

Development of e-Government: the EU and Russia experience in comparative perspective

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Introduction

- The concept of e-Government received its initial development at the end of the XX century with the development of computer technologies and the Internet.
- The term «e-Government» appeared in the late 1990s, but the idea of using of the most modern technologies not only in business but also in public administration, appeared much earlier.

- System of e-Government is a very complex object of study for legal science:
 1. The concept is relatively new and not yet fully comprehended enough.
 2. It is at the junction of several legal disciplines - administrative law, constitutional law, criminal law, International law, EU law, etc.

Definition

- Most of sources, giving a definition for «e-Government», put the emphasis on the use of modern technologies in the public administration, increase of openness of government, reduce of costs.

World Bank

- «E-Government» refers to the use by government agencies of information technologies, that have the ability to transform relations with citizens, businesses, and other arms of government.
- These technologies can serve a variety of different ends: better delivery of government services to citizens, improved interactions with business and industry, citizen empowerment through access to information, or more efficient government management.
- The resulting benefits can be less corruption, increased transparency, greater convenience, revenue growth, and/or cost reductions.

OECD

In the context of the OECD E-Government Project, the term «e-Government» is defined as:

- The use of information and communication technologies, and particularly the Internet, as a tool to achieve better government.
- E-Government goes beyond the simple exercise of putting information and services online, and can be used as a powerful instrument to transform the structures, process and culture of government and make it more efficient, user oriented and transparent.

United Nations

- E-Government is the use of ICT and its application by the government for the provision of information and public services to the people.
- E-Government and innovation can provide significant opportunities to transform public administration into an instrument of sustainable development.
- E-Government still includes electronic interactions of three types:
 1. government-to-government (G2G);
 2. government-to-business (G2B);
 3. government-to-consumer (G2C).

- To date, the most developed countries have successfully used modern technologies in public administration and are at the final stage of e-government infrastructure. This is due to increasing global trend towards greater transparency and freedom of information, facilitation of access to it.
- Information technologies are seen as a tool for implementation of new forms of democracy - e-democracy, to ensure greater participation of citizens in the public life.
- As practice shows, creation of e-government in different countries occurred gradually, in several stages, and for each state were characterized by certain features.

European Union

- **1994:** as somewhat arbitrarily starting point here, obviously, we can assume the appearance of a document - Recommendations to the European Council «Europe and the global information society» («Bangemann report»).
- «Bangemann report» had a significant influence on regulatory ensuring of information development of the European Union in the future. However, following policy documents in the sphere became more and more specific and pragmatic, gradually developing into more or less precise "action plan" for a certain period.

- **2000:** «eEurope - An information society for all» Initiative.

The key objectives of the Initiative are:

- to bring every citizen, home and school, every business and every administration into the digital age and online;
- to create a digitally literate Europe, supported by an entrepreneurial culture ready to finance and develop new ideas;
- to ensure that the whole process is socially inclusive, builds consumer trust and strengthens social cohesion.

- **2002: «eEurope 2002» Action Plan.**
- The main objective: To increase Internet connectivity in Europe, open up all communications networks to competition and encourage Internet use by placing emphasis on training and consumer protection.

- **i2010:** Information Society and the media working towards growth and jobs.

Main objectives:

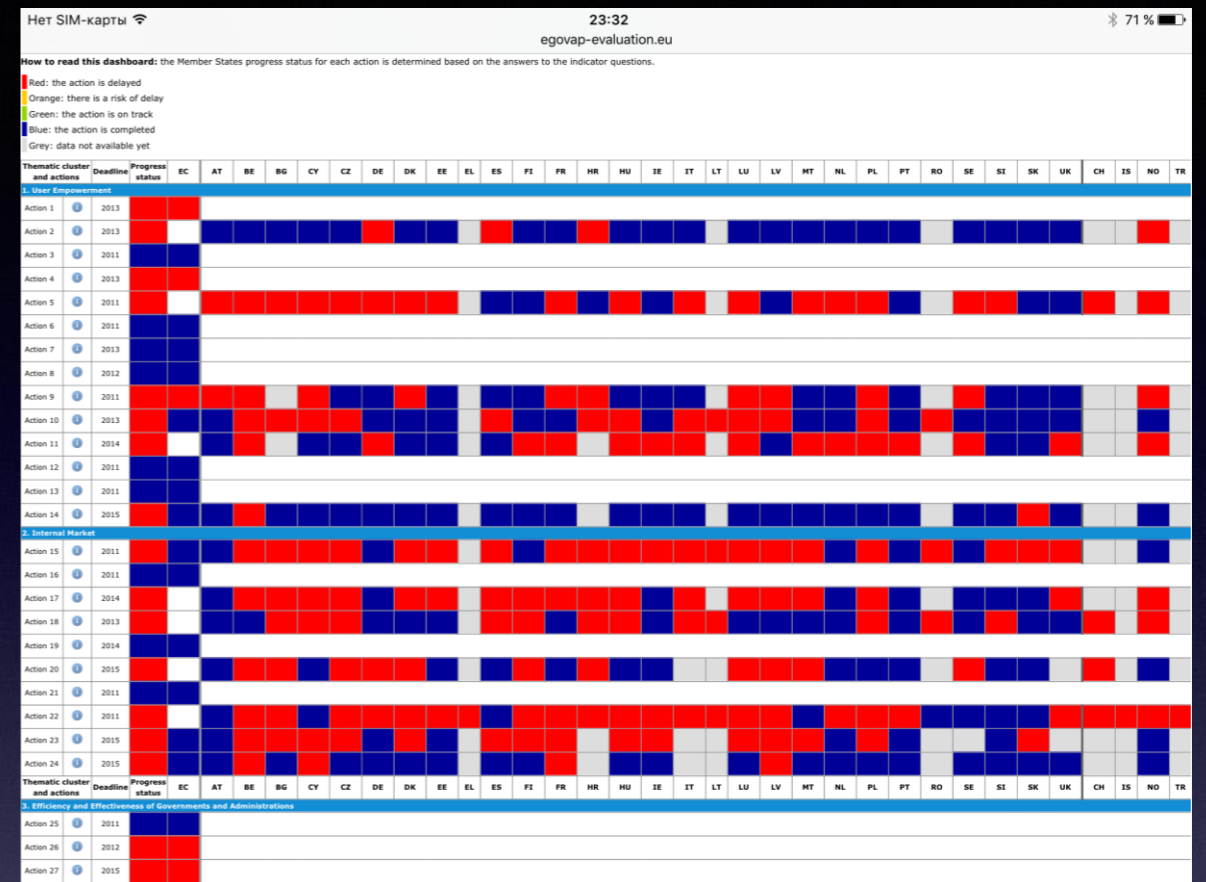
- to increase the speed of broadband services in Europe;
- to encourage new services and on-line content;
- to promote devices and platforms that «talk to one another»;
- to make the Internet safer from fraudsters, harmful content and technology failures.

- **2009:** Ministerial Declaration on eGovernment.
- EU public administrations should therefore:
 - Improve eGovernment services to cater for the different needs of users and deliver them in the most effective way;
 - Invite third parties to collaborate on the development of eGovernment services;
 - Increase availability of public sector information for reuse;
 - Strengthen transparency of administrative processes;
 - Involve stakeholders in public policy processes.

- **Europe 2020:** one of the flagship initiatives «Digital Agenda for Europe».
- The main project document for development of the information sphere in the EU.

- The European Commission's **eGovernment Action Plan 2011-2015** supports the provision of a new generation of eGovernment services. It identifies four political priorities based on the Malmö Declaration:
 - Empower citizens and businesses
 - Reinforce mobility in the Single Market
 - Enable efficiency and effectiveness
 - Create the necessary key enablers and pre-conditions to make things happen

- 45 particular EU actions.
- Evaluation: red color - action is delayed!



