Online tools for engaging with stakeholders (Estonia)

Source: OECD (2016), *Pilot database on stakeholder engagement practices in regulatory policy*, http://www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm

Provider of information	Answers
Organisation	Government Office of Estonia; Ministry of Justice of Estonia
Division	EIS; osale.ee: Strategy Unit, Government Office
	Legislative plan of the Government: Legislative Quality Division, Ministry of Justice
	State Gazette: State Gazette Division, Ministry of Justice
Name (optional)	NA
Overview of the practice	**Answers**
Name of practice	Online tools for engaging with stakeholders
If available, please provide links that provide further information about the practice or attach documents.	Online list of primary laws to be prepared, modified, reformed or repealed within a year: http://www.just.ee/et/eesmargid-tegevused/oiguspoliitika/mojude-analuus-ja-hea-oigusloome
	Online information system (EIS) tracking legislative developments, facilitating public consultations and making available RIAs and documents of legislative intent: http://eelnoud.valitsus.ee/main
	Online consultation website: www.osale.ee/
	Official online State Gazette Riigi Teataja: https://www.riigiteataja.ee/ (Estonian); https://www.riigiteataja.ee/en/ (English)
Is this practice ongoing or was it applied only during a limited amount of time/at one specific occasion?	Ongoing practice
In what year was the practice launched?	1997 (online State Gazette) The official State Gazette was launched in 2002, and the State Gazette information system in 2010.
	2001 (public consultation portal TOM, which evolved into osale.ee)
	2011 (EIS)
	2012 (online list of primary laws to be prepared, modified, reformed or repealed)
Was the practice updated/reformed since then? If yes, when and how has it evolved over time?	Yes.
	EIS is a consolidated and upgraded version of three systems created in the early 2000s for inter-ministerial consultation on national legal acts and processing EU-related documents: e- Justice, e-Submission and ELIS. E-Justice was used for inter-ministerial consultation on legislative drafts prepared by ministries, the e-Submission portal was used to submit documents to the Government, and an EU documents information system (ELIS) to support the processing of EU Council documents and documents related to the decision-making process of the EU Commission.
	The e-participation portal osale.ee is rooted in the website TOM ("Täna Otsustan Mina", "Today I Decide" in Estonian) that was launched by the Government Office in 2001. Over time, TOM has developed into the current platform osale.ee.

	Since June 2010, the State Gazette is no longer printed on paper. Additionally, since 2011, essential legal information has been added to the State Gazette website:
	• all local government instruments (between 2011 and 2013) • summaries of court cases (2012) • all information related to draft legislation (e.g. links to EIS and to the procedural information pages of the Parliament) (2014) • all final court judgments and orders (2015)
Please describe the practice, including information on • Features of the practice that you consider its key strengths • Key challenges faced during the implementation of the practice • Main results of the practice.	The Government of Estonia places a strong focus on accessibility and transparency of regulatory policy. All steps in the legislative process conducted by the Government and Parliament are public and can be tracked online from the initiation of a legislative proposal by the Estonian government to the official publication of a regulation in the State Gazette. A range of online tools are used to engage with stakeholders in regulation-making and support the accessibility of regulation, including an online list of laws to be prepared, modified, reformed or repealed, the Electronic Coordination System for Draft Legislation (EIS), an interactive website for public consultations, and an official online State Gazette. The Ministry of Justice publishes an online list of primary laws to be prepared, modified, reformed or repealed within the following year. The list is usually updated on an annual basis. Updates to the list may be made in the course of the year in case a ministry informs the Ministry of Justice about changes to their legislative agenda. The Electronic Coordination System for Draft Legislation (EIS) tracks the development of all Estonian and EU draft legal acts, and makes available RIAs and documents of legislative intent (describing the problem to be addressed, analysing policy options and determining initial likely impacts). EIS is the official system used for • inter-ministerial consultations, • public consultations at an early stage in the legislative development process on the basis of legislative intent documents, • public consultations at a later stage on draft regulations, • submission of legislative drafts to the Government, and • submission of legislative proposals by the Government to Parliament. EIS allows any member of the general public to follow the development of a draft legal act, search for documents in the system, and give their opinion on the documents open for public consultation. Input from stakeholders (e.g. formal letters with stakeholder feedback, proposals etc.) can be sent directly or uploaded by a responsible ministry to EIS. The website www.osale.ee/ is an interactive website of all ongoing consultations where every member of the public can submit comments on legislative proposals or other policy documents prepared by the Government and review comments made by others. It also allows the public to submit ideas and suggestions for new legislation or amendments to existing legislation on any policy matter, which are forwarded to the responsible ministry for consideration. EIS and www.osale.ee/ are linked, i.e. EIS takes into consideration opinions submitted via www.osale.ee/ and provides a direct link to them. While all documents of legislative intent legal and drafts are available on EIS, it is at the discretion of the relevant ministry sponsoring a regulation to decide whether the document will also be available on osale.ee for public consultation. The official Estonian State Gazette is an online up-to-date database of all national and local primary and subordinate regulations presented in an easily searchable format. The State Gazette publishes links to the procedural information of each legal draft, including links to EIS and to the procedural information pages of the Parliament. Ca. 20,000 documents are published in the online State Gazette. It allows for searching any draft legal instrument that has been submitted for approval to the Government, and subscribe to notifications about the initiation of legislative amendments via e-mail. According to the Estonian government, key strengths of the use of the online tools include: • The entire legislative process is open and visible to the public online from the initiation of a proposal to its approval by Government, submission to Parliament, proclamation and publication in the online State Gazette.

