promoting the training and professional development of teaching staff in this area is being put at risk. The implementation of the project might be stopped halfway through.

The IISC has a similar concern about the *Swiss education server*, which has been in operation since 2003. The Confederation wants to reduce its financial commitment to this in the future. In this context, in the opinion of the IISC it would be appropriate to query whether the method of financing of long-term projects used to date, via an incentive programme, is suitable.

Moreover, on the basis of the above-mentioned digital divide in Switzerland, the IISC sees a special need for action in terms of education policy with regard to *those layers of the population remote from the education system*. To date the Confederation has not taken any measures in this area.

On the *legal side*, the IISC makes a *positive assessment* of the steps taken in the reporting year for implementing the goals. For example, the Law on the digital signature was passed and a new legal framework for domain names was established. The Federal Council also decided to combat cybercrime more rigorously. In the spring 2004 session, the National Council decided to intervene in the revision of the LTC, contrary to the decision of the consultative commission. The National Council adopted the Law on Radio and Television as the first council to do so. On the other hand, it returned the federal law on data protection to the Federal Council.

*The law*

In the area of data protection, the IISC sees a need for action on *raising awareness* among the population, the administration, researchers and technology manufacturers.

*Raising awareness of data protection*

In the e-government domain, the goals of the Federal Council's strategy for an information society in Switzerland were concretised by means of the Confederation's 2002 e-government strategy. E-government projects have actually been initiated and brought into operation successfully in all departments. Although in European terms Switzerland is not at the forefront in terms of its online offering, its *e-government offering* is still *considerable*. However, according to the IISC, the continuing *lack of coordination and cooperation* on e-government of all layers of the state confirms the need for discussion and action. In particular, in its opinion, basic questions relating to *Swiss federalism* in the information society need to be discussed.

*e-government*

In the *cultural sector*, implementation of the Federal Council's strategy was advanced by the newly established *Virtual Centre* for promoting artistic creation in the media.

*Culture*

On the other hand, implementation of the Federal Council's strategy in the cultural sector has *begun to falter* for financial reasons in the case of two other projects: The promotion of

*socio-cultural* projects, which were supposed to assist democratisation using ICT, and one of the key projects called Referencing – Digitising, which is central to preserving the *cultural heritage of Switzerland*, has been cancelled or in the latter case deferred, for financial reasons. In the case of Referencing – Digitising, the result has been that in future only the most important elements of collections will be available electronically. It is however envisaged to deal with the question of preserving the cultural heritage within the framework of a comprehensive ‘memory policy’. However, if this were not to happen, according to the IISC the corresponding consequences would have to be discussed and itemised.

With regard to implementing measures in the area of *security and availability of information*, since the adoption of the Federal Council’s strategy on security the structures which had been demanded for *prevention, early warning and damage limitation* have been established.

*Security and availability*

On the other hand, there are *fundamental difficulties* in implementation in the area of *access and long-term availability* of (state) information. It was, however, possible to continue the work on the key ARELDA project to ensure the long-term availability of digital documents of the federal administration. But the *long-term financing* of this project is not secured beyond 2004. If finance cannot be assured, this would mean that the *long-term archiving of original digital documents would be threatened* due to the lack of resources. Moreover, there are basic legal questions which need to be clarified concerning access to high-quality information.

The reports commissioned by the Federal Council on e-health and e-content – both with a view to specifying the necessary action to be taken by the Confederation – were produced and are with the competent offices. The Federal Council was informed of the results and conclusions in the course of the current year.

*Reports on e-content and e-health*

Finally the IISC is of the opinion that the implementation of the Declaration and Action Plan of the *World Summit on the Information Society (WSIS)* should be given due consideration in Switzerland. In particular, the existing Federal Council strategy for an information society in Switzerland should be harmonised with the WSIS action plan in order to *designate the action to be taken in Switzerland*.

*WSIS*

In view of this *heterogeneous and contradictory result of the implementation* of the Federal Council’s strategy for an information society in Switzerland and in view of the fact that – as the present report indicates – there is a need for action in areas which are not even included in the strategy (e-health, e-content), the IISC has decided in the forthcoming reporting year to conduct a detailed *discussion* on the *status* of the information society in Switzerland and update the *strategy* and

*Strategy discussion*

future work of the Confederation in relation to the information society. In this respect the IISC will also involve additional experts from the federal administration as well as external technical specialists and organisations.

The objective of these debates is to submit *proposals for future action* to the Federal Council in the next ISCG report for 2005.

### **3.3 Application to the Federal Council**

On the basis of the considerations outlined in chapter 3.2, the IISC requests the Federal Council to acknowledge the report in the spirit of the preceding evaluation.

## 4 The information society internationally

### 4.1 North-South questions in the information society

The use of information and communication technologies and hence the global dissemination of information have changed the way we learn and communicate. ICT open up “new worlds” to those who make use of these new possibilities, whereas those who do not have access to ICT are potentially excluded from the worldwide information society. This imbalance is known as the ‘digital divide’. (Cf. also chapters 1.2.3 and 2.1.2).

This digital divide is superimposed on existing social and economic inequalities between and within individual countries and reinforces them. Combating the digital divide is one of the new main tasks of development cooperation.

*The digital divide – a main task of development aid*

#### 4.1.1 The potential of ICT in development cooperation

ICT can be used effectively in sustainable development and in the *fight against poverty*. However, they do not represent a panacea for solving political and social problems. Experience has shown that infrastructure alone does not guarantee effective use of ICT. It is a necessary but not sufficient condition for guaranteeing efficient use of ICT. Building up skills and favourable regulatory and institutional conditions are also significant for successful application of ICT in development cooperation.

*ICT against poverty*

In the *fight against poverty*, *ICT applications* are based primarily on the *following areas*:

*Access to relevant information*: Access to information on market prices, weather conditions, medical care, land, social aid or credit schemes can improve the living conditions of people in developing countries.

*Access to relevant information*

ICT offer new forms of education and vocational training and thereby promote the self-determined development of human beings.<sup>64</sup>

Within the AUF - Agence Universitaire de la Francophonie – Switzerland is making a contribution to promoting university cooperation. Projects are under way under the heading of the *virtual university of the French-speaking countries*. The Swiss Agency for Development and Cooperation is financing one such project in Africa.

*Giving the disadvantaged a bigger say:* ICT can help to make people's opinions and interests perceptible when they would otherwise have little opportunity of expressing themselves and their needs in public life – enabling them to demand their rights. It is clear that pressure can be brought to bear on decision-makers as a result of the articulation of the needs of the disadvantaged.<sup>65</sup>

*A voice for the disadvantaged*

*Establishing networks for information exchange:* Information can be exchanged and local knowledge distributed on global networks using ICT. In terms of formulating collective interests, such networks are significant and allow rapid political mobilisation. As an efficient means of communication ICT can also promote intercultural understanding and cooperation.

*Exchange of information*

Further information on the commitment of the Agency for Development and Cooperation in the ICT sector can be found at

[www.deza.admin.ch](http://www.deza.admin.ch),  
[www.ict-4d.org](http://www.ict-4d.org) and  
[www.globalknowledge.org](http://www.globalknowledge.org).

*The commitment of the Agency for Development and Cooperation*

## 4.2 World Summit on the Information Society (WSIS) in Geneva

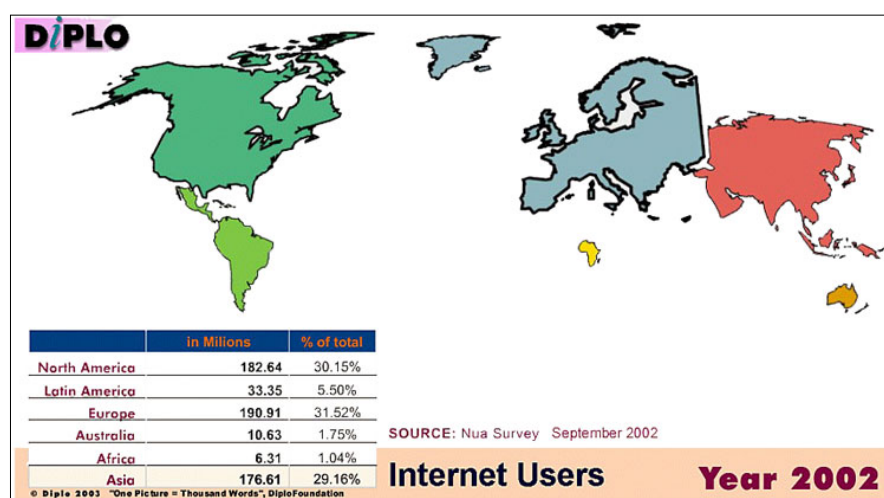
The *first phase of the UNO Summit on the Information Society (WSIS)* took place in Geneva from 10 to 12 December 2003.<sup>66</sup> A *second phase* is planned for *Tunis* in 2005. The goal of the WSIS is to raise awareness of the possibilities of ICT and to create and implement a vision for the information societies of all regions, countries and peoples. This vision was concretised in Geneva in December in a *Declaration* signed by all the participating countries. An *Action Plan* was also adopted,

*The December 2003 World Summit on the Information Society in Geneva*

which indicates ways and means of making this vision a reality. Some 13,000 representatives of national governments, international organisations, civil society, the private sector and the media from 176 countries took part in the first phase of the WSIS in Geneva. Fifty-four VVIPs – heads of state and heads of government, vice-presidents, monarchs, crown princes and 83 ministers – attended.

## 4.2.1 Why a World Summit on the Information Society?

The new information and communication technologies have changed society and occupied a definite position in it: Both at the level of disseminating knowledge, behaviour in society and business and trade practice, and in the area of political commitment, the media, education, health and leisure pursuits, the new technologies have become part of everyday life. Yet access and resources are unevenly distributed. The map of the world below shows this only too clearly. It represents the size of the continents as a function of internet use.



*Internet users*

One of the principal concerns of the WSIS is also to use ICT as a means of *combating poverty* and increasing the participation of women and disadvantaged groups (especially those with sensory disabilities) in social and political life (cf. also chapter 4.1.1). In addition to this development policy dimension, there was also discussion in Geneva on questions of *cultural and linguistic diversity*,

*WSIS topics*

intercultural *understanding*, *human rights* – particularly freedom of information, the *role of the media*, *e-commerce* and general conditions: e.g. consumer protection, confidentiality and security of transmitted data, network security, dealing with illegal content, liberalisation of telecommunications markets, investment in ICT and sustainable development. Questions of intellectual property also played an important role in Geneva. A central role was assigned to *education* as a basic condition for access to ICT and – by association – for combating poverty.

