

ISCKMC 2020**International Scientific Congress «KNOWLEDGE, MAN AND CIVILIZATION»****DIGITAL DEMOCRACY IN THE RUSSIAN FEDERATION
AND ITS REGIONS: PROBLEMS AND PROSPECTS**

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Abstract

The article analyzes the legal basis for the application of digital democracy mechanisms in Russia and its regions. The authors note that in modern conditions it is impossible to imagine the effective functioning of state structures without the use of digital technologies. Bodies of all branches of government are influenced by digital technologies, which contribute to their increased openness and proximity to the people. Projects concerning the development of e-democracy are based on the constitutional principles of democracy and electing government bodies. Digital democracy is quite common and there are many positive examples of its use in various countries. Digital democracy tools are often used to enhance citizen participation in elections, referendums, etc. The authors made an attempt to identify the existing problems associated with the functioning of digital democracy mechanisms. For the Russian Federation, the problem of the digital divide continues to be relevant both in relation to other states and between the subjects of the Russian Federation. In addition, the use of digital technologies in the election process actualizes the problem of ensuring information security. The authors note that it is possible to solve the existing problems only through the implementation of a comprehensive state policy based on effective modern legislation. In this regard, the authors consider it to be appropriate to develop a draft Federal Law “On the Development of Digital Democracy”.

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1. Introduction

The modern stage of society and state development is characterized by a high degree of digital technologies penetration not only into the life of citizens but also into the sphere of state activity. Today it is difficult to imagine the effective functioning of state structures without the use of digital technologies. Bodies of all branches of government are influenced by digital technologies, which contributed to an increase in their openness and proximity to people (Zoloeva, 2019), which is necessary in a democratic state.

This tendency contributed to the development of democratic processes both at the level of the Russian Federation and its regions. The policy in the field of e-democracy development is based on the constitutional principles of democracy and electing government bodies. It (politics) contains great potential, since it contributes not only to the expansion of traditional forms of democracy but also aims to use new instruments of democracy. However, it is important to note that the innovative mechanisms of democracy should be applied within the framework of the existing constitutional and legal norms.

The use of e-democracy mechanisms is associated with the adoption of the Decree of the President of the Russian Federation of May 04, 2013 No. 183 (as amended on May 23, 2014) “On consideration of public initiatives directed by citizens of the Russian Federation using the Internet resource “Russian Public Initiative”. In addition, important prerequisites for the development of digital democracy in Russia are created by the Information Society program (2011–2020) and the Digital Economy of the Russian Federation program.

2. Problem Statement

As is known, digital democracy is quite widespread, and there are many positive examples of its application in various countries. Often, digital democracy tools are used to enhance citizen participation in elections, referendums, etc. In many states, there is currently a poor voter turnout, in connection with which the expansion of mechanisms for citizen participation in the decision-making process via the Internet becomes urgent. However, this is not the only reason for using digital democracy tools. Thus, 2020 became a stage when states were forced to adopt a remote mode of operation. In these conditions, digital technologies have demonstrated their capabilities and potential. An example is the use of electronic voting on amendments to the Constitution of the Russian Federation by residents of two pilot regions of Russia.

Digital democracy mechanisms have been used in foreign countries for many years. Thus, back in 2005, Estonia became the first country to hold nationwide online elections; India used electronic voting at polling stations; online voting was tested in local elections in the UK and Canada.

However, despite the successes of digital democracy, there are currently a number of problems in the use of digital democracy tools both at the federal and regional levels.

3. Research Questions

The scientific article aims to consider the following issues:

1. What mechanisms of e-democracy exist in Russia?
2. What are the problems and prospects for the development of e-democracy in the Russian Federation and its regions?

4. Purpose of the Study

The purpose of the article is to study the mechanisms of e-democracy in Russia and its regions.

5. Research Methods

The article applied formal legal and comparative legal research methods, the use of which contributed to the achievement of the set goal.

