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

(A*dopted by the Committee of Ministers on 18 February 2009*
*at the 1049th meeting of the Ministers' Deputies*)

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

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

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

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

Reaffirming, on the occasion of the 60th anniversary of its adoption, the continuing relevance and importance of the Universal Declaration of Human Rights;

Welcoming the fact that the United Nations has declared 15 September to be the International Day of Democracy, a day that was celebrated for the first time on 15 September 2008;

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;

Acknowledging that, while democracy is the only mode 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;

Reiterating the need to develop and maintain effective, transparent and accountable democratic institutions that are responsive to the needs and aspirations of all;

Taking note of the alarming shortcomings in democratic processes that may be observed in Council of Europe member states and have been contributing to the growing feeling of political discontent and disaffection among citizens;

Emphasising the importance of maintaining and improving democratic institutions and processes in the context of the new opportunities and challenges arising from the information society;

Acknowledging the range of e-democracy initiatives in member states at local, regional, national, international and supranational level;

Recognising that information and communication technology (ICT) is progressively facilitating the dissemination of information about, and discussion of, political issues, wider democratic participation by individuals and groups and greater transparency and accountability in democratic institutions and processes, and is serving citizens in ways that benefit democracy and society;

Aware of the potential risks stemming, in particular, from the lack of access to ICT and the inadequate e-literacy skills of certain sections of the population, and therefore aware of the need for training and the maintenance of adequate non-electronic channels;

Noting that ICT can, on the one hand, significantly enhance the enjoyment and exercise of human rights and fundamental freedoms and, on the other, adversely affect these and other rights, freedoms and values;

Noting that the World Summit on the Information Society (WSIS, Geneva, 2003, and Tunis, 2005) recognised the right of everyone to benefit from the information society and reaffirmed the desire and commitment of participating states to build a people-centred, inclusive and development-oriented information society that fully respects and upholds the Universal Declaration of Human Rights, as well as the universality, indivisibility, interdependence and interrelation of all human rights and fundamental freedoms;

Convinced that free and diverse media are a precondition for the full exercise of democratic rights;

Aware of the public-service value of the Internet, namely, people's reliance on the Internet as an essential tool for their everyday activities, and the resulting legitimate expectation that Internet services will be accessible and affordable, secure, reliable and ongoing;

Reiterating that communication using new information and communication technology and services must respect the right to privacy, as guaranteed by Article 8 of the European Convention on Human Rights (ETS No. 5) and the 1981 Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108), and as provided for in Recommendation No. R (99) 5 of the Committee of Ministers to member states on the protection of privacy on the Internet;

Convinced that access to official documents can be significantly facilitated by the use of ICT;

Taking into account the presentations and discussions at the Council of Europe symposium on "E-democracy: new opportunities for enhancing civic participation" (23-24 April 2007), the Council of Europe Ad hoc Committee on e-democracy (CAHDE) workshops in 2007 and 2008 on regulatory issues arising in connection with e-democracy (London, Madrid), comprehensive e-Parliament (Vienna) and academic advice on standard-setting in e-democracy (Vienna, Krems, Madrid);

Taking into account the conclusions of the General Rapporteurs of the Council of Europe Forum for the Future of the Democracy, held in Madrid from 15 to 17 October 2008 on the theme "E-democracy: who dares?";

Stressing the importance of building on previous work by the Council of Europe and other international institutions such as the United Nations, the Organisation for Economic Co-operation and Development (OECD) and the European Union,

Recommends that member states:

1.      consider making use of the opportunities afforded by e-democracy to strengthen democracy, democratic institutions and democratic processes;

2.      consider and implement e-democracy as the support and enhancement of democracy, democratic institutions and democratic processes by means of ICT, and linked to the engagement and re-engagement of citizens in democracy;

3.      introduce, develop or review e-democracy policies and practice and, where it is deemed appropriate, legislation, in the light of the principles and guidelines appended to, and constituting an integral part of, this recommendation;

4.      consider, when introducing and expanding e-democracy, making use of the set of indicative guides, as further suggestions for possible action;

5.	take steps, in co-operation with the appropriate local, regional, national and international partners and stakeholders, to develop concepts of, and standards for, e-democracy that uphold human rights, democracy and the rule of law;

6.	when introducing, implementing and reviewing e-democracy, ensure that it:

- fully complies with obligations and commitments in respect of human rights and fundamental freedoms, and the principles governing the domestic organisation of democratic government;

- enhances the effectiveness of democracy, democratic institutions and democratic processes;

- is additional, complementary to, and interlinked with traditional democratic processes, so as to widen the choices available to the public for taking part in political processes;

- maintains and enhances citizens' trust in 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;

- 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;

- is based on and implements the concepts of comprehensive and active information and a broad understanding of citizenship;

- takes account of the challenges, risks and barriers to e-democracy, addressing and overcoming them, in particular through sound risk-assessment and risk-management measures and mechanisms ensuring ongoing evaluation and progress;

- helps to narrow the digital divide by means of an inclusive and non-discriminatory approach and by empowering people through support for education and training, including education and training in e-literacy, and public information measures, and by combining electronic and non-electronic approaches;

- facilitates and enhances access, accessibility and interoperability by using, where feasible, transparent and technology-neutral means, open source solutions and open standards and specifications;

- is embedded in balanced, citizen-oriented rules and regulatory frameworks, including regulations adopted by public authorities, co-regulation and self-regulation;

