

OECD-Canada Technology Foresight Forum
Session 5
Policy Roundtable

1 Ottawa, ON

2 --- Upon commencing on Wednesday, October 3, 2007
3 at 5:02 p.m.

4 MR. OXLEY: What we saved is one
5 of the best sessions for last. And again this is
6 the participative web. As just by the last
7 conversation in the Sussex Room over there, we've
8 had some great participation.

9 So if everybody would work their
10 way in here and the panellists for the last
11 session work their way up here.

12 And I've got to say the feedback
13 that I'm getting from everybody has been
14 absolutely wonderful. The conversations have been
15 happening in the coffee room -- it's why we can't
16 get the people back in here -- are great. The
17 panellists are spawning some wonderful ideas.

18 And I can't wait to see what ideas
19 and possibilities come out of here. Like Suzanne
20 said earlier today, it is about all the
21 possibility that's there.

22 All right. So, without further
23 ado and to give them all the time that they can
24 because they've got some wonderful topic, so,

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1 "Opportunities and Challenges For Policy".

2 And I'd like to introduce Michael
3 Geist the Canadian Research Chair of Internet and
4 e-Commerce Law to lead us and chair us through
5 this conversation.

6 Michael.

7 MR. GEIST: Well thanks very much.
8 It's late in the afternoon but I think we have a
9 panel that will keep everybody's interest on our
10 way to the reception later on.

11 Let me start by introducing -- I'm
12 going to actually just upfront just introduce the
13 panellists. But I've been asked to provide a bit
14 of a summary of the day which is impossible, not
15 just because of course there were parallel
16 sessions and you can't be really in two places at
17 once, but because frankly it's been such a full
18 day that I think to try to provide a brief summary
19 in just a couple of minutes won't do it justice.

20 But I do want to at least put a
21 couple of issues on the table. The last panel
22 that we have is really charged with trying to
23 answer some of the questions that were posed at
24 the very beginning of the day and that is to take

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1 so much of what's happening on the participative
2 web and put it into a policy context.

3 And so we're really fortunate to
4 get a diversity of views who are going to help us
5 try to do that by providing some of that policy
6 context.

7 We've got, leading off, and we're
8 going to go, I'm going to ask each of the
9 panellists to go in order, Sangwon Ko, who is Vice
10 Chair of the OECD Working Party on the Information
11 Economy with the Korea Information Society
12 Development Institute; Mark Rotenberg who is the
13 Executive Director of EPIC; Joe Alhadeff, many of
14 you know is with Oracle; Daniela Battisti, who is
15 the Vice Chair of the OECD Information, Computer
16 and Communications Policies Committee; Keith
17 Besgrove who is Chair of the OECD Working Party on
18 Information Security and Privacy as well as with
19 the Department of Communications, Information
20 Technology and the Arts in Australia; and finally
21 Neil Anderson who is the Head of Telecom with
22 Union Network International and part of the Trade
23 Union Advisory Committee to the OECD.

24 Now I have to say as we came into

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1 today it struck me that almost two years ago in
2 January, 2006, the OECD held its Digital Content
3 Conference in Rome. And I know that there are
4 many people in the room who were at that
5 conference.

6 And I have to say that I found
7 that conference to be truly a turning point in
8 much of the discussion around the participative
9 web even though I can't recall anybody ever
10 talking about the participative web. But there
11 was certainly a lot of talk about user generated
12 content, user created content. And I think it
13 really marked the first time in a truly
14 international policy fora, that the issue was put
15 on the agenda.

16 In many respects when you went to
17 many of these international meetings the focus was
18 much more on some of the things we were accustomed
19 to from the 90's, digital rights management and
20 stronger enforcement tools and the like. And this
21 really started to shift the dialogue.

22 Though there was no reference to
23 YouTube or Facebook, Club Penguin, no even Web 2.0
24 or any of those sorts of references, that issue

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1 was I think very much in the air. There was I
2 think a true recognition even at that point in
3 time that something exciting, something important
4 was happening.

5 And I think it's fair to say is
6 sitting through the various panels and plenaries
7 today that it's very clear that indeed what we saw
8 taking place almost two years ago has continued to
9 blossom in really remarkable ways today.

10 The panels in answering the
11 question about what next for the participative
12 web, clearly demonstrated that we're seeing some
13 pretty profound economic shifts; a number of
14 panels focusing on the way in which corporations
15 are using some of these technologies in very
16 innovative ways; the way that individual citizens
17 and consumers can use these in some very
18 innovative ways and how new companies are being
19 created using these very tools, the Yochai Benkler
20 type of issues.

21 We also, I think, just as
22 importantly, focused a lot on the societal shifts
23 that we're seeing. There's a tendency to read
24 about many of these issues on the business page

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1 and focus on who is buying whom and where the
2 dollars are and less on the kinds of things we saw
3 in a number of panels that showed the degree to
4 which these kinds of technologies can have a deep
5 impact on education and on citizen empowerment and
6 on development more generally. And I think that's
7 terrifically important.

8 We also saw discussion about how
9 the network itself continues to evolve and that
10 there are going to be network shifts as well.

11 Now, we were asked at the very
12 beginning of the day to think about this in the
13 context of the policy issues and the role that
14 national governments can play as well as the role
15 that the OECD and international organizations can
16 play. And it seemed to me and I'm hoping that our
17 panellists will address some of these issues, it
18 seems to me that there were a number of issues for
19 which we could identify a clear role for
20 government and for the OECD and around which there
21 is at least some emerging consensus, in many
22 instances quite a lot of emerging consensus.

23 I place access under this
24 umbrella, access in a number of different guises:

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1 access of course to high speed networks, to
2 broadband or access to wireless networks depending
3 on the community, affordable access in many
4 instances; access to research and access to
5 education, the research output, things like open
6 access for federally funded research, government
7 funded research; access to public documentation,
8 the documents that the government itself has now
9 have easy vehicle to ensure that there is broader
10 access to communities; and access to knowledge,
11 the digitization programs that we're seeing
12 receive an increased amount of attention. This
13 clearly is a policy issue that I think there is a
14 role to play.

