EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE (CDDG)

**DRAFT GUIDELINES ON E-DEMOCRACY
IN THE FORM OF A TOOLKIT**

Draft text prepared by the working group and reviewed by the CDDG Bureau at its meeting on 15 November 2019

For approval in substance and decision

Secretariat Memorandum
prepared by the
Directorate General of Democracy
Democratic Governance Department

_____

Introduction

The terms of reference of the CDDG for the biennium 2018-2019 include specific task iv:

"*In the field of e-democracy,*
- *in accordance with Recommendation CM/Rec(2017)5 on standards for e-voting, hold a review meeting on its implementation in 2019;*
- *develop guidelines on e-democracy as a toolkit;*
- *oversee the implementation of the priority "building democracy online" of the Internet Governance – Council of Europe Strategy 2016-2019.*"

The CDDG set up a working group on e-democracy, which met three times.

At its meetings on 27 November 2018 and 14-15 March 2019 respectively, the working group discussed the outline, content and structure of the guidelines on e-democracy in the form of a toolkit on the basis of Recommendation (2009)1 of the Committee of Ministers to member States on electronic democracy.

At its meeting on 24 May 2019, the CDDG Bureau examined the suggested approach and agreed that, whilst guidelines should be a high-level instrument addressed to Council of Europe member States, the toolkit should be a practical instrument which provides 'practitioners' with guidance and includes examples and practical steps to be taken.

At its third meeting on 12-13 September 2019, the working group finalised the draft Guidelines on e-democracy in the form of a toolkit, asking for further practical examples in relation to e-democracy initiatives or projects to be included in the Guidelines and a glossary to be added.

At its meeting on 15 November 2019, the Bureau of the CDDG reviewed the draft Guidelines in the form of a toolkit. While agreeing with the substance of the Guidelines, the Bureau considered that additional work was necessary to refine the wording of the text and make it reader-friendly, ensure its internal coherence and bring out a clear narrative, prior to its final approval and transmission to the Committee of Ministers.

The Bureau, therefore, instructed the Secretariat to transmit the draft Guidelines in the form of a toolkit to the CDDG for approval in substance at its meeting of 9-11 December 2019. At the same time, the Bureau proposed that, at this meeting, the CDDG should appoint two Rapporteurs with the task of finalising the draft Guidelines, in view of their further examination by the Bureau at its first meeting in 2020 and final approval by the CDDG at its first plenary meeting in 2020.

Action required

The CDDG is invited to examine the draft Guidelines on e-democracy in the form of a toolkit, formulate comments and approve the text in substance. It is also invited to appoint two Rapporteurs with the task of finalising the draft Guidelines, in view of their further examination by the Bureau at its first meeting in 2020 and final approval by the CDDG at its first plenary meeting in 2020, with a view to their submission to the Committee of Ministers for adoption.

GUIDELINES ON E-DEMOCRACY IN THE FORM OF A TOOLKIT

Preamble

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;

Reiterating that the promotion and protection of pluralist democracy have been central to the Council of Europe's work since its inception;

Considering that the participation of citizens is at the very heart of the idea of democracy;

Reaffirming that the principles of individual freedom, political liberty, human rights and the rule of law form the basis of all genuine democracy;

Considering that representative democracy, based on the right of citizens to freely elect their representatives at reasonable intervals, is part of the common heritage of member States;

Considering that direct democracy is a long-standing tradition in certain member States;

Considering that participatory democracy, based on the right to seek to determine or to influence the exercise of a public authority's powers and responsibilities, contributes to representative and direct democracy and that the right to civil participation in political decision-making should be secured to individuals, non-governmental organisations (NGOs) and civil society at large;

Emphasising that responsibility and accountability for taking decisions ultimately rests with the public authority that has the democratic legitimacy to do so;

Reaffirming that the application of democratic values, effective democratic processes, good governance and the engagement and involvement of citizens and civil society are essential for preventing conflicts, promoting stability and facilitating economic and social progress and cohesion at all levels;

Reiterating the need to develop and strengthen effective, transparent and accountable democratic institutions and processes that are responsive to the needs and aspirations of all in the context of the new opportunities and challenges arising from the information society;

Taking note that addressing the needs of and legitimate demands by citizens are key requirements in counteracting feelings of political discontent and disaffection;

Recognising the pivotal role of digital technologies, including computational means and machine learning, in enhancing the efficiency of the public service, and their role in modern government processes, including communication between governments and between public institutions and citizens;

Recognising that digital technologies can offer channels for political participation and engagement, and that they play an important role in people's lives for the consumption of news, education, entertainment, commercial transactions and multiple other forms of everyday activities;

Noting, however, that digital technologies can also adversely affect the enjoyment of fundamental rights and freedoms;

Aware of the need for all stakeholders to have access to information and communication technology (ICT) and adequate e-literacy skills;

Considering that people's trust in e-democracy is essential in order to achieve its full potential and that e-democracy can contribute to meeting people's expectations in terms of active engagement, participation, transparency as well as openness and responsiveness of public institutions.

Having regard to texts of the Council of Europe that contribute to creating an environment for effective democratic processes, institutions and freedoms, and for civil participation, including:

- The Convention for the Protection of Human Rights and Fundamental Freedoms (ETS 005)

- The Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) and its Protocols;

- The Council of Europe Convention on Access to Official Documents (ETS No 205)

- Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No 223)

- Recommendation CM/Rec(2009)1 of the Committee of Ministers to member states on electronic democracy (e-democracy)

- Recommendation CM/Rec(2007)16 of the Committee of Ministers to member States on measures to promote the public service value of the Internet

- Recommendation Rec(2004)15 of Committee of Ministers to member States on electronic governance ("e-governance");

Having regard to texts of the Council of Europe that aim to ensure that in using new technologies, human rights, democracy and the rule of law are respected:

- Recommendation CM/Rec(2018)2 of the Committee of Ministers on the roles and responsibilities of internet intermediaries, as well as

- Recommendation CM/Rec(2016)1 on protecting the right to freedom of expression and the right to private life with regard to network neutrality and the guidelines set out therein;

- Committee of Ministers' Recommendation CM/Rec(2014)6 on a Guide to human rights for Internet users;

- Declaration by the Committee of Ministers on the manipulative capabilities of algorithmic processes (Adopted on 13 February 2019 - 1337th meeting of the Ministers' Deputies)

- Internet Governance - Council of Europe Strategy 2016-2019

- Aspects of election interference by means of computer systems covered by the Budapest Convention, Cybercrime Convention Committee, T-CY Guidance Note #9 - T-CY(2019)4

- Parliamentary Assembly Recommendation 2144 (2018) on Internet governance and human rights

- Parliamentary Assembly Recommendation 2102 (2017) on technological convergence, artificial intelligence and human rights;

Adopts the following guidelines in the form of a toolkit and invites member States to make the widest possible use of them and to ensure their dissemination, in particular among all authorities responsible for or otherwise involved with electronic democracy.

Encourages member states to bring these guidelines in the form of a toolkit to the attention of all stakeholders in the public and civic domains, as well as media and businesses, encourage them to take all the measures needed to help achieve its objectives, and support them in the process.

PART A: - E-Democracy

A.1. Purpose of the present Guidelines in the form of a toolkit

Recommendation CM/Rec(2009)1 of the Committee of Ministers to member states on e-democracy reaffirmed that the application of democratic values, effective democratic processes, good governance and the engagement and involvement of citizens and civil society are essential for preventing conflicts, promoting stability and facilitating economic and social progress and cohesion at all levels.

It further acknowledged that, while democracy is the only system of government ensuring lasting solutions to the political, economic, social and cultural problems facing Europe's societies, it can take different forms in different countries, depending on the political and constitutional traditions and political and legal culture of each member state.

Since the adoption of the Recommendation, information and communication technology (ICT) has increasingly contributed to wider democratic participation by individuals and groups and greater transparency, accountability and responsiveness of democratic institutions, which is beneficial to both democracy and society.

The present Guidelines in the form of a toolkit, elaborated at the request of the Committee of Ministers, build on Recommendation CM/Rec(2009)1 by taking into account developments that have taken place since its adoption in the area of digital technologies and the concrete experience of Council of Europe member States in the area of e-democracy.

As a tool, these Guidelines seek to provide authorities at all levels, as well as other stakeholders, with concrete examples of policies, measures and mechanisms that can contribute to enriching a democratic culture and strengthening democratic practices and institutions at national, regional and local level.

E-democracy concerns all stakeholders involved in and benefitting from democracy such as public authorities and their representatives, political institutions, individuals, NGOs and civil society at large, including media and the business community.

A.2. What is e-democracy today?

For purposes of these guidelines, *e-Democracy* refers to the use of digital tools and technologies to support democratic institutions and democratic processes by providing information on and access to the political decision-making process, "e-nabling" citizens to participate in the public debate and in public decision making, to be consulted on and provide input to issues of public interest and to influence public policy. E-democracy can also strengthen cooperation between public authorities. As set out in recommendation CM/Rec(2009)1, it "*is additional to and interlinked with traditional processes of democracy and is linked with good governance and above all about democracy and not simply about*

technology."

E-Governance, by contrast, refers to the use of digital tools to support governance, i.e. executing the functions of public administration and the delivery of public services to citizens, providing citizens with access to public administration as well as information on important decisions, contracts and general developments that may affect them. It includes both e-administration and e-services.

Although different, e-democracy and e-governance present significant overlaps where the latter provides for the public to have access to information, to be consulted or to be invited to provide input or participate actively in governance decisions, e-democracy and e-governance.

In introducing e-democracy it is important to ensure that this:
- enhances the effectiveness of democracy, democratic institutions and democratic processes;
- supports the democratic roles of intermediaries between citizens and the state, such as democratic institutions, politicians and the media;
- is additional, complementary to, and interlinked with traditional democratic processes,
- promotes, ensures and enhances transparency, accountability, responsiveness, engagement, deliberation, inclusiveness, accessibility, participation, subsidiarity and social cohesion;
- provides opportunities for meaningful and effective public deliberation and participation in all stages of the democratic process, responsive to people's needs and priorities (in accordance with the Council of Europe guidelines on civil participation in political decision making);
- helps to narrow the digital divide by means of an inclusive and non-discriminatory approach;
- thus, helps to tackle existing democratic challenges.

Objectives related to technical aspects of digital technology and applications, in particular in relation to e-governance solutions, often include:
- economic benefits and cost-savings;
- eliminating constraints in terms of time and place, providing 24/7 as well as remote access;
- strategic benefits in relation to national (as well as local /regional) and economic development.

When properly designed, e-democracy should strengthen:
- empowerment;
- access to information and data through active provision of comprehensive, balanced, factual and verifiable information;
- participation in agenda-setting, planning and decision-making;
- deliberation and debate;
- inclusion, avoiding discrimination on any grounds, foreseeing positive measures to bridge the digital gap, and by helping to overcome barriers to the participation of persons belonging to specific groups in traditional democratic mechanisms;
- responsiveness;
- trust - the overall legal framework, data protection and privacy and technology.

Key elements of e-democracy include:
- e-voting and e-enabled elections,
- e-participation, including e-petitions and e-referendums,
- and e-governance, including e-administration and e-services.

A.3. Opportunities offered by e-democracy

A.3.1. Enhancing citizen participation, inclusion, transparency and trust

E-democracy is not the solution to all the shortcomings of democratic practice but it can help tackle existing challenges such as the declining interest in public and political life and the marginalisation of some groups.

E-democracy can strengthen democracy by improving accessibility, participation, engagement, inclusiveness and deliberation. It can offer increased openness, transparency and accountability and ultimately legitimacy of political decisions. With the support of all stakeholders it can thus strengthen trust in democracy, democratic institutions and democratic processes, as well as social cohesion.

It allows to obtain a wider input of views and expertise by all stakeholders in relation to administrative and political decision-making processes through information provision, consultation, and active involvement to achieve better political decisions as well as delivery of public services in the interest of the whole of society and to add elements of citizens' empowerment through different online activities. It also makes it possible to overcome restrictions in terms of time or place.

Member States are therefore encouraged to make the best possible use of the opportunities e-democracy offers by:

Empowering stakeholders

- ensuring that e-democracy initiatives are allocated adequate resources;
- providing access to information and data in an accessible and simple manner;
- providing decision-makers with interactive options to access information to assist them in their deliberations;
- providing citizens and the civil society in general with opportunities and means to reach and communicate with decision-makers, to engage and be engaged in the democratic and decision-making processes and to support and exercise their rights as individuals or in association with others;
- providing possibilities to hold decision-makers and those involved in the decision-making process to account;
- encouraging citizens and civil society to develop awareness as digital citizens through Media and Information Literacy (MIL) which brings together the three distinct dimensions of Information Literacy, Media Literacy, and ICT or Digital Literacy.

Strengthening public participation and engagement

E-Democracy offers significant opportunities to strengthen public participation and engagement by way of:

- the active provision of comprehensive, balanced, factual and verifiable information to help the public understand issues, problems, alternatives, opportunities and/or solutions to democratic issues;
- improved access to information and data through traditional and new media and service providers, which can provide people with a better basis for engaging in democracy;
- the involvement of citizens, groups of citizens and civil society at large, such as interest groups, corporations, associations and non-profit organisations, in public affairs, so that they can exert influence and improve the quality and acceptability of the results of democratic processes on the basis of mutual respect between all actors;
- deliberation – namely, rational debate among equals, by way of thoughtful, respectful discussion of or debate on issues and the action to be taken in relation to those;

- constant, ongoing communication between citizens, civil society and decision-makers, reaching out to people to learn about their demands and needs and to react to their comments and questions;
- frequent and active exchanges and deliberations between decision-makers and individual citizens or different groups in civil society, at different levels (thus supporting subsidiarity);
- provision of opportunities to contribute to agenda-setting, influence planning and decision-making;
- promoting awareness and acceptance by clearly outlining the purpose of specific initiatives, including designated participants and the manner in which input will contribute to the decision-making process.

Slovak Republic: **open data portal**

Online portal of governmental – owned data which are open for the public in a machine-readable format for further use.

The project (national open data portal) was initiated through a commitment under the Open Government Partnership National Action Plan 2012 – 2013 as a result of participatory process of co-creation among the members of the Slovak government and the civil society. The reason for initiating the project was to broaden the scope of publicly available governmental information in order to strengthen transparency and participation of civil society. The project followed the development of the Online Central Register of Contracts which allows the public to see the use of the state financial resources. The open data portal aims to provide remotely accessible data and metadata in a machine-readable form under open licenses for further use – interested activists, NGOs, citizens, academics, students, or other relevant civil society actors can use the data for public benefit. The project was initiated in 2012, and it is still in use.