6. Findings

6.1. What mechanisms of e-democracy exist in Russia?

Electronic voting is a traditional tool of e-democracy. Despite the fact that this instrument of digital democracy has not become widespread in Russia, the electoral legislation allows this form of democracy. Electronic voting has a number of advantages as it enables to increase the number of voters (for example, located abroad) and increase the accessibility of elections for voters with disabilities. The use of digital technologies in elections is not limited to electronic voting as they can be used in the vote counting process.

However, it is worth noting that despite the fact that digital technologies open up new boundaries and opportunities for the exercise of democracy (Koibaev & Zoloeva, 2020), there are risks associated with the sale of votes, the audit of election results, or the implementation of cyber attacks, which can question the transparency and sustainability of the electoral process.

One of the mechanisms of e-democracy in modern Russia is the procedure of public discussion of draft federal constitutional laws and federal laws on-line. Thus, back in 2013, in the annual Address to the Federal Assembly of the Russian Federation, the President noted that “all bills, key government decisions, strategic plans should undergo a civil, so-called “zero” reading with the participation of foreign nongovernmental organizations and other civil society institutions” (Putin, 2012). In our opinion, public participation in the adoption of draft laws contributes to the formation of civil society and strengthening of the state democratic foundations.

The project “Russian Public Initiative (ROI)”, and other portals through which it is possible to promote the petition are another mechanism of digital democracy. As Naranjo-Zolotov et al. (2019) note, “e-participation in decision-making and policy development implies that citizens will share and discuss their ideas and views on e-participation platforms” (p. 539). According to Dzidzoev (2019), the subject of public initiative is rather narrowed since it comes down only to the sphere of socio-economic relations. As of August 1, 2020, 17,523 initiatives have been posted on the website of the ROI. The initiative must comply with the Decree of the President of the Russian Federation N 183 of April 03, 2013. For its adoption, it is necessary to get 100,000 votes within 1 year from the date of posting on the ROI website, if the initiative refers to the federal level, or if the initiative refers to the regional level, then with a

population of more than 2,000,000 people, support of 100,000 people is required, and in other cases, 5 % of the votes of the population of the constituent entity of the Russian Federation are sufficient. 5 % of the votes are also needed to support the initiative at the municipal level.

Citizens' participation in the consultation and decision-making process together with local authorities is a key factor in strengthening and supporting modern democracy (Kipenis & Askounis 2016). Public discussion projects are being implemented in the regions of Russia, for example, in Moscow there is a service called "Active Citizen". It comprises 2,600,000 registered citizens and more than 4,000 votes have been already held on its platform. In the Khanty-Mansiysk Autonomous Okrug, there operates the service "Concerned Citizen of Ugra", on whose background 10 projects are being implemented, in which more than 3,000 residents of the region have taken part. In our opinion, these portals are quite effective and allow expanding the population participation in solving regional problems. However, Romanova and Lavrik (2016) note that the opportunity to submit an initiative is limited and is provided only to registered citizens, which is a violation of the constitutionally enshrined principle of secret ballot.

The system of network communication between citizens and authorities, including tools for influencing decision-making and civil control over the activities of authorities is another instrument of digital democracy. These tools are actively used by civil society institutions and the work of the Public Chamber of the Russian Federation and regional public chambers in the discussion of draft laws can be highlighted with this regard.

6.2. What are the problems and prospects for the development of e-democracy in the Russian Federation and its regions?

The problem of the digital divide is relevant both at the state level and within one state (digital divide between regions) (Nishijimaa et al., 2017; Okunola et al., 2017). In the emergency situation in 2020, there was a revival of digital technologies, for example, many states switched to remote work and education, began to provide electronic services including the delivery of medicines and food. There was an interesting experience in London, where artificial intelligence technologies were used to measure the distance between people through street cameras. However, despite this surge, the digital divide still persists both between people of different ages and depending on where they live and their income level. Thus, in 2020, the United Nations E-Government Survey 2020 was released. According to it, Russia was at the 36th position out of 193, having dropped by 4 positions.

