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Transformation of E-Government and E-Governance in the Digital Economics

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Abstract

The article deals with the development issues of e-government and e-governance in Russia and elsewhere. In modern society the social relationships appeared to be as evolving under the notable impact of information and communication technologies. The functioning of the state also changes in a number of aspects, with all three branches of governance affected by transformations. Executive authorities are subject to the most significant changes. With the emergence of e-government in countries with different political and legal traditions, the procedure for the provision of public and municipal services is changing and executive authorities become more transparent. The ongoing processes have to be theoretically studied including with the purpose of developing a comprehensive approach to regulation of e-government. In this regard, it is necessary to take into account and analyze the international experience of building e-government as well as the general and specific features of the applicable law. The focus of the study is e-governance and executive branch in the context of information society — in particular, the legal provisions applicable to e-government as a new state of executive authorities in Russia and internationally. It has been found in the course of the research that the development of e-government is followed by transformation of the system of executive authorities, with supra- and interagency bodies emerging to coordinate the action of other executive bodies for managing the affairs of information society, develop the concerted policies and also supervise other executive bodies amid the centralization of e-government powers and development of e-government.

Keywords

transformations; e-government; e-governance; digital governance; executive authorities; public services.

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Background

The emerging information society requires common information space to be created through concerted public policies and coordinated governance by executive authorities. In this regard, the state machinery undergoes a transformation, with special supra-agencies being created to pursue consolidated information policies and coordinate action of other executive bodies for managing the affairs of information society. In addition, interagency bodies spring up to coordinate action of other executive bodies. Unlike other executive bodies of the sectoral competence, these supra- and interagency bodies have intersectoral competences which allow them to introduce provisions and exercise powers in respect of different executive bodies in connection with different areas of regulation (such as access to information, public e-services, personal data protection, etc.). These bodies also have the power of control in respect of other executive bodies.

Under the internationally adopted politico-legal doctrine, a distinctive feature of e-government is the emergence of interagency commissions to focus on general tasks. These commissions normally handle the administrative aspects of the development of e-government: they will decide what should be done or changed in the operational arrangements of executive bodies to improve the e-government. The following factors determine whether such interagency bodies are good: clearly defined interagency powers, reporting to a supreme executive body or specially created government committee responsible for the development of e-government; appointment of senior officials from the executive branch — ideally not below deputy minister — to the commissions (so that they can adopt binding decisions); clear coordination of action between commission members and executive bodies; powers to take decisions and/or propose recommendations to the supreme executive body for the development of e-government;

possibility to participate in the allocation of budget funds for development of e-government or to issue instructions to the financial authorities on desirable spending of funds.

A need to pursue consolidated information policies can be attributed to the nature of information space as a multi-faceted and at the same time holistic phenomenon. Whereas in the past the executive bodies would operate strictly within the powers afforded to them, the situation changes in the context of information society since managing the affairs of a complex social phenomenon will require that public bodies develop cooperation between them and that certain supra- or interagency bodies assume the powers for the development of e-government and for control of executive bodies' compliance with individual rights of access to information and public e-services.

As was rightly noted by I.L. Bachilo with regard to a manifestation of the observed trends, "it can be assumed that the supervisory structures will become more consolidated, with the emergence of control bodies beyond the scope of each ministry" [Bachilo I.L., 2005: 17]. Meanwhile, the trend for the executive reform is much wider: new supra- and interagency bodies not only assume control powers but also exercise statutory regulation, develop public policies for the promotion of e-government, and coordinate action of other executive bodies.

1. E-Government and the Transformation of E-Governance in Russia

In Russia, the Ministry of Digital Development, Communication and Mass Media (MDD) is in charge of E-Government.

Under Federal Government Resolution No. 418 of 02 June 2008 "On the Ministry of Digital Development, Communication and Mass Media", the MDD is a federal executive agency for "the development and implementation of public policies and regulation in the area of information technologies (including IT used to put in place and provide access to public information resources), and the provision of public IT services including IT which is used to put in place and provide access to public information resources"[1].

