E-Governance in Ukraine: Effective Governance for Citizens
This publication has been prepared in the course of implementing the UN Development Programme “Municipal Governance and Sustainable Development Programme” Project.

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The publication describes the experience of the UN Development Programme “Municipal Governance and Sustainable Development Programme” Project for support of partner cities’ initiatives in implementation of information and communication technologies in the operation of local authorities, analyses the trends of electronic governance development in local self-government, as well as informational, communicational, and legal regulation of e-governance support in Ukraine, and determines the Ukrainian cities’ recommendations for formation of a favourable environment for its further development.

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1. The legal basis for the implementation of e-governance
Introduction

According to the United Nations E-Government Survey 2010, Ukraine is on the 54th place of 184 countries by e-governance development index. This index evaluates how ready the national governments are to use the Internet and mobile technologies for government functions. The index takes into account the amount and quality of services provided by state agencies via the Internet, telecommunications infrastructure, and the personnel qualification (human resources).

Ukraine had long been a centrally governed country, where the citizens had no opportunity to influence the decision making process. Given the experience of centralized non-transparent governance, involving citizens at the local level is critical today.

Today the local government bodies of Ukraine are at the initial stage of implementing e-governance and e-documentation elements. The office automation works carried out by separate local authorities lack coordination and funding. The automation issues are generally paid insufficient attention by the senior officials.

At the same time, 27% of Ukrainians (10.2 million) have Internet access (according to the 2009 study by GFK). The number of Internet users is rapidly growing in small cities with less than 50 thousand residents and among middle aged people. Therefore, electronic governance has good prospects for wider involvement of local communities into the decision making process at the local level.

According to Recommendation 19 “Participation of Citizens in Local Public Life” approved by the Council of Europe in 2001, local self-government must adhere to the principles of democratic participation at the local level. This document states that local self-government bodies must provide citizens with equal access to clear and complete information on the issues relevant for the community, and enforce the community members’ rights to express their opinions on the most important decisions that will impact their future.

In such circumstances, Ukrainian city councils have an opportunity to obtain support from the UN Development Programme in Ukraine “Municipal Governance and Sustainable Development Programme” project (UNDP/MGSDP) by developing their potential using modern information and communication technologies.

The project is being implemented in Ukraine since April 2004, aiming to improve the quality of life in cities by promoting local self-government and engaging communities in the decision making process at the local level. It is the information and communication technologies that facilitate the citizens’ access to the information on the activity of city councils, as well as to the important information in the spheres of local self-government, joint governance, sustainable development, investments, etc.; therefore, they are one of the tools for engaging local communities in municipal governance.
Some of the specific activities in this direction include creating official web pages for Project partner city councils, conducting analytical studies on the subject, organizing intermunicipal training events and experience sharing conferences, and work at legislation and policy level.

This publication presents a study conducted with the Project’s support by national experts, an analytical article on the Project’s experience in creating official web pages of partner city councils, and the recommendations of the “E-Governance in Ukraine: Effective Governance for Citizens” forum held in Lviv on 18-19 November 2010.
1. The Notion of E-Governance

At the first glance, electronic governance may seem to be a mere tool which meets the new needs of the society experiencing the consequences of another industrial revolution brought about by the wide adoption of microprocessors and networks. Therefore, if the network is merely a tool, it will not radically change the state or the society itself. However, it may improve the interaction between citizens and state institutions will be closer to optimum, similarly what is happening in the course of business environment management automation.

In the Western countries, the concept of electronic government, or e-government, does not always have the same connotation. At first it used to mean a futuristic government of “electronic citizens”, regulating the operation and safety of an electronic information network in general, specifically including electronic trade. Today e-government is a much broader concept than just “electronic state governance”, which is use of modern technologies, including internet technologies, by state government bodies. The modern understanding of e-government covers not only the network infrastructure of executive power, but the whole government bodies’ infrastructure in general. It is probably worth to use such terms as “electronic state”, “electronic state mechanism”, “information society state”, or “electronic governance”, which would refer to the state network information infrastructure as an information and communication system ensuring optimal operation of all branches and levels of state government and management from the society’s point of view.

Therefore, the definition of “electronic governance” is formed by experts based on different principles. Some authors prefer descriptive definitions, naming the specific changes happening in the society and its separate structures due to the adoption of electronic governance. Others pick the applied aspect of e-governance, simply listing the various spheres of application of its separate instruments. There are also short technical definition, focusing attention exclusively on the use of technological solutions and specific software products, as well as economic definitions, aimed at maximum efficiency of state government. All of these principles are valid, as they reflect specific aspects of e-governance in their own ways.

To sum up the various definitions of this concept, by “electronic governance” we understand a way of state government organization using local area information network systems and segments of the worldwide information network, which provides for real-time operation of certain services and makes a citizen’s everyday interaction with governmental offices as simple and accessible as possible.

In practice this means organizing the state governance and interaction with individuals, legal entities, and public organizations by maximizing the use of modern information technologies in public administrative offices. Thus, e-governance presupposes that any individual may use information and communication means to apply to the state and local authorities in order to obtain the necessary information, and, most importantly, to receive
administrative services. For example, a person may, without leaving his or her computer, perform any transaction with a governmental office (register a legal entity or a land plot, certify a contract of purchase and sale or lease, etc.), losing as little time and other resources as possible, which, among other benefits, allows to spare budget administrative costs.

E-governance system consists of two projects (subconcepts), interdependent and autonomous at the same time: the internal governmental information infrastructure, similar to a corporate network, and the external informational infrastructure interacting with individuals and legal entities. The framework of an electronic state includes integration of the governmental bodies’ informational resources, providing access to them, and creation of a system of online services (including those having money value).

No simple model of e-governance exists at the moment. There is only a collection of general requirements, which may justifiably be expected from an information age government by citizens and businesses that provide and receive services. Different groups of users are similar in their desire to obtain more efficient means of access to information in order to reduce the transaction cost for themselves and their partners, and to make the interaction with state offices as simple, fast, and comfortable as possible.

The problem of cooperation between the government and the citizens is of special importance, because the rapid decrease in communication and computing costs creates favourable starting conditions to transform the life conditions of most people. For the new services based on modern technologies to meet the requirements, it is necessary to:

- ensure the availability of services in the locations where they are needed;
- use a wide range of media to provide services, including call centres and online systems;
- segment the market, considering the special needs of various population groups;
- ensure feedback regarding the content and quality of the services provided;
- provide for grouping of services targeted at various occasions;
- ensure comprehensive analysis of information on different models of use of the services; and
- engage users in redesigning and improving the services.

The model of e-governance itself must be based on the premise that transition from traditional forms of interaction between the government and the citizens to digital ones must create for social inequality. The government undertakes to reduce the digital technologies-related stratification of the society. To achieve this goal, it is resolute in its policy of promoting computer literacy, creating training centres, and improving the conditions for professional improvement of information technologies personnel, particularly by providing access to the national training network and network library. Overcoming the digital barrier, however,
involves more than just the improvement of the so-called electronic literacy of the population and resolution of information accessibility issues.

The state offices’ primary objective will be to release their employees from routine procedures in the course of interaction with people, and to provide the employees with the knowledge and equipment necessary to successfully function as the link between the government and citizens.

Therefore, while creating an e-governance module, one needs to consider the benefits for three parties: the citizens (consumers), private business entities, and state institutions. They all need to interact with each other, and the e-governance model must be aimed at meeting and satisfying each party’s interests.

In order to turn electronic governance into reality, several conditions will have to be met:

- any service and any information must be available in the electronic form on the Internet as a web service, so that actual Internet-based state services networks can be created;
- web services must be easily combinable into clusters, allowing developers to quickly and efficiently create integrated applications by using open technologies; and
- web services must be easy to use and understand, making it easy for the users to obtain new applications and services.

Success of these efforts will be ensured when the state bodies are able to establish partnership relations with private companies that have secured their standing in the Internet. This will help establish online contacts with citizens and companies, creating various types of complex networks to provide integrated state and private services.

Having considered the foregoing, one can see that e-governance is closely connected to the phenomenon of electronic democracy, which reflects the ability of each person to participate in the formation and implementation of state policy and state authorities’ decision-making process using information technologies for bilateral interactive communication with the state (governmental bodies) and citizens.

The essence of electronic democracy lies in the use of information technologies to facilitate democratic processes, given the existence of representative democracy. The purpose of electronic democracy is to create a foundation for public participation in the process of making state decisions, influence the state policy-making process, and increase the governmental bodies’ transparency and accountability to the citizens. Electronic democracy includes electronic elections as an element of representative democracy. Thus, electronic governance cannot exist without electronic democracy, and visa versa. The prerequisites for these phenomena are the existence of a democratic society and a law-governed state.