Governmental agencies are encouraged to publish data based on their publishing plans and requests from the public. Public events, such as hackathons, have been organised in order to promote the portal to the public. Every year, the Office of the Plenipotentiary for the Development of the Civil Society publishes an analysis of published data, which is consulted with stakeholders from the civil society and provides recommendations to the open data portal managing institution based on the findings.

More information: https://data.gov.sk/

Austria: Standards of Public participation (2008) for both offline and online participation - a practical document to facilitate public participation, with a practical guide that offers information on the use of e-participation to involve the public via electronic means of communication, e.g. via the Internet or mobile phone.

Finland: Citizens able to consult institutions through specific dedicated platforms to facilitate communication and make it attractive and to some extent standardised (Valma and Otakantaa)

Inclusiveness

E-democracy can contribute to strengthening inclusiveness by way of:
- improved accessibility and broader citizen participation, including for people who would otherwise encounter difficulties or barriers in participating in the democratic decision-making process, irrespective of age, gender, education, socio-economic situation, language, special needs and place of residence, in line with the guidelines on civil participation in political decision-making;

- narrowing the digital divide by ensuring equal access and opportunities in the use of e-democracy; enhancing ability to use electronic tools (knowledge, e-skills, e-readiness); making e-democracy tools more available and accessible; and providing a combination of electronic and non-electronic approaches;
- ensuring that no special technology is needed to access e-democracy tools (normal internet access should be sufficient);
- ensuring that there are provisions made for people with special needs and that the content is designed to be suitable for the category it is intended for (including visualisation, translation etc.);
- where applicable, ensuring the availability of e-democracy tools and applications in multilingual format;
- ensuring that technology, including algorithms, is used and operates in such a manner that it is not discriminatory.

> *Norway*: The municipality of Fredrikstad has since 2009 held three rounds of participatory budgeting, with a mixed use of e-Democracy tools. Projects have been created form time to time on a per case basis. The aim was to include especially the less politically active segments of society and had a special focus on young people, older persons and immigrants. The municipality decided on the topic and the size of the budget, allowing citizens to design different suggestions for the proposed project and vote electronically on the topic at http://fredrikstad.demokratiportalen.se. Users signed up by registering their email address. Participatory budgeting has also been done offline by inviting people to a central meeting place (circus tent in the square) hot food and asking people to take part in designing a town square.

Transparency

"If e-democracy is to be successful, it must maintain and enhances citizens' trust in democracy, democratic institutions and democratic processes." (Recommendation CM/Rec(2009)1)

Key areas of e-democracy in building trust at the level of citizens and public administration include:

Access to information and data
E-democracy requires the active provision of comprehensive, balanced and factual and verifiable information and data to ensure that stakeholders and the public at large understand problems, alternatives, opportunities and/or solutions to democratic issues.

Access to information must be seen in the context of the general policy of access to information, with possible limitations that comply with the Council of Europe Convention on Access to Official Documents (ETS No 205)

Public information should:
- be updated and verified for accuracy regularly;
- be accessible without specific procedure or technology;
- be presented in clear comprehensible language, simplifying institutional language and procedures, with clear structure and content;
- include key principles and procedures to contribute to and participate in decision-making processes (guidelines);
- ensure equal conditions for access to a neutral network which is essential to ensure equality and respect of human rights;

Case-study from Greece: Transparency Programme initiative

Since 1 October 2010, all government institutions are obliged to upload their acts and decisions on the Internet with special attention to issues of national security and sensitive personal data. Each document is digitally signed and assigned a unique Internet Uploading Number (IUN) certifying that the decision has been uploaded at the "Transparency Portal". Following the latest legislative initiative (Law 4210/2013) of the Ministry of Administrative Reform and e-Governance, administrative acts and decisions are not valid unless published online.

The main objectives of the Program concern:

- safeguarding transparency of government actions
- eliminating corruption by exposing it more easily when it takes place
- observing legality and good administration
- reinforcing citizens' constitutional rights, such as the participation in the Information Society
- enhancing and modernizing existing publication systems of administrative acts and decisions
- making of all administrative acts available in formats that are easy to access, navigate and comprehend, regardless of the citizen's knowledge level of the inner processes of the administration

Taking into consideration the Greek crisis, including its economic manifestations, is also due to a non-transparent relationship between the citizens and the state, the transparency programme introduced unprecedented levels of transparency within all levels of Greek public administration and established a new "social contract" between the citizen and the state. This initiative has a silent yet profound impact on the way officials handle their executive powers. The direct accountability brought upon the administration, by the radical transparency that the Transparency program introduces, leaves considerably less room for corruption, and exposes it much more easily when it takes place since any citizen and every interested party enjoy the widest possible access to questionable acts. Such a collective scrutiny can be extremely effective, since it allows citizens directly involved or concerned with an issue to scrutinize it in depth, rather than leave public scrutiny to the media, whose choice of issues necessarily may be restricted and oriented towards sensational topics.

Public authorities adopted the Program in three phases: Ministries in October 2010, Extended Public Sector and Independent Authorities in November 2010, Regional and Local Authorities in March 2011. In (almost) 9 years, 35.925.086 acts and decisions have been published on the Transparency Portal from 4.827 public authorities. The current rate of uploads is approximately 19.000 decisions per working day.

Innovation

Access to Information
- Acts that are not published in the Official Gazette, are valid and get into force only if they are published on the Transparency Portal
- The uploaded document prevails over all other versions of the act (original documents in hard copy)
- Uploaded acts can be used by citizens and the other public authorities without validation, by solely referring to their unique number.

The new Transparency Portal

- Easing accessibility and increasing user inclusion [e.g. for people with disabilities]
- Ensuring efficient access to government information and documents through a new powerful portal search-mechanism.

- Building new online communication channels enabling greater user interaction, and engagement e.g. through the possibility of commenting on government and administrative acts.

Project Management

Besides the leadership and political will from the top, transparency and collaborative governance policies required changes in culture that propagate bottom up. In this respect, the function of a dynamic nationwide human network of Project Task Forces that share strong authority to coordinate and educate their associates, as well as to communicate the merits of the program, contributed to the rapid spread of the values of transparency, responsibility, accountability, participation and collaboration. The official website, diavgeia.gov.gr, provides information on and assistance for operational and technical issues along with training and supporting material. An online Help Desk is the main channel for the submission of suggestions and requests for assistance.

Technological Infrastructure and Applications

The technological implementation model which is based on an agile strategy of "open content" and "open architecture" allows for the dissemination and re-use of Public Sector Information (PSI), providing the necessary tools for open and thorough access to it OpenDataAPI. Various applications have been built upon the Transparency open data access tools.

Monitoring and Control

The transparency portal is a powerful tool for reporting and is available to everyone, including Greek Controlling Bodies such as the General Inspector of Public Administration and the Inspectors-Controllers Body for Public Administration, for observing cases of illegality and maladministration in the public sector.

The Controllers working for the Inspectors-Controllers Body for Public Administration (I.C.B.P.A.) can draw reports from the Transparency portal so they can observe legality and good administration in respective entities and they also investigate complaints and denouncements - mainly reported by Citizens and enterprises.

International recognition

The Transparency program is considered as a prototype for the design of future e-Government interventions, both at the organizational and the technological levels.
The Program has been selected and presented as a Best Practice at the 6th European Quality Conference, held within the quality conference cycle of European Public Administration Network (EUPAN) "Doing the right things right - Towards a more result-oriented public sector in Europe".
(https://www.eupan.eu/en/events/show/&tid=82)
The Transparency Program has also been presented as a major successful open government reform at the Open Government Partnership (OGP), https://www.opengovpartnership.org/, an international platform of 79 Countries committed to making their governments more open, accountable, and responsive to citizens. Our Government is committed to strengthening and enhancing this open government initiative in Greece.

Recent improvements - "DIAVGEIA II"

The Ministry since 2010 has taken the following actions concerning the Program's policies and tools:

Strengthening the Programme

The main interventions include:

- Acts that are not published in the Official Gazette, are valid and get into force only if they are published on the Transparency Portal (Law 4210/2013)
- The uploaded document prevails over all other versions of the act (original documents in hard copy) (Law 4210/2013)
- Uploaded acts can be used by citizens and the other public authorities without validation, by solely referring to their unique number (Law 4210/2013).

Furthermore, under Law 4305/2014 all entities of the public sector is expected to publish on the Diavgeia web site detailed monthly data on the execution of their budgets per expense category. Also, entities that have received grants from the public sector are obliged to publish the relevant expenditure data.

Building the new enhanced Transparency Portal

The Ministry has implemented and launched in June 2014 the new Transparency Portal which focuses on:

- Easing accessibility and increasing user inclusion
- Ensuring efficient access to government information and documents through a new powerful portal search-mechanism.
- Building new online communication channels enabling greater user interaction, and engagement e.g. through the possibility of commenting on government and administrative acts.

Clarification and simplification of complex concepts and processes

With a view to accessibility of information and effective communication:
- clear comprehensible language simplifying institutional language and procedures, organised presentation of content and setting out in key principles and procedures to contribute to and participate in decision-making processes;
- clarification and/or simplification of administrative and democratic processes in terms of the use special forms, transmission of documents, identification requirements, etcetera, as well as through interactive options access information needed in the required format;
- interactive visualisation, images and graphics in such a way so as to make complicated content easier to understand.

A.3.2. Enhancing responsiveness, efficiency and effectiveness

E-democracy also serves the purposes of strengthening the public authorities' capacity to respond effectively and efficiently to demands and expectations coming from citizens and civil society in general, and to make better-informed policy decisions.

Responsiveness
Responsiveness can be strengthened by way of:

- follow-up to requests, questions, complaints or initiatives by stakeholders;
- obtain missing or complementary information;
- providing standardised responses and basic information to issues of a general nature or frequent questions by way of websites, automation of information provision (including responses using artificial intelligence such as bots);
- allocating additional resources to more complex issues, leading to a more responsive administration.

Efficiency and effectiveness*:*
E-democracy can contribute to improved efficiency and effectiveness by way of:

- efficiency gains and cost savings in terms of communication, exchange of information, staff through on-line service delivery and technology-based work practices;
- progressive introduction of electronic tools in governance and democracy, reducing the need for parallel systems gradually and as appropriate, so as to achieve the savings without sacrificing engagement whilst keeping in mind the requirement that such benefits should not be prejudicial to those who do not have access to e-democracy or digital tools.

A.4.   E-democracy in practice

Key elements of e-democracy include:
- e-voting and e-enabled elections,
- e-participation, including e-petitions and e-referendums,
- and e-governance, including e-administration and e-services.

Artificial intelligence deserves to be specifically mentioned as a technology which may become increasing present in e-governance and e-administration. Some Council of Europe member States are already leading the way in this area and an additional drive in this direction may come from the European Union.

---

e|Democracy through Local Government in Malta:
Live Streaming
…. A way to implement e|Democracy!!!

The initiative consists of providing live streaming of the Local Councils official meetings: citizens can have immediate access to the meeting without having to leave the comfort of their home. It encourages a greater number of citizens to follow local and regional Council meetings, thus promoting greater citizen participation in local government.

Understanding how local government operates is the first step to getting more people involved on a practical level. Moreover, live streaming is a tool for Local Council to be more transparent and accountable.

Live Streaming was implemented by all Local Councils in Malta and Gozo by the end of 2015. To date, links to the live cams are available on their respective websites together with the agenda. As part of the Government Electoral Manifesto measures, the current live streaming service used by local councils will be improved. The new system will offer a better, more reliable transmission and will also include on-demand availability of videos (VOD).

As part of the Local Government reform, laws governing the live streaming of council meetings have been updated to mandate that these meetings must be recorded and made available for citizens to view at a later time (video on demand (VOD). Regional Councils are now also expected to adhere with this legislation.

To implement this legislative obligation, the Local Government Division, through its IT Unit, has devised uniform minimum requirements to not only to upgrade the equipment to improve the quality of live streaming but to include also the on-demand service. During the third quarter of 2019, minimum specifications were sent to all Local Councils to serve as guidelines.

Moreover, in order to increase standards of operation, the Local Government Division is embarking on a pilot project that will satisfy the live streaming and VOD requirements for regional councils as well help usher in the use of innovative technologies like to live-stream their scheduled meetings in 360 Degree video.

North Macedonia: Single National Electronic Registry of regulations – **ENER**

General description

One of the key strategic priorities of the Government of the Republic of North Macedonia remains to establish effective consultation with the stakeholders and more precisely, the consultation of those affected by the legislation, regulations and similar measures.

The Regulatory impact assessment (RIA) has been introduced and implemented since 2009 as new form of governance improving inclusion, transparency and accountability of the public sector, while the public consultation E-portal, **Single National Electronic Registry of regulations** - **ENER** (www.ener.gov.mk) is the key mechanism based on RIA which enables stake holders to actively participate in creating legislation in partnership with the public sector.

The ENER is an electronic system that, apart from existing regulations, also contains draft laws of ministries in their preparation stage.

The ENER is a functional tool enabling all stakeholders to submit electronically their comments and proposals directly to the competent institutions.

A series of procedures for civil servants were designed and made obligatory as part of the legislation drafting process, whereby:

• enhanced transparency is achieved by making it legally binding to publish all law drafts and law change proposals of the government, in each phase of their preparation, with detailed explanations and justifications about the proposal, including a cost-benefit analysis and analysis of different options, with an argumentation about the reasons why that specific approach was considered to most adequate, in line with the RIA principles;

• ENER provides simple, free-of-charge and direct active involvement for any company, civil society organization, media house or citizen, in the complete legislative process from the initial proposal to make law changes, to the final stage in the government procedure. Each portal visitor has full access to all relevant documents which explain why the law is being issued or amended, which impacts are expected on the society and what outcomes can be envisaged from the new legislation. Based on these data, the visitor can send proposals and comments for improvement of each draft document-legislation. Each comment is registered, published and answered with specific deadlines so if the government rejects a proposal, they have to explain why in writing, which brings the burden on them.

• ENER is directly connected with the "E-Government session" system, meaning that no law changes can reach a session without having been properly processed in the ENER with RIA Report (excluding those that are by law not subject to RIA).

• ENER guarantees that based on the obligatory administration procedures, all comments shall be published without delay and replied within a specified deadline. Each reply contains an explanation whether the comment is accepted or declined, stating the reasons for that decision, in public;

• A civil society project "Mirror of the government" is regularly monitoring and weekly publishing of the quantity and quality of use of ENER by the government.

