

Electronic Government in Republic of Kazakhstan as a Way to Improve State Government System

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Abstract: In the article ways and conditions for formation of electronic government and informative openness of state authorities in Kazakhstan are considered. The reason for that – necessity of transparency of the government administration and effective interaction of government bodies on all levels with institutions of forming civil society and increase in the quality of state services in order to improve activity of the state. The current legislature of Republic of Kazakhstan in the sphere of electronic services is analyzed. The stages of implementation of electronic government in Kazakhstan are given.

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1. Introduction

Access of people to state information is one of the key human rights and administrative lever of improvement of state government methods. Thanks to this access participation of population in the process of state administration is provided, democratic accountability of government bodies and trust of people in decision-making are achieved. On the contrary, absence of free access of citizens to information is an unjust limitation of their rights. In this connection the issue of forming of electronic government, legislative regulation of access to public information is of utter importance.

Since 2000 implementation of new principles of state management by means of wide range of information and communication technologies has become one of the strategic priorities of development of many countries. In particular, EU and USA and a number of others. The term “electronic government” is actively used. Transition to brand new level of state administration is one of the tasks of improvement of state government system in Kazakhstan.

Many reforms of last decades made in Kazakhstan and revision of principles of organization of government work led to accentuation of publicity of this work, more and more people understand the necessity of such openness. Dialogue between state offices and society consisting of political groups, mass media, NCO (non-commercial organizations) suggests regular provision of citizens with information from state authorities about their operation; enhancing of contacts with population and making on such a base mutually acceptable decisions.

Therefore increase in informative openness of government is one of the prioritized areas of focus of state policy, which is connected with minimizing of corruption, establishing dialogue between state and society, enhancing of mutual trust, creation of

effective system of people’s control over the activity of state bodies.

Necessity of this investigation is connected with a big number of unsolved problems in this sphere. These problems are: the need for transparency of the process of state government’s activity and effective interaction of power at all levels with institutions of forming civil society; realization of human right of access to socially significant information; increase of people’s trust in state bodies; solution of anti-corruption tasks and, in general, more effective provision of state services to people in order to make state activity more perfect. The process of improvement of transparency of state environment is hindered by imperfection of national legislature and non-compliance of it with international standards, by absence of effective systems of monitoring of state bodies and their interaction with citizen society.

Theoretical foundations and practical aspects of use of informative and communicative technologies in state administration in foreign practice were covered in the works of many scientists. In all these works requirement of transparency and informational openness of state bodies are components of complex notion ‘quality of state administration’ which includes increase in transparency of activity of state authorities and reduction of burden of state regulation for citizens.

In the beginning of 1990s the informational concept of M. Castells was formulated [12]. The author proposes to investigate network society called by him ‘informational’. Studying economy and policy of modern society Castells proves crisis of democracy and is looking for the ways out of it. In his opinion the reasons for this crisis were as follows: loss of confidence in political system, absorption of mass media by state bureaucracy and ineffectiveness of legislature which is based on principle of liberal

democracy. Way out of this crisis, in Kastels' opinion, can be found in 1) local government on the base of decentralization; 2) wide use of electronic communications and transition from hierarchical system to network-based system with established horizontal connections between state bodies and citizens, 3) finding new symbols and senses of political rhetorics.

In modern period international standards for national legislatures have been defined. Base international principles developed by International center against censorship (Article 21) allow to check if state laws guarantee access to official information or not [13].

Nowadays about 70 countries in the world have adopted complex laws about freedom of information in order to provide access to documents available in state offices, and 50 countries more are going to adopt these laws. Several countries issued decrees or adopted resolutions. Many countries have adopted other laws providing limited access to information, including laws protecting private data of citizens, which enable physical persons to obtain access to their own data available to government or private organizations, including special legislative acts which provide rights of access to some spheres: public health-care, protection of environment, state purchases and protection of consumers' rights [14].