What are the consequences of implementing e-governance? First of all, it is the transparency of public administration’s actions, conservation of time and materials, and
higher quality of administrative services. Besides, one can mention the following as the results of e-governance implementation: providing access to public information by means of modern information technologies; release of the officials from routine work; depersonification of the citizens’ and business entities’ relations with state officials; creation of a single “contact point” for the citizens and state structures; possibility to obtain administrative services round-the-clock; and increase of the society democratization level.

Therefore, it can be seen that e-governance is capable of changing the very nature of government, making it more transparent and accountable to the public; e-governance creates favourable conditions for normal development of business, improvement of investment climate, and economic growth, and ensures actual participation of the citizens in political processes.
2. Information and Communication Support for E-Governance Implementation

Creation of information and telecommunications networks matches the spirit of building an information society. Formation and use of information resources is one of the key issues in the creation of a joint information space. The formation of Information resources in general results from the activity of state and local authorities as well as that of governmental and non-governmental enterprises, science, education, and public organizations. It includes information and knowledge as well as the linguistic means used for description of a specific subject area and for access to information and knowledge. In the course of formation and use of information resources, information is collected, processed, stored, searched, and retrieved upon requests or based on regulations.

Wikipedia defines *information and communication infrastructure* as a complex of diversely located state and corporate information systems, communication lines, data networks and channels, means of communication and information traffic management, as well as organizational structures, legal and regulatory mechanisms ensuring their effective operation (http://uk.wikipedia.org).

An information telecommunications system as a control system is closely connected with information storage and retrieval systems, as well as with the systems ensuring information exchange during the control process. It covers the complex of means and techniques allowing the user to collect, store, transfer, and process the selected information. Information systems exist since the emergence of society, which requires management at every stage of its development. The mission of an information system is to produce information required for organization and efficient management of all of its resources, creating an informational and technical environment for management of its operation. An information system may exist without computer equipment; this is a matter of economic necessity.

In any management information system, three types of tasks are to be solved:

- situation evaluation tasks (sometimes referred to as pattern recognition tasks);
- situation description transformation tasks (calculation and modeling tasks); and
- decision making tasks (including optimization tasks).

Information and communication systems include technical means of data processing, software, and appropriate personnel. The internal informational basis is formed by four components:

- information commitment and collection means;
- appropriate data and message transfer means;
- information storage means; and
- information analysis, processing, and representation means.
The diversity of information systems is growing year after year. Based on their functional purpose, the following systems can be identified: control systems, design systems (CAD), scientific research systems (automated research systems, expert systems), diagnostic systems, modeling systems, decision support systems; depending on their application, the systems can be grouped into administrative, economic, production, medical, teaching, ecological, forensic, military, and other systems.

Modern informational society development concepts are based on the analysis of specific market opportunities, governmental bodies, information industry, and consumers’ demands, and orient the state for coordinated actions aimed at the optimal use of benefits. Such benefits are provided by the modern information technologies for economic and social development; at the same time it is possible to take measures for neutralization of their destructive impact on employment, culture, and social values, as well as measures for formation of adequate conditions for the regulations that have changed.

The development of the informational society stimulates countries and state authorities to adopt the concept of an electronic government. Electronic government is not simply a technological solution, but a concept of state governance as an element of a large scale transformation of the society.

E-governance system consists of two subsystems, interdependent and autonomous at the same time: internal information infrastructure, similar to a corporate network, and external informational infrastructure (portal) interacting with individuals and organizations. This model includes integration of the governmental bodies’ informational resources, providing access to them, and creation of a system of online services (including those having monetary value).

The internal information infrastructure consists of the telecommunications environment, integrated systems for information resources management and electronic document circulation, automatic information processing management systems, external communications and information protection systems of the respective national and local authorities, institutions, and organizations. This infrastructure ensures vertical and horizontal information interaction between national and local authorities, organizations, and institutions, providing for integration and development of the existing software, hardware, and communication systems, and creation of new ones, as well as for improvement of analytical and informational support, software, and other parts of all components based on the same methodological foundations.

Informatization of the bodies of national and local governments has been and remains aimed mainly at increasing their own efficiency, which has led to the creation of a significant number of department-level or branch-level local and territorial automated information and management systems, typically intended to satisfy the informational needs of a limited number of users. The adoption of new information technologies failed to demonstrate the expected results.
The formation of Ukraine's joint informational space will allow for a significant increase in efficiency of all branches of power by increasing the information support level of their activity based on the use of all accumulated information and a more dynamic organization of informational interaction in the process of solving complex society management problems.

In spite of all their shortcomings, the management information systems of the governmental offices may become the foundation which will support the formation of state information resources. This requires complex organizational and technical issues to be solved, issues connected with ensuring coordinated formation and maintenance of state information resources by ministries and departments in order to provide the necessary conditions for their integration and reduction of costs in all types of resources. This primarily concerns the government bodies possessing developed and geographically distributed infrastructures intended for collection of information throughout the territory of Ukraine and further processing of such information in the interests of central and local government bodies, as well as all organizations and citizens of Ukraine. The task is to determine the procedure of interaction between various ministries and departments which would ensure efficient use of the information and means for its processing and distribution that are already available for them.

Creation of the country’s national telecommunications network has to play an important role in the formation of a joint information space. It will allow joining diverse networks, systems, and communications complexes, thus providing users with access to the respective geographically diverse information resources and information exchange in the forms of data transfer and e-mail. Such telecommunications system being created in a market economy, a significant place can be taken by commercial systems and networks. Besides, creation of primary communications channels and networks should precede the formation of telecommunications networks.

Information and communications support can be illustrated by the project (idea/concept) of an integrated information and analysis system.

**National and Local Government Bodies’ Integrated Information and Analysis System Architecture**

The integrated information and analysis system (IIAS) is a multilevel, diverse, global organizational and technical system, constructed based on territorial, departmental, and functional principles. Its primary territorial and departmental structural units are the information and analysis systems (IAS) of the respective national and local governmental bodies, as well as the IIAS control centre. IASs may have diverse structures, appropriate for the specific regional features or sector infrastructure. Infrastructure of the IIAS ensures vertical and horizontal informational interaction between national and local government bodies, providing for integration and development of the existing software, hardware, and communication systems of national and local government bodies’ IASs and creation of new
ones, as well as improvement of analytical and informational support, software, and other parts of all IIAS components based on the same methodological foundations.

The main components of the IIAS are a telecommunications environment, integrated systems for information resources management and electronic document circulation, information analysis management systems, external communications and information protection systems.

During the IIAS operation, the control centre will function in the following areas: collection and management of state information resources’ information, operational and regulatory information, and classifiers; current and retrospective informational analysis; systematic and analytical activity for organization of decision approval processes (document circulation and everyday internal activity support, protection of national and local governmental bodies’ IAS data, and technological support of the information and analysis centre operation).

The integration and communication features of the IIAS in the control centre are implemented by the integration and communication component, performing the connection function and providing for integration into the IIAS. Its primary functions include the support of IASs’ access to the IIAS telecommunications environment and information resources; interaction with other IAS; use of the Internet and connections with international information systems and data banks; distribution of analytic computation technologies; and IIAS information protection.

IIAS control centre performs the following tasks:

- management of access to the distributed data bank of state information resources created by the centre;
- management of data exchange between national and local government bodies’ IASs;
- management of electronic document circulation between national and local government bodies’ IASs;
- development of the single methodological foundation of analytic computation technologies;
- analytic research in intersectoral fields;
- IIAS telecommunications environment management and support;
- management of interaction with international systems and data banks;
- IIAS information protection system management and support;
- network address management and updating;
• key distribution management and coordination thereof with the national government body’s authorized official;

• corporate mail management and support; and

• support for IIAS development processes.

During the IIAS operation, the interaction of separate IASs is initiated using current information exchange regulations, initiative information measures (teleconferences on general and complex problems, messaging, etc.), capabilities of search for potential information sources in the IAS environment using the state information resources metabase.

**Information resources supply for IIAS**

Structured and ordered information exists in IIAS in the form databases and data repositories of national and local governmental bodies of various levels and purposes, joined together in the distributed IIAS architecture by creation of information resources metabase and registry. The metabase contains the users’ data profiles (information interest description), national and local governmental bodies’ database certificates and indices, navigation and search mechanism, converters for information of various types and in different languages. These elements allow to unambiguously locate the information and identify the information and access types.

The primary objectives of the metabase are as follows: formation of metadata bases and maintenance of a reference and navigation mechanism based on indices, thesauri, and dictionaries for quick information search; information resources access control; data conversion (into a common format) for related tasks. The IIAS implementation process presupposes development of a single set of rules for information structuring and encoding, as well as common methodological approaches for use and choice of information retrieval languages for queries and text document indexing. The information service will use a free access mode, restricted access mode, and custom access mode, as well as advanced linguistic support.

