

Everyone's Rights in e-State

The e-State Charter

1. Everyone has the right to choose how they consume public services and communicate with administrative agencies. Public services are offered through all communication channels: service bureaus, post, telephone, Internet, incl. e-mail.

Assessment Criteria:

1. In the cases where not all communication channels are offered, has this been reasonably justified?
2. Do officials explain to people which channels they can use to obtain public services and do they teach people how to apply for services?
3. Can people indicate the channel through which they wish to communicate with to the administrative agency in the future on the application form?
4. Can permits, benefits, certificates and other services be applied for through the Internet or another electronic channel?
5. Can public e-services be applied for through other widespread operating systems in addition to Windows?
6. Can an administrative act be delivered to a person electronically?

2. Everyone has the right to identify themselves using an ID card when applying for public services without visiting an official. Services that are highly personal or have a greater impact are subject to stricter identification requirements upon application and provision.

Assessment Criteria:

1. Can a public service be applied for without visiting an official whilst using the ID card to identify oneself?
2. If identifying oneself without personal appearance using the ID is not permitted, then has this been reasonably justified?
3. Is signing an application digitally justified and necessary when applying for a specific public service?
4. Can official information without access restrictions be obtained without identifying the applicant?

3. *Everyone can easily obtain information about public services.*

Assessment Criteria:

1. Is the information given about public services in the state portal or on the websites of administrative agencies up to date and complete, and easy to find for users?
2. Are the terms and conditions and the procedure for provision of public services described in an understandable manner?
3. Is it possible to go to the electronic application required for use of the service displayed on the website of the administrative agency straight from the state portal?

4. *Everyone has the right to apply for public services easily and conveniently. Public services are offered in such a manner that people do not get caught up in technicalities. Administrative agencies do not burden people with unreasonable demands.*

Assessment Criteria:

1. Will the application form on the agency's website be automatically populated with the data already held in the Population Register and other databases after the person has been electronically identified?
2. Can people apply for amendment of the data on the pre-populated form?
3. Does the administrative agency coordinate the applications of people with other administrative agencies without demanding the certificates and consents of other administrative agencies from people?
4. Will the service provider give every assistance and all the information required for obtaining approvals if the content of the service makes it reasonable for people to seek approval of their applications by other administrative agencies themselves?
5. Are people not required to resubmit and prove the data already held in the electronic databases of the state when applying for a public service?
6. Do the electronic application forms and web forms allow people to add sufficient explanations to their applications if necessary?
7. Can people save their applications for public services and send them without having or downloading special software?
8. Are the interests of people with special needs considered in the provision of public services?

5. Everyone has the right to receive information about the progress made in processing their requests. People are given accurate overviews of the course and deadline of the provision of the service when the provision of the service starts. It is easy for people to check the stage of the resolution their application has reached.

Assessment Criteria:

1. Do the websites of administrative agencies give clear overviews of the different stages of the service and its provision?
2. Is the course of the service provision explained to people when they apply for services?
3. Do people find information on the websites of administrative agencies about the person who provides the services in the different stages of the procedure (down to the agency/structural unit/official) and can they find the necessary contact details?
4. Can people observe the course of the provision of the service on the Internet (the state portal, website of the administrative agency, etc.)?
5. Are people informed of the status of the service provision by telephone, post or letter, depending on the selected communication channel?

6. Everyone has the right to know what data an administrative agency has collected about them. Personal data is collected and used only for the purposes and in the extent defined by legislation. Everyone has the right to the amendment of incorrect and misleading data.

Assessment Criteria:

1. Can people check the data collected about them and held in a database and can they apply for amendment of such data if necessary?
2. Can people see, either when submitting their applications to administrative agencies or in the web environment, which persons have made queries about their personal data and for what purpose, or who their data have been sent to?
3. If an administrative agency is informed of changes in data, will it submit this information at its own initiative to the Population Register and the other main registers of the state?

7. Everyone has the right to know how their personal data are protected in administrative agencies. Administrative agencies guarantee that personal data are securely processed and that e-documents are safely preserved. Logs are kept of all queries made to databases that contain personal data and it is consistently checked whether such queries are justified.

