

Non-Paper on Supporting the Development of e-Democracy in the EU's Eastern Partner Countries

Dr Kristina Reinsalu and Dr Jelizaveta Krenjova-Cepilova
Initiated and funded by the Estonian Center of Eastern Partnership

Introduction

The aim of this non-paper is to provide policy guidelines to support the development of e-democracy in all six EU Eastern Partner countries. This non-paper is based on a systematic overview¹ compiled in close cooperation with the EaP Partner countries, which evaluated their developments in e-democracy and presented a way forward.

The development of good governance in the EaP region is one of the top priorities for the EU as identified in the 20 Deliverables for 2020 document issued at the 2016 EaP Summit. e-Democracy forms an integral part of modern governance and its development should be a cross-cutting theme across policies and a joint effort involving all stakeholders.

This non-paper has been revised based on contributions from the Special Envoys for the EaP.

What is e-Democracy?

The essence of e-democracy lies in the support and enhancement of democratic processes and democratic institutions by means of technology. It offers citizens an additional opportunity to participate in political processes². e-Democracy does not substitute "offline" democracy, but has great potential to enhance and amplify existing democratic processes.

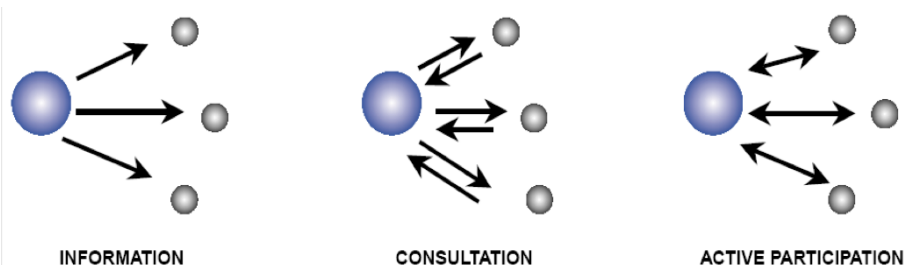


Figure 1. Defining Information, Consultation and Participation (Source: OECD, 2001)

Areas of e-Democracy encompass next to e-participation, grass-root activism, social networking, the use of ICT in political campaigns, internet voting and others.

In order to address government-citizen relations, we refer to one of the most commonly used conceptual frameworks of democratic participation and citizen involvement in policymaking, which originates from OECD report *Citizens as Partners* (2001)³ (Figure 1). It states that democratic political participation should involve the means to be informed (information), the mechanisms to take part in the decision-making (consultation) and the ability to contribute and influence the policy agenda (participation).

If we transfer these concepts to the realm of ICT, we can refer to the following interactions:

- **Online provision of information (e-information):** a one-way relation in which government produces and delivers information in its online channels for public use by citizens. It covers both "passive" access to information upon demand by citizens and "active" measures by government to disseminate information to citizens.
- **e-Consultation:** a two-way relation in which citizens provide feedback to government using online tools. It is based on the prior definition by government of the issue on which citizens' views are being sought and requires the provision of information.
- **Active e-participation or e-partnership:** a relation based on partnership with government, in which citizens actively engage in the policy-making process via different online tools. It acknowledges a

¹ The full study report can be found at https://ega.ee/publication/situation_review/

² Council of Europe (2009) Recommendation CM/Rec(2009)1

of the Committee of Ministers to member states on electronic democracy (e-democracy)

³ OECD (2001) *Citizens as Partners*.

role for citizens in proposing policy options and shaping the policy dialogue.

We emphasize the pragmatic approach towards implementation of e-democracy and citizen-government interactions in ICT era. We consider every interaction as equally important. Hence, in contrast to either pyramid or linear visualization, we present them in a circular form (Figure 2), where we see these relations as a continuous process: citizens are constantly receiving new information while being consulted or asked for their proposals.