For the use of information resources, the IIAS project has to be supplied with an integration component, integrated information resources management system, with a three-tier architecture: client – applications server – data server.

In the course of national and local governmental bodies’ integrated information and analysis system, special attention is paid to ensuring electronic document circulation. In the state, document circulation is a system embodying the processes of information collection, transformation, and storage, as well as control processes, such as decision preparation, making, and execution control.

The interface of an integrated electronic document circulation system must be harmonized with the existing internal electronic document circulation systems of the national and local governmental bodies. Besides, such system must provide for receipt of electronic
documents from other national and local governmental bodies, sender identification by electronic digital signature processing, confirmation of receipt by the addressee, sending of electronic documents to other governmental bodies, and document databases access from other governmental bodies.

Corporate e-mail, which will ensure receipt of electronic documents and provide access to IIAS document databases, should become an important element of IIAS’s electronic document circulation support. The corporate e-mail system must in a timely fashion provide the government officials with all necessary information within their competence and authority. It also must support the joint operation of different programs functioning in remote offices and ensure execution quality. Therefore, the basic software for corporate e-mail system engineering must be reliable, scalable, and user-friendly.

Providing the higher governmental offices with analytically processed information resources requires the IIAS to manage analytic computation processes and integrate the obtained intermediate results into final ones. For each analytic task, this process is managed according to a previously designed computation model.

The IIAS telecommunications network must consist of a network core and access network. The network core is a powerful backbone based on digital communication lines with bandwidth of at least 2 Mbit/s, providing quick packet switching and flexible data flow routing (network core connection would be reasonable for national governmental bodies located in Kyiv and having the highest information flow). The access network provides connection to the network core for regional governmental bodies.

The Internet system in the national and local governmental bodies’ IIASs is used for access to the universal information resources space (the World Wide Web) and as an Electronic Government information system tool for rapid information exchange and reporting their activity to the citizens via the respective web pages. Besides, it is used as the governmental bodies’ means of interaction with the citizens while adopting new legislation, for electronic referenda, electronic payments, etc. Internet must be used in the IIAS in accordance with the regulations on protection of state information resources in data transfer networks.

In the course of development and stage-by-stage implementation of the Electronic Government information system, the following information resources management tasks will be solved: creation of information resources necessary for state governance and enforcement of various citizen groups’ constitutional rights to state information services; ensuring effective use of state information resources in the operation of national and local governmental bodies and state institutions; providing citizens and organizations with free access to information resources in accordance with the current Ukrainian legislation; development of an adequate legal and regulatory basis; coordination of sectoral and regional state structures for formation and use of state information resources, determining the procedure and terms of their use; registration and tracking of state information resources; composing information on contents and terms of use of information resources, and making it available to the general public; determining the powers and obligations of national and local governmental bodies,
enterprises, organizations, departments, and specific officials regarding the formation, protection, and use of state information resources; determining the scope of state information resources required at each state governance level in order to ensure the formation, submission forms, collection, input, storage, processing, use, status monitoring and correction of information resources; and protection of state information resources with supervision of their integrity and use.
3. Legal Regulation of E-Governance Implementation and Operation

The National Informatization Programme Concept underscores that an information and telecommunications system of government bodies will allow providing the general public, state and commercial organizations, and foreign users, with a wide variety of information services 1.

The Order of the President of Ukraine “On measures for development of the national component of the Internet and ensuring general availability of this network in Ukraine” specified the ideas on the ways to ensure provision of information services by governmental structures. In particular, the following measures were defined as primary objectives for the development of the national component of the Internet and ensuring general availability of this network in Ukraine:

- expansion and improvement of objective political, economic, legal, ecological, scientific and technological, cultural, and other information about Ukraine formed in the national and local governmental bodies and presented in the Internet; and
- state support for the development of Internet-based information services infrastructure.

Besides, the President ordered to establish a procedure for publication of information on activity of the national governmental bodies of Ukraine, and to finish the development of websites by the central executive bodies, Council of Ministers of the Autonomous Republic of Crimea, oblast state administrations, and city state administrations of Kyiv and Sevastopol 2.

The implementation of e-governance technologies was further stimulated by the Order of the President of Ukraine “On additional measures to ensure transparency of state government bodies operation”. The order obliged the national and local governmental bodies to have websites and publish official information on operation of the respective bodies, performance of programmes and plans, execution of effective and cancelled regulations, forms and sample documents, archive information, etc., in a timely fashion (within five working days) 3.

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1 Law of Ukraine “On the Concept of the National Informatization Programme” (Про концепцію Національної програми інформатизації)
2 Order of the President of Ukraine “On Measures for Development of the National Component of the Internet and Ensuring General Availability of this Network in Ukraine” (Про заходи щодо розвитку національної складової глобальної інформаційної мережі Інтернет та забезпечення широкого доступу до цієї мережі в Україні) of 31 July 2000 No. 928/2000.
In 2002, the Cabinet of Ministers approved the Procedure for publishing information on executive bodies’ activity on the Internet, which required the ministries and other central and local executive bodies to publish and regularly update departmental information on their websites, provided for creation of a joint Government Portal, and determined the scope of and requirements to the information to be published.

In order to develop the provisions of the said order, the Cabinet of Ministers of Ukraine passed a regulation creating the “Electronic Government” electronic information system, which, in fact, became the first specific regulation on implementation of e-governance technologies. One of the priorities for development of an information society designated by this regulation was the provision of information and other services to individuals and legal entities by means of Electronic Government electronic information system, which is supposed to ensure informational interaction of executive bodies with citizens, legal entities, and each other based on modern information technologies. The joint portal of executive power bodies was designated as the primary mechanism for implementation of this objective. The portal is defined by the central part of the Electronic Government information system, designed for integration of websites, electronic information systems, and executive bodies’ resources, and rendering of informational and other services using the Internet.

The Cabinet of Ministers of Ukraine Regulation “On measures for creation of Electronic Government information system” obliged all national and local executive bodies to provide individual citizens and legal entities with general purpose information services via Electronic Government Information system. This document ordered the State Communications Administration, State Committee for Information Policy, Ministry of Economy, Ministry of Finance, Security Service of Ukraine, Ministry of Justice, and other central executive bodies to “compile and approve the list and procedure for rendering of informational and other services using the Electronic Government information system”.

The Order of the President of Ukraine “On primary objectives for implementation of modern information technologies” was issued in 2005. According to this Order, the Cabinet of Ministers of Ukraine was to:

- arrange the rendering of administrative services based on Electronic Government information system to legal entities and individuals; and

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simplify the state registration procedure of business entities in the sphere of information and their reporting, create the conditions for customs clearance of goods, and implement the system for receipt and issue of respective documents using Internet and electronic digital signature.

The legal basis for further improvement of the national policy concept for adoption of information and communications technologies in all spheres of social life was created by the Law of Ukraine “On the Basic Principles for the Development of an Information-Oriented Society in Ukraine for 2007–2015”, adopted on the 9 January 2007 in order to improve the state governance, relations between the state and citizens, and establishment of electronic forms of interaction between the national and local governmental bodies and individuals and legal entities, which prescribes, in particular, the following:

1) to institute mechanisms for the provision of information services to legal entities and individuals with the use of the Internet by national and local government bodies, appropriately amending the legislation;

2) to identify the status and the list of mandatory electronic services that shall be provided by national and local governmental bodies to legal entities and individuals, providing for implementation of the “single point of contact” principle; and

3) to take additional measures aimed at creating favourable conditions for the provision of services using information and communication technologies, particularly to individuals requiring social assistance and rehabilitation.

One of the priorities designated by this law is the increase in funding for the National Informatization Programme (hereinafter referred to as “NIP”) and placement of all informatization projects funded by the State Budget of Ukraine within its scope.

