

ELECTRONIC GOVERNANCE ("E-GOVERNANCE")

Recommendation Rec(2004)15
adopted by the Committee of Ministers
of the Council of Europe
on 15 December 2004
and explanatory memorandum

French edition:

*La gouvernance électronique («e-gouvernance») (Recommandation Rec(2004)15
and explanatory memorandum*

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Recommendation Rec(2004)15

of the Committee of Ministers to member states on electronic governance (“e-governance”)

*(Adopted by the Committee of Ministers on 15 December 2004
at the 909th meeting of the Ministers' Deputies)*

The Committee of Ministers, in accordance with Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity between its members;

Mindful of the Council of Europe’s fundamental role in the promotion and protection of democracy;

Emphasising the importance of maintaining and enhancing democratic institutions and processes in the context of the new opportunities and challenges arising from the rapid emergence of the Information Society;

Convinced of the continued and essential leadership role that national, regional and local public authorities must play in identifying and responding to these opportunities and challenges, by implementing comprehensive e-governance strategies;

Acknowledging the range of e-governance initiatives in member states at the national, regional and local levels;

Noting that the development and implementation of these e-governance initiatives should serve to further strengthen human rights, particularly the right of everyone to express, seek, receive and impart information and ideas;

Convinced of the potential of these initiatives to improve the relationship between public authorities and other stakeholders in civil society, enhance the quality of public services and improve the efficiency of public authorities;

Aware of the potential risks related, in particular, to the abuse of personal data, lack of access to information and communication technologies (ICTs) and inadequate e-literacy skills among certain sectors of the population;

Noting that e-governance is about democratic governance and not about purely technical issues, and convinced therefore that the full potential of e-governance will be harnessed only if ICTs are introduced alongside changes in the structures, processes and ways that the work of public authorities is organised;

Stressing that the development and dissemination of common guidelines for good e-governance practice are essential to the sharing of expert knowledge across borders, learning from and building on the successes and difficulties of partners, and avoiding duplication of work and the inefficient use of resources;

Taking into account and building upon the previous work by the Council of Europe and other intergovernmental organisations, particularly those listed in the explanatory memorandum to this recommendation,

Recommends that member states:

1. Review their e-governance policies, legislation and practice in the light of the guidelines appended to this recommendation.
2. Work together with the appropriate international, national, regional and local stakeholders, to develop a shared vision of e-governance that upholds human rights, democracy and the rule of law by:
 - strengthening democratic institutions at all levels and making them more accessible, transparent, accountable and responsive;
 - providing opportunities for all to participate in the process of decision making, thereby contributing to a more dynamic, inclusive democracy;

- improving public administration and services by making them more accessible, user-centred, transparent, efficient and cost-effective, thus contributing to the economic and cultural vitality of society.

3. Develop an e-governance strategy which:

- fully complies with the principles and domestic organisation of democratic government;

- enhances the effectiveness of democratic processes;

- widens the choices available to users for communicating and transacting with government by providing additional channels;

- is based on an inclusive and non-discriminatory approach;

- involves users in strategic choices and respects their needs and priorities;

- ensures transparency and sustainability;

- promotes a coherent and co-ordinated approach between the different spheres and tiers of government;

- provides a framework for partnership between the public authorities, the private sector and other organisations of civil society;

- maintains and enhances citizens' confidence in democratic processes, public authorities and public services, including through protecting personal data;

- includes solid risk-assessment and risk-management measures;

- enables and improves access to appropriate ICT infrastructure and services that are simple and fast to use;

- ensures system availability, security, integrity and interoperability;

- provides for an ICT policy based on technology neutrality, open standards and on the assessment of possibilities offered by different software models, including open source models;

- contains provisions for broad-based education and training as well as appropriate public information measures;

- takes into account relevant international developments;

- incorporates mechanisms for ongoing evaluation and evolution.

4. Seek to apply the principles in this recommendation to other organisations involved in the delivery of public services.

5. Disseminate widely this recommendation and its appendix, where appropriate accompanied by a translation.

Tasks the Secretariat to include, where appropriate, e-governance aspects into, *inter alia*, the Council of Europe's democracy projects and into the work of its field offices.

Decides to reconsider the issue of e-governance two years after the adoption of this recommendation.

Appendix to recommendation Rec(2004)15

The purpose of this recommendation is to assist member states in developing strategies for e-governance that make effective use of information and communication technologies (ICTs) in the relationships between public authorities and civil society, as well as those between public authorities, and in the functioning of public authorities in the framework of democratic processes and the provision of public services.

In this recommendation, "users" refers to individuals or any organisation, including the private sector and public authorities, using or wishing to use e-governance services.

I. E-democracy

1. The use of ICTs in the democratic processes should be made available where it is considered that this would be an effective means of:

- strengthening the participation, initiative and engagement of citizens in national, regional and local public life;
- improving the transparency of the democratic decision-making process and the accountability of democratic institutions;
- improving the responsiveness of public authorities;
- fostering public debate and scrutiny of the decision-making process.

2. ICTs should be used to improve access to and communication with officials and elected representatives and to enhance communication within and between public authorities at all levels.

3. E-enabled ways of voting in elections and referendums, at all levels of government, in addition to traditional non-electronic voting channels, should be considered, in conformity with Committee of Ministers' Recommendation Rec(2004)11.

4. Citizens' trust, motivation and capacity to participate in e-enabled democratic processes should be enhanced through appropriate information, assistance and educational activities at all levels, and within the framework of education for democratic citizenship. The media should be encouraged to play an active and independent role in raising public awareness and promoting democratic participation.

II. Public e-services

5. The use of ICTs in the provision of public services should be made available where it is considered that this would be an effective means of:

- improving the overall accessibility, inclusiveness and usability of public services;

- strengthening public services' responsiveness to user needs;

- ensuring equality in public service provision as a means to fostering social cohesion.

6. When public authorities provide public information and services through ICTs:

- it should be clear what information and services are available and how and where these can be located;

- the design of e-services should allow users to tailor them according to their needs;

- it should be ensured that information is correct, authentic and up-to-date, and that services are secure;

- the information and services should be as easy to understand as possible in terms of content, context and presentation;

- the interface of services and the presentation of information by different public authorities should be harmonised;

- consistency in service quality and a seamless service across multiple service areas and modes of access, whether via traditional channels or via ICTs, should be ensured;

- competent advice for users of e-services, tailored to different user characteristics, should be provided.

III. E-governance strategies

Key characteristics of e-governance strategies

7. ICTs should be used in democratic processes and public-service provision alongside other channels (multi-channel access).

8. E-governance services should be made available via a range of ICT channels, where practicable and cost-effective, provided that they ensure ease of use, as well as better quality, availability and accessibility of information and services.
9. The provision of e-governance services should seek to bridge the digital divide by adapting technologies in order to make them accessible to all user groups, regardless of any individual, social or cultural characteristic or geographical location.
10. Measures should be taken so that persons with disabilities do not have extra costs when using e-governance services. Awareness-raising activities for product and service providers about the requirements of persons with disabilities should be undertaken.
11. E-governance strategies should include consideration of possible legal provisions, especially in fields such as access to information, identification and authentication, and the legal validity of e-transactions.
12. E-governance strategies should include measures to reduce the administrative and regulatory burden for users, in particular for the public and for public administration. Measures which allow users to monitor the progress of administrative procedures in which they are involved could also be included.
13. E-governance strategies should provide a framework for the efficient allocation and use of technological, financial and human resources to the development of e-governance services and relevant ICT infrastructure. Short-, medium- and long-term costs of implementation should be regularly assessed.
14. E-governance strategies should encourage piloting and prototype testing, and sponsorship of leading-edge e-governance programmes and projects whose results should be shared.
15. E-governance strategies should promote the dissemination of good practice and research within and across borders.