*The provision of information online (both passive and active) strengthens such democratic values as openness, **transparency and accountability**⁴, while e-consultation and e-partnership strives to engage citizens in the decision-making processes*

*...serving the value of citizens' **participation**. We consider **e-partnership** as the most valuable reflecting the citizens-government collaboration, where both parties are equal partners searching for the best solutions for challenges of the modern societies.*

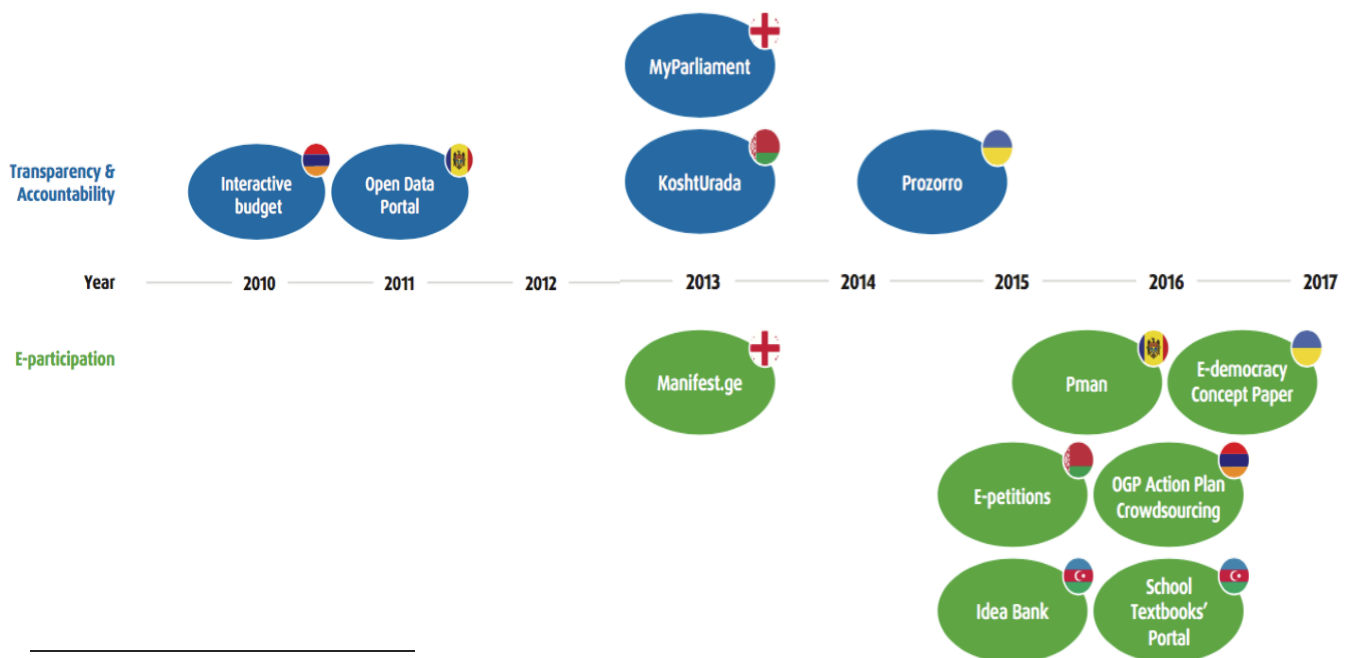


Figure 2. Government-Citizen Relation in ICT Era

e-Democracy Showcases

Our case studies look at the initiatives that aim to engage citizens in deliberations, making proposals and participating in the decision-making. We highlight not only specific e-tools or platforms created, but also processes of e-engagement in the elaboration of regulatory framework, as well as gathering citizens' ideas for the improvement of public services. We aimed at applying a unified approach in the demonstration of the cases,

however, due to their heterogeneity not all aspects were covered equally in each case presented. We, therefore, encourage the actors in each country to work on the elaboration of thorough and comprehensive overview of the e-democracy tools created in order to build a "menu" of different tools that both civil society and government could be using.



⁴ The EU e-Government Action Plan 2016-2020 lists the principles of openness and transparency as the underlying ones for future initiatives of e-government development.

Drivers and Barriers of e-Democracy in the Region

Open Government Partnership initiative has clearly played an important role in fostering e-democracy in most countries of the region that joined the initiative. The vast majority of governmental commitments in the EaP region related to e-democracy derive from OGP Action Plans that undergo independent international monitoring and evaluation. From this perspective, **OGP can be regarded as a “soft pressure” mechanism** as well as a driver at least to the extent of fostering the “kick-off” process of e-democracy development in the EaP region. Also, a good practice of building multi-stakeholder **partnerships** should be stressed. We have witnessed this gradually growing acknowledgement of collaboration in **Ukraine and Moldova**. The emerging partnership mind-set has implications for both intra-sectorial collaboration as well as cooperation between different sectors of society. For instance, building coalitions of NGOs around certain issues proved to have bigger impact as exemplified in the case of Ukraine. Last, but not least, as clearly stressed in the case of ProZorro initiative, the **“golden triangle of partnership”** – civil society, business and government – is one of the most important keys to success. Finally, it has to be stressed that **local level activism** plays an essential role in boosting general e-activism in a society, since local level is the closest link between citizens and the state. The high potential of local level initiatives to advance the implementation of e-democracy was observable in all countries in the region.