In order to meet the requirements to legislation concerning adoption of e-governance and improve the mechanisms of NIP formation and implementation, six regulations were developed to improve the NIP formation and implementation mechanisms, make the informatization processes more effective, and increase the efficiency of government bodies’ informational interaction:

1) Cabinet of Ministers of Ukraine Regulation No. 912 of 16 October 2008 “On the Chief of National Informatization Programme” appoints the NIP Chief for control and supervision over the NIP formation, implementation, and correction processes;

2) Cabinet of Ministers of Ukraine Regulation No. 294 of 2 April 2009 enacted the new revision of the Procedure for expert assessment of the National Informatization Programme and its specific tasks (projects), which included additions to the principles of expert assessment, improved the requirements to the organization of NIP expert assessment works, specified the expert assessment objects, participants, and principal directions, and identified the main requirements to the experts’ work and conclusion preparation;
3) Cabinet of Ministers of Ukraine Directive No. 366-r of 10 June 2009 “On approval of tasks (projects) of the National Informatization Programme for 2009, their state contracting authorities, and amounts of funding” defined the list of national importance project, which should produce the following main results: analysis of the software market and impact thereon of adoption of free software in Ukrainian national government bodies; measures for implementation of the National System of Information Society Development Indicators and a complex of methodological documents and practical recommendations for monitoring of the development of information society based on the created system of indicators; and conclusions on compliance of the National Informatization Programme tasks (projects) with the state priorities in the sphere of informatization, as well as with the modern informatization level and development trends in the world;

4) Cabinet of Ministers of Ukraine Regulation No. 738 of 17 July 2009 amended the Cabinet of Ministers of Ukraine Regulation No. 160 of 4 February 1998 “On measures for increase of supervision over the substantiation of projects for informatization of central executive bodies’ activity” aimed at harmonization of the existing legislation and regulations with the new regulatory and organizational documents, regulating the relations of NIP participants;

5) Draft Regulation of the Verkhovna Rada of Ukraine “On approval of the National Informatization Programme for 2009–2011” was developed and submitted for Verkhovna Rada’s examination (registry number 3286 of 26 June 2008). It is intended to implement the single state policy in the informatization sphere and provide for the creation and implementation of the elements of Ukraine’s national information infrastructure; it is also intended to create the conditions for the state’s social and economic development;

6) Draft Regulation of the Cabinet of Ministers of Ukraine “On amendment of the Cabinet of Ministers of Ukraine Regulation No. 121 of 04 February” was developed, approved by the interested offices, and submitted to the Ministry of Justice for legal expert assessment. This Regulation is intended to increase the coordination, organization, and general efficiency level of formation and implementation of the state policy and state governance in the informatization sphere by controlling and supervising the NIP formation, implementation, and correction processes.

The most significant achievement of Yulia Tymoshenko’s government was the pilot project for implementation of e-governance technologies in the national and local government bodies. The following issues have been designated as the project’s primary objectives:

- functioning of electronic document circulation;

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* Cabinet of Ministers of Ukraine Directive “Issues of Implementation of the Pilot Project for Adoption of Electronic Governance” ("Питання реалізації піilotного проекту впровадження технологій електронного урядування") of 01 March 2010 No. 360-r.
• ensuring permanent storage and protection of electronic resources;
• development of standard electronic document formats and electronic digital signature;
• development of the temporary regulations on electronic document circulation;
• development and implementation of software and hardware to ensure compatibility between the government bodies’ electronic document circulation systems;
• creation of a national registry of electronic information resources and a backup licensed key certification centre for the government bodies;
• introduction of the technology for the rendering of executive bodies’ administrative services via Internet; and
• creation of a national centre for e-governance support based on State Information Resources Centre state enterprise, and creation of a separate portal.

Besides, the perspective of implementation of an electronic system for state registration of business entities appears to be near at hand. In particular, a government’s bill adopted by the parliament at the first reading, provides, that:

• the state registrar shall make an electronic document description on the electronic documents received for a registration act, and sends it by an electronic document to the applicant (in case there are grounds to refuse state registration, the applicant is sent an electronic message);
• the procedure for submission and flow of electronic documents to the state registrar shall be approved by the appropriate central executive body (this was previously done by the State Committee for Regulatory Policy and Entrepreneurship);
• state registrar must make electronic copies by scanning the documents submitted on paper;
• electronic documents, except for the documents certifying the powers of an authorized person, shall be certified by the applicant’s electronic digital signature;
• applicant’s electronic document receipt confirmation shall be sent by the state registrar automatically within 24 hours; and
• the enterprise shall be responsible for protection of electronic data.

Among the measures for implementation of e-governance one can identify separate spheres of regulation at the level of the government and central governmental bodies.

**Adoption of electronic document circulation and electronic digital signature**

The interest for the problem of adopting electronic documents and electronic document circulation in Ukraine is growing. This problem has gained significant political and economic importance due to the increasingly wide use of information and communications technologies in the social relations and development of electronic payments and electronic trade systems. While the Civil Code (adopted in 1963, with further amendments) contained many restrictions on the use of electronic documents, the 2003 Civil Code allowed them to be widely used in civil legal relations. The civil legal relations using digital technologies received a significant impetus after the 2003 adoption of the Laws of Ukraine “On electronic document and electronic document circulation”\(^\text{10}\) and “On electronic digital signature”\(^\text{11}\). These laws determine the basic concepts and requirements to the execution of electronic documents and the general foundations for electronic document circulation, define the concepts, features, legal status, and components of a digital signature, qualify the concepts of and requirements to digital signature key certificates and terms of use, security measures, and general principles of operation for key certification centres.

The Government of Ukraine is paying attention to the measures for electronic document circulation technologies implementation. One of the main regulatory documents concerning these issues is the Standard Procedure for Electronic Document circulation in Executive Bodies\(^\text{12}\). This procedure sets the general rules for electronic documentation of management activity in the executive bodies and regulates the actions to be performed with electronic documents from the moment they are created or received till they are sent or transferred to the executive body’s archive.

All other operations with electronic documents are performed at the executive body as prescribed by its instructions on operations with paper documents. The Standard Procedure covers all electronic documents created or received by an executive body.

This sphere is also regulated by the following documents:

- Procedure for certification of existence of an electronic document (electronic data) at a certain point of time\(^\text{13}\);

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\(^\text{10}\) Verkhovna Rada Bulletin (Vidomosti Verkhovnoi Rady), 2003, No. 36, p. 275.

\(^\text{11}\) Verkhovna Rada Bulletin (Vidomosti Verkhovnoi Rady), 2003, No. 36, p. 276.


\(^\text{13}\) Cabinet of Ministers of Ukraine Regulation of 26 May 2004 No. 680 “On Approval of the Procedure for Certification of Existence of an Electronic Document (Electronic Data) at a Certain Point of Time” (“Про затвердження Порядку засвідчення наявності електронного документа (електронних даних) на певний момент часу”)
- Procedure for electronic digital signature use by national and local government bodies and state-owned enterprises, institutions, and organizations;\(^\text{14}\)

- Regulation on the Central Certification Authority\(^\text{15}\) (CSA), entrusting the supervision over the CSA to a specially authorized central executive body in the sphere of cryptographic information protection. The regulation defines the creation procedure, functions, and powers of the CSA, as well as the specific features of special enhanced key certificates usage (cancellation, blocking, and renewal);

- Procedure for accreditation of the Key Certification Centre\(^\text{16}\) (KCC), requiring KCC to be a legal entity of any ownership form or a natural person registered as a business entity, which renders electronic digital signature services and has certified its public key with the central certifying authority or certification centre; it determines the accreditation conditions and rights and obligations of accredited KCCs; and

- Electronic digital signature application procedure\(^\text{17}\), setting the requirements to the application of electronic digital signatures. In particular, government authorities use their electronic digital signatures on condition that reliable electronic digital signature means are used, as confirmed by a certificate of conformity or a positive conclusion of the cryptologic information protection state expert assessment obtained from the State Special Communications Administration for such keys, and that its signatories have enhanced public key certificates. The government bodies apply electronic digital signature for legal transactions with participation of other legal entities or private individuals only if the latter have enhanced public key certificates. It defines the conditions prohibiting the use of a digital signature, determines the officials responsible for organization of work with the electronic signature, and sets the requirements for digital signature authentication.

Electronic digital signature implementation processes have recently been active in the taxation system, in particular under the State Tax Administration of Ukraine Order “On
implementation of electronic documents, electronic document circulation, and electronic
digital signature in the tax returns system”18.

**Rendering of Informational and Other Services**

In pursuance of the Cabinet of Ministers of Ukraine Regulation No. 208 of 24 February
2003 “On measures for creation of Electronic Government information system”, the State
Committee of Ukraine for Communication and Informatization has approved the List of
informational and other services of the Electronic Government information system19.

The list has four main sections of services: for citizens, for state officials, for legal entities,
and for international community representatives. As any other classification, this list of
governmental services is imperfect. For example, certain industry-specific services are not
provided for legal entities, no services related to land ownership right are included, etc. The
document does not specify the contents of separate services.

Based on the abovementioned List, executive and local government bodies approved
lists of their own services by their own regulations. For example, the State Committee of
Ukraine for Housing and Public Utilities issued an order approving the List of information and
other services of the Electronic Government Information systems rendered to individual
citizens and legal entities by the State Committee of Ukraine for Housing and Public Utilities
in the Internet20. The Ministry of Construction of Ukraine has issued a similar order21.