• ENER also serves as main source for the media of relevant information about the ongoing legislation projects of the government, without having to visit every single web-site of the Ministries or use alternative routes to obtain information.

As a mechanism to bring different stakeholders together and use their expertise to the benefit of better regulations, the stakeholders get actively engaged in the policy making process, while providing guarantees that their voice will be heard and adequately considered.

Management

ENER is a partnership platform bringing together the business community, including the chambers of commerce, business institutions, clusters and academic institutions as well as each and every manager and employee of the companies, as well as the civil society and the general public as a legitimate stakeholder in the process.

The ENER and the RIA procedures have had the consistent commitment and political support of the government on the highest level, through the cabinet of prime minister while it is hosted and administered by the Ministry of information society and public administration in charge of regulatory reforms. For that purpose, a partnership is established between the National entrepreneurship and competitiveness council (NECC) and the government, specifying their roles and obligations towards a better policy creation and business climate process.

Ministry of Information Society and Administration on behalf of the Government manages the ENER and all ministries regularly update and publish draft laws, bylaws, consolidated texts of laws and documents arising from the RIA process.

Focus

ENER includes all ministries and other government-level legislation creators.

In the period 2009-2012 the number of visits and comments was slowly rising reaching a total 29.000, while in 2013, after a series of education seminars and software improvements as well as promotional campaigns in the public, we had over 60.000 hits in one year. In 2014, ENER achieved over 90.000 hits and comments by all stakeholder communities, with a rising tendency in 2015 and over 2.360.482 in 2019 supported by continuous education seminars and promotional campaigns in the public.

In the series of education trainings, over 1000 civil servants and more than 200 private and civil sector members became acquainted with the solution as well as the RIA procedures, guaranteeing an evidence-based and inclusive legislative process.

Brochures and additional information materials for the business and the civil community were produced, with participation of relevant experts.

Lessons learnt

The main challenge for such public consultation portals is trust and change of culture of communication with Government. The public needed to believe that the public sector will honour their promise and stay committed to the process. The number of visitors of the ENER portal commenting on new legislation proposals is the best illustration of this achievement: from 29.000 hits over a period of 4 years (2009-2012) to 90.000 in 2014 and over 2.360.482 in 2019.

Evaluation

The legal acts regulating the RIA, ENER and its connection to the e-government system and the continuous training of civil servants, have established procedures and conditions for smooth, transparent and quality preparation of the laws.

The process of consultations with stakeholders enables the GRM to have access to new sources of ideas, information and resources that are important in the policy making and decision-making processes. ENER is a central point where all draft laws that are submitted in a government procedure are presented, for comments by stakeholders.

Furthermore, in order to increase the stakeholders' involvement in the process of creation, implementation, monitoring and evaluation of policies, a technical upgrade of ENER is ongoing, which will enable till end of 2019 submission of on-line initiatives and proposals

by stakeholders and interaction with ministries, forum debates and consultation on the draft strategies and other strategic documents of the ministries.

A.4.1. E-voting and e-enabled elections

In line with the right to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature (Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 009) and "Bearing in mind that the right to vote lies at the foundations of democracy, and that, consequently, all voting channels, including e-voting, shall comply with the principles of democratic elections and referendums;" members states, as regards e-voting initiatives and tools, should

• fully implement the relevant Council of Europe standards and recommendations, in particular Recommendation CM/Rec(2017)5[1] of the Committee of Ministers to member States on standards for e-voting
• comply with the principles of democratic elections and referendums, while recognising that as new information and communication technologies are increasingly being used in day-to-day life,
• ensure that e-voting, e-referenda and e-petitions are secure, reliable, efficient, technically robust, open to independent verification and easily accessible to voters;
• take into account Declaration by the Committee of Ministers of the Council of Europe on the manipulative capabilities of algorithmic processes (adopted on 13 February 2019).

In terms of assessing regulatory frameworks related to safeguard the fairness and integrity of elections offline as well as online in line with established principles, stakeholders and national, regional and local authorities in particular should rely on applicable Council of Europe instruments in this regard prepared by the Committee of Ministers of the Council of Europe (Declaration on the manipulative capabilities of algorithmic processes - adopted 13 February 2019), the European Commission for Democracy through Law - Venice Commission (such as the Code of good practice in electoral matters and Code of Good Practice on Referendums), the Electoral Assistance Division and the Cybercrime Convention Committee (such as 'Aspects of election interference by means of computer systems covered by the Budapest Convention' - T-CY Guidance Note #9 - T-CY(2019)4).

Electronic voting: Estonia https://www.valimised.ee/en/internet-voting/internet-voting-estonia
Estonia is the only country in the world to have on-line voting in all elections, since 2005 (as a way of voting in addition to the traditional vote). Electronic voting (Internet voting) is based on a universal General Framework for Electronic Voting that can be applied in different types of elections. Voting is based on the electronic identity linked to the ID card which every Estonian citizen and resident has. The voting system is an envelope-based system. Election observers can attend the counting and courses are arranged to help understand the system. At the inception of the system, the Estonian Supreme Court examined the idea of on-line voting from the perspective of free elections, i.e. protection from pressure. The risk is mitigated by the fact that a person can change the vote cast electronically and only the last vote will be counted. The Court found that although the system in this respect differs from traditional voting, it is in line with all relevant rules and principles for elections.

The initiative did not encounter any systematic problem but constant development is needed, as well as work on transparency and auditability to guarantee public trust in the solution. The electorate has embraced this polling method, especially Estonians living abroad, but there is a considerable user-contingency in Estonia as well. Alternative polling methods have been maintained.

Case study from Ireland: modernisation of the electoral register

Ireland is currently developing a project for the modernisation of the electoral register. The proposals include the provision of online registration as an optional alternative to paper-based registration, as well as: the introduction of a simplified registration process; a move to a rolling register; a reduction in the number of application forms; and the move from household-based to individual registration. Verification of identity through the possible use of Personal Public Service Numbers (PPSNs) is also proposed.

A Government decision in March 2017 accepted in principle the main recommendation in the Fifth Report of the Convention on the Constitution that citizens outside the State, including citizens resident in Northern Ireland, should have the right to vote at presidential elections and that a referendum be held to put this to the people. In this context, the Government determined that work should commence on modernisation of the voter registration process to effect improvements in the registration of voters, which would also facilitate the registration of voters resident outside the State in the event that the referendum be passed.

In recent years a range of potential improvements to facilitate administration of, and public engagement with, the register have been identified by a number of reports including by the Joint Committee on Environment, Culture and the Gaeltacht in its report of the consultation on the proposed Electoral Commission in 2016.

While the current electoral registration system has the confidence of the electorate and has served the country well, a range of potential improvements to facilitate administration of, and public engagement with, the register have been identified. Improvements include:

- *Enabling a better service to the public:* Making registration easier, by simplifying and streamlining processes, combined with a move to individual rather than household registration, will enable individuals to take greater responsibility for their own registration and ensuring their information is up to date. Optional online registration and secure self-service could further facilitate registration and data management.

- *Modernisation of the administration of the register:* A single central electoral register with unique identifiers would bring together the existing 31 registers into a single register in a modern, secure database. A rolling register/continuous registration would create a single live register all year round with a single cut off in advance of an electoral event.

- *Maintaining and enhancing the integrity of the register***:** Identity verification, including through the possible use of PPSNs, could enhance the integrity of the register and minimise duplicate entries or erroneous amendments. The potential of data sharing as a means of maintaining the register in the future will also be considered

In parallel to the work of the Department four Dublin based local authorities have developed their own online registration system, voter.ie. This system was rolled out in a pilot phase during recent electoral events, which provided the option of online registration and amendment of details. The outcome of the pilot of the voter.ie platform is also being considered as part of the wider modernisation project.

A public consultation on the modernisation project was launched in December 2018 and it ran until 15 March 2019. A total of 187 submissions were received and these are available on the Department's website (https://www.housing.gov.ie/). A report on the public consultation will be published in October 2019 and will also be available on the website. The responses to the consultation are informing ongoing work on various elements of the project.

A.4.2. E-referendum

Direct democracy-is a long-standing tradition in certain member States. Some of them also forms of direct e-democracy.

Iceland: Citizens e-referendum *https://www.island.is/en/citizens-e-referendum/about-citizens-e-referendum/*
Iceland permits electronic referenda in some cases. Residents can, via a petition, demand a residents' referendum on specific issues or matters under consideration by the municipal administration council. Likewise, the council can on its own announce a residents' referendum. In transitional provisions approved by the Icelandic Parliament in March 2013, it is stated that such referendums may, with specific authorisation from the Minister of the Interior, be held electronically online with the use of an electronic electoral register. The stated purpose of the transitional provisions of this kind is to test and try new technologies for residents' referendums. The project would also be a precursor to still larger projects in this field.

A.4.3. E-petitions

Estonia: e-Petition platform
The Citizen Initiative Portal (https://www.rahvaalgatus.ee) was born in a process called the People's Assembly (Rahvakogu) in 2012. This process was initiated by the President of Estonia together with NGOs with the aim of improving the functioning of democracy in Estonia. The Assembly combined e-tools with traditional face-to-face discussions. In three weeks, the website for Rahvakogu received about 2000 proposals. These were systematized, analysed by experts and then presented to a representative random sample of Estonian citizens (500 invited) for deliberation. The top 15 ideas approved during the Deliberation Day were presented by the President of Republic to the Parliament. Seven of those were adopted as laws (three implemented fully and four modified or combined with other laws). Among others, the citizens' initiative to the Parliament as a legal instrument was incorporated into the legal system of Estonia. https://www.kogu.ee/en/activity/peoples-assembly/
The Citizen Initiative Portal enables to write collective proposals, hold discussions, compose and send digitally signed collective addresses to the Estonian Parliament on how to amend existing regulations or improve the society. The portal makes it easier to compose, send and monitor collective initiatives. Every citizen can use the new portal to raise an issue or make a suggestion, to discuss it publicly, to create an appeal, to collect digital signatures for it and send it to the Parliament with one click. It is also possible to monitor how the initiative is processed in the Parliament and how it may be turned into a law. In the future it will also be possible to use this portal for citizen initiatives in the local government, because according to the law 1% of the population can start a draft law.

European Union *https://ec.europa.eu/info/about-european-commission/get-involved/petition-eu_en*

The EU has rules on petitions that any individual or organisation based in the EU can sign or submit to the EU on an issue related to EU policy or law. The website provides short and easy-to-read instructions on: "When to submit a petition?", "Who can start a petition?" and "How to create or sign a petition?". There are links to what issues the petitions can be on, meaning any EU policy area. The website explains that "You can ask the European Parliament to look into an issue that affects you, or complain about how an EU law is being applied. This is called a petition." It is possible to make petitions on-line or on paper, by post, and the rules about them are the same, although for practical reasons and for those wishing to reach an audience in many EU states, on-line petitions are the preferred way. It is possible to check that the issue is not already covered by an existing petition. The European Parliament website also contains rules on petitions,

http://www.europarl.europa.eu/at-your-service/en/be-heard/petitions.

Petitions are covered by EU law, Article 227 TFEU, and the right to make petitions is regarded as a fundamental right in the EU. The right to make petitions does not say anything about the form of them, but to make it more practical to make petitions – especially for issue of cross-border relevance – the electronic format has been developed.

E-petitions. Case study: UK's Petitions Committee

In 2015, the United Kingdom's Petitions Committee was formed by the House of Commons, the elected body of Members of Parliament. The 15 members of the Petitions Committee are nominated by the House of Commons from the government and opposition parties, and the Chair is formally elected.

The Petitions Committee oversees and considers paper and e-petitions submitted on the Parliament website https://petition.parliament.uk/ The current e-petitions system, introduced in 2015, is jointly owned by the House of Commons and the government and allows members of the public to create and support petitions for consideration by the Parliament of the United Kingdom. The Petitions Committee can write to government and other public bodies to press for action on an issue that is addressed by a petition or work with other Parliamentary Committees concerned with examining the work of government departments to look into specific issues raised by a petition.

E-petitions have to ask for a specific action from the government or the House of Commons and should be about something which the government or the House of Commons is responsible for. A petition will stay open for a period of six months and will need to be supported by at least six people before it is published on the petitions website for other people to sign. A petition might be used by campaigners in combination with other methods to attract attention and indicate the level of public interest in an issue.

The government will respond to all petitions with more than 10,000 signatures. E-petitions which reach 100,000 signatures are considered by the Committee for debate in Parliament. Most petitions which reach this threshold will be debated.

E-petitions have proven effective in raising public awareness, democratic participation and citizen engagement on a wide range of issues. Petitions are widely considered to have the potential to develop into wider initiatives and as such they can be a valuable tool for change.

Petitions can be divided into two broad categories – protest petitions and substantive petitions. In 2016, a protest petition was organised calling for retail stores to be closed on Boxing Day, the day after Christmas. It gained more than 148.000 signatories and proved highly effective in expressing dissatisfaction with existing trading hours for retailers. In contrast, substantive petitions need not have as many signatories to have an impact. For example, a 2015 petition into funding for brain tumour research sparked an inquiry after only 14.000 signatures although it gained more than 120.000 signatures in total. In the end, the petition was debated in Parliament allowing those affected by brain tumours to share their stories with the public which resulted in increased funding. Another 2015 petition, which received 12,.000 signatories, called for police dog and horses to have more legal protections if they were attacked on duty. It was subsequently debated in Parliament and new legislation was approved by Parliament.

The Petitions Committee provides an opportunity for the public to make sure their views are heard by Members of Parliament and Ministers. The Petitions Committee has power to go on fact-finding visits and take written and oral evidence. Research has shown that committee reports have great capacity to impact on government policy especially at the level of agenda setting.

A.4.4. Artificial intelligence

Artificial intelligence (AI) in a broad sense refers to all current more or less autonomous processes that are capable of reproducing highly complex tasks normally performed by humans on the basis of a diverse range of information including sensory stimuli and, possibly, the developments in this area.

This includes the use of algorithms to identify similarities and, as applicable, patterns on the basis of very large sets of data, classify them and, on the basis of mathematical (statistical) models, to understand and utilise the data for predictive purposes. Thus, it is also used in applications intended to identify preferences or values of users in order to target them specifically with information or messages that is likely to (be of) interest (to) them.

Artificial intelligence also includes different types of automated learning (supervised, non-supervised and deep learning) which use specific types of algorithms. It is already being used by public administrations in several Council of Europe member States, for instance to assist civil servants at the preparatory stage in the context of automated decision-making (so-called assisted automation).