As to the **barriers and challenges** that EaP countries currently face in the realm of e-democracy, the study revealed that there is a **lack of comprehensive national surveys** in regards to e-governance development and e-readiness in general in EaP region as well as the lack of sustainability in the measurement activities. Furthermore, there is still a lot to be done in all EaP countries for the enhancement of the understanding, what is the purpose of e-democracy instruments and what impact they might have. **Despite the existence of numerous e-democracy tools, the low level of “e-democracy literacy” is evident in all countries in the region.** Hence, one of the barriers is lack of **civic**

education, which could potentially become a driving force to boost the participation of the civil society. Also, there is the strong need to make the results of the international support projects (e.g. good governance projects) visible as well as understandable for the ordinary citizens. This could be addressed through the general education on the issues of corruption and manipulation with the power.

Besides civil society, it is partly the role of journalists to be democracy watchdogs and analyse the performance of government. In most of the EaP countries, in **Azerbaijan and Belarus** in particular, one of the most important groups to conduct target trainings with are journalists, the investigative journalists in particular. In Ukraine, on the other hand, there seems to be a critical mass of journalists working with investigative focus and using the open data. However, it is important to stress that, in creating any new e-tool or platforms, using open data for analysing the performance of different actors, it essential to adhere to rules and regulations of privacy and personal data protection. Violation of these destroys the trust of citizens in e-democracy tools.

Likewise, **targeted training in the governmental sector** in terms of using ICTs for enhancement of democratic processes in essential. For instance, among the core competencies of the public servants that need special attention, is the knowledge of the legal framework regulating the transparency in the decision making; clear understanding of the concepts of e-Participation; Open Data as well the link between Open Data and transparency; awareness about different e-consultation and e-participation platforms and mechanisms available.

Also, actors in each country are encouraged to work on the elaboration of thorough and **comprehensive overview of the e-democracy tools** created in order to build a “menu” of different tools that both civil society and government could be using. As the study indicated, **the majority of e-democracy tools fall into the category of transparency and accountability**, and only a handful of them strive to enhance participation. Hence, there is an imbalance in terms of the implemented stages of e-democracy: e-information and e-consultation are clearly dominating the e-democracy

implementation in the region. Similar tendency is observable at the strategic level.

The low level of enforcement of existing legislation as well as weak institutionalized mechanism and regulation of e-participation constitute substantial barriers of e-democracy coherent implementation in the region. Bringing e-governance issues under subordination of higher executive levels could be beneficial. The State Agency for Electronic Governance of **Ukraine** sets an important precedent establishing a strategic framework and a mandate for e-democracy development at the national level.

One of the barriers referred both by government representatives and by civil society representatives in various countries, is general passiveness and low interest in participate in decision-making process. Establishing clear

mechanism of keeping track of gathered feedback as well as of ensuring the authorities' public response to citizens' feedback could be beneficial.

Finally, we would like to underline **the importance of "offline" activities** and tools and their integral role in the development of e-democracy. It should be kept in mind that **online and offline spaces complement each other**, and, hence, their combination is necessary for efficient civic engagement to take place. This was most evident in the initiatives of **Moldova** and **Armenia**.

It should be remembered that technology is not a magical wand to boost transparency and civic participation, but is merely supportive to existing democratic practices.

General Recommendations for the Region

In view of the above, we would like to draw several **general recommendations** that we believe could be useful for all countries in the region to consider:

- All stakeholders should remember that ICTs are instruments at the service of democratic processes. They are the tools that enable societies to advance and "deepen" democracy. Hence, "offline" activities should not be neglected. It is the combination of online and offline tools that contributes to the emergence of successful participatory practices.
- All stakeholders are encouraged to cooperate in the work on the elaboration of thorough and comprehensive overview of available e-democracy instruments in order to build a "menu" of different tools that both civil society and government could be using
- Local level activism should be encouraged and nurtured. It plays an essential role in boosting general e-activism in a society being the closest link between citizens and the state.
- Public awareness and e-literacy campaigns should be conducted in order to tackle the low usage of e-democracy instruments. Also, strong brands around e-democracy tools demonstrating its benefits should be created.
- Targeted training in the governmental sector in terms of using ICTs for enhancement of democratic processes is essential. Government should also acknowledge e-democracy as an integral part of e-governance and underpin its developments with clear strategic and legislative frameworks.



