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## Closing the digital divide: promoting equal access to digital technologies

### Report<sup>1</sup>

Committee on Equality and Non-Discrimination

Rapporteur: Ms Edite Estrela, Portugal, Socialists, Democrats and Greens Group

### Summary

Digital technologies are increasingly present in all fields of life. Having access to the internet and to the material items required to be able to use it, and being proficient in basic digital tools, have become fundamental needs. While these technologies can lead to important progress, digital exclusion is a major barrier to equality, depriving those concerned of access to public services, education and many life chances.

Awareness of these issues must spur the authorities to act now, as efforts to close the digital divide will not be effective without the strong and sustained engagement of States.

States must prioritise policies to close the digital divide, focusing on making digital technologies, tools and services inclusive, equitable, accessible, affordable and safe for all in order to guarantee equal access to the digital world. They must guarantee, through coherent national policies, everyone's access to a fast, reliable and affordable internet connection; combat digital illiteracy regardless of gender, age, social status, economic situation, disability or any other personal characteristic; and promote equal access to education and careers in the fields of science, technology, engineering and mathematics. In addition, when it comes to digitalisation of public services, States must move from a logic of 100% digitalisation to one of 100% accessibility, ensuring that the access of individuals to their rights is in no case hindered.

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<sup>1</sup> Reference to committee: [Doc. 15170](#), Ref. 4546 of 20 November 2020.

## **A. Draft resolution<sup>2</sup>**

1. As early as 2001, the OECD defined the “digital divide” as “the gap between individuals, households, businesses and geographic areas at different socio-economic levels with regard both to their opportunities to access information and communication technologies and to their use of the internet for a wide variety of activities”.
2. Since then, the continued expansion of the fields in which these technologies are used has broadened the situations where they create inequalities, with the Covid-19 pandemic casting a harsh light on the problem. From the moment restrictions on the movement of people were imposed, digital communications quickly took on unprecedented importance in almost all areas of life. Commercial exchanges, contacts with public administrations, certain types of work, interactions with family, education, medical appointments: even in spheres where information technologies had until recently played a modest role, their place quickly expanded.
3. As the UN Secretary-General pointed out at the time, the digital divide has become a matter of life and death for people who do not have access to essential health information. It is threatening to become the new face of inequality, reinforcing the social and economic disadvantages suffered by women and girls, the elderly and the young, ethnic minorities, socio-economically disadvantaged people, people with disabilities and people in particular situations such as prisoners, protected adults and asylum seekers.
4. Today, access to the internet and the material items required in order to be able to use it as well as proficiency in basic digital tools have become fundamental needs; digital exclusion is a major barrier to equality. Lack of access to digital technologies prevents those concerned from accessing public services, education and many of the opportunities that life has to offer. Awareness of this should spur us to act now to adopt a truly inclusive approach to the digital realm.
5. People already suffering from inequality and discrimination and struggling to make their voices heard are left even more exposed by the digital divide. As policymakers, we stand at a crossroads today: we can either continue to let technologies exacerbate existing disparities, or harness these technologies to build a safer, more sustainable, more equitable future for all.
6. The digital transition cannot take place without State support. In order to ensure equal access to rights in an increasingly digitalised world, States must take steps to combat digital illiteracy and to provide effective support to all those who are not proficient, or not yet sufficiently proficient, in digital technologies. They must guarantee equal access for all to education and careers in science, technology, engineering and mathematics (STEM), and see to it that everyone has access to the infrastructure and tools needed in order to fully exercise their rights and participate in society on an equal footing.
7. The Parliamentary Assembly further underlines that authorities have a special responsibility in this area when they themselves set about digitalising public services. For while objectives such as rationalising administrative costs, simplifying the management of casefiles or improving the efficiency or speed with which case are processed may be legitimate, under no circumstances should those who do not have ready access to digital technologies be left behind in the pursuit of those goals. To do so would deprive them of access to their rights and constitute an infringement of the obligation to ensure continuity of public services.
8. The Assembly refers to the texts which it has already adopted and which provide important solutions in this area, in particular Resolution 2256 (2019) “Internet governance and human rights”, Resolution 2343 (2020) “Preventing discrimination caused by the use of artificial intelligence” and Resolution 2144 (2017) “Ending cyberdiscrimination and online hate”. It also draws states’ attention to General Recommendation No. 1 on the digital dimension of violence against women which contains crucial recommendations for governments, to ensure that the measures they take to implement the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210, “Istanbul Convention”) fully reflect the digital dimension of the situations it covers.
9. In the light of these considerations, and in order to remedy the inequalities that already exist in this area and prevent them from deepening further, the Assembly calls on Council of Europe member and observer States, as well as on all States whose parliaments enjoy Partner for Democracy status to:
  - 9.1. treat all policies for combating the digital divide as a priority;
  - 9.2. focus in these policies on making digital technologies, tools and services inclusive, equitable, accessible, affordable and safe for all;
  - 9.3. provide strong, structured and sustainable support to local initiatives that seek to achieve these aims, in order to avoid leaving behind all those who do not know how to use digital technologies, or who do not want to;

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<sup>2</sup> Draft resolution adopted unanimously by the Committee on 27 April 2023.