In order to make the vision of a global information society a reality, the active participation of the private sector and civil society is indispensable. Switzerland made constant efforts to integrate the private sector and civil society in the summit process.

## 4.2.2 The key agencies involved in preparing the Summit

At the international level, the responsibility for the World Summit lay with the UNO. For its preparation, a high-level organising committee (HLSOC) was established, working under *UNO Secretary General Kofi Annan*. The WSIS Executive Secretariat (ES WSIS), which was based at the International Telecommunications Union (ITU), supported the HLSOC and managed the organisational work in the preparatory process.

*UNO Summit under Kofi Annan*

At the Swiss level, the *Swiss Steering Committee* was set up; it was chaired by the Director of the Federal Office of Communications. It operated as a management and control body at national level. The substantive position of Switzerland was drawn up from April 2003 within the framework of a *tripartite platform*. Representatives of the federal offices, civil society, the business sector and the media participated in this platform. A Swiss executive secretariat had been established in Geneva since summer 2001 under the aegis of OFCOM. It worked together with the General Secretary of the ITU, the WSIS Executive Secretariat and the Tunisian mission in Geneva on organisational and substantive questions.

*Swiss agencies*

From the private sector, in addition to individual companies from the ICT sector, the International Chamber of Commerce (ICC) in particular participated actively in the WSIS process. In the course of the preparatory process it was possible to overcome the private sector's initial scepticism about the WSIS.

Many businesses took part in the WSIS process, albeit often not from the senior level of companies. Further work remains to be done in this regard for the second phase.

Right from the start, *civil society* showed great interest in the WSIS, even though voices critical of the governments were often to be heard. Together with other partners, Switzerland championed many concerns of civil society and supported the establishment of a civil society office, which was an important element for involving civil society in the WSIS process.

### 4.2.3 The role of Switzerland as the host country

As the host country, Switzerland played a leading role in the WSIS. It bore the responsibility for its logistical and organisational preparation. It was possible to ensure that the WSIS ran smoothly and without any hitches.

In addition, Switzerland was a leading force in planning and implementing the 200 or so parallel events (the so-called *Summit Events*) held around the WSIS. These events (forums, exhibitions, discussions, etc.) and the exchange of practical concrete examples were an ideal complement to the official government speeches and round tables. They were organised to provide an opportunity to allow representatives of governments, the private sector and civil society to meet.

*Summit Events*

The largest event was the “ICT4D” platform (“ICT for Development”), organised jointly by the Swiss Agency for Development and Cooperation and the Global Knowledge Partnership (GKP).<sup>67</sup> It presented concrete ICT projects from numerous countries and organisations. A well-crafted combination of exhibitions, discussions and debates made this a genuine multi-stakeholder event and enabled actions to be initiated as a result. The World Bank held its annual InfoDev Symposium with the support of the seco within the framework of the “ICT4D” platform, and the Agency for Development and Cooperation as well as OFCOM made a substantial financial contribution to a World Electronic Media Forum (WEMF) organised specially for the WSIS; it was also supported by the European Broadcasting Union and the UN Department for Public Information. Confederation president Couchepin, together with the President of the World Economic Forum, Prof. Klaus Schwab, chaired four round table discussions on the topic of Responsibility in the Information Age. Great interest was shown in the *Helloworld Project* sponsored by the Federal Office of Culture, which used lasers to project text messages onto buildings and monuments around the world at night.<sup>68</sup>

*ICT4D*

The Confederation’s financial commitment to the first phase of the WSIS, including security costs, amounted to CHF 19 to 20 million.

*The Confederation:  
costs of CHF 19-20  
million*

### 4.2.4 The substantive results of the WSIS

In the initial phase of the WSIS, Switzerland had defined five themes as priorities, namely: cultural diversity and local content, regulatory and institutional framework, e-commerce and

e-business, ICT as a means of combating poverty and the role of the media in the information society. At the international level, the education sector is one of the six priority contents of the WSIS.

With regard to cultural diversity it was possible, in the course of Prepcom3 to establish cultural and linguistic diversity, the preservation and further development of the cultural heritage and the production and distribution of local content using ICT as important pillars of the information society in a separate chapter in the Declaration and the Action Plan.

In the realm of the general regulatory and institutional conditions of the information society, the essential concerns voiced by Switzerland were also taken into account by the other states. These included trustworthy, transparent, technology neutral and non-discriminatory conditions, standardisation, national strategies on the information society, the universal service at national level, compatibility and harmonisation of national legislation, involvement of women, young and old people, disabled and other minorities.

The topic of e-commerce and business occupied a somewhat less prominent position in the negotiations. This was primarily because a few controversial subjects had received a great deal of attention and also because the private sector had not tabled this topic forcefully. Switzerland would have liked to see this subject given a more prominent position. However, at least the central points, such as the potential of ICT as a motor for innovation and economic growth and for improving the access of SMEs to the international market, were included in the final document.

None of the countries disputed the fact that ICT must be used to reduce poverty, malnourishment and illiteracy and to promote economic development in the developing countries. Closing the gap between North and South, i.e. access by the broadest possible layers of the population in the underprivileged countries, was naturally one concern of the Summit. However, in this regard the financing of development aid was one of the most contested points of discussion in the WSIS.

For a long time Switzerland received hardly any support for its concern to deal appropriately in the WSIS documents with the role of the media in the information society and to allocate a separate chapter to this subject.

The negotiations on the policy declaration and the action plan turned out to be extremely difficult. When it proved impossible in the second session of the final conference of the preparatory committee (PrepCom) on 14 November to reach agreement, the PrepCom mandated the Swiss delegation to seek solutions to the disputed questions in informal consultations. These consultations took place in Geneva before the resumption of the PrepCom on 5 December, within a bi-, pluri- and

multi-lateral framework. On the basis of these informal consultations, the Swiss delegation presented a new paper with compromise proposals which was accepted by all sides as a new working basis.

Twenty-four hours before the opening of the WSIS, the Swiss mediators were able to ensure that agreement was reached on the *Declaration* and the *Action Plan*.<sup>69</sup> It was possible to find a consensus only because it was decided to defer presenting any solutions to a number of *controversial topics* and to *deal with these* in the period *between Geneva and Tunis*. This was the case for the subjects of *governance of the internet* and *financing via funds*.

*Declaration and Action Plan exclude disputed topics*

The question of *financing the infrastructure* and *ICT services* in the *developing countries* was, as mentioned above, one of the biggest sticking points in the negotiations. African states especially wanted to set up a *digital solidarity fund*, which would guarantee special finance for information society projects (such as e-education, telecommunications infrastructure, etc.). The European Union and Japan in particular rejected such a fund, referring to a lack of efficiency. The compromise reached at the last minute, brokered by Switzerland, now envisages on the one hand *recognising a solidarity fund*, which Senegal wants to set up right away, and on the other hand giving the UNO Secretary General a *mandate* to examine *how such a fund* could be *optimally designed* so as to better finance the information society in developing countries. This *report* by the UNO Secretary General should be available *by the end of 2004* and will serve as a basis for future decisions.

*Financing*

*Governance of the internet*<sup>70</sup> was the key question for many countries. The *compromise* which was reached now envisaged the setting-up of a *working group* incorporating all the relevant organisations, the private sector and civil society under the aegis of the UNO Secretary General. This working group is to investigate all the associated questions and draw up any proposals for the attention of the second phase of the WSIS in Tunis. All sides were pleased with this solution: the developing countries because of the link with the UNO system and the USA because of the explicit assurance that the private sector will be included as a partner with equal rights. The result is important because *it initiates an international dialogue*. In the run-up to the WSIS the USA and other industrial countries were still stressing that the status quo was working fine and that there was nothing which needed to be changed or discussed.

*Governance of the internet*

In the run-up to the WSIS it was feared that *human rights* would not be given sufficient weight in the Declaration as a basis for the information society and that the media would even be completely excluded. China in particular, supported by Vietnam and a few Arab states, originally held such a position. China was persuaded to change its mind, not least as a result of the bilateral discussions at the highest level by federal president Couchepin in Beijing. The Swiss compromise proposal was finally accepted almost unchanged. Hence the Declaration confirms *all important basic democratic values* and includes the necessary reference to the General Declaration of *Human Rights* and in particular *freedom of opinion* guaranteed in article 19.

*Human rights*

From the Swiss point of view, the main objective could be achieved with the confirmation of the *importance of free, independent and pluralistic media*. A separate chapter was devoted to the media. The Declaration, with its chapter on the media, constitutes a new yardstick for press freedom at the highest political level.<sup>71</sup>

*The media*

The question of *intellectual property* proved to be far more difficult than was originally expected. The agreement which was reached points out that in order to promote innovation and creativity in the information society, protection of intellectual property and knowledge-sharing are equally important.

*Intellectual property*

Switzerland drew up a proposal on the subject of *Security* in informal consultations, and this was accepted in the plenary session.

*Security*

#### **4.2.5 Report and perspectives for the second phase of the WSIS in Tunis in 2005**

The *first phase of the WSIS* in Geneva was a *success* – contrary to original fears and despite a difficult preparatory process. Switzerland's commitment ensured smooth preparation and implementation. Moreover, it made an essential contribution through its role as a mediator in critical phases of negotiations.

*WSIS Geneva – a success*

The WSIS in Geneva must be seen as the beginning of an international process. The *sustainability* of this work can be assured only by concretely implementing the goals which have been laid down. Among other things, the integration of the private sector and civil society in the process will be decisive.

The next major phase of the *WSIS* will take place *in Tunis* in November 2005. The host country, Tunisia – in cooperation with the ITU and the UNO – is responsible for its operational management and bears the main responsibility for it. Switzerland will also be committed to this second phase of the *WSIS*. The extent of this commitment has not yet been precisely defined.

*Second phase of the WSIS in 2005*

From the Swiss point of view, the priority objectives in the run-up to Tunis 2005 are the following: 1) continuation of the political and diplomatic process and a broadening of the Geneva Action Plan. 2) Constructive handling of the controversial topics in the above-mentioned working groups (e.g. finance, internet governance. 3) a start on implementation of the Geneva Action Plan. 4) further development and deepening of the integration of civil society, the private sector and the media.