An important principle for complex service of individual citizens and legal entities by
government bodies is the “single point of contact”, or “one-stop shop” principle. According to
this principle, all certificates from executive authorities necessary to render an administrative
service to a specific individual or legal entity are to be provided and obtained by the
executive body applied to for the service. In order to put this principle into practice,
informational cooperation between different executive bodies needs to be organized. Several
documents exist to regulate the issue of executive bodies’ cooperation. Among them is the

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19 State Committee of Ukraine for Communications and Informatization of 15 Aug 2003 No. 149 “On Approval of the List and Procedure for Rendering of Informational and Other Services Using the “Electronic Government” Information System” («Про затвердження Переліку і Порядку надання інформаційних та інших послуг з використанням електронної інформаційної системи «Електронний Уряд»).
20 State Committee of Ukraine for Housing and Public Utilities Order of 16 Feb 2004 No. 31 “On Approval of the List of informational and Other Services of the Electronic Government Information System Rendered to Individual Citizens and Legal Entities by the State Committee of Ukraine for Housing and Public Utilities in the Internet” («Про затвердження Переліку інформаційних та інших послуг електронної інформаційної системи «Електронний Уряд», що надаються громадянам і юридичним особам Держпитомокомунгостом України через мережу Інтернет»)
21 Ministry of Construction, Architecture, Housing and Public Utilities of Ukraine Order of 5 July 2006 No. 227 “On Approval of the List of informational and Other Services of the Electronic Government Information System Rendered by the Ministry of Construction in the Internet” («Про затвердження Переліку інформаційних та інших послуг електронної інформаційної системи «Електронний Уряд», що надаються Мінбудом України через мережу Інтернет»)
Procedure for executive bodies’ cooperation for exchange of information necessary for calculation and collection of land fees approved by The Cabinet of Ministers of Ukraine\(^22\). This Procedure prescribes the mechanism for exchange of information necessary for calculation and collection of tax and rent in respect of land in state and municipal property (hereinafter referred to as information exchange) between executive bodies in both written and electronic forms.

Another example is the Procedure for cooperation of information exchange participants in provision and use of details from the Single State Registry of Legal Entities and Individual Entrepreneurs\(^23\). This Procedure regulates the procedure and terms of exchange in information (messages) on acts of incorporation and registration/de-registration of legal entities and individual entrepreneurs. The information exchange process participants are:


- at the regional level: state registrars, State Committee for Regulatory Policy and Entrepreneurship, regional and district offices of the State Tax Service, district (interdistrict) and city executive directorates of Temporary Disability Social Insurance Fund departments, district and region-level city departments of the Job-Related Accidents and Diseases Social Insurance Fund Executive Directorate, offices of the Executive Directorate of Compulsory State Social Unemployment Insurance Fund, and central regional directorates of the Pension Fund of Ukraine.

Even the mere list of information exchange process participants shows the scale of works to be done in order to create the regulatory documents for efficient implementation of the said process.

In order to render services using e-governance technologies, some executive bodies have been issuing regulations to support these processes. As an example, one may consider the State Customs Service of Ukraine. As early as in 1996, the State Customs Committee adopted the Regulation on Electronic Information in the Customs System of Ukraine\(^24\). Its

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\(^22\) Cabinet of Ministers of Ukraine Regulation of 1 Aug 2006 No. 1066 “On Approval of the Procedure for Executive Bodies Cooperation in Exchange of Information Necessary For Calculation and Collection of Land Fees” («Про затвердження Порядку взаємодії органів виконавчої влади щодо обміну інформацією, необхідною для обчислення і спрацьовування плати за землю»).


\(^24\) State Customs Committee of Ukraine Order of 8 Feb 1996 No. 48 “Regulation on Electronic Information in the Customs System of Ukraine” (“Положення про електронну інформацію в митній системі України”).
primary objective was to formally classify the electronic customs information by its confidentiality level and rules of preparation, use, storage, and distribution, as well as the responsibilities of the officials who have the access to such information as it is processed and stored in the customs body.

In 2004, the State Customs Service of Ukraine initiated a trial of electronic declaration. The trial was supported by the Temporary Rules for Customs Control and Customs Clearance of Goods and Vehicles Declared Using an Electronic Cargo Customs Declaration25. It also regulated the use of electronic digital signature in electronic documents in accordance with the Law of Ukraine “On electronic digital signature” by agreement.

The rules set the general requirements regarding the terms of filling an electronic customs bill of entry (ECBE) and requirements to the computer information system processing the ECBEs, determines the procedure for declaration of goods and vehicles using ECBE, and indicates the conditions allowing individuals and legal entities to use the State Customs Service of Ukraine electronic declaration services for goods and vehicles.

Based on the trial results, the State Customs Service of Ukraine approved the Concept for Creation, Implementation, and Development of an Electronic Goods Declaration System26. The primary objective of the Concept is to speed up the commodities circulation, reduce the customs control time, and elimination of subjective factors from customs procedures by adoption of information technologies using electronic digital signatures. According to the State Customs Service’s Plan of measures for implementation of electronic declaration of goods27, the main part of Concept implementation took place in 2007.

One of the important tools for improvement of the economic situation and attraction of investments is the stock market, the development of which substantially depends on the accessibility of proper information by an unlimited number of people. To enable the investors and other interested parties to evaluate the efficiency of investment process management in the economy and to provide the conditions for fair competition between security issuers, the State Committee on Securities and Stock Market of Ukraine has approved the Concept of Information Disclosure in the Ukrainian Stock Market28.

This Concept states that the Ukrainian stock market information disclosure system must use the most popular of mass media, which is the Internet. Besides, it suggests to implement electronic digital signatures and electronic submission of regular information to the State Committee on Securities and Stock Market of Ukraine by the securities market participants.

25 State Customs Service of Ukraine Order of 15 Sep 2004 No.671 “On Experimental Use of Electronic Declaration” (“Про проведення експерименту з використання електронної форми декларування”).
The Concept’s provisions will be executed in accordance with the Regulation on the Procedure for disclosure of information in the Ukrainian stock market.

**Website Creation**

Since a website is the first prerequisite for implementation of e-governance technologies, according to the Procedure of publishing information on operation of executive bodies on the Internet, approved by the government, the government bodies specifically regulate the creation and operation of their websites. There are orders regulating the timely preparation of appropriate information materials of national, regional, or industry-level importance, as well as materials on significant events in the scope of their activity, and electronic submission thereof to be published on the web.

Examples are shown by the orders of the Ministry of Agrarian Policy of Ukraine, Ministry of Health of Ukraine, Ministry of Economy and European Integration of Ukraine, etc. Another example may be seen in the provisions of the Ministry of Finance of Ukraine “On Organization of Content Management and Operation of the Ministry of Finance of Ukraine Official Website”. This order created the List of information materials to be published on the official website of the Ministry of Finance of Ukraine. The list included diverse information of public interest.

As regards the content of the national government bodies’ websites, the Cabinet of Ministers of Ukraine instructed the central executive bodies to pay special attention to the organization of electronic document circulation and reporting, to place the electronic forms of reporting documents to be submitted by economic entities within a month’s term, and to ensure that they are updated. The Cabinet of Ministers also instructed the State Committee on Television and Radio to quarterly monitor the execution of the abovementioned instruction and to report it to the Government. The procedure for electronic reporting is to be approved by the State Informatization Committee, and the central executive bodies’ officials

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training program for electronic document circulation organization is to be jointly approved
by the State Informatization Committee and Chief Administration of State Service of Ukraine.
Provisions have also been made for necessity of the development of the draft concept of the
Law “On Electronic Government Information System”.

The analysis of the current state of the legislation on social relations for implementation
of e-governance technologies shows that the said legislation is fragmentary and incomplete;
it contains duplicating and contradictory regulations in this sphere.

E-governance is not merely a mechanical combination of information and
communication technologies with public administration. Therefore, the regulatory basis of
document management in state institutions must be appropriately adapted to the use of
computer technologies. The legal status of the information resources placed by
governmental bodies in computer networks, both for intradepartmental and public use, still
needs to be determined.

A significant amount of work needs to be done in the sphere of legal regulation of all
types of online services rendered to individuals and legal entities. Clear legal definition is
needed for the general terms on which such services are to be rendered, as well as specific
features for separate types; besides, the application procedure requires regulation and
standardization. Special attention is required to ensure legislative guarantees for rendering of
such services. The said standards and regulations must serve as the means for resolution of
conflicts between the government bodies’ vision of the due scope and quality of specific
public services and that of citizens and business operators. They must also determine the
government’s capabilities for the funding and representation of such services.