Guiding principles for implementation

16. The development and implementation of e-governance services should include an analysis – and where appropriate a redesign of – service delivery and administrative processes.
17. Risks associated with the use of ICTs in democratic processes and the provision of public services, in particular those related to unauthorised usage or modification, should be regularly assessed, and risk prevention and management strategies should be implemented. Users should be clearly informed of such risks and of measures taken to reduce them.

18. In order to safeguard people's right to privacy, all processing of personal data, in particular when designing user-tailored services and applying user segmentation, should take place in conformity with the requirements of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108). All necessary information should be provided to ensure the proper participation of the users and the full exercise of their rights.

19. E-governance strategies should include a quality-management system aimed at improving public e-services, continually increasing user satisfaction, and managing possible malfunctioning.

20. E-governance strategies should include promotion campaigns for e-governance programmes and projects, using a variety of online and offline channels.

21. The methods of authentication used in e-governance applications should correspond to the required degree of confidentiality and security.

22. Appropriate infrastructure should be built to ensure that privacy, confidentiality and reliability of personal data are secured at all times.

Enabling conditions for e-governance strategies

23. E-literacy among all groups of the public should be developed within the framework of lifelong learning. Media should be encouraged to play an important role in promoting e-literacy.

24. Officials and elected representatives should be provided with training on relevant aspects of the use, management and delivery of e-governance services.

25. Affordable public access points to e-governance services should be provided.

26. The creation of a nationally recognised body for, or the tasking of existing bodies with, e-governance issues, should be considered.

Explanatory memorandum

Preamble

1. Nation states have in recent years experienced profound changes in the bases of social communication and in the structures of economic production. They have witnessed an explosion in the volume of information being produced and shared, a convergence of technologies for storing information and technologies for communicating information, a rapid reduction in the cost and an accelerating proliferation of computing equipment and applications. Reports state that these changes have led to a “collapse” in the historical barriers to communication of time and distance.

2. In the mid 1990s, as these trends intensified, the phrase “information society” was coined. An information society is one in which “the creation, distribution and manipulation of information has become the most significant economic and cultural activity”.¹ In these societies the relative significance of information and communication technologies (ICTs), service industries and intellectual capital as bases of economic production has dramatically increased. In these information societies, sectors of the national economy that are based on mass production, manufacturing industries and manual labour are in relative decline. Complementing the rise of the information society is the emergence of a new world of work. In information societies, new “knowledge economies” are emerging, with organisations in these economies staffed by e-literate citizens who are also “knowledge workers”.²

3. The pressures driving the emergence of the information society apply equally to all sectors. In commercial sectors, this new environment has spawned feverish interest in the potential of e-commerce and e-business

1. Search for “information society” at www.whatis.com

2. A term first coined by management guru Peter Drucker.

to transform performance in service provision and organisational productivity, respectively. The public sector's response is "e-governance".

4. In its Political Message to the World Summit on the Information Society³ (Geneva, 10-12 December 2003), the Committee of Ministers declared:

"We believe that ICTs can strengthen representative democracy by making it easier to hold fair elections and public consultations, accessible to all, help to raise the quality of public deliberation, and enable citizens and civil society to take an active part in policy-making at national as well as local and regional levels. ICTs can improve access to justice and make all public services more efficient, responsive and accountable. Democratic electronic governance, evolving through the concerted efforts of all members of society, should reach all fields of policy."

5. E-governance is an international phenomenon of concern to all public authorities – central, regional and local. Because the changes made possible through implementation will influence the potential for national and international economic prosperity (considering public authorities' role in supporting, monitoring, regulating and providing services to the commercial sector), it is a field of acute interest for commercial organisations also. And as implementing e-governance includes changing for the better the ways in which civil society functions, the voluntary sector is being affected too.

6. A rapidly growing body of literature now exists on e-governance. The published research ranges from comparative reports on the various strategic approaches of national governments and the progress that has been made on implementation,⁴ including lessons for policy makers and practitioners,⁵ to those that present leading-edge examples from local authorities,⁶ to those that focus on a specific country⁷ and still others that

3. Adopted by the Committee of Ministers on 19 June 2003 at the 844th meeting of the Ministers' Deputies.

4. For example, *The world's most effective policies for the e-economy*, Booz/Allen/Hamilton, November 2002.

5. See *The e-government imperative*, OECD, 2003.

6. For example, the annual *Local e-government now* series from the Improvement and Development Agency (IDeA), and the Society of IT Management (Socitm). See http://www.idea.gov.uk/publications/eg0024_brief.pdf for the executive briefing of the 2003 report.

7. For example, *E-government: an Italian experience*, produced with the support of the Council of Europe, 2002.

include an examination of the theoretical underpinnings of the e-governance phenomenon,⁸ and finally those that focus on a particular e-governance theme: e-democracy, e-services⁹ or e-administration.¹⁰

7. The opportunities and challenges accompanying the emergence of the information society and knowledge economy have been treated by member states in different ways. Individual member states have chosen to focus on different aspects of the public sector's functioning and role, and they have employed varying implementation strategies.¹¹ Through analysis of these experiences and the accompanying body of research, it is now possible to begin to assess what works, and what does not.

8. E-democracy is the last of the e-governance themes to receive sustained analytical attention, yet it can be argued that the significance of widespread good practice in this area is paramount amongst our concerns, to the health of civil society and democratic institutions. Whereas many states have chosen to focus first on the transformation of public services (e-services), or the productivity of public authorities through efforts in the e-administration area, other states – fewer in number – recognised early the potential of e-democracy for improving the cohesiveness and functioning of democratic society.¹² So the results from early e-democracy implementation are now beginning to emerge. One study looked at e-democracy across Europe in 2003 and found, perhaps unsurprisingly at this time, that “e-access is by far the most dominant e-technique being pursued whilst e-consultation and e-forums are noticeably lagging”.¹³ In summary, this means that the use of websites for information dissemination purposes is widespread, but the use of ICTs to enable rich forms of engagement and participation is at an earlier stage of development.

9. National, regional and local public authorities are creating new responsibilities and structures for leading strategy development and

8. Douglas Holmes, *E.gov: e-business strategies for government*, 2001.

9. *E-government leadership: engaging the customer*, Accenture, 2002.

10. Recent EU sponsored report on savings. Also see *Casting the net wider: local e-democracy 2003*, IDeA, LGA, Socitm, 2003.

11. See Kate Oakley's paper "What is e-governance?", 2002, and *Local e-government now: a worldwide view*, IDeA and Socitm, 2002.

12. *Local e-government now: a worldwide view*, IDeA and Socitm, 2002.

