



Georgia has shown significant progress in increasing access to information through using open data and improving public participation mechanisms in decision-making. The three most important commitments - developing a separate Freedom of Information Act, a petitions web-portal for citizens, and an interactive crime statistics and map system - were not implemented by the government. These commitments were highly demanded by local civil society and directly addressed open government values of transparency, public accountability, and civic participation.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP participating country. This report summarizes the results of the period July 2014 to June 2016 and includes some relevant developments up to September 2016.

In Georgia, the Ministry of Justice (MoJ) and its Analytical Department is in charge of coordinating the development and implementation of the OGP national action plan. However, this agency does not have legal power to enforce policy changes within other governmental agencies, especially given that the Head of Government, the Prime Minister, is not directly involved in the plan development and implementation. As a result of the MoJ's limited mandate, the action plan heavily focuses on public services, which are the responsibility of the Ministry's subordinated agencies. Further, the government has not dedicated a separate budget or staff to OGP, which is part of the existing expenditure programs under the state budget.

Civil Society Organizations (CSOs) were involved in the action plan development and implementation processes by participating in a multi-party interagency coordination mechanism called Georgia's Open Government Forum (Forum).

The Forum played a key role in developing Georgia's 2014-2015 national action plan. Specifically, Forum members were involved actively in planning and conducting OGP public consultation meetings across the country and incorporating public feedback into the final document. The Forum played a coordination and facilitation role in the development of the 2014-2015 OGP national action plan, including developing one commitment. However, the Forum lacked legal

**Table I: At a Glance**

	<b>Mid-term</b>	<b>End-of-term</b>
Number of commitments	29	
<b>Level of completion</b>		
Completed	12	18
Substantial	7	4
Limited	9	7
Not started	1	0
<b>Number of commitments with:</b>		
Clear relevance to OGP values	17	
Transformative potential impact	3	
Substantial or complete implementation	19	22
<b>All three (☼)</b>	2	2
<b>Moving forward</b>		
Number of commitments carried over to next action plan:	5	

authority to compel government agencies to take OGP related actions, despite the fact that the commitments were approved by a special Government decree and hence, legally binding.

In July 2016, the MoJ published for public comment the first draft of the 2016-2017 OGP national action plan for Georgia's third cycle.<sup>1</sup> On 24 October 2016, the MoJ shared with stakeholders, including the IRM researcher, the second updated draft. The information provided below is based on this latest draft and details whether remaining commitments were carried over to the third national action plan.

The Georgian government carried over five commitments to the next 2016-2017 action plan with no significant modifications. These include the development of the new Freedom of Information (Fol) law, implementing a monitoring system for public officials' asset declarations, a new communication channel to connect with the Emergency Center 112 and two commitments on increasing transparency of surveillance and procurement data. CSOs and the IRM researcher deemed three commitments to be most important: developing a separate Freedom of Information Act, an online petitions portal, and an interactive crime statistics and maps system. However, these were not implemented by the government and only the Fol commitment was carried over to the next action plan, according to the latest draft as of October 2016.<sup>2</sup>

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<sup>1</sup> "2016-2017 Draft OGP Action Plan" (Ministry of Justice), <http://bit.ly/2b3h5FS>.

<sup>2</sup> MoJ, "2016-2017 Draft OGP Action Plan", <http://bit.ly/2b3h5FS>.

## Consultation with civil society during implementation

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

The Ministry of Justice (MoJ) led the consultation process during implementation via the multi-party Forum while bimonthly consultation meetings took place at MoJ premises in Tbilisi. Additional government agencies were involved in the work of the Forum and CSOs had an opportunity to ask questions and raise issues of common concern directly with these agencies. However, a small group of 'usual suspect' CSOs were the most active in providing recommendations to responsible agencies while other sectoral CSOs were uninvolved in the process. Further, as the government did not implement certain important commitments like developing a standalone Freedom of Information law, a unified portal for online citizen petitions, and an interactive crime statistics and mapping system, CSOs became less enthusiastic about being actively involved in the Forum. In July 2016, the MoJ launched an online public consultation process for the third action plan.

<b>Table 2: Action Plan Consultation Process</b>		
<b>Phase of Action Plan</b>	<b>OGP Process Requirement (Articles of Governance Section)</b>	<b>Did the government meet this requirement</b>
During Implementation	Regular forum for consultation during implementation?	Yes
	Consultations: Open or Invitation-only?	Invitation-only
	Consultations on IAP2 spectrum	Collaborate

## Progress in commitment implementation

All of the indicators and method used in the IRM research can be found in the IRM Procedures Manual, available at (<http://www.opengovpartnership.org/about/about-irm>). One measure deserves further explanation, due to its particular interest for readers and usefulness for encouraging a race to the top between OGP-participating countries: the “starred commitment” (★). Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:

1. It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have "medium" or "high" specificity.
2. The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
3. The commitment would have a "transformative" potential impact if completely implemented.
4. Finally, the commitment must see significant progress during the action plan implementation period, receiving a ranking of "substantial" or "complete" implementation.