2. Studies of formation of legislative base in Kazakhstan

Analysis of current Kazakhstan laws shows that one of the tools of realization of people's right to information about government's activity is mass media. In accordance with Law "About mass media" state bodies, public organization, state employees and mass media must give every citizen an opportunity to get acquainted with documents, decisions and sources of information concerning his rights and interests [15].

The world standards level is demonstrated in law 'About information' dated January 11, 2007 #217-3 [16], which formulated openness of state bodies as legislative principle: "there must be free access and obligatory provision of electronic information resources (presumption of openness) which contain information about activity of state bodies, except for electronic informative resources, access to which is restricted in accordance with laws of Republic of Kazakhstan".

Law of Republic of Kazakhstan 'About administrative procedures' [17] formulates the list of documental information and electronic documents, which must be provided by state bodies and legal entities for the data bases of state electronic informative resources. The law 'About informatization' [16] says: (in regard to electronic

resources containing personal data about physical persons) "nobody can demand from physical persons data about their personal life (private and family secrets), letters contents, phone conversations, post messages including information on their families, health, political views, religion or obtain such data against their will".

Owners of electronic systems containing commonly accessible information in accordance with this Law are obliged upon request from physical persons or legal entities to provide them with any information they need. [18]. The refusal to provide information without proper reasons can result to court proceedings.

The law also stipulates formation of electronic government and development of state electronic resources, information system, informative and communicative networks, their compatibility and interaction in the single whole informative space of Republic of Kazakhstan. State bodies provide electronic services by themselves or through web-site of electronic government. Addressing of physical persons and legal entities to owners of state informative systems for getting electronic service, except for information, can be fulfilled by request from a user in the form of electronic document, signed with electronic digital signature.

The implementation of the concept of electronic government became possible thanks to active development of informative and communicative technologies on global scale and their use in the work of state bodies of many countries in order, firstly, to provide access of citizens to true and official socially-significant information; secondly, for creating new opportunities for constructive interaction of state bodies with population, business and social institutions, for example, NCOs, and thirdly, to increase effectiveness of state administration.

Since the government is actively implementing the project of electronic state services, official sites of state bodies become the main source of information, therefore comparative analysis of their contents is of prime importance. Looking at official sites it is possible to judge about the level of openness or closed character of any state body and the state itself, transparency of administration decisions and procedures, about how easy it will be for people to obtain necessary information.

For official evaluation of degree of access to public information through the sites of state bodies of Republic of Kazakhstan, by now 2 documents were adopted in Kazakhstan.

These are: 1) approved methodology of evaluation of internet-resources of state bodies with the purpose of realization of paragraph 17 of Article 6 of the Law of Republic of Kazakhstan about

information dated January 11, 2007 #217- 3 and creation of conditions for effective functioning of internet resources of state bodies of Republic of Kazakhstan.[16].

Also approved by the President's Decree of Republic of Kazakhstan dated March 19, 2010 #954 'System of annual evaluation of effectiveness of activity of central state and local executive bodies of Territories, regional capitals, the capital' (amendments dated December 23, 2012 [19].

In the framework of realization of the Plan of measures for further implementation of the System of annual evaluation of effectiveness of bodies the 'Methodology of evaluation of activity in use of informative technologies of central state and local executive bodies of Territories, regional capitals, the capital' were approved.

The Methodology is intended for determining of the combination of procedures for evaluation of effectiveness of use of IC-technologies by state bodies for optimization of processes and increase in transparency of administration of state bodies. The estimates are made at the end of calendar year based on the obtained results by Working committee on evaluation of use of IC-technologies. The committee can include independent experts and representatives of NCOs. In accordance with Methodology there are 5 criteria for evaluation: availability of plans on use of IC-technologies in a state body; accessibility and openness of internet-resource; use of electronic document circulation system; use of Internet-site of state bodies; realization of functions of a state body in electronic form. Every criterion has its measurable coefficient and in accordance with all of them the general grade to a state body is given and comparison is made.