[1] SPS ConsultantPlus.

The MDD is also the federal executive agency authorized to regulate the use of e-signature. Its regulatory scope includes the identification of individuals based on biometric personal data and the development of requirements to the format of data used in public information systems.

The Ministry ensures "the availability of information systems for the public service provision in a proactive way including via the integrated portal of public and municipal services/functions, integrated identification and authentication system based on automatic receipt of the required data from data systems (including public data systems) or resources (including public resources), in particular, those on civil registration to be provided by the integrated state register of births, deaths and marriages"[2].

The MDD has a number of powers regarding the development of e-government and E-Governance in Russia with the following priority areas being identified: development of information government (government-wide/regional IT penetration, digital transformation of public agencies); development of E-Government (e-services for individuals/businesses, e-government infrastructure, integrated biometric system, superservices, as well as digital transformation of public services); nationwide digitization (coordination, monitoring and implementation of the regional digitization, digital transformation strategies).[3]

Thus, the MDD is responsible for coordination of digital transformation as well as development of E-Governance in other public agencies including both federal and regional executive bodies.

To conclude, the Ministry is a kind of "supra-agency" responsible for development of e-government as a whole.

This approach has resulted in the fast and efficient development of E-Government in Russian Federation. The country traditionally ranks fairly high in the United Nation's e-Government Development Index (EGDI), which is one of the key development indicators of information society and digital governance worldwide.

In 2022, "Russia ranked 42nd among 193 countries (36th place two years before). Russia is ahead of the countries such as Croatia (44), Czech

[2] SPS ConsultantPlus.

[3] Available at: URL: https://digital.gov.ru/ru/activity/ (accessed: 22.11.2022)

Republic (45) … and Slovakia (47)"[4]. Russia's EGDI index "fell 0.008 point over two years down to 0.8162"[5].

This result is anyway considerably higher than the global average of 0.61 point. As a matter of comparison, "Denmark ranks first with 0.97 point while South Korea leading in Asia has 0.95. Kazakhstan has maintained its leadership in Central Asia in terms of e-government development with 0.86 point in 2022 against 0.83 two years before"[6].

Thus, a relatively small number of points to be earned will get Russia to the top of the list which is quite feasible in view of the progress achieved by the MDD and Federal Government in digitizing the state machinery and public services.

Apart from the MDD, there is the Governmental Commission for Development of Information Technologies for Improvement of Living Standards & Business Environment (hereafter –"Commission"). The Commission is "a steering body established to ensure cooperation between the federal executive authorities and local governments to develop the ecosystems of digital economy and to promote the use of IT and communications in general for the benefit of information society and e-government in Russia".[7]

As follows from the Government of the Russian Federation Resolution No. 1065 of 07 September 2018, Commission mentioned is charged with the following main tasks: promoting the use of IT for better quality and accessibility of public and municipal services available to individuals and legal entities; organizing public bodies for international cooperation regarding IT and improvement of Russia's information technologies development ratings.

The Commission's presidium mainly deals with steering the government efforts at the federal and regional levels to design consolidated public policies for development of digital platforms for the benefit of economic sectors including public administration and municipal economy; develop-

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[4] Available at: URL: https://www.tadviser.ru/index.php/%D0%A1%D1%82%D0%B0%D1%82%D1%8C%D1%8F:%D0%A0%D0%B5%D0%B9%D1%82%D0%B8%D0%BD%D0%B3_%D1%8D%D0%BB%D0%B5%D0%BA%D1%82%D1%80%D0%BE%D0%BD%D0%BD%D0%BE%D0%B3%D0%BE_%D0%BF%D1%80%D0%B0%D0%B2%D0%B8%D1%82%D0%B5%D0%BB%D1%8C%D1%81%D1%82%D0%B2%D0%B0_%D0%9E%D0%9E%D0%9D_(EGDI) (accessed: 22.11.2022)

[5] Ibid.

[6] Ibid.

