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## BASIC MECHANISMS OF E-PARTICIPATION OF CITIZENS IN POLICY-MAKING

### SUMMARY

The author has proposed the division of the mechanisms of citizens' e-participation in two groups – mandatory or recommendation. There is considered successful experience of the mechanism of e-elections/e-referendum and e-rulemaking, the results of which are binding on the central and local authorities. There are analyzed a number of advisory nature mechanisms (e.g., e-discussion, e-initiative, e-reference, etc.). It is concluded that e-mechanisms for citizens' participation may improve the traditional democratic process, give more technical and political opportunities for the inclusion of citizens in the political process and cause the increasing of government's transparency.

**Keywords:** e-participation, mechanism, political decision-making, Internet, information and communication technologies

### PODSTAWOWE MECHANIZMY E-UCZESTNICTWA OBYWATELI W PROCESIE TWORZENIA POLITYKI

### STRESZCZENIE

Autor zaproponował podział mechanizmów e-uczestnictwa obywateli na dwie grupy – obowiązkowe lub rekomendacji. Za przyjętą praktykę uważa się mechanizm e-wyborów / e-referendum i e-regulacji prawnych, których wyniki są wiążące dla władz centralnych i lokalnych. Analizie poddano wiele mechanizmów o charakterze doradczym (np. e-dyskusje, e-inicjatywy, e-referencje, itp). Stwierdza się, że e-mechanizmy partycypacji obywatelskiej mogą poprawić tradycyjny proces demokratyczny, dać więcej możliwości technicznych i politycznych włączenia obywateli w proces polityczny oraz spowodować wzrost przejrzystości rządu.

**Słowa kluczowe:** część elektroniczna, mechanizm, tworzenie polityki, Internet, technologie informacyjne i komunikacyjne

E-participation refers to efforts to broaden and deepen political participation by enabling citizens to connect with one another, with civil servants, and with elected representatives using ICTs. Contrary to traditional participatory procedures, contemporary technologies provide the opportunity to reach wider audiences in a more accessible (at anytime and from anyplace) and understandable format, as well as in a way that is possibly faster and more efficient. So, e-participation emerges today as the medium for tackling the contemporary political challenges of democratic societies and for reconnecting ordinary people with politics and policy-making [16].

On the mechanisms of such participation is the European e-participation summary report «Study and supply of services on the development of e-participation in the EU» (November 2009). According to this report, e-participation occurs within the four «zones»: the idea zone, the education zone, the recommendation zone, and the decision zone, each of which is made up of a number of specific types of activity. Moderated brainstorming, workshops, focus groups and policy networks are referred to the idea zone; policy portals and targeted communications – to the education zone. Recommendation zone includes citizen juries, commissions, question periods, town halls, solicited feedback and types of polling. And, finally, decision zone includes elections and referenda. Thus, ideas are more likely to be generated in the depth of smaller groups (although there could be many of these) using a mix of online and offline techniques, whilst decisions at a societal level need to be more broadly based across mass populations and this could move towards mainly online methods in future [13, P. 12].

Depending on the area in which citizens are involved, the results of their influence on the political process are mandatory or recommendatory. In view of this, the author proposes the such separation of mechanisms of citizens' e-participation in the political decision-making on: 1) mechanisms that involve decision-making and 2) mechanisms that do not involve direct decision.

Research in this area is particularly important because these mechanisms provide online real contribution of citizens in political decision-making and maintain a constant feedback between society and government [6, P. 7].

We consider two basic mechanisms – electronic election / electronic referendum and electronic rulemaking that enable citizens to exercise a significant influence on public policy and the results of which are binding on public authorities and local governments.