13. "Evaluation of the use of new technologies in order to facilitate democracy in Europe: e-democratizing the parliaments and parties of Europe", October, 2003.

implementation, and at the intergovernmental level both the Council of Europe and the European Commission are now deeply engaged in understanding the mechanics and implications of the emergence of a global information society (global, but by no means uniform across all states or regions), and driving advancement and implementation for the benefit of European peoples and societies. The Council of Europe has led many strands of work on behalf of member states in relation to the new opportunities and challenges raised above. The principles in this recommendation build on, but do not replace, this previous work, which includes:

- the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, ETS No. 108;
- the Convention on Information and Legal Co-operation concerning "Information Society Services", ETS No. 180;
- the Convention on Cybercrime, ETS No. 185;
- Recommendation Rec(2004)11 of the Committee of Ministers to member states on legal, operational and technical standards for e-voting;
- Recommendation Rec(2002)2 of the Committee of Ministers to member states on access to official documents;
- Recommendation 1559 (2002) of the Parliamentary Assembly on the training of workers in the use of new technologies;
- Recommendation 1586 (2002) of the Parliamentary Assembly on the digital divide and education;
- Resolution 1279 (2002) of the Parliamentary Assembly on the new economy and Europe;
- Recommendation Rec(2001)19 of the Committee of Ministers to member states on the participation of citizens in local public life;
- Resolution 1191 (1999) of the Parliamentary Assembly on information society and a digital world;
- Recommendation 54 (1999) of the Congress of Local and Regional Authorities in Europe on the local and regional information society;
- Recommendation No. R (99) 14 of the Committee of Ministers to member states on universal community service concerning new communication and information services;

– Recommendation No. R (99) 5 of the Committee of Ministers to member states for the protection of privacy on the Internet.

10. Equally, this recommendation fully takes into account previous work undertaken and sponsored by the European Commission, including:

– Council Resolution on the implementation of the eEurope 2005 Action Plan: 5197/03, Brussels, 28 January 2003;

– Directive 1999/93/EC of the European Parliament and of the Council, of 13 December 1999, on a Community framework for electronic signatures;

– The European Commission eGovernment Good Practice Framework.¹⁴

11. It is in the context outlined above, and bearing in mind the previous work of member states and others, that the principles in this recommendation should be considered.

Recommendation

Paragraph 1. “Review their e-governance policies, legislation and practice ...”

12. The Committee of Ministers recommends that member states should review their policies, legislation and practice because it is their intention that the principles contained in the appendix describe best practice.

13. These principles are based on policy, research and expertise from many countries. The precise domestic legislative arrangements and hence implications of implementing the principles will vary across nation states. It is likely that no member state will have yet satisfied all principles. Therefore, a review of domestic policies, legislation and practice, using the principles in the appendix as a benchmark, will be relevant and productive in all member states.

Paragraph 2. “Work together with the appropriate ...”

14. This paragraph provides the test, or benchmark statements for an effective, inclusive vision for e-governance, and any coherent vision for

14. See: http://europa.eu.int/information_society/activities/egovernment_research/gpf/index_en.htm

e-governance should be designed with the outcomes implied by these statements in mind.

15. The paragraph also seeks to re-affirm, promote and embed within e-governance strategies the core values of the Council of Europe.

Example

The *Swedish* approach to e-government and to public management in general is highly decentralised with independently managed agencies, working under a performance management regime. The government has limited its role to setting the overriding goals in global policy documents, removing obstacles in the form of, for example, legal barriers, and supporting the agencies by providing guidelines and methods, and ensuring that the necessary common infrastructure for e-government comes into place.¹⁵

The combination of performance management and managerial freedom has been a decisive factor behind the modernisation of the public services in Sweden and the rapid uptake of new digital technologies. Swedish government agencies have shown that they are capable of managing and achieving change, and of modernising their internal processes.

Paragraph 3. "Develop an e-governance strategy ..."

16. The sweeping spread of ICTs is transforming all fields of human activity, including democratic processes and the work of public authorities. Observation of good practice across member states and elsewhere shows that ICTs can offer real benefits for democracy, policy-making and the provision of public services, but they also carry an array of potential threats. The realisation of benefits and avoidance of risks depend on the capacity of public authorities to devise and implement coherent strategies for developing and improving governance through the use of ICTs.

17. This paragraph describes the essential characteristics, or benchmarks, of an effective, coherent strategy for e-governance. The principles

15. A public administration serving the citizen (Government bill 1997/98:137), "An information society for all" (Government bill 1999/2000:86), "A public administration in the service of democracy: An action programme", 2000, Towards the 24/7 agency (2003).

in the appendix to the recommendation are consistent with and support these characteristics, and strategies developed and implemented according to these principles will tend to exhibit the characteristics listed here.

18. The principles in the appendix provide the necessary conditions for such a strategy, and implementing a strategy designed according to these principles will contribute to the achievement of the outcomes described in the vision statements in paragraph 2 of the recommendation.

19. Many of the characteristics, or benchmarks, included in this paragraph are self-explanatory, and are expanded upon within the appendix to the recommendation. Here we provide explanatory notes for the small number that could conceivably appear to be ambiguous, or could be understood variously across member states.

Bullet 1: "fully complies with the principles and domestic organisation..."

20. This recommendation and the principles appended to it speak of seeking to improve the effectiveness of democratic processes. Democratic and constitutional arrangements vary across member states; for example the structures for subsidiarity and the balance of responsibilities between national, regional and local government. This recommendation does not seek to alter such existing domestic structures, nor does it seek to replace democratic processes that accompany these structures. The recommendation is first about enhancing the effectiveness of existing arrangements, and it is for member states to decide if amendments to democratic structures and processes are appropriate.

Bullets 12 and 13: "ensures system availability, security ..." and "provides for an ICT policy based on technology neutrality, open standards ..."

21. Interoperability, achieved through the use of open standards, is a necessary condition that underpins the robustness, flexibility and sustainability of e-governance implementations. Numerous risks adhere to non-interoperable implementations, including financial risk (for example associated with the risk of obsolescence), the risk of supplier capture (or lock-in) and risks to the scalability of implementations. Hence, interoperability and open standards are crucial enablers of effective, sustainable

strategies, well-functioning vendor markets, and the long-term provision of high quality e-services and e-democracy within and across organisational boundaries.

22. The use of open source software solutions (OSS) by public authorities is increasing, and this increase reflects the perceived value-for-money advantages, as well as the potential for risk avoidance (risks of the type introduced above), associated with the use of OSS rather than proprietary solutions. A clear national policy in this area is important, because the choice of software solutions made across the public sector has implications for the cost and ease of co-ordination within and between public authorities.

23. The degree of trust and confidence, on the part of users, in e-services and e-democracy is a key determinant of the propensity of those users to engage with public authorities in new ways. A consistent and visible security accreditation and information assurance regime across the public sector is therefore desirable. This regime should guarantee the security and transparency of interactions conducted through e-channels, and should serve to build trust and confidence amongst users in the handling of personal and other data by public authorities.

24. The starting point for this recommendation is democracy and service delivery, and the specific aspects and qualities of effective democratic processes and effective public services, rather than ICT. The recommendation includes “technology neutrality” because it is no particular technology that is of concern; the objective is the appropriate application of technologies to support improved service and democratic processes.

25. The principles are concerned with how ICT can support or enhance aspects of democracy and with developing the conditions from which sustainable practice can emerge. Hence, it may be that member states choose to make use of existing technologies more effectively or for different purposes, but they may also choose to seek radical innovation in some areas.

Example

The *Austrian* Government was the first in Europe to formalise e-governance arrangements by introducing a new law, which came into effect

on the 1 March 2004 – the “Federal Act on Provisions Facilitating Electronic Communications with Public Bodies”.¹⁶

The objective of the Act is “to promote legally relevant electronic communication. Electronic communications with public bodies are to be facilitated, having regard to the principle of freedom to choose between different means of communication when making submissions to such bodies.”

It contains the following parts:

- identification and authentication in electronic communications with public bodies;
- use of the citizen card functions in the private sector;
- electronic validation of data;
- peculiarities of the electronic maintenance of records;
- penal provisions;
- transitional and final provisions.

Appendix to the recommendation

I. E-democracy

Paragraph 1. “The use of ICTs in the democratic processes should be made available ...”

26. The principles contained in this paragraph describe the ends to which e-democracy practice should be directed. The paragraph defines the desirable outcomes to which effective e-democracy practice will contribute.