Assessment Criteria:

1. Can people find information on the websites of administrative agencies about the purpose for which their personal data are collected and how the collected personal data are protected?
2. Is all information about each operation performed with personal data in the databases of administrative agencies and about the officials who performed them saved and preserved?
3. Are logs of viewings and uses of the personal data of people systematically analysed in administrative agencies?
4. Have the rights to access personal data been given only to officials who need to process personal data for the performance of their duties, and in the extent required for the performance of the duties specified in the job description?
5. Are only such personal data that need to be preserved and whose preservation deadline has not expired kept in the archive?
6. Are digital personal data destroyed completely after the expiry of their preservation deadline?

8. Everyone has the right to express their opinion of service quality to the service provider. Administrative agencies constantly monitor the quality of public services and involve consumers of public services as a source of feedback. Information about service quality is published on the website.

Assessment Criteria:

1. Do the websites of administrative agencies explain how to leave feedback about service quality?
2. Do administrative agencies regularly assess the quality of their services, incl. people's satisfaction with service quality?
3. Is giving one's opinion about the provision of services easy, e.g. is feedback about service quality requested in the course of providing the service?
4. Have administrative agencies published information about the performance of their duties and work results on their websites?

9. Everyone has the right to receive information from administrative agencies to the agreed contact address or the official e-mail @eesti.ee. Administrative agencies give relevant information at their own initiative.

Assessment Criteria:

1. Is information given to people through the channels they are most likely to use for obtaining information?

2. Can people use personal information services (e.g. joining a mailing list to receive news from administrative agencies or request news feeds; searches according to reference numbers, subjects and other criteria)?
3. Do the search engines on the websites of administrative agencies allow people to narrow down searches and perform searches with different preferences and levels of complexity?
4. Can the general information on the websites of administrative agencies be systematised according to necessity and the current situation?
5. Do administrative agencies use the opportunity to inform people through their @eesti.ee e-mail addresses if people have activated them?
6. Do administrative agencies offer automatic information to agreed contact addresses or activated official e-mail addresses about the expiry of documents or any other rights?

10. Everyone has the right to participate in the making of decisions that concern themselves and the society as a whole. The state and local governments support the inclusion of people in the decision-making process, guarantee that they are informed in a timely manner and create an environment for people where they can express their opinions.

Assessment Criteria:

1. Can people obtain information about the solution of issues that are of major public interest (e.g. the establishment of construction plans) from the websites of administrative agencies?
2. Are people or interest groups involved in the solution of issues of major public interest at the initiative of the state or local governments?
3. It is easy for people to submit their opinions and proposals?
4. Do administrative agencies give feedback about the opinions and proposals received from people in the course of involvement?

EXPLANATIONS

Even though the Administrative Procedure Act, which prohibits excessive burdening of people and allows for electronic administration, has been in force for more than five years, our administrative agencies continue to organise the provision of public services and distribution of information the way it has always been done and in a manner that is convenient for the officials. It often happens that people in administrative agencies do not know how to process electronic documents and not enough attention is paid to the protection of personal data. The National Audit Office arrived at this conclusion in the audit *Quality of Public Services in Information Society* in 2007. The final conclusion of the audit was that people are given the run-around more often than is appropriate in an e-state. How can this be changed?

One of the ideas offered by the National Audit Office as a solution to these problems was the creation of the e-state charter. Inspiration for this proposal came from the e-citizen charter of Holland¹, which was adopted in 2006 and has by now acquired the bearing of a national standard. In the end of 2007, we called the first think tank consisting of e-service developers, politicians, civil society representatives and specialists in order to gather the principal rights of everyone in an e-state into a charter alongside the clearly measurable criteria that public services in an e-state should comply with. The text of the charter was created in the course of joint discussions and it was presented to the public for feedback on the website osale.ee. The draft charter was viewed more than nine thousand times from June until September this year.

The charter has been written from the viewpoint of ordinary people and lists the rights that people have when communicating with administrative agencies in an e-state. e-state is a society where people communicate mainly through means of information and communication technology and information is presented, stored and forwarded electronically. People can assess whether their rights have been considered in the provision of public services in the e-state using the assessment criteria added to the principles of the charter. Public services include, for example, the issue of administrative acts (e.g. planning permissions, benefits, precepts) and creation of a good e-environment for the performance of a person's obligations (e.g. declaration of taxes). The charter allows each administrative agency to review their operations easily and systematically and to set clear and easy-to-measure goals to the creation of administrative procedures that are more focused on citizens. For the purposes of the charter, administrative agencies are state institutions, local governments, legal entities in public law and any service providers in the private sector who provide services on the basis of administrative contracts. Everyone means all consumers of public services in the e-state.