[7] Available at: URL: http://government.ru/department/492/about/ (accessed: 22.11.2022)

ment and use of IT and digital platforms, and development of a modern information and communication infrastructure; better performance of the budget expenditures for IT penetration and use by public authorities; decision-making to put in place and use an infrastructure for data exchange and technological interaction between data systems used for the provision of public and municipal services and performance of public and municipal e-functions; transition towards public and municipal e-services; development of a consolidated identification and authentication system to be integrated into federal, municipal and other data systems for provision of public, municipal and other services; coordinated development of interagency data exchange and integration of public, municipal and other data systems for provision of public, municipal and other services; decision-making for public data management and transfer to the analytical data support subsystem of the federal public information system "Universal information platform of the national data management system".

The Commission is headed by the Chairman of the Russian Federation Government who leads its activities and is responsible for achievement of the tasks assumed by the Commission.

The Commission includes, apart from the Chairman of the Government, a Deputy Chairman responsible for coordination of federal executive agencies with regard to digital transformation of governance, digital development and public policies in the area of communication, as well as the executive secretary and other members.

The Commission also includes representatives of different federal executive bodies and government-funded entities.

Thus, Russia has a "supra-agency" governmental commission for the development of e-government and digital governance, and coordination of relevant activities of federal executive bodies. While this commission does not have the status of a public agency, its high level makes its decisions and instructions binding on federal executive bodies.

2. Centralization of Functions and Services of the Business Sector

Apart from centralization of e-governance functions in Russia, there is a trend to set the stage through legislative reform for centralization of business activities in the sector of digital services and technologies.

Thus, before the e-signature law was reformed in 2019, there were 322 certification centres in Russia authorized to issue enhanced qualified e-signatures. Such a large number of certification centres actually made supervision impossible, only to result in more cases of fraud where, for example, a centre could issue an enhanced qualified e-signature for an illegal real estate transaction.

Federal Law No. 476-FZ of 27 December 2019 "On Amending the Federal Law on E-Signatures and Article 1 of the Federal Law on Protection of the Rights of Legal Entities and Private Entrepreneurs Subject to Public Control/Supervision and Municipal Control"[8] has introduced considerably tighter requirements to certification centres which are deemed to include the accredited centres as well as the certification centre of the federal executive agency for state registration of legal entities (FTS of Russia), the certification centre of the federal executive agency for enforcement of the federal budget execution and for cash services for the execution of budgets of the Russian budgetary system (Federal Treasury), as well as the certification centre of the Central Bank of Russia.

This is one more example of the centralization of digital services and functions, with public authorities assuming in fact a preemptive right to issue key certificates for enhanced qualified e-signatures instead of "commercial" certification centres (those privately owned outside the system of public agencies or institutions). Moreover, the Federal Law "On E-Signatures" was amended for tighter requirements to the accreditation of "commercial" certification centres, with just about 30 of those previously in existence being accredited as the amendments took effect.[9] These were often the certification centres of large banks or nationwide telecom operators.

The centralization of functions and services for (biometric) identification of persons is another example. In simple terms, biometric identification is a system for identification of people by their unique physical parameters with the purpose of performing transactions or other legally binding actions. The biometric identification can be used for access to an ATM, opening or making transactions in a bank account/deposit, shopping, accessing the restricted areas etc. For the personal data to get to the

[8] SPS Consultant Plus.

[9] Available at: URL: https://digital.gov.ru/ru/activity/govservices/2/?utm_referrer=https%3a%2f%2fwww.google.com%2f (accessed: 22.11.2022)

biometric identification system, the person in question should make his or her reference details (face image, voice print, finger prints etc.) available to the system operator.

The Federal Law "On Information, Information Technologies and Data Protection" defines the identification as "a set of interventions to establish and verify personal details in accordance with federal laws and the underlying regulations, and to compare the said details with the unique designation(s) of personal details required to identify such a person (identifier)".[10]

This definition is not quite adequate as it makes, for example, the passport number and series a unique identifier. Will a comparison of someone's personal details (photo and full name) with the passport number/series identify a person? The answer to this question is obviously no.