Settling the whole complex of legal issues related to the development of e-governance
plays an important role for the current stage of the administrative reform and for the
objectives of further harmonization of Ukraine’s public administration standards and
practices with the European ones.
4. E-governance in the Local Self-Government

The powers of state and local government bodies in Ukraine are currently fuzzy. The system of executive power and local self-government bodies, as well as, their departmental subordination, are imbalanced, their interaction lacks coordination, and the subordination and reporting mechanisms lack efficiency and transparency.

In most local government bodies, almost all document circulation between the structural departments, institutions, enterprises, organizations, and individual citizens relies on paper documents; archive data suffer from duplication. Document retrieval is expensive in terms of working time. During the rendering of administrative services, most documents (certificates) are carried between institutions and organizations personally, generally by the applicants themselves, which slows down the document circulation process. In some bodies of local government, computers are not even joined into local area networks, which leaves the issue of creating an information and communication system open. The office automation works carried out by separate local government bodies lack coordination and funding. The automation issues are generally paid insufficient attention by the senior officials.

The current state of e-governance and electronic document circulation implementation can be generally assessed as unsatisfactory.

The implementation of electronic governance in local government bodies faces the following problems:

- absence of single standards and regulations, harmonized with the international ones, for the operation of an electronic document circulation system using electronic digital signature, as well as maintenance of state information resources;
- absence of strategic documents (concept, strategy, and development programme of information society and electronic governance, basic laws on electronic commerce, Electronic Government electronic information system, and administrative services);
- national and local government bodies’ lack of an integrated system of information resources and informational cooperation;
- individuals’ and legal entities’ limited or non-existent access to state information resources;
- imperfection of the functioning government portal and national government bodies’ websites, which do not provide interactive operation or “single point of contact” administrative services rendering;
- insufficient quality and quantity of electronically provided services;
- insufficient qualification of state officials and citizens;
• the functionality of national and local government bodies’ electronic document circulation systems is highly limited;
• there is no system of indicators (parameters) for e-governance evaluation;
• problems of the national electronic digital signature system;
• intensification of unfair competition and attempts for monopolisation of the electronic digital signature and electronic document circulation market;
• lack and inefficient use of necessary resources;
• lack of precise and reliable information on the status and trends of e-governance development or respective forecasts;
• perpetual changes in the government bodies’ staff and structure; and
• lack of necessary support from the highest state officials.

One of the ways for optimization of e-governance implementation process at the local level is seen in legal and regulatory support for the development and adoption of appropriate e-governance implementation programmes at the level of separate cities. Therefore, the current legislation33 needs to become the basis for the development of several local regulations on implementation and performance of such programmes (such as city councils’ resolutions on approval of city informatization programmes, project recommendations on acceleration of e-governance technologies implementation, and quality management systems for administrative services in local government bodies, etc.) These programmes must become the documents showing the city’s chosen approach to the solution of governance democratization problems by means of informatization, and serving to specify and implement the provisions of the current legislation.

The main problem of most of local government bodies still lies in departmental isolation and lack of respective regulations, which hinders free information exchange between them.

The same information is duplicated and distorted in different systems, becoming unavailable for local governance. Besides, the upgrade to modern operating systems requires that a part of the computer stock be replaced.

Official websites, which provide the main city news, announce events, publish the most important documents and arrange for discussion thereof, remain the source of up-to-date information on the activity of city councils, their heads and executive committees. However, not all local government bodies are accessible for the public and organizations on the Internet. Websites of most departments and directorates of city council executive committees, municipal enterprises, and public self-organization bodies are practically nonexistent. The residents do not have access to complete information on tariffs, procedure of payment for public utilities, or state of their personal accounts; there is no information on privatization, construction, and renovation objects.

The following pages of city government bodies have to become the basis for information support of interaction between the local government bodies and the local community:

- web pages of the city council, city council head, city council executive committee, administrations of urban districts, departments, directorates, divisions, and other executive bodies of the city council; and
- web pages of public self-organization bodies (or association thereof), as well as expert and public councils of city council executive committees.

It is necessary to implement interactivity elements, manifested in the possibility to ask questions and receive answers by e-mail, obtain application forms and samples, and continuous update of the news on government bodies’ activities. Web pages of a city council’s executive bodies have to become the tools for bilateral communication, allowing the individuals to report new information about themselves.

Real interactivity can be provided by the support for certain online transactions (paying fees, ordering passports, prolonging licenses and patents, paying for services, etc.) This form of electronic governance is not limited to providing the public with information, but also provides administrative services, presupposing the creation of special web pages to support such services. Interactive centres can be located in the offices of the centralized city libraries system, and in the office of the Central Licensing Centre and Resources Centre of public self-organization bodies, which are centres with unlimited public access. The most important stage, however, is the creation of joint portals for departments of city councils’ executive bodies, which would allow performing any transactions that previously required applying directly to the government bodies. Such portals will provide for enterprise registration, financial documents execution, document legalization, etc. This will open an opportunity to create joint regional portals, combining the whole range of administrative services with non-state sector services, where e-commerce, internet banking, and other systems will join. Due to this it will become possible to create an electronic public administration system based on
common standards, as well as a joint portal for the local government bodies system, as a single point of access to all services. Such will service the citizens as well as businesses, which will integrate the whole range of administrative services and provide access thereto based on the needs and functional aspects, and not the existing structure of city council executive bodies. A simple login name and password will allow the user to communicate with any city council executive body.

The main problem still lies in the creation of financial conditions for performance of the respective programmes, which should primarily raise the issue of investment policy in the sphere of electronic governance. For example, provisions could be made to use the city budget funds, specifically designated for such programmes, the funds of business structures involved on beneficial terms (preferential terms of information access, preferential economic terms), and funds of Ukrainian and international donor organizations;

The local government bodies in the sphere of electronic governance and electronic democracy should be guided by the following general principles:

- systemic organization of information and technology environment (the information and technology environment must provide for all procedures of collection, storage, processing, protection, and presentation of reliable, complete, and timely information, as well as for software and hardware compatibility);

- integration and systematization of information resources (the integration and systematization of city information resources must provide the information content and presentation form appropriate for the managed object, as well as integration requirements for various level (district-city) cadastres for joint use); and

- management and coordination of informatization processes (the development and implementation of informatization processes must be management by a single centre, carrying out the formation of the necessary city informatization programmes and projects, coordinating the development, and ensuring concentration and efficient use of financial resources. It is necessary to ensure informational and analytical support for the current activities of local government bodies; prompt assessment of the economic, social, and political situation; supervision over the execution of laws, other regulations, decisions, orders, and directives, aimed primarily at the development of economy and social protection of the public; forecasting and assessment of the consequences of the decisions that are made, etc.).

Given the limited city budget resources, it is first of all necessary to automate the management of such branches of city economy (entrepreneurship, land resources, municipal property and real estate, transportation, and energy), where the implementation of computer supervision and control technologies will be economically beneficial and significantly increase the income part of the city budget.
5. UNDP/MGSDP Project Support for Public Self-Government Optimisation Via Creation of Official City Council Websites

Internet currently is the most up-to-date means of public information. Most state government bodies are already represented on the World Wide Web by their own web pages, striving for informational transparency or simulating it. Local government bodies use this information tool with a certain degree of caution, in most cases arguing that, first, the national legislation is yet to define the single standards for public information on the local government bodies activity on the Internet; second, the legislation only in certain cases directly demands that local government bodies publish the regulations connected with their activity on the Internet; and third, the scope and way of information to be published are to be determined by the local government bodies at their own discretion. The abovementioned factors in a certain way contributed the problem of insufficient public information about the activity of local representative bodies.

In 2005, the UNDP “Municipal Governance and Sustainable Development Programme” Project, in its desire to support the initiative of a significant number of local communities to create an open information environment and to start implementing the real forms of electronic governance, adopted the practice of supporting the initiatives of Programme partner local government bodies for creation of their own electronic resources.

In its approach to this mission, UNDP/MGSDP acted on the conceptual premises that a territorial community’s website primarily is the community’s visiting card, representing its history, achievements, and social structure. But most importantly, it is a powerful practical tool for using the community’s constitutional rights for direct and representative governance, allowing the democratic principles to root in the very heart of the Ukrainian society, which a territorial community is, since such a tool is capable of uniting the community’s rights for making governing decisions, application to the government bodies, and access to public information, as well as the right of the officials elected by the community to execute the representation powers delegated by it. Besides, the display of the ways to exercise the said rights by their owners has the potential to make these relations transparent, accessible, and open, which, in its turn, is conductive in Ukraine’s strive for democratization of social life in its every sphere. Finally, it should be mentioned that a website is a universal means for the local community to communicate with the elected representative bodies and the outside worlds.