Diversity of methodologies of evaluation of openness of sites of state bodies in different countries is connected with differences in legislative component of the term 'openness', practically solved problem of accessibility to state body sites, specific tasks of every research-monitoring and other reasons. In most cases getting information about degree of openness of data on sites of state bodies is based on Internet-surfing – direct investigation of the contents of open internet resources for which appropriate government authorities are responsible. The basic elements in development of monitoring methods is definition of a set of criteria. This is the parameter which differs greatly in different methodologies. The monitoring itself, its practical stage, is checking of the correspondence of information on site with the chosen criteria in the process of Internet-surfing.

3. Analysis of implementation of electronic government in Kazakhstan.

Appearance of electronic government in Kazakhstan, which widely use informative and communicative technologies enables to elevate the access of people and organizations to state information on a brand new level. The state bodies were obliged by law to create sites for providing electronic services to legal entities and physical persons, fill them with contents regularly [17]. The requirements to contents and appearance of web-sites were formulated [20]. The obligatory list of information which must be published on site of state bodies is given in the Law about administrative procedures.

Strategic framework of electronic government of Kazakhstan was developed and approved in 2004 after approval of 'Concept of electronic government' The first stage, in 2005-2007, development of electronic government was in creating of infrastructure, web-portal and gateway, electronic inter-office document circulation, verifying centers, single whole transport environment. Also in 2007 state bases of legal entities and physical persons were introduced into permanent use, connected into single registers. 20 interactive services were realized through web-sites, which become single point of access to electronic services of state bodies.

At the second stage, 2008-2010 development of various services covering all spheres of functioning of citizens and state bodies and full-scale revision of administrative processes was performed. At this stage the following systems were implemented: state data base 'e-license', payment site of electronic government, single whole system 'e-notary', dispatching of electronic digital signatures to population was continued.

In 2007 the Program of development of electronic government was ready, and Plan of actions for 2008-2010, aimed to increase the quality and effectiveness of state administration and processes of provision of socially-significant state services.

Third stage the realization which was started in 2010 was intended for formation of informative society in Kazakhstan covering all sides of state activity and service provision. New program of development of informative and communicative technologies for 2010-2014 was adopted. Program of development of informative and communicative technologies is being implemented for 5 years. It is mainly intended for development of informative society, one of the prioritized tasks is development of e-services and electronic government. The program consists of 2 stages: institutionalization of informative and communicative technologies sector and creation of resources for long-term development for 2010-2011 and effective use of potential of informative and

communicative technologies by companies, state administrative bodies and society for 2012-2014 [21].

Thanks to elaborated policy in this sphere, Kazakhstan by index of e-government in 2011 went up for 8 positions: from 46 to 38 place (in comparison with 2010).

In the same time it was discovered that in practice the requirements to the contents of web sites of state bodies are fulfilled purely formally, almost all sites do not display any useful information which is interesting for people, information is not renewed or renewed rarely, search for information on them is very difficult, there is no full information in regard to plans and results of work, implemented programs, services provided, on some sites there are answers to questions in the form of references to laws, quotations from regulatory documents which is not enough for satisfying needs of the consumer, there are forums on many sites but they are either empty or too complex.

In spite of the fact that it is obligatory for all state bodies to place information on regulatory acts on their sites, by now it is still not possible to obtain texts of all laws of Republic of Kazakhstan or appropriate acts in the current revision. In fact this essentially socially-significant information is provided for money. Regardless of all that, in my opinion, it is time to organize a committee which will be independent from the state for solving disputes in the area of access. Absence of confidence in courts results in passivity of population, leads to unwillingness to stand for the right of information, which in its turn prevents from development of necessary court practice in Kazakhstan in the area of access to information.

