Digital Rights: Effects on the Quality and Simplification of Access to Public Administration Services

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ABSTRACT
Creating and ensuring the existence of a digital society represents for the European Union and for the member states a priority and an objective to be achieved, and for this purpose concrete and rapid measures are being taken, the digital transition being the one that during the pandemic generated by the SARS-COV-2 virus constituted a bridge link between citizens and public authorities. Since the digital transition must be durable and sustainable, the reassessment of citizens' rights, the development of their digital rights to ensure access to public administration services are aspects that we focused on in this article, as it was found that all of these require increased efforts to reduce existing gaps and to facilitate access to digital services for all. We started from theoretical aspects related to the achievement of the digital decade by the European Union, by moving from digitization to digital transformation, analyzing the current state of Romania and Romanian public administration services, continuing with the digital rights of citizens - human rights in the digital environment, but also the responsibilities related to them, including what ~~the~~ possible improvements can be done and how to implement them. In order to achieve our proposed objective, specialized literature, legislation and statistical data provided by the European Union were subjected to analysis in order to highlight a more current picture of digital rights and responsibilities and the outline of a digital citizenship, which undoubtedly determines important effects on quality and simplifying access to public administration services, as much as possible in the current XXI century. The whole approach encourages being aware of the effects of digital transformation and digital education in order to keep up with the evolution of society, (the lawmakers) permanently guaranteeing human rights and freedoms.
KEYWORDS*: digital rights, human rights, European Union, digital citizenship, digital public services.*

1.Introduction

Today, the digital society presents both benefits and risks to people; in this context, there is an increasingly important need to develop a framework to guarantee the protection of human rights and also in a virtual environment (digital rights), to highlight that there are tools and mechanisms necessary to exercise them. The digital society, technologies and digital rights have an extraordinary potential to intervene to address inequalities, by reducing them, but also to exacerbate them in other situations, in the absence of good governance. It is visible that digital

rights ensure the participation of citizens in the life of society in the European Union and in each member state, in the most diverse forms, and in the context generated by the SARS-COV-2 pandemic, it was necessary to ensure the transparency, accessibility, availability and closeness of the administration public in the relationship with the citizen.

Since the future of the European Union depends on the respect of fundamental values such as democracy, the rule of law and human rights[1], this work is a presentation of the impact that digital technology has in acquiring and guaranteeing digital rights, but also digital responsibilities, insisting on their effects on the quality and simplification of access to public administration services. At the same time, we aimed to highlight the efforts of the European Union in achieving the digital decade, referring to Romania and the efforts made by it in this regard.

In a descriptive manner, with digital transformation processes in the foreground, especially those within public administration, we will limit ourselves to showing the direct and concrete benefits for citizens through the lens of digital rights and responsibilities, in a manner based on inclusion and equity, trying to identify answers to questions such as: What does the regulation of digital rights and responsibilities entail? How do these rights affect the quality and access to public administration services?

In order to achieve our proposed objective, we have presented some actions taken recently by the European Union to achieve the digital decade, combining theoretical and practical aspects, by referring to the situation of Romania and its positioning in the sphere of digital transformation of the public administration.

Starting from the idea that digital rights and responsibilities are human rights in a digital age and that they need to be guaranteed and properly promoted through key actors such as the state and its authorities, the citizens, but also the European Union as a whole, through the current approach we wanted to emphasize that Romania is making small but noticeable progress in ensuring and transitioning from digitization to digital transformation, but that there are still many other measures to be implemented in the public administration, which provide/develop, among others, the quality and simplification of access to public administration services. At the same time, we tried to point out the advantages conferred by access to the digital environment, but also the risks it entails (e.g. the protection and use of personal data), bringing into discussion the concept of digital citizenship and the promotion of public policies, strategies meant to guarantee the right of all people to access the digital environment, the development of digital skills for every citizen, including the use of digital technology in a safe and responsible way, by also integrating digital citizenship in formal and non-formal education.