The criteria for assessment of all service levels highlighted in the charter are based on an analysis of legislation and practice. All the principles and criteria of the charter are generally valid and important also in the use of other, not just electronic communication channels. However, reminding of the principles and specifying the content of good administration as the key of e-communication is particularly important today.

¹ http://www.burgerlink.nl/linkhome/english/e-citizen_charter

The National Audit office wishes to use the criteria highlighted in the e-state charter in the organisation of its future audits for assessment of the quality of public services. It is also planning to recognise public services that proceed from the principles of the charter and their creators. Quality badges *Wow, great e-service!* will be handed out each year for this purpose.

The charter will also be updated and amended as new e-state options are created.

The Right to Choose Communication Channels

1. Everyone has the right to choose how they consume public services and communicate with administrative agencies. Public services are offered through all communication channels: service bureaus, post, telephone, Internet, incl. e-mail.

1. All administrative agencies must avoid excessively burdening people with expenses and administration. This also means that in an e-state, people do not always have to visit administrative agencies, but are able to submit applications for extending their identity documents or for other public services through the Internet. Officials are obliged to explain the different options of applying for services to people. Allowing for communication through the Internet should not preclude the rights of people to visit administrative agencies in person or to conduct their business by post. The Internet is an alternative communication channel and use of a certain channel should not lead to preferential treatment in terms of accepting applications for processing or the deadlines by which they are reviewed.

2. People may be required to visit an administrative agency when applying for public services only if the official needs to meet the applicant in person in order to provide the service. Such exceptions (e.g. applying for the first identity card) arise from law. Administrative agencies are obliged to offer explanatory information about the channels through which services are provided also on their websites.

3. Electronic communication with administrative agencies and the completion, saving and sending of electronic applications on the websites of administrative agencies must be possible through all most common operating systems (Linux and MacOS in addition to Windows).

THESE RIGHTS IN LAWS:

Subsections 5(2), 14(1) and section 36 of the Administrative Procedure Act.

The Right to Identify Oneself with the ID Card

2. Everyone has the right to identify themselves using an ID card when applying for public services without visiting an official. Services that are highly personal or have a big impact are subject to stricter identification requirements upon application and provision.

1. The ID card is a mandatory identity document in Estonia, but it also has an added function that allows people to communicate electronically with administrative agencies. People can use the ID card to identify themselves electronically and to sign documents digitally. Having an ID card has been made mandatory by the state, which means that people have the right to use it in communication with administrative agencies. All administrative agencies must be able to receive and process digitally signed documents. People are advised about how to use the ID card on the 24 hour ID card helpline 1777 or on the website www.id.ee.

2. Electronic applications submitted to administrative agencies in order to obtain administrative acts or perform administrative operations must be digitally signed by applicants. If a person has expressly stated that they would like to receive the response to their question or the administrative act electronically, then it must be sent to the e-mail address indicated in the application bearing the digital signature of the competent person. What needs to be specified here is the moment from which an electronic administrative act is deemed as delivered. For example, procedural documents are deemed as electronically delivered in civil proceedings after the recipient has confirmed receipt of the documents to the administrative agency. Procedural documents can also be delivered with an automatic delivery confirmation if the recipient agrees with this.

3. Information about public services must be freely visible to people on the web and authentication (PIN 1) or digital signing (PIN 2) should be required only in the course of applying for or providing the service. The state should analyse practice and legislation and develop guidelines for service developers that stipulate when applying for a service requires digital signature and when authentication is sufficient.

4. People do not have to enclose copies of identity documents when digital signature is used as they have already identified themselves through the digital signature. The operations in the provision of public services where enclosing a copy of an identity document in addition to a digitally signed application or other document is required should be reviewed and the legislation on which they are based should be amended.