7.	fully implement the relevant Council of Europe recommendations, in particular Recommendation Rec(2004)11 of the Committee of Ministers to member states on legal, operational and technical standards for e-voting and Recommendation Rec(2004)15 of the Committee of Ministers to member states on electronic governance ("e-governance");

8.	take into account and translate into specific action the conclusions concerning e-democracy of the Forum for the Future of Democracy held on the theme of e-democracy in Madrid from  15 to 17 October 2008;

9.	bring this recommendation 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;

10.     disseminate this recommendation and the appendix widely, along with a translation where appropriate;

11.     continue to address e-democracy at the Council of Europe, including regulatory issues, its use for consultation purposes, and bottom-up e-democracy,;

12.     review this recommendation two years after its adoption, in the light of the experience gained in the field of e-democracy and, if possible, after open debates organised by a civil society institution and an academic conference;

Instructs the Secretariat to include e-democracy aspects, where appropriate, in the Council of Europe's democracy projects and in the work of other sectors of the Council of Europe, in the case of both external and internal activities.


*Appendix to Recommendation CM/Rec(2009)1*

**Principles of e-democracy**[1]


When introducing or taking steps to improve electronic democracy, stakeholders should take account of the following principles of e-democracy:

P.1.     E-democracy, as the support and enhancement of democracy, democratic institutions and democratic processes by means of ICT, is above all about democracy. Its main objective is the electronic support of democracy.

P.2.     E-democracy is one of several strategies for supporting democracy, democratic institutions and democratic processes and spreading democratic values. It is additional, complementary to, and interlinked with traditional processes of democracy. Each process has its merits: none is universally applicable.

P.3.     E-democracy is based on the democratic, human, social, ethical and cultural values of the society in which it is implemented.

P.4.     E-democracy is closely linked to good governance, which is the efficient, effective, participatory, transparent and accountable democratic exercise of power in electronic form, and includes informal politics and non-governmental players.

P.5.     E-democracy must respect and implement fundamental freedoms, human rights and minority rights, including freedom of, and access to, information.

P.6.     E-democracy is an opportunity for enabling and facilitating the provision of information and deliberation, enhancing civic participation in order to broaden political debate, and fostering better and more legitimate political decisions.

P.7.     E-democracy concerns all sectors of democracy, all democratic institutions, all levels of government, and a wide range of other parties.

P.8.     E-democracy stakeholders are all individuals and institutions involved in and benefiting from democracy.

---

[1] A glossary explaining terms relating to e-democracy as used in this recommendation is available at www.coe.int/democracy.

P.9.    E-democracy, like democracy, concerns many different stakeholders and requires their co-operation. Member states, public authorities and their representatives are only some of the parties with a stake in e-democracy. Citizens, civil society and its institutions, politicians and political institutions, the media and the business community are equally indispensable for the purposes of designing and implementing e-democracy.

P.10.    Recommendations on e-democracy cannot therefore be confined to public authorities, but must cover all e-democracy stakeholders.

P.11.    Any type of participation can be achieved through e-democracy:
*   the provision of information;
*   communication, consultation, deliberation;
*   transaction, empowered participation, co-decision and decision making.

P.12.    E-democracy can be implemented with varying degrees of complexity, in different types of democracy and at different stages in the development of democracy. It is not linked to, and does not lead to, a specific type of democracy.

P.13.    In particular, e-democracy can, through new technology, attract young people to democracy, democratic institutions and democratic processes.

P.14.    NGOs can both benefit from e-democracy and at the same time provide a testing ground for e-democracy for citizens.

P.15.    E-democracy can be of particular benefit to regions that cut across national borders and encompass territorial political entities from different countries, to their institutions, and to persons living in different countries and sharing the same linguistic or cultural identity; it can facilitate the participation and decision-making processes of international institutions.

P.16.    Public authorities can benefit from discussions and initiatives concerning e-democracy activities developed by civil society and from co-operation with civil society in this field.

P.17.    The goals of e-democracy – which are similar to those of good governance – are transparency, accountability, responsiveness, engagement, deliberation, inclusiveness, accessibility, participation, subsidiarity, trust in democracy, democratic institutions and democratic processes, and social cohesion.

P.18.    Trust is indispensable for any type of e-democracy, at all stages and phases. It is closely related to accessibility, transparency and responsiveness.

P.19.    E-democracy makes for greater individual and group participation, allows those whose voices are heard less often or are less powerful to express their views, and fosters participation on an equal footing. It can lead to more participatory forms of decision making and democracy.

P.20.    E-participation is the support and enhancement of democratic participation and encompasses those sectors of e-democracy where civil society and businesses are involved in drawing up formal and informal agendas and shaping and taking decisions.

P.21.    E-democracy does not in itself affect the constitutional and other duties and responsibilities of decision makers; it can provide them with additional benefits.

P.22.    E-democracy requires information, dialogue, communication, deliberation and ongoing creation of open public spaces where citizens can get together to uphold their civic interests.

P.23.    The media play a crucial role in e-democracy; among other things, they provide a forum where citizens can engage in public debate and defend their interests in the public sphere.

P.24.    New media and providers of electronic services improve access to information and hence provide people with a better basis for engaging in democracy.

P.25.    E-democracy is an integral part of the information society, which has ushered in a range of traditional and innovative tools that can usefully be applied in democratic processes and institutions.

P.26.    Access to the new information and communications environment can facilitate the exercise of democratic rights and freedoms, in particular participation in public life and democratic processes.