But the level of development of electronic government of Republic of Kazakhstan and its key function – access to official information is still imperfect. This can be concluded after analysis of the most reliable source in this area – Department of economic and social development of UN. In UN's interpretation electronic government is in fact a courageous experiment and important tool for transformation of public sector into active management and civil participator, both on national and local levels. This international organization checks the countries of the world for the degree of readiness to use electronic government (in more than 180 countries), including Kazakhstan and publishes annual report. 2 indexes are used in this research: index of development of electronic government and index of electronic participation. In its turn electronic government development index is calculated by taking average value of 3 separate indices: 1) level of development of online services, 2) infrastructure, 3) human capital (see Table 1).

It is necessary to mention that Kazakhstan in 2010 rose in this ranking from 83 to 46 position. In UN ranking Kazakhstan is on the 2nd place in index of electronic participation. This index is calculated by evaluation of opportunities of on-line communication of people with their government through blogs, social networks, internet-conferences, and evaluates participation of people in decision-making process.

In the same time index of on-line services grew for 10 positions, index of telecommunicate infrastructure – for 14 positions.

Table 1. Results of separate countries depicted by index of electronic government in 2010

Note: Reference [22]

Ranking	Country	Index	Value of index component		
			Online service	Telecommunicate infrastructure	Human capital
1	South Korea	0,8785	0,3400	0,3277	0,2109
2	USA	0,8510	0,3184	0,3198	0,2128
3	Canada	0,8448	0,3001	0,3204	0,2244
4	Great Britain	0,8147	0,2634	0,3149	0,2364
5	Netherlands	0,8097	0,2310	0,3257	0,2530
46	Kazakhstan	0,5578	0,1792	0,3194	0,0593
59	Russia	0,5167	0,1123	0,3101	0,0913
183	Nigeria	0,1098	0,0130	0,0930	0,0038

One of the most interesting components of UN research is index of development of online services. The evaluation method is based on 4-stage model of development of online services [23].

Used by UN method suggests evaluation of national web-site and 5 ministerial web-sites: public healthcare, education, social support, labor and

finances. When studying the level of online services the attention is paid to such factors as availability or absence of RSS channels, opportunity of personalization of sites, availability of single authorization, ability to attach tags and estimation of contents, ability to go on site from mobile phone etc. The leader of online service is Korea, and it is having

the best total score of development of electronic government. Especially many points were won by Kazakhstan during 4th stage ('connected' stage of development).

Index of electronic participation evaluates firstly the degree of providing information to people by government by means of electronic resource, from its site - about laws, fulfillment of budget, target programs and other important information of high social value; secondly, electronic consultancies in online mode as well as electronic decision-making with participation of people of the country. Among 20 leading countries Kazakhstan sprang from 98 to 18 position during 2 years. As it was already mentioned it was achieved thanks to creation of state web-sites directly connecting the government to their people.

In WEF's ranking Kazakhstan in 2010 was on 67 position. Let us pay attention to the index of technological readiness which consists of sub-indices: availability of newest technologies – 101 place; use of technologies in companies – 85; laws connected with informative and communicative technologies – 55; direct foreign investments and passing of technologies -113; mobile communication users – 59; internet users – 82; personal computers – no data available; users of Broad Band WL – 64.

ITU ranking: Kazakhstan: index of ICT infrastructure and access – 67 place; use of ICT and the degree of use – 92; ICT education – 48 place.

So, having analyzed the above mentioned ratings we can arrive at conclusion that main differences in national methodologies of monitoring of electronic government and ICT in separate countries differ from world ones because they are intended to evaluation of fulfillment of set tasks and priorities of electronic government of specific countries.

In the conditions of wide use of internet by Kazakhstan's population tests with feedback are especially important: state web-policy must take into consideration the demands of consumers, opinions of target audience and tax-payer. Therefore the criteria of accessibility of information on the sites of state bodies must be appropriate to the existing level of state informative infrastructure. Taking into consideration foreign practice of monitoring we can form the following requirements to the system of evaluation criteria: simplicity, maximum objectiveness, flexibility (universality) and practical character (not expensive to implement) [24].