2.Methodology

In carrying out this approach, both qualitative and quantitative methods were used, by researching the specialized literature, the statistical data provided by the European Union, some indicators used in this sense (e.g. the DESI indicator), in order to emphasize where Romania is

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[1]For more details on human rights see Moroianu Zlătescu, I., *Human Rights a dynamic and evolving process*, Editura Pro Universitaria, București, 2015, p.12 at seq.

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positioned in the digital transformation process in relation to the European Union and the member states, by studying and interpreting the information collected regarding the degree of digitization of the Romanian economy and society, digital connectivity, digital public services, etc. The comparative method was constantly and predominantly used to show where Romania is located compared to the other member states and compared to the average values of the European Union; this method is joined by the historical method, which attests to the constant activity of the European Union in the sense of reaching the objective of the digital decade.

The entire documentation is based on these coordinates, using bibliographic resources from the specialized literature, as well as existing information on the official pages of the European Union institutions[2], which led to the evaluation of the current situation in terms of the guarantee and promotion of digital rights and to expressing our hope that Romania will also contribute to the achievement of the European Union's goal of bringing about the digital decade; thus , the quality and simplification of access to public administration services will be properly implemented and ensured.

3.Theoretical aspects regarding the EU's commitment to bring about the digital decade and Romania's positioning

The research starts from the objective of the European Union to bring about the digital decade and the presentation of some of the measures taken in the sense of establishing digital rights and responsibilities, referring in particular to Romania and its efforts to keep up with digitization, digitization and, in especially with digital transformation.

One of the most important measures is represented by the Project of the European Commission submitted to the European Parliament and the Council on the adoption of a *European Declaration on digital rights and principles for the digital decade of the European Union[3],* that supports the European Commission's 2021 initiative on the digital transformation of Europe by 2030[4] and of a solid governance framework[5], aiming to achieve the previously mentioned digital goals. The draft of the Declaration highlights the outlines of approach to the digital transformation of the European Union at the global level, establishing as objectives "the collection and standardization of the common political intentions of citizens, public administrations, the private environment, but also of political leaders and, last but not least, their guidance in relation to new technologies"[6]. Digital technology can serve citizens, respecting rights and values, in such a way that optimal connectivity, easy access to the public and a safe and fair digital space constitute global principles of the aforementioned Declaration. The declaration addresses essential rights and

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[2]Zlătescu,M., Marinică, I., C.E., *Instituțiile Uniunii Europene*, Editura Universul Academic și Editura Universitară, București, 2020, p.49 et seq.

[3]A series of other documents complete the regulatory framework in the field: the Commission's communication addressed to the European Parliament and the Council, as well as the European Economic and Social Committee and the Committee of the Regions, the Declaration of Principles and Rights itself, etc.

[4]Communication *"Compass for the Digital Dimension: The European Model for the Digital Decade"*.

[5]The way to the digital decade.

[6]Marinică, C. E., *Spre o Cartă Europeană a drepturilor digitale – obiectiv al Uniunii Europene*, Pandectele Române, București, nr.2/2022, pp.112-119.

principles for the digital transformation, "such as putting citizens and their rights at the center of this process, supporting solidarity and inclusion, guaranteeing freedom of choice online, encouraging participation in the digital public space, increasing people's degree of freedom, safety, security and empowerment and promoting the sustainability of the digital future"[7].

Although in Romania, "the concept of digitization (which is only a first step) predominates, while in the European Union the concept of digital transition/transformation is used (which involves a process of changing thinking, automating some processes, updating of how civil servants interact with each other)"[8], a similar use of "the terms digitization, digitization and digital transformation, although they describe distinct processes"[9] was found.

We will not insist on the delimitation of these concepts, in the following we will try to bring to the fore the digital rights and responsibilities of the citizen as a result of all these processes, with the aim of complete digital transformation[10], since knowing one's rights and responsibilities will ensure a balance in the digital environment towards the rights and responsibilities of others, but also an appropriate integrity in the digital environment.

The digital transformation within the scope of public authorities is important, for its achievement it is appropriate to point out the direct and concrete benefits for citizens, based on inclusion and equity. It is essential that citizens have equal access to information provided by public authorities through public digital services.