P.27.    If e-democracy is to be properly designed, it has to be based on the following concepts:

- the active provision of comprehensive, balanced and objective information designed to help the public understand problems, alternatives, opportunities and/or solutions to democratic issues; this concept is closely linked to freedom of information and freedom of speech;

- a broad understanding of citizenship, encompassing persons and groups of persons permanently residing and integrated in a political entity, irrespective of nationality;

- citizen participation – that is, the involvement of citizens and groups of citizens in public affairs, such as interest groups, corporations, associations and non-profit organisations (NPOs), so that they can exert influence and improve the quality and acceptability of the results of democratic processes;

- empowerment – namely, policies and measures to support citizens' rights and provide resources for participation;

- inclusion – that is, the political and technological empowerment of citizens irrespective of age, gender, education, socio-economic situation, language, special needs and place of residence. Such inclusion requires an ability to use electronic tools (knowledge, e-skills, e-readiness), available and accessible e-tools and a combination of electronic and non-electronic approaches;

- 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.

P.28.    E-democracy can result in a form of democracy which can be seen and observed, accessed and interacted with from anywhere, by all stakeholders.

P.29.    E-democracy can bring together policy makers and citizens in new forms of engagement and policy making. This can lead, on the one hand, to a better understanding of public opinion and people's needs by policy makers and, on the other, to a better public understanding of the tasks and challenges facing policy makers, and thus to increased citizen identification with the democratic system and a higher regard for, and greater trust in, democracy.

P.30.    Because it opens up new channels for information, communication, deliberation and participation and enhances transparency and accountability, e-democracy has the potential to address shortcomings in democratic institutions and processes.

P.31.    E-democracy has great potential in the area of community building, including among, and with, minorities.

P.32.    By providing a means of reducing exclusion, e-democracy can foster social integration and social cohesion and thus contribute to social stability.

P.33.    E-democracy can enhance the increasingly European, international and global nature of politics and facilitate the cross-border collaboration this entails.

P.34.    E-democracy requires inter-disciplinary and cross-border research.

*Sectors of e-democracy*

P.35.    E-democracy encompasses, in particular, e-parliament, e-legislation, e-justice, e-mediation, e-environment, e-election, e-referendum, e-initiative, e-voting, e-consultation, e-petitioning, e-campaigning, e-polling and e-surveying; it makes use of e-participation, e-deliberation and e-forums.

P.36.    E-parliament is the use of ICT by elected representative assemblies, their members and political and administrative staff in the conduct of their tasks, in particular for the purposes of actively involving citizens. E-parliament concerns legislative, consultative and deliberative assemblies at international, national, regional and local level; there are many stakeholders: members of parliament, political and administrative staff, electors, citizens, and the media.

E-parliament encompasses, *inter alia*, aspects of e-legislation, e-voting, e-petitioning and e-consultation, and can make for better information and improved management of communication with members, staff and administration, and for contact with citizens.

While e-parliament underpins the principle of representative democracy, it can provide tools for changing the culture of representation in such a way as to ensure a more inclusive, deliberative and participatory form of democracy.

P.37.    E-legislation is the use of ICT for drafting, commenting on, consulting, structuring, formatting, submitting, amending, voting on and publishing laws passed by elected assemblies. It makes legislative procedures more transparent, improves the content and readability of legislation, provides better access to it, and thereby enhances public knowledge of the law.

P.38.    E-justice is the use of ICT in the conduct of justice by all stakeholders of the judiciary in order to improve the efficiency and quality of the public service, in particular, to individuals and businesses. It includes electronic communication and data exchange, as well as access to judicial information.

As the judiciary is a key component of democracy, e-justice is an essential facet of e-democracy, its main goal being to improve the efficiency of the judicial system and the quality of justice. Access to justice is one aspect of access to democratic institutions and processes.

P.39.    E-mediation is the use of ICT to find means of resolving disputes without the physical presence of the opposing parties: e-tools can serve as mediators.

P.40.    E-environment is the use and promotion of ICT for the purposes of environmental assessment and protection, spatial planning, and the sustainable use of natural resources, and includes public participation. Using ICT to introduce or enhance public participation can improve democratic governance in respect of environmental issues.

P.41.    E-elections, e-referendums and e-initiatives are political elections, referendums or initiatives in which electronic means are used at one or more stages.

P.42.    E-voting is an election or referendum that involves the use of electronic means in at least the casting of the vote.

Remote e-voting speeds up procedures, enables voting to be electronically monitored and votes electronically registered, and facilitates participation from greater distances and by persons with special needs.

P.43.    E-consultation is a way of collecting the opinions of designated persons or the public at large on a specific policy issue without necessarily obliging the decision maker to act in accordance with the outcome. There are various forms of e-consultation, formal and informal, public-authority-regulated and unregulated.

E-consultation can invite and collect various opinions whilst providing an inclusive space for deliberation or for simply following the debate; it allows decisions to be directly or indirectly influenced.

P.44.    E-initiatives allow citizens to develop and put forward political proposals by means of ICT and thus engage in political agenda setting.

P.45.    E-petitioning is the electronic delivery of a protest or recommendation to a democratic institution: citizens sign a petition and possibly engage in a discussion on the subject by putting their names and addresses online. As is the case with petitions to parliament in general, e-petitions take various forms.

E-petitions facilitate citizen input to parliament and other democratic institutions and discussion and deliberation among citizens.

P.46.    E-campaigning is engaging by electronic means with people in a co-ordinated way and encouraging people to engage with one another in order to mobilise individuals in electoral and other campaigns and/or persuade them to promote a particular cause, in an endeavour directly or indirectly to influence the shaping or implementation of public policy.

