

A Topical Discussion - Digitalisation of Public Administration and Public Services in Romania

Associate professor **Marta-Claudia CLIZA**¹

Abstract

Nowadays, we cannot deny the influence of technology and fast communication services in everyday life. We are increasingly trapped in a digital world, where information flows at breakneck speed and human interaction is gradually being replaced by the filter of technology. In this context, not only human interaction is affected, but also the citizen's relationship with the administration, which takes on a new dimension from day to day. We are no longer talking about the famous « storage binder folder », but we upload documents and requests that we send electronically, expecting that in this dizzying pace of communication we will be answered quickly and efficiently. Therefore, questions arise and we will try to answer them: how prepared is the administration for the digital switchover? How can such measures be implemented in the administration? Measures in this direction have been taken so far, but the reality is that no matter how quickly the administration reacts to these challenges, it will have to adapt to a new digital society.

Keywords: public administration, public services, digitalisation, digital solutions, digitized public services, efficiency, transparency.

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1. Introduction

In recent decades, digitalisation has become one of the most important drivers of social and economic progress. In this background, the digitalisation of public services is gaining strategic importance, not only as a tool to make the administration more efficient, but above all, as a means to rebuild citizens' trust in public authorities. The relationship between the individual and the state is radically transformed when the state becomes accessible, transparent and efficient through technology. Although the administration has been, is and will continue to be a bureaucratic complex that is difficult to render more efficient in the light of the latest technological developments, it has entered a broad process of transformation. As it is constantly stated in the doctrine, "public administration deals with day-to-day issues (provision of public services,

¹ Marta-Claudia Cliza - „Nicolae Titulescu” University of Bucharest, Romania, ORCID: 0000-0001-7021-8249, claudia@cliza.ro.

maintenance of public order, administration of the patrimony of the state or of the territorial administrative divisions, carrying out directly productive operations).² All these activities of public administration are today subject to digitalisation and the new face of administrative activity will provide a new dimension of analysis.

2. Definition and Scope of Public Service Digitalisation

“It is the task and duty of the State, i.e. the governments, to organise certain actions to meet needs of general interest, called public services, which must be provided on a regular and continuous basis in order to ensure peace and social balance.”³

Digitalisation of public services refers to the process of transforming administrative activities through the use of information and communication technologies (ICT) in order to improve the quality of services provided to citizens and the efficiency of public institutions⁴. This means implementing digital solutions to facilitate access to essential services, such as registering documents, paying taxes, or requesting public information, all without having to physically go to the counter. Although apparently simple operations, they require time, human resources and financial resources, all of which will have to be subject to the digital technological process. One of the most important effects of digitalisation is the transformation of the relationship between the citizen and the public authority into a more direct, efficient and needs-oriented one. The accessibility of digital services - available 24/7 and accessible from anywhere - considerably reduces time and travel costs for citizens⁵. At the same time, the digital traceability of applications and documents makes the state more transparent and accountable. In the long term, digitalisation can help increase trust in public institutions in a climate where the citizen-state relationship is often perceived as distant or inefficient⁶.

Digitalisation cannot work effectively without internal reform of public authorities. It requires an adaptation of organizational structures, administrative procedures and the skills of civil servants. In this regard, digitalisation is not only a technological but also a **cultural and organizational change**⁷.

Public administration is called to adopt a model of digital government, where services are user-centred, based on open data, interoperable and constantly adaptable to change. All these processes will result into an institutional reform and administrative

² Alexandru Sorin Ciobanu, *Drept administrativ, Activitatea administratiei publice. Domeniul public (Administrative Law, Activity of public administration. Public domain)*, Universul Juridic Publishing House, Bucharest, 2015, p. 21-22.

³ Mădălina Elena Mihăilescu, *Drept administrativ, Partea generală, Curs universitar (Administrative Law, General Part, University course)*, Hamangiu Publishing House, Bucharest, 2016, p. 34.

