

GLOBAL INFORMATION SOCIETY WATCH 2012

THE INTERNET AND CORRUPTION
Transparency and accountability online



Global Information Society Watch

2012



Steering committee

Anriette Esterhuysen (APC)
Loe Schout (Hivos)

Coordinating committee

Karen Banks (APC)
Monique Doppert (Hivos)
Valeria Betancourt (APC)

Project coordinator

Valeria Betancourt

Editor

Alan Finlay

Assistant editor

Lori Nordstrom

Publication production

Mallory Knodel

Proofreading

Valerie Dee
Lori Nordstrom

Graphic design

Monocromo
info@monocromo.com.uy
Phone: +598 2 400 1685

Cover illustration

Matías Bervejillo

Financial support provided by

Humanist Institute for Cooperation with Developing Countries (Hivos)
Swedish International Development Cooperation Agency (Sida)



Global Information Society Watch

Published by APC and Hivos
2012

Creative Commons Attribution 3.0 Licence
<creativecommons.org/licenses/by-nc-nd/3.0/>
Some rights reserved.

ISSN: 2225-4625
ISBN: 978-92-95096-85-1
APC-201301-CIPP-R-EN-DIGITAL-176



StrawberryNet Foundation and Sapientia – Hungarian University of Transylvania
 Rozália Klára Bakó
www.sbnet.ro and www.sapientia.ro/en

Introduction

Information and communications technologies (ICTs) are at the heart of innovation and economic development in Romania and the only industry without job losses since 2008, despite the economic crisis.¹ According to the latest national regulatory authority report,² the broadband penetration rate had reached 17.12% of inhabitants in December 2011 (as compared to 14.48% in December 2009) and 41.60% of households (with only 35.10% in December 2009). In spite of the steady growth of access to ICT infrastructure, Romania ranks the lowest in the European Union (EU) when it comes to internet use:³ while in Sweden 91% of the population was connected to the internet at least once a week in 2011, only 37% of Romanians had this opportunity, far below the 68% EU average.

If roughly one third of the country's population goes regularly online, how much difference does it make to the democratic process in terms of transparency and participation? This report is an attempt to answer this question.

Policy and political background:

Gaps and steps

Social change is a slow process: 40 years of dictatorship (1949-1989) cannot be erased by simply pressing the *delete* button. According to a study on democracy, “semi-authoritarian habits, pervasive corruption and the lack of transparency and accountability” are the main problems that

governments still have to tackle in post-communist Romania.⁴ A thorough analysis⁵ of the country's level of transparency has developed five key indicators of corruption: (1) public resources available for discretionary use; (2) profits of Romanian companies with political ties, compared with multinational companies' profits; (3) political allocation of the Reserve Fund, created by the Romanian Finance Ministry in 2002 for crisis situations and misused by all governments ever since; (4) the energy sector – highly profitable for interest groups⁶ with strong political ties; and (5) human resource management in the public sector, namely, the high level of politicisation of the public administration.

Gaps

According to the latest Transparency International report, all new members to the EU – including Romania – have encountered a decrease in transparency. This was reflected in a higher Corruption Perceptions Index score between 2009 and 2011, perhaps as an impact of the economic and financial crisis.⁷ For example, the Electronic System for Public Procurement, built to raise the level of transparency in public-private partnerships in Romania, deals with only 40% of the total procurement transactions: all the rest lack transparency, according to the Institute for Public Policies' analysis.⁸

Policy-making processes ranked Romania 95th of 142 countries assessed on their political and regulatory environment, according to a Global Infor-

- Mihai, A.E. (2012) Numărul de joburi în IT a crescut cu 30% în ultimii patru ani, acesta fiind singurul sector în care nu s-au făcut concedieri, Ziarul Financiar, 27 January. www.zf.ro/profesii/numarul-de-joburi-in-it-a-crescut-cu-30-in-ultimii-patru-ani-acesta-fiind-singurul-sector-in-care-nu-s-au-facut-concedieri-9181459
- ANCOM (Agenția Națională pentru Administrare și Reglementare în Comunicații) (2012) Servicii de acces la internet. Servicii de linii închiriate și transmisiuni de date, p. 11. www.ancom.org.ro/uploads/links_files/Raport_DS_sem_II_2011_internet.pdf
- Eurostat (2012) Individuals: Frequency of Internet Use, 15 May. appsso.eurostat.ec.europa.eu/nui/show.do?dataset=isoc_ci_ifp_fu&lang=en