## **1. E-ELECTION AND E-REFERENDUM**

In the Recommendation CM/Rec(2009)1 of the Committee of Ministers to member states on electronic democracy e-elections, e-referendums are defined as political elections or referendums in which electronic means are used at one or more stages. The most common e-mean is e-voting which is used in at least the casting of the vote. Remote e-voting speeds up procedures, enables voting to be electronically monitored and votes electronically registered, and facilitates participation from greater distances and by persons with special needs [17]. Electronic voting technology can include punch cards, optical scan voting systems, and specialized voting kiosks (including self-contained DRE voting systems). It can also involve transmission of ballots and votes via telephones or cell phones, various computer networks, or the Internet. [14, P. 1744].

Optical scan systems are one of several methods for recognizing marks on paper through optical reading techniques. In turn, the punch card systems employ a card (or cards) and a small clipboard-sized device for recording votes. Voters, using a supplied device, punch holes in the cards opposite their candidate or ballot-issue choice. After voting, the voter either places the ballot in a ballot box, or the ballot is fed into a computer vote-tabulating device, at the precinct [14, P. 1745].

A public network DRE voting system is an election system that uses electronic ballots and transmits vote data from the polling place to another location over a public network. Vote data may be transmitted as individual ballots as they are cast, periodically as batches of ballots throughout the election day, or as one batch at the close of voting. This includes Internet voting as well as telephone voting. Internet voting can use remote locations, voting from any Internet capable computer, or can use traditional polling locations with voting booths consisting of Internet-connected voting systems. [14, P. 1746].

To this list of electronic voting technologies researcher B. Isayev adds so-called electronic ballot box that can run without being connected to the grid and communications infrastructure [4, P. 158]. The author believes that this voting technology is especially effective and useful in remote areas of the country where there are problems with connecting to the Internet or a mobile communication.

Supporters of the introduction of e-voting argue that the use of the latest technologies improves the electoral activity, causing additional concern of voters. According to critics, the existing system of Internet voting is not perfect and not adequately protected from potential computer crashes and hackers, and the use of electronic ballot boxes does not exclude the possibility of all sorts of fraud and distortions of election results due to stakeholders' intervention in the process of the equipment and its software developing [4, P. 158]. Aside from people's reluctance to trust a computer to accept their vote – at times without a paper record of that vote – there is also the fear associated with the reliability and validity of using the Internet for choosing a nation's leaders. [14, P. 474]. This, in our view, calls for information clarification and political education among citizens.

The first country in the world, which carried full Internet election, was Estonia. These were the elections to the local self-government (2005), in which Internet voting was used in part. Since 2007 this technology has become a full-fledged working system of voting. About 90% of the population of Estonia have personal ID-card, which is used as identification when making a variety of electronic transactions in public service. Citizen inserts this card in reader, introduces a personal PIN-code and votes by choosing a candidate [19, P. 17–18]. Person can vote by electronic way more than once in a given period – the final of votes is counted. After e-voting person also can come to the polls. In this case, the results of electronic voting is canceled [1]. Internet voting in Estonia is allowed over several days during the advance voting is an important convenience factor for voters. The longer it is, the more likely it is that more of those voters who would not have participated in elections come across e-voting and subsequently vote. Initially, in 2005 and 2007, the period of e-voting was three days. Since the 2009 European Parliament elections the period was extended to seven days. [19, P. 16]. Moreover, in March 2011 in Estonia were the first in the world of election ballot using a conventional mobile phone [1].

## 2. E-RULEMAKING

In the process of e-rulemaking citizens can influence decisions in two ways: first – the adoption of laws directly by citizens through e-referendum; second – the development and adoption of laws and normative acts with electronic citizens' participation [10, P. 88]. In the second scenario of citizens' involving in rulemaking C. Coglianesse identifies a number of options.

For instance, one option is that before ratification (or submission to Parliament) Bill must be submitted to public discussion on the Internet and at first voted there. Another option would be to engagement with «open source». It is assumed that the laws are created not only by Parliament, but also a society based on the principle of open source which is actively used in software development. That is, the laws are published on Internet sites such as Wikipedia, where registered users can make any changes. As a result, all interested citizens are involved in the process of rulemaking. Of course, the researcher says, implementation of such a project requires a state database storing all versions of laws amendments and a system of accurate identification of users (for example, using biometric methods), otherwise the laws will be written by destruction, or frankly anti-state forces [12].