⁴ OECD. (2020). *Digital Government in the Era of COVID-19: Opportunities and Challenges*. <https://www.oecd.org/gov/digital-government/>, accessed on 1.02.2025.

⁵ World Bank. (2016). *Digital Dividends – World Development Report 2016*. Washington, D.C.

⁶ Mungiu-Pippidi, A. (2015). *The Quest for Good Governance: How Societies Develop Control of Corruption*. Cambridge University Press, p. 67.

⁷ Cordella, A. & Tempini, N. (2015). „E-government and Organizational Change: Reappraising the Role of ICT and Bureaucracy in Public Service Delivery”. *Government Information Quarterly*, 32(3), 279–286.

transformation without which the future is inconceivable. In this new context, the principles laid down in the Administrative Code will also find their full expression, such as the principle of transparency, as provided for by art. 8⁸, as well as the principle of adaptability, provided for by art. 13⁹.

“The impact of digitalisation on the activity of public administration, the main form of which is the administrative act, an activity traditionally governed by bureaucratic rules and procedures, requires an in-depth analysis, as the general interest mission of public administration requires that the activity of public institutions and authorities be carried out electronically in complete security, distinct from the speed required by an increasingly alert everyday life.”¹⁰

But what does “digitized public services” actually mean? In order to understand the concept, we are referring to those services that citizens can access remotely, via the internet, without having to physically go to an institution, such as: paying taxes, submitting applications (birth certificate, criminal record, social assistance, etc.), obtaining electronic documents, online appointments at public institutions, consulting personal records (with regard to health, tax, education). We note that many of these services have started to become accessible to Romanian citizens, which means not only an efficient implementation, but also an education of the citizen to use such means instead of the classic trip to the counter. Therefore, digitalisation of public services is the way in which the state interacts with citizens and businesses through digital means. This means fewer visits to the counter and more services available online, quickly and securely.

At this point in time, for Romania, all these beneficial transformations are accompanied by a series of challenges in the digitalisation process. These include:

- Unevenly developed IT infrastructure, especially in rural areas;
- Lack of digital skills of civil servants and part of the population;
- Fragmentation of state institutions' digital systems and lack of interoperability;
- Risks related to cyber security and personal data protection¹¹. This issue will

⁸ The principle of transparency provides the following: «(1) In the process of drafting normative acts, public authorities and public institutions have the obligation to inform and submit for public consultation and debate draft normative acts and to allow citizens access to the administrative decision-making process, as well as to data and information of public interest, within the limits of the law. (2) The beneficiaries of public administration activities shall be entitled to obtain information from public administration authorities and institutions, and they have a correlative obligation to make information available to the beneficiaries ex officio or upon request, within the limits of the law. »

⁹ The principle of adaptability provides the following: «Public authorities and institutions have the obligation to meet society's needs. »

¹⁰ Emilia Lucia Cătană, „Impactul digitalizării activității administrației publice asupra actului administrativ. Aspecte normative, jurisprudențiale și din perspectiva codificării procedurii administrative (The impact of the digitalisation of public administration on the administrative act. Normative, jurisprudential and legal aspects from the perspective of administrative procedure codification)”, *Revista de Drept Public* no. 3/2022, p. 115.

¹¹ European Commission. (2023). *Digital Economy and Society Index (DESI) 2023*. <https://digital-strategy.ec.europa.eu/en/policies/desi>, accessed on 1.02.2025.

also be the great challenge of the IT future of public administration, which will have to identify the most effective means to ensure the protection of all data in the virtual environment. In this regard, we note art. 5 para. 1 letter a) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data, according to which personal data shall be “processed lawfully, fairly and in a transparent manner in relation to the data subject.”¹²

According to another study, “the real challenges in this area (*emphasis added personal data protection*) have only emerged with the digitalisation of various economic operations and the work of public authorities, including state security and intelligence structures. Therefore, the accelerated computerisation of the economic, banking, financial, communications and institutional sectors has raised the question of identifying appropriate measures to protect personal data collected and processed by various economic and state entities.”¹³

Digitalisation means transforming traditional (paper-based, face-to-face) administrative processes into digital, IT-based processes. All these transformations involve: automating internal processes, creating online platforms for citizens, using electronic signatures and digital documents, integrating databases of public institutions.