27. “Democratic processes” is a catch-all term referring to all of the activities involved in practising representative democracy in and between all spheres and tiers of governance. It includes the processes of decision-making throughout the policy and electoral cycles. These processes, for instance, include the engagement and participation of citizens and groups in the development and deliberation of policy, the drafting of laws and other instruments, the scrutiny of decision-making by elected representatives and others, the means by which day-to-day access to elected representatives by citizens is facilitated and the act of voting in elections and referendums.

¹⁶A copy of this act can be found at: http://www.ris.bka.gv.at/erv/erv_2004_1_10.pdf

28. The use of ICTs in democratic practice should create new opportunities for strengthening citizen participation and the transparency and responsiveness of democratic institutions. Implementing e-democracy can offer new opportunities for citizens to obtain information from public authorities, express their views, debate issues of public importance and influence decision-making.

Examples

a. In *Estonia* the national government's cabinet meetings are fully supported by web technologies. Cabinet members who cannot be physically present can participate in meetings via instant messaging, and throughout and after the meetings, updates on topics and decisions are rapidly made available through the government's website. The use of ICTs in this way has improved the efficiency of this part of the democratic process, by considerably reducing the length of meetings. And via a government portal called "Today, I Decide", any citizen can comment on policies and decisions, and can submit proposals for debate and legislative change.

b. In *Poland, India and Brazil* the transparency and accountability of public budgeting processes are being improved through the provision of online tools that explain how public revenue is raised and allocated. In some cases, proposed budgets are made available for public comment and recommendation, with interactive features that illustrate the difficult budgetary choices and decisions involved in public administration with finite resources.¹⁷

c. The interest in e-democracy in *Sweden* has so far focused on the local level. Bollnäs is a small town of around 25 000 inhabitants in the middle of Sweden. Its e-democracy activities include a possibility for inhabitants to make written propositions to the City Council, the Executive Board, and to all city committees as well as a live interactive web cast of City Council meetings. A website invites open discussion on specific topics – one example is a debate on whether a historic building that had burnt down should be reconstructed or not, which attracted 500 postings over one month.

29. Excellent previous work has been undertaken into the possibilities that ICTs offer for improved democratic practice. This includes research by the Council of Europe itself¹⁸ and by the OECD Public Management Service (PUMA)¹⁹ – which

17. See, Steven Clift, *E-government and e-democracy: representation and citizen engagement in the information age*, 2003, pp. 15-16.

18. For example, see Recommendation Rec(2003)14E of the Committee of Ministers to member states on the interoperability of information systems in the justice sector; Recommendation Rec(2003)15E of the Committee of Ministers to member states on archiving of electronic documents in the legal sector; and the law-making pages on the Council of Europe Internet portal at www.coe.int/lawmaking.

19. See, *Engaging citizens online for better policy-making*, OECD, 2003.

has presented an analytical framework for understanding the challenges, tools and techniques in the e-democracy field. More recent work by this organisation provides guidelines for successful online consultation with citizens and identifies some of the challenges to be overcome in engaging citizens online. In the briefing that accompanies this early work its authors suggest that:

"Technology is an enabler not the solution ... [and] ... the barriers to greater online citizen engagement in policy-making are cultural, organisational and constitutional not technological."

30. The lessons mentioned in that report are reinforced by still more recent work examining leading-edge examples from the local level.²⁰

Paragraph 2. "ICTs should be used to improve access to ..."

31. The use of ICTs can bring new possibilities for improving access to public officials. For example they can be used to increase the frequency with which it is possible to communicate with officials over a given time, and to enhance the richness of dialogue, deliberation and debate where face-to-face meetings are either impossible, inconvenient or undesirable for people. Not all people want to contact their representatives or public officials, but for those that do (and for those who find that they do, when it becomes possible to do so at their own convenience) ICTs should be used to broaden opportunities for contact and discussion.

32. Public officials can use ICTs to improve their communications with individuals and groups, for example by using group e-mail facilities for constituency residents.

33. Increases in communication between individuals and agencies are not in every case desirable, as experiences with spamming, and e-mail and information "overload" illustrate. This recommendation focuses on enhancing the quality of information exchange (not the volume of exchange) within and between public authorities. Increases in exchange are desirable to the extent that these increases support, for example, improvements in co-ordination within and between public authorities, the efficiency of policy development and the coherence of public service delivery via multi-agency governance structures.

Examples

a. *Germany*: the city of Esslingen decided to open the discussion on budget planning to citizens in order to make use of their knowledge and facilitate the acceptance of budgetary cuts. The consultation was organised in two phases: a

20. *Castling the net wider: local e-democracy 2003*, IDeA, LGA, Socitm, 2003.

two-week general information and discussion phase and a phase of consultation with concerned entities of local administration. Offline discussion events were also organised. 171 citizens registered and 110 online contributions were submitted. The results generated in the online discussion were very precise concerning, for instance, possibilities for alternative financing of services.

b. *Finland*: over a decade ago the Finnish cabinet implemented an online system to support decision-making which requires cabinet members to “flag” or comment on an issue or cabinet paper prior to the meeting. If no flags or comments are raised, an issue is put on a separate agenda, a so-called “decisions list”, and if members do not flag they lose the right to speak on the flagged issue in the cabinet session in question. This system has resulted in 80% of decisions being made electronically, saving considerable amounts of time, and now only the very difficult political issues are debated face to face.²¹

c. *Sweden*: several (partly) e-enabled consultations in Swedish towns, usually on spatial planning matters, have increased participation in such consultations from the typical few citizens to a large percentage of those entitled to vote.

d. In *Switzerland*, the “Live+” system, an Internet-based system, transmits the live debates of the National Council (lower house) and the Council of States (upper house) of the United Federal Assembly (the Swiss Parliament), along with supplementary information to put the debates into context. Web users follow debates live in one window of their computer screen and, on a second and third window, interactively call up information about the speaker and the issue being debated. It is up to viewers to decide how deeply they would like to investigate a particular subject.²²

Paragraph 3. “E-enabled ways of voting ...”

34. Recommendation Rec(2004)11 of the Committee of Ministers to member states on legal, operational and technical standards for e-voting and the explanatory memorandum on this topic states that some member states are already using, or are considering using, e-voting for a number of purposes, including:

- enabling voters to cast their vote from a place other than the polling station in their voting district;
- facilitating the casting of the vote by the voter;
- facilitating the participation in elections and referendums of all those who are entitled to vote, and particularly of citizens residing or staying abroad;

21. See, Steven Clift, *op.cit.*, p. 28 .

22. *The e-government imperative*, OECD, 2003, p 43.

- widening access to the voting process for voters with disabilities or those having other difficulties in being physically present at a polling station and using the devices available there;
- increasing voter turnout by providing additional voting channels;
- bringing voting in line with new developments in society and the increasing use of new technologies as a medium for communication and civic engagement in pursuit of democracy;
- reducing, over time, the overall cost to the electoral authorities of conducting an election or referendum;
- delivering voting results reliably and more quickly; and
- providing the electorate with a better service in pursuit of democracy, by offering a variety of voting channels.

35. That recommendation puts forward a number of legal, operational and technical standards which need to be respected in order to ensure that e-voting complies with the fundamental principles of equal, free, fair, and secret elections and referendums.

Paragraph 4. “Citizens’ trust, motivation and capacity to participate ...”