Starting from digitalization, which offers benefits both to the citizen who interacts with state institutions and to the public administration as a whole, continuing with digitization and digital transformation, these processes lead to the state offering the same services to the citizen, preferably at a better quality and a simplification of access to them through the digital environment. In this respect, in order to determine the level reached by the states of the European Union, the European Commission has created a barometer, and based on its results it produces a report - the DESI Index (Digital Economy and Society Index)[11].

According to DESI, Romania ranks 27th, with a score of 30.6%, the European Union average being 52.3%. Compared to previous years and compared to the other countries, "its relative annual growth is lower than that of similar countries, which indicates that it is not convergent with the rest of the Member States"[12], considering that "the low level of digitization and relatively slow progress prevent Romania's economy to take full advantage of the opportunities offered by digital

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[7]European Commission, *Commission puts forward declaration on digital rights and principles for everyone in the EU*, Press-Release, January 27, available at https://ec.europa.eu/commission/presscorner/detail/en/IP_22_452, accessed on 01.11.2022.

[8]Durach, F., Mărcuț, M., Puchiu, P., Ștefan, V., *De la digitalizare la transformare digitală în România*, Institutul European din România, Policy Brief no. 9/iulie 2021, p.6.

[9]*Ibidem.*

[10]Moving e-government services into the digital environment.

[11]The DESI index highlights the degree of digitization of the economy and society in each of the 27 member states of the European Union.

[12]European Commission, Report - Digital Economy and Society Index (DESI) 2022 in Romania, available at https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p.3, accessed on 03.11.2022.

technologies. This situation is further aggravated by the very low level of digital public services, both for citizens and businesses"[13].

	Romania		EU
	rank	score	score
DESI 2022	27	30.6	52.3

Figure 1. Romania's position in the European Union in 2022.
Source: https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p.3, accessed on 02.11.2022.

In terms of connectivity, Romania ranks 15th out of 27 EU countries (66%), a relatively central position, but below the EU average (78%).

In the area of digital public services, as the report shows, the availability of digital public services for citizens (44%) is far below the EU average (75%), and "digital interaction between public authorities and the general public is also low as only 17% of internet users use e-government services"[14].

4 Digital public services[8]	Romania		EU
	rank	score	score
DESI 2022	27	21.0	67.3

Figure 2. Digital public services in Romania - in relation to the European Union, in 2022.
Source: https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p.17, accessed on 02.11.2022.

		Romania		EU
	DESI 2020	**DESI 2021**	**DESI 2022**	**DESI 2022**
4a1 e-Government users	15%	16%	17%	65%
% internet users	2019	2020	2021	2021
4a2 Pre-filled forms	NA	NA	19	64
Score (0 to 100)			2021	2021
4a3 Digital public services for citizens	NA	NA	44	75
Score (0 to 100)			2021	2021
4a4 Digital public services for businesses	NA	NA	42	82
Score (0 to 100)			2021	2021
4a5 Open data	NA	NA	76%	81%
% maximum score			2021	2021

Figure 3. The breakdown of digital public services in Romania - in relation to the European Union, in 2022.
Source: https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p.17, accessed on 02.11.2022.

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[13]*Ibidem.*
[14]*Ibidem,* p.17.

Furthermore, according to a special Eurobarometer[15], 81% of EU respondents think that the Internet and digital tools will play an important role in the future. Moreover, 82% finds it useful for the European Commission to define and promote a common European vision on European digital rights and principles to ensure a successful digital transformation.

According to the country analysis, Romania records the lowest percentage (61%) of appreciation that digital tools and the Internet will be important in citizens' lives until 2030, compared to Finland and the Netherlands where the percentage recorded is (95%), and Sweden (94%). In addition, Romanian respondents (25%) do not expect that the use of digital tools and the Internet will bring them more advantages than disadvantages, compared to Finland (67%), Denmark (63%), and Sweden (62%). 65% of Romanian respondents believe that it is useful to know more about their rights in the online environment, the majority of European Union citizens consider that the EU protects their rights well in the online environment, although 40% of EU citizens do not know that rights such as the freedom of expression, privacy or non-discrimination must also be respected in the online environment, but still think that it is useful to have more knowledge about these rights.