Such measures will have huge benefits, including: reducing bureaucracy (fewer visits to the counter, more time saved, transparency and traceability (citizens can track the status of their applications in real time, reducing corruption, **increased accessibility** (services can be accessed anytime, from anywhere, the only requirement is a device allowing online access), long-term cost reduction (i.e. fewer employees for repetitive operations, savings on paper and physical space, interoperability between institutions (no more trips between institutions in the sense that the citizen no longer needs to bring documents between institutions that already have them). All these benefits cannot be ignored, first and foremost they serve the citizen for whom access to public institutions becomes easier, saving him the trip, money and other conflicts resulting from the human interface with which he comes into contact.

This broad digitalisation process also comes with a whole series of challenges, some of them arising from human nature, others from the educational process, etc. Among these challenges to be addressed are: resistance to change - from both officials and citizens, data security - hacking risks, security breaches, lack of digital skills - especially among older officials, insufficient funding – projects can be costly and difficult to implement without a coherent plan. Other problems identified bring to the forefront fragmentation (each institution has its own platform, with no links between them), lack of universal electronic identity (not all citizens have a secure means of authentication (i.e. digital signature), digitized bureaucracy (some services still require physical or printed documents, which means that they are not completely digital),

¹² Alin-Gabriel Oprea, „Considerații pe marginea principiului transparenței prelucrării datelor cu caracter personal (Considerations on the principle of transparency of personal data processing)”, *Revista Dreptul* no. 6/2022, p. 68.

¹³ Constantin Claudiu Ulariu, Marta Claudia Cliza, „Responsabilitatea în domeniul protecției datelor cu caracter personal (Personal data protection liability)”, *Revista Dreptul* no. 7/2023, p. 38.

insufficiently trained staff (digitalisation does not only mean software, but also people who know how to use it, an aspect that we have already mentioned and which remains a topical issue).

According to foreign authors, “One risk is that many digital markets are characterised by network effects. Like economies of scale and scope, network effects are not in themselves bad for consumers to begin with (on the contrary they may create more value and better quality) but, they may create substantial barriers to entry. Another risk is data collection and access to valuable data which may also create barriers to entry.”¹⁴

Furthermore, the reality in many places in Romania is that you have to physically go to the authorities for ordinary requests. Many forms are not available online, some authorities have outdated or incomplete websites, payments are only made at the cashier's office (this aspect has been improved lately, especially through Ghiseul.ro platform), there is no personal account where you can see your history of applications, fees, etc.

“A public policy issue always arises as a result of complaints initially directed to the civil servant or contract staff, the interface of the public institution or administration.”¹⁵ In response to these complaints, which have already arisen and are likely to continue to exist on the digitalisation process, future solutions will be developed to facilitate the transition to electronic, simplified communication.

3. Case Study. Law No. 9 of 2023 and Other Examples of Digitized Services

Romania, for example, although it has made progress in digitizing certain services (ANAF, ghișeul.ro, virtual private space), continues to occupy a modest place in European rankings on the digitalisation of public administration¹⁶.

Notwithstanding, at the beginning of 2023, the Romanian Parliament adopted Law no. 9/2023 amending and supplementing Government Emergency Ordinance no. 41/2016 on establishing some simplification measures at the level of central and local public administration and amending and supplementing certain normative acts¹⁷. This law creates the obligation for all public authorities or private structures authorized to provide public services, under public power¹⁸, to publish models of forms or

¹⁴ Bitten Thorgaard Sørensen, „Digitalisation: An Opportunity or a Risk?” *Journal of European Competition Law & Practice*, Volume 9, Issue 6, June 2018, pp. 349–350, <https://doi.org/10.1093/jecclap/lpy038>.