36. Public authorities have a key and leadership role to play in this sphere. As guardians of the education system, as key stakeholders in the fabric of society, and in their duty to the health and well-being of individuals and communities, their responsibility is clear. As we have seen, the dominant bases for economic growth and prosperity are shifting in many nations; the trend towards knowledge-based economies continues. Evidently, public authorities have a responsibility and duty to encourage economic prosperity, and whichever means are chosen to achieve this goal, the capacity of the citizen to participate fully in work and society, as a precondition for national advancement, is a constant. Previous research has shown just how pressing an issue this is for nation states.²³

37. E-technologies will enhance access to democratic processes if they are complementary to other channels of communication between citizens and public authorities (see paragraph 7) and if citizens are equipped with adequate e-literacy skills. In this way a democratically responsive and accountable authority is likely to offer its citizens a variety of ways of voicing their preferences, and will have a wide range of methods in place for responding to and learning from citizens’ needs. The development of e-literacy skills, both within public authorities and within the broader population, is a pivotal area.

23. Task force eLuxembourg.

38. E-literacy is also one part of the familiar “digital divide” challenge – the other being access to equipment and the Internet (see paragraph 9). Previous work by the Council of Europe has highlighted the dangers inherent in providing e-services without also working to tackle the access and e-literacy parts of the equation. As Parliamentary Assembly Resolution 1279 (2002) states: “It is essential not to allow the gap to widen between those who have the necessary skills and those who do not. It is vital for the education system to be adapted to the requirements of the new economy in order to ensure access to ‘universal knowledge’. Literacy skills will include the ability not only to read, but to use written information and ICTs in everyday life.”²⁴

39. In the offline world the media plays an essential intermediary and filtering role between government and citizen, and this relationship is equally important online. The media sector, particularly at the national and international levels, has adapted well to the challenges of communicating in the information society, with many media organisations adopting new and innovative approaches to news delivery and encouraging debate, and in the development of online presence and branding. Media organisations have and continue to encourage online participation, thus developing the social context in which e-governance operates. Clearly, public authorities have much to learn from this experience, and should seek to build on the experience of media professionals in developing online engagement and services. Governments should also seek to encourage the media to raise public awareness and participation, and should, in doing so, at all times respect the independence of media sectors and organisations.

40. Furthermore, in the interests of maintaining a free and active press, public authorities should encourage the continued development of the media sector's relevant capabilities – particularly at the regional and local levels – where resources and skills may be in relatively short supply.²⁵

II. Public e-services

Paragraph 5. “The use of ICTs in the provision of public services ...”

41. This paragraph describes the democratic and participatory rationale for deploying ICTs in public services. It states that effective e-governance strategies can contribute to the objectives described and outcomes implied.

42. Not all of the possible reasons for using ICTs in public services are included. Other objectives could include, for example, improving efficiency. The objectives

24. Resolution 1279 (2002) on the new economy and Europe

25. “Draft position paper on the role of the media in the information society”, MM-S-OD (2003)6.

included illustrate the potential impact, from a democratic viewpoint, that the use of ICTs in service delivery can bring.

43. The application of ICTs in the design and management of public services offers real opportunities for both service providers and service users. And as with the principles on e-democracy, the ethos of these principles is one of strengthening constituent participation, engagement and choice, and the accessibility, transparency, accountability and responsiveness of public authorities.

Paragraph 6. "When public authorities provide public information ..."

Bullet 1: "it should be clear what information and services are available ..."

44. The Internet and other ICTs can make the provision of public information and services easier, quicker and more effective for public authorities, and can make accessing and receiving this information simple for citizens and business. The purpose of this principle is to ensure that the quality, accountability and transparency of public information provision are maintained. Whereas those accessing this information are often unconcerned about which public authority is responsible for the provision of a particular service, and may be unconcerned about the division of competencies within the complex of public governance, it is none the less essential that lines of accountability are maintained. It is possible to make such lines transparent, for instance by using branding and labelling techniques, whilst organising information in ways that make sense to service users, for example by clustering services around similar needs or for different groups, and by bringing information from within vertical, horizontal and geographic governance structures together.

Bullet 2: "the design of e-services should allow users to tailor ..."

45. For democratic institutions, as with commercial entities, it is right that the design of services is very much "user-centred" – though the motives for this are perhaps different. Serving the public is at the core of any democratic institution's mission, and it is for this reason that the opportunities for enhancing the user's experience through the application of available ICTs to the design of public services should be pursued. Equally, it is a core responsibility of public institutions to ensure that democratic engagement is always designed in line with the principles of universal and non-discriminatory access. In each of these areas, new technologies offer real opportunities, but also serious challenges.

46. The ability to tailor service provision according to one's needs – that is, to select for oneself how services are presented and accessed – is a key benefit of e-services, particularly those available through the Internet.

47. Personalisation is also a key aspect of service quality, as it supports the ethos of providing services in a user-centric manner. When services are provided via the Internet, information and services should be presented on screen according to the needs of users, with these needs and the appropriate presentational scheme decided by users. Basic presentational schemes should be designed based on the ways that citizens search for public information and services.

48. As the EU commissioner for enterprise and the information society states, e-government "should help to provide citizens personalised public services that meet their specific needs. This should hold for anything from personalised online tax forms to meeting the special needs of people with a disability. E-government should enable inclusive government, that provides individually relevant and usable services for all."²⁶

49. Another element of user-centric design relates to the view that an Internet presence is an extension of the public authority, but its content need not be presented according to the authority's "behind the scenes" functional structure. Service users often approach a public authority with multiple service requirements, that traditionally would require input from and contact with multiple public functions and multiple public authorities (depending on the distribution of service responsibilities in a national public sector). It is both possible and desirable to organise online services in ways that make sense to citizens and business, rather than in ways that may be convenient and familiar for the authority – ways that may replicate a historical service-based structure that service users may not understand. It is still the case, however, that in many states, institutions and authorities have yet to tailor or support the tailoring of their e-services to customer needs.

50. The route to providing user-centred services is to actively seek engagement and participation from users as e-services are being designed, and just as user-testing is a key phase in product and service development in the commercial sector, so should it be in the development of new public e-services. ICTs open up new ways of fulfilling this democratic responsibility.

Examples

Singapore, Hong Kong, Canada (Service New Brunswick) and Australia (Sydney), are all examples of countries where government organisations have sought to design their online services with the needs of users in mind. Each provides online transactional service capabilities in ways that reflect the needs of users, rather than the functional structures of the government organisations that are responsible for service delivery.

26. Erkki Liikanen, EU Commissioner for Enterprise and the Information Society, "E-government and the EU", speech, 21/03/03.

Bullet 3: "it should be ensured that information is correct, authentic ..."

51. The correctness and authenticity of public information should be guaranteed, by whatever means it is accessed, whether through in-person visits to public offices, over the telephone or via ICTs. This implies that the management of information provision should be co-ordinated within public authorities, and that responsibility structures for the management of information provision should be carefully designed. If the public and business are to trust information received or accessed through ICT – an essential condition for widespread use – then the quality of provision across all modes of access should be explicitly guaranteed, and the instances of out-of-date website information regularly found in many countries when the use of websites was first introduced, need to be eliminated. One reason for out-of-date website information is that websites can be seen as separate entities, and can be managed as such, rather than as an integral element of the public face of institutions – as this recommendation states that they should be.

Example

In the *Netherlands*, a report entitled "Government Communication" ("Kabinetsstandpunt Overheidsinformatie") outlines the government's policy on public information. The policy requires active publication of all government information. National legislation in the Netherlands is published online (www.wettenbank.nl), and preparations are being made to publish licences and other relevant information in the same way.

Bullet 4: "the information and services should be ..."

52. For example, Internet technologies may support rapid and cost-effective translation of text. The flexibility of interfaces also means that the simple reproduction of lengthy documentation is not the only means of conveying or making information available.