- 9.4. ensure that policies to combat the digital divide are accompanied by adequate funding;
  - 9.5. subject them to regular scrutiny by national parliaments.
10. As regards the development of mobile telephone and high or very high speed internet services, the Assembly, referring to Resolution 2256 (2019) mentioned above, recommends that States:
- 10.1. implement national public investment policies which are coherent with the objective of universal access to the internet;
  - 10.2. aim in particular to remedy geographical imbalances (for example between urban and rural or remote areas);
  - 10.3. implement policies for deploying networks that make it possible to achieve this objective.
11. As regards combating digital illiteracy and ensuring access to education and careers in science, technology, engineering and mathematics (STEM), the Assembly calls on States to:
- 11.1. consider the provision of digital training for everyone, regardless of gender, age, social status, economic situation, disability and any other personal characteristic, as an investment;
  - 11.2. promote access for all to studies and careers in science, information technology, engineering and mathematics, along the lines already set out by the Assembly in [Resolution 2343 \(2020\)](#) "Preventing discrimination resulting from the use of artificial intelligence";
  - 11.3. provide continuing training and make it accessible, so that all members of the population can enjoy the benefits of digital technology;
  - 11.4. ensure equal access to seed funding, venture capital funding and the acquisition of business skills in the field of digital technologies.
12. As regards the digitalisation of public services, and bearing in mind that exercising rights online requires the user to have, inter alia, an adequate internet connection, device, storage capacity, operating system and paid-up subscription, and public services to have correctly functioning devices, servers and tools that take into account the full variety of situations of all potential users to:
- 12.1. move from a logic of 100% digital public services to a logic of 100% accessibility of these services, including through maintaining non-digital access to public services wherever necessary to ensure full equality of access and continuity of public services and their adaptation to users;
  - 12.2. take into account, from the first steps in designing any new online service, the needs of and obstacles faced by all potential users of the service, in order to guarantee equal access for all;
  - 12.3. ensure that individuals always have access to proper support in carrying out their administrative procedures, not only help with completing and submitting online forms but also advice from public service staff able to answer specialised questions about the rights and procedures in question;
  - 12.4. develop free internet access points as well as services to support individuals in carrying out their administrative procedures online;
  - 12.5. guarantee to each individual the possibility of correcting, through simple and accessible procedures, any error in the data concerning them and in procedures carried out online.
13. With around 3.6 billion people in the world having no access to internet, the Parliamentary Assembly further considers that States must take into account in development aid measures the importance of reducing the digital divide as a means of facilitating the achievement of the Sustainable Development Goals.

## **B. Explanatory memorandum by Ms Edite Estrela, rapporteur**

### **1. Introduction**

1. In the spring of 2020, large parts of the world began to barricade themselves behind their borders and behind closed doors, in the hope of curbing the spread of a previously unknown virus. Instead of vehicles, striking images circulated of deserted and silent main roads; while hospitals filled up, classrooms and concert halls, offices, factories and gathering places emptied; as the numbers of infections rose, human contacts became increasingly limited.

2. Behind this staggering void, however, exchanges continued online. From the moment restrictions on the movement of people were imposed, digital communications, which already occupied a growing place in our societies, quickly took on unprecedented importance in almost all areas of life. Commercial exchanges, contacts with public administrations, certain types of work, interactions with family, education, medical appointments: even in spheres where information technologies had until recently played a modest role, their place quickly expanded.

3. Successive lockdowns, heightened controls or even border closures and other restrictions imposed on physical travel have thus cast a harsh light on a reality that has been too easily overlooked until now: that of the digital divide.

4. As the UN Secretary-General has pointed out, “the digital divide is now a matter of life and death for people who do not have access to essential health information. It is threatening to become the new face of inequality, reinforcing the social and economic disadvantages suffered by women and girls, people with disabilities and minorities of all kinds”.<sup>3</sup>

5. Digital technologies can indeed be powerful tools for information, communication, autonomy and social inclusion, when all the necessary conditions are met; conversely, in our increasingly digitalised societies, digital exclusion is a major barrier to equality.<sup>4</sup>

6. By accelerating and intensifying our use of digital tools, the Covid-19 pandemic has highlighted the depth of the digital divide that already existed between “connected” and “unconnected” people, while widening it still further.

7. Awareness of this – and the real inequalities we have witnessed, and continue to witness – should spur us to act now to adopt a truly inclusive approach to the digital realm.<sup>5</sup>

8. This is why the motion for a resolution that is at the origin of my report calls on the Assembly to carry out research to determine the extent of discrimination that exists in access to technology and to make recommendations to member states on ways to bridge the digital divide.

### **2. The digital divide: a real-life problem that requires comprehensive and concrete solutions**

9. As early as 2001, the OECD defined the “digital divide” as “the gap between individuals, households, businesses and geographic areas at different socio-economic levels with regard both to their opportunities to access information and communication technologies and to their use of the internet for a wide variety of activities”.<sup>6</sup>

10. Since then, the continued expansion of the fields in which these technologies are used has broadened the situations where they create inequalities.