The use of AI can contribute to and enhance proactive government, facilitating the submission of requests and applications, provision of assistance in digital format (such as through on-line contacts, digital voice assistants, bots, and so forth), providing tailored feedback to stakeholders on requests, initiatives or other issues based on specific consent and preferences provided by them, and possibly contribute to governance and administrative decisions through predictive technologies.

Whilst the increasing use of such technology offers significant potential in problem analysis and decision-making in complex situations, also where it is applied in order to provide data and propose solutions for decision-making in governance and service delivery, they also do give rise to important questions in terms of transparency, responsibility, accountability, data protection and privacy, inclusiveness, the potential for underlying bias or discrimination and ethical conduct as well as in relation to human rights and the rule of law.

These include areas in relation to the distribution of responsibilities and liabilities between humans and their use of AI systems, various components and actors including systems and service providers such as developers, providers of cloud computing, hardware manufacturers, telecommunications and network operators, application and platform service providers, etc.).

Central elements of regulation in relation to AI therefore should include the responsibility for monitoring and supervising systems, responses in relation to risks, accountability for final decisions taken and principles governing transparency of the underlying decision-making process.

Increasingly, computational means and machine learning capabilities make re-identification possible, i.e. to infer intimate and detailed information about individuals from readily available data, including sets of non-personal data - and to prioritise certain values over others and provide a growing capacity to predict choices and influence the cognitive autonomy of individuals. For this reason and with regard to the future development developments in terms of advanced digital responsibilities national authorities are invited to give serious consideration to the Declaration by the Committee of Ministers of the Council of Europe on the manipulative capabilities of algorithmic processes (adopted on 13 February 2019).

A.5. Stakeholders

E-democracy stakeholders are all individuals and institutions involved in the functioning of democracy including public authorities, NGOs, citizens and civil society at large, including the business community.

Mutual respect between all actors should be the basis for honest interaction and mutual trust whilst all stakeholders should act in a fully transparent manner and be responsible and accountable for their actions as well as opinions they publicly express.

Authorities at all levels (national, regional and local)
- should take an active role to facilitate e-democracy and to innovate democratic processes by means of new technologies and platforms, including social and other digital media, and the creation of new public spaces;
- coordinate strategic action plans in line with established roadmaps for e-democracy;
- adopt policies, designed to promote the participation of citizens in public life, and adopt measures within their power, in particular with a view to improving the legal framework for participation;
- ensure that e-democracy applications are aligned and the distribution of tasks and priorities between central and local governments are clearly defined in line with the principle of subsidiarity;
- take into account the level of digital literacy of different groups and empower people through support for education, training and public information measures combining electronic and non-electronic approaches;
- set out objectives, processes and 'rules of engagement' of e-democracy initiatives in clear and simple language to ensure that all stakeholders concerned can provide input and be heard;
- provide clear explanations as regards proposals and solutions so that people can give their views, ask questions and have a real influence on how e-democracy is implemented;
- ensure access to ICT infrastructure and promote digital literacy to allow as many citizens as possible to benefit from e-democracy;
- define conditions which terms of service need to meet in relation to public e-democracy and e-governance initiatives;
- if possible, provide support for, engage and cooperate with e-democracy initiatives by civil society organisations and NGOs;
- promote Open Government initiatives, also in cooperation with civil society actors;
- encourage and fund research on e-democracy;
- identify the nature, type and limitations in terms of data and information to which academia and researchers should have access and the conditions for their use;
- include open source clauses when contracting for e-democracy applications, as open source software and applications provide open frameworks and hence the opportunity to share developments and maintenance costs.

> *The Netherlands*: The Dutch eCitizen Charter. The eCitizen Charter (BurgerServiceCode) is a quality standard for e-government in administration, written from the citizen's perspective. It consists of ten quality requirements in the fields of information exchange, service delivery and policy participation. The eCitizen Charter has been translated into 19 languages.

National (regional) authorities

National authorities in particular, or as the case may be regional authorities, should:
- establish the regulatory framework and regulations for e-democracy in accordance with obligations and commitments in respect of human rights and fundamental freedoms, and the principles governing the domestic organisation of democratic government;
- provide the framework for:
  - transparency, responsiveness and accountability of government;
  - developing and testing e-democracy initiatives at all levels;
  - building trust and promoting acceptance of new technologies;
  - a broad understanding of citizenry, encompassing persons and groups of persons permanently residing and integrated in a political entity, irrespective of nationality;
- establish roadmaps for e-democracy providing planning advice and guidelines for the improvement of e-democracy tools and systems;
- ensure that national legislation and regulations enable local and regional authorities to pilot and/or employ a wide range of participation instruments, including e-democracy tools, in line with the Guidelines on civil participation in political decision-making and recommendation CM/Rec(2018)4 on the participation of citizens in local public life, thus creating opportunities to identify areas for future improvement on the basis of lessons learned;
- promote dialogue and partnership between the central and local authorities and citizens, as well as for relations between authorities and institutions themselves;
- promote testing and piloting of e-democracy tools at local/regional level, where these are more likely to reflect people's immediate interests, expectations and needs and have a more direct link to decision-making;
- where applicable, facilitate e-democracy to promote and facilitate the work in areas concerned by cross-border cooperation or across greater regions and at transnational level.

Spain: The Higher Council for Electronic Government (Consejo Superior de Administración Electrónica- CSAE) is in charge of the preparation, design, development and implementation the ICT policy of the government, as well as for promotion of e-Government including electronic participation and transparency. It is supported by the Directorate General for Promotion of e-Government.

Case study from Slovakia: Slov –lex: legislative and information portal

Slov-lex is an on-line portal which provides professionals and general public with electronic access to applicable law in Slovakia and all the relevant information regarding law, and servers as a law –creating tool. Thanks to this tool, both transparency of developed legislation and participation of the civil society and general public is strengthened, as relevant actors can be a part of the on-going legislative process during several stages of the law-making:

- Preliminary information – during the development of a legislative material, the creator is required to publish and information on the portal, stating the main aim of the legislation, brief overview, estimated time of creation and various options for contribution to the development process, along with a contact details. Interested actors from civil society can contact the creator and cooperate on the development of the legislation

- Commenting period – general public along with all other governmental institutions and other relevant actors can comment on a draft legislation during a designated period via the Slov – lex portal, and actively shape the legislation. If a certain comment has a support of a significant number of persons (500), the creator of the legislation has to reason with the representatives on the proposal.

The portal also allows general public to hold a discussion on the legislation via the comments section, creating a channel between the general public and legislation creators.

Apart from being actively engaged, the portal serves as a collection of all applicable law, meaning that it enables public and civil society access the laws in one place easily from everywhere, without restrictions (the portal can be accessed without registration, for some of the features – e.g. commenting during the legislative procedure, registration is required). Thus, it strengthens the access to information.
More info: https://www.slov-lex.sk/web/en/homepage

Local (regional) authorities
Local authorities play a crucial role in the area of e-democracy because often they are the first ones to introduce and text new initiatives. Local authorities, in particular, or as the case may be also regional authorities, should:

- fully comply with Recommendation CM/Rec(2018)4 on the participation of citizens in local public life;
- strengthen local and regional regulations concerning the participation of citizens in local public life and set out practical arrangements for such participation, and to take any other measures within their power, to promote citizens' participation, including through e-democracy initiatives;
- develop action plans and pilot or implement e-democracy initiatives that are aligned with national e-democracy roadmaps;
- in line with the principle of subsidiarity, develop and test e-democracy tools in terms of agenda-setting, consultation and policy and decision making and provide feedback on lessons learned;
- align local e-democracy and e-government strategies and policy objectives with national plans, meeting the needs, demands and expectations of citizens
- promote digital literacy and access to new technologies by way of appropriate initiatives, including e-training, at local/regional level.

Case study from Slovakia: Initiatives by UMS – Union of Towns and Cities of Slovakia / Únia miest Slovenska

UMS (Union of Towns and Cities of Slovakia) is a joint organization of major towns of Slovakia which coordinates their activity in various field, represents their common interests e.g. in legislative processes and organizes various initiatives, conferences and seminars for representatives and administration of its members as well as for public.

More information about UMS can be found on http://www.unia-miest.sk/EN/

In the area of e-democracy, the most important initiative of UMS are the conferences on e-Government since 2010 - http://portal.eGov.sk/sk/content/konferencie-a-skolenia. In these conferences practical projects are published, many of them in the in the field of e-democracy. Contributions are published on the e-Gov portal www.portal.eGov.sk

In the following we list four major projects which are in real operation.

Project name	**Elektronické zastupiteľstvo – Electronic council**
URL	https://zastupitelstvo.egov.sk/
Contact	• Augustin Mrazik, eGov Systems s.r.o. • augustin.mrazik@eGovSystems.sk
Initiated by	eGov Systems s.r.o.
Objectives / goals	• publicity and transparency of council and town hall activities • support and automation of administrative activities of town hall and council members • contribute to citizen engagement in public decisions
Project started [year]	2014
Project active [yes / no]	Yes
Management of the project	eGov Systems s.r.o.
Project owner	eGov Systems s.r.o.
Project partners	UMS, several towns and municipalities which participate in testing and enhancing the functionality
Project financing	Private funds eGov Systems s.r.o.
Future plans / sustainability	• extend to most towns and municipalities in Slovakia • maybe public project for EU
Focus [nationwide / local]	nationwide
Short description	• the system implements electronic support for the fulfilment of the Code of the municipal establishment in Slovakia • support for the town hall and council members for preparing materials for council sessions • publishing programs of council sessions and materials • online access to public as well as private version of the materials (for council members) • support for voting about resolutions at the council session • automated publishing of accepted resolutions • notifications to public (on subscription)
Top – down	• publishing all information automatically • offering subscription of notifications and invitations to session for public
Bottom – up	• citizen are encouraged to request and find detailed information about all activities of city council • citizens may subscribe notifications about any activity of any part of the city council structure
Number of users [towns]	12

Project name	**Increasing Transparency on local Level thorugh Participatory Budget and Electronic Administration of Subsidies**
URL	http://miestnedvepercenta.sk
Contact	• Martina Tvrdoňová, Civic association WellGiving • tvrdonova@dakujeme.sk
Initiated by	• Civic association WellGiving
Objectives / goals	• To increase efficiency and transparency of local subsidies provided by local governments • To increase people engagement on local issues through participatory budget and planning
Project started [year]	2018
Project active [yes / no]	Yes
Management of the project	• Civic association WellGiving
Project owner	• Civic association WellGiving
Project partners	UMS, several towns and municipalities which participate in testing and enhancing the functionality

Project financing	Slovak Ministry of Interior and private sources
Future plans / sustainability	• extend to most towns, villages and municipalities in Slovakia
Focus [nationwide / local]	nationwide
Short description	• the system "Hlas občanov" enables to manage participatory budget in efficient way and enables to involve citizens into decision-making processes • the system "egrant.sk" enables to manage the entire process of providing subsidies on local level in a more efficient and transparent way
Top – down	• all applications are administered electronically automatically • Hlas obcanov enables to people to vote through SMS
Bottom – up	• citizen are encouraged to be involved in decision-.making processes • applications of organizations are managed in a transparent way •
Number of users [towns]	17

Project name	**SMS-info.eu**
URL	https://sms-info.eu/
Contact	• Augustin Mrazik, eGov Systems s.r.o. • augustin.mrazik@eGovSystems.sk
Initiated by	eGov Systems s.r.o.
Objectives / goals	• fast updates (informative message) of towns and municipalities to their citizen sent to SMS, e-mail or mobile application (Android, iOS) • encouraging engagement of citizen – rating and commenting the updates • enabling citizen unformal direct contact to the town – suggestions sent directly from mobile application incl. photo and GPS coordinates • privacy protection – contacts od recipients are anonymised, recipients can instantly change or delete their subscription
Project started [year]	2008
Project active [yes / no]	Yes
Management of the project	eGov Systems s.r.o.
Project owner	eGov Systems s.r.o.
Project partners	UMS, several towns and municipalities which participate in testing and enhancing the functionality
Project financing	Private funds eGov Systems s.r.o.
Future plans / sustainability	• extend to most towns and municipalities in Slovakia • maybe public project for EU
Focus [nationwide / local]	nationwide
Short description	• citizen can subscribe updates in one or more areas of interest from any participating town or municipality • updates are sent by towns and delivered within a few minutes independent on the number of subscribed citizen • the citizen decides whether he-she wants the updates to mobile or e-mail, he can change this later • citizen are encouraged to feedback – rating the usefulness of the update, commenting it • citizen may send their own message to the town (suggestion, complaint etc.)
Top – down	• publishing categories to which citizen may subscribe • sending updates to SMS, e=mail or mobile application

Bottom – up	- rating the usefulness of the update - commenting the update – comments are private and can be published by admin - private messages to the town - suggestion, complaint incl. photo and GPS coordinates
Number of users [towns]	± 80

Project name	**Odkaz pre starostu / Announcement to the Mayor**
URL	https://www.odkazprestarostu.sk/
Contact	- SGI - https://www.governance.sk/
Initiated by	SGI
Objectives / goals	- complaints of citizen sent to the town incl. description, photo and GPS coordinates - complaints are published instantly, incl. their processing by the town or municipality
Project started [year]	2015
Project active [yes / no]	Yes
Management of the project	SGI
Project owner	SGI
Project partners	several towns and municipalities which participate in testing and enhancing the functionality
Project financing	NGO
Future plans / sustainability	extend to most towns and municipalities in Slovakia
Focus [nationwide / local]	nationwide
Short description	- citizen can send a complaint or information about a problem in the town directly to the town hall - processing of the issue and the final solution id published on the portal
Top – down	publishing result of solving the problems and complaints
Bottom – up	sending complaints and info about problems to the town - suggestion, complaint incl. photo and GPS coordinates
Number of users [towns]	± 100

Case studies from the Netherlands

WestBegroot

Every year, *Stadsdeel West*, a city district called 'West' in the city of Amsterdam, the Netherlands, makes plans for urban planning in the city district. These plans consist of several priorities identified by the municipality for improving public spaces. These priorities are divided into categories which focus on specific theme's: currently these themes are 'Green and public spaces', 'Sustainability' and 'Diversity and Inclusivity'.