## **4.3 Europe**

### **4.3.1 The European Union**

Since 2000, the European Union (EU) has been pursuing the goal of becoming the most dynamic and competitive society, in economic and scientific terms, in the world. The use of ICT is a central component of the so-called *Lisbon strategy*. Since then, its implementation has not been an outright success as a result of the economic downturn and the difficulties experienced by the EU members in concretising the strategy. However, it has launched long-term initiatives. These are even more significant in view of the expansion of the EU as of 1 May 2004 from 15 to 25 members.

*The Lisbon strategy*

### **4.3.2 Liberalisation of the telecommunications sector**

In 1998 the telecommunications market in the European Union was opened up to free competition. Since then, the telecommunications market has been growing, above all because of the convergence of telecommunications, broadcasting and information technologies. There is a high degree of innovation in electronic services and the technology of networking and devices.

*Competition and convergence*

This is why the EU adapted the community's legal framework for electronic communication and brought it into force in July 2003. It is intended to strengthen competition by giving the regulatory authorities the possibility of intervening officially (*ex ante*). Technological neutrality, facilitating procedures and additional harmonisation are also aimed at promoting competition.

*Harmonising the legal framework*

To date the EU member states have implemented the new laws in different ways. The Commission has therefore brought proceedings against seven EU states (France, Germany, Belgium, the Netherlands, Portugal, Greece and Luxembourg) before the European Court of Justice.

Although the European Commission still has little power in the area of frequency allocation, it can, however, politically influence the use of these resources.

*Frequency allocation*

### **4.3.3 The market situation in the telecommunications sector in the European Union**

The crisis in the telecommunications markets seems to have been overcome and the EU is assuming market growth of about 4% for 2003. The distinct recovery of the global economy and the re-established confidence of the financial markets in the telecommunications sector contributed to this.

*The crisis in the telecommunications markets seems to have been overcome*

The essential growth sectors are the mobile telephony market and the broadband market. Although market penetration for second-generation (GSM) mobile services, at 90%, is very high, new mobile data services offer further opportunities for development. The introduction of the third generation of mobile telephones (UMTS) has already taken place in four EU countries in 2003 and is on the agenda for a large number of the other EU member states.

*Growth in mobile telephony and broadband markets*

The number of wire-bound broadband connections in the EU almost doubled from July 2002 to July 2003. Although the market share of the new market entrants is starting to rise, according to the EU Commission their effect on competition in the broadband market is still small.<sup>72</sup> In the same period, the number of newly unbundled subscriber connections in the EU increased by more than 828,000 and doubled in comparison with the previous year. In the local calls segment, increased competitive pressure is beginning to be felt because of regulated carrier selection, and this is resulting in falling market shares for the established fixed network operators.

Interconnection costs fell slightly in the fixed markets (4-6%). The costs for providing calls in the mobile telephony markets have fallen significantly in the case of mobile operators with “considerable market power”, with a reduction of 15.3%. These charges have remained practically unchanged for the other mobile telephony providers. According to the EU Commission, these mobile termination charges are nevertheless over nine times the average interconnection charges for fixed networks.

#### 4.3.4 eEurope 2005

The *eEurope 2005*<sup>73</sup> action plans to promote the information society are important if the above-mentioned Lisbon goals are to be achieved. They are of a political rather than a legal nature. They complete, reinforce and support national initiatives of the EU member states relating to the information society.

*The eEurope 2005 Action Plan on the information society*

*eEurope 2005* (2003–2005) extends certain *principles* of the first eEurope Action Plan for 2002: The potential of the new information and communication technologies must benefit all citizens and the risks of the digital divide must be countered. It should now be possible to roll out new infrastructures and services in view of the advantageous investment climate.

*ICT must benefit all*

eEurope 2005 pursues the following main objectives:

*eEurope’s main objectives:*

- modern public online services:
  - electronic official services (e-government)
  - services for electronic learning (e-learning)
  - online healthcare services (e-health)
- a dynamic environment for electronic commerce (e-business)
- a secure information infrastructure to promote user confidence in ICT
- broadband access at competitive prices almost everywhere (via UMTS, digital television, ADSL, etc.)
- comparative analysis and dissemination of good practice (eEurope benchmarking)

*Public online services*

*e-business*

*Security*

*Broadband*

*Benchmarking und best practice*

### 4.3.5 Other measures initiated by the EU

Since the preparatory work on the WSIS (cf. chapter 4.2), to which the European Commission was committed, the EU is paying more attention to political and international questions related to the internet, such as the issue of *internet governance*.

*Internet governance*

The EURID Register<sup>74</sup> will in future *manage* the European domain with the ending ".eu". This designation is to be valid for all Europe-wide internet and e-mail addresses and will be comparable with the .org and .com domains. EURID consists of a consortium of three companies from Belgium, Italy and Sweden.

*"eu" Top Level Domain*

Further initiatives such as the introduction of software patents, the protection of intellectual property or protection of privacy in the information society are under discussion. It is to be assumed that prosecutions in the area of IT piracy and infringements of copyright will intensify.

*IT pirates*

Other, more modest programmes or initiatives which have either been prolonged or extended to the new member states are also contributing to the success of eEurope: for example, programmes such as eSafe concerning the fight against illegal and harmful content on the internet, *eContent* for creating novel content, *IDA* for services and data exchange between administrations, or *eInclusion* for involving everyone in the information society.

*Other programmes and initiatives*

In the case of eLearning, another EU programme for applying ICT in training and education, Swiss researchers from ETH Zurich and ETH Lausanne are taking part.

*eLearning*

*eTen* is a current programme via which the EU is supporting the establishment of trans-European electronic services provided across telecommunications networks. eTen focuses on social cohesion, i.e. with regard to universal inclusion in the information society.

*eTen*

### 4.3.6 Switzerland's participation in EU programmes

Since 1 January 2004 Switzerland has been fully integrated into the 6<sup>th</sup> *Outline Programme for Technology Research and Development in the European Communities (2003-2006)*. ICT is one focal point of this outline programme.

*ICT research focus*

The *IST part* of the programme is the only EU initiative in the area of the information society in which Switzerland is fully integrated. A discussion should take place in Switzerland on more intensive involvement in other programmes. Participation in MODINIS and ENISA at least could prove beneficial. Switzerland must also decide what its position is, for instance regarding the “.eu” top-level domain or internet governance.

*Switzerland-EU co-operation*

## **4.4 International organisations**

### **4.4.1 The Council of Europe**

On 28 May 2003 the Committee of Ministers of the Council of Europe adopted the declaration on freedom of communication in the internet; on 10 July 2003 it also adopted the recommendation on measures to promote the contribution of digital broadcasting to democracy and society, plus the declaration and recommendation on the dissemination of information through the media with regard to prosecutions. In addition, there was the adoption of a policy message to the World Summit on the Information Society on 24 June 2003.

*Recommendations and declarations adopted*

On 3 November 2003, the Steering Committee on the Mass Media (CDMM) held a conference in Rome on digital television in Europe. Key issues included the perspectives which this opens up for the public. At present, the CDMM is preparing the 7<sup>th</sup> ministerial conference on mass communication policy, which will take place in the Ukraine in November 2004.

*CDMM activities*

The online services and democracy group of experts worked on the topics of illegal and harmful internet content, internet governance and the democratic potential of the new communication services. It dealt with the draft of the declaration on the right to reply in the new media environment. In addition, it examined the draft of a position on the role of the media in promoting democracy and participation in the information society. This work should result in better electronic management of government by involving citizens in the debates on public affairs.

*Group of experts on online services and democracy*

The group of experts on freedom of expression and other basic rights continued to deal with the draft declaration on freedom of expression and the right to respect of privacy. After the Consultative Committee on media and terrorism had made its contribution, the group of experts also completed the draft declaration on freedom of expression and information in relation to the fight against terrorism. The draft declaration on free political expression in the media was also completed.

*Group of experts on freedom of expression*

The group of experts on the democratic and social effects of digital broadcasting continued its examination of the draft declaration on the right of exclusiveness and the right of the public to information.

*Group of experts on digital broadcasting*

After the Consultative Committee on media diversity had presented its conclusions, an exchange of views took place within the CDMM on the ongoing elaboration of an international instrument concerning cultural diversity. In the process it was emphasized that it is important to state the role of the media in this area.

In November 2003 a conference of education ministers took place in Athens. It adopted a declaration and a recommendation on ICT in education.<sup>75</sup>

*Education conference*

## 4.4.2 UNESCO

The promotion of the *free exchange of ideas and universal access to information* is a central concern of UNESCO's mid-term strategy (2002-2007). For this goal to be achieved, the following normative texts were adopted at the general conference in October 2003:

*Promoting universal access to information*

1) Recommendation on the promotion and use of multilingualism and universal access to cyberspace. Its aim is to facilitate access to information for all through national and international measures and to promote the development of a multicultural information society worldwide.

*Promoting multilingualism*

2) Charter on preservation of the digital heritage. Its aim is to propose measures in the interest of the general public in order to preserve the digital heritage and to ensure access to this heritage.

*Digital heritage*

In accordance with its mission to ensure compliance with universal standards and values, UNESCO made a strong commitment to the preparation of the *WSIS*. In order to achieve its goal, UNESCO promotes the *free exchange of opinions and knowledge* and preserves, extends and disseminates knowledge. This is one means by which the digital divide can be combated.

*Free exchange of opinions and knowledge*

In the October general conference UNESCO accepted the working programme for 2004-2005 in the area of ICT and education. In this connection the National Swiss UNESCO Commission (NSUC) and the EDA were assigned a role in the preparatory work for *WSIS 2005*.

A ministerial declaration on the future of the knowledge society in October 2003 recalled the principles of UNESCO, which are indispensable in order to ensure the transition to this knowledge society.

### 4.4.3 OECD

The Organisation for Economic Cooperation and Development (OECD)<sup>76</sup> once again referred to the economic significance of ICT. In its last *report* to the OECD Council of Ministers in April 2003, the organisation confirmed the results of earlier studies according to which the *new technologies contribute to increasing productivity and to economic growth*. The OECD is advising the governments of its member states to develop comprehensive strategies so that businesses can fully exploit the opportunities of ICT.

*OECD report stresses importance of ICT for the economy*

The OECD's work on *promoting electronic commerce and making the ICT sector more dynamic* was also continued with emphasis during the last year. Its objective is the development of an international strategy for an information society which combats the inequality which exists between supply and demand of ICT and which must propose measures to combat the international digital divide. Where possible this strategy should relate to all areas of the information society: data protection, the use of ICT in development cooperation and education, the promotion of an ICT-based economy and the elaboration of statistical indicators.