11. Today, the internet, in particular, has become “a basic need. It’s no longer a ‘nice-to-have’. The lack of it prevents people from having access to public services, to education, to a chance in life. It just limits what [one] can do.”<sup>7</sup>

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<sup>3</sup> UN Secretary-General’s [remarks](#) to the Virtual High-Level Meeting on the Impact of rapid technological change on the achievement of the sustainable development goals, 11 June 2020.

<sup>4</sup> See for example Vall R., *L’illettrisme ne disparaîtra pas d’un coup de baguette magique!* [Digital illiteracy won’t be waved away by a magic wand], Report No. 711 (2019-2020), Sénat, Paris.

<sup>5</sup> Bozkir V., President of the 75<sup>th</sup> session of the United Nations General Assembly, [Speech](#), “Impact of rapid technological change on the achievement of the Sustainable Development Goals and targets”, 28 April 2021.

<sup>6</sup> OECD (2001), [Understanding the digital divide](#), OECD Publishing, Paris, p. 5.

<sup>7</sup> Aiman Ezzat, Capgemini chief operating officer, quoted in Bacchi U., “Lockdowns have hit people without internet access the hardest”, World Economic Forum / Thomson Reuters Foundation, 7 May 2020.

12. For governments, understanding and tackling all dimensions of the digital divide has thus become an essential element in promoting equality, whatever the area of life concerned.

13. The digitalisation of public services, which is being progressively implemented by many governments in Europe and elsewhere in the name of rationalising costs or in order to “simplify” or improve the efficiency or speed with which casefiles are processed, is a striking example in this area, as it all too often leaves behind those who do not have ready access to digital technologies, thereby depriving them of access to their rights. The impact on equality of the digitalisation of public services has been the subject of an in-depth analysis in recent years by the French Defender of Rights.<sup>8</sup> We had the opportunity to hear a representative of this institution at our meeting on 16 September 2022 (see section 5 below).

14. The OECD has for its part already carried out important research into the digital economy. Its report “Going Digital: Shaping Policies, Improving Lives” analyses seven dimensions that need to be taken into account to ensure that digital transformation leads to better lives: access; use; innovation; jobs; society; trust; and market openness.<sup>9</sup> While all of these are linked, it is the first two issues (equality of access, equality of use) that are of particular interest to me in this report.

15. In order to better identify the means of action available to public authorities in this context, it is perhaps useful to distinguish between the structural and human dimensions of the digital divide. This is because, in order to benefit from the positive contribution that digital technologies can make, everyone needs, on the one hand, to have access to the infrastructure and tools without which such technologies cannot function (see section 4 below), and, on the other hand, to be proficient in their use (section 3).

### 3. Human dimensions of the digital divide

16. Faced with the same structural situation (the same level of access to the necessary infrastructure and tools), and even if the structural situation is favourable to them, different people will not experience the same ease of use of digital tools.

17. The fight against digital illiteracy has become a major challenge for our societies. According to a recent report by the French Senate, for example, “the widespread digitalisation of public services...has left 3 out of 5 French people unable to carry out administrative procedures online”.<sup>10</sup> This is alarming but unfortunately not surprising: according to the same source, “even the General Inspectorate of Social Affairs was unable to carry out a test of online housing assistance applications in December 2019”.

18. In order to ensure equal access to rights, states must take steps to combat digital illiteracy and to provide effective support to all those who are not proficient, or not yet sufficiently proficient, in digital technologies.

19. I discuss different human dimensions of the digital divide below, their causes and possible solutions.

#### 3.1. The gender divide

20. As UN Women recently emphasised, “from online learning and digital activism to the rapid expansion of high-paying tech jobs, the digital age has generated unprecedented opportunities for the empowerment of women and girls. But advancing technology is also introducing new forms of inequality and heightened threats to their rights and well-being.”<sup>11</sup>

21. Women and girls remain underrepresented across the creation, use and regulation of technology. They are less likely to use digital services or enter tech-related careers, and significantly more likely to face online harassment and violence. This limits not only their own digital empowerment but also the transformative potential of technology as a whole. As a result, the choices we make today will profoundly impact our path forward.<sup>12</sup>

22. The International Telecommunication Union (ITU) estimates that globally, there are some 250 million fewer women online than men.<sup>13</sup> A substantial divide persists between women and men in digital access and

<sup>8</sup> Défenseur des droits (2019), *Dématérialisation et inégalités d'accès aux services publics* [Dematerialisation and unequal access to public services], and Défenseur des droits (2022), *Dématérialisation des services publics: trois ans après, où en est-on?* [Dematerialisation of public services: three years on, where do we stand?], Défenseur des droits, Paris.

<sup>9</sup> OECD (2019), *Going Digital: Shaping Policy, Improving Lives*, OECD Publishing, Paris.

<sup>10</sup> Vall R., *L'illectronisme ne disparaîtra pas d'un coup de baguette magique!* [Digital illiteracy won't be waved away by a magic wand], summary note, Report No. 711 (2019-2020), Sénat, Paris.

<sup>11</sup> UN Women Explainer.

<sup>12</sup> *Ibid.*

<sup>13</sup> ITU (2017), *ICT facts and figures 2017*.

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use. Digital technology does no more than reflect socio-cultural biases and norms that are at the root of women's exclusion – and that of all other victims of discrimination.<sup>14</sup>

23. According to research carried out by the OECD,<sup>15</sup> in many OECD countries men and women use the internet in roughly equal proportions (with Estonia and France being the most egalitarian in this respect); in some countries, however, such as Türkiye and Italy, women are still far less connected.