	• Stakeholders have indicated to the Estonian government that the list of primary laws to be prepared, modified or repealed is helpful for them.
	• The State Gazette has a number of positive effects:
	   o Money and time is saved by providing access to up-to-date laws and not publishing the State Gazette on paper
	   o A high level of awareness of the law
	   o a legal environment that is favourable to foreign investors and facilitates efficient international co-operation
	
	Key challenges in the use of the online tools according to the Estonian government include:
	
	• Designing the online tools to be easy to use while continuously adding new functions.
	• The list of primary laws to be prepared, modified or repealed is not an official tool of Government. Hence, there is no formal right or obligation for the Ministry of Justice to collect this information. The practice is therefore based on good co-operation and willingness of other ministries to share this data with the Ministry of Justice. Consequently, in most cases the list is published once a year with no subsequent updates.
	• The preparation of a document of legislative intent as an early stage consultation document is obligatory since 2012. While both the absolute number of legislative intent documents prepared and the share of legislative drafts that were preceded by a legislative intent are growing, its use is not yet completely rooted in practice. The share of legislative drafts that were preceded by a document of legislative intent was 19% in 2014 and 17% in 2015 (16 out of 92 legislative drafts). In 2016 (period January to July), this share has increased to 41%.
	• In recent years, the channels of stakeholder engagement have multiplied (including the use of special websites and social media, meetings and roundtables), policy making processes have become more inclusive, and Estonian ministries have developed stakeholder networks they regularly interact with. As a result, the traffic on osale.ee has diminished over time.

Please provide specific details or examples to illustrate the practice (including supporting links and documents).	Official online State Gazette Riigi Teataja: www.riigiteataja.ee/ (Estonian); www.riigiteataja.ee/en/ (English) Online list of primary laws to be prepared, modified or repealed within a year: http://www.just.ee/et/eesmargid-tegevused/oiguspoliitika/mojude-analuus-ja-hea-oigusloome Online information system tracking legislative developments, making available RIAs and documents of legislative intent: http://eelnoud.valitsus.ee/main Online consultation website: www.osale.ee/
What stage(s) in the process of policy making does the practice relate to? (Please tick all that apply)	X Early-stage in the development of regulations (before draft) X Later-stage in the development of regulations (during draft) X Implementation (incl. transparency/accessibility) □ Ex-post evaluation of regulations □ Review of regulatory policy Please note that ex post evaluations and reviews fall within the responsibility of the government ministries according to their area of competency. Reports on ex post evaluations are published on the appropriate ministry´s website.
What were the objectives of the practice?	EIS is the official channel for processing government legal documents. It aims to increase the transparency of policymaking, facilitate participation, enhance efficiency, and save time and resources by being easy to use and diminishing duplicative tasks, etc. The State Gazette Riigi Teataja provides a one stop shop for all important legal information that is easily accessible and free of charge. Furthermore, it aims to ensure and increase awareness of the law.
Main actors involved in the practice	**Answers**
Responsible authority	Government Office of Estonia (EIS, osale.ee) Ministry of Justice (Online State Gazette; list of regulations to be prepared/modified/reformed/repealed)
Country	Estonia