What makes this definition still more problematic is that the identification procedure could be in fact established exclusively by "federal laws and the underlying regulations". This means that the identification procedure cannot be agreed between the parties, only to question the use of different identifiers developed and introduced by non-governmental entities (such as banks, telecom operators, Internet providers etc) to perform transactions and other legally binding actions.

Based on his experience of the Digital Environment of Confidence working group under the Competence Centre for Statutory Regulation of the Digital Economy (Skolkovo Fund), the author would propose the following terminology developed with participation of other members. A personal identifier is the unique designation of personal details in an information system or database required to identify a person through the use of technical and/or technological methods. Identification of a person is a set of interventions to specify personal identifiers and other details to be performed under the law and/or by agreement between the parties. Personal authentication is a process to confirm that the identifier(s) belongs to a person by way of comparing it with the available details and thus to prove the identity of the previously identified person.

Before the 2020 reform of biometric identification, different organizations — first of all, banks — would develop "proprietary" biometric systems[11].

[10] SPS ConsultantPlus.

[11] Available at: URL: http://www.sberbank.ru/ru/person/dist_services/bio (accessed: 22.11.2022)

However, Federal Law No. 479-FZ of 29 December 2020 "On Amending Specific Regulations of the Russian Federation"[12] established that biometric identification should be performed in Russia primarily through the use of a universal biometric system (UBS) as a public information system.

Under the new requirements, it was generally forbidden to financial market agents and other organizations and private entrepreneurs to collect and process biometric personal data in their data systems with the purpose of identification and/or authentication, except in cases provided for by law and for depositing with the UBS under federal law.

Financial market agents and other organizations may collect and process biometric personal data in their data systems with the purpose of authentication where the following conditions are simultaneously met:

such organizations have made the administrative and technical arrangements for security of personal data, and have applied the data protection technologies for protecting personal data from threats;

the individual has agreed to have his or her biometric personal data processed for the stated purpose including in the interest of a specific third party;

such organizations have been accredited.

Financial market agents and other organizations may be allowed to collect and process biometric personal data in their data systems for identification and authentication in cases established by the Federal Government in coordination with the Central Bank of Russia where simultaneously:

the aforementioned requirements have been met;

the requirements of the Federal Law "On Information, Information Technologies and Data Protection" and the Federal Law "On Security of the Critical Data Infrastructure of the Russian Federation" have been met;

the individual has agreed to have his or her biometric personal data processed for the stated purpose including in the interest of a specific third party;

such organizations have been accredited.

Where in the process of collecting and processing biometric personal data under the federal law the financial market agents and other organizations have collected biometric personal data compatible with the UBS data

[12] SPS ConsultantPlus.

in terms of quality and other requirements, such data are to be deposited with the UBS upon consent of the individual in question.

The last requirement to "proprietary" biometric identification systems is remarkable as it essentially means that system operators are required to make "quality" biometric data available to the UBS. Is this legislative solution justified in terms of security of sensitive biometric data, improvement of the procedure for use of biometry, extension of the UBS scope? Does it amount to "digital nationalization" unprecedented in human history where business entities that have invested into the creation and development of their own systems for data identification and collection will have to deposit commercially valuable data to a public data system on a centralized basis? This will apparently become clear in one or two years from the effective date of the amendments, once the practice of enforcement is there.

Also, under Federal Law No. 479-FZ of 29 December 2020 "On Amending Specific Regulations of the Russian Federation", the identification of a physical person should be performed by establishing and/or confirming his or her personal details by comparing the personal data provided by the relevant organization's data system with those maintained by the UIAS and also by using the information on whether the provided biometric personal data is compatible with the data maintained by the UBS, or, where the UBS does not have such data, with those of a proprietary biometric system. Thus, the data used in such system will have to be compared with those maintained by the UBS even where a proprietary system for biometric data identification is involved.

The legislator has established strict requirements to the use of proprietary biometric data identification systems and required such proprietary data to be additionally checked by the UBS by demanding that proprietary systems deposit with the UBS *quality* duplicate data. Once implemented, the new requirements will actually result in the centralization of functions and services for biometric personal identification.