24. Women are under-represented online and in the business world few women work in the tech industry. This is partly due to the fact that gender still plays a role in career paths: women and girls make up only 17% of IT students in the European Union.<sup>16</sup> As my colleague Christophe Lacroix pointed out in his recent report on the use of artificial intelligence, the discrimination in our societies is reflected in the use of new technologies. Tackling gender stereotypes is a first step towards reducing gender inequalities and how they are replicated in new technologies.

25. Among coders aged 16-24, the OECD has moreover found that a systematic gender gap exists when it comes to information and communication technology (ICT) skills, with women doing far less well than men in coding and programming skills. It is important to work on this and bring more women into science, technology, engineering and mathematics (STEM) studies.

26. Programmes such as Black Girls Code in the US have been successful in empowering women and girls from an early age with a mix of skills to succeed in the digital world. For older age groups, women's entrepreneurship and innovation can be nurtured through ensuring equal access to seed funding, venture capital funding and the acquisition of business skills.

27. The OECD is also strengthening its evidence base in this area by developing additional indicators on the digital gender gap. Available on its Going Digital Toolkit portal, these will be of interest to anyone seeking to develop effective equality policies informed by hard data.<sup>17</sup>

28. Finally, the digital dimension of violence against women is also an important factor in the gender digital divide. As our former colleague Marit Maij pointed out in her report on cyberdiscrimination, women are subject to a disproportionate number of attacks online. Sustained campaigns of misogynistic online abuse, for example, frequently accompanied by other phenomena such as stalking and rape and death threats, have led many women to cease their online activities, temporarily or permanently – including journalists or women holding elected office for whom the online dimension was an essential component of their work.<sup>18</sup> Online misogyny – just like other forms of hate (racism, LGBTI-phobia, etc) – thus leads women who have overcome all the other obstacles to using digital technologies and who have a perfect grasp of the necessary tools to abandon their life online, exacerbating the digital divide.

29. GREVIO analysed such issues in depth in its General Recommendation No. 1 on the digital dimension of violence against women. This contains crucial recommendations to governments, aiming to ensure that the measures they take to implement the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention") takes full account of the digital dimension of the forms of violence that it covers.<sup>19</sup> Following these recommendations would also contribute to strengthening the fight against the digital divide.

### **3.2. The generational divide – youth and the elderly**

30. Older people are often less trained in the use of digital technologies than younger people. With the growing use of digital technologies comes the risk that older people will be left behind because they are less comfortable than younger people with using these tools. It is crucial that public authorities explore all possible means and take every possible measure to include older people through digital technology. Even people with little previous experience with digital technology can of course become competent and self-sufficient in this field, and many do.<sup>20</sup>

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<sup>14</sup> OECD (2018), [Bridging the digital gender divide, include, upskill, innovate](#), OECD Publishing, Paris; see also in this context, as regards specifically artificial intelligence, Assembly [Resolution 2343 \(2020\)](#) "Preventing discrimination caused by the use of artificial intelligence" and the report by our colleague Christophe Lacroix, on which it was based, [Doc. 15151](#).

<sup>15</sup> OECD (2018), [Bridging the digital gender divide, include, upskill, innovate](#), OECD Publishing, Paris.

<sup>16</sup> European Parliament (2021), [Resolution 2019/2168](#), adopted on 21 January 2021.

<sup>17</sup> <https://goingdigital.oecd.org/>.

<sup>18</sup> Doc. 14217, chapters 2.4 and 3.3.

<sup>19</sup> GREVIO (2021), [General Recommendation No. 1 on the digital dimension of violence against women](#), Strasbourg, GREVIO(2021)20.

<sup>20</sup> Sue Bennett, "[Are all young people digital whizz-kids?](#)", *The UNESCO Courier*, July-September 2020.

31. Initiatives are often taken at local level – for example, through public libraries or digital drop-in centres – to provide basic internet training for persons, including older persons, who are uncomfortable with using digital technologies to carry out everyday procedures, such as consulting their bank accounts or depositing their tax return online, or using social media to stay in touch with family members living far away. These can be highly effective, as initiatives taken at local or community level may be best placed to reach individuals who by definition will not see online awareness-raising messages. I believe that such initiatives should be strongly encouraged, including through the provision of State support.

32. It is not just older people who may be left isolated by this generational divide, however. It can also affect younger members of society. While young people are “digital natives” and generally appear to navigate social media or online games with ease, this is not always the case. For one thing, not all young people have access to digital technologies, and for another, stereotypes about young people and technology can be misleading.<sup>21</sup> Young people – including those who are comfortable with using social media – may find it hard to deal with online administrative procedures. Training – whether for younger people or through life-long learning – should not overlook the need to learn how to use certain platforms for routine administrative procedures.

33. The aim must be to avoid leaving behind all those who do not know how to use digital technologies, or who do not want to.

### **3.3. The social divide**

34. Having access to digital technologies means having access to devices, particularly mobile phones, computers or tablets, and a network connection set up by an operator. Poorer people find it harder to access such technologies, which can be very expensive – in some cases prohibitively so, and as a result face unequal treatment when the use of digital technologies is required.

