**Response of the Government of Estonia to the request of the OHCHR for information to be taken into account during the preparation of the draft guidelines on the effective implementation of the right to participate in public affairs**

Estonia as well know also for its e-Government has through the use of ITs created several opportunities to enable participation in public affairs. Following are some examples.

There is a widespread practice in Estonia that Government authorities include stakeholders and public in the elaboration of decisions concerning them with the purpose to ensure the transparency of the decision-making and best possible quality and legitimacy of the decisions.

In 2011 the Government adopted Good Engagement Practices that set out instructions for arrangement on public consultation. Ministries need to include stakeholders into preparation of decisions, present draft laws and development plans for opinions and give feedback on the opinions gathered. For better inclusion of partners, an Inclusion Handbook has been prepared for civil servants and NGOs.

It is common that representatives of stakeholders participate in the working groups and steering committees of drafting legislation, development plans etc. All draft legislation, strategies, development plans, concept papers etc. are published in [www.osale.ee](http://www.osale.ee) website for public debate, in Government’s Draft Legislation Information System (EIS) <http://eelnoud.valitsus.ee> for opinions.

In Estonia we have different areas of e-democracy, including how to involve non-governmental partners (civil society organisations and citizens at large) in political discussions and the policy-making cycle, both in the government-to-citizen (G2C) and citizens-to-government (C2G) format. Other e-democracy areas include grass-root activism/social networking (citizens-to-citizens or C2C format), online political campaigning and e-voting.

The most well known case connected to e-democracy is internet voting as a technologically-enabled option to exercise citizen´s rights. Internet-voting with binding results has been carried out since year 2005 many times in Estonia: in local elections, parliamentary elections and European Parliament elections.

A noteworthy example of a successful internet political campaign is the 2009 European Parliament elections, when independent candidate Indrek Tarand collected 25.8% of the total votes and was elected MP after holding a low-budget campaign mainly on Facebook, Twitter and Youtube and actively appearing on online media channels.

**Government-provided initiatives for e-participation**

E-participation initiatives such as **TOM (*Today I Decide*)** and its enhanced version, which is integrated into the central governmental participation channel, osale.ee, support civil servants in their engagement practices and enable transparency in policy-making and public participation.

The first Estonian site targeted toward deliberative democracy, TOM (launched in 2001), allowed citizens to engage in the legislative process and policy-making. The TOM tool was established as a forum for citizens to propose, discuss and vote on legislative proposals. The deliberative process goes as follows: anyone can propose a change in the existing regulations or describe a new idea for legislation. The proposal is then commented and voted on by other users on the site. Once a proposal is backed by a simple majority, it is forwarded to the relevant government department, which has a duty to respond to the proposal by explaining what action was or was not taken and why. This formal government response is then posted on the site.

When the use was analysed in 2007, the statistics showed that in 6 years, TOM attracted 6000 users and 1025 legislative ideas were proposed. Approximately 90% of all proposals the users voted on got an answer from civil servants.

The experience gained from launching and developing TOM and the central participation tool was used to create an international product, TID+, an open-source software that can be used as a model for collecting public proposals.

The Estonian government’s central participation portal, [**www.osale.ee**](http://www.osale.ee) **('osale' means 'participate' in Estonian)**, was launched in 2007, allowing interest groups and individuals to comment on draft policy documents, launch their own ideas and initiatives for new legislation and amendments, and submit petitions. Other users can vote and comment on these proposals. Then the proposal is forwarded to the relevant government department, which in turn posts an answer, explaining what action was or was not taken and why.

Government agencies were advised how to publish draft policy papers, development plans, laws or provisions on the consultation website. Consulting is voluntary and some agencies have been more active than others in using consultations. Besides publishing legislative drafts for public consultation on the participation site, it is customary to email the material to selected non-governmental partners known for their expertise in advocating their members’ interests.

An average of 25 public consultations is carried out annually, initiated by all ministries and the government office. The website has many registered users, among which are individual citizens and representatives of civil society organizations. Only registered users can comment.