Level of government (e.g. national/regional/municipal level)	National government, local government Since 2013, the State Gazette contains all valid local government regulations that are kept up-to-date by the local authorities in accordance with the requirements of the Riigi Teataja Act. As for national legislation, all amendments of local government regulations are published together with the up-to-date consolidated text.
Were partners involved in preparing, implementing or evaluating the practice? If yes, please list the partners and describe their involvement.	Yes. The online tools are continuously updated as part of the Government's daily business. Feedback from stakeholders is fed into these updating processes. For example, in 2016 changes were made to the EIS system aimed at strengthening user-friendliness, creating notification options to facilitate early participation and knowledge about draft proposals, and establishing feedback tools to provide better and earlier feedback on consultation results. These features had been outlined and agreed upon in co-operation with the Open Government Partnership Coordination Council, which includes representatives from civil society organisations/NGOs, national and local government and Parliament. Representatives from non-governmental partners were selected by the civil society organisations.
Stakeholder involvement	**Answers**
Which methods were used to involve stakeholders for the practice?	The Electronic Coordination System for Draft Legislation (EIS) tracks the development of all Estonian and EU draft legal acts and the Estonian government's strategic planning documents. It also makes available RIAs and documents of legislative intent (describing the problem to be addressed, analysing policy options and determining initial likely impacts). EIS is the official system used for inter-ministerial consultations, public consultations on legislative intent documents and draft regulations, the submission of legislative drafts to the Government, and the submission of legislative proposals by the Government to Parliament. EIS allows any member of the general public to follow the development of a draft legal act, search for documents in the system, and give their opinion on the documents open for public consultation. The website www.osale.ee/ is an interactive website of all ongoing consultations where every member of the public can submit comments on legislative and other drafts prepared by the Government and review comments made by others. It also allows the public to submit ideas and proposals for new legislation or amendments to existing legislation on any policy matter. EIS and www.osale.ee/ are linked. Documents on EIS can be forwarded to www.osale.ee/. EIS takes into consideration opinions submitted via www.osale.ee/ and provides a direct link to them. While all documents of legislative intent legal and drafts are available on EIS, it is at the discretion of the relevant ministry sponsoring a regulation to decide whether the document will also be available on osale.ee for public consultation. The online list of primary laws to be prepared, modified, reformed or repealed within the following year contains the following information for each initiative: the name and a short description of the content of the initiative, as well as the timelines for - the preparation and consultation on the document of legislative intent (if applicable), - an in-depth regulatory impact assessment (if applicable), - the submission of the draft to Government - an ex-post impact assessment (if applicable) On the website of the online State Gazette, users have access to - the complete database of all adopted laws, regulations and international agreements, - relevant national and EU-level court decisions and their summaries, - information on upcoming court hearings and pronouncements of court decisions, - procedural information on draft legislation (i.e. at what stage a draft currently stands, e.g. if it has been adopted by Government, if it has been tabled before Parliament, etc.) that is automatically retrieved from the information systems of Parliament, Cabinet and the President - Up-to-date English translations of consolidated texts of Acts of Parliament (except for Acts ratifying international treaties) and a selection of other regulations that are applicable nationwide - Translation of the most important Acts of Parliament into Russian (approx. 60). Only Estonian texts have legal force and validity.