Bullet 5: "the interface of services and the presentation of information ..."

53. "Harmonised" presentation means the use of common terminology, navigation and search standards by all public authorities in order to enable users to find relevant information more easily.

Examples

a. In *Germany*, the city and the Federal State of Hamburg have joined fourteen surrounding regions located in three different federal states to provide an e-government service for citizens across administrative boundaries. From autumn 2004 onwards about 4 million citizens will no longer be inconvenienced

by the complicated division of service responsibilities between municipalities, regions and federal states. The merger of the different back office infrastructures that now have to function seamlessly together was one of the main tasks to be completed. The fusion of the different administrative entities was organised by Dataport, a corporation founded at the beginning of 2004, which is made up of the different ICT units formerly part of each administrative entity. The training of staff and the cultural transformation for employees from public to private sector was also a major challenge.

b. In the United Kingdom, separate “category lists” (which provide a core taxonomy for government services) exist for central and local government. Plans now exist to harmonise these lists into a single category list, which when applied across all online government service points will improve the navigability of information for users.

c. In Sweden, the Stockholm borough of Älvsjö has incorporated an online search tool covering all official documents relating to the District Committees’ activities. Searching, for example, for “elderly care” will find all documents including investigations, minutes, agendas, etc., where issues concerning this topic were discussed or otherwise handled.

The Swedish Agency for Public Management is mandated to promote co-operation and co-ordination between public sector websites, for example by developing search tools. An overall goal is to provide a common entrance portal, based on life situations and business needs, to all electronic information and services offered by the different parts of the public administration.

Bullet 6: “consistency in service quality and a seamless service ...”

54. A key determinant of user satisfaction with public services is the consistency in quality across modes of service access – or channels. As the number and type of channels provided by public authorities and used by citizens and business expands, public authorities must learn how to manage the service interface as a whole. People will often choose to use different channels for different stages of a whole transaction. For example, they may first choose to seek information about an issue using the Internet, then use the telephone or visit a public office to request a service and complete the transaction/s. Effective co-ordination and consistency across channels is therefore essential to the quality of the overall service experience. Co-ordination and consistency underpin the delivery of “seamless” services.

55. Current governance arrangements can mean that a single event necessitates a wide variety of interactions with public authorities. For example, in

England, registering a bereavement event requires twenty-eight separate interactions. The provision of “seamless” service means that, as far as is possible, completing these required interactions can be accomplished from a single place or in a single visit to a single office. The term “seamless” refers to the idea of using ICTs to mitigate the boundaries within and between public authorities to provide a simple and uncomplicated service experience.

Example

In *Spain*, the “tourism portal” is a market place for tourist products and services developed by the government and launched in June 2002. The Spanish tourism portal www.spain.info aggregates information and services from public and private sector databases (that is, the central government, the seventeen regional autonomous administrations, local authorities, private tour operators, travel agents, individual hotels, restaurants, etc.). It shares information and services with vertical and horizontal portals, such as municipal websites, commercial portals, travel sites and government tourist offices. The portal provides tourists and travel agents with quantified and co-ordinated information to plan, organise and book trips in nine languages and a wide range of formats (for example multimedia and 3-D virtual imagery), and allows tourist office staff to deliver up-to-date information tailored to each individual tourist’s needs. The portal allows regions, municipalities and private operators to pursue their own tourism strategy without having to duplicate efforts.²⁷

Bullet 7: “competent advice for users of e-services ...”

56. Implementing e-governance means introducing new ways of accessing services and public authorities: the provision of advice services is important for encouraging the take-up of, and for building confidence in, the efficacy and professionalism of these new forms of interaction.

III. E-governance strategies

i. Key characteristics of e-governance strategies

Paragraph 7. “ICTs should be used in democratic processes ...”

57. As a specific example, to ensure universal accessibility, access to democratic processes and social services should not be made available exclusively via ICTs as long as there are users who cannot, or do not wish, to exercise their rights by using ICTs.

27. The e-government imperative, OECD, 2003, p 40.

Paragraph 8. "E-governance services should be made available via a range of ICT channels ..."

58. Here we recall the requirement for "technology neutrality" advanced in the body of this recommendation. Many technological and channel options exist and will continue to emerge. Options are not limited to those available via the Internet or via websites. Alternative or additional access and delivery channels, for example, include "general packet radio service" (GPRS) and "short message service" (SMS) via handheld devices.

Paragraph 9. "The provision of e-governance services should seek to bridge ..."

59. To benefit from e-services and e-democracy, citizens and business must first be able to access them. This presents a multi-faceted challenge for public authorities, and the challenge of creating "access for all" to democratic processes can be complex. Here it is helpful to differentiate between the problem of "access" and that of "accessibility". In this case:

– "access means the real possibility of consulting or acquiring government [or public authority] information electronically."²⁸ It is about citizens and business having the potential to access e-services, should they desire or need to do so;

– "accessibility means the ease with which one can actually make use of the possibility of consulting government [or public authority] information electronically."²⁹

60. In the information society, access to computing resources is an essential pre-requisite for full participation and community engagement. Previous work by the Council of Europe is pertinent here. For example, Recommendation Rec(2001)19 of the Committee of Ministers to member states on the participation of citizens in local public life states that public authorities should "make full use, in particular, of new information and communication technologies, and take steps to ensure that local authorities and other public bodies use (in addition to the traditional and still valuable methods such as formal public notices or official leaflets) the full range of communications facilities available (interactive websites, multi-channel broadcast media, etc.)." Encouraging public authorities to make use of new ICTs is important, but will prove fruitless if citizens lack the means to communicate in this way.

61. The acquisition of access to computing and e-services incurs costs, and despite the falling price of equipment and Internet tariffs, and the proliferation

28. Pauline Poland, "Online consultation in GOL countries – Initiatives to foster e-democracy", project report, 6 December 2001, p. 9.

29. Ibid.

of computers in the workplace, there remain sections of the population for whom the investment required to get online is prohibitive. Thus, public authorities should work with other sectors to provide access in community centres and other places.³⁰ Partnership schemes are developing that work to provide subsidised computers and Internet access for people to use at home, targeting their effort at disadvantaged areas.³¹ Public authorities should encourage such schemes, and should seek out those schemes in existence and learn from this experience to inform implementation elsewhere.

62. Standards and recognised principles which exist, or are in development, for the design and implementation of accessible public services should also be applied to services delivered through ICT. Committee of Ministers Resolution ResAP(2001)3 towards full citizenship of persons with disabilities through inclusive new technologies, is a case in point. Accessibility standards for services provided via websites are also available – for example those produced by the World Wide Web Consortium (W3C).

63. The use of ICTs in democratic processes and within the framework of social services depends also on users' individual or culture-based attitudes to those technologies. It has been found effective to try to motivate users to participate by employing audiovisual technologies,³² as is done in advertising, with the aim of helping users to discover new potentialities, increase self-confidence and debate existing prejudices concerning services.

64. The use of local radio and TV, the making of CDs and the recording and digitalisation of cultural aspects relating to the various cultures and sub-cultures can encourage participation in public debate. This is particularly interesting for target groups of differing cultural characteristics and material conditions, for example young people, women, immigrants, ethnic minorities, people with disabilities.

Paragraph 10. "Measures should be taken so that persons with disabilities ..."

65. See for example previous work by the Council of Europe, particularly Committee of Ministers Resolution ResAP(2001)3 towards full citizenship of persons with disabilities through inclusive new technologies, which states that:

30. See, Recommendation No. R (99) 14 of the Committee of Ministers to member states on universal community service concerning new communication and information services.

