

Open letter to the EU Commission on the process of involving civil society and the content of the National strategic roadmap for Digital Decade adopted by the Government of the Republic of Slovenia

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DIR B - Digital decade and connectivity
Directorate-General for Communications Networks, Content and Technology
European Commission
Ljubljana, 5 December 2023

Dear Mr. Eric Peters,

In this open letter, I am writing to you in my role as the director of civil society organisation Institute for Electronic Participation (INePA)¹, an NGO with granted public interest status in the area of information society development, to express my views on the process of involving civil society and the content of the National strategic roadmap for Digital Decade adopted by the Government of the Republic of Slovenia.

In my opinion, the process of the preparation of the National strategic roadmap for the Digital Decade, as undertaken by the Ministry of the Digital Transformation, did not meet the minimum standards of the consulting private and public stakeholders. Also, none of 35 contributions and 2 additional measures suggested by the civil society organisations were included into the adopted National strategic roadmap for Digital Decade.

The process of involving civil society in preparing the National strategic roadmap for Digital Decade in Slovenia

On 31 August, the Ministry for Digital Transformation published on its web site an invitation to the interested public to attend the presentation² of the draft National Strategic Roadmap for the Digital Decade. The presentation was organized on-line and expected to conclude within one and a half hour. On 4 September, the Institute for Electronic sent a formal letter³ to the Ministry of Digital Transformation, asking for clarification on consulting private and public stakeholders according to

1 Source: <https://www.inepa.si/english/>.

2 Source: <https://www.gov.si/dogodki/2023-09-08-javna-obravnavna-nacionalnega-strateskega-casovnega-nacrta-za-digitalno-desetletje/>.

Guidelines to the Member States on the preparation of the national Digital Decade strategic roadmaps (2023/C 230/04)⁴, the Article 9 of the Decision (EU) 2022/2481 of the European Parliament and of the Council⁵ and the Article 23 of the Non-Governmental Organisations Act of the Republic of Slovenia. According to the latter, the Slovenian Government Ministries shall prepare and implement measures for the cooperation of the State with non-governmental organisations in the making of policies and regulations in their own fields. The Ministry for Digital Transformation reacted via its web site on 5 September with an announcement that 14 days period for providing e-mail contributions to the draft national plan has been enabled⁶. On 19 September, the Institute for Electronic Participation in collaboration with the National network of NGOs for an inclusive information society (NVO-VID)⁷ organized a public workshop⁸ aiming to identify civil society contributions for the national Digital Decade strategic roadmap through the process of interactive deliberation. The Ministry of Digital Transformation has been invited to attend the workshop. The ministry was asked to present the draft national road map to the participants of the workshop and to engage in discussion with the civil society organisations. However, the ministry declined its participation at the event. 18 representatives from Slovenian NGOs, education, research and academic organisations, professional associations, trade unions and local municipalities attended the on-line workshop. Workshop participants identified 35 contributions with supporting arguments and 2 additional measures and actions⁹ relating to the draft national road map. Identified contributions and additional measures proposed were sent to the ministry on 21 September. Due to previous refusal by the Ministry of Digital Transformation to engage in a dialogue with the civil society on draft national roadmap, a press conference was organized and press release¹⁰ was issued on 24 October by civil society organisations calling the ministry to assure a just and balanced digital transformation of Slovenia. The National strategic roadmap for Digital Decade was adopted by the Government of the Republic of Slovenia on 9 November¹¹ and the Ministry for Digital Transformation provided feedback to the civil society contributions on 27 November.

Contributions from the civil society organisations to the draft National strategic roadmap for Digital Decade (Appendix 1)

As part of the deliberation process among civil society organisations aiming to identify contributions to the Slovenian Digital Decade strategic roadmap, special attention was given to the digital transformation recommendations of the Civil Society Convention on the Future of Europe presented in the Civil Society State of the Union 2023 report¹². Civil society organisations participating at the workshop organized jointly by INePA and Network NVO-VID welcomed

3 Source: <https://www.inepa.si/2023/09/04/sodelovanje-civilne-druzbe-v-posvetovanju-o-osnutku-nacionalnega-strateskega-casovnega-nacrta-za-digitalno-desetletje/>.