Whilst making preparations for 2018, the municipality of Amsterdam wanted to include the residents of district 'West' in the process of deciding on what the municipality should do that year. And so the municipality of Amsterdam decided to let residents choose themselves. The district of Amsterdam 'West' would receive a budget of €300.000,- euros to be spent however they thought was best (after a feasibility check by the municipality). After all, who would know the wants and needs of the residents in district 'West' better than the residents themselves?

The city created a pilot-project called 'WestBegroot' and a website with the same name (https://westbegroot.amsterdam.nl/) which would serve as a platform for the residents to contribute and communicate with each other. The municipality sent letters to all the (and only the) residents of 'West' providing a personal account which residents could use to participate. On this platform, residents could start an initiative, vote on other initiatives, and discuss the initiatives with other residents. During the month of October 2018 while the project was running, 216 initiatives were submitted by residents in one of three categories ('Green and public spaces' and 'Sustainability' to 'Diversity and Inclusivity'). Of the 216 initiatives, 167 achieved the minimum requirement of 50 votes, out of which 94 initiatives passed the 'feasability-check' by the municipality. Eventually, 30 of the most popular initiatives entered the voting round, in which 14.730 residents voted representing 12% of all residents over 18 years old in the district. Eventually 13 initiatives were chosen by residents, to which the €300.000,- was distributed.

'WestBegroot' was the first of many such experiments with e-democracy in the city of Amsterdam. Other city districts have had successful projects based on the success of 'WestBegroot'. None of these projects are the same as none of the city districts is the same. Which is to say that the digital participation method is also used for other projects in which the municipality wants to increase the participation of citizens in the democratic process. This method of using e-participation tools is being developed and put into practice by the Amsterdam innovation team 'OpenStad'.

OpenStad

OpenStad (which translates to 'open city') is an innovation team consisting of civil servants who work for the municipality of Amsterdam. The core team consists of a program manager, interaction designers and software developers, and varies in size depending on the amount of projects they are working on.

The team does not only provide the digital tools needed, but designs the whole participation process, online as well as offline. The team works in four basic steps:

- Intake and defining the problem
- Assessment of the wants and needs of participants
- Matching the digital tools to the specific case in question
- Designing a case-specific tool which meets the wants and needs of participants.

The team assesses the case and, together with the client, decides how digital tools are to be used in the case in question to achieve the best possible result. The team provides research of the target audience to make sure the tools are used in the right way. Based on research of the target audience and the particularities in the case, the team designs a unique iteration of the tool to fit the case in question. In turn, the client organisation makes sure their organisation has the time and means to successfully carry out the project, and appoints someone to monitor the process and to provide feedback. The client organisation is responsible for marketing, with support from the team.

The team is constantly working on several projects, during which lessons are learned, reflected upon, and applied to projects from that moment on. Effort is made to make sure the digital tools help achieve goals, as they are a means to an end. With all projects the team works on the team has three main goals:

- To improve interaction between parties,
- To increase inclusivity in the participation process,
- To fit the case in question as best as possible.

The OpenStad team is a leading example of e-democracy in the Netherlands. Together with several other municipalities – and supported by the Ministry of Internal Affairs and the Association of Dutch Municipalities – they have formed a coalition of pioneers to share knowledge and best-practices with each other and other municipalities in the Netherlands.

A broader movement to stimulate the use of e-democracy was initiated by the municipality of Amsterdam, based on the idea of a 'Groenlinks' (a Green-Left political party) politician called Rutger Groot Wassink. This has been put into action on the initiative of Jeroen van Berkel of the Labour party. Jeroen van Berkel is on the city district board, and wanted to involve residents more closely to local district policy development. It was decided that 20% of the total budget would be allocated for digital participation, and so the OpenStad innovation team was founded with 'WestBegroot' as their first project.

The municipality is of the opinion that our democratic system needs to be kept up to date, to better fit the needs of a quickly changing and increasingly complex society. Big developments like urbanisation, globalisation and digitalisation all have an impact on the balance between citizens, government and the economy. A declining number of voters, a decline in membership of political parties and the increasing activity of temporary, non-conventional political coalitions, have driven the municipality to the conclusion that there was a need to try something new, better befitting the current state of democracy.

'WestBegroot' had four main goals:

- To give local residents more direct involvement in the decision-making process, which in this case meant deciding how public urban planning funds would be spent (within certain limits).
- To better involve local residents in the democratic process, especially those residents who normally do not participate, or participate very little.
- To better involve local residents in local urban development.
- To use the knowledge and creativity of local residents to better serve the community

The OpenStad innovation team started with planning its first project 'WestBegroot' in the spring of 2018. In September of the same year the project was launched, and it concluded on the 13th of February 2019. The team has continuously worked on several projects since then.

The project started its first edition in district 'West' of the city of Amsterdam in September of 2018. During the month of October residents were able to submit initiatives to the platform. After selection (a minimum requirement of 50 votes, a feasibility-check by the municipality and an advice from the city district committee, which is an advisory body of residents and local businesses to the municipality) the voting period started, which lasted from the 13th of January 2019 until the 13th of February 2019.

After the closing of the voting period in which residents chose 13 initiatives to be carried out, the municipality organised an event where the winning initiatives were displayed and received their funding. The initiatives started soon after.

The municipality is very content with the results, and have decided to continue the project. In the coming years several city districts will have their own 'Begroot'-project, including a new one in 'West'. The municipality is determined to continue innovating, and is sharing its gained knowledge and experience with other Dutch municipalities through a coalition. The city of the Hague has recently had its own successful project with city district budgeting.

The project has received a lot of positive feedback from residents, and some negative feedback. Although it has been positively covered by local media, there was little to no attention in national media outlets. The success of OpenStad has had the most impact in the Dutch civil service, especially on the municipal level. OpenStad is now the leading

example of successful e-democracy in the Netherlands, and the team is sharing a lot of its knowledge and experience with other municipalities throughout the country.

Civil society

Individuals, alone or in association with others as civil society actors, are encouraged to actively participate to public life and to:

- respect the principles of deliberation – namely, rational debate among equals, where people publicly discuss, endorse and criticise one another's points of view in a thoughtful, respectful discussion of an issue and action to be taken on it;
- draw attention and give consideration to Internet access of different groups and in different areas;
- contribute to the development and testing of e-democracy initiatives and tools, in cooperation with authorities at local, regional or national level;
- Contribute to awareness and acceptance of and training in e-democracy tools and associated technologies.

Estonia: The Ministry of Interior has the overall responsibility for supporting the development of civil society. Together with other government agencies, it co-ordinates the implementation of the Estonian Civil Society Development Concept, a contract between the government and non-profit organizations, which establishes an equal partnership for achieving common goals.

Politicians and political parties

Politicians and political parties are encouraged to:
- use e-democracy tools in order to maintain and enhance their essential role as democracy intermediaries, connecting with citizens and the society they represent;
- use, and encourage other stakeholders such as civil society and individuals, digital technologies for the purposes of enhancing democratic debate;
- encourage e-activism and e-campaigning, so that stakeholders can voice their concerns and ideas, put forward initiatives, promote dialogue and debate with representatives and public authorities and, in the interest of democratic supervision, scrutinise officials and politicians in matters of public interest.

Private sector

The private sector, especially business companies who are involved in the design, development, sale, deployment, implementation and servicing of ICT tools, including applications of artificial intelligence and automated decision-making, should act in accordance with the law, including standards on data protection, the right to private life and other human rights. In addition, they should:

- give preference to open source standards and specifications and open source software to enhance openness, transparency and accountability and ensure interoperability, in particular when providing public services, contracting with or developing solutions for public authorities;
- implement due diligence or otherwise take all possible measures to avoid bias in e-democracy solutions and software;
- ensure standardisation and interoperability by using, where possible, standard and generally available IT components.

Academia

Academia can play a crucial role in carrying out independent, evidence-based and inter-disciplinary research and providing advice to other stakeholders, including the authorities, on issues such as the following:
- standard-setting in e-democracy;
- technological innovations which can be used in e-democracy and e-governance;
- the impact of digital technologies, including the role of computational means and algorithmic tools.

Media

All forms of media should be encouraged to:

- harness the opportunities offered by digital technology to present reliable, independent, factual and verifiable information;
- promote pluralism and a broad democratic debate in line with the principles of constructive journalism;
- separate information from commentary and have a strong commitment to context setting and analysis, to respect the citizens' right to form their own opinions and make political choices.

Furthermore, as regards public-service media, use electronic means to fulfil their essential role in educating people to become active and responsible citizens by providing a platform for public debate, presenting the diverse ideas and views of society, and disseminating information on democracy, democratic institutions and processes and democratic values;

PART B: IMPLEMENTING E-DEMOCRACY

The implementation of e-democracy initiatives requires a wide range of measures, including the introduction of an appropriate legal framework and other enabling factors. It also requires planning, monitoring and evaluation.

B.1. Enabling factors

B.1.1 Legal framework

The overall legal framework

Legislative and regulatory framework needs to ensure respect for fundamental freedoms, human rights and minority rights, including freedom of, and access to, information, in full compliance with all international standards, through: artificial

- support for the democratic roles of intermediaries between citizens and the state, such as democratic institutions, politicians and the media;
- institutional openness, respectful of informed participation and (real time) transparency (EU 5) for all digital forms of interaction
- access to information in line with the requirements set out in the Council of Europe Convention on Access to Official Documents (ETS No 205);
- responsibility and accountability for the functioning, performance, security and reliability of technology and tools;
- principles governing sustainability and continuity safeguarding fundamentals of sound financial management;
- consider protective frameworks related to data that go beyond current notions of personal data protection and privacy.

In line with Recommendation (2009)1 on e-democracy, e-democracy needs to be embedded in balanced, citizen-oriented rules and regulatory frameworks, including regulations adopted by public authorities, co-regulation and self-regulation.

Recourse to digital technologies may require modifications to the existing legislative and regulatory framework, or new legislation being drawn up.

Recommendation CM/Rec(2009)1 further specifies that *"Rules and regulations governing e-democracy should promote democracy and the rule of law, in particular by strengthening the involvement and participation of citizens in national, regional and local public life and decision-making processes, encouraging citizen initiatives, and improving public administration and services by making them more accessible, responsive, user oriented, transparent, efficient and cost-effective, thus contributing to the economic, social and cultural vitality of society."*

Spain has a highly decentralised model of government and regions have extensive legislative powers. To promote electronic participation, the Valencia Regional Government has adopted a Citizen Participation Regional Act (Ley de la Comunidad Valenciana 11/2008). This includes an electronic channel among the means of participation that citizens have at their disposal. The regional government of the Canary Islands is undertaking a similar regional Act for parliamentary approval.

Key considerations include:
- critical analysis of existing legislation whether its aims and objectives are suited for the e-democracy context;
- specialised legislation should be avoided where possible in order not to create parallel systems;
- data protection legislation, taking into account manipulative capabilities of algorithmic processes;
- regulation of digital identities, digital signatures and e-identification.

Critical analysis of existing legislation

Analysis of existing legislation should include:
- the impact of digital technology and e-democracy tools;
- obstacles to the use of digital tools (for example the need to be present in person);
- requirements and purpose for use of specific formats or types of documents or other specific requirements as to the form, structure, and so forth and whether these apply to the digital environment.

The Estonian e-voting system was examined by the Supreme Court in 2005,[1] following a complaint by the President in his role of examining constitutionality of legislation. The case centred on the principle of one person – one vote and if the e-voting ensured this. The Court found that there was nothing in the system that compromised the principle of 'one person - one vote'. Thus, the Supreme Court ruled that the system of e-voting appropriately balanced all electoral principles of the constitution.[2]

---

[1] Judgment of the Constitutional Review Chamber of the Supreme Court number 3-4-1-13-05, Petition of the President of the Republic to declare the Local Government Council Election Act Amendment Act, passed by the
Riigikogu on 28 June 2005, unconstitutional," 1 September 2005. http://www.nc.ee/?id=823
[2] *Ibid.*

The Norwegian Election Act allows for the possibility to test other ways to conduct elections by way of "pilot schemes in which elections under this Act are conducted in other ways than those that follow from this Act" – as long as the basic principles are not violated, including direct, secret and free suffrage. Provided those principles are ensured, e-voting can be used as a supplement to traditional paper-based voting methods. Specific rules can be made about the period and mechanisms.

Specific legislation may be required in relation to e-identification and digital signatures and digital identities may be appropriate in relation to avoid questioning of the legal validity of any electronic democracy tool (e.g. in relation to the collection of signatures on-line (unless such legislation has been adopted in the context of e-governance and e-commerce).

Thus, for example, legislation should stipulate the type and nature of electronic identification and signatures that are recognised and define so-called qualified digital signatures. Where possible the type of identification and signature (e-ID) for e-democracy should be the same as for e-governance.

A qualified electronic signature should have the equivalent legal effect of a handwritten signature, by law.

As regards petitions, those submitted to the Scottish Parliament for example, as they are not legally binding, rigorous security checking at the level that would be required for internet voting is not considered necessary. Instead e-petitioners performs an internal confidence rating check to assess how secure each name and address is. The actual rating depends on a number of factors, such as the IP-address and how often the same IP address has been used to sign the petition. These confidence ratings are closely examined prior to submission of the petition to check for any irregularities. The system also automatically removes any duplicate names and addresses. The legal situation in terms of checks is the same as for paper signatures. To some extent however, technology allows for stricter controls than would be possible with manual checks of signatures and addresses.

Analysis of legislation in relation to data protection legislation should verify whether the protection is adequate in relation to personal data in the context of e-democracy processes and whether this meets the requirements of relevant European legal instruments, including:
• article 8 of the European Convention on Human Rights;
• the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) and its protocols;
• the Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 223);
• EU General Data Protection Regulation (GDPR), where applicable.

Specialised legislation

Specialised legislation should be limited in order to avoid creating parallel systems. Many risks and issues of e-democracy are not specific to it and may be addressed in an adequate manner in existing legislation. However, amendments or further clarification of such legislation may be appropriate. Such areas may include access to information, consultation, elections, petitioning, referenda, preservation, disposal and destruction of materials and records.

For example, in the area of artificial intelligence, special legislation may not be required per se, as there are presumptions by law about responsibility and liability for the activities performed by or with the help of machines. Additional regulations or legislation may be helpful to facilitate application of existing legal principles in relation to new technologies, and to clearly define accountability in relation to the criteria and transparency of the decision-making process and for decisions taken (e.g. requirements for a human to take or verify final decisions). It may also contribute to transparency of technology applications used for decision-making or a more transparent decision-making process. Where full transparency is not possible, a policy decision may be required on whether or not the technology can be used.