	For every regulation, a "consolidated text" is presented, which has legal force. This text presents an up-to-date version of the regulation including all changes made to a regulation over time, so that users can easily access the current state of legislation. In addition, these consolidated texts are available in different versions corresponding to the state of legislation at a specific point in time, which users can compare. The consolidated texts are linked to related pieces of legislation (e.g. implementing acts of a law).
	The online publications of the State Gazette are protected by a digital stamp and monitored by a time stamp[1].
	Users can search the online State Gazette by a number of different characteristics, including keywords, pre-defined themes, the government agency issuing the regulation, and the period of publication.
Which stakeholder groups were involved?	General public, i.e. all interested parties with no restrictions
How were stakeholders notified of the engagement opportunity?	On EIS, users can sign up to be notified when documents reach different steps in the legislative process. Notification requests may also be based on a specific theme or ministry.
	Automatic notifications on public consultations are also available on osale.ee.
	On the State Gazette website, users can sign up for email alerts with regards to legislative changes, summaries of court decisions and the publication of legal news.
What inputs were received from stakeholders (e.g., brief comments, position papers)?	The public consultation process is required to engage all relevant. The input received from stakeholders depends strongly on the policy area concerned, the concrete matter at hand, the depth of the changes proposed etc.
How were inputs from stakeholders used and by whom?	The inputs received through the online consultations are taken into consideration by the responsible authority or ministry and continuously feed into the legislative and policy making process.
Was participation limited? If yes, please describe the selection mechanism.	No.
Was there a mechanism to ensure balanced representation among stakeholder groups? If yes, please describe the mechanism.	No.
	Information available on the websites of the different online tools is accessible to the general public and consultation processes are required to be open to all affected parties.
Was supporting material made available to stakeholders? If yes, what kind?	Yes.
	Ministries must provide relevant information on the legislative proposal. The concrete material made available to stakeholders depends on the concrete issue under consultation.
Was ICT used for the practice? If yes, how?	Yes.
	The online State Gazette, the list of regulations to be prepared, modified, reformed or repealed, the EIS Electronic Coordination System for Draft Legislation as well as the interactive website osale.ee are online tools.

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[1] Upon publication or correction, the publisher gives each legal instrument published in the State Gazette a digital stamp. The digital stamp certifies the authenticity of the instrument and can always be verified. No legal instrument, up-to-date consolidated text or correction can be published without this stamp. The digital stamp and the text protected related to it are visible to State Gazette users. All data is furthermore related to the time stamp, which ensures that the data has not been changed without authorisation.

Was information on the process and the outcomes of the practice collected? If yes, what did it include?	Yes. As of September 2016, the online State Gazette contained 18,086 texts of valid regulations, nearly 800 texts of valid Acts of Parliament and 5000 Cabinet and ministerial regulations applicable nationwide. 7 million servers contact the State Gazette website in 12 months. In addition, some public statistics on the number of users and views by countries and territories are published on the State Gazette website. Feedback on stakeholder input is presented in the explanatory letter accompanying every legal draft or other document submitted for government approval. The letters summarise comments received during the consultation and explain how and on what grounds they were taken into account or not. The letters are publicly available on EIS in the legal draft dossiers.
Was this information made publicly available? If yes, where could it be accessed? Please provide a web link or copies of the relevant documents	Yes. Explanatory letters summarising comments received during the consultation and how they were taken into account are publicly available on EIS. The information on the online State Gazette is available in this introductory presentation.
Was feedback provided to participating stakeholders? If yes, please describe how.	Yes. Feedback on stakeholder input is presented in the explanatory letter accompanying every legal draft or other document submitted for government approval. The letters summarise comments received during the consultation and explain how and on what grounds they were taken into account or not. The letters are publicly available on EIS in the legal draft dossiers.
Development and implementation[2]	**Answers**
How long did the development and implementation take?	The planning of the State Gazette information system started in 2007. The system was launched in November 2010. During the development of the new information system, new features and information were added gradually.
Which resources were needed to develop and set up the practice initially (i.e., staff, budget etc.)?	During the development of the initial State Gazette, there was one client-side project manager and a development team consisting of four people. The total cost of the initial system was approx. 0.5 million Euros. When the paper version of the State Gazette was abolished and the State Gazette Publishing House was closed, seven members of the Publishing House staff were engaged in deploying the new information system, so no supplementary resources were needed.
Which resources were needed to implement the practice (e.g., staff and budget per consultation)?	10 employees at the Ministry of Justice work on the online State Gazette.
What challenges were encountered during development and implementation and how were they overcome?	According to the Estonian government, a key challenge is to ensure that the online tools continue to match the changing needs of users. To change the behaviour of users and people submitting legislation for publication, both groups were involved in the development of the new online State Gazette system at the earliest possible stage to ensure greater understanding of its goals and possibilities.
Has the practice been tested before implementation? If yes, please describe.	Yes. The online State Gazette has been tested jointly with users and people submitting instruments for publication for six months.
Outputs and evaluation of the practice	**Answers**
Did the implementation of the stakeholder engagement practice lead to any new	All comments received in the public consultation process must be considered and addressed by the government. Most legal initiatives that have been consulted on through EIS or osale.ee have been revised based on input received from stakeholder engagement.