V. Yakovenko points to another way of e-rulemaking – through the «black balls». This technique involves the following procedures: on the website of the legislative body each unsatisfied of any law can express their opinion and in the accumulation of a certain number of «black balls» this law will automatically be included in the agenda of legislators for its revision, amendment, etc. [11, P. 132].

Useful in this regard is the experience of the European state of Estonia. As in Ukraine, in Estonia laws may be initiated by deputies, the government and the president, so the project «Today I Decide» (TOM) was the only way for citizens to exercise legislative initiative. The TOM tool [www.eesti.ee/tom/](http://www.eesti.ee/tom/) which operated during 2001–2008 years was a public participation portal, aimed at engaging citizens more directly with the legislative and policy-making processes, either by proposing new legislation or by suggesting amendments to existing laws.

The Estonian E-participation project was more ambitious than an e-petition platform. Rather than being a medium for collecting signatures, the TOM tool was a forum for citizens to discuss legislative proposals within a ten-day period following submission and to vote upon them. To take account of discussion between TOM users, authors of legislative proposals had up to three days to amend them before they were voted upon by participants (a simple 50 % plus one majority is needed to pass). Once a proposal was backed by a majority, it was forwarded to the relevant government department, which then had a month to respond to the proposal explaining what action was or was not to be taken and why. This formal government response was then posted on TOM.

There was a follow-up-project, the Osale.ee portal ([www.osale.ee](http://www.osale.ee), opened in July 2007), which is managed by the State Chancellery in order to facilitate wider participation in politics by citizens and citizen organizations and to create legislation through discussions and consultations and, according to the development plans, in the future it will also allow user-generated content. Currently, the participatory website [www.osale.ee](http://www.osale.ee) aggregates the legislative domains of all ministries and represents an attempt to consolidate different opinion seeking environments together under one roof. The Osale integrated electronic environment has three functions. First, citizens and interest groups can launch initiatives for new legislative proposals, present ideas and criticisms to the government and submit petitions. Any such proposal is voted upon and commented on by the other users. Then the proposal is forwarded to the

relevant government department, which then posts an official response explaining what action was or was not taken and why. Second, citizens can participate in public consultations/hearings. Citizens and CSOs can publicly give their opinion about draft legislation prepared by government agencies. All government agencies have been advised on how to publish their draft policy papers and development plans, laws or provisions on the consultation website. Submission is, however, voluntary and is not regulated by administrative procedures. Third, there is also a search function for legal acts according to their stage of preparation (i.e. since policy proposal to adoption in the parliament) [18, P. 24].

Another example is the practice in the State of Colorado (USA), where citizens can submit a legislative initiative to members of the legislature by e-mail. After analyzing legislator recommends the citizen to place his/her proposal for public comment on the site [http://www.state.co.us/gov\\_dir/leg\\_dir/lcsstaff/initiative.htm](http://www.state.co.us/gov_dir/leg_dir/lcsstaff/initiative.htm). At the federal level in the United States, citizens are able to participate in the democratic and legislative process through the website <http://www.regulations.gov>. When citizens send comments on regulatory acts, federal agency should take into account their views and justify regulatory activities. The full text of all draft documents and final documents are open for online access on this site and its visitors can send comments to the appropriate federal agency [8, P. 22].

Electronic mechanisms of citizens' participation that are not mandatory, including e-consultation, e-initiatives, e-appeals, mechanisms of e-participation in solving local problems, e-community council, as well as e-reception. These mechanisms are based on traditional forms of involvement of citizens in public policy, which through the use of information and communication technology, mainly the Internet began to operate faster, more optimal, efficient, involving a greater number of citizens.