35. This question is closely linked to many of the points that I deal with in greater depth in section 5 below, focusing on the impact of digitalisation on public services.

### **3.4. The disability divide**

36. People with disabilities may face more barriers to using digital technologies. These are often not sufficiently adapted to their needs, and although new techniques are constantly being devised to help bridge the digital divide – with, for example, software for blind or visually impaired people that can convert written text into audio output - many of them are still very expensive. Many sites and platforms make no accommodation for persons with disabilities, with the result that the divide remains.<sup>22</sup>

37. In view of the wide variety of situations concerned and given how high the stakes are in terms of access to rights, I feel that this question would warrant a separate report.

### **3.5. The digital divide and the sustainable development goals**

38. Two thirds or 1.3 billion of the world’s school-age children do not have an internet connection in their homes, according to a joint report by the United Nations Children’s Fund (UNICEF) and the ITU.<sup>23</sup> The same report notes that 63% of 15-24 year olds have no internet access at home. During the health crisis, 191 states decided to close their schools.<sup>24</sup> This deprived many pupils of their right to education, widening the gap between and within generations. The pandemic has highlighted how important it is to tackle this aspect of the digital divide.<sup>25</sup> Bridging the digital divide could furthermore help achieve Sustainable Development Goal 8.6 (reduce the proportion of youth not in employment, education or training).

### **3.6. Other dimensions of the digital divide**

39. The sources of digital inequality listed above are not exhaustive. While the causes and effects of digital exclusion are generally similar, particular situations, such as those of prisoners, protected adults and asylum seekers, may require tailored responses in order to guarantee equal access to rights.

<sup>21</sup> Sue Bennett, “Are all young people digital whizz-kids?”, *The UNESCO Courier*, July-September 2020.

<sup>22</sup> Disability Insider, “Digital divide growing among people with disabilities”, 23 May 2020.

<sup>23</sup> United Nations, “A ‘digital canyon’: 1.3 billion school-aged children can’t log on to internet at home”, *UN News*, 1 December 2020.

<sup>24</sup> United Nations, “Startling disparities in digital learning emerge as COVID-19 spreads: UN education agency”, *UN News*, 21 April 2020.

<sup>25</sup> See for example the [Global Education Coalition](#), UNESCO’s response to educational disruption caused by Covid-19.

40. It is not possible for me to examine all of these issues in detail in the present report. However, I wish to underline that when authorities put in place digital systems, the needs of all potential users must be taken into account.

#### **4. Structural dimensions of the digital divide**

41. Digital technologies cannot function unless adequate telecommunication systems are in place. This presupposes the existence of large and costly infrastructures, the cost per capita of which increases when the distances to be covered are great and the number of potential beneficiaries small.

42. From the point of view of equality, and given that access to these systems has become essential for the enjoyment of other rights, governments must guarantee access for all to efficient mobile telephone and/or high or very high speed internet services (in particular via 4G or even 5G networks and/or an ADSL or optical fibre connection). This requires significant investment by the public authorities, backed up by policies to ensure equality in this area. These questions are examined in the present section.

##### **4.1. The geographical divide**

43. Digital access varies very widely between urban and rural areas – just as it does between the most technologically advanced states and developing countries. There are still “white” or “grey” areas where there is little or no access to information and communication technologies. The territorial dimension of the digital divide hits people in the countryside and in small villages particularly hard.

44. Recognising the need for urgent action, the Food and Agriculture Organisation of the United Nations (FAO) adopted a strategy to address the rural digital divide as early as 2003.<sup>26</sup> Its aim was to increase the availability of digital technologies in rural areas and promote infrastructure development. The FAO’s strategy is evidence of the long-standing need to overcome geographical disparities in digital access.

45. During the hearing held by our committee on 16 September 2022, Ms Verena Weber, Head of the Communication Infrastructures and Services Policy Unit, OECD, presented this organisation’s findings on connectivity-related aspects of the digital divide. Very often there was a geographical dimension to the issue. OECD countries were performing fairly well as regarded the number of households with fixed broadband connections, but the speed of connections varied widely between countries, and in most countries there was also a significant urban-rural divide. As regarded mobile internet coverage, there were again significant discrepancies between countries, which were often linked to the price of mobile data usage and reflected the structure of mobile data-usage offers.

46. The evidence gathered by the OECD in numerous studies conducted over the past 20 years showed that fostering competition was the best way to improve connectivity, increase choice and innovation, and drive up both investment in and quality of coverage, including in rural areas. Competition could be fostered effectively through measures such as pro-competitive wholesale regulation and efficient spectrum management for mobile networks. With increasing digital transformation, demands on networks were growing, and there was a need to boost connectivity. The OECD considered that most investments should come from the private sector, but that public funding could be important in rural and remote areas, where there was no positive business case. Policymakers could also create incentives to invest, at little cost to themselves, by for example removing administrative barriers to deploying networks, streamlining access to rights-of-ways or promoting network-sharing models. Demand aggregation was one policy that could improve connectivity in rural and remote areas. Coverage obligations could also be included in spectrum auctions, and public-private partnerships (PPPs) could provide complementary funding for rural areas.