¹⁵ Camelia Daciana Stoian, „Politici publice de actualitate – acțiune guvernamentală „de așteptat” (Topical public policy - government action "to be expected")”, *Revista de Drept public* no. 2/2022, p. 36.

¹⁶ European Commission. (2023). *Digital Economy and Society Index (DESI) 2023*. <https://digital-strategy.ec.europa.eu/en/policies/desi>, accessed on 1.02.2025.

¹⁷ Law no. 9/2023 was published in Official Journal of Romania no. 14 of 5 January 2023.

¹⁸ For a broad and well-researched discussion on the notion of public authority and assimilated public authority, see Catalin-Silviu Săraru, *Drept administrativ, Curs universitar (Administrative Law, University course)*, Volume II, Universul Juridic Publishing House, Bucharest, 2024, pp. 8 -10. The author points out that «the following are assimilated to public authorities ... : legal persons governed by private law which, in accordance with the law, have obtained the status of public authority ... and legal persons governed by

applications related to the services provided, in electronic format. As part of this obligation, all these documents must be created in such a way that they can be downloaded and edited in order to be filled in electronically by the beneficiary. Another step towards digitalisation is performed through e-mail correspondence, creating the obligation for public authorities to publish an e-mail address to which to receive the necessary documents and instruments in order to issue a public document.

One of the most interesting texts of the above-mentioned normative act provides for a prohibition for public authorities, namely that of not being able to require natural or legal persons, in order to solve a request, to submit files, storage binder folder or any other article or object of office or stationery. This text has a special significance, basically making the transition from the old mentality of storage binder folder to a new digital era to be implemented in the administration. This text represents the abandonment of a concept deep-rooted in the administration according to which at the basis of any application preceding the issuance of an administrative act a whole series of documents from other public authorities, sometimes even from the same authority, must be submitted, a deeply bureaucratic process that involved copies of already public documents, paper over paper and file after file. It is thus abandoned the old mechanism of the "storage binder folder", so old and so deep that even the normative act mentions it. The desire to move into the digital age of administration has been translated into a normative act to be implemented through the Plan for the development of public e-services. However, all these desires remain to be referred to the real problems of the Romanian administration, among which we mentioned above the lack of specialized staff, sometimes even anachronistic or the lack of computer literacy of citizens, especially those in rural areas or the elderly.

"The activity of public administration, with the administrative act as its central pillar, is in the process of a paradigm shift from the classic administrative act, exclusively in hard copy, to the alternative or even the rule of its electronic format, with electronic signature and without the classic stamp."¹⁹

In the light of the above, we can also mention other examples of digitized services in Romania, which are working and have been implemented, and are increasingly being used by citizens in their relations with the local or central public administration:

1. *Ghișeul.ro*: Enables online payment of taxes and fines.
2. *SPV – Virtual Private Space* (ANAF – National Agency for Fiscal Administration), used in order to file tax returns, pay taxes, receive notifications from ANAF.
3. *CNAS – Electronic Health Record*, provides access to medical history
4. *Online appointments for passports and ID cards*, valid in many counties with local or national portals, greatly streamline the appointment system, the waiting time at the counter, being linked to the possibility of having already paid electronically certain

private law which are authorized to provide a public service under public authority. » The quoted author gives clear examples and shows exactly when certain entities can be assimilated to public authorities.

¹⁹ Emilia Lucia Cătană, *op. cit.*, p. 124

fees required to obtain these documents.

5. *e-Factura and e-Transport*: entailed the digitalisation of the state's relationships with companies — ANAF receives invoices directly, electronic format. Although there are still shortcomings, these programmes have become an accepted tool in trade relations and implemented as such by all those who have fallen within their scope.

The Executive²⁰ of Romania shall remain bound to implement and create the normative framework for the most urgent implementation of all these measures adopted, to improve what has already been implemented and to remedy any shortcomings that have arisen.