In order to find the degree of accessibility to information describing activity of state bodies open testing of web-sites of state bodies was made since November of 2009 to January of 2010 using 42 the most significant criteria. Such as accessibility, volume and specific character of information, availability of analytics, statistics, renewability, language balance

and some others. 100 journalists have tested 70 web-sites of different state bodies. These criteria were developed by experts of MediaNet on the base of journalists review and the methods of evaluation of sites from WAI (Web accessibility initiative).

In accordance with data of research made by International center of Journalism MediaNet supported by Soros-Kazakhstan Center the best site from these 70 was the site of Republic of Kazakhstan's Agency on regulation of natural monopolies (128 points). In the Top-3 there were also Ministry of Agriculture (127 points) and Audit Committee of Republic of Kazakhstan on the control over fulfillment of republican budget. (117 point). [25].

The project 'Research of accessibility to information in Kazakhstan' was realized by public organizations Medialife (Karaganda) and Decenta (Pavlodar) with support from Soros-Kazakhstan Center. The aim was to evaluate degree of accessibility of reliable information for people and legal entities when addressing state bodies. To do that 1110 inquiries were directed to state bodies of republican and regional level asking for provision of socially significant information. The 'authors' of inquiries were public organizations, journalists and the representatives of socially sensitive groups. The subject of inquiries was based on the results of the interview of regional public organizations which information they would like to get.

48% of inquiries were answered and only in 31% of them full information was provided, in 10% of cases state bodies supplied incomplete information, and in 7% information was not supplied at all. The reason for such results is absence of distinct legislative standards for providing information. 'The project has proved that many state bodies break the right for obtaining information, demand from applicants the confirmation of the inquiry by authorities. While Constitution guarantees the right for obtaining information some representatives interpret this right very narrowly as the right to get information exclusively about one's grants, social taxes and private data. However the citizen can be interested not only in the issue of grants. Understanding of the main Law as guarantee of access only to personal data of a citizen makes the interpretation of constitutional norm too narrow and does not correspond to the principle of free access to information about activity of state bodies which are paid by tax-payers.' [26]

Not complete filling of sites of state bodies result in that citizens have difficulties in finding appropriate information by free access and this results in necessity to address state bodies for information. People face such a problem as low qualification of state bodies' employees which results in incomplete

answer to inquiries, and additional waste of time and money.

The most important problem is renewal of sites and absence of necessary information. Solving of these problems to a great extent will improve situation with information for many social groups of people.

Most often when providing non-full information state bodies makes reference to their web-sites, cite legislature and disguise the essence of the question. When they refuse to provide information they refer to closed character of it - though all requested information is of open access. It is very interesting that from 2 different state bodies of the same sphere we can get different answers: one of them will answer in full, while the other will refer to the closed character of information.

In the same time the research has proved that central executive bodies are more ready to provide information: "among total number of inquiries directed to republican bodies 27% were without answers, and in 62% cases full answers were got; in other cases there was incomplete information or re-direction of a letter to local executive bodies" [27].

In the same time it is necessary to mention that key problems in providing access to information on sites of state bodies are not only the contents but the technological side as well. The most serious one is the lowest degree of adaptation of official sites to disabled users, for example with reduced vision and hearing sense. We predict that soon the key aspect of requirements to official sites of state bodies can move from the issues of contents to the problems of technological character, including multimedia character, multi-format of supply of information, support of disabled users.

Conclusion

Therefore the current stage of electronic government in Kazakhstan is characterized by transforming model. It is orientated to the values of openness of state administration, especially on the level of program-declarative documents and is an important component of administrative reform being implemented in the country. In the same time it is obviously weak in institutionalization in normative system and management practice.

Formation, fixing and guarantee of the institution of free access to official information is a key element of anti-corruption measures, which are influenced by resistance of corrupted officers and connected with it public outcry. But successful anti-corruption policy is not possible without fundamental changes in public, group and individual consciousness, without serious correction of behaviour not only of such social groups as state employees, but the citizens themselves. Role of civil society must be

to find negative trends at realization of anti-corruption measures and sending signals to government which must be immediately investigated. By now civil society participates in formation of anti-corruption policy not in full and weakly influence realization of it.