E-campaigning includes e-electioneering, that is, e-campaigning in connection with elections, and e-advocacy, that is, e-campaigning in connection with other issues.

P.47.    E-polling/e-surveying allow opinions to be obtained informally, by electronic means, from random or selected persons, usually in connection with a proposal and a set of possible responses.

*Technology*

P.48.    ICT has led to major changes in the structure and culture of communication, which have to be taken into account when designing or redesigning democratic institutions and processes.

P.49.    While e-democracy is dependent on modern, suitably adapted ICT, more and better technology does not in itself lead to more and better democracy.

P.50.    Technology is an enabler, not a solution; it is a tool that can support and enhance democratic processes.

P.51.    Technology is of secondary importance to democratic considerations. It must not be the reason for introducing e-democracy.

P.52.    Technology is not neutral but has built-in values and its own methodology. A general awareness of the characteristics of technology is necessary and needs to be promoted.

P.53.    Responsibility for the technology used lies with the institution in charge of the e-democracy tool. It is of prime concern that the ICT in question should be designed to perform securely.

P.54.    Making the source code available to the public enhances transparency.

P.55.    The use of open-source solutions can enhance trust, as anyone can, to some extent, inspect the solution adopted. Open source is not a substitute for the open standards/specifications requirement.

P.56.    The use of open standards and specifications promotes interoperability.

P.57.    Applying the standards of accessibility design contributes to inclusion.

P.58.    The use of environment-friendly, sustainable "green" technology for e-democracy is of benefit to the public and to democracy.

*Introduction of e-democracy*

P.59.    E-democracy can be introduced by any stakeholder. It can be initiated top-down, namely, by public authorities, at all levels of government, or bottom-up, that is, by citizens. It can also be horizontally designed. Each approach has its merits.

P.60.    In introducing e-democracy, account needs to be taken of political characteristics and the political culture. E-democracy may be introduced in order to put the emphasis on a specific type of democracy or specifically defined democratic values.

P.61.    E-democracy requires a balanced mix of such factors as the will to engage, a process and tools that are of high quality, and analysis of the results.

P.62.    The introduction and implementation of e-democracy and the accompanying measures require expertise from a broad range of fields and are best undertaken gradually, with sound methodology and reporting, monitoring and evaluation mechanisms.

P.63.    E-democracy flourishes best where there are the political will and leadership to make it work effectively by introducing the structural changes needed to take account of the opinions expressed. The incorporation of ICT into democratic processes usually requires structural changes and procedural reform.

P.64.    E-democracy requires education, training and measures to ensure inclusion. It is necessary to help stakeholders to acquire the ability to use e-tools and to ensure the availability of such tools, while recognising that there will be "unable willing" and "able unwilling" who may require individual help and necessitate special efforts.

P.65.    The impact of e-democracy depends on the democratic nature of the state and the public authorities, and the extent to which they respect and safeguard fundamental human rights and minority rights and encourage democratic processes, including active political participation.

P.66.    The introduction and operation of e-democracy methods and tools require democratic control by legitimate actors.

P.67.    International co-operation can greatly enhance the development, introduction and evaluation of e-democracy by individual public or civic bodies.

*Enablers, challenges, barriers and risks*

P.68.    Enablers of e-democracy can be initiatives by any stakeholder or factors conducive to the introduction and operation of e-democracy, such as new ICT and ICT-readiness, government and public interest, legislation and regulations, adequate resources, a well-developed civil society and systems to enhance democracy.

P.69.　The challenges, barriers and risks to e-democracy can take many forms and may be political, legal, organisational, technological, economic, financial, social or cultural. It is necessary to address, overcome and safeguard against them.

P.70.　The challenges facing e-democracy include ensuring that citizens and politicians are willing and able to engage in democracy by electronic means and have confidence in those means, closing the digital and social divides, responding to new forms of communication and new media, developing appropriate and reliable technology and making it generally available within a reasonable time, developing expertise, fostering multi-disciplinary co-operation and making timely agreements on appropriate expert regulation.

P.71.　The potential barriers to e-democracy include, on the supply side, differing understandings of democracy, a lack of resources, organisational constraints and structural limitations, and, on the demand side, the differing interests of the various stakeholders and their misgivings.

P.72.　The risks attached to e-democracy stem from technical and political misuse, undemocratic use and denial of the decision-making opportunities provided by ICT. Fragmentation of communities can be a danger to the universality of democracy. Safeguards against misuse and appropriate sanctions are necessary.

*Rules and regulatory frameworks*

P.73.　E-democracy requires rules and regulations. Regulation needs to be citizen centred and carefully balanced: it is necessary to focus on citizens' needs, define and, where applicable, limit the powers of public authorities, avoid over-regulation and leave scope for initiatives by stakeholders, including civil society.

P.74.　Regulation of e-democracy entails empowerment and safeguards. Regulation can take various forms and be undertaken by a variety of players at different levels, including public authorities, providers of tools and users themselves. A balance between rights of access and safeguards is the only way to uphold and protect citizens' interests.

P.75.　All e-democracy participants have to act in a fully transparent manner and be responsible and accountable for their actions and for publicly expressed opinions.

P.76.　The human rights standards established by inter-governmental organisations, in particular the United Nations, the Organisation for Security and Co-operation in Europe and the Council of Europe constitute a set of internationally adopted rules relevant and applicable to e-democracy.

P.77.　In the light of the realities of present-day ICT, existing international and domestic rules should be adapted or new rules drawn up and implemented. Model rules and regulations prepared by competent bodies can be of use here.