*An international strategy on the digital divide*

In view of the fact that confidence in ICT is one of the pacesetters of the information society, especially in the electronic commerce sector, the OECD has drawn up corresponding guidelines. These include consumer protection in e-commerce as well as improper and fraudulent trans-frontier business practices.

In 2003 the organisation made greater efforts to optimise the benefits of *internet services via fast bitstream access*, in order to promote economic and social development. A study which compared the *domain names* of the administrations of the OECD countries was carried out, as was a study on obligations in the area of *services forming part of the universal service via bitstream access*. In addition, there was discussion of the damage being caused by unsolicited e-mails (spamming).

The OECD set up a new department for education. In the area of ICT in education Switzerland has accepted a number of commitments: concerning the development of indicators, among other things in connection with PISA 2006, and in relation to a research and development project on the future of

schools. Switzerland also took part in a case study on e-learning in universities which is closely related to the topic of the internationalisation of knowledge and trade in educational services within the framework of GATS.

#### 4.4.4 WTO

Debates were organised in the WTO on e-commerce under the auspices of the General Council. In the course of these debates, the major question under discussion is the *classification of "digital products"*. The main issue is whether these digital products (above all software) are goods or services, or both. In this respect the opinions of the delegations differ greatly. To date it has not been possible to reach a consensus. The Swiss position is that digital "products" are services and therefore subject to GATS.

*Classification of digital products*

The *financial effects of electronic commerce* are another topic of much discussion. There is currently a moratorium concerning customs tariffs for transactions conducted electronically. Numerous members, including Switzerland, would like to convert this moratorium into a permanent, binding rule.

*The financial effects of e-commerce*

In the draft declaration of the Cancun conference of ministers it was originally envisaged that ministers would: a) agree to further examination of the questions posed in the working programme, and b) declare that the members would continue their current practice on customs tariffs (not applying tariffs).

However, since the conference of ministers was a failure, this declaration was not signed. Since then no further debates have been organised on e-commerce.

#### 4.4.5 WIPO

The action plan of the *World Intellectual Property Organisation* WIPO<sup>77</sup> in the digital sector comprises a series of guidelines and objectives in order to work out practical solutions on *aspects of e-commerce related to intellectual property rights* (establishment of the WIPOnet information platform, electronic registration of copyright, the entry into force of two agreements on copyright law)<sup>78</sup>. After the successful conclusion of an initial consultation procedure on the *relationship between internet domain names and marks*<sup>79</sup>, in summer 2000 the WIPO launched the *Second Internet Domain Name Process*, which

*Intellectual property*

*Internet domain names and marks*

dealt with the protection of other names (names of persons, international non-proprietary names, names of international organisations, indications of geographical origin and commercial names) from misuse in connection with domain names.

The concluding report published by the International Bureau in September 2001<sup>80</sup> was first discussed at two special sessions of the *Comité permanent du droit des marques, des dessins et modèles industriels et des indications géographiques* (SCT) before the WIPO general assembly decided in autumn 2002 to recommend to the *Internet Corporation for Assigned Names and Numbers* (ICANN) that it should expand its *Uniform Dispute Resolution Policy* (UDRP) in such a way that names and abbreviations of international organisations are also protected from misuse as domain names. The discussion on protection for names of countries and indications of geographical origin is being continued within the framework of the regular sessions of the SCT. This has since agreed to the ICANN recommendation to authorise official country names and short designations in accordance with the relevant UNO bulletin for the UDRP procedure; discussion is currently continuing on whether this should also apply to other names by which countries are commonly known.

# Appendices

## Appendix 1: Members of the Interdepartmental Information Society Committee (IISC)

Fischer	Peter	Chairman; Federal Department of Environment, Transport, Energy and Communications (UVEK)
Blumer	Felix	Federal Department for Defence, Civil Protection and Sports (VBS)
Brunner	Hans	Federal Department of Justice and Police; since February 2004 (EJPD)
Bürge	Urs	Federal Department of Justice and Police; until February 2004 (EJPD)
Hotz-Hart	Beat	Federal Department of Economic Affairs (EVD)
Kellerhals	Andreas	Federal Department of Home Affairs (EDI)
Kummer	Markus	Federal Department of Foreign Affairs (EDA)
Muralt Müller	Hanna	Federal Chancellery
Ramsauer	Matthias	Federal Department of Environment, Transport, Energy and Communications (UVEK)
Römer	Jürg	Federal Department of Finance (EFD)
Zosso	Oscar	State Secretariat for the Economy (seco)

## Information Society Coordination Service

Brenner	Sabine	Federal Office of Communications (OFCOM)
Cotti	Linda	Federal Office of Communications (OFCOM)
Nyffeler	Bettina	Federal Office of Communications (OFCOM)
Schuppisser	Ka	Federal Office of Communications (OFCOM)

## Appendix 2: Parliamentary initiatives on the information society 2003/2004 (status Feb. 2004)

Parliamentary initiatives on the information society 2003/2004	Submitted:
<a href="#"><u>03.3039 Ip. Maillard Pierre-Yves, Infringement of the Law on Telecommunications by Orange.</u></a>	06.03.2003
<a href="#"><u>03.3054 Ip. Robbiani Meinrado, Telecommunications. Separation of the fixed network sector.</u></a>	13.03.2003
<a href="#"><u>03.3201 Mo. Neiryck Jacques, Universal service of the post with new technology.</u></a>	06.05.2003
<a href="#"><u>03.3205 Mo. Neiryck Jacques, Work permits for hi-tech companies.</u></a>	07.05.2003
<a href="#"><u>03.1069 EA Hess Bernhard, E-post supervision.</u></a>	16.06.2003
<a href="#"><u>03.3293 Ip. Hollenstein Pia, Pilot project 'Sustainable mobile technology'.</u></a>	17.06.2003
<a href="#"><u>03.1074 EA Rennwald Jean-Claude, Orange. Telecommunications operator or snooping police?</u></a>	18.06.2003
<a href="#"><u>03.435 Pa.Iv. Frick Bruno, Elimination of superfluous supervisory measures in internet communications.</u></a>	20.06.2003
<a href="#"><u>03.3443 Ip. Eggly Jacques-Simon, Security measures at the UNO information society summit.</u></a>	15.09.2003
<a href="#"><u>03.3447 Mo. Gysin Hans Rudolf, Conferenza+</u></a>	16.09.2003
<a href="#"><u>03.1104 D.EA Eggly Jacques-Simon, Safety measures at the UNO information society summit.</u></a>	17.09.2003
<a href="#"><u>03.3465 Ip. Reimann Maximilian, Internet transmission of Federal Council media conferences.</u></a>	23.09.2003
<a href="#"><u>03.3459 Po. Meier-Schatz Lucrezia, Combating paedophilia on the internet.</u></a>	23.09.2003
<a href="#"><u>03.3480 Ip. Imfeld Adrian, Did Microsoft also swindle consumers in Switzerland?</u></a>	29.09.2003
<a href="#"><u>03.3489 Mo. Leumann-Würsch Helen, Telecommunications by lawyers.</u></a>	30.09.2003
<a href="#"><u>03.3494 Mo. Zisyadis Josef, Public service in telecommunications.</u></a>	01.10.2003
<a href="#"><u>03.3492 Mo. Vollmer Peter, Telephone charges. A rip-off.</u></a>	01.10.2003
<a href="#"><u>03.3527 Ip. Borer Roland, Procedures for the launch of the 'Conferenza+ website'.</u></a>	02.10.2003
<a href="#"><u>03.3545 Mo. Pfister Theophil, Added-value services. Protection of consumers from improper use.</u></a>	03.10.2003
<a href="#"><u>03.3655 Ip. Menétrey-Savary Anne-Catherine, World Summit on the information society. Evaluation.</u></a>	19.12.2003

## Appendix 3: Tabelle Aktionsplan zum elektronischen Geschäftsverkehr

### Übersicht über Massnahmen und Träger (Stand Januar 2004)

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
1) <b>Qualifikations-offensive / Aus- und Weiterbildung</b>	Im Rahmen des Aktionsprogramms soft(net): Aufbau eines Kompetenznetzwerks E-Business und Informatikrecht (Digitale Signatur, Internationales Vertragsrecht, Domainnamen und Markenschutz, Urheberrecht) mit und an den Fachhochschulen. Einrichtung einer IT-Schlichtungsstelle und Anlaufstelle für IT-KMU.	BBT; B. Hotz-Hart		Programm Ende 2003 abgeschlossen
	Virtueller Campus Schweiz – Lernmodule, die übers Internet abgewickelt werden, sollen unterstützt werden. Fachhochschulen, Universitäten und ETHs beteiligt und vernetzt.	BBT; B. Hotz-Hart; Fachhochschulen, Universitäten, ETHs	3. Ausschreibung erfolgt	Konsolidierungsprogram, neue Projekte, Kompetenzzentren
	« Public Private Partnership – Schule im Netz » (PPP-SiN):  Initiative umfasst Infrastruktur (Hardware, Software, Support und Zugang), pädagogische Ressourcen, sowie Aus- und Weiterbildung der Lehrpersonen.	BBT; B. Hotz-Hart; EDK/Kantone	Realisierungsphase	Realisierungsphase
	Aus- und Weiterbildung der Lehrpersonen: Kantone können zu unterstützende Projekte eingeben	BBT; B. Hotz-Hart; EDK/Kantone	3. Ausschreibung für Projekte in stark reduziertem Umfang	Realisierungsphase

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
	Mobilisierung bildungsferner Schichten, Vermeidung oder Beseitigung einer Digitalen Spaltung in der Schweiz	BBT; B. Hotz-Hart / ev. EDK, Kantone / Private / Verbände	Entwurf eines Berichts zuhanden des BR	Bericht zur Kenntnis genommen, ev. Vorschläge für Massnahmen
	Möglichkeiten für die Förderung einer nationalen „Content-Industrie“ (Bildungsinhalte stehen im Zentrum)	BBT; B. Hotz-Hart / BAK / BFS / EDK, Kantone / ev. Private	Vorschläge für Massnahmen	Entwurf eines Berichts zuhanden des BR
<b>2) Wettbewerbswirtschaftlicher Telekommunikationsmarkt</b>	Anpassung des FMG an europäischen Rechtsrahmen	BAKOM	Unterstellung der Mietleitungen und der Entbündelung unter das Interkonnektionsregime gemäss Bundesratsentscheid vom 7. März 2004  Procédures en cours devant la ComCom  Botschaft zur Änderung des FMG durch den Bundesrat verabschiedet (12.11.2003)	Adoption de la nouvelle loi par le Parlement et élaboration des dispositions d'exécution