The development of official web pages facilitates the establishment of a transparent governance system. It also promotes the development of democracy at the local level, improvement of the residents’ cooperation with the local government, and implementation of a wide social discussion on democratic civil society and territorial self-government.
This cooperation was based on the principles of shared responsibility and funding. UNDP/MGSDP supported the creation of official web pages and their placement on the Internet. The city representatives developed the web page structure, prepared the information to be published, and appointed the employees responsible for web pages administration to ensure coordination between departments, information update, and content management. The Programme supported the web page creation and training session for local government bodies’ employees and city representatives. In order to disseminate the experience in this work, a manual on web page administration was developed and printed.

The first website to be created based on the conceptual principles described above was the website of Zhytomyr City Council, launched in March 2004. Since that time, the UNDP Municipal Governance and Sustainable Development Programme in Ukraine assisted 17 more Ukrainian territorial communities in the creation of local councils’ websites:

- Bakhchysarai (Autonomous Republic of Crimea)
- Halych (Ivano-Frankivsk Oblast)
- Dzhankoi (Autonomous Republic of Crimea)
- Zhytomyr
- Zuia (Autonomous Republic of Crimea)
- Kaharlyk (Kyiv Oblast)
- Kalynivka (Vinnysia Oblast)
- Kirovske (Donetsk Oblast)
- Krasnohvardiiske (Autonomous Republic of Crimea)
- Mohyliv-Podilskyi (Vinnysia Oblast)
- Nyzhniohirskyi (Autonomous Republic of Crimea)
Besides creating the web pages themselves, the process has resulted in several technical achievements:

- An original website administration system was created. It is unique, specially designed, and unparalleled in the Web. Besides, it can be operated by a user without any special technical skills.

- The website administration system allows several website moderation models to be applied. This approach can decentralize the website content management process in the local councils of large cities or concentrate is in the hands of a single administrator in small communities.

- The websites provide the administrator with detailed statistics on all sections. This information allows the local council to monitor the website’s interactive function, keeping its finger on the pulse of cooperation with the public.

- The websites have a context search system on their content, which allows for comfortable, mobile, and dynamic use of the web pages.

- The administration system allows various forms of interaction with the community to be used. This is what provides the city and village residents to directly participate in the local government bodies’ decision making process.

- The website content is reliably protected from intrusion.

It should also be mentioned that website parameters fully comply with the requirements specified for local government bodies’ official web pages by the national rating institutions.

At the same time, the practical experience of website support and monitoring of their usage by UNDP/MGSDP partner local communities has revealed several weak points in the use of these important democratic tools of electronic governance by certain city and village councils:

- the website as an information resource tends to be underestimated;
- information on the websites is not being systematically updated;
- a lack of website moderation technique is observed;
the electronic tools for cooperation between the government and public are not used to the full extent;

- the website features suffer from one-sided use;
- the councils underestimate the interactive capabilities of Internet pages;
- in some cases there is an issue with legal succession in website administration;
- the lack of specialists and underestimation of the need for them at the local level are evident; and
- websites provide no information on community actions of MGSDP.

The abovementioned problems by no means lessen the role of official web pages, but merely indicate the directions for the further work of the local councils for implementation of electronic governance tools in Ukraine and practical performance of the regulatory axiom formulated in the Cabinet of Ministers Regulation “On the procedure for Internet publication of information on the activity of executive bodies” No. 3/2002 of 4 January 2002: “Existence of a website is the primary and mandatory condition for implementation of e-governance technologies in Ukraine...”
6. Recommendations of the “Electronic Governance in Ukraine: Effective Governance for Residents” Forum

The state policy required for successful and speedy implementation of efficient information and communication innovations into the governance activities must be aimed at creating the conditions for production, preservation, dissemination, and complex usage of all types of state information resources, making them freely accessible by individual citizens and organizations of all ownership forms, and increasing the efficiency of the state government, management, and local self-government bodies. The state policy must take into account the following: interests of individuals and legal entities, needs of the territorial community, local and national government bodies; opportunities for informational cooperation in the information technologies sphere; real capabilities of Ukrainian information industry in the market economy; compatibility, cooperation, and integration of information resources based on modern information technologies, international standards, and unified information classification and encoding systems, regardless of their industry branch and ownership form; and ensuring complex protection of information resources using modern means and techniques of information protection from unauthorized access, damage, distortion, destruction, and blockage.

The process of implementation of information and communications innovations into the public governance will require scientific approaches for development of conceptual regulations, construction of basic theoretical models and programme mechanisms, taking into consideration the international experience, particularly the Council of Europe Recommendations on e-governance, as well as forecasting of results and consequences of their implementation and operation process, which will promote the efficient use of information and communication technologies in relations between public administration bodies, citizens, business structures, and the government bodies themselves, and will also facilitate the public administration democratization and improve the rendering of administrative services.

Considering the foregoing, the Forum participants appeal to the following entities with the following recommendations:

1. To the Verkhovna Rada, Cabinet of Ministers, and other state authorities of Ukraine:
• To adopt the administrative procedure code and law on access to public information\textsuperscript{34}, making provisions for the procedures of providing and obtaining information and services using information technologies.

• To provide comprehensive support for the development of local electronic self-governance by passing appropriate laws and amending the existing ones.

• To develop a national system of information society development indicators and a complex of methodological documents and practical guidelines on monitoring the development of information society based on the said system of indicators.

• To create and commission a state information system for registration and documentation of natural persons using information and communication technologies.

• To delegate the function of database (registry) content filling to the local self-government bodies, retaining the function of supervision for the state authorities.

• To review all regulations (first of all the regulations and directives of the Government, ministries’ orders, technical regulations, etc.) prescribing the rules for interaction between different national and local government bodies and document circulation between them, checking for the necessity to implement electronic document circulation.

• To ensure the development of legal regulation of the order and procedure for collection, storage, and provision of information contained in state Information systems, electronic information exchange between state and local government bodies, organizations, and individual citizens, as well as supervision over the use of Information systems.

• Amend the Law of Ukraine “On the National Archive Fund and archive institutions” and other regulations on the procedure of information technologies use for maintenance, use, and archive storage of various registries, cadastres, classifications, and lists.

• To improve the legal regulation of licensing and certification of products in the sphere of information and communication technologies use in order to reduce the cost of the procedure in terms of money and time.

• To amend the Law of Ukraine “On Citizens’ Appeals” regarding the possibility of electronic appeals.

2. To local government bodies:

\textsuperscript{34} This law had not yet been passed as of the date the recommendations were approved; it was passed on 13 January 2011.
The local self-government bodies need to exercise initiative in the implementation of e-governance elements. This primarily concerns the implementation of systems for electronic document circulation for office automation, preparation and approval of draft resolutions, creation of administrative service centres, etc. The main problem of most of local government bodies still lies in departmental isolation of administrative services, which hinders free information exchange between them. The same information is duplicated and distorted in different systems, becoming unavailable for local governance. Besides, the upgrade to modern operating systems requires upgrading the computer stock. Therefore, the primary objectives of local government bodies are:

- to develop e-governance implementation programmes, which should briefly cover the city's approach to improvement of the governance process using informatization means;
- to increase the funding of e-governance in the local self-government;
- to adopt electronic document circulation, including the use of electronic digital signatures;
- to ensure training and retraining of specialists for the needs of local government bodies regarding the maintenance of electronic governance systems;
- to implement ISO 9001 standards for reformation of the procedures of local government bodies’ structural units in order to introduce information technologies in the governance activities;
- to develop and implement specialized software to automate the operation of departments: administrative services centres, electronic city, electronic city map, contact centre, etc.
- to continuously improve the local government bodies’ websites, expand their contents, and ensure feedback for improvement of the governance system and online services;
- to extend Internet access and increase the connection speed in remote communities; and
- to manifest the electronic democracy development objectives in the communities’ statutes.

3. To the Ukrainian Cities Association (together with the National Centre for Promotion of E-Government):

- To prioritize the coordination of works for development of technical solutions for e-governance.
• To assist in organization of training for local government bodies’ personnel regarding the implementation of e-governance and experience sharing between such bodies.

• To continuously monitor the quality of the local government bodies’ websites, annually awarding the best innovations in this sphere.

• To develop a pilot project for implementation of e-governance tools for the development and testing of standards in this area; to investigate the possibility for support of its development by state authorities and donor organizations.
Appendix 1.