3. Transformation of E-Government and E-Governance in the United States and continental Europe

In the United States, the Office of E-Government will act as a supra-agency body responsible for the e-government function, with the highest authority to be assumed by the Administrator. The Office was established

under the Office of Management and Budget. Since the Office of E-Government has the right to define the rules for all executive bodies and supervise their compliance with the established requirements, it can be concluded that this body has supra-agency functions.

As a peculiar feature, the US E-Government legislation details the legal status of supra-agency and interagency bodies responsible for the development of e-government. In the United States, the structural changes to the government machinery are enshrined at the legislative level.

Under the E-Government Act of 2002[13], the E-Government Office Administrator is charged, in particular, with planning and controlling the investments into IT technologies, ensuring information security and personal data protection, making the information on the government activities publicly available, disseminating and safeguarding the information on the government activities, and also ensuring access to IT technologies to persons with disabilities.

As regards development, the Administrator will advise senior government officials on issues relevant to e-government efficiency. The Administrator has to propose changes to the strategy and priorities of e-government, exercise the general direction of executive bodies for development of e-government, and identify the guidelines. The Administrator has to promote the innovative use of IT technologies by executive bodies. In particular, he is supposed to encourage interagency collaboration. The Administrator will control the allocation and targeted use of funds earmarked for the development of e-government.

This officer will coordinate the implementation of programmes for development of e-government and efficient use of IT technologies by the executive branch. He will help senior executives to establish the standards to be applied by the Federal Government to IT technologies. These standards concern the following aspects: network interaction and IT compatibility; efficient IT use by the Federal Government; security of computer systems used by public authorities.

The Administrator will coordinate the work of the executive branch for development of e-government. He has the duty to arrange for the relevant discussions between senior officials of the Federal Government, state gov-

[13] Available at: https://www.justice.gov/opcl/e-government-act-2002 (accessed: 21.11.2022)

ernments, tribal authorities, representatives of the executive, legislative and judicial branches, as well as senior executives of private and no-profit sectors with the purpose of promoting cooperation and wider use of the best innovative approaches in using and managing information resources. These discussions also purport to ensure better use of IT technologies by the government for more adequate provision of information on government activities and improvement of the public service provision.

Apart from the general direction of the executive branch in respect of e-government development, the Administrator also has the power of control over all executive bodies. He will exercise control over executive bodies on the way they implement and use the integrated information system and supervise the development of information infrastructure used by executive bodies both at the intra- and interagency level. The Administrator will assist senior government officials to make sure the executive bodies apply adequate, risk-weighted and economically efficient safety measures in developing e-government.

As was demonstrated above, the Office of E-Government is a supra-agency body. It can issue instructions binding on executive bodies in relation with the development of e-government, exercise general direction and coordination of the executive branch, and has the power of control. Apart from the Office, the E-Government Act of 2002 provides for the creation of an interagency body for teaming up different executive bodies relevant to the development of e-government in the United States.

Such interagency executive body vested with e-government related powers is the Chief Information Officers Council that includes senior officers of a number of executive bodies such as deputy head of the Office of Management and Budget (Council Chairman), E-Government Office Administrator (Deputy Chairman), Administrator of the Office of Information and Regulatory Affairs, senior officer of the Central Intelligence Agency for implementation of information policies, senior officers of the Army, Navy and Air Force Departments responsible for information policies, as well as relevant officials of a number of other executive bodies. The Council may also include other officials as appointed by the Chairman of this interagency body.

The Council aims at improving the performance of the executive branch as regards the deployment, purchase, development, upgrading, use, operation and accessibility of the federal information resources.

In performing its functions, the Council is expected to hold regular consultations with representative bodies of the States as well as with the local governments and tribal authorities. Under the US law, the Council is vested with the following powers: making proposals for the improvement of governmental information resources; exchanging the best practices, ideas, methods and innovative approaches related to managing information resources; assisting the E-Government Office Administrator to identify, develop and coordinate interagency projects and other innovative initiatives for the use of information resources by the Government; encouraging public agencies to develop and use interagency programmes for managing information resources.

