

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Opinion 22 (2003)¹ on the draft recommendation of the Committee of Ministers to member states on e-governance

The Congress,

1. Having been asked by the secretariat of the integrated project on “Making Democratic Institutions Work” for an opinion on the draft recommendation of the Committee of Ministers to member states on e-governance;

2. Considering that e-governance has the potential to increase citizen participation in local and regional government and any societal affairs;

3. Noting that e-governance has the potential to make administration at all levels more cost-efficient and faster;

4. Aware of the risk of exclusion of some population groups which excessive reliance on e-governance can bring;

5. Welcomes the draft recommendation of the Committee of Ministers addressed to member states;

6. Agrees with the main thrust of the proposals and guidelines contained in that recommendation;

7. Appreciates and supports the constant references in the recommendation to the role of local and regional authorities in developing e-governance and in particular the recommendations under “Principle 10” regarding financing of e-governance at local level;

8. Emphasises, while supporting any measures to spread the use of e-governance, that it must not lead to the exclusion of any groups in society, and that training in the use of new technologies should be offered, to as large a share as possible of the population, while still maintaining the possibility for citizens to use traditional means of participation and communication with the authorities;

9. Wishes to make the following observations, with a view to making the proposed recommendation even more forceful and effective:

a. e-enabled methods of voting should be based upon the democratic and fundamental principles related to voting and in particular the principles adopted in the Code of Good Conduct for Electoral Matters, published by the European Commission for Democracy through Law (Venice Commission – Document CDL-EL (2002) 5);

b. national, regional and local authorities should aim at providing Internet access to all citizens either at their place

of residence or at public access points, eventually making the use of the Internet a public utility similar to electricity or water;

c. national, regional and local authorities should recognise the training requirements of their citizens and thus ensure that training is provided to all citizens including those who do not have the financial means to participate in the training programmes;

d. national, regional and local authorities should strive to introduce the use of computer hardware in all schools as from the primary stages of schooling;

e. national authorities should introduce legislation to regulate the dissemination and use of data and the use of electronic methods for the conduct of commercial activities through the Internet;

f. citizens should be provided with Internet access at a reasonable price, which should not significantly exceed the cost of producing the service;

g. when private companies run services using e-means and assembling data on behalf of any public administration, a certain profit may be allowed, but the basic rule should be that only the cost of providing the service in question is charged and the data should be shared with public agencies responsible for other services without charging excessively for the data;

h. clear legally-binding delays should be established within which public authorities are obliged to reply to citizens queries and the replies should be considered as valid as replies made on paper with signatures and stamps; to this end the development of higher standards for secure electronic communication and electronic signatures should be encouraged;

i. public authorities should encourage citizens to use e-services whenever it can make administration more efficient or faster and in such cases incentives should be offered such as, for example, earlier tax returns for citizens filling in their tax declaration online;

j. innovative use of public e-services should be encouraged, such as providing virtual “lost and found offices”;

k. innovative use of e-governance should not only be restricted to computer-based solutions but possibilities of using other forms of it, such as the use of mobile phones and SMS-messages and interactive television should be carefully examined and whenever deemed worthwhile and technically feasible, promoted;

l. in order to increase citizen participation, public authorities should, whenever technically feasible, offer information on the Internet websites to increase the openness and transparency of the decision-making process,

broadcast municipal council or other similar meetings at different administration levels on the Internet and provide citizens with the possibility to make comments or put questions related to the meeting agenda during the meeting;

m. draws particular attention to the need to ensure that the more widespread application of information and

communication technology in public administration not only leads to improved services but also better productivity in public administration.

1. Debated and adopted by the Standing Committee of the Congress on 26 November 2003 (see Document CG (10) 26, draft opinion presented by Dr I. Micallef and Mr F. Dohnal, rapporteurs).