

## **E-DEMOCRACY IN GOL COUNTRIES**

*-project description, May 31<sup>st</sup> 2001-*

### **Introduction**

At the Leiden meeting of Governments Online (GOL) International Network in October 2000 the decision was taken to initiate a project on e-democracy. The proposal put forward by the Netherlands was for electronic consultation of the public by national governments. The GOL attention for e-democracy issues is rooted in history. During the G8-period (1995-1998) of GOL important ground work has been carried out on e-democracy. The final report of 1998, to which a broad range of countries contributed with best practises, lays out a framework of issues that are at stake when we talk about e-democracy. On this work we build in the present e-democracy project. Time is running fast and different developments catch our eye in 2001. Contrary to the former approach we now choose to zoom in at one certain aspect of e-democracy, namely electronic consultation of the public by national governments.

### **Focus**

The use of ICTs changes various aspects in the general practice of democracy: these include electronic voting, electronic services and the use of ICTs by political parties. These aspects are interesting but are not included in the brief of this project. The members of Government Online have indicated that they are interested in tangible results, and consequently the project should not be too broad. When dealing with 'e-democracy' there is a risk of adding the adjective 'electronic' to everything relating to democracy and including it in the study. In order to prevent this happening and to be able to present a clear statement in the final report, we have decided to concentrate on the organization of electronic public consultations by national governments.

### **Motivation**

In the project we concentrate on online consultation by national governments, because it is believed this new element in the policy cycle brings about a new kind of dynamics. These dynamics lead to an *essential* change in the policy cycle and ultimately requires institutional adjustments. Online consultation of the public by governments is an inevitable development that is being taken up by more and more countries. It is receiving international attention (EU, Global Forum, OECD, IDEA). However, there is still quite some variance in the way governments organize online public consultations. Moreover, most promising and original experiments that appeal to our imagination have taken place at the local level, involving relatively small-scale organizations. These governments have the advantage of the tangible connection between their policy subjects and citizen's daily lives, which benefits the process of integrating citizens voices into the policy process. For national governments the completion of that mission has proven to be more difficult.

### **Aim**

The aim of Government Online is to provide guidance for national governments that wish to establish a productive form of online public consultations. In order to achieve this, knowledge, initiatives and experience already present in this field are clustered and made available in this project. We are aware that for most national governments -also in GOL member countries- this subject is relatively new. In this we see an extra reason for taking the initiative to take stock of knowledge and experience that is available. At a later stage we might wish for a more in-depth study into accelerators and impediments for online consultation by national governments.

## Proposal

In order to coordinate the material that is already available and that which has yet to be acquired, we distinguish four steps in bringing about a practice of online public consultation. In the project we describe the state of play in member countries regarding these four steps. We think these four steps are essential for a productive practice of online consultation by national governments. However, they need not necessarily to be taken up by governments in chronological order. In short we distinguish the following steps:

1. ensuring **access to** and **accessibility of** national government information
2. conducting **pilot projects** in the field of electronic public consultation
3. **coordinating** the pilot projects, **compiling** the resulting experiences and **developing** a certain standard for online public consultation
4. **formally adjusting** the policy process: making changes in institutions and legislation.

This phased approach in the description allows each country to acquire information from the project that is in line with its requirements. Furthermore, the information already available is recorded and linked to the newly acquired knowledge. Finally, this approach provides points of departure for starting up new projects and for possible collaboration in the future, enabling countries to profit from each other's progress in developing the practice of online public consultations.

### Re 1. ensuring access to and accessibility of government information

The basis of e-democracy, and thus of online public consultations, is giving the public the chance to consult government information electronically. It is not enough to give formal permission for information to be accessed, which is why we differentiate between access and accessibility:

- Access means the real possibility of consulting or acquiring government information electronically.
- Accessibility means the ease with which one can actually make use of the possibility of consulting government information electronically. The degree of electronic accessibility is determined by a number of aspects, such as:
  1. *Recognizability and locatability*: one must know what information is available from which government body, and how and where this can be located.
  2. *Availability*: the information must be stored in a standard digital form and be accessible through an electronic medium or data carrier.
  3. *Manageability*: one shouldn't drown in the quantity or complexity of the information, but instead be able to find one's own way through the system, if necessary using search systems provided by the government.
  4. *Affordability*: the price of the information should not create any barriers, depending on the importance of the information for society at large.
  5. *Reliability*: one must be able to rely on the correctness, completeness and authenticity of the information.
  6. *Clarity*: the information must be as clear as possible in terms of content, context and presentation.
  7. The information should preferably also be as accessible as possible to the blind, the visually handicapped and people with other handicaps.