15 So too for privacy and trust.
16 Many of us have just come from the Facebook panel,
17 one in which there was a lot of discussion about
18 the role of Facebook and MySpace and social
19 networks. And it seems to me that it was fairly
20 clear that throughout the day there was a growing
21 recognition that notwithstanding the emphasis on
22 privacy and trust now for several decades, it
23 continues to be a core issue in many of the things
24 that we're facing, whether that's privacy

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1 concerns, security concerns, emerging concerns,
2 Spam, which isn't really emerging anymore but
3 Malware, Spyware, those sorts of newer issues
4 continue to be an area where there is a role for
5 governments and groups like the OECD.

6 So too a role on standard setting,
7 recognition that in this global environment we
8 need global organizations, international
9 organizations to help guide us on some of the
10 standard settings.

11 There were also, and with this
12 I'll stop, there were also a number of issues that
13 we might describe as the elephants in the room,
14 the issues that I think many recognized are
15 issues, issues that I think in order for the OECD
16 certainly in terms of its work here, in terms of
17 the ministerial conference next year, has to
18 address in order to ensure that it's relevant.
19 But issues for around which at least for the
20 moment there is not a clear consensus, indeed
21 issues that can be highly contentious. Yet I
22 think it's fair to say that the OECD can provide
23 an important forum to try to help address those
24 issues.

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1 Those would of course include
2 intellectual property related concerns. An issue
3 that was often raised but never really dealt with
4 in any significant detail, a recognition that it
5 raises all sorts of thorny question: questions
6 around safe harbours and liability for
7 intermediaries that was raised by Amazon but
8 others as well, in effect, how do we apportion
9 liability and responsibility as part of a
10 participative web when there are so many
11 participating?

12 Network neutrality related
13 concerns which also came up on a number of
14 occasions, the OECD has already started exploring
15 some of those concerns, issues that we certainly
16 aren't going to solve today, but one in which we
17 need some international fora to help guide us.

18 Also, I think very
19 interestingly, the way in which government
20 engages with the new engaged participative
21 citizen. How can government, recognizing that
22 today users and citizens are using these tools in
23 ever more ways and are engaged in many of these
24 issues in very important ways, ensure that policy

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1 processes ensures that consultations and the like
2 can keep pace. There were some that really
3 wonder whether or not government is in a position
4 to do that.

5 So there are clearly some really
6 interesting challenges at a minimum and some
7 policy issues to be addressed.

8 With that, I would like to hand it
9 over to the panel. Nobody is presenting with
10 PowerPoint slides. I have asked each to keep
11 their remarks to about three to four minutes so
12 that we can truly end with a panel that is
13 participative and engaging.

14 Let me start with Mr. Ko.

15 MR. KO: Thank you, sir.

16 The participative Web is really
17 important for Korea in the sense that the
18 incumbent Korean government is called as
19 participatory government because the sitting
20 President in Korea is said to have been elected
21 with a huge popularity among Internet users. So
22 the current Korean government is the outcome of
23 participation through Internet.

24 Since I'm from the government

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1 sector I would like to focus my discussion on
2 government law.

3 To fully exploit participative
4 Web problems the government is implementing
5 industrial policy, implementation policy and
6 regulatory policy.

7 For industrial policy we encourage
8 R&D, innovation in content and content-related
9 network, software and hardware. Also we promote
10 human resource development and promote venture
11 capital industry for detailed content. Those are
12 major tools for industrial policy.

13 The implementation policy is about
14 building the infrastructure. I think building the
15 infrastructure is sort of key to this
16 participative Web. And things like net neutrality
17 problem comes from the fact that the growth of
18 content is much higher than the growth of the
19 infrastructure itself. When you have growth of
20 infrastructure that exceeds the growth of content,
21 then you don't have natural neutrality problem.

22 Lastly, we have witnessed the
23 negative side effect of participative Web such
24 as privacy infringement, copyright infringement

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1 and obscene UCC posting and we have to deal with
2 that properly.

3 Norwegian delegate from the floor
4 raised the issue of anonymity of the UCC posting.
5 Some countries like Korea launched a law regarding
6 limited real name system. So you can post things
7 on UCC only when you identify your real names.

8 I guess that's what I would like
9 to talk about.

10 Thank you.

11 MR. ROTENBERG: Thank you,
12 Michael, and thank you to the OECD for the
13 opportunity to participate in this discussion on
14 the participative Web

15 I wanted to mention that a number
16 of civil society groups are here and we met
17 earlier today. Those groups include the Internet
18 governance projects at Syracuse University, the
19 Association for Progressive Communications,
20 Consumer Project on Technology, Public Knowledge
21 here in Canada, CIPPIC, PIAC and others as well.

22 We are very enthusiastic about the
23 opportunity to work with the OECD on the upcoming
24 ministerial and also to provide some balance, I

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1 guess, to the development of public policy for the
2 future of the Internet.

3 The OECD is a really remarkable
4 organization. It has earned an important
5 reputation for its ability to publish reports that
6 tell us about the world as it is evolving and the
7 very rapid adoption of new technologies, broadband
8 networks, changes in literacy around the world, as
9 well is to help formulate principles that can
10 guide national governments and inform business
11 practices to help safeguard important interests.

12 In many respects I think Andy
13 Wyckoff was correct this morning when he said that
14 the OECD makes you do your homework. But it is
15 important homework to do, because it is homework
16 that helps inform public policy discussions about
17 how to make choices about the type of future we
18 would like to have.

19 There is a lot of discussion about
20 choice in terms of the marketplace, which Web
21 browser to use, which online social network
22 service to use, you know, who has really cool
23 photo software, and so on. But in the end I think
24 the choices that we end up making at the macro

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1 level, the policy choices that we make are the
2 ones that reflect the quality of society that we
3 will live in.

4 I would also like to suggest to
5 you that the benefits of this new world tend to
6 take care of themselves. It's the problems that
7 will need attention.

8 Just to highlight some of the key
9 areas of concern that civil society groups have
10 identified, we are interested in approaches that
11 governments are developing toward consumer
12 protection, efforts to promote broadband
13 deployment, efforts to encourage competition,
14 which might seem surprising when things are
15 changing so rapidly, but things can also
16 consolidated quickly as well and we think that
17 issue needs a lot of attention, privacy and
18 security of course, and also respect for different
19 cultures around the world.

20 In North America we tend to view
21 communications policy in terms of the Internet and
22 the desktop, but of course for most people they
23 understand it in terms of the cell phone.

24 We are enthusiastic, obviously,

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1 about the vibrant marketplace innovation, literacy
2 and education, but at the same time we also
3 believe that a good approach, a balanced approach,
4 one that incorporates the views of civil society,
5 will help ensure not only that the benefits are
6 realized, but that the problems are addressed
7 early on.