31. See, for example, Martin Ferguson, "Local e-government now, 2003 – sustaining the momentum", and the Eastserve.com initiative in south Manchester, UK.

32. L. Gavira, (1999), "La participación de los jóvenes con especiales dificultades en la aplicación de políticas activas para el empleo: limitaciones y potencialidades" (The participation of young people with special difficulties in the application of active policies for employment: limitations and potentialities), in "Tercer sector y participación juvenil" (Third sector and youth participation), Revista de estudios de Juventud, No. 45, National Youth Institute of the Ministry of Labour and Social Affairs, Madrid.

“Products and services should be available at equivalent prices to all people. Extra costs in providing access to products and services should not be borne by persons with disabilities. Governments should take all possible measures to ensure that financial circumstances do not exclude persons with disabilities from the benefits of new technologies, adaptations and assistive technology. Products and services that are available for a ‘niche’ market and are expensive should be made affordable to persons with disabilities when they depend on these products or services, at a price equivalent to a commonly used product or service. The user perspective: ‘Can I afford it?’ should be taken into account.”

66. Also, position paper IP1 (2002) 16e, Strasbourg, 27 June 2002: “E-voting: A way forward towards full citizenship for people with disabilities?” – reminds us that “the eEurope 2005 Action Plan, endorsed at the Seville European Council 21-22 June 2002, proposes that the EU member states by the end of 2004 ensure that basic public services are accessible for all, including access for people with special needs, such as persons with disabilities or the elderly.”

Paragraph 11. “E-governance strategies should include consideration of possible legal ...”

67. Implementing e-governance raises significant legal questions, around the protection of personal privacy rights, for example. “‘Information power’ brings with it a corresponding social responsibility for the data users in the private and public sector. In modern society, more and more decisions affecting individuals are based on information stored in computerised data files. It is essential that those responsible for these files should make sure that the undeniable advantages they can obtain from automatic data processing do not at the same time lead to a weakening of the position of the persons on whom data is stored”.³³

68. It is likely, across the broad geography of member states, that the pertinent legislative features in this area will to an extent vary. The relevant legal instruments are in the freedom of information, privacy and data protection and identification and authentication areas. International instruments relevant to e-governance and the management of information by public authorities exist, including the Convention on Cybercrime, and the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data. That member states should implement e-governance within the limits of national and international law is an obvious requirement, but, where there is ambiguity (apparent or real) in the national legal position – for example in a perceived contradiction between requirements of freedom of information and data protection

33. Guy de Vel, Director General of Legal Affairs, Council of Europe, “The Council of Europe in the new information era”.

– in line with the principle of economy of effort, national governments should lead on clarifying the position on what is permissible and what is not and in communicating the position to other public authorities and constituents.

69. Key to this is the striking of a balance between the positive service improvements that can result from better information sharing within and between public authorities, and the citizens undisputed right of privacy.³⁴ Cultural differences exist across member states about what information public authorities traditionally hold and share. In some states, national people registers are accepted and valued for the potential benefits they can bring. In others, attempts to create national registers (and by extension, national identity card schemes) have traditionally, and so far successfully, been resisted by the citizenry.

Sweden's decentralised approach to e-governance implies that there is no central review or approval of agency e-government plans or IT-expenditure. The government has not adopted any general quantitative targets or set any time limits. Specific targets are set for individual agencies as a part of the regular agency governance, and not as a specific e-government measure. The Agency for Public Management monitors the development of public websites according to a set of indicators, measuring the availability of certain services and categories of information. It also provides support for the development of cost-effective e-services. The agency has signed framework agreements with two commercial companies that can offer public agencies and authorities a number of joint services and shared background functions. These functions are offered to the agencies mainly on a per transaction basis to give as low a start-up cost as possible.

Paragraph 12. "E-governance strategies should include measures to reduce ..."

70. "Administrative and regulatory burden" refers to the degree of work required from users in the course of fulfilling their duties and claiming their rights under public law (for instance filling in forms, communicating with a government agency). This administrative burden usually has a financial equivalent (administrative costs). E-democracy and e-service applications should, whenever possible, be designed and constructed in a way that reduces the time and effort spent by users on administrative formalities.

Example

The Government of the *Netherlands* is aiming to reduce the administrative burden by 25% in the period 2003-07. A key principle of "reduction of the admin-

34. For an interesting comment on this debate, see "The Riley Report – October 2003: Privacy as a human value", Commonwealth Centre for e-Governance: www.electronicgov.net

istrative burden" is "single data submission". This principle means that citizens and companies should be required to submit data only once to government agencies. A central government agency will retain and manage these data in one database, accessible for government agencies to the extent that they are legally entitled to process them. A special policy programme has been adopted to achieve this goal and amendments to the legislation are being prepared.

Paragraph 13. "E-governance strategies should provide a framework ..."

71. The allocation and sound management of resources is central to the success of any programme involving multiple agencies and stakeholders. Clarity about the respective roles of national, regional and local authorities is desirable, and is important in the development of coherent and co-ordinated strategies. Again, such a framework should be developed inclusively, and the design and evolution of such a framework should proceed with the involvement of all appropriate stakeholders.

Paragraph 14. "E-governance strategies should encourage piloting ..."

72. Piloting and prototyping are important ways of developing and sharing knowledge about successful and unsuccessful approaches and avoiding poor investments and misguided administrative reforms.

73. The changes implied by e-governance are far-reaching, affecting all aspects of public work. And the changes required are of such a scale and complexity that it is unlikely that any public authority, particularly at the local or regional level, will have all of the requisite skills and resources at their internal disposal. It is for this reason that cross-sector partnerships, as a means of accessing and leveraging capacity for implementation, are important. Close relationships between public authorities and commercial sector organisations are required.

Paragraph 15. "E-governance strategies should promote the dissemination ..."

74. Implementing e-governance is a multi-faceted and complex challenge, and to date much progress has been made across member states, and within the varying spheres and tiers of government in each country. But no public authorities have yet completed their implementations, and all could gain from learning from the experience of others.

75. The benefits of sharing knowledge in these ways include a reduction in the overall resource requirements for e-governance (by reducing reinvention and the duplication of effort) and an increase in the pace of progress (as each public authority need not begin from scratch). To these ends, the principles provide for the active encouragement of information exchange and the cross-fertilisation of

the new ideas and creativity, across public and commercial sectors, that successful e-governance requires.

Example

The *Swedish Agency for Public Management* has a general responsibility for e-government promotion, co-ordination and guidance. From 2001 to 2003 the agency had a specific mandate to promote e-services in consultation with other agencies and with regional and local authorities. The work included the development of methods, guidelines and agreements as well as the implementation of projects of common interest.

Another government delegation, the “24/7 Agency Delegation” has been appointed to focus particularly on e-services capable of generating major benefits for the public and businesses, and on making the public sector more efficient. One of the delegation’s tasks is to try out new ways of boosting co-operation between central and local government, and also between the public sector and other actors.

ii. Guiding principles for implementation

Paragraph 16. “The development and implementation of e-governance services ...”

76. Redesigning the procedures followed by public officials and the structures of public authorities is of at least equal significance to the modernisation of their technology infrastructure. In fact, redesigning the way work is done is pivotal to overall improvement. The application of a layer of technology to existing structures is unlikely to improve performance, but it is likely to add cost. Adding a website to existing structures can be an easy fix but, as one of original business process reengineering (BPR) texts argues, it is akin to “paving the cowpaths”. This sort of change can simply provide users with more rapid access to a service of poor quality.