An e-democracy or online public consultation can only be established on the two pillars of electronic access and accessibility. Without good electronic access to and accessibility of national government information, the public will not know what decisions and plans are being made by government. Public

consultation is not possible without the right information from the government, because opinions cannot be expressed without knowledge. Knowledge of government decisions and plans is important to members of the public and interest groups, so that they can take action when they do not agree with what is being done. They need to know who they can address in such cases. This transparency of national government is a first step towards the realization of a lively and useful process of online public consultation.

F.i. the Dutch government aims to promote electronic access to its national government information to the greatest possible extent. It has therefore formulated the following policy principles; some of the actions have already been implemented and others are in preparation:

- The government ensures that all basic information of the democratic constitutional state will be made electronically accessible. This information comprises all levels of legislation, verdicts of the judiciary and parliamentary information.
- The central portal [www.overheid.nl](http://www.overheid.nl) functions as the main access to the sites of all government organizations and the information available via these sites.
- The *Wet Openbaarheid Bestuur* (Government Information (Public Access) Act ) compels administrative bodies to active publication of their information.

With respect to accessibility, we refer to the fact that all public libraries have an Internet connection, the creation of digital playgrounds and the commencement of a project to make national government sites as accessible as possible to the handicapped.

In this project we aim to chart the degree of **electronic access** to national government information in GOL countries, thus enabling us to define the current state of affairs. To some extent this can be done using existing sources, such as the data from the OESO publication of the working group "Strengthening Government-Citizen Relations". The relevant questions can then also be put to the countries that did not participate in this project. Regarding access to government information, there are various aspects in common with the GOL "portal" project. **Accessibility** is a subject that deserves considerable attention, as it a wide-ranging theme that also relates to the issue of 'closing the digital gap'. It could be useful to initiate a separate project on this theme in the future.

## Re 2. conducting **pilot projects** in the field of electronic public consultation

Following the phase in which electronic availability of information is the focus of policy, we move to the phase in which national government bodies, on their own initiative or prompted by others, organize pilot projects and experiments to consult the public on national policy by electronic means. Most of the countries engaged in online public consultation are engaged in this phase at the moment. Various studies show a broad and broadening range of all sorts of online public consultation. These initiatives vary in approach, goal, target group, breadth of subject, use of technical tools, territorial level etc. Since they involve pilot projects and experiments, most of the public consultation processes are not yet naturally embedded in the policymaking process. The experiments operate within the space provided by existing institutions, and are intended to provide experience and to show what is actually involved in online public consultation. Evaluations of these experiments thus constitute valuable material and might eventually lead to adaptations of the process or institutions.

In this part of the project we make an inventory of pilots and experiments undertaken by national governments in GOL member countries. Depending on the material cases will be categorized and lessons will be drawn, possibly with the help of evaluations available.

**Re 3. coordinating the pilot projects, compiling the resulting experiences and developing a certain standard for online public consultation**

Carrying out pilot projects and experiments is a good way of learning and of bringing governments into contact with new possibilities of democratic policymaking. However, in order to directly stimulate governments to participate in online public consultation, knowledge and experience needs to be clustered and combined.

Compiling and exchanging best practices is, firstly, a good manner for providing governments with ideas once they have decided they are principally interested in online public consultation. Governments want to know what online public consultation actually involves, which methods are suitable, what technical tools and supporting services they will need and what conditions must be met by a successful process. Secondly, the clustering and exchange of knowledge allows experiments to move forward beyond the limits of a certain state-of-the-art situation. It can stimulate the further development and energizing of the consultation process. Solutions can be sought for barriers and common issues. Furthermore, the process of clustering and exchange of knowledge in this field gradually leads to a certain standardization or certification of products and processes. This does not yet need to create dominant or mandatory standards. But noting a particular example as best practice is already a first step towards a “grade”.