All these measures were adopted at a time when the globalisation of the law has led to an increasing use of the expression “the right to good administration”, which is not yet enshrined in our Constitution, but is already enshrined at European level”.²¹

Last but not least, all these discussions have to be seen from the perspective of cost-effectiveness. “Cost-effectiveness can be viewed from the perspective of the category of administrative measure ordered as cost-effectiveness in relation to the measures taken in setting up, organising and operating public service and cost-effectiveness in relation to the measures taken in the performance of standard services. While the first category concerns measures relating to the economic efficiency of the establishment, organisation and operation of a public service, the second category concerns the actual activity carried out by means of the public service provided. The importance of the differentiation criterion lies in the fact that cost-effectiveness concerns all measures with administrative nature and is not limited to the actual decisions of the provider entity itself.”²²

4. Good Practice Examples in Estonia and Lessons for Romania

A reference model in this field is Estonia, which has implemented an almost fully digital public system based on the “once only” principle - i.e. the citizen provides his or her data once and it is automatically used by all relevant public institutions²³. In Estonia, 99.9% of public services are digitized, and the only non-digitizable service is the signature for marriage and divorce. In Estonia, electronic voting is also implemented, but it is optional, leaving the citizen the option to vote online or to physically go to the polling station.

In the era of globalization and technology, digital transformation has become a

²⁰ The Executive shall mean “public activity that is neither lawmaking nor justice, carried out by authorities of constitutional nature and political origin, which boosts the administration, in fact forming its leadership”, Dana Apostol Tofan, *Drept administrativ (Administrative Law)*, volume I, 5th edn., C.H. Beck Publishing House, Bucharest, 2020, p. 32.

²¹ Elena Emilia Ștefan, *Drept administrativ, Partea I, Curs universitar (Administrative Law, Part I, University course)*, Universul Juridic Publishing House, Bucharest, 2019, p. 15.

²² Nicolae-Alexandru Ceslea, „Serviciul public și noțiunea de economicitate (Public service and cost-effectiveness notion)”, *Revista de Drept public* no. 3/2023, p. 74.

²³ E-Estonia. (2021). *The Digital Society*. <https://e-estonia.com/solutions/>, accessed on 1.02.2025.

strategic priority for many countries. However, few nations have managed to integrate digitalisation as deeply and consistently as Estonia. A small Baltic state with a population of around 1.3 million, Estonia has become a true “digital state”, offering almost all public services online. Digitalisation is not just a technological component, but an essential pillar of the functioning of Estonian society. This essay explores Estonia's digitalisation journey, analysing its e-government model and its impact on administration, economy and civic participation.

Estonia's digital transformation has not been the result of a spontaneous evolution, but of a well-defined national strategy that began after regaining independence in 1991. Faced with a lack of resources, but with an educated and young human capital, Estonia has chosen to invest in information technologies as a driver for development. Project *Tiigrihüpe* (“Tiger Leap”), launched in 1996, was the first major step in digitizing education and connecting schools to the internet²⁴.

In 2001, Estonia has introduced mandatory **digital identity** for all citizens, enabling authentication and electronic signature in relation with the state. This core infrastructure, known as the *X-Road*, is the backbone of the Estonian digital system and enables the secure exchange of data between institutions²⁵.

One of Estonia's most impressive achievements is the complete digitalisation of public services. According to E-Estonia (2023)²⁶, more than 99% of public services are available online 24/7, with the exception of marriages, divorces and real estate transactions, which require physical presence. The process of filing tax returns takes less than 5 minutes and electronic health records are accessible to any citizen through a unified platform.

As mentioned above, electronic voting (e-Voting), first introduced in 2005, made Estonia the first country in the world to offer this option on a national scale. In the 2023 elections, over 50% of votes were cast online²⁷.

This level of automation and transparency has reduced bureaucracy and increased trust in institutions. According to a report of the European Commission (2022), Estonia ranks first in the EU on the digital governance index²⁸.