Thus, 82% of EU citizens consider it useful to define and promote a common European vision on digital rights and principles that should be concretely known by citizens, in order to use a safe and reliable digital identity for a diverse range of public information.

In Romania, it is estimated that there is still a significant gap between the public sector and the technological advancement, the integration of the latter being necessary to a greater extent in order to increase digital skills and ensure a faster transition to digital public services, necessary for modernizing the relationship between the state and citizens. However, there is a considerable online interaction between public authorities and citizens, if we take into account that Romania ranks seventh in the category of e-government users (82% of Internet users), compared to an average of the European Union of 67%.

As the Internet represents the most dynamic medium for freedom of expression, the European Union and its Member States face the challenge of regulating or reforming the existing legal framework in order to keep in line with digital technology and the adaptation of offline rules to the online environment. Freedom of expression, the right to the protection of personal data, the right to private life are just a few examples of human rights and freedoms directly connected to the digital environment, but overall, human rights in the digital age are much more than that, and currently, the idea that digital rights are human rights is emerging more and more clearly. So, it should come as no surprise that instruments such as the Universal Declaration of Human Rights, the European Convention on Human Rights, the Charter of Fundamental Rights of the European Union and numerous other human rights instruments are also applicable in the digital domain.

Minimizing digital inequalities by ensuring the widest possible access to digital technology, by acquiring digital skills and using the opportunities offered by the state and/or the European Union in this regard constitutes a problem for the whole society, requiring a digital framework for

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[15]Made in September and October 2021, available at https://europa.eu/eurobarometer/surveys/detail/2270, accessed on 01.11.2022.

governance rights that provides tools for the implementation of digital rights at the level of society, ensuring the guarantee of citizens' rights.

4.The digital citizen - towards a digital citizenship?

The acquisition and choice of use of digital rights should represent a choice for the citizen, and the transition from digitization to digital transformation should occur concurrently with the revision of the legislative framework. In Romania, a series of rules to facilitate access to different types of administrative procedures are beginning to take shape, such as the implementation of digital citizenship and a series of ways to simplify administrative procedures.

Regarding digital citizenship, UNESCO refers to digital citizen and digital citizenship[16] specifying that "a digital citizen is able to understand the principles that govern the digital environment, to analyse the place of technologies in society, their impact on our daily lives, their role in building knowledge and their uses for social participation", but it is also promoting the need for a digital citizenship saying that "digital citizenship starts with building an informed citizenry. Education can help young people understand what they know and what they do not know, differentiate what is credible and authoritative from what is not, and why they are responding to messages in a particular way"[17].

The promotion of digital citizenship involves: efforts on the part of all actors involved (from the state to each individual citizen), the promotion of public policies that guarantee the right of all people to access the digital environment, the development and implementation of strategies that offer the development of skills digital skills for each ~~individual~~ citizen (including individually) to use digital technology in a safe and responsible way and, last but not least, the integration of digital citizenship in formal and non-formal education.

In Recommendation CM/Rec(2019)10 of the Committee of Ministers to member States on developing and promoting digital citizenship education[18] , the Council of Europe is convinced of the importance of setting digital citizenship education as a priority for policy makers; as a definition of the concept "digital citizenship" is "the capacity to participate actively, continuously and responsibly in communities (local, national, global, online and offline) at all levels (political, economic, social, cultural and intercultural)".

For a digital citizenship to be exercised to the fullest, the implementation of a digital education is a constructive process which involves the awareness and familiarization of citizens with values (human dignity and human rights), attitudes (responsibility and respect), skills (listening and observing, to empathize, cooperate and resolve conflicts) and knowledge and critical thinking (self-knowledge and critical knowledge of those around)[19]. The promotion of digital education and the development of basic digital literacy skills are relevant, since without them the

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[16]UNESCO, *Digital citizenship as a public policy in education in Latin America*, 2020, p.6.