5. Submission of requests for information and any other information exchange with administrative agencies may be done through ordinary e-mail correspondence, because giving public information does usually not require identifying the person to whom information is given. If the information is subject to access restrictions, the administrative agency needs to ascertain that the specific person has the right and the need to access the information they are requesting. Identifying the applicant is required in such cases. The information sent in an e-mail may in certain cases be encrypted in such a manner that the file can only be opened with an ID card. The person who possesses the information is obliged to explain the procedure, terms and conditions and manners of accessing the information to the requestor.

THESE RIGHTS IN LAWS:

Subsection 44(2) of the Constitution; subsections 5(6), 7(3,4), 14(4), 25(1), section 27, subsections 33(2), 55(3) of the Administrative Procedure Act; subsections 4(1,2) and 13(2), sections 15 and 43 of the Public Information Act; subsection 3(1) of the Digital Signature Act.

The Right to Receive Complete Information about Public Services

3. Everyone can easily obtain information about public services.

1. The information required for the exercise of people's rights and performance of their obligations must be fully disclosed on the websites of administrative agencies and up to date at any time. The right to receive information also means that people can easily find the information they are looking for on the website of the administrative agency. For example, the information concerning different public services can be displayed in the same place on the administrative agency's website where explanations are also given about the bases and procedure of applying for the services and where the service provision process and deadlines are described, references are provided to the legislation that regulates the provision of the service, the electronic application form or web form can be found and where instructions are given on how to fill in the latter. Information should be given in a clear and concise manner considering the circle of addressees of such information. Websites should provide information on the services of the same type which are offered on the levels of the state and local governments (e.g. registration of births and deaths, state allowances relating to these events and the additional allowances paid by local governments). If the administrative agency has decided to give information about its services on its website in several languages, then the information should be equally detailed in all language versions.

2. People do not have to know which services or benefits are offered by the state and which are offered by local governments. It is important that once people have started looking, they will be led to the information they need through different links. This means that websites should be structured according to the logic of the website's users and the offered services. Access to services in information society can be improved through the implementation of an all-in-one model by grouping services on the websites of administrative agencies according to the events in a person's life, for example. The state portal www.eesti.ee makes it possible to implement such an all-in-one principle today. It is important for administrative agencies to acknowledge that they are the ones responsible for sending any information that concerns them to the state portal and making sure that such information is up to date.

3. Creation of personalised websites (citizen accounts) would considerably increase the accessibility of services and make their usage easier. The citizen account would be the person's 'web home' where the person receives notices about his or her rights and obligations (e.g. the person's driving license is about to expire, the due date for payment of land tax is approaching, the person is required to pay a penalty for misdemeanour, the person is entitled to have his or her study loan written off on account of the birth of a child, a new detailed plan is being established for the district near the registered place of residence of the person, the person is entitled to apply for allowances on account of the birth of a child, new waste management regulations to be implemented, etc.). Information about new notices would be sent to the official e-mail address of the person if he or she has activated it, and the person would be able to examine the notices when entering the so-called citizen account. People must identify themselves with their ID cards when logging into the citizen account and this means that logging in and viewing notices could be tied to confirmation of receipt of documents.

THESE RIGHTS IN LAWS:

Subsection 7(2) and section 36 of the Administrative Procedure Act; section 4, clauses 9(2)8, 28(1)4) and 32(1)2,3) of the Public Information Act and subsection 4(3) of the Digital Signature Act.

The Right to Apply for Public Services Easily and Conveniently

4. Everyone has the right to apply for public services easily and conveniently. Public services are offered in such a manner that people do not get caught up in technicalities. Administrative agencies do not burden people with unreasonable demands.