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>3) Internationale Normierung</b>	<p>Intensivierter Informationsaustausch zwischen Verwaltung und schweiz. Normenorganisationen über wirtschafts- und sicherheitspolitische Fragen im elektronischen Geschäftsverkehr.</p> <p>Verstärkter Einbezug interessierter Kreise (insbes. KMU) an laufenden Normierungsvorhaben auf internationaler Ebene.</p>	<p>Seco, H. Hertig BBT, B. Hotz-Hart Schweizerische Normen Vereinigung (SNV)</p>	<p>Unter dem Verhaltenskodex Webtrader der FRC (Fédération Romande des Consommateurs) wurde im Dezember 2000 die erste Website zertifiziert.</p> <p>Gründung am 1.11.2000 der Vereinigung E-Com Trust. Diese Initiative wird von economie-suisse, Swiss ICT, Konsumentenforum und SNV getragen.</p> <p>Abschluss der Arbeiten des CEN/ISSS workshop e-Trust am 8.10.2003. Das Resultat, das CEN Working Agreement (CWA) 14842-1 über regulatorische und selbstregulatorische Anforderungen, Anforderungen an die Geschäftsprozesse und Anforderungen an die Sicherheit von ICT, wird von des SNV als SNV Regel übernommen</p>	<p>Zertifizierungen nach CWA 14842-1</p> <p>Fortsetzung der Arbeiten SNV/CEN zur Erlangung des Status einer europäischen Norm (CEN) für das CWA 14842-1</p> <p>e-comtrust wird in diesem Jahr eine Zertifizierungskommission einsetzen.</p>
<b>4.1) Verschlüsselung</b>	Einsatz auf nationaler und internationaler Ebene für den freien Handel und die freie Benutzung starker Verschlüsselung, Interoperabilität verschiedener Sicherheitsstrukturen sowie koordinierte Politik im Bereich Exportkontrollen.	Seco; E. Burger, G. Spaeti	Beteiligung an den Verhandlungen im Rahmen der Wassenaar-Vereinbarung, ev. auch bilaterale Kontakte	Beteiligung an den Verhandlungen im Rahmen der Wassenaar-Vereinbarung, ev. auch bilaterale Kontakte
<b>4.2) Public Key Infrastructure</b>	BG über die elektronische Signatur.	BAKOM/BJ/F. Schöbi	Verabschiedung des Gesetzes am 19. Dezember 2003, BBl 2003 Nr. 51 vom 30. Dezember 2003, S. 8221 ff.	Erarbeitung der nötigen Ausführungsbestimmungen

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>4.3) Anerkennung der digitalen Signatur im Privat- und Prozessrecht</b>	Gleichstellung der elektronischen mit der eigenhändigen Unterschrift; gesetzliche Grundlage für Kommunikation auf elektronischem Weg mit Registern.	BJ; F. Schöbi (allgemein)/Ch. Schmid (Grundbuch), K. Rüdlinger (Handelsregister); IGE; U. Buri	Verabschiedung diverser Gesetzesänderungen am 19. Dezember 2003, BBl 2003 Nr. 51 vom 30. Dezember 2003, S. 8221 ff.	Erarbeitung der nötigen Ausführungsbestimmungen
<b>4.4) Verbraucherschutz im elektronischen Geschäftsverkehr</b>	Anpassung des Obligationenrechts und des BG gegen den unlauteren Wettbewerb an die Belange des elektronischen Geschäftsverkehrs.	BJ; F. Schöbi	Der Bundesrat hat Ende 2002 vom Ergebnis der Vernehmlassung Kenntnis genommen und 2003 bestätigt, an den Eckwerten der Vorlage festhalten zu wollen (Revision des Kaufrechts; Widerrufsrecht, unter Einbezug der Finanzdienstleistungen)	Erarbeitung einer Botschaft Die Vorlage hat Bedeutung weit über den elektronischen Geschäftsverkehr hinaus: Sie wird daher in Zukunft nicht mehr unter dem Titel "BG über den elektronischen Geschäftsverkehr" firmieren, sondern Teil der Gesetzgebung sein, die auf einen besseren Konsumentenschutz zielt.
	Informationsoffensive bei den Konsumenten	Büro für Konsumentenfragen, M. Pichonnaz Oggier	Bilanz zum Verhalten der Konsumenten und der Anbieter. Veröffentlichung März 2001 E-Commerce Rubrik auf Website des Büro für Konsumentenfragen. Ständige Aktualisierung. Empfehlung über e-commerce: Dezember 1999. Beim Bundesrats genehmigt : Februar 2000	Warten auf das Inkrafttreten des Gesetzes. Weitere Informationsoffensive bei den Konsumenten

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>5.1) Internationales Vertragsrecht</b>	Unterstützung der Arbeiten zur internationalen Rechtsvereinheitlichung und Normierung des IPR und IZPR. Anstrengungen zur rechtlichen Gleichstellung von elektronisch geschlossenen Verträgen mit schriftlichen und mündlichen Vereinbarungen.	BJ; Abteilung Internationale Angelegenheiten, Sektion für internationales Privatrecht	Teilnahme an Sitzungen von UN-CITRAL und diplomatische Konferenz betreffend Haager Gerichtsstandsübereinkommen und Verhandlungen über die Revision des Lugano-Gerichtsstandsübereinkommen.	Ebd.
<b>5.2) Schutz der Privatsphäre/ Datenschutz</b>	<p>Informationsoffensive bei Benutzern und Konsumenten über die notwendigen Massnahmen für einen effektiven Schutz der Privatsphäre im elektronischen Geschäftsverkehr.</p> <p>Inventar und Überprüfung von Technologien, die im elektronischen Geschäftsverkehr für den Schutz der Privatsphäre eingesetzt werden können.</p> <p>Die technische Umsetzung des Datenschutzes (Prinzip Schutz der Privatsphäre durch Technik) im Umfeld des elektronischen Geschäftsverkehrs als Wettbewerbsvorteil nutzen.</p>	Anbieter von Dienstleistungen im E-Commerce, Dachorganisationen/Verbände in Zusammenarbeit mit Eidg. Datenschutzbeauftragtem, BFI und BJ	Umsetzungshilfen und Konkretisierungsvorschlägen erarbeitet. Verteilung an Wirtschaftsverbände. Diese Empfehlungen umfassen insbes. 1) Mindestanforderungen durch den Datenschutz im E-Commerce, 2) Identifizierung von Schlüsselementen für die Entwicklung des E-Commerce aus der Sicht des DSB. 3) Empfehlungen zur	EDSB informiert weiterhin die Öffentlichkeit über den Schutz der Privatsphäre im E-Commerce.
	Überprüfung von Auswirkungen der bestehenden Gesetzgebung zum Datenschutz/Schutz der Privatsphäre im elektronischen Geschäftsverkehr.		Gestaltung von Websites, 4) Empfehlungen zur Gewährleistung der Effektivität bei Selbstregulierung.	

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>5.3) Domainnamen, Marken- und Firmenschutz</b>	Beratung und Beschluss über das weitere Vorgehen betreffend den 2. WIPO Internet Domain Name Process im Rahmen der zuständigen Organe der WIPO	IGE; U. Buri/S. Fraefel	Gemäss Beschluss der Generalversammlung der WIPO vom Herbst 2002 Empfehlung an ICANN, die UDRP auf Namen und Akronyme von int. Organisationen sowie Ländernamen (offizielle Bezeichnung und Kurzbezeichnung) auszudehnen. Bisläng kein Konsens über eine allfällige Ausdehnung der UDRP auf geogr. Herkunftsangaben, aber weitere Diskussionen. Kein Konsens über Empfehlungen zu Internat. Non-proprietary Names (INNs), Handels- und Personennamen.	Weitere Diskussionen bezüglich Schutz von geografischen Herkunftsangaben vor missbräuchlicher Registrierung an den ordentlichen Sitzungen des SCT.  Beobachtung der Umsetzung der Empfehlungen betreffend Namen von Int. Organisationen und Ländernamen in den verschiedenen Gremien der ICANN.
	Analyse des Verhältnis zwischen Domainnamen und Firmenrecht in CH-Rechtsordnung	BJ; K. Rüdlinger		

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
	Mitwirkung in der ICANN/GAC (Governmental Advisory Committee of ICANN)	BAKOM; F. Maurer		<p>Assurer une bonne coordination entre les travaux du GAC, de l'IIG et du groupe de travail sur la gouvernance de l'Internet que Secrétaire général des Nations Unies est chargé de créer conformément au plan d'action décidé à Genève par le sommet mondial sur la société de l'information SMSI.</p> <p>Réviser les Principes de délégation et d'administration des domaines de premier niveau correspondant à des codes de pays cc TLD (GAC principes).</p> <p>Adapter les processus de décision du GAC, améliorer l'efficacité du comité et de son secrétariat. Régler la question du financement du secrétariat du GAC.</p>
	Groupe de travail sur la gouvernance de l'Internet du Secrétaire général des Nations Unies	A définir	Résultats du SMSI	A définir
	IIG (Internet Informal Group) der EU-Kommission	BAKOM als Beobachter		Définition d'une position européenne commune concernant les thèmes traités dans le cadre du GAC, de l'ICANN et du Groupe de travail sur la gouvernance de l'Internet du Secrétaire général des Nations Unies.