Apart from the centralized management of e-government development, the U.S law also provides for the centralized distribution of relevant funds.

Thus, the E-Government Act provides for a special E-Government Fund to be set up in the US Treasury Department and used to support the projects enabling the Federal Government to build up its capabilities (by way of developing and introducing innovative methods of using the Internet and other IT technologies) for performance of functions. The projects financed by the Fund should pursue the following objectives: making the Federal Government information and services more readily available to members of the public (including individuals, businesses, State and local government); facilitating the access to services and information of and transactions with the Federal Government; enabling the federal agencies to take advantage of information technologies in sharing information and conducting transactions with each other and with State and local governments.

As a peculiarity of e-government regulation in the United States, the law provides for the duties of executive bodies to develop e-government, with their senior officers to be held liable for a failure to comply with the established requirements.

It is provided that the heads of the executive branch are responsible for compliance with the requirements of the E-Government Act and for adequate information management as well as for compliance with the rules issued by the Office of E-Government. The heads of executive bodies are required to advise public servants on the established requirements and rules. They are required to assist the Office of E-Government to develop,

support and promote integrated web systems for the provision of Federal Government information and services to the public.

The executive branch is required to take steps for the assessment of performance of e-government and for control of whether the relevant activities comply with the objectives and powers of public bodies.

The assessment exercise should rely on the following criteria: standards of services provided to members of the public; public agency's performance; innovative information technologies introduced.

The executive bodies should cooperate with each other as far as possible to develop the collective objectives and to collectively use information technologies for the provision of public services and information.

As was said above, the Office of E-Government has the power of control over other executive bodies, with the latter correspondingly obliged to draft and submit to the Office an annual report on the promotion of E-Government. The report should include the details of the agency's initiatives to promote E-Government, information on compliance with the E-Government Act and also on how the E-Government promotion initiatives resulted in the provision of better services and information.

Thus, the statutory regulation of E-Government in the United States is an illustrative demonstration of structural changes of the executive government system in the context of information society. For the effective E-Government capability, the government has to set up bodies with a special status vested with supra-agency and interagency functions. This is necessary for a concerted action of public authorities, for control of their compliance with e-government development requirements, and for uniform enforcement practices.

The structural changes to the executive government system are less visible in other countries where information commissioners or sectoral ministries (for communication, IT etc.) will normally assume certain functions for the development of e-government. These bodies develop regulations applicable to the relationships for the provision of information and e-services by the executive branch. Moreover, they have noticeably fewer functions than the Office of E-Government and the Chief Information Officers Council. This can be due to the fact that "E-Government" as a term and its statutory regulation first emerged in the United States. Obviously, it will take certain time from the moment the e-government is established before the executive gov-

ernment system undergoes major structural changes induced by the special status bodies. It is a well-known fact that the E-Government concept started to develop in the United States earlier than elsewhere.

Unlike the United States, the countries of continental Europe do not envisage to set up agencies endowed with a broad range of powers for regulation of access to information and services. Their laws will normally identify the bodies responsible for "bottlenecks" in statutory regulation of information relationships. They set up standalone executive bodies for public policy development and statutory regulation, development of public e-services, protection of personal data of individuals, as well as those charged with development of telecommunication networks in their national territory. Thus, the countries of continental Europe, once more unlike the US, do not envisage to set up any supra-agency bodies within the executive branch or interagency commissions responsible for the development of E-Government.

One exception is Italy, which has adopted the E-Government Code for a structural transformation of the government machinery by a special executive body (Digital Policy Agency[14]) responsible for better use of IT technologies by the executive branch. The Agency will pursue public policies for the development of E-Government, participate in the implementation of public infrastructure projects, and take steps to promote an integrated public system for e-communications and cooperation. The said system is a technological network designed for a concerted public service provision by executive authorities. The Agency will provide technical support and advise the executive branch and the Council of Ministers of Italy on issues related to the development of e-government.

