

Speech - "The issue of E-elections in the Estonian public"

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This week Janek Mäggi wrote a good opinion article for the internet portal Delfi arguing that Estonian democracy is indifferent to issues regarding foreign policy. Actually, there has been plenty of talk about the democratic orientation of Estonian foreign policy, especially in the context of China, Afghanistan or the Middle East. But as foreign policy is the direct continuation and reflection of the internal politics of any regime and country, it would be even more relevant to talk about the state of democracy in Estonia itself. Otherwise, by only deliberating over foreign policy, we would simply direct the focus away from our own problems.

The most significant precondition for a working democracy is a reliable system of elections. The people have to believe that elections are free, that similar campaign rules apply to all, and that there are no deceptions in voting and vote counting. The lack of such faith shows the lack of a real democracy. The people's view of the current Estonian elections brings more and more to mind the stagnated system of the Soviet-era elections. It is clear to all that the present system is not transparent and is subject to misuse.

But to many this kind of a result was preferable then as it is now – it satisfies their need to stay in power. At the same time they are unwilling to risk the level of relative prosperity that has been achieved. The Soviet era and present day are similar in that sense – there have always been problems but life goes on. 'If there is a will, there is a way', is the motto of many.

Even the communists themselves did not believe that their actual support percentage was indeed 99.9. Similarly no-one now quite understands how the oppositional Centre Party can receive the unrivalled last place in the number of e-votes, whereas the leading candidates of the government party receive half of their votes via the Internet.

In Estonia we have a common saying about Belarus that it is not how the voting goes, but rather what has been counted. I am increasingly of the opinion that the issue of vote counting in Estonia is just as topical.

In Estonia the final outcome of an election has been reduced to a question of faith as

to whether the e-elections, a seemingly progressive system, can be accepted or not. But the system itself, as a whole, is neither transparent nor trustworthy.

Our ID-card and X-Road systems have brought Estonia recognition throughout the world of e-nations and we have been set forth as an example to many. These applications are the basis for many public services, and for this we have reason to feel proud. But we must acknowledge that not all of our achievements are being copied. The Estonian e-election system has not succeeded in inspiring any nation to follow our lead. Here we have to honestly analyse the question 'why'?

Nevertheless, it is the e-elections that are allegedly an integral part, even the nucleus, of the e-Estonian national identity – the questioning of which would apparently signify an attack on our national security, in the opinion of the former Minister of Defence and the current Minister of Education, Jaak Aaviksoo. The keeping of such faith would necessitate the elimination of all doubt and even justify lying – even on a national level – in both public and official capacities.

It is highly astonishing how Estonia, a country with aspirations to be a leading light in the field of cybersecurity in the European Union and NATO, has so far completely ignored fundamental security risks when dealing with e-elections.

Unfortunately Estonian cybersecurity strategies do not include the security of e-elections, although from a national security point of view the transparency and integrity of elections is the principal prerequisite for the establishment of legitimate authority.

Regrettably this also discredits our government's judgment in other matters of cybersecurity. What has become of our eGovernance Academy that deals with the global promotion of the e-election success story? Where is the IT-College? The Association of Information Technology and Telecommunications? Why should we have even half of the EU's IT Agency headquarters, when this Member State of ours divides power non-transparently through a data server? Why should Estonia be the location of NATO's Cooperative Cyber Defence Centre of Excellence, when the distribution of authority in this NATO Member State has been entrusted to the government party's IT staff? Why do we have CERT, the Computer Emergency Response Team at the Estonian Informatics Centre, if election fraud is not covered by their radar? Where is the cyber unit of the Estonian Police, colloquially called KÜPO, when the falsification of election results is easier than it should be? And why was the voluntary National Cyber Defence League created, if it does not engage in combat even when the legal distribution of state authority is clouded by unmanaged security risks?

But even one man can be a soldier in the battlefield, as proven by Paavo Pihelgas, a student at the University of Tartu. Hopefully he too is among us here today. I am not

sure if Paavo is a member of the National Cyber Defence League (the member list of this organisation is not public), but he and his kind should definitely be a part of such a structure. People like him should form the backbone of our civil initiative-based cyber security!