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
	Domain-Namen: juristische Formalisierung der Verwaltung und Zuteilung der Internet-Domains der zweiten Ebene, die der Domain ".ch" untergeordnet sind (ccTLD für die Schweiz)	BAKOM	<p>Art. 13 ff und 14 ff der Verordnung über die Adressierungselemente im Fernmeldebereich (AEFV; ab 1.4.2002 in Kraft)</p> <p>Technische und administrative Vorschriften (TAV) vom 20. Dezember 2002 über die Zuteilung und Verwaltung der Domain-Namen der zweiten Ebene, die der Internet-Domain .ch untergeordnet sind (ab 1. März 2003 in Kraft)</p> <p>Verwaltungsrechtlicher Vertrag vom 24.1.2003 zwischen BAKOM und Switch betreffend die Zuteilung und Verwaltung von Domain-Namen der zweiten Ebene, die der Domain ".ch" untergeordnet sind</p>	Teilrevision der TAV vom 20. Dezember 2002: Einführung der internationalisierten (multilingualen) Domain-Namen (Internationalized Domain Names) + Einführung eines Streitbeilegungsdienstes für die „ch.“-Domain-Namen (ab 1. März 2004 in Kraft)
	Schaffung eines Streitbeilegungsdienst (Art. 14g AEFV)	Switch/BAKOM (+ Zuhörung der IGE und BJ)	Verfahrensreglement für Streitbeilegungsverfahren für .ch Domain-Namen (Version 1.0) in der Fassung vom 17. Dezember 2003 durch das BAKOM genehmigt (ab 1. März 2004 in Kraft)	
			Antrag zur Genehmigung von Switch	Modifikation von Art. 28 Abs. 2 FMG im Zusammenhang mit der FMG Revision
	Genehmigung der Preise für die Registrierung von Domain-Namen (Art. 14g AEFV)	BAKOM	Antrag zur Genehmigung von Switch	Genehmigung oder Nicht-Genehmigung

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
	Genehmigung der Preise zum Agenten-Modell (Art. 14b Abs. 4 und 14c Abs. 2 AEFV)	BAKOM		Genehmigung oder Nicht-Genehmigung
<b>ENUM:</b> notation des numéros de téléphone traditionnels en noms de domaine Internet permettant l'établissement de communications entre les réseaux traditionnels de télécommunication et les réseaux basés sur le protocole internet.	Travaux préparatoires concernant la gestion des noms de domaine de la zone réservée à la Suisse (1.4.e164.arpa) dans le cadre du projet ENUM.	BAKOM	Gestion de la zone <1.4.e164.arpa> déléguée provisoirement à Switch pour une période de test de 2 ans (-> fin 09.2005)	Suivi des travaux aux niveau international et analyse des expériences faites par Switch durant la Période de test.
<b>5.4) Urheberrecht</b>	Teilrevision des Urheberrechtsgesetzes, v.a. im Hinblick auf das NR-Postulat 01.3417 und die Ratifizierung der beiden WIPO-Abkommen über Urheberrecht und Darbietungen/Phonogramme.	IGE; C. Govoni	Die Revisionsarbeiten werden mit zwei Zielen fortgesetzt: Umsetzung der WIPO-Verträge einerseits und Berücksichtigung der durch parlamentarische Vorstösse zusätzlich in die Revision eingebrachten Anliegen andererseits.	Eröffnung des Vernehmlassungsverfahrens.

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>5.5) Schädliche und illegale Inhalte</b>	Überprüfung des Handlungsbedarfes bei der Polizei zur effizienten Bekämpfung der Internet-Kriminalität	fedpol; P. Kronig	<p>Die Koordinationsstelle zur Bekämpfung der Internetkriminalität (KOBIK) hat am 1. Januar 2003 ihren Betrieb aufgenommen. Neben dem Internet-Monitoring gibt es mit der neuen Stelle nun auch einen einheitlichen Ansprechpartner für das Ausland.</p> <p>2003 gingen 6400 Meldungen bei KOBIK ein. Zusammen mit eigenen Recherchen resultierten daraus 100 rechtsgenügende Verdachtsdossiers, die an die zuständigen Strafverfolgungsbehörden weitergeleitet wurden.</p>	<p>Es besteht zur Zeit kein weiterer Handlungsbedarf:</p> <p>Mit der Koordinationsstelle haben Bund und Kantone ein Instrument geschaffen, um die Internetkriminalität künftig besser bekämpfen zu können.</p> <p>Alle Empfehlungen der AG BE-MIK (Ausbildung, Koordination der Ermittler, Standardisierung der Mittel, Analyseberichte) sind mittlerweile umgesetzt.</p>

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
	<p>Überprüfung des Regelungsbedarfs betreffend die rechtliche Verantwortlichkeit von Internet-Service-Anbietern</p> <p>00.3714 Motion Pfisterer: Netzwerkkriminalität; Änderung der rechtlichen Bestimmungen.</p>	<p>BJ; Grace Schild Trappe</p>	<p>Die Expertenkommission „Netzwerkkriminalität“ hat ihren Bericht Ende Juni 2003 dem EJPD abgeliefert.</p> <p>Eine nach der Operation „Genesis“ eingesetzte Arbeitsgruppe hat Anfang November 2003 einen Bericht über Möglichkeiten der effizienteren Strafverfolgung bei Kantons- und Landesgrenzen überschreitender Netzwerkkriminalität abgeschlossen.</p> <p>Ende November 2003 hat der Bundesrat sich für eine Regelung der Verantwortlichkeit für illegale Internet-Inhalte im Sinne der Vorschläge der Expertenkommission „Netzwerkkriminalität“ ausgesprochen. Zugleich beschloss er, auf diesem Gebiet neue Ermittlungsmöglichkeiten im Bund gemäss den Vorschlägen der Arbeitsgruppe „Genesis“ vorzusehen.</p>	<p>Im Laufe des Jahres 2004 soll eine Vorlage im Sinne der Beschlüsse des Bundesrates vom November 2003 ausgearbeitet und in eine Vernehmlassung geschickt werden.</p>

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>5.6) Unlautere Geschäftspraktiken</b>	<p>Verbesserung der Transparenz von Anbietern, Angeboten und Preisen im Internet</p> <p>Auf internationaler Ebene (International Consumer Protection and Enforcement Network ICPEN) Beteiligung am Projekt: eConsumer.gov, einer Internet-Plattform für Kunden, die Opfer von unlauteren Online-Geschäften geworden sind. Der Zugang zur Datenbank, in der die Beschwerden gesammelt werden, ist ausschliesslich den Vollzugsbehörden von Marktüberwachungsgesetzen vorbehalten.</p> <p>Beteiligung an von ICPEN organisierten internationalen Sweep Days zur Überprüfung der Lauterkeit von Online-Angeboten.</p> <p>Verbesserung der gesetzlichen Grundlagen (UWG) für die internationale Zusammenarbeit bei grenzüberschreitenden unlauteren Geschäftspraktiken.</p> <p>Beteiligung an der internationalen Gemeinschaftsaktion gegen Spam: Operation Secure your Server! Details auf: <a href="http://www.ftc.gov/secureyourserver">www.ftc.gov/secureyourserver</a></p>	Seco, G. Sutter	<p>Teilrevision UWG (Verbesserung Konsumentenschutz im elektronischen Geschäftsverkehr): Mitarbeit bei Botschaftserstellung (Federführung BJ)</p> <p>Sweep Day 2004: Überprüfung von Webseiten nach dem Thema „Too good to be true“; Präsentation der Resultate des weltweiten Sweeps an der ICPEN-Konferenz Ende März in Finnland</p>	<p>Weiterführung des www.econsumer.gov Projektes, insbesondere Ausbau eines Alternative Dispute Resolution (ADR) Systems.</p> <p>Umsetzung der Änderung der Preisbekanntgabe-Verordnung, welche Anforderungen an Preistransparenz für Datenverbindungen unter Verwendung von Webdialern verschärft.</p> <p>Vernehmlassungs-Entwurf UWG i.Z. mit KIG-Revision, Umsetzung der OECD-GL über grenzüberschreitende unlautere Geschäftspraktiken</p>

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>5.7) Steuern</b>	Unterstützung der Arbeiten auf internationaler Ebene (i.b. OECD). Als Zielvorgabe dienen unverändert die 1998 in Ottawa von den OECD Ministern definierten Rahmenbedingungen für eine faire und gerechte Besteuerung des elektronischen Geschäftsverkehrs	ESTV	Mitarbeit in OECD-Gremien an den als vordringlich eingestuften Themen:  Bearbeitung diverser Fragen und Lösungsansätzen im Hinblick auf eine Richtlinie/Empfehlung betreffend die Anwendung automatisierter Steuererhebungsmethoden.  Abklärungen über Umfang und Ursachen festgestellter Probleme bei der Konsumbesteuerung grenzüberschreitender Dienstleistungen und immaterieller Güter.  Vorgaben für Softwareentwickler bezüglich einheitlicher Prüfdateien (Standard Audit File) und Geschäftssoftware	Zwischen- bzw. Abschlussberichte der eingesetzten (informellen) Arbeitsgruppen zu den nebenstehenden Themen
	Ausführungsverordnung des EFD zu Art. 45 MWSTGV (EIDI-V) ist seit 1. März 2002 in Kraft	ESTV/HA MWST	EIDI-V konforme Zertifikate sind seit Dezember 2002 erhältlich.  Förderung der Ausbreitung durch praxisnahe Umsetzung	Vorbereitungen für die Anpassung an das Bundesgesetz über Zertifizierungsdienste im Bereich der elektronischen Signatur (ZertES)
<b>5.8) Konvergenz – Einheitliche Regulierung von Telekommunikations- und Mediensektor</b>	Revision des Radio- und Fernsehgesetzes (RTVG) unter dem Gesichtspunkt der medienpolitischen Zielsetzungen einerseits und der Konvergenz andererseits (Botschaft des Bundesrates vom Dezember 2002).	BAKOM	Die zuständige parlamentarische Kommission des Nationalrats hat die Beratung der Vorlage abgeschlossen.	Fortsetzung der parlamentarischen Beratung (Nationalrat, Kommission des Ständerats, ev. Ständerat).