4 Source: [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52023XC0630\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52023XC0630(01)).

5 Source: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32022D2481>.

6 Source: <https://www.gov.si/novice/2023-09-05-objava-osnutka-nacionalnega-strateskega-casovnega-nacrta-za-digitalno-desetletje/>.

7 Source: <https://www.informacijska-druzba.org/english/>.

8 Source: <https://www.inepa.si/2023/09/13/vabilo-delavnica-za-pripravo-predlogov-civilne-druzbe-na-osnutek-nacionalnega-strateskega-casovnega-nacrta-za-digitalno-desetletje/>.

9 Source: <https://www.inepa.si/2023/09/21/pripombe-civilne-druzbe-na-osnutek-nacionalnega-strateskega-casovnega-nacrta-za-digitalno-desetletje/>.

10 Source: <https://www.inepa.si/2023/10/24/sporocilo-za-javnost-za-pravicno-in-uravnotezeno-digitalno-preobrazbo/>.

11 Source: <https://english.sta.si/3234161/govt-adopts-national-road-map-for-digital-decade>.

12 Source: https://civilsocietyeurope.eu/wp-content/uploads/2023/09/Civil-Society-State-of-the-Union_2023.pdf.

proposed actions in the draft national strategic roadmap relating to the preparation of the Digital transformation Act, the Regulation on the management of the mechanism for ensuring access to computer equipment and participation of Slovenia in multi-country project EDIC Digital commons. However, several shortcomings were identified by civil society organisations in the area of **digital skills** such as insufficient measures for strengthening citizenship and media competences relating to the use of digital technologies and platforms, lack of support for an alternative approaches for development of digital skills of young people, disregarding technology neutrality when implementing measures for strengthening digital skills of the general population and unambitious measures for introducing mandatory computer science and information technology topics within the formal education. In the area of **digital public services** measures and actions, the main weaknesses of the draft national strategic roadmap were disregarding principle “public money, public code” and technology neutrality when developing public services, inadequate use of data in open formats, lack of promotion of open source solutions and neglecting the issue of the weak implementation of digital accessibility legislation. As a part of contributing to **the general objectives**, civil society organisations addressed inadequate measures for safeguarding digital rights and enabling digital sovereignty of the general population, insufficient measures in relation to digital citizenship and strengthening democratic life, lack of measures to contribute to the green transition as foreseen by the European Commission¹³ and sectoral unbalanced actions neglecting the role of the NGO sector in supporting inclusive and sustainable digital transformation of society. For each of these shortcomings, civil society organisations provided proposals for improvements supported by corresponding arguments in order to make National strategic roadmap for Digital decade more transparent, open, inclusive, balanced and green. Also, **two additional actions** were proposed under general objectives. The first addressed the issue of neglected digitalization of NGO sector in general (access to digital technologies, digital competences and digital transformation) comparing to an extensive supporting measures for SMEs, public administration, education and research sector. The second measure proposed better and advanced use of information and communication technologies in democratic processes (e-participation, crowdsourcing and e-elections).