### 3. ELECTRONIC CONSULTATION

Electronic consultation – a way of collecting and integrating opinions of people on specific political issues without the need to compel the responsible person to act according to its outcome [17]. In the e-consultation there might be expressed and gathered different opinions, but it offers an inclusive space for discussion or simply continuing of debate. E-consultation allows citizen to make a direct or indirect impact on the decision-making [2, P. 47]. Effective consultation combines two elements: direct process of decision-making and openness to the views and information of stakeholders. Consultations rarely reach a consensus, but help to test the proposed policy programs. To be successful and effective e-consultations must be carried out taking into account the interests and needs of citizens [8, P. 15]. There are two forms of consultation – public discussion and research of public opinion which are successfully conducted electronically.

1. Electronic discussion, in turn, is in the form of:

- a) chat or online communication. An example is a site <http://www.otakantaa.fi> where citizens of Finland are able to participate in chat rooms. Within one to two hours online is a government minister to respond to questions put to him at that time by citizens. For the citizens it is very important to discuss online the sensitive issues with the Minister. Usually there held 2–4 chats on month. Those who are not able to take part in chat, send questions in advance using the online form. After the chat, citizens can read the answers to their questions in the archives, where the text of online discussion appears in a few minutes after its completion [6, P. 98].

- b) blog. The mayor of San Francisco (USA) maintains a blog [http://www.sfgov.org/site/mayor\\_index.asp](http://www.sfgov.org/site/mayor_index.asp), where he regularly writes about his daily activities and his own thoughts, opinions. Blog of mayor also contains reports from other members of his administration, in which they share information about important events or decisions making them. In a similar project, the city of Los Angeles (USA) offers on its municipal website <http://www.lacity.org/lacity440.htm> six different blogs that are maintained by different administrative departments – for example, employees of the fire service, the police or the department for the protection of animals. However, the use of blogs as a mechanism for e-participation still needs improvement, because there are areas of concern regarding quality, reliability and finality of the data and information obtained from the blog as well as on their reliability, objectivity and representativeness [14, P. 142–143].
- c) web-forum. Depending on the issues discussed, western scholars A. Macintosh highlights: 1) issue-based forums, i.e. organised around policy issues that have been formulated by policy-makers, interest groups or experts, and presented as the heading of one or more discussion threads. Responses are sought in order to gauge opinion or solicit ideas. Position statements, links to topic-related websites and other background information may also be presented. 2) policy-based forums, i.e. organised around themes/issues that relate directly to a draft policy that is meant to address these, and where discussion threads are intended to solicit responses from those affected. Participants might be encouraged to submit alternative ideas and suggestions but the format implies that what is being sought is an indication of how far the participants agree (or not) with the proposals, and why [15].

As part of the project «e-democracy» citizens of the United Kingdom on the website <http://www.digitaldemocracy.org.uk/> can make proposals, vote on and discuss them and get an answer MPs or officials of relevant departments. Topics range from proposals for community, culture, economy, government, health care and social security, environmental protection, science and technology. This site allows citizens: 1) to submit and get support for their suggestions, thoughts, projects; 2) to determine the priorities of local communities. All offers are ranked by level of support in each local community. If a proposal is supported by the more than 10 thousand people, it will be officially sent as e-petition to the Prime Minister.

Another example of forum is the website <http://www.otakantaa.fi> where citizens of Finland are involved, including anonymously, in decision-making, negotiating the major state projects with officials. The site reflects the political reality in Finland because of continued publication of current issues. The forum constantly occur two to six debates. The home page contains a brief description of the discussed issues, as well as additional materials and links to other sites on the discussed matters. During the discussion of civil servants are obliged to give their comments and provide feedback. In this way, citizens also get answers to their comments.

2. E-polling/e-surveying allow opinions to be obtained informally, by electronic means, from random or selected persons, usually in connection with a proposal and a set of possible responses [17].