P.78.　Security issues are of major concern to e-democracy; they include information security, data security, including compliance with data protection requirements, document security, voting security, Internet security, networking security and information system security.

P.79.　E-democracy requires attention to standardisation and interoperability. Standardisation in areas such as terminology, document format, applications and architecture can facilitate interoperability.

P.80.　Standardisation of terminology can greatly enhance public understanding of terms, as well as trans-border understanding of the decisions and documents of democratic institutions.

**Guidelines on e-democracy**

In implementing the above principles, all stakeholders should take account of the following guidelines, which cover e-democracy in general, including its democratic aspects, but not administrative and purely service-oriented e-government, that is, e-administration and e-services[2].

G.1.    When introducing, reviewing and improving e-democracy, the focus should be on democracy and its stakeholders – not on technology.

G.2.    Technology should not be the reason or driving force for e-democracy: democratic institutions and citizens should be, and remain, responsible for e-democracy processes and tools.

G.3.    E-democracy should be based on, and conducted in accordance with, the principles of democratic governance and democratic practice.

G.4.    E-democracy should bring benefits to democracy and to stakeholders alike. Such benefits should be evident to stakeholders, in particular to citizens.

G.5.    In order to enhance traditional political processes, e-democracy measures should supplement, and be compatible and integrated with, non-electronic forms of democratic engagement and participation (multi-channel approach). If they are to be widely used, online devices require appropriate offline support.

G.6.    The choice of specific tools should reflect democratic, human, social, ethical and cultural values.

G.7.    E-democracy should allow for more citizen input into agenda setting, analysis and the formulation, implementation and monitoring of policy.

G.8.    E-democracy, by overcoming barriers of space and time, should provide opportunities for people to receive information or communicate in real time and allow numerous people and institutions in different locations to establish close contact for deliberation purposes, so as to foster new democratic activities.

G.9.    E-democracy should encompass a wide range of fields, including legislation, meeting and voting management, information and knowledge collection, management and sharing, as well as documentation and archiving.

G.10.   E-democracy stakeholders should include, in particular, public authorities at all levels, politicians, elected representatives, political parties, civil servants, citizens, electors, members of (public law) corporations and associations, civil society and its organisations, the media and businesses, including providers of infrastructure.

G.11.    E-democracy should target children and young people in particular, so as to take advantage of their interest and involvement in new technology to attract them at an early age and engage and include them in democracy, democratic institutions and democratic processes.

G.12.   NGOs, regardless of size, should be given special support when they make use of e-democracy, as they are a testing ground for e-democracy for citizens.

---

[2] E-government is the delivery of public administration at all levels by means of ICT in order to enhance the effectiveness and efficiency of public administration and the country itself; it is closely linked to changes in concepts, procedures and skills in respect of service provision by administrative departments

G.13.    When specific e-democracy measures are introduced, account should be taken of the stage of development of civil society, the general level and means of communication between public authorities and other stakeholders, in particular citizens, and the state of development of the information society in the country concerned.

G.14.    Public authorities and representative assemblies should actively seek links with social networking activities concerned with political issues and draw upon ideas and discussions held in these new democratic participatory and deliberative spaces.

G.15.    Transparency in e-democracy should include transparency in the participation process itself at all political levels and at all stages of deliberation and the decision-making process, and during implementation, monitoring and evaluation.

G.16.    Efforts to reach out electronically to the public should cover many aspects, including ensuring full transparency, providing comprehensive information, sharing knowledge, providing for interactive communication, securing inclusiveness, fostering active citizenship and promoting international co-operation.

G.17.    Public authorities and representative assemblies should use e-democracy to enhance dialogue and promote citizen-centred communication, thereby enabling citizens to engage in active, responsible and responsive citizenship and exercise wide-ranging oversight more effectively.

G.18.    Trust in democracy, politicians, infrastructure providers, technology and users should be created and sustained by all stakeholders at all stages of e-democracy.

G.19.    Stakeholders should encourage the use of ICT by politicians, citizens, civil society and its organisations and political parties for the purposes of democratic debate, e-activism and e-campaigning, so that they can voice their concerns and ideas, put forward initiatives, promote dialogue and debate with representatives and public authorities and scrutinise officials and politicians in matters of public interest.

G.20.    When e-democracy measures are devised, all possible stakeholders should be involved and their interests taken into account at an early stage.

G.21.    The introduction of e-democracy should actively involve, not circumvent, traditional democracy stakeholders, whose specific roles may be changing.

G.22.    Politicians and political parties should harness e-democracy in order to maintain and, if possible, enhance, their essential role as democracy "intermediaries".

G.23.    In particular, politicians and political parties should use the opportunities offered by e-democracy in order to connect with citizens and the society they represent, and with fellow party members and party bodies.

G.24.    The media are invited to harness the opportunities offered by interactive technology to promote broader democratic debate and participation.

G.25.    The media are encouraged to provide reliable, independent news and information for everyone, including in electronic form, separating information from comment, and have a strong commitment to context setting and analysis, to allow citizens to form their own opinions and make political choices.

G.26.    The media, in particular the public-service media, are invited to also use electronic means to fulfil their essential role in educating people to become active and responsible citizens by providing a platform for public debate, open to the diverse ideas and convictions of society, and for disseminating democratic values. They are encouraged to provide appropriate electronic information about democracy, democratic institutions and democratic processes.

G.27.    E-democracy should take account of the realities of the present-day information and communication society and provide tools which resemble those used by citizens in their everyday lives.