77. Implementing e-governance presents an opportunity to challenge and change structures and ways of working that are likely to have emerged and ossified over decades; structures and ways of working that may have been appropriate to the requirements of the past, but may not be appropriate today. Recent research suggests that the most frequent outcome from e-governance change – in terms of efficiencies through implementing e-administration – is that the technology itself may account for 20% of a given saving, while the redesign of organisational processes accounts for the remaining 80%.³⁵ So whereas the ICTs

35. The European Commission survey, *Reorganisation of government back offices for better electronic public services – European good practices*, 2004.

may be an essential part of, and enabler for the overall change, “the better results are due to the fact that reorganisation reduces costs, increases productivity, and provides flexibility and simpler organisational structures”.³⁶

78. A more recent report³⁷ suggests that the timing of process analysis and redesign is also important. This report found that public authorities who redesigned their work processes prior to the implementation of ICTs accrued 50% more in terms of benefits realised than those that redesigned processes during or after implementation.

79. Service quality improvements require that traditional service area barriers be overcome. Back-office processes should be analysed, redesigned, and then automated as far as possible, in order to remove unnecessary bureaucracy, reduce the probability of process errors, and improve cost-effectiveness through the development of joined-up services.

80. Change, programme and project management skills are likely to be required in volume to deliver a comprehensive e-governance vision, skills that may currently be lacking, or in short supply, within some public authorities. Public authorities can, through working closely with other organisations, and through effective structuring and management of partnerships, seek to develop the skills of public officials in these key areas.

Paragraph 17. “Risks associated with the use of ICT ...”

81. Whenever e-technology and new ways of organising are introduced there is a change in the balance of risks. Risk management should be a part of all e-governance strategy development programmes, and programmes and projects should not be sanctioned until risk assessments and mediating options have been explored. The result of a risk assessment will be a list of risks that can to a greater or lesser degree be prevented, a list of mediating options for action to accompany each risk, and an understanding of which risks are more serious and which are less so – those having the most likely occurrence and highest impact being the most serious.

82. The management of information is a core competence for any organisation, and performance in this area will become still more significant with the changes e-governance programmes bring about. In many cases, the information infrastructure in public authorities has developed over many decades – and in many cases it is structured in alignment with the functional, departmental shape of the public authority. This often means that the same, or similar information is

36. Ibid.

37. Momentum Research Group, “Net Impact: from connectivity to productivity”, 2004.

held in many places, in many different formats. Implementing e-governance presents an opportunity to rationalise and redesign the information infrastructure of public authorities. Disparate databases can be unified, and information flows can be realigned with new structures. This rationalisation is not without risk, and legal questions can arise if the drawing together and manipulation of legacy datasets is not managed properly.

83. These risks and questions are particularly associated with the collection, storage and re-use of personal data. Citizens must have confidence in the transparency of data management by public authorities, and public authorities should be proactive, open and clear about how personal data is used.

Paragraph 18. "In order to safeguard people's right to privacy ..."

84. All processing of personal data should take place in conformity with the requirements of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) and EU Directive 95/46/EC of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

Paragraph 19. "E-governance strategies should include a quality-management system ..."

85. Adopting "quality management" means proceeding with strategy design and implementation using one of the structured methodologies for programme and project management and performance improvement that are established and available. The European Foundation for Quality Management framework (EFQM)³⁸ is one example, as is the ISO9000 standard which:

"...is primarily concerned with 'quality management'. This means what [the public authority] does to fulfil:

- the customer's quality requirements, and
- applicable regulatory requirements, while aiming to
- enhance customer satisfaction, and
- achieve continual improvement of its performance in pursuit of these objectives."³⁹

86. This recommendation, and paragraph 20, do not require member states to adopt any particular quality management approach. The intention is to encourage member states to take on board the importance of adopting a structured

38. See <http://www.efqm.org>

39. See <http://www.iso.org>

and consistent approach to design, implementation and monitoring – whichever of the available methodologies and frameworks is selected as appropriate – and to regard improvements in customer satisfaction as an important measure of e-governance success.

Paragraph 20. "E-governance strategies should include promotion campaigns ..."

87. The development of e-services should be accompanied by awareness-raising activities about the existence and benefits of those services. The process of segmentation involves identifying groups of users who share needs and characteristics that distinguish them from other groups. To be effective, promotion strategies for e-services should be targeted at different groups, and the strategies should not be limited to the use of electronic (online) media.

Paragraph 21. "The methods of authentication ..."

88. Unduly precise, complicated and time-consuming authentication methods, unless such methods are required by the nature of the specific e-service, may make using e-services less attractive for users. Services which typically require strong authentication are legal transactions (e-payments, e-records and e-contracts) and e-voting.

Paragraph 22. "Appropriate infrastructure should be built ..."

89. Countries have made variable progress on the core issue of online security and authenticating e-services. In many member states digital signatures are commonplace (in Spain, for example), progress has been made on the legal basis of online transactions (in Germany and elsewhere) and the national infrastructures for authentication have been developed.

90. The privacy, confidentiality and reliability of public e-services are a necessary condition for high rates of e-service usage by citizens and business. These factors are essential to building trust in e-services, for it is highly unlikely that people will choose to transact with public authorities using channels they do not trust. The need to safeguard privacy is particularly vital when user-tailored services and user segmentation based on processing of personal, and sometimes sensitive, data, are applied. Investment is necessary to create an appropriate national infrastructure to tackle these issues, and also to make citizens aware that the infrastructure guaranteeing privacy, confidentiality and reliability is in place.

iii. Enabling conditions for e-governance strategies

Paragraph 23. "E-literacy among all groups of the public ..."

91. The requirement for e-literacy skills throughout society is fundamental and urgent (see paragraph 4). It is futile working to provide public e-services and opportunities to engage in e-democracy if citizens do not possess the know-how to use and take advantage of them. Such a strategy could contribute to, rather than alleviate social and democratic exclusion.

92. In educating users and raising awareness about the new opportunities available to participate in democratic processes, e-literacy programmes should inform users of the risks associated with e-governance applications; of their rights with regard to privacy and data protection, as well as of measures they should themselves take to protect their hardware and software against malicious intrusion.

93. The "Resolution to foster the integration of information and communication technologies (ICTs) in educational systems in Europe" of the Standing Conference of European Ministers of Education (2003) provides an overview of measures in support of the generalisation of ICT-based teaching practices at all levels of education systems, including in teacher training and research.

Paragraph 24. "Officials and elected representatives ..."

94. As ICTs are introduced, the skills required for public employees and the citizenry will change. For example, in enhancing participation through the use of online consultation, public employees will require skills in online moderation. The provisions to support elected representatives in conducting their representative and constituency roles could include the use of e-mail and online discussion facilities, and could include the use of mobile technologies within a constituent's home or the regular updating of political websites. Each of these possibilities offers advantages for both the electors and the elected, but neither will benefit, and nor will democracy, if the requisite skills are not developed rapidly.

Paragraph 25. "Affordable public access points ..."

95. "Affordable public access points" are important in ensuring that access to e-services for those that need them, and access to e-democracy for all, is a possibility.

96. Appropriate locations and modes of access will vary from place to place. For example it may be that in some member states or regions, public post offices or libraries may be appropriate; in others such locations would be less so. Equally, in some states, or regions within states, Wireless Local Area Networks (WLAN)

may prove effective in broadening access. In others, this infrastructure possibility may not be appropriate.

Paragraph 26. "The creation of a nationally recognised ..."

97. This principle is included as a reflection of the seriousness with which the Committee of Ministers regards the opportunities raised and challenges posed by the emergence of the information society and knowledge economy, and their firmly held view that ongoing and visible leadership and guidance for these developments is pivotal to the sustainability of progress towards e-governance.

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