Legal and Regulatory Basis in the Sphere of E-Governance Implementation

International Documents

2. UN Declaration of Principles “Building the Information Society: a global challenge in the new Millennium” of 12 December 2003

Laws of Ukraine

2. “On Information” («Про інформацію») of 2 October 1992 No. 2657-XII.
7. “On Specifics of the State Regulation of the Activity of Subjects of Economic Activity Associated with the Production, Export, and Import of Laser-Readable Discs” («Про особливості державного регулювання діяльності суб’єктів господарювання, пов’язаної з виробництвом, експортом, імпортом дисків для лазерних систем читування») of 17 January 2002 No. 2953-III.
10. “On Electronic Digital Signature” («Про електронний цифровий підпис») of 22 May 2003 No. 852-IV.
11. “On Telecommunications” («Про телекомунікації») of 18 November 2003 No. 1280-IV.
14. “On the State Service for Special Communications and Information Protection of Ukraine” («Про Державну службу спеціального зв’язку та захисту інформації України») of 23 February 2006 No. 3475-IV.


Orders of the President of Ukraine


Directive of the President of Ukraine


Regulations of the Verkhovna Rada of Ukraine


Regulations of the Cabinet of Ministers of Ukraine

1. Regulation “On Approval of the Regulation on Formation and Execution of the National Informatization Programme” («Про затвердження Положення про формування та виконання Національної програми інформатизації») of 31 August 1998 No. 1352.

2. Regulation “On the List of Paid Services that Can Be Provided by Television and Radio Institutions and Organizations Incorporated as State-Owned Companies" («Про перелік платних послуг, які можуть надаватися установами і організаціями телебачення і радіомовлення, заснованими на державній формі власності») of 4 June 1999 No. 969.


9. Regulation “On Creation of the National Fund of Regulations“ of 18 September 2002 No. 1395; Regulation “On Approval of the Procedure for Executive Bodies’ Cooperation in Protection of
State Information Resources in Information and Telecommunication Systems” («Про створення національного фонду нормативних документів» від 18 September 2002 No. 1395; Постанова «Про затвердження Порядку взаємодії органів виконавчої влади з питань захисту державних інформаційних ресурсів в інформаційних та телекомунікаційних системах») of 16 November 2002 No. 1772.


12. Regulation “On Approval of the Procedure for Use of Computer Programs by Executive Bodies” («Про затвердження Порядку використання комп’ютерних програм в органах виконавчої влади») of 10 September 2003 No. 1433.


15. Regulation “On Approval of the Regulation on the National Registry of Electronic Information Resources” («Про затвердження Положення про Національний реєстр електронних інформаційних ресурсів») of 17 March 2004 No. 326.


20. Regulation “On Approval of the Procedure for Electronic Digital Signature Use by National and Local Government Bodies and State-Owned Enterprises, Institutions, and Organizations” («Про затвердження Порядку застосування електронного цифрового підпису органами
державної влади, органами місцевого самоврядування, підприємствами, установами та організаціями державної форми власності») of 28 October 2004 No. 1452


24. Regulation “On Approval of the Regulation on the Registry of Information and Telecommunication Systems of the Executive Bodies and Enterprises, Institutions, and Organizations in the Sphere of their Control” («Про затвердження Положення про Реєстр інформаційних, телекомунікаційних та інформаційно-телекомунікаційних систем органів виконавчої влади, а також підприємств, установ і організацій, що належать до сфери їх управління») of 3 August 2005 No. 688.

25. Directive “On Approval of the Concept for Development of the System of Administrative Services Rendered by Executive Bodies” («Про схвалення Концепції розвитку системи надання адміністративних послуг органами виконавчої влади») of 15 February 2006 No. 90-


30. Regulation “On Creation of the State Information System for Registration and Documentation of Natural Persons” («Про створення Державної інформаційної системи реєстраційного обліку фізичних осіб та їх документування») of 15 March 2006 No. 327.

31. Regulation “On Approval of the Procedure for Use of State Budget Funds Designated for the Development and Maintenance of Government Information and Analysis System on Emergencies in 2007” («Про затвердження Порядку використання у 2007 році коштів, передбачених у державному бюджеті для розвитку та супроводження Урядової...


38. Regulation “On Approval of the Procedure for Use of State Budget Funds Designated for Creation and Operation of the State Information System for Registration and Documentation of Natural Persons in 2007” («Про затвердження Порядку використання у 2007 році коштів, передбачених у державному бюджеті для створення та функціонування Державної
інформаційної системи реєстраційного обліку фізичних осіб та їх документування») of 21 March 2007 No. 530.


Regulation “On the Procedure for Use of State Budget Funds Designated for the Development of Scientific Infrastructure in the Sphere of Communications and informatization in 2008” («Про порядок використання у 2008 році коштів, передбачених у державному бюджеті для підтримки розвитку інфраструктури наукової діяльності у сфері зв’язку та інформатизації») of 27 February 2008 No. 82.


Regulation “On the Procedure for Use of State Budget Subvention to the Local Budgets for Computerization and Informatization of District General Education Institutions in 2008” («Про порядок використання у 2008 році субвенції з державного бюджету місцевим бюджетам на комп’ютеризацію та інформатизацію загальноосвітніх навчальних закладів районів») of 26 March 2008 No. 239.


60. Regulation “On Approval of the Citizens’ Appeals Classification” («Про затвердження Класифікатора звернень громадян») of 24 September 2008 No. 858.

61. Regulation “On Approval of the Procedure for Competitive Selection of Projects and Programmes for Public Information on Euro-Atlantic Integration of Ukraine Developed by Non-Governmental Organizations” («Про затвердження Порядку проведення конкурсного відбору проектів і програм інформування громадськості з питань європейської інтеграції, розроблених громадськими організаціями») of 13 December 2008 No. 2250.

62. Regulation “On Approval of the Concept of Electronic Governance Development in Ukraine” («Про схвалення концепції розвитку електронного урядування в Україні») of 13 December 2010 No. 2250.

Regulations of Central Executive Bodies

State Committee for Communications and Informatization


4. Procedure for Rendering of Informational and Other Services Using the “Electronic Government” Information System (Порядок надання інформаційних та інших послуг з
використанням електронної інформаційної системи «Електронний Уряд») of 15 August 2003 No. 149.


7. Order “On Amendment of the Technical Specifications for an Electronic Document circulation System of an Executive Body Approved by the State Committee for Communications and Informatization on 7 June 2005, No. 70” («Про внесення змін до Технічних умов на систему електронного документообігу органу виконавчої влади, затверджені наказом Держзв’язку від 7 June 2005 No. 70») of 10 April 2006 No. 52.

State Committee for Entrepreneurship, State Tax Administration, State Statistics Committee


State Tax Administration of Ukraine


4. Order “On Approval of the Temporary Procedure for Receipt and Computer Processing of Electronic Tax Returns by the Bodies of the State Tax Service of Ukraine” («Про затвердження Тимчасового порядку надходження та комп’ютерного оброблення податкової звітності платників податків в електронному вигляді до органів ДПС України») of 26 November 2004 No. 672


State Customs Service of Ukraine


Ministry of Education and Science of Ukraine


State Committee for Regulation of Financial Services Markets of Ukraine

1. Directive “On Approval of the File Structure, Format, and Field Description of the Electronic Reporting Data of Financial Companies and Legal Economic Entities, Which Are Not Financial Institutions by Their Legal Status, but Are Allowed to Render Certain Financial Services by Legislation and State Financial Services Committee Regulations” («Про затвердження структури файлів, формату та опису полів електронної форми звітних даних фінансових компаній та юридичних осіб-суб’єктів господарювання, які за своїм правовим статусом не є фінансовими установами, але мають визначену законами та нормативно-правовими актами Держфінпослуг можливість надавати окремі види фінансових послуг») of 15 November 2005 No. 4899


**Regulations of Other Ministries and Committees**


8. State Committee on Securities and Stock Market of Ukraine Order “On Requirements to the Electronic Form of Regular and Irregular Information Compiled in Accordance with the Regulation on Procedure for Compilation of Information Regarding the Activity of Self-Regulated Securities Market Organizations and Submission of the Respective Documents to the State Committee on Securities and Stock Market Approved by the State Committee on Securities and Stock Market of Ukraine Order of 14 June 2005 No. 316.” (“Щодо встановлення вимог до електронної форми регулярної та нерегулярної інформації, яка складається відповідно до Положення про порядок складання інформації щодо діяльності самореєгульованих організацій ринку цінних паперів та подачі відповідних документів до Державної комісії з цінних паперів та фондового ринку, затвердженого рішенням Державної комісії з цінних паперів та фондового ринку від 14.06.2005 № 316.)


11. Ministry of Transportation and Communication of Ukraine Order “On Approval of the Procedure for Competitive Selection of Tasks (Projects) of the National Informatization Programme” (“Про затвердження Положення про порядок відбору завдань (проектів) Національної програми інформатизації на конкурсних засадах”) of 19 April 2007 No. 325.