47. In countries with universal service, OECD data show that funds are often not used well or not spent at all, whereas countries with broadband competition have achieved much lower prices. Accordingly, competition should be maximised to bring prices down, and then if marginalised groups still need subsidies to be connected, these can be put in place. It is true that operators often lobby governments, arguing that they would have to cease investing if competition intensified. In practice, however, the opposite is the case: operators invest more in the countries where they face more competition, in order not to lose their competitive edge. Insufficient investment in rural areas is therefore not due to too much competition.

48. In areas where there is not enough private sector investment, the public sector could provide complementary funding. Regarding public-private partnerships (PPPs), it was pointed out at the hearing that these frequently lead to the private sector pocketing all the profits while the public sector is left to cover the investment costs, meanwhile also losing the capacity to guide the transformation process in the public interest. Colombia was however cited as a positive example of a PPP, where public investment had functioned well. In

<sup>26</sup> FAO (2004), [Bridging the rural digital divide programme – Overview](#).



this country, the public sector had financed a fibre backbone across the country, and municipalities had financed connections from that main line. Significantly more uptake of these connections was observed than had been expected.

#### **4.2. Position to adopt**

49. The presentation of the above conclusions generated considerable debate in our committee. It was underlined, first of all, that in a world where everyone needed to be connected in order to function as citizens, and given that the private sector's first goal was to maximise its own profits, governments had a responsibility to ensure that everyone had access to the internet. On another note, network coverage was more important than internet speeds, especially in remote and rural areas. While promoting competition could benefit users in high-density areas such as cities, there was a risk that this would come at the expense of rural users unless coverage obligations were imposed on providers. In addition, Belgium was mentioned as an example of how competition could not fix everything, as prices there remained high despite the presence of four operators. A hybrid model in which the State owned the network but imposed public service obligations on operators, such as a requirement to serve rural areas, was proposed as a response to this situation.

50. The Assembly had the opportunity to examine these issues for the first time in its Resolution 2256 (2019) "Internet governance and human rights", in which it recommended that Council of Europe member States "implement public investment policies which are coherent with the objective of universal access to the internet; these policies should be intended, in particular, to remedy the geographical imbalances (for example between urban and rural or remote areas)", without adopting a position on the precise form that such policies should take.

51. It is clear that situations vary considerably between our member States, particularly in terms of the size of their territory, the concentration of populations in urban areas, the density of populations outside urban areas and the digital equipment already in place.

52. For this reason, I consider it unrealistic to propose within the framework of this report a single model for the investment in and development of digital networks and mobile communications that would suit every situation in each of our member States. I share the vision already expressed by the Assembly, namely the objective of guaranteeing universal access to the internet and the need to put in place policies consistent with this objective. In order to remedy the inequalities that already exist in this area, and to prevent them from deepening further, I also consider it essential that these policies be treated by States as a priority, that they be accompanied by adequate funding and subject to regular scrutiny by national parliaments.

### **5. Digitalisation of public services and the digital divide**

53. The need for equal access to online tools and services can seem very theoretical. However, as I emphasised at the start, the digital divide is a real-life problem, which has a direct impact on those concerned and which requires comprehensive and concrete solutions. To better understand the extent to which this impact has a tangible effect on the lives of our fellow citizens, I wish to draw attention to work that has been carried out in recent years in one of our member States.

#### **5.1. Impact of the digitalisation of public services in France**

54. In France, the institution of the Defender of Rights has devoted two major reports, published in 2019 and 2022, to the consequences of the dematerialisation of public services on equality of access to rights.<sup>27</sup> Over the three years that elapsed between these reports, the pandemic has accelerated the trend towards digitalisation, which is increasingly becoming the only means of accessing certain rights. We invited a representative of the Defender of Rights to outline the main issues and solutions identified in these two reports at the hearing held by our committee on 16 September 2022, in Paris. I wish to thank Mr Agacinski again for his useful and inspiring contribution on this occasion.

55. It should be said from the outset that the term "dematerialisation" can be misleading. As we saw earlier, quite apart from the need to know how to use the tools that have become indispensable to exercising these rights, the move towards online-only provision of public services requires users to have access to many material items, such as an adequate connection, device, storage capacity, operating system and paid-up subscription. It also requires public services themselves to have correctly functioning devices and tools. All of the above raise important issues related to access to rights.

<sup>27</sup> Défenseur des droits (2019), Rapport: [Dématisation et inégalités d'accès aux services publics](#), Paris; Défenseur des droits (2022), Rapport: [Dématisation et services publics: trois ans après, où en est-on?](#), Paris, 2022.

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56. First, it should be noted that anyone can experience difficulties accessing online services. In France, for example, following the closure of many ticket offices and machines for buying train tickets in small railway stations in rural areas, the only way to obtain a valid ticket once at the station is to buy it using a smartphone. To buy the ticket, one must not only be in possession of a smartphone, but it must be sufficiently charged, connected, etc. Not having a ticket can give rise to a fine.

57. The follow-up report published by the Defender of Rights in 2022 shows, however, that some groups of people continue to experience especially great difficulties in accessing digital services. These include persons in detention, persons with disabilities, the elderly, the young, poor and marginalised persons and foreigners living in France. Yet these are precisely the people who have both the greatest need of public services and the greatest material difficulties in accessing them online.