1. The application forms on the websites of administrative agencies should be in a format that allows users to save the completed forms on their computers and send them electronically. This should be possible without users having to download any software.
2. Web forms pre-populated on the basis of the data held in the main registers of the state (e.g. the Population Register, Land Register) should be used as much as possible in order to allow for presentation of the data already known to the state on the application form. Use of web forms reduces the likelihood of errors being made when data is entered and it saves time for people and officials. If authentication of the person is not sufficient and applications for public services must be signed, then it must be possible to sign the web forms digitally and also to print them out for signing them on paper.
3. Administrative agencies often need to use data held by other administrative agencies in order to provide services to people. Data exchange between administrative agencies should be quick to avoid delays in issuing administrative acts. Parties who depend on each other should establish common reliability (availability) rules for their services (e.g. the length of interruptions permitted in the provision of e-services).
4. Use of electronic forms and web forms should allow people to disclose all information that they feel should be disclosed to the public service provider. It should be possible to add enough text in the comments field, or it must be possible to enclose separate documents with the electronic application.
5. When a person becomes entitled to a benefit or service as a result of an event the occurrence of which is entered in the Population Register, it should be possible to provide the service without requiring an application if all the data required for provision of the service (e.g. bank account number) exist. The service provider should inform the person of receipt of the service and of the option of waiving it.
6. No unjustified procedural or formal requirements may be established for people in applying for public services, i.e. they may not be required to present paper documents or their own personal copies if the data on them is also held in the databases of the state or local governments that the administrative agency can access. Public service providers may also not require people to obtain approvals from other administrative agencies if the administrative agency itself can obtain the approval on the basis of existing data. If resolution of the application is not within the competency of the administrative agency to whom the application was submitted, the official must advise the applicant of the correct administrative agency or forward the application to the competent agency at his or her initiative and inform the applicant thereof.

7. The interests of people with special needs must be considered in the development of public e-services².

THESE RIGHTS IN LAWS:

Subsection 5(2), sections 16, 40 of the Administrative Procedure Act; subsection 17(1) and section 18 of the Administrative Cooperation Act.

² Web Content Accessibility Guidelines (WCAG, <http://www.w3.org/TR/WCAG20/>) concern the availability of websites. Assessment of the availability of the websites of the constitutional institutions and government agencies of Estonia according to the WCAG methodology
http://www.riso.ee/et/koosvoime/internet/Valitsuasutuste_veebid_2006

The Right to Receive Information about the Progress of Service Provision

5. Everyone has the right to receive information about the progress made in processing their matters. People are given an accurate overview of the course and deadline of the provision of the service when the provision of the service starts. It is easy for people to check the stage the resolution of their application has reached.

1. Information about whether and how people are informed about receipt of applications submitted on the Internet, how information can be obtained about the stage that provision of the service has reached and the deadline for provision of the service must be presented on the website of the administrative agency in an unambiguous manner and it should be easy to locate. In addition to other channels, it should also be possible for people to monitor their applications on the administrative agency's website in order to view the stage that the processing of their applications has reached and who (administrative agency/subunit) is processing the applications. Only the applicant him- or herself can monitor the progress of the application on the website after being reliably identified (e.g. with the ID card). For example, the website of the Citizenship and Migration Board allows people to check the progress of their applications. In the future, everyone should be able to see all the services provided to them - both completed (i.e. an administrative act has been issued) and pending ones - after logging into the state portal (www.eesti.ee) and identifying themselves with the ID card.

2. The service providers must also explain to people how they can speed up proceedings and what are the operations that the parties to the proceedings must complete themselves in advance.

THESE RIGHTS IN LAWS:

Subsections 35(2), 36(1) and section 41 of the Administrative Procedure Act.

The Right to Know What Personal Data Administrative Agencies Have Collected

6. Everyone has the right to know what data an administrative agency has collected about them. Personal data are collected and used only for the purposes and in the extent defined by legislation. Everyone has the right to amendment of incorrect and misleading data.

1. An administrative agency must always be able to justify the purpose for which personal data are collected. If the need to collect personal data does not arise from legislation, then collection and use of personal data requires the consent of the person or the person will have the right to demand that access to such data is closed or to be deleted. The question required for obtaining a person's consent may be included on the application form. When a person is asked for their consent, they should also be advised of the purposes for which personal data is collected and used in the future.
2. Administrative agencies often ask people for the same personal data when they come in contact with them. In practice, however, databases of the state and local governments should exchange information and the collection of the same data into different databases should be avoided. Differing and sometimes outdated data held in different databases may mean that not all public services reach the person. Therefore, it is in the interest of people to update the address and communication data held in the Population Register so that these can also be accessed by other administrative agencies when necessary and used to contact the person.
3. Administrative agencies that collect personal data must disclose the data collected about a person and the purpose of their use to him or her whenever requested and they must also give information about who has used these data and who they have been sent to. A trail must be left in the databases of administrative agencies of all uses and instances of processing of personal data. As an exception, a person must not be given access to personal data and the information about their processing if this may damage the rights and liberties of another person, threaten the protection of the secrecy of a child's parentage, obstruct the prevention of a crime or apprehension of a criminal offender or make ascertaining the truth in criminal proceedings more difficult.
4. Information about personal data queries and forwarding such data from databases could be available to people either on the administrative agency's website (if it allows for the person to be securely identified) or in the state portal without submitting an information request to the administrative agency. Information about personal data processing could be sent to the citizen account (see clause 3.3) as the state portal develops.
5. People have the right to inform about any incorrect data collected about them and to apply for them to be corrected. People can partly assess the correctness of the data collected about them and inform of any incorrect data through the state portal, for example.

