

Open Government Initiative National Action Plan 2012-2015

Enhancement of transparency in the state institutions of the Republic of Azerbaijan, provision of accountability, enlargement public participation and application of the new technologies are key principles of this initiative. In order to improve the activity of the state institutions in line with the modern standards, *National Strategy for Increasing Transparency and Combating Corruption 2007-2011* has been implemented. This Strategy contained important measures in the area of Open Government. The Republic of Azerbaijan also joined all international initiatives in the sphere of Good Governance.

The Republic of Azerbaijan has also joined the Open Government Partnership (OGP) in 2012 with a view to improve its activities aimed at increasing transparency and promoting Open Government; to exchange the international experience; and to contribute to the international efforts in this domain.

The following measures were implemented to implant the principles of transparency and open government in the activity of state institutions:

Freedom of information

Information (Obtaining) Act 2005 was passed. The Commissioner on Human Rights (Ombudsman) was commissioned with the task of overseeing the implementation of this Act. Practical measures easing acquisition of information were enforced within the framework for the *National Strategy for Increasing Transparency and Combating Corruption*. The Strategy also defined the measures ensuring proactive submission of information to public by state institutions.

E-services

In 2010, the Second E-Azerbaijan State Program was adopted. The President signed Decree on *The Measures in Organizing E-Services* on the 23rd May 2011. According to this Decree, the state institutions are bound to organize E-services within the domain of their activity. The www.e-gov.az portal was launched in order to ensure One Stop Shop principle application in rendering E-services.

One Stop Shop

The state incorporation of the entrepreneurial activity is carried out according to the One-Stop Shop principle since 2008. As a result, the number of procedures for incorporation of the commercial legal persons dropped from thirteen to three, the term shortened from fifty three days to just three and the number of the documents to be provided was cut by five times. Azerbaijan was named as a 'reformer state' in the World Bank survey of *Doing Business 2009*, due to reforms in the field of launching business. The registration of the physical persons for entrepreneurial activity started as

on the 1st June 2011 and the incorporation of the legal person, as of February 2012. Furthermore, One Stop Shop facility was in the areas of border-checking of transported goods and vehicles as of 2008, immigration procedures as of 2009 and registration of imported vehicles as of 2011.

Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan was established on July 2012 along with the ASAN service center in order to ensure that all services are rendered to citizens from single source, with higher quality and in more convenient manner.

Extractive Industry Transparency Initiative

The Republic of Azerbaijan has joined the Extractive Industry Transparency Initiative (EITI) in 2003 and established State Commission charged with the implementation of this initiative. The Implementation Mechanism for the initiative was defined by the State Commission, local and foreign companies engaged in extractive industry, NGOs acting in the field of Increasing Transparency in the Extractive Industry, subsequently leading to the signing of the Memorandum of Understanding on the Implementation of the Initiative. Azerbaijan was granted a status of the candidate and in 2009 was designated as EITI compliant. The State Oil Fund was rewarded with the UN Public Service Award for its achievements in the area of Raising Transparency, Accountability and Responsibility in 2007. In 2009, the EITI award was conferred on Azerbaijan.

Cooperation with the Civil Society and Ensuring Public Participation

NGOs' participation was ensured through their active involvement with the work of the working groups under the Commission on Combating Corruption of the Republic of Azerbaijan. Anticorruption NGOs Information Network was set up in 2005. The Commission on Combating Corruption joined the Network as a party. The Network held public hearings on each of the draft legislation on increasing transparency and combating corruption. The Multi-Stakeholder Coalition for Increasing Transparency in the Extractive Industries was set up in 2004, for the purpose of implementing of the initiative.

The following measures are planned in the area of raising transparency and open government:

1 Facilitation of access to information

Actions and indicators of implementation

- 1.1 Designation of the employees in charge of the access to information, adoption of the internal rules on freedom of information and awareness raising by public institutions

Implementation: central and local executive authorities in 2012-2014

- 1.2 Comprehensive training for responsible civil servants in order to ensure freedom of information

Implementation: central and local executive authorities in 2012-2014

- 1.3 Improvement of the structure of the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan in line with its role of overseeing the implementation of the Access to Information Act, specialized training of the relevant employees

Implementation: Commissioner for Human Rights (Ombudsman) – 2013-2014

2 On-going Publicity of the State Institutions Activity

Actions and indicators of implementation

2.1 Up-loading and updating of information on their activity at their respective web-pages

Implementation: central and local executive authorities on an on-going basis

2.2 Composition of the annual reports and their uploading to the web-pages

Implementation: central and local executive authorities in 2012-2015

2.3 Holding of press conferences and other direct public communication events about their performance by state institutions

Implementation: central and local executive authorities in 2012-2015

2.4 Dissemination of reader-friendly versions of the legislation regulating the activity of the state institution, developed guiding principles

Implementation: central and local executive authorities on an on-going basis

2.5 Development of the internet sources dedicated to the areas covered by the state programs

Implementation: central and local executive authorities in 2012-2015

2.6 Inclusion of the information on measures taken in order to promote open government and combating corruption in the reports of the Cabinet of Ministers of the Republic of Azerbaijan to Milli Majlis (Parliament) of the Republic of Azerbaijan