[17]UNESCO, *COVID-19 education response webinar, The COVID-19 pandemic of disinformation and hate speech: how can education and digital citizenship help, syntesis report*, 2020, p.5

[18]Council of Europe, available at https://rm.coe.int/090000168098de08, accessed on 02.11.2022.

[19]Council of Europe, Educational dimensions and citizens, in *Education à la citoyenneté numérique (ECN),* available at https://www.coe.int/fr/web/digital-citizenship-education/rights-and-responsibilities, accessed on 01.11.2022.

development of digital governance is impossible to achieve. Digital education starts from digital literacy, which allows citizens to acquire critical thinking (related to the information received) and understanding of the social and economic impact of technology, but at the same time, to maintain old but important skills such as respect for the law.

According to the DESI report mentioned throughout this article, Romania "faces a lack of basic digital skills among the population. Romania scores well below the EU average in at least basic digital skills (28% vs. 54%) and digital skills above elementary level (9% vs. 26%). 41% of people in Romania have at least basic skills in creating digital content, below the EU average of 66%"[20].

	Romania			EU
	DESI 2020	DESI 2021	DESI 2022	DESI 2022
1a1 At least basic digital skills % individuals	NA	NA	28% 2021	54% 2021
1a2 Above basic digital skills % individuals	NA	NA	9% 2021	26% 2021
1a3 At least basic digital content creation skills[3] % individuals	NA	NA	41% 2021	66% 2021

Figure 4. The size of Romania's human capital in the European Union, in 2022.
Source: https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p. 7, accessed on 02.11.2022.

Education and digital literacy are aspects to consider, as they give citizens the right to information about digital rights, but also the necessary digital skills, so that they are aware of the rights they have, the consequences and the real results of their digital activity. Returning to digital rights, perhaps an example of good practices for Romania, in the sense of establishing digital rights, is Spain and the adoption of the *Digital Rights Charter[21]*, which aims to protect the rights of citizens. A series of rights are regulated such as: the right to digital identity, the right to data protection, the right to a pseudonym, the right of the person not to be located and monitored, the right to cyber security, the right to equality and non-discrimination in the digital environment, the right of access to internet, the protection of minors in the digital environment, universal

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[20]European Commission, Report - Digital Economy and Society Index (DESI) 2022 in Romania, available at https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p.20, accessed on 03.11.2022.

[21]On July 14, 2021. Ex. The right to digital identity, the right to data protection, the right to a pseudonym, the person's right not to be located and monitored, the right to cyber security, the right to equality and non-discrimination in the digital environment, the right to access the Internet, the protection of minors in the digital environment , universal accessibility in the digital environment, the right to internet neutrality, freedom of expression and freedom of information, the right to citizen participation through the digital environment, the right to digital education, digital rights of citizens in relation to public administrations, the right to jobs, the company digital, the right of access to data for archiving purposes in the public interest, for research purposes, for scientific or historical purposes, statistical purposes and innovation and development purposes, the right to technological development and a sustainable digital environment, the right to health protection in the digital environment, creative freedom and the right of access to culture harm in the digital environment, rights regarding artificial intelligence, digital rights in the use of neurotechnologies, guaranteeing rights in digital environments.

accessibility in the digital environment, the right to neutrality of the internet, freedom of expression and freedom of information, the right to participation (to different events) of citizens through the digital environment, the right to digital education, digital rights of citizens in relation to public administrations, the right to jobs, the digital company, the right to access data for archiving purposes in the public interest, for research purposes, for scientific or historical purposes, statistical purposes and innovation and development purposes, the right to technological development and sustainable digital environment, the right to health protection in the digital environment, the freedom to create and the right of access to culture in the digital environment, rights regarding artificial intelligence, digital rights in the use of neurotechnologies, guaranteeing rights in digital environments.