An example of the use of online surveys to improve citizens' participation is an Austrian website <http://www.wahlkabinet.at>, which was created in 2002. *Wahlkabine.at* («polling booth») serves as a quick guide to party opinions and helps you to compare your political views

with those of the parties in full anonymity. On the site there is a set of questions developed by a group of experts from politics, history and journalism. List of about 40 questions is sent to political parties that are represented in the Austrian parliament, the parliaments of nine federal provinces of Austria, and the European Parliament. Parties answer the questions, and have the opportunity to comment on their choices. All comments can later be available on the website. Those 25 questions are offered to users, covering a wide range of areas such as economy, education, energy, environment, family, food, immigration, religion, safety, social welfare, transport, women's rights, culture and the arts. Users answer the 25 questions by clicking the «agree / yes», «disagree / no» or «neutral». In addition, users must specify whether they believe this issue is important or not. Responses are automatically processed and the system indicates the position of which party is most corresponding. Other parties are ranked respectively in descending order. This web-site is run for about six weeks before the election and helps citizens to cast their vote for that political party which program best meets their views [18, c. 29].

#### 4. E-INITIATIVES

E-initiatives allow citizens to develop and put forward political proposals by means of ICT and thus engage in political agenda setting [17].

«Factory of ideas» in Espoo (Finland) is designed for young people to present their ideas of solving the local problems. The essence of this project lies in the fact that a certain idea is put forward for public discussion on the Internet. Thanks to the comments of other users of the network idea is improved to a concrete proposal and there occurs voting. If the proposal passes, author or activists are collecting signatures in its support. Then the Youth Council presents this initiative Espoo City Council and / or draws attention to the idea of mass media. Factory of Ideas as an intermediary monitors how this idea progresses on the board. Users of the Factory of ideas constitute the age group 13 to 20 years. They form local initiatives that reflect their problems (building skate parks, etc.), as well as more general goals, such as planning new lines of trams in Helsinki [5, P. 139–140]. This project promotes participation in the democratic process of the most secluded sector of society – minors and young people actively using the Internet, but only incidentally involved in public policy.

#### 5. E-PETITIONING

E-petitioning is the electronic delivery of a protest or recommendation to a democratic institution: citizens sign a petition and possibly engage in a discussion on the subject by putting their names and addresses online. E-petitions are potentially useful tools for citizens' participation in policy-making because they facilitate citizen input to parliament and other democratic institutions and discussion and deliberation among citizens [17].

As part of the «Your Voice in our administration» citizen can send an e-appeal to the U.S. government through the website <http://www.whitehouse.gov/open>. There is also a public petition, the text of which is available to all other users and you can vote. If the petition passes the threshold of 100 thousand signatures to be collected in one month, it will be considered by the administration and will be made a definite decision.

## 6. PARTICIPATION

Participation in solving local problems using ICT is carried out in several ways:

- a) Online municipalities can be seen as an improved version of extended open governmental meetings, which provides not only the presence of people at such meetings, but also possibilities for participating in the body and offering suggestions/comments.

An example is that of the Issy-les-Moulineaux (France) Interactive City Council. The Interactive City Council allows Issy's residents to watch and to actively participate in City Council meetings live from the comfort of their living rooms or while on the move. The City Council meetings are broadcasted simultaneously over cable network TV and the Internet (<http://www.issy.com/>). Issy's residents can ask questions live of their elected representatives by phone (toll-free number), or email and get immediate answers. By promoting and developing a new form of citizenship, enabled and empowered by ICT, Issy has succeeded in integrating its citizens into the democratic life and decision-making process of its local community. Today, the City Council meetings are part and parcel of Issy's local political life: the City Council meets about six times a year, beginning at 18:30 in the evening. The broadcasting of the Council meetings is preceded by a news programme on Issy's local TV channel T2i (Issy's Interactive Television), which presents and explains the main items on the Council meeting agenda. The objective is to present and to explain the main topics that will be discussed during the Council meeting in a way that allows citizens who are not very familiar with the technical or administrative language used to follow and to participate in the meetings. Prior to the start of each Council meeting, leaflets informing people about the meeting's agenda and the estimated time schedule for each item are distributed to every household. Thus, people can tune in during the period of time the Council is discussing the subject they are interested in. Also on the official website of the municipality there is kept archive of all meetings, which allows viewing the decisions at any other convenient time [18, P. 27].