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
6) <b>Förderung innovativer Anwendungen insbesondere KMU-Förderung</b>	Aufbau eines Portals für Unternehmensgründer und bestehende KMU. Ziel ist es, den Zeitbedarf für den Gründungsvorgang sowie weiteren Behördenkontakte massiv zu reduzieren. Der KMU soll alle relevanten Informationen online rasch finden. Für die Gründung kann er in einem ersten Schritt die Grunddaten erfassen und davon ausgehend die Anmeldung für das Handelsregister, die AHV oder Mehrwertsteuer in die Wege leiten. Basierend auf diesen Grunddaten wird er auch andere Anmeldungen tätigen können.	Seco; KMU Politik; Task Force KMU; Christian Weber	Folgende Dienstleistungen stehen zur Verfügung: Informationsdienste für die meisten Belange der Gründung und Administration; Anmeldedienste für HR (Einzelfirma), AHV, MWST; Suche und Anleitung für Bewilligungen von Bund und Kantone; News über KMU-Relevante Informationen.  <a href="http://www.kmuinfo.ch">www.kmuinfo.ch</a> <a href="http://www.pmeinfo.ch">www.pmeinfo.ch</a>	Ausbau der online Anmeldungen für Kapitalgesellschaften.  Ergänzung der Informationsdienste mit Dienstleistern im Bereich Finanzierung, Beratung.  Optimierung der Anwendungen.
7) <b>elektronischer Zahlungsverkehr und Internetbanking</b>	Laufende Überprüfung der bestehenden und geplanten Gesetzgebung (namentlich BankG, BEHG, AFG, GwG) aufgrund der Entwicklungen im Bereich der Internet-Finanzdienstleistungen. Analyse der Arbeiten internationaler aufsichtsrechtlicher Gremien.  Erarbeiten von Lösungsvorschlägen und Empfehlungen zur Anpassung der Gesetzgebung und Regulierung bei entsprechendem Handlungsbedarf.	EBK, D. Schmid; EFV, R. Zurkinden	GwV EBK und VSB 03 sind am 1. Juli 2003 in Kraft getreten; sie enthalten mangels aktuellem Bedürfnis keine Regelung für ein rein Internet basiertes Verfahren für die Eröffnung einer Geschäftsbeziehung, verbessern aber grundsätzlich das Verfahren auf dem Korrespondenzweg.  Im EBK-RS 03/1 „Öffentliche Werbung / Anlagefonds“, in Kraft getreten am 1. Juli 2003, wird das Kriterium der öffentlichen Werbung ausdrücklich auch für den Fondsvertrieb über das Internet konkretisiert.	Ergänzung des EBK-RS 96/4 „Publikumseinlagen“:  Präzisierung des Begriffs Publikumseinlagen mit dem Ziel festzulegen, wann die Emission und das Betreiben von Zahlungsmitteln und -systemen (z.B. Micropaymentsystemen) ohne Bankbewilligung möglich ist.  Teilnahme an internationalen aufsichtsrechtlichen Arbeitsgruppen, die sich mit der Regulierung und Aufsicht über E-Banking befassen.

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>8) Absicherung Marktzugang</b>	Einsatz für die Vertiefung der Liberalisierung und wettbewerblichen Ausgestaltung der Telekommunikationsmärkte. Einsatz für die Ausdehnung der Liberalisierungsverpflichtungen der WTO auf grenzüberschreitende Dienstleistungen. Einsatz für Zollfreiheit im Internet-Handel, Einsatz für die Vertiefung der Liberalisierung in der Informationstechnologie, Engagement für Trade Facilitation.	Seco; Ch. Pauletto	Verhandlungen in WTO-Gremien.	„Initial Offer“ in Dienstleistungsbereich in April 2003 veröffentlicht worden  ( <a href="http://www.seco-admin.ch">www.seco-admin.ch</a> >> Aussenwirtschaft>> Dienstleistungen>> GATS>> Die aktuellen Verhandlungen und Position der Schweiz)  Verhandlungen bis 2005.
	Dienstleistungsabkommen mit der EU, inkl. Telekom und Datenschutz. Verbesserung der Eurokompatibilität der schweizerischen Gesetzgebung.		Bilaterale Verhandlungen mit der EU	Weiterführung der Verhandlung
<b>9) Der Staat als Modellbenutzer Exportkontrollen</b>	Projekt eXcos:  Modul I: Neue verwaltungsinterne Softwarelösung mit verschlüsseltem elektronischem Datenaustausch zwischen Bundesstellen.  Modul II: Einreichung von Ausfuhrgesuchen der Industrie via verschlüsselte Internet-Verbindung.  Modul III (sep. Projekt): Erteilung von elektronischen Bewilligungen und Integration der Zollverwaltung (elektr. Zölllösungen).	Seco; G. Spaeti	Modul I (Standardsoftware TRACKER) steht kurz vor der Einführung im Ressort Exportkontrollen/Industrieprodukte	Vervollständigung von Modul I

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>Öffentliches Beschaffungswesen</b>	<b>simap.ch</b> : Übergang zur Form des elektronischen Ausschreibungsverfahrens und einer künftigen elektronischen Abwicklung der Beschaffungsprozesse via Internet. Errichtung einer gesamtschweizerischen Plattform für öffentliche Ausschreibungen, welche gemeinsam durch den Bund, die Kantone und Gemeinden genutzt wird. Realisierung von elektronischen Schnittstellen zum Schweizerischen Handelsamtsblatt (shab), zu den kantonalen Amtsblättern sowie einer direkten Schnittstelle vom shab zur EU-Datenbank (TED)	Seco; M. Tanner ISB; Guido Eicher BBT;	Pilotbetrieb mit einigen Kantonen. <a href="http://www.simap.ch">www.simap.ch</a>  Ablösung der heutigen Lösung mit der Entwicklung und Inbetriebnahme einer neuen Applikation unter dem Namen „simap2“	Realisierung des Projektes simap2. Inbetriebnahme der neuen Plattform durch den Bund und die Kantone und Gemeinden bis Anfang 2005
	Im Rahmen des Aktionsprogramms soft(net): Abklärungen zum Beschaffungswesen für IF-Material (HW/SW); Erstellen einer entsprechenden Datenbank mit Zugriff via Internet	B. Hotz-Hart		Projektstart und Realisierung gemäss Vertrag
<b>Publikationen im Schweizerischen Handelsamtsblatt (SHAB)</b>	Errichtung einer Mediendatenbank und Realisierung eines Onlineauftritts für sämtliche SHAB-Daten sowie Bereitstellung von elektronischen Formularen für die Meldestellen (interaktiv via Internet) zur Platzierung (Anlieferung) der Publikationen durch die Datenlieferanten bei der Redaktion. Bereitstellung sämtlicher Publikationen im Internet und Datenabgabe über Schnittstellen an Provider und Druckereien.	Seco; M. Tanner	Produktiver Betrieb unter <a href="http://www.shab.ch">www.shab.ch</a>	Aufschaltung weiterer Meldestellen in der ganzen Schweiz (Verwaltung und Privatwirtschaft). Realisierung der Schnittstelle <a href="http://simap.ch">simap.ch</a> – <a href="http://shab.ch">shab.ch</a>
<b>geistiges Eigentum</b>	EASY/MIPEX: Aufbau und Gebrauch sicherer Verbindungen zwischen Kunden und Institut, z.B. zur elektronischen Anmeldung von Marken.	IGE; Userdesk	Produktiver Betrieb	Produktiver Betrieb
	Elektronische Anmeldung von Marken 2. Generation (Webinterface)	IGE; D. Bouda	Produktiver Betrieb	Produktiver Betrieb

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
	Sichere Verteilung von Dienstleistungsergebnissen mit einer Kombination von eMail und Webserver	IGE; M. Günter	Testbetrieb	Produktiver Betrieb
	<a href="mailto:Esp@ceNet">Esp@ceNet</a> : Etablierung eines kostenlosen Zugriffs auf weltweite Patentinformationen über Internet	IGE; C. Schären	Produktiver Betrieb ( <a href="http://www.espacenet.ch">http://www.espacenet.ch</a> )	Produktiver Betrieb
	Etablierung des Internetzugangs zu den Registern des Geistigen Eigentums	IGE; Userdesk	Ist bereits in Betrieb: ( <a href="http://www.swissreg.ch">http://www.swissreg.ch</a> ); laufend Ausbau	Produktiver Betrieb
	Etablierung online Zugang für die Publikationsorgane des Instituts für geistiges Eigentum	IGE; Userdesk	Produktiver Betrieb: <a href="http://www.shab.ch">http://www.shab.ch</a> (SHAB) <a href="http://www.ige.ch/pool4s/pmmbbl/pmmbbl.htm">http://www.ige.ch/pool4s/pmmbbl/pmmbbl.htm</a> (+pat+ und mod. dép.)	Produktiver Betrieb
<b>Steuerwesen</b>	Pilotprojekt <b>eUmsatzabgabe</b> für die elektronische Deklaration und digitaler Signatur der Abgaben auf Wertpapieren beim Umsatz (Formular 9)	ESTV	Im produktiven Einsatz	Pilot läuft bis 30.06.04 An-schliessend folgt Auswertung und Entscheid für Weiterausbau
	Mehrwertsteuerabrechnung elektronisch entgegennehmen (abgestimmt auf eUmsatzabgabe)	ESTV	Projekt sistiert.	Die Entwicklungsarbeiten werden erst nach Vorliegen der ersten Erfahrungen mit dem produktiven Betrieb von eUmsatzabgabe sowie der wesentlichen Ergebnisse im Projekt INSIEME weitergeführt (Amtsweite Neugestaltung der Geschäftsprozesse)

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
	WVK Bei WVK handelt es sich um ein vernetztes Projekt zwischen den Steuerämtern des Bundes und sämtlicher Kantone. Es dient der Kontrolle von Wertschriftenverzeichnissen und der Bewertung von Titeln im Wertschriftenbereich	ESTV und alle Kantone	Mit der Version 1.22 im produktiven Einsatz.	Weiterausbau wie zum Beispiel der elektronische Austausch von Steuermeldungen zwischen ESTV und den Kantonen aber auch zwischen den Kantonen unter sich
	Projekt INSIEME: Aufbau des „Unternehmensmodell“ (Prozessmodell, Datenmodell, Funktionsmodell) als Grundlage für die Ablösung der Kernapplikationen. Ermöglicht eindeutige Identifizierung des Steuerzahlers für alle Steuerarten der ESTV	ESTV	Konzept abgeschlossen	Projekt abschliessen und Folgeprojekte forcieren
	Projekt Melap elektronische Pensionskassenmeldungen  Projekt zwischen Versicherungsgesellschaften, Bundesamt für Statistik, ESTV und den Kantonen	BFS und ESTV	Konzept abgeschlossen	Pilotbetrieb realisieren
<b>Zollabfertigung</b>  <b>Informatisierung des gemeinsamen Versandverfahrens (internationale Massnahmen)</b>	Ersatz des heute anzuwendenden papiermässigen Zolltransitverfahrens durch ein internationales EDV-System	EZD; M. Frei	Betrieb operationell	Weiteres Ausdehnung im internationalen Betrieb