8 MR. ALHADEFF: I, too, will join
9 in by giving my thanks to the OECD and Industry
10 Canada for the opportunity to be here. I will
11 only take the allotted time because apparently my
12 avatar is listed also in the program and must be
13 having a presentation in Second Life as we speak.

14 The fact that we are in
15 Ottawa, and both Mark and I are kind of -- we
16 had been in Ottawa 10 years ago for the
17 ministerial as well -- it made me think that
18 perhaps one of the reflections from a business
19 point of view was the difference and the evolution
20 between Ottawa and Seoul.

21 When we were in the Ottawa the Web
22 was kind of a revolution, it was that new thing,
23 it was that shiny, squeaky new toy. Now it seems
24 like it's much more part of our lives and it's

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1 much more commonplace. In fact, the evolution is
2 occurring so quickly that we don't even notice of.

3 That's one of the places where I
4 think the OECD has an important role to play,
5 because it's some of these kind of momentous
6 events that happen without notice because of the
7 fact that it is part of the fabric of our lives
8 that need to be highlighted. So we think about
9 Ottawa and it was ecommerce; you think about
10 Seoul, it's just commerce now.

11 At that time it was a department
12 and a business; now it's the concept of
13 information flows. Then it was the idea of an
14 isolated enterprise using technology inside the
15 enterprise; now it's the concept of a value chain
16 and an ecosystem and how information flows across
17 those ecosystems.

18 As you look at the participatory
19 Web, one of the main roles the OECD has to play
20 in this phase is looking at how the creativity,
21 the confidence and the convergence, the three C's
22 that are the subtext of the ministerial, work
23 together across all stakeholder communities in
24 order to make sure that we are delivering and

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1 Internet and a future that enables economic growth
2 and provides societal benefit, because those are
3 the two hallmarks of what we are looking for in
4 this space.

5 I think when we look at the
6 growing pains of the ecosystem a number of the
7 issues that Mark raised are exactly those growing
8 pains -- and also that Michael raised -- the
9 concept of responsibility, net neutrality,
10 intermediary liability, the role of government,
11 the emerging role of business, the different roles
12 that civil society takes on, the role of the
13 consumer, the role of the citizen. All of these
14 are morphing, to an extent, and they are morphing
15 in a situation that is perhaps a little less
16 obvious than it's been before.

17 Because, in many ways, when we
18 have listened to various panels there's a concern
19 because I don't exactly know what's happening to
20 my information, I don't exactly understand
21 everything that happens in the magic in the box on
22 my lap or on my belt or wherever it is. It's
23 understanding what the frameworks are to make
24 those things more real, more trustworthy, to

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1 understand that the pathways are converging across
2 the media because the information has been
3 digitized, and making sense of these as we go into
4 the future.

5 Looking at the future of the
6 Internet, that is one of the roles where the OECD
7 plays a very beneficial role and where I think the
8 ministerial, you know, is an important place to
9 stop and do a stock-take. I think that's one of
10 the importances we see here, and look forward to
11 questions on this topic.

12 MS BATTISTI: Well, thank you,
13 Mike, and, of course, thank you to the OECD.

14 I think that this event is very
15 important and, in a way, I see, as Michael said
16 before, as a second step towards a definition of a
17 digital content framework, something that, by the
18 way, the Working Party on the Information Economy
19 is working on.

20 Of course, when we started this
21 forum, the impression was that, in a way,
22 participation is almost the equivalent of a
23 process of democratization, but during the day
24 this impression, in a way, remained just an

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1 impression, and the reality was quite different.

2 The idea that everybody who
3 participates in a way represents a large
4 community, I think is not true, and here I see a
5 role for policy-makers, especially in terms of
6 digital literacy.

7 Also, another important point that
8 was raised by other speakers is responsibility,
9 because, of course, if you have the right and the
10 opportunity to publish something, I think you have
11 also the responsibility of publishing in the right
12 way and publishing by the rules.

13 Of course, for young people, for
14 instance, it's not easy. Last year, in Italy, we
15 had a couple of very controversial postings on
16 uTube. That, of course, is something that we
17 should avoid and, of course, responsibility not
18 just on the users' side, but probably on the
19 infrastructure providers'.

20 Again, I think I see that here
21 government can do something, not so much in terms
22 of a regulation, but maybe thinking about other
23 ways. I'm sure that five years ago I would have
24 never believed myself saying that, but I think

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1 that things have changed a lot. So we cannot just
2 look at the past and avoid to look at the present,
3 or, as Michael put it in a nice way, the
4 elephant's in the room.

5 The other point I think is very
6 important is that most of the young people who use
7 uTube, MySpace or whatever, any other social
8 network, are not aware of what they are doing, in
9 the sense that they are not aware that they are
10 creating content and that someone else may use
11 this content or gather information about their
12 behaviour and do whatever they want with their own
13 data.

14 Of course, we talk a lot about
15 trust and privacy, but I think this is a
16 government responsibility. Of course, there are
17 so many other controversial issues, but, okay, for
18 me it's all over.

19 MR. BESGROVE: Well, thank you,
20 Michael. Thank you also to the OECD.

21 I have just finished two days of
22 the Working Party on Information, Security and
23 Privacy, which I chair. One of the things that we
24 were talking about was RFID. The work that we

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1 have been doing there is the direct outcome of a
2 forum just like this one two years ago. So in
3 case you are wondering what the OECD does with
4 these sorts of events, they usually lead to at
5 least some activity by some of the working
6 parties.

7 Anyway, I was just going to come
8 at this from a slightly different perspective.
9 When I was a student in the sixties and the
10 seventies in Australia, many people, myself
11 included, thought that technology would ultimately
12 enable governments to control us all. We had very
13 much a 1984 vision in those days.

14 Today, as a policy-maker in
15 Australian and chair of the WISP, I often find
16 myself listening to presentations that are still
17 based on this assumption. Each new technology
18 seems to be assumed to be liberty and privacy
19 diminishing, and, to an extent, many of them are,
20 or they could be, if we could get them to work
21 properly.

22 But the reality is that the
23 Internet, and its related technologies, have also
24 often been remarkably subversive of government

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1 control. They have also been disruptive for
2 governments, themselves, who have increasingly had
3 to adapt their models, their systems and their
4 operations to cope with the Internet.