- b) Online communities are the electronic analog of community organizations, NGOs, etc., which serve as a tool of developing and supporting public initiatives. They can shape social roles, organize activities and social behavior of its members, establish informal communication between authorities and citizens on a regular basis without time constraints to influence policy [7, P. 29]. Website <http://listserv.wa.gov> contains a list of online communities whose members are residents of the State of Washington (USA). Communities are united on the subject matters / issues around which actually are grouped citizens – for example, road safety, the environment, terrorism, sports and more.

In the UK the official site's users of worldwide news service BBC have the ability to search and join with other citizens who share the same concern in their areas, and they are to start a political campaign ([www.bbc.co.uk/dna/actionnetwork/](http://www.bbc.co.uk/dna/actionnetwork/)). As another example of the effectiveness of local e-democracy in the United Kingdom serves the project «Neighbourhood Watch», which is based on Internet resources <http://www.ourwatch.org.uk/> – national site of associations / groups / communities of citizens by territorial distribution or around specific issues / problems. Through this website, citizens express what they are concerned about in their daily lives, find the like-minded people, contact with officials and seek solutions to local problems.



## 7. ELECTRONIC COMMUNITY COUNCIL

Its members meet in a virtual space to discuss specific issues and make recommendations to the responsible authority. As an example is the project «Voice of Highland Youth», whose members aged 14 to 18 years are elected to electronic Highland Youth Parliament. This initiative of Highland Council aims to encourage the youth of Scottish Highland region to participate in the democratic process and make decisions regarding their life. On the web-site <http://www.hyv.org.uk/> members of parliament and all the young people discuss issues relating to them and their region. And every two years there are held online elections of members of the «Voice of Highland Youth».

Since February 2002, Stockholm district of Kista has «e-Parliament of Kista» – a broader ongoing online forum, which functions as a kind of community council. It means that the citizens who are the members of e-parliament participate in the discussion of local issues on a regular basis (<http://stockholm.se/kista>).

## 8. E-RECEPTION

E-reception is a kind of symbiosis of the above mechanisms of e-participation, as it is designed to: 1) provide for the submission of requests, complaints and proposals of citizens in electronic form and the ability to track their fate; 2) enable citizens to participate in open sessions, online press conferences of agency's head as well as in the discussion of development programs or regulatory acts; 3) ensure transparency in policy-making; 4) allow the authorities disseminating public information on time and conveniently; 5) enable citizens to make an appointment with officials [3, P. 184–185]. With this in mind, e-reception should be a primary tool for interaction between the government and the public on the official website of the authority [9].

An example of e-reception is a website of Bolnes (Sweden) [www.bollnas.se](http://www.bollnas.se), where there are several possibilities for e-participation: 1) people can send e-mail to two municipal commissioners with a guarantee to get an answer within a week; 2) an online forum category contains several identified issues that citizens have the opportunity to discuss with the municipal commissioners; 3) City Council meetings are broadcasted live on the website and people can send their e-appeals during a break in the meeting and get an answer after the break [6, P. 79]. With this in mind, e-reception can be considered as a new mechanism for public participation, which operates only in the virtual space and is unique among the traditional forms of involvement of citizens in public policy. Its appearance was made possible only through information and communication technologies – namely the Internet and technical possibilities of website.

In summary, we should recognize that diversity of e-participation mechanisms enables citizens to express their opinions, make proposals and carry out discussions that seek to influence political decision-making. The practice of foreign countries in the field of e-democracy suggests that, in general, ICTs improve the traditional mechanisms of participation, giving more technical and political opportunities for the inclusion of citizens in the political process, increasing the transparency of government by providing additional opportunities for social integration of society.

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