Moreover, Italy's executive agencies and their subdivisions are required to develop and implement e-government development projects within their respective competence.

To establish a common information space, Italy has put in place a public system for collaboration between public and municipal bodies which integrates the networks of local, regional and central government agencies into one system governed by universal security and quality standards. In addition, there is an international public network which provides connectivity to more than 540 overseas representation offices of the Italian government.

[14] Available at: http://www.digitpa.gov.it/ (accessed: 22.11.2022)

This system is used, in particular, to handle registration transactions outside the national territory.

Thus, unlike a number of other countries where interagency e-cooperation systems are used by executive bodies primarily to exchange information and documents only for the public service provision, the Italian system for electronic cooperation between public and municipal bodies has a much wider scope.

The system is used for exchanging any kind of information and documents as well as for coordinating a concerted action of the executive branch. It covers all public and municipal bodies plus representation offices of the Italian government outside the national territory. Public agencies are required to exchange messages electronically (by e-mail). The data stored by one public agency should be accessible to any other public agency. Where public bodies are required to cooperate for a specific public function (licensing, permissions, regulation of public works), an e-conference involving public servants from a number of agencies will be convened. Online conferences serve to minimize financial and time costs of the public authorities.

Irrespective of the statutory powers provided for the development of e-government, the executive bodies in countries of continental Europe can be divided into several groups.

The first group covers the executive bodies authorized to regulate the procedure for e-service provision.

Thus, for example, Austria's E-Government Act of 2004[15] envisages setting up a registration agency authorized to assign identification numbers to individuals and to issue "citizen cards".

The second group includes the bodies with regulatory powers authorized to control whether executive bodies observe confidentiality provisions with regard to personal data available to them.

In Denmark, the Data Protection Agency set up specifically under the Personal Data Protection Act of 2018[16] is charged to supervise compliance with personal data protection law (including by public authorities).

[15] Available at: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://joinup.ec.europa.eu/sites/default/files/document/2015-03/egov_in_austria_-_january_2015_-_v_18_0_final.pdf (accessed: 22.11.2022)

[16] Available at: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.datatilsynet.dk/media/7753/danish-data-protection-act.pdf (accessed: 22.11.2022)

The Data Protection Agency is authorized to monitor all personal data processing operations (outside the supervisory powers of courts). The exception established by law is based on the concept of separation of powers whereby an executive body is not authorized to issue statutory instruments and regulations binding on judiciary bodies. The Agency, by its own initiative or on the basis of complaints filed by data subjects, will exercise control to make sure that executive bodies process personal data in compliance with provisions of personal data protection law.

Thus, in countries of continental Europe there are normally no supra- or interagency authorities with a special status responsible for E-Government but only specific executive bodies (or specifically authorized bodies already in existence) with a sectoral competence for the promotion of E-Government. While some agencies have the powers to regulate and supervise public e-services provided by other executive bodies, others perform regulatory functions for control of compliance with personal data protection rules.

Conclusion

Closer cooperation between public agencies in the context of IT technologies, with new executive bodies vested with supra-agency powers being set up, is characteristic of a number of countries, including Russia, that develop E-Government. This trend prompts some researchers to draw a quite radical conclusion (at the first glance) that the traditional hierarchy of public bodies with sectoral competences and structural subdivisions (offices, departments) headed by a sole manager (minister, director etc.) will be gradually ousted by the bodies with interagency competences covering those of a number of public authorities.

Close cooperation indicative of a trend for the emergence of bodies with interagency clout is due not only to the adoption of necessary regulations but also to objective reasons, of which the most important is the creation of government-wide web portals which allow public bodies to collectively provide public services, something that requires cooperation between themselves and their structural subdivisions, joint consultations and development of joint administrative procedures for the service provision.