5 The emergence of the participative
6 web is, in my view, compounding these challenges
7 to policy-makers posed by the rise of the Internet
8 in the first place. At a recent Sydney
9 conference, a fellow called Mark Pesce said that
10 he thought that the 21st century was likely to be
11 akin to a low-level, ongoing civil war, with
12 governments trying to exert control over citizens
13 and citizens continually using the Internet to
14 find new ways around such control.

15 His view was that if even the most
16 repressive governments could not control content
17 in interactions on the web, then OECD governments
18 had comparatively little hope.

19 Whether you accept this view or
20 not, it is clear that the participative web poses
21 some interesting challenges for policy-makers, and
22 we have heard of many of them today already, such
23 as privacy and security, which keeps coming up,
24 and particularly content issues, including finding

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1 ways to reward or penalize the creators of
2 content, depending upon the kind of content and
3 where they put it.

4 So it seems to me that this is a
5 valuable opportunity to reflection, and one of the
6 roles that the OECD can certainly play, and is
7 playing through this forum, is to help
8 policy-makers to research, to analyze and to
9 understand emerging technology issues and to
10 inform policy-makers. So that's certainly the
11 value I see in today.

12 I will conclude there. Thank you.

13 MR. ANDERSON: Thank you.

14 Well, I guess I get lucky to be
15 the last speaker on a very long day.

16 Michael asked me to make sure that
17 we are a little bit controversial to stimulate
18 some debate, so hopefully I can be a little bit
19 controversial and we can stimulate some debate to
20 round the day off.

21 First of all, this session is
22 talking about opportunities and challenges, and so
23 I have looked at it in respect of opportunities
24 and what the challenges are. One of the

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1 opportunities that the OECD has recognized is that
2 the participative web and the web will create
3 employment. But there are a number of challenges
4 with that creation of employment, not the least of
5 which for the policy-makers is what kind of
6 employment is that going to be and what should
7 policy-makers be doing to ensure that their
8 employment is good employment, that there is no
9 discrimination in that employment against all the
10 workers, for example, who may not be able to
11 participate to the same degree?

12 What kind of skills and training
13 do we need? We have had nothing today,
14 unfortunately, on the skills, the training, the
15 kind of workers that we are going to need to be
16 able to participate in this new challenge and in
17 the employment that's being created, we hope, by
18 the web.

19 The other opportunity is that the
20 free market and innovation are going to create
21 amazing new services, but for workers, actually,
22 free market and innovation also is a problem for
23 them in how are their wages going to be paid? I'm
24 talking about creative workers. Intellectual

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1 property and creative rights has been one of the
2 issues that's been discussed here regularly today,
3 and it's one of the challenges for us.

4 Actually, 20 years ago workers
5 used to be concerned about blackguards wearing
6 masks and shotguns steeling their wages from the
7 payroll van. Well, frankly, now workers are now
8 worried about the blaggers who are manipulating
9 their computers to steal their wagers, because
10 creator's rights are their wages and, you know,
11 we're concerned, as unions, and we want to see
12 better policy on creator's rights.

13 Does open innovation and
14 innovation, does that mean it's an invitation to
15 take unpaid work for profit by companies? Take
16 for profit, unpaid, the creative rights that
17 others have developed? So that's a challenge I
18 think that today I don't have an answer for and I
19 don't think we have had an answer from today, and
20 that's a challenge for the policy makers.

21 The other opportunity is, you
22 know, is telework and the fact that we can use
23 that much more to get a result for the problems
24 that we have with global warming and with climate

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1 change.

2 But the challenge for us is only
3 where there is going to be affordable access, and
4 I think again today that one of the main issues
5 that has come up from the debate is about how do
6 we get open access and how do we get better access
7 to affordable Broadband services.

8 Actually, you know, speed matters.
9 That's something that we all need to know. I
10 mean, ask Lewis Hamilton and Fernando Alonso.
11 Speed definitely matters. And it does with the
12 Internet, as well. And we have a problem when,
13 you know, Verizon who is just across the border
14 there is saying that they're only fibre into the
15 home, and 40% of their network. That's a problem,
16 that's a challenge for us. And that's not unique
17 to United States; it's a challenge to the world.

18 The other opportunity is, everyone
19 has talked about democracy and freedom of
20 expression and the opportunity that the
21 participative web brings with that for people.
22 Actually, trade unions are using that opportunity
23 and that freedom of expression quite well.

24 Actually, last week there were two virtual strikes

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1 on SecondLife. You might have seen apologies to
2 our providers over lunch, but there was a virtual
3 strike against IBM and a virtual strike against
4 the Dutch Telecom Company KPN last week, and
5 that's an opportunity for people to make their
6 view and the protest known. But the challenges
7 are the gatekeepers that are keeping the gates,
8 companies who can stop Internet access. In a
9 recent strike that there was here in Canada, one
10 of the telecom companies actually bought the
11 access for the union's website. So, frankly, you
12 know, there are challenges there for us.

13 Burma. Absolutely, we see the
14 challenge in Burma where the government is
15 stopping access for people to show what's
16 happening in their country in Burma. So, I think,
17 again, for the policy makers, we have to think
18 about those challenges.

19 Finally, I just wanted to say that
20 access -- I come back to that. Access for people
21 is hugely important. It's not just important for
22 the OECD countries, but if we're going to make the
23 global economy work, then we have to have access
24 for everybody and, frankly, the access in

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1 developing countries is worse than pathetic. And
2 it is worse than pathetic because everyone has run
3 down the line of thinking that while this will
4 solve everything and no one has put any investment
5 into fixed line in the developing countries. And,
6 at the moment, fixed line is where the
7 opportunities are for getting fast network access.
8 And so we have to think very carefully, as the
9 policy makers, as to what kind of policies need to
10 be put in place to ensure there is access outside
11 of the OECD as communications is a two-way thing.
12 It doesn't work unless it goes both way. And at
13 the moment, it's going one way.

14 The very last word is about this
15 is a participative web conference and yet the
16 participation from other than business, trade
17 unions and governments is very poor. And I don't
18 know the answer to that. I don't know the reason
19 why. Perhaps there were not enough invitations.
20 Perhaps there was not enough thought put into who
21 needed to participate. We don't have any children
22 here who are on the u-Tube or My Space. We don't
23 have any of those participants in the web here
24 giving us their views on what's going on. So, I

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1 think to make it a participative web conference we
2 have to be much better.