Currently, osale.ee consultations have been integrated with the **government´s official legislation site, EIS** <http://eelnoud.valitsus.ee>, where the full cycle of legislation and policy-making is accessible for the public. All interested groups and individuals can follow the policy-making process and comment throughout the stages, until the act is presented to the government session. Estonia is known to be the only country where the drafting of legislation and inter-ministerial coordination processes are so transparent.

**The Citizen Initiative Portal** [**www.rahvaalgatus.ee**](http://www.rahvaalgatus.ee)enables you to write proposals, hold discussions, compose and send digitally signed collective addresses to the Estonian Parliament (Riigikogu).

At rahvaalgatus.ee you can submit a proposal to the Riigikogu on how to amend existing regulations or improve the society. A collective address should have at least 1000 signatures in support, given by at least 16 year old citizens of Estonia. At rahvaalgatus.ee you can follow the proceeding of the address in the parliament and whether it will become a draft act. Collective petitioning right emerged from the People’s Assembly process – since 2014 spring every citizen can send collective initiatives to the Parliament for consideration. According to the law, the Parliament will have to process appeals that have at least 1000 signatures. During the period from spring 2014 until beginning of 2016, the Parliament has processed 12 collective initiatives and two of them have been made into laws. The portal is created on the freeware for community decision-making — CitizenOS.com — which is set up by the foundation Lets Do It! The citizen initiative portal is one of the activities in the Estonian Action Plan 2014-2016 of the Open Government Partnership. A good explanation about Rahvaalgatus in youtube: <https://www.youtube.com/watch?v=27lN6HmwuY4>

**Rahvakogu (People’s Assembly)** is a deliberative process that stemmed from the Charter 12 initiative, which was a manifesto reacting to political scandals, corruptive party financing and political in-accountability. The manifesto collected more than 17,000 signatures online.

The president of the Republic called on civil society to start a crowdsourcing process to give citizens a voice in controversial political practices. People were asked to submit proposals via rahvakogu.ee (and by ordinary mail) in January 2013. The portal was based on the open source code of platforms Better Rejkjavik and Better Iceland, created by net activists of citizens.is, the Icelandic organization that was also involved in the crowdsourced constitution-drafting.

The web-crowdsourcing stage resulted in 1974 posts (proposals and comments) that were categorized into five focal topic areas concerning electoral regulations, party financing and legitimacy and politization of public sphere. The site gathered more than 50,000 unique visitors from 87 countries around the world.

The material collected in the form of proposed ideas and comments were synthesized and sorted into 49 sub-groups, then assessed by a body of experts, specially convened to analyse the connection of proposals with the current legislation and their potential impact on the problems identified at the beginning of the deliberative process. The grouped proposals were debated in thematic seminars which gathered proposal authors, experts and political party representatives to select the most influential amendments. These were discussed and voted on at a Deliberation Day with 314 participants that represented Estonia's demographic makeup. Deliberation Day resulted in 15 proposals that were selected from the bulk of legislative amendment ideas presented during the process.

All results accrued during the multi-stage process were presented to the parliament by the president, who was the patron of the deliberative process. The parliament issued their feedback on the proposed amendments and gave a timetable when these legislative changes are going to be discussed in the formal procedures.

Estonia has joined the **Open Government Partnership**, which currently includes 69 countries. The OGP is an international initiative that was created to promote good governance in the world by using opportunities arising from developments in technology. According to an evaluation published a year ago by the international secretariat of the OGP, Estonia has managed to involve non-governmental organisations in the preparation, implementation, and performance of the OGP Action Plan better than anyone else.

According to OECD data, involvement in policy-making in Estonia has increased significantly. Compared to other OECD countries, Estonia ranks sixth out of 38 countries. In the previous report, Estonia was ranked 33th out of 36 countries.

Estonia has adopted an Open Government Action Plan and in the third implementation period, the Estonian action plan focuses on two priority axes when implementing the principles of open government partnership – developing citizen-centred public services and an open and inclusive policy-making process.