G.28.    As the information and communication environment continues to develop, existing and emerging technologies and techniques should be examined with a view to exploiting ways in which people interact in order to promote democracy. This entails compiling and publishing information in the public domain.

G.29.    People should be able to receive timely information and be actively involved in the community through the network of public authority information systems, so that the authorities can operate transparently and provide efficient service.

G.30.    Public authorities should disclose, and provide free and constant access to, information, ensure the security of public and private data and reduce costs.

G.31.    As e-democracy is heavily dependent on citizens' access to relevant and timely information, continual monitoring and a regular review of access to information are important requirements as e-democracy methods develop.

G.32.    In order to create an environment conducive to the widespread use of ICT for democracy and participation purposes, public authorities should, in co-operation with the private sector and civil society:
- provide a stable regulatory framework that offers an incentive to the private sector to invest in ICT infrastructure and services;
- promote the widespread availability and affordability of, and enhance access to, ICT infrastructure, the Internet and public online services, as well as relevant education and training.

G.33.    E-democracy methods and tools should be devised in such a way that citizens can take part in a ubiquitous, non-stop democracy where participation is possible round the clock, at the same time and wherever they may be.

G.34.    E-democracy games involving, for example, parliamentary procedure and budgeting should be devised in such a way as to provide citizens with a better understanding of the tasks and processes of democratic institutions.

G.35.    While e-democracy may not be a panacea when it comes to addressing shortcomings in democratic practice, it should help to tackle existing democratic challenges such as declining numbers of participants, social, racial and regional segregation and the formation of splinter groups where no deliberation takes place, and to promote sustainable inclusion.

G.36.    E-democracy methods and tools designed to reverse the trend towards a decline in the legitimacy and relevance of, and trust in, democratic institutions and processes should include, *inter alia*, the sharing of information and knowledge with third parties, the creation of new networks, the opening up of decision-making processes, and transparency in respect of the individual.

G.37.    In order to remedy shortcomings in democratic practice, e-democracy measures should focus on transparency, accountability, reactivity, speed and universal accessibility, empower people by allowing inclusive participation in formal and informal democratic processes, in particular decision making, and strive for more democracy.

G.38.    In the context of the Europeanisation, internationalisation and globalisation of political affairs, e-democracy should help to make regional and national democratic processes such as legislation and policy making increasingly collaborative and international.

G.39.    Given the various approaches to, and views on, e-democracy in academia and the need to harness quality expertise in many sectors, governments, representative assemblies, the business community and international institutions should encourage and fund research on e-democracy.

*Sectors of e-democracy*

G.40.    E-parliament should be devised as a comprehensive parliament, concerning elected representative assemblies at international, national, regional and local level and including many stakeholders: members of assemblies, political and administrative staff, electors, citizens and the media.

G.41.     E-parliament should be devised in such a way as to increase transparency, accountability and citizen participation in the work of assemblies.

G.42.    E-parliament should promote the role of its members as representatives of the people and as legislators, and therefore be designed in the light of their requirements.

G.43.    E-parliament should enable citizens to communicate more often and more effectively with their assemblies and their members. It should also enhance citizen input into agenda setting and decision making.

G.44.    By overcoming geographical and political borders, which restrict access to information, cross-border e-parliament – inter-parliamentary co-operation by electronic means – should enable information to be exchanged quickly and provide structured input to legislation, overview and administration, drawing on the expertise and experience of other countries, regions or local authorities.

G.45.    E-democracy should, by fostering broader, structured, informed participation, make legislative procedure more transparent, improve the content and readability of legislation, provide better access to legislation, and thereby enhance public knowledge of the law.

G.46.    E-justice should improve the quality of judicial services for people and businesses by using ICT to speed up court proceedings, enhance general service quality and improve transparency.

G.47.    E-justice should provide user-friendly access to legal and judicial information for the public, including the business and finance community, legal practitioners, the judicial authorities and the courts, with due respect for individual rights.

G.48.    E-justice should include informative court websites, national and international portals, the development of online "case tracking" systems, the use of videoconferencing techniques and standards for the electronic exchange of information.

G.49.    To enable the judiciary to function efficiently in the information age, electronic data exchanges between institutions within and across national borders should be legally recognised and widely used.

G.50.    In order to create trust in e-petitions and e-consultations, parliament or another public authority should give adequate consideration to the opinions voiced and provide reasoned feedback to petitioners concerning decisions.

*Technology*

G.51.    ICT should provide new additional means for enhancing the workings and image of democracy and democratic institutions, bringing about both qualitative and quantitative improvements in the efficiency and effectiveness of democratic institutions, especially in respect of communication and the dissemination and management of information. In particular, it should make for new forms of access to information and services provided and have a direct impact on work both inside and outside institutions.

G.52.    Stakeholders should promote and support the development and use of technology appropriate to e-democracy, in addition to existing networks and tools.

G.53.    In e-parliament, ICT should ensure and enhance good governance on the part of elected assemblies in terms of efficiency, inclusiveness, openness, transparency and accountability; it should encourage better communication and co-operation among all stakeholders, provide user-centred services and reduce unnecessary bureaucracy.

G.54.    In addition to the role of ICT as a means of sharing and disseminating information, its potential to improve the exercise and enjoyment of human rights and fundamental freedoms should be promoted and exploited.

G.55.    The institution running an e-democracy tool should be familiar with, and responsible for, the components of the tool for verification and certification purposes. Whenever a method or tool is devised, it should be made clear from the outset which individual or institution is responsible for what, and at what stage. In the case of public authority tools, the public authority in question should ensure the reliability and security of the system.