Implementation: Cabinet of Ministers in 2012-2015

3 Improvement of the Central Legislative Electronic Database

Actions and indicators of implementation

3.1 Regular updating and ensuring operating state of the State Register for Legislation of the Republic of Azerbaijan, as the official legal citation source

Implementation: Ministry of Justice on and on-going basis

4 Enlargement of the public participation in the activity of the state institutions

Actions and indicators of implementation

4.1 Involvement of the civil society representatives in the elaboration of draft legislation of public interest, organization of public hearings by state institutions

Implementation: central and local executive authorities on an on-going basis

4.2 Establishment of the appropriate councils and/or cooperation networks with a view to improve interaction with the civil society by state institutions rendering public services

Implementation: central and local executive authorities in 2012-2013

4.3 Usage of web-pages as means of involving the public in decision-making process on matters of public concern (reception of comments and proposals of citizens, organization of discussions, development of the questions-answers sections, etc.)

Implementation: central and local executive authorities on an on-going basis

4.4 Organization of the Open-Door Fora by state institutions

Implementation: central and local executive authorities on an on-going basis

5 Improvement of E-services

Actions and indicators of implementation

5.1 Evaluation of the E-services and public disclosure of its results

Implementation: Ministry of Communications and IT, Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan on an on-going basis

5.2 Public presentation on E-services rendered by state institutions within their area of activity, at least once a year

Implementation: central and local executive authorities in 2013-2015

5.3 Establishment of the united system in order to ensure electronic information exchange between state institutions

Implementation: Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan, Ministry of Communications and IT, Special State Security Service in 2013-2014

5.4 Improvement of electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues

Implementation: Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan in 2013-2014

5.5 Implementation of measures facilitating access to E-services in the regions

Implementation: central and local executive authorities, Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan, Ministry of Communications and IT, Special State Security Service in 2013-2014

6 Increase of Transparency in State Financial Control (SFC) Institutions

Actions and indicators of implementation

6.1 Delineation of powers of the SFC institutions and development of draft legislation providing for improved legal basis for the state financial control

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2014

6.2 Enhancement of accountability of SFC institutions and disclosure of the results of the financial examinations, analyses and statistical data to the public

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2015

6.3 Application of the IT in the SFC area and elaboration of the E-Control system

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2014

6.4 Organization of the mutual activity between SFC institutions, establishment of the SFC Central Database, development of the electronic data-exchange

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2014

6.5 Improvement of the mechanism of control over the publication of the financial reports, drawn by the state institutions in accordance with the International Standards of Financial Reporting or National Accounting Standards, along with the auditor's report

Implementation: Cabinet of Ministers, Chamber of Accounts and Tax Ministry in 2013-2014

6.6 Development of proposals on the mechanism and procedure of oversight over the drafting and execution of local budget, including correspondence of the expenditures to the approved budget indicators, as well as the local municipality financial reports

Implementation: Ministry of Justice, Ministry of Finance and Chamber of Accounts in 2013

6.7 Publication of the reports on the implementation of state budget and the relevant legislation drafts prior to referral to Milli Majlis of the Republic of Azerbaijan

Implementation: Cabinet of Ministers and Ministry of Finance in 2013-2015

7 Increase in Transparency of Tax Control and Examination

Actions and indicators of implementation

7.1 Provision of necessary information to and awareness raising of tax-payers

Implementation: Tax Ministry in 2012-2014

7.2 Execution of measures in order to align the activity of the Tax institutions with the IMF Code of Best Practice on Tax Transparency

Implementation: Tax Ministry in 2012-2013

7.3 Execution of measures in order to improve electronic payment of taxes and other mandatory payments

Implementation: Tax Ministry in 2012-2013

8 Increase of transparency in Extractive Industries

Actions and indicators of implementation

8.1 Continuation of cooperation by the Government of the Republic of Azerbaijan with the local and foreign companies engaged in extractive industries, civil society institutions in order to ensure continuing implementation and development of the Extractive Industry Transparency Initiative in Azerbaijan

Implementation: State Oil Fund in 2012-2015

8.2 Continuation of the disclosure to public of the information on cumulative incomes obtained by the Government of the Republic of Azerbaijan from the extractive industries

Implementation: State Oil Fund in 2012-2015

8.3 Disclosure of the annual reports of the implementation of the Extractive Industry Transparency Initiative in Azerbaijan

Implementation: State Oil Fund in 2012-2015

9 Awareness-raising and Cooperation in the field of OGI

Actions and indicators of implementation

9.1 Evaluation of implementation of the Action Plan and disclosure to the public of its results on an annual basis

Implementation: Commission on Combating Corruption in 2012-2015

9.2 Publication and dissemination among the public of the educational material on Open Government Initiative

Implementation: Commission on Combating Corruption, Cabinet of Ministers and central and local executive authorities on an ongoing basis

9.3 Continuation of measures within the framework of implementation of undertakings before Open Government Partnership

Implementation: Cabinet of Ministers, central and local executive authorities and Commission on Combating Corruption in 2012-2015

9.4 Provision of the financial support to the civil society institutions for the implementation of the measures foreseen in the Action Plan

Implementation: Cabinet of Ministers, central and local executive authorities, Council for the State Support of the NGOs with the President of the Republic of Azerbaijan and Commission on Combating Corruption in 2012-2015