B.1.2. Data protection and privacy

Data protection measures

Data protection applies to the handling and safekeeping of all data regardless of the format and not only electronic or 'digital' data or transactions and should encompass:
• personal data;
• so-called 'sensitive' political data; and
• non-personal data.

To ensure respect for human rights and fundamental freedoms, data protection should:

• meet all standards and requirements for data protection legislation, regulations and measures set out in the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) and its Protocols; the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No 223) and the Council of Europe Convention on Access to Official Documents (ETS No 205);
• include not only electronic or 'digital' data or transactions but also to the handling and safekeeping of all personal data regardless of the format;
• protect the interests of persons that are unaware of the dangers of data exploration and safeguards against associated the risks.

Additional protective frameworks related to data that go beyond current notions of personal data protection and privacy should be considered, reflecting the capacity of advanced technologies to use and exploit personal and non-personal data to influence the cognitive sovereignty of individuals.

E-democracy initiatives, projects and processes need to guarantee privacy and personal data of participants in e-democracy tools and processes and information and data provided should not be used or repurposed for aims other than those stated unless informed and explicit consent has been given by the participants concerned.

Where applicable, specific or perceived vulnerabilities of electronic data should be addressed. Security issues should not lead to the exclusion of individuals and groups in democratic processes.

The right to access, verification and correction of information

Persons should be able to have access to all personal information, i.e. information that is held on them in electronic or other formats. Such information and handling of such data should comply with the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) and its protocols and the Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 223).

At the same time, personal information must not be available to anyone else other than the person him/herself (or legal guardian) concerned.

Article 1 of the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data with respect to the third recital of the Convention states as follows:

Considering that it is necessary to secure the human dignity and protection of the human rights and fundamental freedoms of every individual and, given the diversification, intensification and globalisation of data processing and personal data flows, personal autonomy based on a person's right to control his or her personal data and the processing of such data.

Article 3.1 of the Protocol amending the Convention further defines: "*b 'data processing' means any operation or set of operations performed on personal data, such as the collection, storage, preservation, alteration, retrieval, disclosure, making available, erasure, or destruction of, or the carrying out of logical and/or arithmetical operations on such data;*"

and: "*c where automated processing is not used, 'data processing' means an operation or set of operations performed upon personal data within a structured set of such data which are accessible or retrievable according to specific criteria*".

B.1.3. Technology and technology neutrality

E-democracy tools and applications should:
- facilitate and enhance access, accessibility and interoperability where feasible, by using transparent and technology-neutral means, open source solutions and open standards and specifications;
- be based on secure, high-speed (networks)/internet connections, secure infrastructure for electronic identification, respect for privacy, and net neutrality;
- use standardisation at different levels to achieve semantic and technical interoperability in areas where e-democracy tools are using interoperability and interconnection features;
- provide access under equal conditions to a neutral network as an essential condition to ensure effectiveness of human rights and equality among all stakeholders;
- not require special technology to access it (e.g. by way of normal internet access);
- include provisions for people with special needs;
- include interactive features to meet the specific needs of users;
- provide for one single point of access for both e-governance and e-democracy applications, where feasible;
- be safe, secure and robust;
- ensure, specifically in relation to electronic identification and signatures, that it is not susceptible to interference, modification or technical compromise including the use of specific digital technologies such as electronic ledgers.

Technology should be compliant with relevant existing legislation and regulation, critical infrastructure protection as well as with national and international regulations concerning privacy, data protection and networked, machine learning or computational technologies.

Legislative and regulatory measures should protect values and principles in a technology-neutral manner:
- legislative and regulatory principles apply to all transactions and data irrespective of the technology used;
- rules focus on the desired objectives rather than prescribe specific technology, and avoid prohibiting of specific technology other than where necessary in a democratic society;

- legislation and regulation should refrain from specifying the form of transactions or documents and should not support a particular technology unless absolutely necessary otherwise.

Technology neutrality can be achieved by:
- legislation and regulation written in a goal-oriented manner (what is to be achieved);
- legislation and regulation focus on risks to mitigate, dangers to avoid, and not how to do it;
- technology neutrality is taken into consideration at different stages of rule-making in impact assessments and application;
- involving stakeholders in the process of developing and (re-)modelling ICT systems and services. Especially when e-tools are developed or substantially re-modelled (e.g. by way of an external advisory board);
- ensuring collaboration between national, regional or local authorities and stakeholders such as local associations and civil society;
- providing single points of access for e-government and e-democracy applications providing 'one-stop-shop' access to information sources and services delivered by the public administration.

Estonia: Estonian public administration is based on citizen centric electronic services in all areas. These are accessed in the same way for all services by way of one web portal, www.eesti.ee. This is enabled through an interoperability system called the X-road which links all public and many private databases and allows different databases to communicate. There are no centralised databases and access to any data is determined by agreements which specify who can access what data. Any data use requires prior identification of the person accessing the data. Access is obtained via the unique personal identification code linked to the personal digital identity which all citizens and residents have (https://e-estonia.com/component/electronic-id-card/). Use of electronic services is not compulsory but the option to use them is automatically attached to all ID-cards and does not need to be requested separately. Every time personal data are accessed by any authority, this leaves a "footprint" so the person him-/herself as well as data protection authorities can verify whenever data is accessed.

B.1.4. Digital Literacy

Digital literacy is a precondition to ensure that all stakeholders can benefit from e-democracy. Firstly, it refers to the basic ability of people to use digital technology and applications and to execute simple tasks in communicating with the authorities through, for example, on-line portals in relation to services and to submit forms. Secondly, it refers to the ability to develop and exploit new technologies on the basis of a sound understanding of how the underlying technologies work. It ranges from being able to develop unique content, writing programs, using advanced tools of different kinds, to understanding how algorithms work.
Digital literacy continuously evolves and requires the ability to develop new ways to access and understand digital technology.

Digital literacy should be promoted through:

- special campaigns and training on the use of technology;
- training in the use of specific digital applications in relation to for digital or on-line services and forms such as courses for certain groups who may have greater difficulty in accessing digital tools (older or socially vulnerable persons, migrant communities etc.) and provision of access to equipment and technology such as the internet in public spaces such as libraries;
- access to skilled staff and independent experts that can advise and assist them in using systems or to access remedies and mechanisms for redress;
- in the short term, maintenance of adequate non-digital channels.

Inclusion and digital literacy. *Case study: It-guide, Örebro, Sweden*

It-guide is a project that has been in progress for three years in the city of Orebro, Sweden. Young immigrants, who have been in Sweden for 1-3 years, help senior citizens with the Internet and everything there is to know about computers and mobile telephones. These it-guides receive a salary while senior citizens do not pay a fee.

The goals of the project are to give young immigrants insights and contacts in the Swedish society. By working as an It-guide, they gain confidence and inspiration to learn the Swedish language. Youngsters also gain knowledge about Sweden's past and present. The project should also make the participants feel more included in society. Another goal is enabling senior citizens to participate in the digital world while opening up to the interaction with young immigrants.

Inclusion is the key word – for young immigrants and for senior citizens.

Activities
The activities for It-guides are Internet-cafés, classes, and help in their homes. During the summer, Internet-cafés have been open for three weeks from 9-15, five days a week, in seven locations, such as day care centers, library senior citizen homes. Some seniors come almost every day. It-guides always work in pair – to support one another and to be able to handle the demand. Seniors need help with computers, but many are also very curious and want to know more about the young boy or girl. They are interested in their lives and customs, for example why girls wear nijab and why Ramadan is so important. The seniors also talk about their lives and often want to hear their favorite music on YouTube. Classes during weekends are an activity where one or two it-guides have a class for 4-8 seniors for about 10-12 hours. Seniors often wish to learn internet banking, and consequently It-guide has a cooperation with different banks to assist in this need. The classes are paid for by the seniors, giving it-guides the opportunity to earn extra money. Some seniors want to have help with their computers in their home, so it-guides provide this service for a small fee.

The results according to the evaluation
For the young migrants: Most of the young people never meet Swedish natives outside of school. The interactions are a great chance for them to talk to native Swedes, to practice the Swedish language, and to learn more about the Swedish culture. For seniors: Most of the seniors have never met a young immigrant, which can be a cause for xenophobia. Many of the seniors have developed friendships with it-guides. It is very exciting for them to learn about a different culture and to hear about the often perilous manner in which the immigrants came to Sweden. Last Christmas the it-guides had a party and invited the seniors to dance, play games, and enjoy a lot of sweets from around the world.
And of course, seniors also benefit from learning more about the Internet to participate more in society. Some seniors say they are not interested in computers, but then the it-guides use a special technique to get them interested.

The project so far has been tested in two big cities and other towns but has a potential for scaling up.

B.2. Planning for e-democracy: steps and measures

With a view to realising the full potential of e-democracy and e-governance, in line with Rec(2004)15 on e-governance, digital technology needs to be introduced alongside changes in the structures, processes and ways in relation to the work of public authorities

> *Council of Europe: Rec(2004)15 on e-governance: 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*

The introduction, development and refinement of e-democracy and its methods and tools should be well prepared, undertaken gradually and monitored for quality, and the lessons learned should be acted on. This process requires:

- gradual introduction both in scope (pilot projects) and nature (advisory/binding);
- build on existing initiatives (at the level of local authorities, civil society);
- ongoing evaluation;
- flexibility in implementation to adapt to their dynamically changing context;
- continuous adaptation and development of scope and tools.

B.2.1 Roadmaps and strategies

in the context of an overall information society strategy and successful introduction of digital technologies, irrespective of the objectives, whether economic, strategic or operational, e-democracy strategies are likely to concern e-governance, e-administration and e-services and require regional and local e-democracy strategies that are aligned.

This should include the use of *Roadmaps* to plan, implement and monitor e-democracy and e-democracy methods at all levels, to allow stakeholders to:

- gauge their own development status;
- identify the next steps necessary for their further development;
- work towards a definite endpoint, that is, a vision of fully functioning e-democracy.

Roadmaps
- establish a common terminology;
- collect examples of good practice, providing input for individual 'building blocks';
- define the building blocks of the roadmap as concrete objectives/processes or theoretical prerequisites;
- signpost the main stages of development along the roadmap including qualitative indicators;
- establish a clear timeline with well-defined and 'smart' targeted stages;
- include provisions to ensure sustainability and continuity in financial and political terms;
- identify overall risks.

Strategies

- general considerations should include the motivation for introducing e-democracy including an assessment of the current situation with respect to e-democracy and participative processes;
- specific considerations should analyse the democratic and participative processes and identify which of these should, or are suitable to, be converted to electronic processes or processes aided by electronic processes based on standardised methodology and added value compared to off-line processes;
- the conditions for the envisaged e-democracy environment should be established dealing with the legal, non-technical and technical environment required in light of the defined e-democracy requirements;
- review criteria should be defined for each of the stages of the roadmap as well as for periodic review and evaluation of the e-democracy strategy and initiatives.

In introducing e-democracy technology or measures, it is necessary to define amongst other things:

- aims and intended consequences of e-democracy concepts;
- priority areas for e-democracy;
- the objectives and nature (top-down or bottom-up) of the participatory process and methods;
- expectations concerning the target audience and role of participants, the reason, relevance and purpose of participants' input;
- how to assess (validity) and process results of the process and alternatives in the event of inconclusive or competing outcomes;
- the level of political commitment and sustainability also outside of election periods;
- the resources required.

Austria: Strategic Group on Participation, which is intended to:
• provide the notion of 'participation' with clearer contours, develop it and make it more widely known,
• promote awareness of participation for the public and among decision-makers in politics, administration and business,
• work out participation strategies for policies relevant to the environment and sustainability,
• promote participation at the communal, regional and national level,
• make concrete 'how to' guidelines available to people with practical interests.
The results of the Group's discussions are published as 'Worksheets on Participation'.

B.2.2 Action plans

These, on the basis of roadmaps and strategies, should clearly set out the core elements of specific initiatives, including:

- clear definition of the e-democracy initiative to be adopted at all levels of authorities and stakeholders involved;
- creation of inclusive groups involving stakeholders in planning;
- key e-democracy areas to be addressed;
- when they are initiated;
- the goals and objectives to be achieved;
- dedicated platforms/websites;
- the use of pilot or testing phases;
- identification of the target audience (businesses, individuals, etc.);
- e-identification and security measures;
- how these might evolve and relate to other e-democracy initiatives;
- multi-disciplinary co-operation needed;
- supporting measures and policies required;
- monitoring, reporting, evaluation criteria;

- availability and accessibility;
- traditional democratic processes to be run in parallel.

Action plans should also clarify:

- who has overall responsibility;
- partners/stakeholders and key actors involved;
- what resources are available;
- what is the timetable to be met;
- what is the political support for the initiative;
- the focus of the initiative, including topic, geographical scope and target group;
- challenges, opportunities and achievements to be realised:
- constraints and risks which may impact on the outcomes of the initiative.

As regards sourcing of technical solutions and upgrading previous software, action plans should:

- ensure access to the technical knowledge required for evaluating the possible need for adopting new hardware or software;
- identify technical platforms and solutions that meet the requirements of the objectives and target audience (including the possible use of mobile computing applications);
- identify whether e-identification or e-signatures are required;
- identify possible needs for automated assistance or feedback to stakeholders;
- give preference to open source solutions and software, avoiding the use of proprietary software where requirements of public administration allow this;
- give preference to standardising e-democracy/e-government solutions;
- pay particular attention to flexibility and avoid vendor lock-in;
- ensure that Terms of Service meet requirements in terms of human rights.

B.2.3. Awareness and acceptance

Developing awareness and acceptance of e-democracy includes the following elements:

- public information, education and training;
- awareness raising and training for public officials and individuals;
- pilot projects end e-democracy gaming.

Concrete measures to increase awareness and encourage acceptance and demand for e-democracy tools may include:

- the creation of multi-dimensional platforms involving all possible stakeholders, including traditional democracy stakeholders whose roles may be changing in the development of e-democracy applications/platforms, taking into account their interests at the early stages of developing e-democracy measures to provide input and elaborate solutions to a specific problem (e.g. Finland: nuortenideat.fi; Moldova launched a project called "The Challenge");
- using or building upon 'tried and tested' e-democracy applications developed by other authorities or civil society organisations that have found acceptance already;
- using as much as possible the technology which is already in use (at national, regional or local level for e-governance, communication systems) with a view to ensuring efficiency and strengthen security by limiting additional risks and vulnerabilities;
- developing communication strategies aimed at raising awareness and understanding the objectives, tools, processes and net benefits for different stakeholders of e-democracy initiatives, taking into account culture and values;
- leadership and commitment by senior management and elected officials, which can significantly contribute to overcoming possible resistance to change;
- setting up dedicated teams responsible for implementing e-democracy strategies and action plans, to providing support and assistance to:
  - peers in order to overcome barriers to the adoption of technology;

- o local governments to help them achieve their e-democracy/e-government goals through, for example, strategy support units and an implementation unit, to assist in meeting targets and provide onsite programme and project management assistance;
  - o civil society organisations to assist in disseminating public information, providing training developing new e-democracy tools in line with citizens' expectations.