G.56.    Whenever a method is devised, it should also be made clear from the outset how and to what extent the opinions and consensus expressed through it will be taken into account when the relevant authorities shape or take decisions, and how these decisions will be explained in the light of the opinions and consensus expressed.

G.57.    E-democracy software should either be open source software that can be inspected or, alternatively, be certified by an independent body.

G.58.    Stakeholders should consider including an open source clause 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.

G.59.    Open standards and specifications should be used to ensure that the various technical components or services of an e-democracy tool, which may be derived from a variety of sources, are interoperable.

G.60.    E-democracy solutions based on open standards/specifications and open software should be preferred, as this not only prevents vendor lock-in but also promotes transparency and interoperability of the various technical components and services of an e-democracy tool, which may be derived from a variety of sources, as well as interoperability with other systems and components – including in a trans-border context.

*Introduction of e-democracy*

G.61.    All stakeholders should consider making use of the opportunities provided by e-democracy, and foster and initiate such opportunities, in order to engage with and become involved in democratic processes and institutions. This should ensure that stakeholders' views are heard or passed on to political decision-making institutions, and improve the work of these institutions.

G.62.    Generic e-democracy tools based on a large number of e-democracy methods and tools employed in a number of countries at different levels can be used to develop and introduce individual e-democracy tools, as set out in the indicative guide to "Generic tools and policies for an electronic democracy" (see guide No.1)[3].

G.63.    E-democracy initiatives should aim for high quality and a balanced qualitative and quantitative mix in public participation in the process and public contribution to the outcome. Attention should therefore be paid to the number, legitimacy and representativeness of participants and to promoting and supporting democratic processes. The issue chosen should be relevant and the outcome should be taken into account in political decision making. The process should be designed in such a way as to ensure that different channels are available and that the tools employed are accessible, inspire trust and foster an effective, quality deliberation.

---

[3] This document is one of a series of five indicative guides. They are available at www.coe.int/democracy.

G.64.    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.

G.65.    A roadmap can be used to plan, implement and monitor e-democracy and e-democracy methods at all levels, as indicated in the indicative guide to "A roadmap approach to e-democracy" (see guide No. 2).

G.66.    A review and readjustment of democratic processes via their electronic implementation should be accompanied by sound theory and methodology, and by a strategic development through political analyses of issues and their origins.

G.67.    Processes of monitoring the risks involved in introducing new tools should be devised and implemented.

G.68.    In order to decide when to introduce a particular e-democracy measure or technology, the specific democratic ideals and goals, the forms of communication needed to achieve them and the purposes those forms of communications serve should be agreed and defined, as set out in the indicative guide "A checklist for the introduction of e-democracy tools" (see guide No. 3).

G.69.    Reporting frameworks can be effectively used to compare different e-democracy tools employed in different countries at different levels, as suggested in the indicative guide "A framework for reporting e-democracy initiatives" (see guide No. 4).

G.70.    The same e-democracy method should not be employed indiscriminately for every community or every issue. When e-democracy is used, the broader context of democracy, including cohesion and legitimacy, should be taken into account.

G.71.    Before a public authority introduces any e-democracy tool that is designed for broader participation, is of major importance or is intended to lead to a legally binding outcome, and at appropriate intervals thereafter, in particular after any changes are made to the system, an independent body appointed by the authority in question should check that the e-democracy tool is working properly and that all the necessary security measures have been taken.

G.72.    E-democracy methods and tools require both quantitative and qualitative evaluation, if possible by an independent party. The evaluation should cover their democratic, governance, public participation and e-democracy attributes, as well as user-friendliness, acceptability and the extent to which they are in fact accepted, as set out in the indicative guide "Evaluating e-democracy" (see guide No. 5).

G.73.    In order to counteract any possible (further) widening of the gap between participants and non-participants in democratic processes and between "e-able" and "e-unable" persons, as well as "e-willing" and "e-unwilling" persons, broad, comprehensive, permanent and sustained measures of "e-inclusion" should be undertaken and, where possible, a combination of electronic and non-electronic approaches should be provided.

G.74.    E-democracy should offer special opportunities to persons unable to be physically present at democratic meetings and elections, such as those travelling or living abroad, those with reduced mobility and those with pressing personal obligations.

G.75.    E-democracy should offer suitable opportunities for the inclusive engagement of minorities and for multicultural democracy, for instance by means of multilingual e-tools and discussion forums.

G.76.    Ongoing training in the skills necessary to engage in e-democracy should be offered by public educational institutions and by employers, including in the form of e-learning for users.

G.77.    As the development of e-literacy is essential for sustainable democratic societies, not least in a human rights context, particular emphasis should be placed on:

- providing e-literacy training for everyone, in particular children, young people and people without access, or with limited access, to the Internet, so that they can participate fully and responsibly in public life;
- ensuring that (e-)technology and services are seen as useful tools, which should not be feared but rather embraced as a means of exercising rights and freedoms.

G.78.    Early guidance should be provided and standards established and, if appropriate, e-democracy rules and regulatory frameworks, principles, methods and tools should be harmonised across borders.