Armenia

- Armenia has a variety of e-solutions with rather low usability. Still a lot has to be done in the **public awareness domain**; also, elaboration of thorough and comprehensive overview of the e-democracy tools created.
- The experience in **governance innovation** (e.g. pop-up innovation labs in gov) should be promoted and encourage further.
- The area of **open data** requires more in-depth understanding by all sectors of the society. The capacity of institutionalised civil society to use the potential of technologies as well as existing open data in a transformative way should be addressed. The IT community that has to be stimulated to be part of the social innovation developments. Attention has to be paid to the regulations on data protection.
- It is vital to encourage the adaptation and adjustment of new solutions **to the local needs**. There should be a pragmatic tandem between the donor and the government enabling piloting of new projects before having large-scale implementation.



Azerbaijan

- The support for the **monitoring of public information provision** is recommended. The enforcement of the Law on Access to Information, which was adopted in 2005, could be monitored by an institution of Ombudsman of Information.
- The support for **local governments** in the area of provision of information via official webpages is suggested (e.g. the development of a webpage template with predefined structure of information).
- Clear **monitoring** mechanism on the usability of and access to **e-services** is needed in order to enable the citizens to use the full potential of e-services that already exist as well as to design the new ones.
- The emphasis should be put also on the more **homogenous development of e-services**. Currently the accessibility and quality of these is variable.



Belarus

- There is the need for **amendments in the legislative framework** on the access to public information and data protection that would consider the developments in the field of ICTs.
- **NGOs** should use more intensively new mass media in order **to promote the topic to the wider audience**. It is also essential to teach NGOs about the proper structure and implementation of e-participation initiatives.
- It is recommended to enhance networking activities and engage the Belarusian analytical community (e.g. experts, researchers, think tanks) in **advocacy campaigns**. Donors' community, international organisations and development agencies are encouraged to initiate joint thematic activities for experience sharing and networking.
- The **local level initiatives** might be the best way to approach the advancement of e-democracy in Belarus. The potential for further developments could be feasible via e-consultation activities about tangible issues, such as city spatial planning.



Georgia

- The predominance of e-democracy instruments focusing on **transparency and accountability** is observable. More e-participation tools are needed (e.g. the e-petitions platform - ichange.gov.ge).
- There is the clear need for a modern stand-alone act of freedom of information, addressing among others **the topic of disclosure of public sector data**. Also, the establishment of oversight authority that would monitor and ensure the enforcement of the corresponding legal provisions is recommended.
- Training in the governmental sector** (both at the local and national level) on the topic of using ICTs for enhancement of democratic processes is essential. Advancing the knowledge of public servants on the legal framework regulating transparency of the decision-making, on the concepts of e-participation and open data, as well as building awareness about different e-consultation and e-participation platforms and mechanisms.



Moldova

- The e-Government Center is involved in various **open data** projects enabling to open numerous datasets. Better understanding and awareness of the potential of open data usage is recommended.
- Raising awareness and understanding on the **issues of corruption and manipulation with power**. Improvement of quality of civic education is needed.
- Collaboration mechanisms** between the government and the CSOs have to be reinvented/improved. The National Participation Council does not prove to be effective communication channel between different stakeholders.
- The activities of the e-Government Center that **focus on gathering the feedback from the citizens** need further support and encouragement. More specifically, these include such undertakings as annual public perception surveys that provide valuable inputs from year to year on what the citizens actually want (e.g. services prioritization, trust in virtual space).



Ukraine

- In the governmental sector, the **institutionalisation of e-democracy** has to take place, i.e. the creation of relevant departments and the allocation of human and financial resources for them. The State Agency is currently taking the coordinating role in this area, however, other governmental institutions also have to be involved.
- The massive energy of Maidan revolution resulted in the institutional and instrumental fragmentation in the field of e-democracy. **The holistic governmental approach in the area of e-democracy** is now gradually being developed through the development of e-Democracy Concept Paper. This direction and single vision should be encouraged further.
- The active civil society** of Ukraine should continue performing its proactive role in the development of e-democracy.
- All e-democracy initiatives have to be accompanied by awareness-raising campaign and trainings. Implementation of **concrete community projects** where different stakeholders are working towards common agenda could create **the culture of dialogue**.