The Charter "recognizes the challenges related to the application, interpretation and adaptation of rights to the digital environment and suggests principles and policies related to them, proposing a frame of reference for public authorities so as to contribute to the reflection processes taking place at the European level and to guarantee globally a digitization that puts people at the center"[22]. The Charter provides regulations "with an impact on the relationship with the public administration", mentioning "the right to citizens' participation through the digital environment", so that "any process of political participation, public or private, carried out by technological means: a) must allow full and effective access to the information on the process in question; b) must allow and guarantee full transparency and accountability of the people involved; c) must guarantee the conditions of equality and participatory non-discrimination, institutional loyalty and fair and balanced competition; d) will guarantee the accessibility of digital public participation systems (point 16)"[23].

Of course, the development of basic skills represented by citizens' digital literacy is essential, without them effective digital governance would be in question. Citizens' digital literacy is a favorable factor for e-government. It is extremely important to raise awareness of digital rights and their impact on citizens' daily lives[24], as well as the need for greater participation in the state governance process, including as a way to access public services. In this context, the protection and use of personal data accentuates the need for appropriate information for citizens, so that they know and understand what the concrete use of digital technology entails and what are its effects on the provided data. The digital inclusion of as many users as possible, from all areas of society, the transparency of digital rights, benefits and disadvantages (e.g. misinformation), determines the need to ensure a balance of freedom of expression and protection of users.

4.Quality and simplification of access to public administration services

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[22]Marinică, Claudia Elena, *Spre o Cartă Europeană a drepturilor digitale – obiectiv al Uniunii Europene*, Pandectele Române, București, nr.2/2022, pp.112-119.
[23]*Ibidem.*
[24]Education for the critical analysis of information obtained in the digital environment, for awareness of the social, legal and economic effects determined by the digital environment, etc.

Romania is still in the process of digitizing public administration data with increasingly visible results, such as those relating to the use of products such as ghișeul.ro, SEAP, etc. or such as those relating to the use of e-government applications in the central or local public administration.

To begin with, a necessary reminder is that the citizen has the right to interact digitally with the state, this right being guaranteed by the freedom of access to information and by managing online procedures and services, which ensure the premise of reduced costs, faster results and, at the same time, the elimination of territorial inequalities. The citizen has the right to control the way in which his personal data is used, both in the private and in the public sphere, which is why his consent in the processing of this data is essential, and subsequently he is guaranteed the right to request making changes, updates or deleting personal data.

Ensuring access to public information and the right to request such information are the obligation of the state and public authorities, and the digital signature offers the citizen the possibility to sign documents, with the same validity as a holographic signature, in the digital environment. The idea of an integrated state in terms of administration and rights guaranteed to citizens is thus outlined, making it possible to simplify and unify processes.

At the same time, the digital rights of citizens in the relationship with the public administration imply the right to equality of people regarding access to public services and in the digital relationship with the administration, and also the necessity for active public policies that guarantee access to public services and procedures. In order to have a high-performing digital administration, it is necessary to respect the principle of transparency, to promote universality, neutrality and non-discrimination in the use of technologies by the public administration.

We appreciate that it is necessary to guarantee the right to non-discrimination while providing digital services; thus, the premises of alternatives will be ensured for those who do not want or cannot use digital resources. The connection between citizens' rights, artificial intelligence and administrative action should not be ignored, the principle of good governance and the right to good administration taking shape in the digital environment, along with ethical principles regarding the use of artificial intelligence.

Even if the needs of citizens do not always converge with the needs of public authorities, it is necessary for public authorities to know and be informed about the administrative aspects that influence the lives of citizens, transforming the administration into an open administration supporting the citizen, in which the interaction is a main objective alongside transparency, with clear, simple and accessible legal rules.

With regard to administrative procedures, at the national level, rules for facilitating access to administrative procedures are beginning to be drawn up, such as the simplification of administrative procedures and the accountability of the parties involved in the administrative procedure both in the relationship with citizens and in the relations between and within institutions.