- Gross, P. and Tismaneanu, V. (2005) The End of Postcommunism in Romania, *Journal of Democracy* 16(2), p. 146.
- SAR (Societatea Academică din România) (2012) Dincolo de percepții. A devenit guvernarea României mai integră după 2004?, p. 13-20. www.sar.org.ro/files/547_Coruptie.pdf
- The Romanian mainstream media has tagged them ironically “smart guys from the energy sector”. See: România Liberă (2012) “Băieții deștepți” din energie la negocieri, 5 May. www.romanalibera.ro/bani-afaceri/conomie/baietii-destepti-din-energie-la-negocieri-263030.html
- Transparency International (2011) Evoluția statelor membre ale Uniunii Europene în ultimul an de evaluare a Indicelui de Percepție al Corupției (CPI). www.transparency.org/ro/politici_si_studii/indici/ipc/2011/GraficeCPI2011.pdf
- Institutul pentru Politici Publice (2012) Transparență, corectitudine și competitivitate în sistemul de achiziții publice din România, Bucharest, p. 7. www.ipp.ro/pagini/transparen355a-corectitudine-351i.php

mation Technology Report.⁹ Meanwhile, the recent survey conducted by the United Nations (UN) on e-government across the world has placed Romania 62nd of 190 countries – the lowest within the EU, with a fairly good score for human capital, but poor scores for online services and telecommunication infrastructure.¹⁰

The UN assessment framework for e-government defines four stages of online services in terms of interaction between public authorities and citizens: (1) emerging presence, (2) interactive presence, (3) transactional presence, and (4) networked presence.¹¹ The first stage is concerned with providing online information that is limited and basic. In the second stage the government provides current and archived information: policies, laws, reports, newsletters, and downloadable databases. The third stage allows two-way interactions online between citizens and the government, such as paying taxes, applying for ID cards, birth certificates, passports, or licence renewals. The fourth stage is the most sophisticated level of e-government: it integrates government-to-government, government-to-citizen and citizen-to-government services. Web comment forms and other interactive features enable citizens' participation in deliberative processes, such as commenting on laws, policies, strategies and other regulatory processes.

Romania's aggregated result for online service provision measured according to these stages was 45% in 2012, with 100% for the emerging presence stage, 64% for interactive presence, 29% for the transactional stage, and 36% for networked presence.¹² Reaching higher levels of transactional and networked presence online demands that Romanian governmental agencies invest more in bridging the digital gap, increasing the quality of online services and educating citizens for participation.

Steps

Civil society initiatives have strengthened in the field of ICT policy since 2010, with the Association for Technology and Internet (APTI)¹³ taking the lead. In March 2010 APTI brought civil society

organisations (CSOs), ICT business representatives and the open source community together: 200 activists signed its Manifesto for an Open e-Romania project, as presented in the GISWatch 2011 country report.¹⁴ Meanwhile, an online watchdog forum¹⁵ dedicated to monitoring Romanian local authorities has reached the highest web traffic for the civil society sector, with 27,000 daily users.¹⁶

Positive trends are also emerging in the practical use of ICTs in the governmental, civil society and business sectors. A talented young programmer – Octavian "Vivi" Costache – has developed a portal consisting of the contact information and main legislative activities of all Romanian members of parliament (MPs) on a platform called *hartapoliticii.ro*. On his personal webpage, Costache explains: "I've built a map of Romanian politicians because I want to make Romania a better place. Because of that, Forbes Romania thinks I'm one of 30 people under 30 to restart the country."¹⁷ In February 2012 APTI added a rank of Romanian MPs who voted for digital rights during the 2008-2012 parliamentary cycle to this online political map, on topics like access to online information, privacy on the internet, and open access issues.¹⁸

In June 2012 the first public debate on network neutrality was held in Bucharest, organised by the Romanian national regulatory authority of communications (ANCOM)¹⁹ and APTI. Beyond the multi-stakeholder approach, the benefit of the meeting was the quality of presentations and the highlighting of good practices from Northern European countries such as Norway and Sweden.

Romanian MPs' online presence: Are they responsive?