THESE RIGHTS IN LAWS:

Section 6, subsections 10(1,2), sections 14, 16, 19-23 of the Personal Data Protection Act; subsections 431(1), 433(2), 436(2) of the Public Information Act.

The Right to Personal Data Protection

7. Everyone has the right to know how their personal data are protected in administrative agencies. Administrative agencies guarantee that personal data are securely processed and that e-documents are safely preserved. Logs are kept of all queries made to databases that contain personal data and it is consistently checked whether such queries are justified.

1. Personal data may be processed in administrative agencies (viewed, corrected, amended, etc.) only by authorised officials and only for the performance of their official duties.

Administrative agencies must have a clear overview of the officials who process personal data and their rights to access personal data. The information systems used for processing personal data must save information about the persons who processed the personal data, when they did it and what they did, and prevent persons who do not have the right to access personal data from accessing such data. All persons who process personal data are liable for such processing to be lawful. Administrative agencies must prevent situations where several persons can enter a database with the same user ID. The easiest way to guarantee this is by allowing access with ID cards only.

2. All administrative agencies must apply security measures in order to protect personal data from involuntary and unauthorised processing, public disclosure or destruction. Use of appropriate measures means that electronic documents and data can be stored more securely than paper documents. For example, it should be possible to ascertain who viewed an electronic document and when. If an administrative agency has not appointed an official who is responsible for personal data protection, then any processing of delicate personal data must be registered with the Data Protection Inspectorate who will check that the necessary security measures exist before registering the processing.

3. Forwarding data to other administrative agencies and officials is also permitted only on the bases and pursuant to the procedure stipulated by law. Data must not be lost in the course of data forwarding or fall into the hands of persons who have not been granted the right to access them. The personal data held in the databases of the state and local governments may not be viewed out of simple curiosity. A person who has suspicions that their personal data have been abused may turn to the specific administrative agency, the Data Protection Inspectorate, the Chancellor of Justice or a court.

4. If personal data are collected through a website, then the website must explain the purpose for which personal data are collected and used, and the obligations the administrative agency enters into in relation to processing the data.

5. Once preservation of personal data is no longer necessary, the administrative agency must destroy the personal data by destroying the data medium or deleting the personal data in such a manner that they cannot be restored. The preservation deadline will be determined by the administrative agency except for the cases when this is stipulated in legislation. Data that needs to be preserved for a long time will be handed over to the archive.

THESE RIGHTS IN LAWS:

Subsection 44(3) of the Constitution, clauses 6 6) and 7) and sections 24-27 of the Personal Data Protection Act; section 19 of the Administrative Procedure Act, sections 31 and 33 of the Archive Act.

The Right to Give Feedback about Service Quality

8. Everyone has the right to express their opinion of service quality to the service provider. Administrative agencies constantly monitor the quality of public services and involve consumers of public services as a source of feedback. Information about service quality is published on the website.

1. It is important to analyse whether the activities of officials and the operations established in administrative agencies contribute to the achievement of the agency's goals as it gives the state an overview of whether its activities are serving their purpose. This is why it should be reviewed from time to time whether the established deadlines are adhered to in processing the applications of people, whether people are given sufficient information about the activities of the administrative agency so they can exercise their rights in a timely manner, whether operations in the web environment of the administrative agency are easy for users, etc. Feedback about the above makes it possible to decide on the quality of the administrative agency's activities in the provision of services.