User satisfaction is also an element to be taken into account. In transitioning from sporadic use of digital tools in e-governance to adoption of e-government and e-democracy, the following issues should be considered:

- availability in full of all services provided by authorities/public administration online in the electronic portal. Inconsistency in the provision of some services online and others negatively impacts on satisfaction;
- availability of interactive services. Tailored online assistance (also by way of online chat with support staff or digital voice assistants to assist users with specific difficulties);
- providing tools that meet basic requirements in terms of functionality and lay-out taking into consideration constraints in terms of mobile computing applications or bandwidth limitations.

Gender, age, disability as well as cultural and socio-economic factors may play a role in the acceptance of e-government and e-democracy services.

Efforts should be made to avoid a digital divide by means of inclusive and non-discriminatory education and training strategies for government employees and citizens as well as public information measures, to ensure e-quality and increase chances of proactive participation.

Access to technology and connectivity including the provision of access points to e-government platforms in public spaces such as public libraries where digital literacy skills and assistance can be made available in addition to technology.

B.2.4. Risk evaluation and management

Recommendation CM/Rec(2009)1 recommends that authorities, when introducing, implementing and reviewing e-democracy ensure that challenges, risks and barriers to e-democracy are addressed *"in particular through sound risk-assessment and risk-management measures and mechanisms ensuring ongoing evaluation and progress".*

Risks in relation to the use of digital technologies need to be carefully assessed against international standards and guidelines, not least in relation to the democratic process.

Challenges, barriers and risks to be taken into consideration may be political, legal, organisational, technological, economic, financial, social or cultural relating to:

- processes under the control of the authorities, and
- processes related to public-private partnerships or outsourcing contracts for the provision of services (e.g. handling/processing personal data on behalf of public authorities);
- willingness and ability of citizens and politicians to engage in democracy by electronic means and have confidence in those means, closing the digital and social divides;

Organisational risks

In this context it is necessary to identify risks relating to:
- differences in understanding the objectives of the e-democracy initiative
- availability of resources in terms of finance, human resources and the times-scale provided

- organisational constraints which may include the need for shared ownership among different departments or stakeholders and the need to develop a process-oriented approach;
- structural limitations; and
- continuity as a result of lack of coordination, management shortcomings or failures and definition of roles and responsibilities including possible changes to policy (e.g. change of government, elections)

Technological risks

- access to ICT and digital infrastructure, tools and applications;
- reliability and security concerning documents, ICT-systems, networks and the Internet;
- characteristics of technical platforms and environments;
- transparency, bias or unintended consequences in the use of algorithms or underlying data sets;
- technical measures for the protection of data, privacy, processing of personal and non-personal data.

Data protection and privacy challenges

Real as well as perceived risks to data protection and privacy of data in both traditional and digital format should be assessed.

- data protection legislation and implementing structures,
- data protection training and awareness raising measure
- independent data protection authority.

Digital divide

The risk of exclusion as a result of lack of access to technology, basic skills in using technology or understanding the functioning of digital technologies preventing users from being able to fully utilise and exploit e-democracy tools requires thorough assessment and appropriate remedies. Differential availability and access to technology and infrastructure in different regions, urban areas and among different population groups also needs to be assessed.

Risk assessment is also required in terms of user awareness in relation to how data and information are gathered, treated and processed and general understanding of how digital technologies can influence the manner in which information is received and imparted, influencing how people form opinions.

Digital and democratic literacy is of particular benefit in relation to addressing perceived risks.

External risks

External risks include standard environmental risks as well as natural events and hazards in relation to infrastructure and possible attempts by third parties to influence or manipulate both traditional and digital democratic procedures and processes by digital means or otherwise. The latter concern voting, referenda, petitions and the wider areas of information provision, deliberation and participation.

Risk assessment and possible strategies for mitigating such risks should take into account:

- Declaration by the Committee of Ministers on the manipulative capabilities of algorithmic processes (Adopted on 13 February 2019 - 1337th meeting of the Ministers' Deputies);

- Recommendation CM/Rec(2018)2 of the Committee of Ministers on the roles and responsibilities of internet intermediaries;
- Recommendation CM/Rec(2016)1 on protecting the right to freedom of expression and the right to private life with regard to network neutrality and the guidelines set out therein;
- Recommendation CM/Rec(2007)16 of the Committee of Ministers to member States on measures to promote the public service value of the Internet.

B.2.5. Review and evaluation

In order to ensure that objectives are met, regular monitoring and review are required at specific intervals both during implementation (roadmap) and thereafter.

E-democracy tools and methodology require periodic review and both quantitative and qualitative evaluation, preferably by an independent party, of elements such as:

- content of websites and e-democracy tools in order to ensure that information is up-to-date and accessible;
- accessibility and ease of use for all, in particular categories of citizens that may be underrepresented or that have greater difficulty in participating in democratic debate;
- indicators to measure the quality of e-democracy services and tools.

As regards quality, e-participation evaluation should include:

- clear pre-defined evaluation criteria including values/norms/expectations taking into consideration political culture and participative behaviour;
- *ex ante* and *ex post* diagnosis in relation to traditional democratic/participative processes;
- comparative analysis of the quality of democracy including the manner initiatives contribute to democracy/democratic governance, inclusiveness, as well as intended and unintended effects;
- quality of governance;
- quality of participation (impact on government practice and institutional and political decision-making and policy implementation including whether it *extends* (from a quantitative point of view) and *enriches* (from a qualitative point of view) participation, which requires a flexible combination of quantitative and qualitative approaches.

The evaluation of the quality of e-democracy in terms of contribution to democratic objectives sought by governments and citizens should cover the following dimensions:

- type of engagement (information-consultation-active participation);
- stage in decision-making;
- actors involved;
- technologies used;
- rules of engagement;
- duration and sustainability;
- accessibility;
- resources and promotion;
- evaluation and outcomes;
- critical success factors (to be agreed on before starting the initiative);
- gender aspects and gender mainstreaming.

On the basis of both qualitative and quantitative data, e-democracy should be assessed in terms of:

- usefulness;
- usability;
- social acceptability.

APPENDIX: EUROPEAN STANDARDS

A range of legal instruments as well as non-binding recommendations have been adopted by the Council of Europe. These include:

- Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) and its Protocols

- Council of Europe Convention on Access to Official Documents (ETS No 205)

- Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No 223)

- Committee of Ministers' Recommendation (CM/Rec(2019).. of the Committee of Ministers to member States on the human rights impacts of algorithmic systems (being finalised)

- Committee of Ministers' Recommendation CM/Rec(2009)1 on electronic democracy (e-democracy);

- Committee of Ministers' Recommendation Rec(2004)15 on electronic governance ("e-governance")

- Committee of Ministers' Recommendation CM/Rec(2014)6 on a Guide to human rights for Internet users

- CM/Rec(2016)1E on protecting and promoting the right to freedom of expression and the right to private life with regard to network neutrality

- Internet Governance - Council of Europe Strategy 2016-2019

- Recommendation CM/Rec(2018)2 of the Committee of Ministers on the roles and responsibilities of internet intermediaries

- Recommendation CM/Rec(2016)1 on protecting the right to freedom of expression and the right to private life with regard to network neutrality and the guidelines set out therein

- Committee of Ministers Recommendation CM/Rec(2007)16 on measures to promote the public service value of the Internet

- Declaration by the Committee of Ministers on the manipulative capabilities of algorithmic processes (Adopted on 13 February 2019 - 1337th meeting of the Ministers' Deputies)

- Parliamentary Assembly Recommendation 2102 (2017) on technological convergence, artificial intelligence and human rights

Additional instruments of relevance also in the context of risks related to e-democracy:

The Convention on Cybercrime (The Budapest Convention, ETS 185) applies to substantive and procedural aspects, including illegal access, illegal interception, data interference, system interference, misuse of devices, computer-related forgery.

Glossary of technical terms in the field of electronic democracy
/
Glossaire de termes techniques dans le domaine de la démocratie électronique

English	Français	Description	Description
algorithm	algorithme	Finite suite of formal rules (logistical operations, instructions) allowing to obtain a result from input elements. This suite can be the object of an automated execution process and rely on models designed through machine learning.	Suite finie de règles formelles (opérations logiques, instructions) permettant d'obtenir un résultat à partir d'éléments fournis en entrée. Cette suite peut être l'objet d'un processus automatisé d'exécution et s'appuyer sur des modèles conçus par le biais d'apprentissage machine.
artificial intelligence (AI)	intelligence artificielle (IA)	A set of sciences, theories and techniques whose purpose is to reproduce by a machine the cognitive abilities of a human being. Current developments aim, for instance, to be able to entrust a machine with complex tasks previously delegated to a human.	Ensemble de sciences, théories et techniques dont le but est de reproduire par une machine des capacités cognitives d'un être humain. Les développements actuels visent, par exemple, à pouvoir confier à une machine des tâches complexes auparavant déléguées à un humain.
big data	*big data (megadonnées, grand ensemble de données)*	The term "big data" refers to a large heterogeneous data set (open data, proprietary data, commercially purchased data).	Le terme « big data » désigne un grand ensemble de données, de source hétérogène (open data, données propriétaires, données achetées commercialement).
blockchain	*blockchain* (chaîne de blocs)	Immutable time-stamped series record of data that is distributed and managed by a cluster of computers. Blockchain's main characteristics are decentralization, transparency and immutability.	Enregistrement de données horodatées immuables distribué et géré par un groupe d'ordinateurs. Les principales caractéristiques de Blockchain sont la décentralisation, la transparence et l'immuabilité.
blog, weblog	blog/blogue, weblog	Web-based journal with chronological entries, usually created and maintained by a single author, which may be open to comments from other people.	Site web se présentant sous la forme d'un journal composé d'entrées chronologiques, généralement créé et tenu à jour par un seul auteur, éventuellement ouvert aux commentaires d'autres internautes.

chat	chat, cyberbavardage/clavardage	Online real-time dialogue between people.	Dialogue en ligne et en temps réel entre des internautes.
chatbot	*chatbot* (agent conversationnel)	Conversational agent that dialogues with its user (for example: empathic robots available to patients, or automated conversations services in customer relations).	Agent conversationnel qui dialogue avec son utilisateur (par exemple : les robots empathiques à disposition de malades, ou les services de conversation automatisés dans la relation au client).
chatroom	bavardoir, espace de discussion virtuel, salon de discussion virtuel, clavardoir (Québec), chat, dialogue en ligne	Virtual room where a chat session takes place.	Lieu de rencontre virtuel où se tient une séance de discussion (chat).
cloud computing	Informatique en nuage	The on-demand availability of computer system resources, especially data storage and computing power, without direct active management by the user. The term is generally used to describe data centres available to many users over the Internet. There are public as well as private clouds.	La disponibilité à la demande des ressources du système informatique, notamment du stockage de données et de la puissance de calcul, sans gestion active directe de l'utilisateur. Le terme est généralement utilisé pour décrire les centres de données disponibles pour de nombreux utilisateurs sur Internet. Il existe des nuages publics et privés.
crowdsourcing	développement collaboratif, approvisionnement par la foule	Act of taking a task traditionally performed by an employee or contractor, and outsourcing it to an undefined, generally large group of people, in the form of an open call.	Pratique consistant à faire réaliser une tâche habituellement exécutée par un employé ou un sous-traitant par un nombre indéterminé et généralement important de personnes en lançant un appel public.
cybercrime	cybercriminalité	Criminal activity (such as fraud, theft, or distribution of child pornography) committed using a computer especially to illegally access, transmit, or manipulate data.	Activité criminelle (telle que fraude, vol ou distribution de pornographie infantile) commise à l'aide d'un ordinateur, en particulier pour accéder, transmettre ou manipuler illégalement des données.
cybersecurity	la cyber-sécurité	Measures taken to protect a computer or computer system (as on the Internet) against unauthorized access or attack.	Mesures prises pour protéger un ordinateur ou un système informatique (comme sur Internet) contre les accès non autorisés ou les attaques.

data analytics	analyse des données	The identification of meaningful patterns within large bodies of data through the use of computers, and the prediction of future patterns, in order to gain insights that improve organizational decision making, notably in business contexts.	L'identification de modèles significatifs dans de grands ensembles de données, et la prévision de modèles futurs, grâce à l'utilisation d'ordinateurs, afin d'obtenir des informations qui améliorent la prise de décision organisationnelle, notamment dans des contextes professionnels.
database	base de données	A database is a "container" storing data such as numbers, dates or words, which can be reprocessed by computer means to produce information; for example, numbers and names assembled and sorted to form a directory.	Une base de données est un « conteneur » stockant des données telles que des chiffres, des dates ou des mots, pouvant être retraités par des moyens informatiques pour produire une information ; par exemple, des chiffres et des noms assemblés et triés pour former un annuaire.
datamining (data analysis and mining)	datamining (analyse et fouille de données)	Datamining makes it possible to analyse a large volume of data and bring out models, correlations and trends.	Le datamining permet d'analyser un grand volume de données et d'en faire ressortir des modèles, des corrélations, des tendances.
digital divide, digital gap	fossé numérique, fracture numérique; clivage numérique	The divide/gap between those who have access to and can effectively use ICTs and those who cannot.	Le fossé qui sépare ceux qui ont accès aux TIC et peuvent effectivement les utiliser et ceux qui n'en ont pas la possibilité.
digital literacy	culture numérique	The skills required to achieve digital competence. The confident and critical use of information and communication technology (ICT) for work, leisure, learning and communication. Digital literacy is underpinned by basic technical use of computers and the Internet.	L'ensemble des compétences nécessaires à la maîtrise des technologies numériques, c'est-à-dire à une utilisation sûre et critique des TIC dans le cadre d'activités professionnelles, de loisirs, d'apprentissage et de communication. La culture numérique s'appuie sur l'utilisation de base des ordinateurs et de l'internet.
digitization	numérisation	Conversion of text, pictures, or sound into a digital form that can be processed by a computer. It is the founding layer of all new technology. Its main advantage is to allow computer treatment of digitized information: error free, efficient, quick, etc.	Conversion de texte, d'images ou de son en une forme numérique pouvant être traitée par un ordinateur. C'est la couche fondatrice de toutes les nouvelles technologies. Son principal avantage est de permettre le traitement informatique des informations numérisées : sans erreur, efficace, rapide, etc.