An experiment conducted in March 2012 by the Romanian Association for Technology and Internet²⁰ aimed at assessing the online presence and responsiveness of the Romanian MPs. The results,

9 World Economic Forum (2012) Global Information Technology Report, p. 13. www3.weforum.org/docs/Global_IT_Report_2012.pdf

10 The 0.6060 final score for Romania was aggregated from the online service component score (0.5163), telecommunication infrastructure component score (0.4232) and human capital component score (0.8783). See United Nations (UN) (2012) E-Government Survey 2012: E-Government for the People, p. 126. www.unpan.org/e-government

11 Ibid., p. 136.

12 Ibid., p. 128.

13 apti.ro/apti-english

14 Bakó, R.K. (2011) Romania: Mobilising for an Open eRomania, in Global Information Society Watch: Internet rights and democratisation, p. 222 giswatch.org/en/country-report/social-mobilisation/romania

15 www.domnuleprimar.ro/

16 SAR (2012) op.cit., p. 24.

17 www.vivi.ro/

18 APTI (Asociația pentru Tehnologie și Internet) (2012) Clasament: cum votează parlamentarii cu privire la drepturile civile digitale, February. www.apti.ro/sites/default/files/Cum-voteaza-parlamentarii-cu-privire-la-drepturile-civile-digitale-v-1.1.pdf

19 ANCOM (2012) Neutralitatea rețelelor și sustenabilitatea internetului, 5 June, Bucharest. www.ancom.org.ro/nn-2012_4714

20 Manolea, B. (2012) O imagine despre democrația electronică românească în martie 2012, 23 March. legi-internet.ro/blogs/index.php/2012/03/23/o-imagine-despre-democrația-electronică-românească

visualised on a chart,²¹ show a low level of online presence and a total lack of responsiveness of the legislative bodies' members: there were no responses to email inquiries and three responses to snail-mail inquiries.

A so-called "reply reaction analysis"²² was also conducted in 2003 by the eDemocratie.ro initiative, in order to assess the public authorities' transparency in relation to citizens. The report developed five indices to assess MPs' reply reaction: general response rate (the expected percent of MPs who answer an inquiry by email); consistency rate (percentage of MPs who regularly answer an inquiry by email); average response time; relevance of response in relation to the inquiry; and transparency index (assessing the degree of usefulness of the responses to citizens). Back in 2003, only 27% of the Romanian MPs had an email address and only 8% of them responded to citizen inquiry.²³ The transparency index for Romanian MPs had a very low score of 0.25 on a scale from 0 (the lowest) to 5 (the highest).

The 2012 e-democracy experiment has resulted in several action steps. Firstly, APTI looked at the previous results provided by the eDemocratie.ro project and started developing a database with the contact information of Romanian MPs. The online platform hartapoliticii.ro was instrumental in automated data collection, which has been complemented with manually gathered information about MPs' online presence on social networking sites such as Facebook and Twitter, as well as through their blogs and personal websites. This information has been compiled into a database, accessible under a Creative Commons 3.0 licence and downloadable in CSV and JSON formats.²⁴

The second step was to send emails to the MPs.²⁵ A total of 469 MPs have been contacted (137 senators and 332 deputies) through 663 email accounts, with as many as 61 messages bouncing back. Only 33 MPs have even opened the inquiry message, and *no replies have been received*.

In the third stage 322 snail-mails were sent to Chamber of Deputies members to inquire about their opinion on the data retention act.²⁶ Undelivered

letters (21) and the low number of responses received within 30 days²⁷ (three only) have again proved a lack of responsiveness of Romanian MPs when it comes to accountability and dialogue with citizens.

The inquiry's fourth step – an assessment of the online presence of 463 Romanian MPs (328 deputies and 135 senators) – noted a low number of personal websites, blogs, as well as Twitter and Facebook accounts:²⁸

- 55.5% of deputies and 51.1% of senators have neither a personal website, nor a blog.
- 103 MPs have only blogs, 79 only a personal website, seven domain names are not active, and only 29 have both a blog and a website.
- Only 29% (133 MPs) have a blog, 24.41% (113 MPs) a Facebook account, and 9.72% (45 MPs) a Twitter account.
- Only 48.58% of the MPs with a personal webpage had updated them in 2012.
- The rate of personal webpage updates from 2008 to 2012 (both were electoral years) shows similarly poor results: 12.74% in 2008, 4.25 % in 2009, 8.02% in 2010, 25.94% in 2011, and 48.58% in 2012;
- MPs with a Facebook or Twitter account showed slightly better rates of updating them in 2012: 83.19% and 66.67% respectively.