3 I think in 1998 there was a
4 declaration from the Ministerial about
5 participation of civil society, and that's never
6 come about, and I think it's time that we looked
7 at that.

8 Thank you.

9 MR. GEIST: Well, thanks, Neil. I
10 would like to encourage the people who we do have
11 here, and Mark noted that there are a number of
12 civil society groups here who came together. But
13 I would like to invite you to come up and pose
14 some questions or just provide comments on some of
15 your takeaways.

16 I thought it interesting that even
17 amongst the panellist's comments, we had a number
18 of issues raised that I didn't hear a lot about
19 over the course of the day, ranging from the very
20 outset to the role government plays with respect
21 to infrastructure -- a sensitive topic in some
22 jurisdictions who think it is best left to the
23 private sector, yet, clearly, in some places, has
24 played a pivotal role in dealing with issues; and,

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1 Neil's comments just now about the impact on
2 labour and the role that all of this has on
3 labour.

4 While you're thinking about your
5 questions and making your way to the microphone,
6 I'd like to ask the panellists a couple of
7 questions of my own. One, is, that Joe made
8 reference to the value in stock-taking, and I
9 think we all recognize that there is a lot of
10 value in stock-taking, and, indeed, so many of the
11 OECD output, some of the research I think provides
12 a great deal of value. But, in this area, the
13 speed with which, and the rapidity with which
14 things are changing sometimes leave me wondering
15 about the value of some of that stock-taking; if
16 you're simply unable to effectively implement it
17 into relevant policy.

18 We had Bob Young on one of the
19 panels earlier today I think make a bet with the
20 audience, not a real bet but just a suggestion bet
21 that in a number of years' time he would bet that
22 of the ten most popular sites on the Internet five
23 of them are ones that we have not heard of today.
24 It is moving that quickly.

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1 Given that even in Rome less than
2 two years ago, I don't think a word was uttered
3 about the world of u-Tube and Facebook and the
4 like. My guess is that when many people here meet
5 in Korea, there will be a site or development that
6 was scarcely, if at all, mentioned here today, but
7 yet as emerged in the months that have intervened.

8 How valuable -- how can we ensure
9 that the stock-taking is relevant?

10 And I open it up to anyone on the
11 panel.

12 MR. ROTENBERG: Well, I just
13 wanted to answer you, Michael, with a reference to
14 a wonderful science fiction movie that some of you
15 may be familiar with, and that's Ridley Scott's
16 Blade Runner which is, this year, celebrating it's
17 twenty-fifth anniversary. A new Director's Cut
18 is out and apparently it's supposed to be
19 absolutely gorgeous. But, what's remarkable about
20 that film, as fans of the film know, that
21 virtually every high tech company that's featured
22 in that 1982 movie no longer exists. Atari, for
23 example, and there were a few others as well. So
24 I think there's a lot to be said for how quickly

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1 things change.

2 Nonetheless -- nonetheless, and
3 this is a really key point about the OECD, I think
4 in many ways this organization has been very
5 forward looking as to its mission. Because, if
6 you think about it for a moment, what the OECD
7 sought to do, beginning in the seventies and
8 eighties, was to anticipate the policy frameworks
9 of a world that would increasingly be shaped by
10 globalization, by international trade, a world
11 where national laws didn't have quite the same
12 bite when companies and consumers were interacting
13 across borders.

14 So, in many respects, the policy
15 work that's been done and the questions that have
16 been asked I think give us, if you will, sort of a
17 running start on the Internet economy and some of
18 the challenges we face today.

19 MR. ALHADEFF: I would say, I
20 mean, you know, there's a reason why I think the
21 Ministerial is entitled the Future of the
22 Internet. The Ministerial concept is not 'Let's
23 look in the rearview mirror and figure out life,
24 you know, five years ago and see if it's relevant

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1 to us still.' I think the idea is the stock-take
2 is in order to better understand how things are
3 working, but it's not limited to just saying
4 'Let's look behind' it's also incorporating 'Let's
5 look ahead' and it's thinking about, you know, you
6 have new technologies and new ways of doing
7 business and new ways of governing, and new ways
8 of social interaction, and all of them are moving
9 at Internet.

10 There was a product line at one
11 time called Life At Internet Speed. I don't
12 remember what the product was, but it was a good
13 tag line.

14 The idea is, as you look at these,
15 you have to take a look both forward and backward
16 to understand where you are, and I think that's
17 what the OECD is well positioned to do.

18 So, I think, you know, yeah, if
19 you take a look at research and the fact that
20 research has numbers and it takes time to crunch
21 the numbers and those will always be attempting to
22 catch up to where we are. But, if you take a look
23 at policy frameworks, part of what they are doing
24 is attempting to rationalize also where we're

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1 going, and help make sure that we're going in the
2 right direction in a way that supports responsible
3 use of information and doesn't overly constrain
4 innovation and helps you go to those places so
5 that you can reach the possibilities of the new
6 technologies and constrain, where possible, the
7 problems that may be inherent in them.

8 MR. BESGROVE: I would just make
9 the comment that I don't believe that policymakers
10 should respond to rapidly changing ephemera,
11 things that come and go quickly should come and go
12 quickly. Policies should be more concerned with
13 significant change and particularly fundamental
14 changes that technology brings on society and on
15 economy and on the way we interact.

16 So yes, things change quickly, but
17 sometimes we can ignore some of those things
18 because they do change so quickly. I think the
19 OECD and policymakers should be much more
20 concerned with the deep-seeded changes that the
21 technology brings about. One example, the impact
22 of broadband on education and the way in which the
23 internet, enabled through high speed broadband,
24 can actually change teaching models that have been

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1 around for thousands of years and change them
2 probably forever and what does that mean for
3 education?

4 So I think we should be more
5 concerned with the underlying societal and
6 economic changes and not be distracted by this
7 year's product versus last year's product.

8 MR. GEIST: I will give Milton a
9 chance in just a second. But just to follow-up
10 with that, how do we distinguish between what is
11 ephemera and what is having that long-term impact?
12 I mean, someone might have taken a look at YouTube
13 a year and a half ago and suggested that well, it
14 is just video, it is not really a particularly big
15 deal until suddenly it starts having an impact on
16 elections and a whole range of different things
17 and we realize that it is actually something that
18 it is having quite a profound change in a range of
19 areas.

