

EDITOR'S MESSAGE

I am pleased to present to you the 2022 edition of the *Law in Transition Journal*. This publication reflects on, and showcases, the achievements of the EBRD Legal Transition Programme. The programme itself is an initiative by the Bank to promote the development of the legal rules, institutions and culture on which a vibrant, market-oriented economy depends. The many crises our world has faced in recent years only make it more urgent to build societies based on the rule of law. In the economic sphere, it is crucial to strengthen investors' confidence that they can conduct their activities in a safe and predictable environment. The trend towards digitalisation of government services is an essential step in that direction. That process was, in fact, accelerated by practical considerations linked to the pandemic. When social contacts are limited, it is imperative for citizens to be able to continue interacting with government structures through digital tools.

The first part of this journal focuses precisely on that theme: how can government services be digitalised so they are accessible to all and more efficient. Let's look at the contents of this part and how the stories relate to each other:

The first article, by Eliza Niewiadomska and Alenka Cerne, explores the challenges of digital transformation of public-sector services from the angle of open government, in particular in the post-pandemic environment.

The second story, by Milot Ahma, tells us about the assistance the EBRD provided to the Polish government on the use of the cloud computing and blockchain technology, with concrete examples in the financial sector, in healthcare and in education.

In a third contribution, Alexei Zverev and Eliza Niewiadomska discuss the feasibility of using electronic public procurement to select a private party in concessions and public-private partnership projects. This is a very innovative approach, not tested much in practice, and the authors therefore highlight the many challenges facing governments in this approach.

Yulia Shapovalova and Veronica Bradautanu reflect on the Bank's work in helping court bailiffs improve their processes. Based on experiences in the Kyrgyz Republic, Moldova and Ukraine, they advocate the use of digital tools to strengthen professional practices by bailiffs, with a view to increasing enforcement rates of court decisions. This is a very important aspect of the business environment that foreign investors consider before deciding to invest in a given country – hence the need to get it right.



Paul Moffatt then tells us how the Bank helped Mongolia create a cutting-edge digital platform to capture, store, process, analyse and disseminate critical geological information on the country's mineral resources. Moving from paper documents to digital tools is expected to facilitate investment in this sector, which is fundamental to the country's economy.

Finally, Catherine Bridge Zoller and Hester Coutanche present an EBRD initiative designed to give small and medium-sized enterprises digital tools with advice on how to remain resilient in the Covid-19 and post-pandemic environments. The initiative, first launched in Georgia, Moldova and Ukraine, has reached many small firms, helping to strengthen this vital part of the countries' economic life.

The secondary focus of this issue of the *Law in Transition Journal* is on the green agenda, another crucial dimension of the EBRD's strategic focus for the current period. There are three stories in this part: first, a contribution by Mike Strauss and Harry Boyd-Carpenter looking at the EBRD's agenda to address climate change and the role lawyers can play in achieving the Paris Agreement's goals. They argue that lawyers have not only the capacity, but also a duty, to contribute to the global effort to save the planet.

The second article in this green agenda section is by Vesselina Haralampieva and Robert Adamczyk. It deals with environmental, social and governance (ESG) issues in connection with companies' reporting. The authors highlight the need to bring together corporate and market action as well as government and regulatory pressure to ensure delivery of the sustainability goals at all levels. They share experiences in preparing ESG guidelines for stock markets in Poland and North Macedonia (for this last country, with a special contribution by Pavle Djuric).

The final story by Paul Alexander and Adonai Herrera-Martinez explains how technology, standards and regulations are rapidly evolving to help save biodiversity and our natural capital.

Thank you for turning your attention to this publication and its messages. We hope we manage to convince you, if necessary, of the importance of digital transition and the green agenda in the development process. These priorities are not only valid for the economies where we operate, but equally for the entire world. As always, we welcome your feedback on our stories.

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