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[2] Please note that information in this section is only available for some of the online tools presented in this template.

policies, reviews of existing policies, changes in policy design or structural reforms?	
Was the impact of using the practice quantified? If yes, please provide key results of the quantification.	No.
Has the practice been evaluated internally by the government? If yes, what methods were used for evaluation and what were the conclusions? If possible, please attach documents related to the documentation of the evaluation or provide a link.	Yes. User surveys on the online State Gazette are published on the State Gazette website (please see here for the results of 2015). Proposals for changes made by users are analysed and put into practice if possible. User satisfaction has increased over time. Currently, 97% of users report to be satisfied or rather satisfied with the online State Gazette. The EIS system is continuously evaluated and discussed with the partners of the Open Government Partnership, ministries and stakeholders.
Has the practice been evaluated externally by other actors? If yes, who did the evaluation, what methods were used for evaluation and what were the conclusions? If possible, please attach documents related to the documentation of the evaluation or provide a link.	No.
Additional comments and information	**Answers**
Is there any more information or documentation that would be valuable to share in relation to the practice?	The Estonian government has indicated that it plans to integrate the list of primary laws to be prepared, modified or repealed with the Electronic Coordination System for Draft Legislation (EIS) in the future, creating a living document that is regularly updated. The Government also plans to continuously improve easy access to information and participation tools throughout the policy cycle. The Government is currently creating new information windows as part of EIS that will require ministry staff to provide information about legislative projects at an early stage before any draft document is prepared to inform stakeholders and the general public as early as possible about a ministry's work on a specific policy matter. Furthermore, government websites are refined to create participation sections that are interlinked to provide easy access to information on initiatives in different policy areas as well as links to different channels for participation in policy making.
Crosslinks to OECD principles and databases	**Answers**
Related further OECD material	OECD (2015): Regulatory Policy Outlook 2015: *http://www.oecd.org/regreform/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm* OECD (2015), Regulatory Policy Outlook 2015. Companion Volume: *http://www.oecd.org/gov/regulatory-policy-in-perspective-9789264241800-en.htm* OECD website on regulatory policy in Estonia: *http://www.oecd.org/gov/regulatory-policy/estonia.htm*
Sources	

- Government of Estonia (2016), "Riigi Teataja", retrieved from https://www.riigiteataja.ee/en/, last accessed 25 November 2016.
- Government of Estonia's response to the 2014 OECD Regulatory Indicators questionnaire
- Mauer, Maret, Liis Klein, Jüri Heinla (2016), "Publication of the Estonian State Gazette", retrieved from https://vimeo.com/163795589, last accessed 25 November 2016.
- OECD (2015): Regulatory Policy Outlook 2015, p. 156.
- Pars, Liisi (2016), "The State Gazette in Estonia", retrieved from https://vimeo.com/168616083, last accessed 25 November 2016.