20 MR. BESGROVE: We sometimes get
21 that wrong, but I think by starting with the
22 question do we think this is actually going to
23 make a significant difference or is this just, you
24 know, the latest buzzword? And sometimes you have

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1 no alternative but to give it a bit of time to
2 analyze that.

3 One last thing I would say is
4 while the OECD is often playing catch-up mode,
5 sometimes the OECD has analyzed things years
6 before they became important to society. The OECD
7 has sometimes been very good at getting an idea of
8 what was emerging and analyzing it quite early.

9 MR. GEIST: Milton.

10 QUESTION: A topic that I haven't
11 heard much about today is global governance. If
12 you go back to 10 years to the first OECD meeting,
13 1998 was a time of very significant institutional
14 changes. You had ICANN being formed, the
15 framework for electronic commerce in the U.S., you
16 had new WIPO treaties, you had digital millennium
17 Copyright Act, and you had kind of an overarching
18 perspective on the internet economy that I don't
19 see here.

20 Do you think that there is any
21 need for major institutional changes at the global
22 level that would pave the way for new initiatives
23 in the way we actually make policy? The WTO, for
24 example, another thing that came from the late

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1 1990s, the agreements on telecom services. What I
2 see is that the globalization associated with the
3 internet is really grinding to a halt in many
4 areas, that there is a new trade protectionism in
5 different countries, there is bordering of the
6 internet by blocking and filtering, they is
7 attempts to linguistically border the internet. I
8 am interested in your approach to the
9 globalization on the internet.

10 MR. GEIST: Who wants to try
11 tackling that?

12 MR. BESGROVE: I can't give you a
13 terribly satisfactory answer, but certainly within
14 the working party on information security and
15 privacy we have looked at some of the responses to
16 issues that cross borders in terms of things like
17 spam and malicious software, privacy and so on.
18 And it is very clear to us at the moment that
19 there are some gaps which are currently being met
20 by informal mechanisms. And our judgment is that
21 those informal mechanisms are quite valuable and
22 we are suggesting that it is probably worth
23 thinking about ways that we could support them
24 better.

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1 It also seems to us that it is a
2 bit early to do much more than accept that those
3 informal mechanisms are playing an important role
4 in a growing space. And it is certainly one of
5 the things that we will be putting forward for
6 consideration within the context of the
7 ministerial. I can't really give you a more
8 satisfactory answer than that. It is certainly
9 something that a lot of people are looking at, but
10 there is not much clarity and there is no
11 consensus whatsoever to respond to your question.

12 MR. ALHADEFF: I will take a shot
13 at taking a slightly different attack at it. And
14 I think if you go back to the time of the Ottawa
15 Ministerial, I mean, it was a new concept and we
16 had the idea of, you know, there was going to be
17 the technology solves all was kind of permeating
18 through some of the hallways at that time.

19 And, you know, I think we had a
20 lot of papers that were written on a global basis
21 at that time and they started running into the
22 fact that there are nation states, they started
23 running into the fact that there are legal and
24 cultural norms that vary across countries and

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1 economies. And they started understanding and
2 becoming a little more mature, because it went
3 from idea to application. And the application
4 started facing a lot of real world realities.

5 And I think where people are now
6 is not that there is, you know, the one-size-fits-
7 all solution, but rather that you have to focus on
8 the interoperability of solutions so that you can
9 get things done on a global basis while still
10 respecting what our cultural norms, legal
11 paradigms and, you know, whatever happens at the
12 more local level, so you have the concept of
13 global and local working together and having the
14 individual thrown in there too, because in some
15 cases it is personal.

16 So I think all those are in the
17 mix now and what we are really looking at is how
18 to create environments where these issues become
19 more interoperable so that you can try to respect
20 as much of that as possible while still actually
21 taking a global perspective.

22 MR. ROTENBERG: I just want to say
23 briefly, I mean, Milton makes a very important
24 point about 1998 in fact. There was a lot of

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1 discussion certainly about internet governance,
2 but I would say that I think maybe over the last
3 10 years, you know, in some respects what we have
4 learned is that the internet resists governance.
5 I mean, for so many different reasons and in so
6 many different respects, you know, both
7 individuals and businesses and everyone pretty
8 much really doesn't want someone else to tell them
9 what to do.

10 Now, having said that, it doesn't
11 mean that there aren't important policy decisions
12 about the internet being made. And so whereas I
13 think it might be a mistake to look for formal
14 governance institutions and say how do we recreate
15 that for the internet, I think it would be an
16 equal mistake to ignore the fact that significant
17 decisions regarding the internet whether it is,
18 you know, who is or the addition of another top
19 level domain or whether a country, you know, can
20 sort of take its own domain, you know, offline are
21 absolutely critical issues.

22 So what we have tried to do over
23 the last 10 years through public voice and some
24 other project is basically to say where these

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1 decisions are occurring let us ensure that there
2 is good representation of the stakeholders and of
3 civil society so that those decisions are
4 meaningful, legitimate and valid.

5 That process looks very different
6 from traditional decision making, because we don't
7 have votes and we don't have elected members, but
8 I think it is actually vital to make work.
9 Because I am afraid and I think Milton shares this
10 concern, that if we don't develop good governance-
11 like models, then a lot of power flows very
12 quickly to a small number of institutions and
13 organizations and corporations and I don't think
14 it in the end people want that.

15 I think we want sort of the
16 openness and that includes the decision making
17 process as well.

18 MR. GEIST: Genevieve.

19 QUESTION: Hi, I am one
20 representative of Civil Society and I am
21 representing, in a way, a Canadian consumer
22 because I am from a consumer organization. I am
23 based here in Montreal, Quebec, but active at the
24 Canadian level also.

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1 Maybe I will be a little down to
2 earth right now. But Ms Battisti, if I well
3 understand, talked about digital literacy. And we
4 were talking about access and participation and I
5 think this is one area where OECD and governments
6 may want to play a role, is to make sure that
7 everybody in every country has access to that
8 magnificent Participative Web.

9 And the second thing, one thing
10 that strikes me earlier this morning is when we
11 are talking about the monetization of the web,
12 this is clearly an issue for a consumer
13 representative because more and more product and
14 service are offered only by the web. And this is
15 not talking about e-government where a government
16 want to -- has to participate by the web but if we
17 have a price to pay, this is very unusual and not
18 very good.