*Enablers, challenges, barriers and risks*

G.79.    When devising and implementing e-democracy, it is necessary to take account of enabling factors. These include:

- the political will and leadership of government and politicians;
- a developed and vibrant civil society;
- high levels of trust and transparency;
- extensive online and offline promotion of e-democracy, based on a strategy designed to increase awareness and maximise uptake;
- good participation, in qualitative and quantitative terms, in e-democracy processes;
- the fact that participation has an impact on the outcome;
- efforts to understand and address the wishes and reservations of all possible stakeholders;
- political objectives other than involvement for the sake of self-expression;
- initially low requirements for the identification of participants in order to facilitate engagement in e-democracy methods;
- widespread access to and accessibility of technology, including access for persons with special needs and those living in less-developed or remote regions (e-inclusion);
- effective co-operation among the different stakeholders;
- user-friendly, transparent, appropriate, differentiated and sustainable e-tools that can be scaled up;
- user-friendly but reliable identity authentication, where necessary;
- information for citizens from the outset about how their input will be used (no false promises or undue expectations raised);
- information on how citizen input has been used in decision making (feedback requirement).

G.80.    Attention should be paid to the potential risks of providing misleading information, giving undertakings that are not followed through, defamation, the publication of obscene material, incitement to racial and religious hatred, and discrimination on grounds of age, gender, race and disability.

*Rules and regulatory frameworks*

G.81.    The main purpose of rules and regulatory frameworks concerning e-democracy should be empowerment and the provision of safeguards. Regulations should ensure an effective right to participate in e-democracy. Key factors should be who participates, how and for what purpose, and which institutions are best placed to ensure participation in, and the transparency of, decision making and to evaluate the process.

G.82. The right of effective access to e-democracy and its tools, to information about e-democracy, to appropriate opportunities to learn without any barriers and communicate, and to transparency should be balanced against the need to protect the rights of others, including the need to protect (information) privacy and personal data, as well as intellectual property. There need to be adequate and effective safeguards and, where these do not exist, they should be introduced and enforced.

G.83. The advantages and disadvantages of anonymity and confidentiality, on the one hand, and identity and authentication, on the other, should be taken into account when devising specific applications.

G.84. The need to disclose public information should be carefully balanced against the need to ensure confidentiality in the interests of the people and institutions concerned.

G.85. Personal data held by public authorities should be actively disclosed and the persons in question given the right to check and correct personal data concerning them.

G.86. Rules concerning the editorial independence of media broadcasters should provide for fair, balanced and impartial electronic coverage of election campaigns as part of the general programme services provided by broadcasters, and be applicable to both public-service media and private broadcasters.

G.87. There should be safeguards and redress against the misuse of e-democracy methods (for example, undue control and restrictions, false claims of legitimacy) by government bodies, other authorities, politicians and citizens, and appropriate sanctions should be introduced.

G.88. Potential regulators of e-democracy – public and civic institutions, including infrastructure providers and users at any level – should co-operate in drawing up and refining rules and regulatory frameworks governing e-democracy in order to determine the type, level and content of regulation best suited to particular spheres.

G.89. All stakeholders should be allowed to participate in the drafting and refinement of rules and regulatory frameworks concerning e-democracy.

G.90. Before new rules are drawn up, existing international and domestic rules should be reviewed to see if they can be applied, adapted or expanded.

G.91. Existing standards for e-government and e-governance should be examined to see if they can be applied or adapted to e-democracy.

G.92. E-democracy rules and regulatory frameworks should guarantee respect for human rights and fundamental freedoms, as enshrined in domestic and international instruments, including personal privacy and the right to freedom of thought, expression, information, communication, conscience and religion, the right to respect for private life and correspondence, the right to education, the prohibition of trafficking in human beings and the protection of property.

G.93. 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.

G.94. Regulatory action should be taken in respect of Internet governance. The Internet should continue to operate on the basis of democratic values that guarantee its openness and accessibility.

G.95.    Member states should devise and implement strategies for e-democracy that make effective use of ICT in democratic process and debate, in relations between public authorities and civil society and in the provision of public services, as part of an integrated approach that makes full and appropriate use of a number of communication channels, both online and offline.

G.96.    When devising e-democracy methods and tools, special emphasis should be placed on e-security, which includes information security, data security (including compliance with data protection requirements), document security, voting security, Internet security, networking security and information system security.

G.97.    Appropriate levels of security should be identified for each tool and in each setting. Security should be weighed up against considerations relating to the local culture to ensure that security issues do not become a deterrent to the inclusion of individuals and groups in democratic processes.

G.98.    Document formats, applications and architecture should be standardised in order to simplify and speed up the use of political documents by representatives, the public and government bodies. This can be achieved by means of simple, self-explanatory formats that can feasibly be used in the long term.

G.99.    Structured documents, with added metadata, in standard formats should be drawn up and made widely available and various display formats should be developed to make it easier to find relevant documents and document sections containing the information sought.

G.100.  Local, regional, national and international document formatting standards should, as far as possible, comply with common guidelines, and be based on and, if necessary, customise existing international standards as proposed by such standardisation bodies as the United Nations and the European Committee for Standardisation (CEN).

G.101.  In addition to standard formats available at local, regional, national and international level, interchange formats should be used to identify similarities in documents regardless of terminology.

G.102.  Document format and technical terminology standards should be designed to increase the durability of documents and intellectual resources, regardless of current technology and restrictions stemming from intellectual property rights and patents.

When embarking on or improving electronic democracy, stakeholders should consider using the following guides/tools which are available at www.coe.int/democracy:

Indicative guides for the implementation of e-democracy

>    No. 1:   Generic tools and policies for an electronic democracy

>    No. 2:   A roadmap approach to e-democracy

>    No. 3:   A checklist for the introduction of e-democracy tools

>    No. 4:   A framework for reporting e-democracy initiatives

>    No. 5:   Evaluating e-democracy

>    Glossary of technical terms in the field of electronic democracy