Under E-Government model of present days, the Government-wide portal is supposed to be used for public service provision and access to information on the activities of executive bodies. The creation of such portals

will involve cooperation between executive bodies as well as development of universal technological standards and adoption of provisions on data security and compatibility of software used by different agencies. Government-wide portals for the public service provision were first established in countries such as Canada, Singapore, Hong Kong and France [Allen B., Juillet L., Paquet G., Roy J., 2005: 3]. Other countries promoting E-Government follow in their wake — including the Russian Federation that has now an integrated portal for public and municipal services.[17]

It is yet premature to speak of a "merger" of executive bodies to result in agencies for control over several sectors at a time. However, a trend for creation of steering bodies to team up the executive branch for the promotion of E-Government institutions such as Government-wide public service portals has become widespread in common law countries, with other countries expected to follow suit.

Closer cooperation between executive bodies to create government-wide portals for public services and develop integrated service packages is typical of the last (fourth) stage of the development of E-Government.

While the classic model of government machinery endows executive bodies with a significant extent of autonomy and independent decision-making, E-Government will blur a good many lines.

The use of IT technologies by the executive branch results not just in the emergence of agencies with a special status and in simplification of their activities but also in stronger links between different bodies.

Executive bodies electronically coordinate their service provision to result in a kind of "integration" of public services to be provided with the involvement of several agencies at a time [Nixon P., Koutrakou V. et al., 2010: 62, 100]. Coordination may be carried out both by executive bodies of equal rank ("horizontal" coordination) and by hierarchically subordinated bodies ("vertical" coordination).

Closer cooperation between executive bodies can be attributed to a desire to satisfy the needs of individuals. While individuals normally seek information on a specific issue, their requests may involve processing the information available to different bodies in order to be satisfied. Thus, ex-

[17] Available at: URL: http://www.gosuslugi.ru/ (accessed: 22.11.2022)

ecutive bodies have to coordinate their efforts for a full-fledged "comprehensive" response [Hague B., Loader B., 2005: 82].

In the context of progressing information technologies executive bodies have the capability of interrelated service provision, something that gradually forces them to standardize their administrative procedures and develop cooperation with each other [Holmes D., 2001: 59].

As observed in the USA E-Government Act, most Internet-based services of the Federal Government are developed and presented separately according to the jurisdictional boundaries of executive agencies rather than being integrated for a streamlined provision. In this regard, the purpose of the Act is to promote interagency collaboration for provision of e-services and to integrate related executive functions.[18]

Thus, as was demonstrated above, the development of E-Government is paralleled by transformation of the executive branch.

Remarkably, the United States have a supra- and an interagency body responsible for promotion of e-government, development of public policies, statutory regulation and supervision of other executive bodies for provision of public e-services and disclosure of information on activities of the executive branch. That the most significant changes in the executive government system have occurred in the United States can be attributed to the relatively early development of the E-Government concept in this country as compared to others. The evolution of E-Government in the United States has prompted a need in the centralized approach to statutory regulation and resulted in a special legal status afforded to the Office of E-Government and to the Chief Information Officers Council under the act which defines the legal and institutional basis of e-government.

A wide range of powers afforded to the MDD of Russia also suggests that this body, in spite of its equal rank with other federal bodies, is vested

[18] An example of promoting interagency cooperation for provision of public e-services is Arizona. This state has put in place the Right Door Program to integrate more than 150 social security programmes provided by 5 agencies, with a single portal to be used irrespective of the agency to be involved in social security provision. Social security agencies collectively develop and maintain an information system from which individuals may learn whether they qualify for social assistance and apply for it.

Thus, instead of referring to a specific agency for each specific service, individuals may use the integrated system and receive simultaneously several types of social security to be provided by different agencies.

with supra- and interagency jurisdiction in respect of digitization of government and promotion of E-Government.

Other countries will set up bodies endowed with sectoral competences regarding the development of E-Government. These are normally sectoral ministries or commissioners for the protection of information access rights specifically authorized to develop the public service provision, regulate and control the access to information on government activities. As a general trend, such bodies will be set up primarily in countries with the parliamentary political regime.

Since the development of E-Government requires a concerted and coordinated action by all of the executive branch machinery, the emergence of supra- and interagency bodies is likely to become a characteristic feature of other countries seeking to promote E-Government.

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