19 So, thank you.

20 MS BATTISTI: Thank you for your
21 question.

22 Well there is a problem here
23 because we see, we experience in Italy. But I
24 think in also other countries that the educational

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1 system as a whole, it's slower than students
2 themselves.

3 So, even if, I think Italy but
4 also many other OECD countries had embraced the
5 recommendation, the broadband recommendation, OECD
6 recommendation in trying to develop broadband
7 infrastructure and content and especially
8 educational content. This is not happening in the
9 way governments probably thought that it would
10 happen.

11 So, I see and I will of course go
12 back home and try to work on this that still
13 digital literacy is an issue for students, for
14 teachers and also for family especially because I
15 still believe that this participation is really
16 limited to a digital elite or technocratic elite.
17 And I think that this can be very, very dangerous.

18 Access to content, again, two
19 years ago I was attending a conference in Vienna I
20 think it was on digital content. And I don't
21 remember who but at a certain point it was said
22 that we should not have one gatekeeper to
23 knowledge. And of course they were implying
24 Google. And I thought that was a very strong

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1 statement.

2 But now, after two years, I'm
3 afraid that I have to agree with that statement
4 because we cannot allow access to content in the
5 hands of just one provider. So, I think that's an
6 issue and especially it's an issue in terms of
7 privacy and trust and consumer rights.

8 MR. GEIST: Thanks.

9 Before I get to Rob, I had a
10 question for Mr. Ko. The reference to government
11 role with respect to infrastructure and how that
12 can in a sense address neutrality has of course
13 been extraordinarily controversial, certainly in
14 North America, about the role that a government
15 does play in that.

16 Many of us are looking forward to
17 experiencing, you know, the highly acclaimed
18 infrastructure in Korea. And I was wondering if
19 you might expand a little bit on that issue.

20 MR. KO: I just like to clarify my
21 position about government role in infrastructure
22 investment. I do believe that government should
23 play a pivotal role in infrastructure investment
24 but not by direct intervention but by wise

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1 competition policy.

2 For the case of Korea, we push for
3 facility based competition rather than service
4 based competition. And direct investment of the
5 government to this infrastructure is less than 5
6 percent. It's 3 point something, so it's not high
7 at all.

8 But we push for this facility
9 based competition. When you push for facility
10 based competition you have the perils of all
11 overinvestment because it entails large fixed
12 costs for each service provider.

13 But benefit of the competition
14 outweighed this large fixed cost investment.
15 That's why that infrastructure in Korea was mainly
16 done by the privately sector, more than 95
17 percent.

18 MR. GEIST: Thanks for that
19 clarification.

20 Neil did you have any thoughts on
21 the role government plays with respect to this
22 issue?

23 MR. ANDERSON: I had some thoughts
24 actually on the previous speaker too which I

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1 wouldn't mind -- that was about the digital
2 education, et cetera. And I see that in that case
3 there is a real problem with employers trying to
4 ensure that their workers also participate in the
5 changes that are taking place and get education.

6 You know, companies spend a lot of
7 money building car parks but they don't spend so
8 much money (laughter) finding ways to get
9 theirwomen workers who might be coming to work, to
10 get them to work or to get them to get some
11 education or to get their older workers who now
12 must continue to be in the workforce because of
13 the way the world is changing to get some
14 education.

15 So I think that's a real challenge
16 for us is also getting to their homes as well, the
17 access to the internet so that they can
18 participate in the new types of education and they
19 can continue to be useful in the workforce in with
20 the web. I think that's something that we need to
21 look closely at.

22 And it comes back again, I think,
23 to access and investment and giving opportunities
24 for investment from many different sources. There

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1 has been an emphasis on open and free market
2 investment. And frankly that hasn't worked
3 entirely. And we see regulators around the world
4 now trying to look at ways to encourage
5 investment, sometimes by splitting companies up.
6 You know, there's a lot of debate about splitting
7 telecom companies to try and encourage investment.

8 And I think we're in the danger of
9 putting things into little boxes and not
10 encouraging investment in many different ways:
11 investments from government, investment to ensure
12 that all communities participate, that there is
13 investment in rural areas from government, you
14 know, or there is an assurance that there is going
15 to be a return on investment because sometimes
16 there needs to be a return on investment.

17 And that brings us to the old
18 problem of price control and control of price of
19 access. So...

20 MR. GEIST: Thanks for that.

21 I note that we're getting close to
22 running up against the reception. So, we've got
23 two speakers at the mikes. I think we'll actually
24 take both of their questions together, as concise

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1 as possible and then open it up to any members of
2 the panel to respond quickly and move on.

3 So, go ahead Rob.

4 QUESTION: Rob Crowhall from the
5 Ontario Research Network for Electronic Commerce.

6 One of things I hadn't heard about
7 so much today which we are seeing a lot of through
8 our research programs, is the role of the
9 participative web in health and health policy and
10 both through the, what I call non-
11 institutionalized health, people finding
12 information and also from health care supply
13 chains. And I just suggest that as a focus of
14 policy with the participative web involvement,
15 health care along with education are two areas
16 that I would have expected to have perhaps heard a
17 bit more.

18 I'd also just like to make a
19 comment on behalf, as a researcher in this area,
20 the OECD data is a tremendous source of trying to
21 actually put value on things that are just
22 emerging and actually does allow you to get into
23 an economic dialogue about tradeoffs. And I find
24 that extremely useful.

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1 MR. GEIST: Thanks for that.

2 QUESTION: In fact, this is
3 another cry for another policy area in some ways.
4 I'm Vladimir Skok of the Canadian Cultural
5 Observatory, culture.ca and Canadian Heritage.

6 What I came to look and
7 hear of today we have danced around it. We
8 have talked about creativity, intellectual
9 property, workers' rights, creativity rights.
10 There was some talk about identity, but another
11 major policy area that also is being affected of
12 course is cultural policy, whether it's a sound
13 recording, which the whole structure has changed,
14 the film industry, broadcasting where work is
15 being done now.

16 I know the ministerial has a theme
17 called "creativity", but when we are talking about
18 defining it narrowly it has been defined quite
19 narrowly and of course this is the OECD.

20 But the issues that are facing the
21 other sectors that we are talking about are very
22 much facing the cultural sector and those
23 challenges and needing to understand the trends,
24 especially when you look at deep, profound changes

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1 that were suggested in terms of citizen
2 participation and their identity, you know, active
3 access to your culture and your stories, how are
4 those issues going to be dealt with?