- **Action plan for 2016-2020** is under public discussion.

EU Legislation

- As with other collective instruments and mechanisms, boundaries and mechanisms of correlation of «Digital Agenda for Europe» with national laws of the EU Member States based on EU legislation and established legal practice.
- Pan-European strategies are formed in view of interests of all Member States.
- The obligations of national governments for implementation are reduced to the necessity of standards, regulations and other acts applicable to the entire European Union.

- Different e-Government aspects - different acts, e.g.:
- Data Protection/Privacy - Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.
- eCommunications - «Framework» Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services and four specific Directives.

Ireland

- There is currently no general e-Government legal act in Ireland. However, administrative guidelines for implementation of related Government Decisions are issued by circulars.
- The latest circular regarding e-Government was Circular 5 of 2012 Arrangements for eGovernment, which advised of new arrangements for enhancing and monitoring progress with e-Government in keeping with the Public Service Reform Plan and Government Decision which approved the e-Government Strategy - eGovernment 2012-2015.

- Data Protection/Privacy - The Data Protection Act of 1988 was amended in 2003 to ensure full compliance with the EU legislation.
- eCommunications - Communications Regulation Act (2002) and secondary legislation (a number of statutory instruments): transposition of all Directives under the EU regulatory framework for electronic communications, namely: Directive 2002/21/EC (Framework Directive); 2002/20/EC (Authorization Directive); 2002/19/EC (Access Directive); 2002/22/EC (Universal Service Directive); and 2002/58/EC (Directive on privacy and electronic communications).

Russian Federation

- The Russian model of e-Government:
 - The Federal Program «Electronic Russia 2002-2010».
 - The State Program «Information Society 2011-2020».
 - The concept of development of mechanisms for providing of state and municipal services in electronic form.

- **2010:** the Russian government approved the state program «Information Society (2011-2020)».
- Objectives:
 1. to provide individuals and organizations with maximum of benefits of the use of information technologies;
 2. to ensure the equal access of citizens to information resources;
 3. to promote development of digital content, using innovative technology;
 4. to take measures to improve efficiency of public administration.

- Achievement of these objectives involves separation of activities into two areas:
 1. optimization of procedures of providing of state and municipal services by using information technologies,
 2. improving of the information technology infrastructure of e-government.
- Thus, if in the earlier acts all the attention of the state was directed to transfer public services into electronic form, it now focuses on popularization of the e-Government system and the motivation of citizens to use electronic services.

Russian Legislation

- **Combination of legal acts and delegated legislation**
- Federal Law of July 27, 2010 № 210 «On organization of state and municipal services»;
- Federal Law of April 6, 2011 № 63 «On electronic signature»;
- Regulation of the Russian Government of September 22, 2009 № 754 «On Approval of the Provision on the system of the interdepartmental electronic document management»;
- many others.

- The fundamental acts of the Russian legislation on e-Government in general correspond to the basic principles and strategic goals of the modern global information development.
- Conceptually national legal framework in this area continues to be in line with leading world trends. In particular, it is well correlated with the law of the European Union.

- Russian Federation in the United Nations E-Government Survey rankings:
 - **2008** - 60th
 - **2010** - 59th
 - **2014** - 27th

Conclusion

- Thus, at present, both EU and Russia have all necessary to enhance the efficiency of e-Government.
- To do this, both sides should reduce the gap in the level of technical development of the regions/member-states through development of common uniform standards and regulations on the use of e-government.
- Reduce lack of unity in application of information technologies, as well as the low level of coordination between different state departments, leading to absolutely no coherent technical solutions.
- «E-Corruption», which represents exceeding of powers by civil servants, using the potential of information technology and e-government

- Urgent need in codification of e-Government legal regulation.
- Enhancing of the legal status of the Program documents, which at the moment are acts approved by the government and, therefore, objectively does not fulfill any regulatory and binding functions. The said strategy should have the legal status of the Federal Law.

Thank you!



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