Response of the Ministry of digital transformation to the civil society contributions (Appendix 2)

Contributions of civil society organizations to the draft National strategic roadmap for Digital Decade were sent to the Ministry of digital transformation on 21 September and the ministry provided response via e-mail on 27 November. In the meanwhile, the national strategic roadmap was adopted by the Government of the Republic of Slovenia on 9 November. The response from the ministry indicates that none of 35 contributions and 2 additional measures suggested by civil society organisation were taken into account in the final version of the national strategic roadmap. The Ministry of digital transformation provided its arguments for not following particular proposals around the following lines:

- contributions relating to the involvement of elderly 74+ as s target group in analysis of the state of the digital inclusion can not be considered because of the limitations of the EU Digital Decade Policy Programme 2030;
- contributions addressing digital skills of general population relating to cyber security in artificial intelligence are responsibility of different government ministry and are not the

13 Source: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022DC0289&from=EN>.

subject of the national strategic plan;

- evaluating the impact and effects of measures relating to the digital skills, which are sponsored by the Ministry of digital transformation, is not the subject of the national strategic plan;
- improving the national legislation to ensure a timely, transparent and inclusive involvement of stakeholders in planning national digital policies and measures will be considered by the legal experts;
- the national strategic road map is not aiming to support digital transformation of the NGO sector, there is no legal basis for it and it will not contribute to the general objectives of national plan;
- contributions relating to the digital public services can not be included because measures were already established by the Action plan to Digital Public Services Strategy 2030 (Author's Note: the Action plan was adopted by the government without prior public consultation);
- proposals relating to fostering technological neutrality of digital public services in general, increased usage of open formats in communication with the general public and supporting the open source principles are according to the Ministry of Digital transformation already included into the digital services development guidelines (Author's Note: there is a lack of evidence to what extent are these guidelines implemented);
- proposals relating to the green transition will be examined by the ministry during the follow-up review of the national strategic plan;
- Ministry of digital transformation is not responsible for the civil society proposal relating to a better and advanced use of information and communication technologies in democratic processes within the scope of the public administration.

In addition, particular claims made by the Ministry of digital transformation relating to considering digital sovereignty and technological neutrality when financing measures for strengthening digital skills of general population, were not supported by an evidence or argument.

Concluding thoughts on deliberation and public legitimacy of the National strategic roadmap

In this open letter to the European Commission, my intention was to highlight several limitations of the public consultation on National strategic plan for Digital Decade of the Republic of Slovenia. The consultation process with private and public stakeholders was very limited considering the time frame and communication channels. Institute for Electronic Participation in collaboration with the National network of NGOs for an inclusive information society intervened in the process with the purpose of democratising top down consultation approach by the Ministry of digital transformation. Intervention created an organized civic based deliberative form of consultation functioning as an ad hoc public sphere. However, the ministry was reluctant to take part in a horizontal communication with the experts from civil society. As such it demonstrated a very limited understanding of basic principles of civil dialogue and deliberation which are underlying

participatory democracy. Those limitations combined with unwillingness of the government ministry to undertake responsibility for engaging stakeholders in a meaningful way, resulted in a flawed National strategic plan for Digital Decade. The national strategic plan submitted to the European Commission is missing several important measures and actions for achieving transparent, open, inclusive, balanced and green digital transition of Slovenia. In that regard, contributions provided by the Slovenian civil society organisations followed the recommendations of the Civil Society Convention on the Future of Europe. Finally, rejecting civil society contributions by providing bureaucratic and legalistic arguments also created a very weak public legitimacy of the National strategic plan. In the light of the experience presented and with an intention to avoid similar situations in the future, **I would suggest to the European Commission to reconsider existing guidelines to the Member States for consulting private and public stakeholders in the process of preparation of the national Digital Decade strategic roadmaps.**

I look forward to your feedback and to the opportunity to discuss that proposal with you further.

Yours sincerely,

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List of appendices:

Appendix 1 Contributions from the civil society organisations to the draft National strategic roadmap for Digital Decade (in Slovene language)

Appendix 2 Response of the Ministry of digital transformation to the civil society contributions (in Slovene language)

Disclaimer

This open letter has been prepared a part the project "[Co-creating digital policies in Slovenia – CODIS](#)". The project receives funding by European Citizen Action Service (ECAS) in the framework of the EURECA 2023 project, which is co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or ECAS. Neither the European Union nor ECAS can be held responsible for them.