58. Finally, Mr Agacinski also made the point that in France, a person's level of education is the single greatest determining factor in their access to, use of and mastery of digital tools.

59. Providing public services only online can thus infringe the principles of public service, namely equality of access, continuity of public services and adaptation to users.

60. To try to respond to this, the authorities have opened "France services" outlets throughout French territory, where staff help individuals to access public services online. While this represents progress, as it enables individuals who do not have access to the necessary tools to carry out simple administrative procedures, it is not a sufficient measure, as staff in these outlets are not in a position to answer specialised questions about the rights and procedures in question.

61. Accordingly, even where some material problems have been resolved, it is becoming increasingly difficult for users to interact directly with civil servants who could reply to such questions. Calling a government department whose phone number automatically redirects the caller to an automated answering machine that is programmed to provide answers to a few simple, initial questions will enable some problems to be resolved, but will never enable the individual concerned to find precise answers to complex questions about their rights – a situation where being put in contact with a human interlocutor remains indispensable.

## **5.2. Brexit and the digitalisation of applications for "settled status"**

62. In the United Kingdom, the government has gradually introduced a "digital by default" policy over the past decade.<sup>28</sup> The universal credit system, which combines six welfare benefits into one, is the first government service to have become digital by default, with an algorithm being used to calculate benefits each month based on information received in real time from employers, tax authorities and government departments. As has already been pointed out by our colleague Christophe Lacroix in his report for the Assembly entitled "Preventing discrimination caused by the use of artificial intelligence", many people lost benefits after this system was introduced – and as a result were unjustly deprived of access to social welfare – simply because they lacked the skills to fill in the new online forms.<sup>29</sup>

63. The implementation of the "digital by default" policy was also foreseen as part of the process of granting a new form of permanent residence, "settled status", to nationals of other European Union countries who had settled in the United Kingdom before Brexit.

64. Before the system was introduced, numerous concerns regarding (*inter alia*) the digital aspects of the system were raised before the UK Parliament's Exiting the European Union Committee.<sup>30</sup>

65. Firstly, providing essential information about the need to make a formal application for settled status mainly through online tools (email update sign-ups, social media campaigns and publications) might not be sufficient to reach (for example) people in residential care or agricultural workers living in rural areas with limited connectivity. In 2018, the number of EU nationals living in the United Kingdom who had signed up for Home Office email updates was only about 200 000, out of the 3 million people concerned.<sup>31</sup> The Exiting the European Union Committee stressed the need to utilise a variety of media to ensure that everyone concerned understood what was required of them in order to retain the right to remain in the United Kingdom after Brexit.

66. Secondly, various technical problems, such as the transcription of names with specific characters from different alphabets not recognised by British software, or different conventions concerning family names (use of the maiden name as the family name, order of names), meant there was a risk that some applications would

<sup>28</sup> Cabinet Office, "GOV.UK: making public service delivery digital by default" press release, 17 October 2012.

<sup>29</sup> Doc. 15151; see paragraph 30 of the explanatory memorandum and sources cited.

<sup>30</sup> Exiting the European Union Committee, *The progress of the UK's negotiations on EU withdrawal : the rights of UK and EU citizens*, Eighth Report of Session 2017-19, HC 1439, 23 July 2018, paragraphs 15, 52, and 69 et seq.

<sup>31</sup> *Ibid.*, paragraphs 54, 74 and 76.

simply be rejected. The impossibility of scanning the chip in a passport or other identity document on phones other than those using the Android operating system created further difficulties when it came to submitting the application electronically.<sup>32</sup> I would like to emphasise here that if authorities require citizens to go through digital systems in order to exercise their rights, it is up to the authorities to ensure that those systems take into account – including where technical problems are concerned - all the situations of all the individuals concerned, without exception. It is not acceptable for people to be deprived of their rights because of defects in the design or implementation of the technical tools that are supposed to provide access to those rights.

67. Lastly, illiteracy or digital illiteracy might also prevent people from submitting their applications within the required timeframe if it were compulsory to do so online. This could include people who are elderly, disabled, or digitally excluded (i.e. without the skills to access or complete a digital form, or without access to the necessary tools). The British government had planned to roll out a digital assistance scheme in public libraries and telephone helplines. Representatives of EU nationals had pointed out that libraries would not necessarily be the first place where people who were struggling would think to go, however, and that the assistance scheme would be of no help to them if the scheme itself was inaccessible. Face-to-face provision would be necessary in the case of some vulnerable people, such as the elderly or those who could not get around.<sup>33</sup>

### **5.3. Possible solutions**

68. Two broad lines of action have been identified in order to address such concerns.

69. First, according to the Defender of Rights, public administrations must be considered as directly responsible for ensuring that everyone has access to public services. This means that digital access can be an additional form of access, but must not be the only one. Free telephone hotlines, manned by real people, must also be available to ensure that users can obtain answers to questions affecting their rights. They must also be able to rectify incorrect data concerning them, as these could also affect their rights.

70. Second, a comprehensive digital inclusion strategy must be developed, and must be designed for the long-term, with stable financing and covering the entire territory. In this context, several points should be highlighted.