However analysis of the degree of development of electronic government in Kazakhstan and its key function – access to official information - shows that current state of state bodies sites does not fully correspond to the idea of modern informative society and the requirements of legislature of Kazakhstan in force in the area of providing access to information about activity of state bodies and local self-government. The reasons – not sufficiently developed normative base and absence of regular audit and current control over the conditions and contents of official sites of state bodies and local-self-government.

At this stage of development of electronic government it is necessary to create electronic system of provision of information as infrastructure. Such infrastructure will provide opportunity to assign legal force to some law acts and procedures of state administration only after their revelation but opportunity to legitimize the fact of availability of some information at state's possession.

Official electronic publication is very effective when it is published on site. This way of access to state information can be called public revelation of state information.

In general analysis of international documents in the area of regulation of Internet [28-32] have shown the following approaches which must be supported by the governments of all countries:

1. Internet can not exist in legislative vacuum. In most cases so called off-line legislature (existing and current laws) can and must regulate relations in Internet-sphere in the same degree as the other forms of relations.
2. Laws in the area of Internet regulation must be adopted only in those cases when their application is absolutely inevitable, and they must suggest only minor limitations of freedom of expression of opinion and rights of users. They also must correspond to principles provided in the Universal Declaration of human rights, International Pact of civil and political rights and European Convention of human rights.
3. Freedom of word in internet must be protected in the same way as in other spheres of life – by rules of law.
4. Government must provide wide access of people to information belonging to the state by means of Internet.

Launching of the system of electronic information in Kazakhstan must be organized through stages. First of all inclusion of state information from the system of state record-keeping must be implemented in the framework of electronic government program. In regard to the systems of electronic governmental accounting prioritized data having legal force in electronic form is as follows: about administrative regulations and administrative processes developed in the framework of the current administrative reform; information about state purchases, about administrative ICT means, including revelation of original codes of programs at stages of development and functioning, documentation for software, information about hardware of ICT, used by state bodies.

Inference

Implementation of electronic government in Kazakhstan must result in increase of quality of state administration. Its criteria are: speed of operations, transparency and accountability of state bodies. Accessibility of people to state information influence in the same time the compliance of administrative decisions with people's needs and the speed with which these administrative decisions will be implemented. Transparency of the state depends on transparency for its citizens. Also transparency stands for better accountability.

To provide complexness in requirements to state information there must be infrastructure of revelation of state information.

It also must be taken into consideration that in Kazakhstan most people have little skills in using internet, especially in regard to specific legislative and administrative information. The language of the documents must be simple; interfaces for revelation systems must be the most advanced to make use of computer as easy as possible. Such requirements must be fixed in laws and in standards, otherwise revealed information can not be used even by specialists.

Analysis of practice of administrative reform shows that Kazakhstan is still at stage of learning to new state administration methods and formalization of administrative regulation and gradually changing them into electronic form. But we can argue that by now Kazakhstan has passed through the first stage of implementation of technologies of informative society into sphere of government structures. The main problems which hinder forming of electronic government are not technologies but the forming of appropriate organizational and legislative base for legitimization of processes of electronic interaction of people with state bodies, and absence of legislative base for electronic identification both of electronic document and a citizen.

It is necessary to motivate state bodies to increase their interest in professionalism, promote practical mechanisms of sites based on principle of orientation to the consumer. State site administrators must place the whole range of documents about plans and the results of activity, widen contents field, check regular renewal of information, improve searching machine of sites. The principles of regulation and technical support must be presented in a series of interconnected concepts, describing institutionalization of electronic government.

Public opinion poll showed that Kazakhstan society appreciates openness of state bodies for people but is not ready to increase financing of it. In this connection we must remark that institutionalization of transparency of state government in Kazakhstan can be done by our own forces, which is proved by joining of Kazakhstan to global efforts for implementation of informative technologies into state administration, being integrated in the project of electronic government.

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