In this respect, it is stated that until now "regulations regarding simplification usually set targets for simpler procedures, but do not provide how public authorities and institutions are to achieve these targets", and "there are no provisions in the legislation in force that tip the balance towards providing services (including making payments) through electronic means and

platforms"[25]. In the draft of the Administrative Procedure Code, it is intended to emphasize the "general legislation regarding an integrated approach concerning administration and electronic procedures. It can be observed that a rather important component of the provision of public services by electronic means is represented by stages such as consulting some pieces of information, making appointments, completing requests for the release of some documents, making payments by electronic means of payment, etc. and not the actual delivery of the final service/final document by electronic means"[26]. In addition, the lack of regulation "of automatic/automated procedures by which certain documents can be obtained automatically, electronically, without the intervention of the human factor (e.g. the issuance of tax attestation certificates through the Virtual Public Space by ANAF whose regulation is carried out at ~~the level of~~ the Order of the President of ANAF) affects the digitization process"[27].

Referring exclusively to the draft for the Code of Administrative Procedure, regarding the simplification of administrative procedures, it is specified that "the digital transformation of the administration can be supported and consolidated" starting from "official publication and in certain open formats of documents, digital citizenship (the obligation to mainly use electronic means for communication with beneficiaries of public services who provide an electronic mail address), the obligation to offer alternative methods of payment for public services, electronic signature recognition, etc., regulation of procedures and tools for automatic data exchange and ensuring security and controlled access to data by public institutions officials"[28].

As for the "document management system, the experience of advanced states demonstrates that its improvement requires the creation of digital signatures for documents in advance, so that, both at the central administration level and at the local level, the circulation of documents is fluidized, eliminating almost completely, the classical form, on paper ~~of them~~, was being completed"[29].

Regulation (EU) 2021/241 establishing the Recovery and Resilience Mechanism, establishes a minimum threshold of 20% for digital spending, so that "reforms and investments promote in particular the digitization of services, the development of digital and data infrastructures, of clusters and digital innovation centers as well as open digital solutions". It is obvious that the digitization, including of public administrations, will be an investment priority in the coming years, at the center of the digitization process being the person and the fundamental values of the European Union, of a democratic society.

In the area of increasing digital skills for the exercise of public office and lifelong digital education for citizens, the PNRR will also ensure support for the digitization of the economy and

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[25]*Principalele concluzii ale studiilor cuprinzând liniile directoare ale concepţiei de ansamblu ale proiectului Codului de procedură administrativă*, disponibilla https://www.mdlpa.ro/userfiles/livrabilesipoca59/livrabil1/4.pdf, accesat la data de 02.11.2022.

[26]*Ibidem*, p.23.

[27]*Idem*.

[28]*Idem*, p.29.

[29]Manda, Cezar Corneliu, *Digitalizarea administraţiei publice din România – între nevoile şi aspiraţiile unei societăţi moderne a secolului XXI*, Smart cities, 2021, p. 59.

the transition to industry 4.0, aiming at aligning the labor market with the latest developments[30]. In addition, the NRDP provides a budget of 20 million euros for the Advanced Digital Skills Training Program for Civil Servants, with the aim that "by mid-2026, 30,000 civil servants will benefit from training to acquire advanced digital skills, and 2,500 civil servants with management positions will receive leadership and talent management training"[31].

PNRR will contribute to a greater share of digital investments and reforms dedicated to digital services, aiming to achieve, by 2030, the objective of the digital decade to provide online 100% of essential public services for European citizens and businesses[32]. Implementation of electronic identification systems (e.g. electronic identity cards[33] and digital signatures) will certainly facilitate interaction in the public and private environment, as well as between the two.

Also recently[34], the *EU Digital Services Act[35]* entered into force, which regulates a series of norms on ensuring a safer and more responsible online environment, applying to all digital services through which consumers are connected to providers of goods, services or online content.