A digital divide is also observed between the regions of Russia. Thus, the value of the final Digital Life Index (calculated by the Moscow School of Management Skolkovo in 2020) of the leading cities (Krasnodar and Yekaterinburg) is almost 5 times higher than that of the closing city (Magas-Nazran, as a single agglomeration).

Legal methods will contribute to solving the problem of digital divide at the level of the Russian regions. However, it is impossible to solve this problem only by legal methods. It is necessary to use an integrated approach based on the implementation of state policy aimed to accelerate the socio-economic development of regions and improve the quality of life, which the state program "Digital Economy of the Russian Federation" aims to.

Digital technologies will undoubtedly instigate the development of Russian regions. They will increase their competitiveness and contribute to better life for citizens. Thus, bridging the digital divide should be viewed as a general strategy, not as a goal in itself but as a part of an ongoing national policy aimed at general socio-economic development and, as a consequence, democratic institutions development.

We also note that it is crucial to popularize the tools of digital democracy, especially at the regional level. It seems that civil society institutions and educational institutions will make a big difference in this process. In addition, scientific conferences with media coverage will also help educate the public about the possibilities of e-democracy.

We fully share the view of Baranov et al. (2019) that one of the major problems being relevant today is the problem of ensuring guarantees of human rights and security in fundamentally new digital relations, where digital subjects will become a mediator and soon the leading actor (as an acting entity).

The problem of ensuring cybersecurity in the electoral process has always grabbed the attention of the public, governments and the media. And despite the fact that the technologies used for the elections are constantly improving, it is necessary to take into account the likelihood of new vulnerabilities and problems. For example, many countries that have experimented with e-voting are now returning to traditional forms of voting or revisiting their pilot projects due to security vulnerabilities.

In our opinion, the use of blockchain technology in the electoral process will contribute to increased transparency and information security. In addition, this technology will help increase confidence on the part of citizens and provide additional guarantees for secret ballot. We fully share the idea of Benítez-Martínez et al. (2020), who propose to develop an electronic participation model that uses a tokenized action system and the processes taken by citizens through participatory processes and providing incentives to foster greater participation in public affairs, and to base it on a combination of the Blockchain as a Service (BaaS) platform and G-Cloud solutions.

Polyakova et al. (2020) rightly note that in modern conditions the processes of the information space globalization have changed. Consequently, it became necessary to develop a system of strategic documents aimed to ensure information security. In addition, as we can judge, it is appropriate develop a draft federal law “On the development of electronic democracy in the Russian Federation” and implement a target program in this area.

It seems that the use of digital democracy tools will also reduce corruption risks in the process of conducting election campaigns. Foreign researchers note the existence of a relationship between the level of ICT development in the country and the spread of corruption. Thus, Adam (2020), links the high level of corruption in Africa to the underdevelopment of ICT.

The development of digital technologies will certainly require changes in the legislation, and, therefore, according to Khabrieva and Chernogor (2018), legal science faces a core problem associated with the understanding of law, transformations occurring in the digital reality.

It also seems necessary to develop such elements of e-democracy as online interaction, by primarily creating a platform that allows citizens to ask questions to members of the legislative (representative) body (both federal, regional and municipal levels) and their employees, as well as to

implement crowdsourcing of political ideas by citizens at an early stage of the development of state-important decisions by executive authorities at all levels.

7. Conclusion

As is rightly noted by Baranov and Mamychev (2020), the idea of digital technologies as exclusively auxiliary tools is receding into the past. Today they have proven their worth in the development of the political system as well as demonstrated their potential in the development of a service state focused on improving the welfare of the people.

Thus, analyzing the socio-political relations of the modern Russian state, one can conclude that there are two different-vector trends. On the one hand, the introduction of e-democracy at all levels both in the Russian Federation and in its regions helps to simplify the process of forming government bodies, and expands opportunities for participation in state affairs. On the other hand, the use of e-democracy is accompanied by certain risks associated with ensuring information security. Which vector becomes a decisive one largely depends on the information and legal culture of the population in the regions of Russia.

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