F.i. in the Netherlands a Manual for Electronic Public Consultation was issued in 1998 by the Ministry of the Interior and Kingdom Relations. This manual describes best practices and provides tips for successful online public consultation. In September 2000 an online publication was created with a survey of best practices, but now focussing mainly on the various technical support possibilities that are available. This publication too has been supplemented by a chapter containing best practices. In June 2001 the Expertise Bureau for Innovative Policymaking will start operations. The aim of this bureau is to compile best practices and to promote the development of online public consultation processes by governments.

In the project we examine how the promotion of online public consultation by national government is being coordinated in the various countries. We make an inventory of ways in which different countries organize this phase in developing a practice of electronic public consultations.

**Re 4. formally adjusting the policy process: making changes in institutions and legislation.**

If online public consultation really becomes a standard feature of the policy cycle, then tension will arise with the institutional frameworks within which national policy is made. This can involve the way in which the national government communicates with the public, the public nature of certain documents, the responsibilities of holders of office, the way that elements of government work together, etc. A great deal is already possible within existing frameworks and rules, as will be shown by the examples taken from the studies of best practices.

It is, however, also evident that completely successful implementation of online public consultations in policy processes requires the adjustment of existing rules and the formulation of new ones. This

serves to codify and regulate practices that are designated as desirable or have arisen through experimentation. Formulating rules and agreements creates clarity for all those involved. The responsibilities in the consultation process become clear to all. Expectations are given greater focus. As soon as governments start to consider these aspects and to take corresponding action, they have passed the experimental phase of online public consultation and have shifted to the last phase.

Changes to and formulation of rules will not result only from the direct requirements of online public consultation. There are usually various reasons for making changes, related to the networking of society as a whole and the horizontalization of relations between the government and the public. Nonetheless, it is interesting to determine the extent to which GOL countries are busy preparing a set of rules that will enable online public consultation to become common practice in the preparation of policy.

In the Netherlands, for instance, the Committee for Basic Rights in the Digital Era has recommended that a basic right of access to government information be included in the constitution. This recommendation has been adopted by the government and the first steps towards preparing the adjustments to the Constitution are now being taken. It could well happen, for instance, that openness regarding policy *in preparation* could become just as customary as openness regarding defined policy. Another issue is the wish of participants in an online consultation process to receive feedback on what is being done with their contributions. What are mutual rights and duties of citizens and government in a digital discussion environment? The Dutch Ministry of the Interior and Kingdom Relations commissioned research into these kind of questions aiming at the development of a clear set of rules of the game that are applicable to digital debates governments take part in.

It can be assumed that most countries have not yet reached the phase in which rules are established and adjusted in order to facilitate online public consultation. Nonetheless it is interesting, with a view to the future, to know in which countries these issues are already influencing policy.

### **Summing-up**

The aim of Government Online is to provide guidance for national governments that wish to establish a productive form of online public consultations. We bring this about by the compilation of existing and new material from member countries in line with the steps described above. The result of this inventory will be discussed at the GOL meeting in Mexico in September 2001. At this meeting the material will be reviewed and analyzed with a view to lessons learned, white spots and future work.

The project establishes a link with the GOL project in the area of national portals. It also creates points of departure for a separate project regarding **accessibility** of electronic government information. The follow-up to the project will probably enable collaboration in the area of phase 3, and certainly in the area of phase 4. Also an in-depth research into the factors promoting or impeding online consultation by national governments is a possibility for future work.

### **Planning until september 2001**

The steps indicated in the project refer to the organizational steps to be taken in the organization of online public consultation by national governments. They do *not* refer to the chronology of the take up of the project. The proposed planning is the following:

**May-June**

- inventory of existing material on phase 1 (access)
- first description state-of-play phase 1
- distribution of questions on phase 2 (pilots projects), phase 3 (coordinating, compiling, developing) en 4 (formally adjusting the policy process)

**Mid-July-Mid-August**

- collecting, analysing, integrating results phase 2, 3 and 4
- first description state-of-play phase 3 and 4

**End of August**

- distribution of first results for GOL meeting in Mexico