It can be seen that, in this extensive process of digital transformation and simplification of access to public administration services, there are multiple challenges to which Romania is exposed, but which can be overcome by creating IT systems intended for electronic government (e.g. SEAP - the electronic public procurement system available at www.e.licitatie.ro, SNEP – the national electronic card payment system for fees and taxes available at www.ghiseul.ro; PCUe – single electronic contact point available at www.edirect.e-guvernare.ro, etc.), by developing a medium-term strategy, which would establish the order of digitization of public administration institutions, and what other systems or applications are required, etc. All this so that the information reaches the parties concerned uniformly, supporting the citizen in his activity of identifying the information and in the use of digital services, so that in the long term the percentage of users of digital services increases.

At the end of this section, it must be concluded that the public administration serves the citizens, and this action implies an efficient, accessible and transparent service towards the citizens, with the application of the principle of proportionality when, in the exercise of its powers, measures are established so as to limit the exercise of rights or require compliance with certain conditions. At the same time, the administration must design tools and support mechanisms for citizens, achieving an inclusive digitization of people (and for the people), so that the progressive digitization of public administration processes and actions does not leave anyone out, if they have difficulties accessing technology.

5. Conclusions

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[30]European Commission, Report - *Digital Economy and Society Index (DESI) 2022 in Romania*, available at https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p.8, accessed on 03.11.2022.
[31]*Ibidem.*
[32]See European Commission, Report - Digital Economy and Society Index (DESI) 2022 in Romania, available at https://digital-strategy.ec.europa.eu/en/policies/desi-romania, p.17, accessed on 03.11.2022.
[33]It provides authentication for using online public services and electronic signature.
[34]In November 2022.
[35]Published in Official Journal of EU L 277, 27.10.2022, pp. 1–102.

We appreciate that ensuring the access of all citizens to public digital information and services is essential in the development of digital governance and must represent a priority for the development of European Union countries. The design of tools and mechanisms that ensure the equal, fair and responsible participation of citizens in the digital environment, in order to support and guarantee the emergence of digital democracy, is, as we stated throughout this article, a priority, but also a challenge for today's society and it remains to be seen how the states and the European Union will respond.

Therefore, digital rights and digital citizenship determine visible effects on the quality and simplification of access to public administration services, as perceived in the 21st century. To begin with, the digitization of Romania must be seen as a large-scale research and development process, in which the digital education component must occupy a central place, and the technology used must adapt to the skills possessed by the citizens.

In the near future, Romania should develop a strategy regarding digital skills (it does not have it yet), in this respect a series of transversal measures are foreseen within the PNRR (e.g. the adoption of the legislative framework for the digitization of education) in order to align the Romanian educational system with European Digital Competence Framework (DigComp) by 30 June 2024.

The inevitable question arises as to whether tensions will arise in the relationship between the citizen and the administration, since all these technological processes will lead to a redirection of citizens towards the digital environment, to the detriment of face-to-face relationships, a subject that will be the subject of a future analysis.

The European Union faces a crucial objective – channeling the digital transition to achieve the digital decade, in the interest of citizens and the whole society. The achievement of this objective must be pursued actively, through the digital infrastructure that ensures that the public interest is served and also the regulation and guarantee of citizens' rights. This is how The European Data Strategy was developed, and it will be implemented through the Data Governance Act and the Data Act, so that the rules regarding data portability are also established and known. These measures are a natural continuation of the activity started with the Data Protection Regulation (GDPR) in 2016, when the European Union laid the foundations for a new regime for the protection of personal data and private life, with citizens' rights as the main pillar. The European Union must ensure new data regimes, especially in public infrastructures (e.g. education, health, etc.), to allow a combination of services (public, commercial, etc.).

In the present paper we aimed to emphasize that, in addition to the evolution of the legislative framework, the outline of digital rights advances the idea of developing a digital type of ethics to prevent the violation of rights and freedoms, new procedures and mechanisms being necessary, including distinguishing between these new human rights and freedoms, digitization of public services, digitization and digital transformation.

This article concludes by asserting that there is a dire need to create a balance between technology and society, which will depend to a very large extent on digital literacy, on the creation of an appropriate legislative framework (e.g. tools, procedures and mechanisms), on active citizens

that are eager to keep up with the evolution of society and the inclusion of digital rights in the defining of visions, strategies and public policies in the digital environment.

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