2. Public service providers must disclose on their websites any reports on their performance, data of ordered surveys and analyses (unless this is information subject to restricted access), data about the provision of public services and about changes in the terms of provision and prices of such services before the implementation of the changes.

3. It is good practice to give information about the person who people should contact about service quality on the administrative agency's website. For example, references are often made to the e-mail address or web form that can be used for giving feedback. It would be best if giving feedback was integrated in the service provision process. Public web forums are also of help in the assessment and improvement of service quality as people can use them for comments or praise about the provision of public services. A good example here is the Complaints Book of Tarbija 24 that has a separate State Institutions column.

4. The state and local governments must also monitor and assess the quality of the services they have delegated to the private sector.

THESE RIGHTS IN LAWS:

Section 28 of the Public Information Act; clause 5(1)2) and subsection 10(5) of the Administrative Cooperation Act.

The Right to Receive Direct Information from Administrative Agencies

9. Everyone has the right to receive information from administrative agencies to the agreed contact address or the official e-mail @eesti.ee. Administrative agencies give relevant information at their own initiative.

1. The principle of good administration covers the timely involvement of persons in the solution of issues that concern them individually. It often happens that people do not get information from an administrative body before a decision is made - no information is given at all or it is given through channels that the person does not use on a daily basis and this is why they are unable to protect their interests at the right time. Examples of this are planning and processing of construction plans where documents can only be reviewed in the city or rural municipality government and a notice about the initiation of a plan is only published in a (local) newspaper, or the cutting of trees on streets where people who live on the street are not informed of this at all. Administrative agencies should give sufficient notice of any intentions that concern the rights and interest of people so that people can form an opinion and defend it if necessary. The Supreme Court³ has found that administrative agencies must inform people of weighty decisions (incl. several environmental decisions) more intensively than required by law, incl. using channels through which the information actually reaches the interested persons. Only the information channels stipulated by law are used if selecting such a channel causes unreasonable expenses.

2. Administrative agencies could offer information through the mailing lists or news feeds (RSS). If possible, information should be offered according to different areas (e.g. pre-school children, business in city centre) or on the principle of regional preferences (e.g. detailed plans initiated in city district X) as requested by the person.

3. Every ID card holder in Estonia has an official e-mail address, which is a good channel for distribution of personalized information. If a person has activated their official e-mail address and information can be sent electronically, then the state should use the official e-mail address as the primary contact address of the person when giving information that concerns the person and only if the official e-mail address has not been activated or the person has not provided a different contact address for information, the state should use such channels provided for by law as national or country newspapers, rural municipality newspapers, etc. for distribution of personalised information.

4. The next step after using the official e-mail address would be the creation of a personalised website (so-called citizen account) where people could view the notices sent to them by the state and local governments.

THESE RIGHTS IN LAWS:

Sections 46-50 of the Administrative Procedure Act, section 1 of the Public Information Act.

³ RKHKm 3-3-1-31-03 art. 26

The Right to Participate in Decision-Making Processes

10. Everyone has the right to participate in the making of decisions that concern themselves and the society as a whole. The state and local governments support the inclusion of people in the decision-making process, guarantee that they are informed in a timely manner and create an environment for people where they can express their opinions.

1. In a democratic society, it is possible for everyone to be informed of the activities of public authorities, make proposals, submit opinions and receive feedback. People and interest groups should be involved in decisions that concern them in the earliest stage possible - either when goals are set, possible solutions are offered or plans for decisions are offered. In the case of consulting, administrative agencies will ask about the opinions of people and interest groups and give feedback about how the opinions have been considered.

2. Public consultation is used for decisions that have a considerable impact on several interest groups or that affect the development of the entire society and state. Participation website www.osale.ee is a communication environment for administrative agencies, citizens and interest groups where everyone can submit proposals to the state about the creation of new legislation or the amendment of an existing one. Responses are given to all submitted proposals. It should also be possible to give feedback about the drafts of city and rural municipality councils and governments in the web environment in sufficient time before they are passed.

3. The good practice of involvement can be reviewed on the website www.valitsus.ee.

THESE RIGHTS IN LAWS:

Sections 1, 28 and 29 of the Public Information Act; section 48 of the Administrative Procedure Act.