direct recording electronic (DRE) voting machines	Machine à voter à enregistrement électronique direct (EED)	Machines or computers normally installed at a polling station, which record and simultaneously store the vote which can be done using a touch screen (with or without a specific pen) or through a device which involves pressing one or more buttons.	Machines ou ordinateurs généralement installés dans un bureau de vote, qui enregistrent et mémorisent simultanément les suffrages exprimés au moyen d'un écran tactile (utilisé avec ou sans stylet) ou d'un dispositif à une ou plusieurs touches.
e-activism	militantisme électronique	Bottom-up political engagement using ICT as a medium to deliver a political message to a larger audience, but also as a tool for organisation and fundraising.	Engagement politique citoyen utilisant les TIC comme un moyen pour délivrer un message politique à un public plus large, mais aussi comme un outil pour l'organisation et la collecte de fonds.
e-advocacy	plaidoyer sur Internet	Mobilisation of citizens to influence public policy and political decisions.	Mobilisation de citoyens pour influencer les politiques publiques et les décisions politiques.
e-ballot	bulletin de vote électronique	The electronic means by which the voter can express his or her choice.	Moyen électronique permettant à l'électeur d'exprimer son choix.
e-business	affaires électroniques, affaires sur Internet	The conducting of business processes via ICTs.	Utilisation des TIC pour mener des activités commerciales.
e-commerce	commerce électronique	Buying and selling of products or services over electronic systems such as the Internet.	Achat et vente de produits ou de services par l'intermédiaire de systèmes électroniques comme Internet.
e-community, community network, virtual community	e-communauté, communauté virtuelle, cybercommunauté, communauté en ligne, communauté électronique, réseau social en ligne	A group of people with a shared interest which meets and interacts in virtual space.	Groupe de personnes partageant un intérêt commun qui se rencontrent et communiquent dans un espace virtuel.
e-forum, e-discussion forums	forum de discussion	Virtual space for online discussion, allowing deferred participation.	Espace virtuel de discussion en ligne permettant la participation différée.
e-electioneering	propagande électorale par voie électronique	E-campaigning in relation to elections.	Campagne électorale s'appuyant sur les TIC.
e-election or e-referendum	élection ou référendum électronique	A political election or referendum in which electronic means are used in one or more stages.	Election ou référendum politique ayant recours à des moyens électroniques lors d'une ou de plusieurs étapes.
e-enabling	aide à l'acquisition	Process to facilitate the acquisition of ICT skills.	Facilitation de l'acquisition de compétences en TIC.

	des TIC		
e-government	gouvernement électronique	Use of new information and communication technologies (ICTs) by governments as applied to the full range of government functions. In particular, the networking potential offered by the internet and related technologies to transform the structures and operation of government.	L'utilisation des nouvelles technologies de l'information et de la communication (TIC) par les gouvernements, appliquée à l'ensemble des fonctions de l'administration. En particulier, le potentiel de réseautage offert par Internet et les technologies associées pour transformer les structures et le fonctionnement du gouvernement.
e-learning	apprentissage en ligne	Education or learning supported by ICT	Utilisation d'Internet pour apprendre.
e-inclusion	e-inclusion	The enabling of all stakeholders, including, in particular, digitally disadvantaged persons and groups of persons, to easily and effectively use devices (hardware) and technologies (software) necessary for participation in the information society.	Donner la possibilité à toutes les parties prenantes, y compris, en particulier, les personnes et groupes de personnes désavantagées en matière d'accès au numérique, d'utiliser facilement et efficacement les équipements (matériel) et les technologies (logiciels) nécessaires à la société de l'information
e-lobbying	lobbyisme électronique, influençage (par voie) électronique	Conducting activities aimed at influencing public decision-makers through the use of ICTs.	Activités visant à influencer les décideurs publics au moyen des TIC.
e-movement	groupe d'influence électronique	Lobbying group mainly using electronic means of communication and more specifically the WEB.	Groupe d'influence utilisant des moyens de communication électroniques et plus précisément le web.
e-participation	participation en ligne	Civic engagement and open, participatory governance through Information and Communications Technologies (ICTs). Growing evidence points to the rapid expansion of e-Participation as a tool for engagement and strengthened collaboration between governments and citizens.	L'engagement des citoyens et une gouvernance participative au moyen des technologies de l'information et de la communication (TIC). Tout porte à croire à l'expansion rapide de la participation en ligne en tant qu'outil pour l'engagement et la collaboration renforcée entre les gouvernements et les citoyens.
e-panel	panel en ligne, groupe virtuel	Selected group of people who give their views on specific issues over a period of time in virtual space.	Echantillon d'internautes donnant leur avis sur des questions précises dans un espace virtuel pendant une période déterminée.

e-planning	planification (par voie) électronique	ICT- based planning in order to deliver more efficient and accessible information and services.	Planification s'appuyant sur les TIC afin de fournir des informations et des services plus efficaces et plus accessibles.
e-readiness	degré / niveau de préparation aux nouvelles technologies (to be checked)	The ability to take advantage of ICTs, dependent upon resources, competence, infrastructure and legal frameworks.	Capacité de tirer parti des TIC; cette capacité est fonction des ressources, des compétences, des infrastructures et des cadres juridiques.
e-voting	vote électronique	An e-election or e-referendum involving the use of electronic media in at least the casting of the vote.	Une élection ou référendum Electronique impliquant l'utilisation de médias électroniques au moins lors du vote
e-voting system	Système de vote électronique	The hardware, software and processes which use electronic means to make a choice between options in an election or referendum.	Matériels, logiciels et procédures permettant de voter par voie électronique.
Information and Communication Technologies (ICTs)	technologies de l'information et de la communication (TIC)	The study, design, development, implementation, use, support and management of computer-based information systems particularly software applications and computer hardware.	Etude, conception, développement, mise en œuvre, utilisation, maintenance et gestion de systèmes informatiques (logiciels, matériels, etc.).
livestreaming	flux de données en continu	Real-time transmission of audio and/or video data over the Internet.	Mode de transmission en temps réel de données audio ou vidéo via Internet
machine learning	Apprentissage automatique	Machine learning makes it possible to construct a mathematical model from data, including a large number of variables that are not known in advance. The parameters are configured as you go through a learning phase, which uses training data sets to find links and classifies them. The different machine learning methods are chosen by the designers according to the nature of the tasks to be performed (grouping, decision tree).	L'apprentissage machine permet de construire un modèle mathématique à partir de données, en incluant un grand nombre de variables qui ne sont pas connues à l'avance. Les paramètres sont configurés au fur et à mesure lors d'une phase d'apprentissage, qui utilise des jeux de données d'entraînement pour trouver des liens et les classifie. Les différentes méthodes d'apprentissage machine sont choisies par les concepteurs en fonction de la nature des tâches à accomplir (regroupement, arbre de décision).
metadata	métadonnées	. Data used to define, contextualize or characterize other data.	Données fournissant des informations sur d'autres données afin d'en faciliter la compréhension, la recherche, l'utilisation et la gestion.

moderation	modération	A way of maintaining rules or standards on a website, particularly in chatrooms and forums, by a person (moderator) who supervises the publication of the information submitted.	Contrôle du respect des règles et des normes sur un site web, en particulier dans les espaces de discussion virtuels et les forums, par une personne (modérateur) chargée de surveiller la publication des informations soumises.
newsgroup	forum thématique en ligne (ou virtuel)	A type of discussion forum implemented as a message archive replicated across servers. Messages are retrieved and posted by news clients communicating with servers using the network news transfer protocol (NNTP).	Type de forum de discussion consistant en archives de messages répliquées sur différents serveurs. Les logiciels clients récupèrent et publient les messages en communiquant avec les serveurs au moyen du protocole NNTP (network news transfer protocol).
netiquette (network etiquette)	nétiquette	Rules of acceptable behaviour in virtual spaces.	Règles définissant les comportements acceptables dans les espaces virtuels.
Net neutrality (network neutrality)	neutralité du net	The idea, principle, or requirement that Internet service providers should or must treat all Internet data as the same regardless of its kind, source, or destination.	L'idée, le principe ou l'exigence selon lequel les fournisseurs de services Internet doivent traiter toutes les données Internet comme identiques, quel que soit leur type, leur source ou leur destination.
one-stop portal -procedure -	portail unique, portail d'information	Single entry point for citizens to information and related services on the Internet from different sources.	Point d'entrée unique sur Internet permettant aux citoyens d'accéder à des informations et à des services apparentés fournis par différentes sources.
open data	*open data*	The term refers to the public availability, by download, of structured databases. These data may be re-used in a non-monetary way under the conditions of a specific licence, which may in particular specify or prohibit certain purposes of re-use.	Le terme désigne la mise à disposition publique, par téléchargement, de bases de données structurées. Ces données sont ré-employables de manière non-onéreuse dans les conditions d'une licence spécifique, pouvant notamment préciser ou prohiber certaines finalités de réemploi.
open source software (OSS)	logiciel de source ouverte	Software of which the source code is available to the general public for use and/or modification from its original design free of charge.	Logiciel dont le code source est mis gratuitement à la disposition du public pour utilisation et/ou modification.

open standard (OS)	norme ouverte	An adopted and published standard which may be copied, distributed and used free of charge or for a nominal fee.	Norme adoptée et publiée qui peut être copiée, distribuée et utilisée gratuitement ou contre paiement d'une redevance modique.
personal data	Données à caractère personnel	Information relating to an identified or identifiable natural person, directly or indirectly, by reference to one or more elements specific to that person. Among these, sensitive data concern personal data relating racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, as well as genetic data, biometric data, data concerning health or concerning sex life or sexual orientation.	Informations relatives à une personne physique identifiée ou identifiable, directement ou indirectement, par référence à un ou plusieurs éléments qui lui sont propres. Parmi celles-ci, les données sensibles au sens du règlement général sur la protection des données concernent les données à caractère personnel relatives à l'origine raciale ou ethnique, les opinions politiques, les convictions religieuses ou philosophiques, l'appartenance syndicale ainsi que les données génétiques, les données biométriques, les données concernant la santé ou concernant la vie sexuelle ou l'orientation sexuelle.
personal data processing	traitement des données personnelles	Any operation or set of operations performed using automated processes and applied to personal data or sets of data, such as collection, recording, organization, structuring, storage, adaptation or modification, retrieval, consultation, use, communication by transmission, dissemination or any other form of making available, linking or interconnection, limitation, erasure or destruction.	Toute opération ou ensemble d'opérations effectuées à l'aide de processus automatisés et appliqués à des données à caractère personnel, telles que la collecte, l'enregistrement, l'organisation, la structuration, le stockage, l'adaptation ou la modification, la récupération, la consultation, l'utilisation, la communication par transmission, la diffusion ou toute autre forme de mise à disposition, la liaison ou l'interconnexion, la limitation, l'effacement ou la destruction.
podcasting	baladodiffusion, diffusion pour baladeur	Method of distributing multimedia files such as audio or video programmes over the Internet for playback on mobile devices or personal computers.	Méthode de distribution sur Internet de fichiers multimédias tels que des programmes audio ou vidéo en vue de leur écoute ou de leur visionnage sur un appareil portatif ou un ordinateur personnel.

portal	portail d'information, portail internet	Website homepage offering a large collection of resources and services, either internal or external to the site.	Page d'accueil d'un site web donnant accès à un large ensemble de ressources et de services intérieurs ou extérieurs au site.
proprietary software	logiciel propriétaire	Software which is the property of one party, the use of which is made available to a second or more parties, usually under contract or licensing agreement.	Logiciel appartenant à une partie qui autorise une ou plusieurs autres parties à l'utiliser, généralement dans le cadre d'un contrat ou d'un accord de licence.
social media	médias sociaux	Forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos)	Formes de communication électronique (telles que les sites Web de réseautage social et de microblogging) par lesquelles les utilisateurs créent des communautés en ligne pour partager des informations, des idées, des messages personnels et d'autres contenus (tels que des vidéos)
social networking social networking software	réseautage social, maillage social logiciel relationnel	Social networking relates to a category of web applications helping to link individuals who jointly use a variety of tools. Software that lets people connect, meet, share information and collaborate by use of the Internet.	Catégorie des applications d'Internet pour aider à relier des personnes employant ensemble une variété d'outils. Logiciel permettant à des internautes de communiquer, de se rencontrer, d'échanger des informations et de collaborer.
tag	balise	Keyword linked with an element such as a website, a picture or a video, which is subjectively selected as a means of classification, by the person who creates the element.	Mot clé lié à un élément tel qu'un site web, une image ou une vidéo, choisi subjectivement comme moyen de classement par la personne qui crée l'élément en question.
terms of service	conditions d'utilisation	Terms of service (ToS) is a commonly used phrase for the set of rules and regulations a provider attaches to a software service or Web-delivered product. These kinds of agreements are so common in the digital world that most consumers understand the use of a terms-of-service agreement and must often agree to it before utilizing the software service. Terms of service are also known as	Termes de service est une expression couramment utilisée pour désigner l'ensemble des règles et réglementations qu'un fournisseur attache à un service logiciel ou à un produit fourni sur le Web. Ce type d'accord est tellement répandu dans le monde numérique que la plupart des consommateurs comprennent l'utilisation d'un contrat de termes de service et doivent souvent

		terms and conditions or terms of use.	l'accepter avant d'utiliser le service logiciel.
user satisfaction	satisfaction utilisateur	User's comfort and acceptability of a computer application during the consumption of the content and the interaction with the system.	Confort et acceptabilité d'une application informatique pour l'utilisateur lors de la consommation du contenu et de l'interaction avec le système.
user-generated content	contenu généré par l'utilisateur	Content that is not provided by a website provider but by the users of the offer themselves.	Contenu qui n'est pas fourni par le propriétaire d'un site web mais par les utilisateurs eux-mêmes.
webcasting	webdiffusion, diffusion sur le web	Provision of real-time or stored video and/or audio data via the Internet.	Mise à disposition d'une émission audio/vidéo diffusée sur Internet, en direct ou en différé.
wiki	wiki	Web application that allows users to create and edit content collectively.	Application web qui permet aux utilisateurs de créer et de modifier collectivement des contenus.