5 MR. GEIST: Health and culture.
6 Any responses from any of the panellists?

7 Mark? Keith?

8 MR. ROTENBERG: I would just
9 mention -- and I guess this is more of an anecdote
10 than a policy recommendation -- a number of years
11 ago I worked on a UNESCO Advisory Council and one
12 of the projects that the Advisory Council pursued
13 was a project called "Memories of the World". The
14 goal was to create an online museum, if you will,
15 of many of the great cultural icons. There was
16 one that really sort of stuck in my mind and you
17 will understand in a moment why it was
18 significant.

19 This was in the late 1990s and
20 they were going around the world and capturing
21 digital images and one of the most striking
22 digital images was of two very tall stone Buddhas
23 in Afghanistan that were recognized by UNESCO and
24 put on the Internet and made accessible to people

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1 around the worlds.

2 As the Taliban came to power in
3 Afghanistan in the '90s there was a moment -- and
4 I don't remember the year exactly but it was
5 before 2001 -- where they actually destroyed the
6 stone Buddhas. These were very large, monumental
7 objects and they collapsed. But they remained
8 online because of the UNESCO project called
9 "Memories of the World".

10 I don't know, of course, what the
11 grand answer will be for intellectual property
12 that balances the rights of creators and of users,
13 that continues to be a very big debate, but it
14 struck me in this moment that there is an ability
15 in this new digital world to preserve and to
16 expand and to extend so much around us that we
17 might not otherwise see and I hope that is
18 something that people will continue to pursue.

19 MR. BESGROVE: I had a not
20 dissimilar initial comment.

21 It is not a direct answer your
22 question, but one of the things that I have been
23 struck by is the expansion of the Internet is
24 making it possible to preserve languages that

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1 would otherwise die, to enable indigenous people
2 to be able to create repositories and to retain
3 them and share them.

4 So I think from that cultural
5 perspective the growth of the Web has been
6 enormously important.

7 As to the broader question of its
8 impact on cultural policy, I can't comment from
9 any depth of knowledge other than to say it's a
10 very vibrant and lively policy debate in my own
11 country and I'm sure it is in many others.

12 As to the question in relation to
13 health care and education, again from the
14 perspective of my own country, we are already
15 seeing quite substantial changes in the nature of
16 education and that is based on using the Web and
17 using high-speed broadband to change the nature of
18 classroom interactions, indeed to change the scale
19 of classrooms. So I think again that's a very
20 important and very vibrant space.

21 In my own country in relation to
22 health care, I think we are further behind but
23 others may be able to comment from the perspective
24 of other countries.

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1 MR. ALHADEFF: I will just take a
2 quick shot at the health care one, which is the --
3 I mean, the idea that information and
4 communication technologies are really going into
5 the field. It's more than just the electronic
6 health record concept, it's the concept of remote
7 access to medical expertise from a developing
8 country to a developed country; it's from a city
9 to rural area, all these kinds of interactions,
10 the portability of health records so that when you
11 are in a foreign country and you get hurt and you
12 go to the hospital there is a way to find out what
13 the needed treatments are.

14 And they don't come without issues
15 and they don't come without problems. So you have
16 privacy issues, security issues, lots of issues
17 which are all part of the mix of being dealt with
18 and some of the OECD work reflects that even if
19 it's not specific to health care at the moment.

20 So I just wanted to say, it is
21 part of the ferment and it is a huge issue and
22 some of this work does touch in that space.

23 MR. GEIST: Thanks, Joe.

24 I think it has been an

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1 exceptionally rich day. Clearly both the panel
2 and the audience have brought out any number of
3 additional issues that we didn't really have a
4 chance to get into it in any great detail.

5 I had asked the panel and they
6 did a great job of being very concise with just
7 an early series of remarks. We are going to
8 close with one more request to ask them to be even
9 more concise.

10 Amidst all of these various
11 issues, if you could give me a one-sentence the
12 key takeaway that you take from these various
13 issues. Perhaps we will work our way back in the
14 other direction, starting with Neil and coming
15 back towards me.

16 MR. ANDERSON: Well, one key
17 sentence is innovation and creating employment,
18 but we need to think about how the affects that
19 employment and involving the workers in
20 developing policy that gives them better
21 employment, better jobs.

22 MR. BESGROVE: Well, I have been
23 struck by the contradiction of both rewarding
24 creators and also controlling creators and that's

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1 certainly an interesting policy dilemma that I
2 will take away.

3 MS BATTISTI: Well, from my point
4 of view it's this idea that we are still confusing
5 codifying knowledge with the wisdom of the crowd
6 and without remembering that "wisdom of the crowd"
7 was an expression used by Hitler and Mussolini.

8 MR. ROTENBERG: I'm not sure how
9 to follow that one.

10 --- Laughter

11 MR. ROTENBERG: Maybe I have
12 a joke.

13 For me, I think it's what we need
14 to do to capitalize on the opportunity and limit
15 the problem, because that's really where the
16 rubber hits the road, to use an American
17 expression.

18 MR. KO: Well, picking up
19 privacy for just a brief moment, I think we need
20 to think about the long-term consequences of
21 projecting so much of our physical selves into
22 this digital world and what the long-term
23 consequences will be when so many aspects of our
24 personality are available to others.

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1 I don't think we really thought
2 about that and I think about that with my kids,
3 who are both on Facebook and putting things out
4 for millions of Internet users that I never knew.

5 MR. KO: For me, given the
6 incentive to the most skilled and knowledgeable
7 workers to actively participate in participative
8 Web, I think that's the key question, including
9 non-English speaking citizens in the world.

10 MR. GEIST: Thanks. And for
11 what it's worth, for me and I think I was
12 Sasha's question asking about what do kids, the
13 teenagers and preteens, think are the key policy
14 issues and the recognition that none of them sit
15 in this room and yet they are the ones that have
16 to live with the policy choices that were made
17 back in 1998 when my daughter was three months old
18 and will have to live with the choices that are
19 made next June.

20 But I hope you will join me in
21 thanking the entire panel for a what I think has
22 been a terrific discussion.

23 --- Applause

24 MR. OXLEY: Thank you, Michael.

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1 That was actually a
2 phenomenal panel and a phenomenal end to a
3 wonderful day. There has been great conversation
4 and great topics.
5 --- Upon recessing at 6:09 p.m.