71. First, users – including those who face the greatest difficulties – must be involved at all stages of designing government websites, and the language used must be easy to understand.

72. Public services must also structure their communications to ensure that users can contact them directly where necessary. Machines can be used where they simplify administrative processes, but they cannot do everything, and must not be used merely to cut posts. Public administrations, just like businesses, need to understand people's need to converse with a real person.

73. As regards this second line of action, the social dimension of digital transformation clearly needs to be taken into account. By way of example, during our hearing, Mr Agacinski noted that while competition has brought prices down dramatically in the French market, between 3% and 5% of the population do not have the means to pay in advance for long-term packages. These persons have no choice but to use pre-paid cards to go online, even though these are ultimately more costly. In other words, those who have the least means ultimately pay more for access to the services that they need most.

74. This is why free public WiFi hotspots must be widely available, and why concession rates must be available for those who cannot afford ordinary connection fees.

75. Other public actors can also be mobilised in this context. Our colleague Ms Stienen pointed out in this respect that in the Netherlands, public libraries play an important role in ensuring that those who cannot afford to have their own internet connection can still access online services.

76. As regards digital education, the PIX digital competencies platform can be mentioned as a highly successful public initiative enabling high-school and tertiary students and workers to test their digital competencies with reference to the European Digicomp framework and gain new ones. This public initiative is especially interesting in that it aims to widen access to internet and ensure that it creates new links, and not new barriers, between people.

77. These issues and various measures that can be taken to promote digital inclusion were summarised in another recent French report, with the measures including improving the user-friendliness of public sites, and

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<sup>32</sup> Ibid., paragraph 58.

<sup>33</sup> Ibid., paragraph 72.

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providing structured assistance for digital uses and co-ordinating initiatives, always bearing in mind, as far as public services are concerned, the need to “move from a logic of 100% digitalisation to 100% accessibility”.<sup>34</sup>

78. Lastly, during our hearing, our colleague Ms Galea drew the committee’s attention to the fact that, as more and more banks close branches and move services online, very similar issues arise, notably for older persons, as regards access to financial services, which are just as necessary as public services. Viewed through the lens of service quality, the representative of the OECD pointed out that a good way to create incentives regarding quality of services is to publish data about it. In Korea, every time a report on service quality is published, there is a leap in quality, as no company wants to finish last among its competitors.

79. I wish to emphasise that all of the issues raised above require long-term attention, and that it is important to keep up the pressure on public service providers to ensure that everyone whose access to rights is hindered by the digital divide is taken into account when rolling out public policies.

## 6. Conclusions

80. As UN Women recently pointed out, we stand at a crossroads today: we can either continue to let technologies exacerbate existing disparities, or harness these technologies to build a safer, more sustainable, more equitable future for all.<sup>35</sup>

81. With around 3.6 billion people in the world having no access to the internet, and only about half of rural households in Europe having access to broadband,<sup>36</sup> the digital transition cannot take place without government support. People already suffering from inequality and discrimination and struggling to make their voices heard are left even more exposed by the digital divide. It should not mean that those who already have such a low profile in society are completely disregarded.

82. The Parliamentary Assembly has already proven, through the adoption of numerous resolutions in this area, that it is fully aware of today’s need to promote digital technology use that protects human rights, democracy and the rule of law.

83. The purpose of the detailed recommendations that I have made to our member states regarding the action to be taken in this field is to ensure that the use of digital technologies contributes to creating a world that is more inclusive, more equitable, more accessible and safer, and that the use of these technologies is affordable for all.

84. The main lines of action, which are elaborated on in the preliminary draft resolution at the beginning of this report, are as follows:

- have universal access to the internet as the objective, and put in place policies for deploying networks that make it possible to achieve this objective;
- in order to remedy the inequalities that already exist in this area, and to prevent them from deepening, treat these policies as a priority, ensure that they are accompanied by adequate funding and subject them to regular scrutiny by national parliaments;
- take into account in development aid measures the importance of reducing the digital divide as a means of facilitating the achievement of the Sustainable Development Goals;
- promote access for all to studies and careers in science, information technology, engineering and mathematics, along the lines already set out by the Assembly in [Resolution 2343 \(2020\)](#) “Preventing discrimination resulting from the use of artificial intelligence”;
- consider the provision of digital training for everyone, regardless of gender, age, social status, economic situation, disability and any other personal characteristic, as an investment;
- take into account, from the first steps in designing any new online service, the need to guarantee equal access for all;
- move from a logic of 100% digital public services to a logic of 100% accessibility of these services;
- develop free internet access points as well as services to support individuals in carrying out their administrative procedures online;

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<sup>34</sup> Vall R., *L’illettrisme ne disparaîtra pas d’un coup de baguette magique!* [Digital illiteracy won’t be waved away by a magic wand], summary note, Report No. 711 (2019-2020), Sénat, Paris.

<sup>35</sup> [UN Women Explainer](#).

<sup>36</sup> Allar Tankler, “[Does this change everything? The digital divide and coronavirus](#)”, European Investment Bank, 22 April 2020.

- guarantee to each individual the possibility of correcting, through simple and accessible procedures, any error in the data concerning them and in procedures carried out online.