The results of the inquiry have been publicised on the APTI blog,²⁹ on its online partner's marketing agency blog,³⁰ on a community journalism website (2,148 views and nine comments as of 17 June 2012),³¹ on SlideShare (901 views as of 17 June 2012)³² and on the independent news portal Hotnews.ro (525 views as of 17 June 2012).³³ Given this relatively low level of interest, APTI's director has declared his disappointment over the scarce public attention that the e-democracy inquiry has received.³⁴

27 As prescribed by law.

28 legi-internet.ro/blogs/media/blogs/a/Infografic-final.jpg

29 legi-internet.ro/blogs/index.php/2012/03/23/0-imagine-despre-democratia-electronica-romaneasca

30 blog.standout.ro/2012/03/prezentari/parlamentarii-romani-pe-internet

31 www.contributors.ro/administratie/mic-exercitiu-de-democratie-electronica-romaneasca

32 www.slideshare.net/bmanolea/cum-sa-nu-contactezi-un-parlamentar-roman

33 Manolea, B. (2012) Mic exercitiu de democratie electronica romaneasca, 23 March. www.hotnews.ro/stiri-opinii-11818557-mic-exercitiu-democratie-electronica-romaneasca.htm

34 Manolea, B. (2012) Datele publice libere pe agenda guvernului Romaniei, 23 April. legi-internet.ro/blogs/index.php/2012/04/23/datele-publice-libere-pe-agenda-guvernului-romaniei

21 APTI (2012) Parlamentarii români pe internet, Martie, Standout Facebrands. legi-internet.ro/blogs/media/blogs/a/Infografic-final.jpg

22 Hera, O., Ailioaie, S. and Kertesz, S. (2004) Reply Reaction @ Parlament. Analiza reactiei membrilor Parlamentului la e-mailurile trimise de cetateni, eDemocratie.ro www.edemocratie.ro/R2-RO2003.pdf

23 Similar studies conducted in Canada and the UK resulted in 43% and 22% response rates respectively. Ibid., p. 3.

24 agenda.grep.ro

25 Manolea, B. (2012) Cum (NU) se poate contacta un parlamentar român? APTI, 22 March. www.slideshare.net/bmanolea

26 apti.ro/sites/default/files/Opinie-ong-lege-date-traffic.pdf

Such experiments are mirrors shown to the political elite and send an important message: in the age of the social web, ICTs enable quick and large-scale assessments on key actors' levels of transparency, accountability and willingness to engage in dialogue. Secrecy is no longer sustainable.

Conclusions

If we look at the numbers on a global scale, Romania's performance in the field of ICTs and democratisation is above the world average – Europe in general is a high-achiever region when it comes to infrastructural development, human capital and policy-making standards. However, when we compare Romania within the EU and – even more relevantly – within Central and Eastern European countries, the results are alarming.

The case presented in this report illustrates the lack of responsiveness of Romanian MPs and a low level of transparency when it comes to informing citizens about public matters. Although the Parliament has been among the first political bodies in Romania to use ICTs for disseminating public information,³⁵ there is still a long way to go on the road of e-democracy.

Action steps

In a media release issued on the country's national day, Transparency International Romania has urged the government, business actors, civil society representatives and trade unions to fight against corruption both inside their own institutional structures and on a national scale.³⁶

Transparency and accountability through ICTs should be a higher priority on all institutional stakeholders' agendas in Romania:

- Governmental agencies, businesses and civil society organisations should interact more and foster dialogue – both online and offline – in order to reduce corruption at all levels.
- Civil society organisations should be more active in holding the political class accountable to citizens.
- Media actors, both from the mainstream and from community journalism, should take the lead in highlighting the role that citizens can play in turning the tide of corruption.

Promoting good practices when it comes to government integrity is the way forward for a fair, sustainable and free society; ICTs have a key role in this process. ■

³⁵ Hera, Ailioaie and Kertesz (2004) op. cit., p. 5.

³⁶ Transparency International Romania (2011) O națiune împovărată de corupție, 1 December. www.transparency.org.ro/politici_si_studii/indici/ipc/2011/ComunicatTIROCP12011.pdf