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>Informatisierung des gemeinsamen Versandverfahrens (nationale Massnahmen)</b>	Ersatz der heute verwendeten Kommunikationsmittel (Papier, Fax) durch elektronische Meldungen	EZD; M. Frei	Betrieb operationell	Weitere Ausdehnung im nationalen Betrieb
<b>Elektron. Abfertungsverfahren für Warenein- und Ausfuhren (Zollmodell 90)</b>	Ablösung X. 400- durch moderne Internet-Protokolle	OZD; A. Krucker	Produktiver Betrieb	
<b>Elektronischer Zolltarif</b>	Zurverfügungstellung des Schweizerischen Gebrauchszolltarifs und der ergänzenden Tariffdokumentation als Web-Applikation im Internet	OZD, R. Oppliger	Projekt Realisierungsphase	Abschluss der Realisierungsarbeiten; Produktiver Start per 5.4.2004
<b>EShop/Payment</b>	Projekt zum Aufbau der Infrastruktur	BIT, CC-Internet/CC SAP	Produkt fertig entwickelt Rollout hat begonnen	Pilotbetrieb mit einem Kunden erfolgreich abgeschlossen

**Laufende Projekte:**

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>CMS Infrastruktur</b>	Projekt zum Aufbau eines mandantenfähigen, für alle Dienststellen der Bundesverwaltung nutzbaren Content Management System Infrastruktur für die automatisierte Publikation von Informationen und die Unterstützung des elektronischen Geschäftsverkehrs von und zu der Bundesverwaltung.	BIT, CC-Internet	realisiert und produktiv nutzbar ca. 20 elektronische Auftritte auf System umgesetzt	Ausbau sofern nötig. ca. 10 weitere elektronische Auftritte werden umgesetzt. Erklärung als Standard durch IRB (Informatikrat Bund)
<b>Admin Secure Messaging</b>	Einführung verschlüsselter und signierter E-Mail für die Mitarbeitenden der Bundesverwaltung  Die Einführung von Secure Messaging in den Departementen wird in 2 oder 3 Phasen durchgeführt :  Phase 0: Pilotprojekt im Departement (wenn erwünscht)  Phase 1: Vorbereitung der Rolloutprojekte durch den LE mit der Unterstützung vom BIT  Phase 2: Durchführung der Rolloutprojekte im Dep. durch den LE mit der Unterstützung vom BIT.	BIT, IT-Services	Service ist produktiv; Rollout BIT abgeschlossen;  Rollout ESTV im Gange;  Pilot EDA initialisiert;  Diskussionen mit EJPD, VBS, EDI, GS-EFD und UVEK für Pilot/Rollout im Gange	Rollout ESTV abgeschlossen;  Pilot EDA abgeschlossen;  Pilot für restliche Departemente nach Anfrage initialisiert

Bereich	Massnahmen	Träger (Amt, verantwortliche Person)	Stand Januar 2004	Was ist bis Ende 2004 geplant?
<b>Admin-PKI</b>	Aufbau einer Public Key Infrastruktur für die Bundesverwaltung und die Kantone mit Smart Cards  Die Einführung der Registrierstellen (LRA) von Admin PKI in den Departementen und in den Kantonen erfolgt mit Rollout-Projekten	BIT, IT-Services	Service produktiv für Zertifikate Klassen 2 und 3;  Rollout LRA im BIT und ESTV sowie für BV-PLUS abgeschlossen;  Rollout LRA EDI im Gange	Rollout LRA für weitere Dep. oder Kantone auf Anfrage initialisiert
<b>Admin-Directory</b>	Aufbau eines Meta-Directory für die Bundesverwaltung  Die Einführung von Admin Directory in den Departementen erfolgt mit Rollout-Projekten	BIT, IT-Services	Service produktiv;  Rollout EFD abgeschlossen;  Rollout in weiteren Departementen im Gange;  Rollout im EDA in Frage gestellt	Rolloutprojekte abgeschlossen;  Rollout im EDA auf Anfrage initialisiert

### Abbreviations:

- BAKOM: Bundesamt für Kommunikation
- BAP: Bundesamt für Polizei
- BBT: Bundesamt für Berufsbildung und Technologie
- BJ: Bundesamt für Justiz
- EBK: Eidg. Bankenkommission
- EHRA: Eidg. Handelsregisteramt
- EFV: Eidg. Finanzverwaltung
- EStV: Eidg. Steuerverwaltung
- KIG: Koordinationsgruppe Informationsgesellschaft
- IGE: Institut für Geistiges Eigentum
- OZD: Oberzolldirektion
- seco: Staatssekretariat für Wirtschaft

## Appendix 4: List of abbreviations

<b>ADSL</b>	Asymmetrical Digital Subscriber Line
<b>AEFV</b>	Decree on Addressing Resources in the Telecommunications Sector
<b>BAG</b>	Federal Office of Public Health
<b>BAK</b>	Federal Office of Culture
<b>BAR</b>	Federal Archives
<b>BAWI</b>	Federal Office for Foreign Trade
<b>BBT</b>	Federal Office for Professional Education and Technology
<b>BBW</b>	Federal Office for Education and Science
<b>BFS</b>	Swiss Federal Statistical Office
<b>BGA</b>	Federal Law on Archiving
<b>BGES</b>	Federal Law on the Electronic Signature
<b>BIT</b>	Federal Office for IT and Telecommunications
<b>BJ</b>	Federal Office of Justice
<b>BK</b>	Federal Chancellery
<b>BSV</b>	Federal Office for Social Security
<b>BWL</b>	Federal Office for National Economic Supply
<b>CERT</b>	Computer Emergency Response Team
<b>CEST</b>	Centre for Science and Technology Studies
<b>ComCom</b>	Federal Communications Commission
<b>DEZA</b>	Swiss Agency for Development and Cooperation
<b>DSL</b>	Digital Subscriber Line
<b>DTS</b>	Decree on Telecommunications Services
<b>EDA</b>	Federal Department of Foreign Affairs
<b>EDI</b>	Federal Department of Home Affairs
<b>EDI</b>	Electronic Data Interchange
<b>EDK</b>	Swiss Conference of Cantonal Ministers of Education
<b>EDV</b>	Electronic Data Processing
<b>EFD</b>	Federal Department of Finance
<b>EITO</b>	European Information Technology Observatory
<b>EJPD</b>	Federal Department of Justice and Police
<b>EU</b>	European Union
<b>EURID</b>	European Registry for Internet Domains
<b>EVD</b>	Federal Department of Economic Affairs
<b>GATS</b>	General Agreement on Trade in Services
<b>GDP</b>	Gross Domestic Product
<b>GKP</b>	Global Knowledge Partnership
<b>GPRS</b>	General Packet Radio Service
<b>GSM</b>	Global System for Mobile communications
<b>GWR</b>	Federal Register of Buildings and Dwellings
<b>IANA</b>	Internet Assigned Numbers Authority
<b>ICANN</b>	Internet Corporation for Assigned Names and Numbers
<b>I-CH</b>	Association for professional IT training in Switzerland
<b>ICT</b>	Information and Communication Technologies
<b>IDHEAP</b>	Institut de hautes études en administration publique
<b>IGE</b>	Institute for Intellectual Property
<b>IISC</b>	Interdepartmental Information Society Committee
<b>InfoSurance</b>	Foundation for the security of the information infrastructure in Switzerland
<b>IP</b>	Internet Protocol
<b>IPv6</b>	Internet Protocol Version 6
<b>ISB</b>	Swiss Federal Strategy Unit for IT
<b>ISCG</b>	Information Society Coordination Group
<b>ISDN</b>	Integrated Services Digital Network
<b>ISN</b>	International Relations and Security Network
<b>ISP</b>	Internet Service Provider

<b>ISPS</b>	Information Society Project Switzerland
<b>IT</b>	Information Technology
<b>ITU</b>	International Telecommunications Union
<b>KID</b>	Conference of the Information Services of the Departments
<b>KKG-ICT</b>	Contact and Coordination Committee for Information and Communication Technologies in Professional Education
<b>KVF</b>	Committee on Transportation and Telecommunications
<b>LRTV</b>	Law on Radio and Television
<b>LTC</b>	Law on Telecommunications
<b>MELANI</b>	Reporting and Analysis Centre for Information Assurance
<b>MMS</b>	Multimedia Messaging Service
<b>NICT</b>	New Information and Communication Technologies
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OFCOM</b>	Federal Office of Communications
<b>OIF</b>	Organisation internationale de la Francophonie
<b>PDA</b>	Personal Digital Assistant
<b>PKI</b>	Public Key Infrastructure
<b>PLC</b>	Powerline Communications
<b>PPP SiN</b>	Public Private Partnership – Schools on the Net
<b>PrepCom</b>	Preparatory Committee
<b>SCT (of the WIPO)</b>	Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications
<b>seco</b>	State Secretariat for the Economy
<b>SFIB</b>	Swiss Office for Information Technologies in Education
<b>SHAB</b>	Swiss Official Gazette of Commerce
<b>SIBP</b>	Swiss Institute for Professional Pedagogics
<b>SiN</b>	Schools on the Net
<b>SLB</b>	Swiss National Library
<b>SME</b>	Small and Medium-sized Enterprises
<b>SMS</b>	Short Message System
<b>SNF</b>	Swiss National Fund for the Promotion of Scientific Research
<b>SONIA</b>	Information Assurance special office
<b>SR</b>	Systematic collection of federal laws
<b>SRG</b>	Swiss Broadcasting Company (Schweizerische Radio- und Fernsehgesellschaft)
<b>SVC</b>	Swiss Virtual Campus
<b>TA Swiss</b>	Centre for evaluation of the consequences of technology
<b>UDRP</b>	Uniform Dispute Resolution Policy
<b>ULL</b>	Unbundling of the Local Loop
<b>UMTS</b>	Universal Mobile Telecommunications System
<b>UNESCO</b>	United Nations Educational, Scientific, and Cultural Organisation
<b>UNICE</b>	Union of Industrial and Employers Confederations of Europe
<b>UNO</b>	United Nations Organisation
<b>URG</b>	Law on Copyright
<b>UVEK</b>	Federal Department of Environment, Transport, Energy and Communications
<b>VBS</b>	Federal Department for Defence, Civil Protection and Sports
<b>VIPER</b>	International Festival for Film Video and New Media
<b>VoIP</b>	Voice over Internet Protocol
<b>VVIP</b>	Very, Very Important People
<b>Wi-Fi</b>	Wireless Fidelity
<b>WIPO</b>	World Intellectual Property Organisation
<b>W-LAN</b>	Wireless Local Area Network
<b>WLL</b>	Wireless Local Loop
<b>WPPT</b>	World Performances and Phonograms Treaty
<b>WSIS</b>	World Summit on the Information Society
<b>WTO</b>	World Trade Organisation
<b>ZertDV</b>	Decree on electronic certification services
<b>ZertES</b>	Federal Law on certification services in the area of the electronic signature