The success of Estonian digitalisation is supported by a strong cybersecurity culture. After the major cyber-attack in 2007, Estonia became a pioneer in cyber-defence, today hosting the NATO Cyber Defence Centre of Excellence. Digital identity is protected by advanced cryptography and personal data cannot be accessed without explicit permission.

In addition, Estonia has become the first country in the world to implement the concept of e-residency, offering digital identity to non-residents to open companies or

²⁴ E-Estonia. (2023). *The Digital Society*. <https://e-estonia.com>, accessed on 1.02.2025.

²⁵ Tamm, D. (2019). *Digital Transformation in Estonia: From Tiger Leap to Digital State*. Tallinn University Press, p. 75.

²⁶ E-Estonia. (2023). *The Digital Society*. <https://e-estonia.com>, accessed on 1.02.2025.

²⁷ Estonian National Electoral Committee. (2023). *i-Voting Statistics*. <https://valimised.ee/en>, accessed on 1.02.2025.

²⁸ European Commission. (2022). *Digital Economy and Society Index (DESI) 2022 – Estonia*. <https://digital-strategy.ec.europa.eu>, accessed on 1.02.2025.

sign documents remotely. This program has attracted over 100,000 users from over 170 countries²⁹.

A key factor in the success of digitalisation is its integration into education. In Estonia, pupils learn programming from primary school and textbooks are gradually being replaced by digital resources. Universities offer advanced programs in cybersecurity, artificial intelligence and e-government.

This deep digital culture is reflected in citizens' skills: according to Eurostat (2022), more than 90% of Estonians have basic digital skills, compared to the EU average of 54%³⁰.

Although Estonia is a model, not all of its elements are directly replicable. Factors that have contributed to its success include small population size, political consensus on digitalisation and high levels of digital literacy. Nevertheless, other countries can learn from Estonia's experience in terms of secure digital infrastructure, citizen participation and administration transparency.

The challenges remain: maintaining public trust, protecting personal data and adapting to new digital risks. Moreover, in the light of artificial intelligence, governments need to rethink the structure of public services and digital ethics.

Estonia is a living example of how digitalisation can profoundly transform a state. Through smart investments, secure infrastructure and long-term vision, the country has succeeded in creating a functioning, efficient and citizen-centred digital society. In a world in which technology is constantly redefining the relationship between the state and the individual, the Estonian model offers valuable lessons for the future of digital governance.

Romania can learn key lessons from this model: constant investment in digital education, the development of a coherent and interoperable infrastructure, as well as the active involvement of citizens in the digitalisation process through consultation and feedback.

5. Conclusions

The digitalisation of public services is an essential element in modernizing the state and improving the relationship between citizens and the administration. If implemented intelligently, digitalisation can contribute to an administration that is more efficient, more transparent and closer to citizens' real needs.

In order to achieve this goal, it is essential not only to equip institutions with digital tools, but also to reform the way public authorities interact with citizens, building a partnership based on trust, communication and quality services.

Digitalisation in public administration is an essential process for modernizing public services and increasing their efficiency.

Future directions to be considered will focus on artificial intelligence for data

²⁹ E-Residency Program. (2023). *e-Residency Statistics*. <https://e-resident.gov.ee>, accessed on 1.02.2025.

³⁰ Eurostat. (2022). *Individuals' Digital Skills in the EU*. <https://ec.europa.eu/eurostat>, accessed on 1.02.2025.

analysis and predictions in administration, blockchain for securing official documents. And a single national portal for all public services.

To end on an optimistic note, imagine a modern, fully digitized city hall: we would have a User Account, all Requests and forms would be digital, we would have real-time status of requests, we would be notified by SMS or email, we would be answered by a Chatbot for frequently asked questions with repeatable and law-based answers, we would have real-time access to interactive maps (for public works, parking, green spaces) and on the City Hall mobile app. Why this example: due to the fact that interaction with City Hall is one of the most important areas where digitalisation can make life much easier, especially for families, entrepreneurs or busy people. Let's hope we move towards such a model as soon as possible!

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