The US, NATO's leading member, regards the transparency and trustworthiness of an election process to be the key question for national security. Exactly this has led the US to abandon outfield experiments with Internet elections.

The reason for this is simple – the present Internet standards do not enable a level of satisfactory security. Besides the US, the experience of Finland and Germany further proves this theory. These countries are certainly not inferior to Estonia in the development of the e-state, and are certainly ahead in the development of a culture of democracy that does not allow the usage of systems that manipulate the elector's will.

The latest elections in Estonia clearly confirmed that the system can be deceived, but the electoral committee still harps on about our people being too honest and unwilling to cheat. Such assurances are not good enough for Finland, Germany or the US. Until the onset of a new age of Internet security, we too find it hard to accept Mr. Sibul's claims that everything is fine.

The specific security risks are covered by the following presentation. I would only like to refute one of the conscious lies of the e-election propagandists who claim that these elections are as safe as using e-banking, which is something we really are accustomed to and trust. Unfortunately it is not so, and the explanation for this is simple – when using electronic banking services you leave behind an electronic trace, whereas by participating in e-elections you cannot even confirm the fact that you have voted at all, not to speak of proof of to whom you gave your vote.

A system wherein the actions performed by the user him- or herself are not traced can not be and is not reliable. If we wish to continue with such an electoral system, it has to be changed and significantly.

In addition to the system's non-transparency and unreliability there are also fully transparent e-election circumstances that have to be changed as well.

Namely, there are totally different campaign rules regarding e-elections – whereas we in Estonia have a general and total ban on election campaigning on election day, these rules do not apply to e-elections. Quite the contrary – the campaigning is most intense precisely in the virtual polling division. You surely remember the Internet party advertisements during voting saying "Click on X to overcome Y!", which directed voters to the electoral committee's webpage.

If election campaigning on election day is forbidden in the media and on the street,

the rule should apply to the Internet as well.

The e-voter can come under direct pressure and the possibility of re-voting does not offer a solution to this problem. E-elections should therefore only take place using computers and locations under the electoral committee's full supervision, and not just in any random place.

If there is such a demand, we could create additional polling divisions only for e-voting in such popular locations where ballot papers can not be used. Only the usage of fully supervised computers would free the e-elections from security risks stemming from a personal computer. And, more importantly, the e-voter would be under the protection of the electoral committee, significantly reducing the pressure of illegal threats or temptations.

The problem of the digital gap has been much discussed all over the world and the unequal conditions regarding the Estonian e-elections, in comparison with the traditional way, are one of the more curious examples of this topic. Whether virtual or real, it is only a question of technology, but the electoral procedure and campaign rules must be identical to all. By the way, this has also been noted in the present Constitution, which states that election day is a definite and specific date. The question is whether to follow the Constitution or not.

There is one more thing of interest. For some reason the system of dealing with ballot papers in Estonia, who nevertheless boasts of a unique Internet voting system, is downright ancient – in an age where vote counting is becoming more and more automatic throughout the world. Why aren't we considering the usage of perforated ballot papers, following the lead of the US? Why don't we have scanners for reading ballot papers, as used by nearly all of the developed and developing countries?

Why don't we desire quick verification of results, which at the same time would retain the possibility of supervising the operational ability of the machinery?

Millions of euros are spent during each election cycle on the development of the unique e-election system. Each time it is created from scratch. But at the same time we are unwilling to procure the machinery used worldwide, which would enable us to verify quickly the results and improve the quality of vote counting!

Dear members of local authorities,

We have borne witness to the fact that the officially appointed institutions do not care in the least about the trustworthiness of e-elections. For them all has been dealt with and will be repeated during the next elections.

Let's not put up with this any more!

Let's dismiss the attitude from the times of the Estonian SSR that all elections are rigged anyway and that no change will come of it.

Let's resist such an attitude. Let's stand for a democratic Estonia!

This has direct influence over all the local authorities, as we stand the closest to the voters and we find it important that a legitimate authority be created through an electoral process, based, as stated by the Constitution, on uniform and confidential elections, over which no-one can have any doubt. We find it important that the elections be conducted honestly and that all – both voters and the candidates – have equal opportunities.