Based on these criteria, at the mid-term report, Georgia’s action plan contained two starred commitments. At the end of term, based on the changes in the level of completion, Georgia’s action plan contained ten starred commitments.

Commitments assessed as star commitments in the mid-term report can lose their starred status if at the end of the action plan implementation cycle, their completion falls short of substantial or full completion, which would mean they have an overall limited completion at the end of term, per commitment language.

Finally, the graphs in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Georgia, see the OGP Explorer at [www.opengovpartnership.org/explorer](http://www.opengovpartnership.org/explorer).

## About “Did it Open Government?”

Often, OGP commitments are vaguely worded or not clearly related to opening government, but they actually achieve significant political reforms. Other times, commitments with significant progress may appear relevant and ambitious, but fail to open government. In an attempt to capture these subtleties and, more importantly, actual changes in government practice, the IRM introduced a new variable ‘did it open government?’ in End-of-Term Reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment’s implementation. This can be contrasted to the IRM’s “Starred commitments” which describe *potential* impact.

IRM Researchers assess the “Did it open government?” with regard to each of the OGP values that this commitment is relevant to. It asks, did it stretch the government practice beyond business as usual? The scale for assessment is as follows:

- Worsened: worsens government openness as a result of the measures taken by commitment.
- Did not change: did not change status quo of government practice.
- Marginal: some change, but minor in terms of its impact over level of openness.
- Major: a step forward for government openness in the relevant policy area, but remains limited in scope or scale.
- Outstanding: a reform that has transformed ‘business as usual’ in the relevant policy area by opening government.

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM End-of-Term Reports are prepared only a few months after the implementation cycle is completed. The variable focus on outcomes that can be observed on government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the time frame of the report.

**Table 3. Overview: assessment of progress by commitment**

Commitment Overview	Specificity				OGP value relevance				Potential Impact				Completion		Midterm	End of term	Did it open government?						
	None	Low	Medium	High	None	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started			Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major
	1.A. Travel insurance services				✓	✓						✓			✓			✓		✓			
1.B. State property registration				✓	✓						✓				✓		✓		✓				
3. JUSTdrive				✓	✓						✓						✓	✓	✓				
4. Educational services			✓		✓						✓				✓	✓			✓				
5. Citizen's Portal – www.mygov.ge			✓		✓						✓				✓	✓			✓				
8. Digital signature and online authentication				✓	✓						✓				✓				✓				
9. Open data portal – data.gov.ge			✓			✓						✓				✓					✓		
15. Political party financial declarations				✓		✓							✓						✓			✓	
2. “Voice of the Consumer”				✓			✓	✓				✓							✓		✓		
12. I-Change.ge				✓			✓	✓					✓		✓				✓				
6.A. Development of Community Centers in Georgia				✓			✓					✓							✓			✓	

Commitment Overview	Specificity				OGP value relevance				Potential Impact				Completion		Midterm	End of term	Did it open government?						
	None	Low	Medium	High	None	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started			Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major
6.B. Introduction of e-Governance in Local Self-Governments				✓	✓						✓					✓							✓
7. Transformation of public libraries for regional development			✓		✓						✓					✓							✓
21. Digital HR management system				✓	✓						✓				✓								✓
25. Public finance management system				✓	✓						✓						✓						✓
22. Digital preservation system: e-Archive			✓		✓						✓				✓								✓
23. Openness and accessibility of archives				✓		✓					✓					✓							✓
24. Electronic catalogues of MIA archives				✓		✓					✓				✓								✓
26. Alternate channels to “112”				✓	✓							✓					✓						✓
27. Interactive statistics and crime mapping				✓		✓			✓			✓			✓								✓

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion				Did it open government?					
	None	Low	Medium	High	None	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
10. Freedom of Information Act Draft				✓		✓					✓			✓		✓			✓			
11. Georgia's OGP Forum				✓			✓	✓			✓						✓				✓	
13. Transparency of public recruitment				✓		✓	✓	✓			✓						✓			✓		
14. Asset declaration monitoring system		✓				✓		✓			✓				✓				✓			
16. Special needs access to Ministry of Interior's webpage				✓		✓					✓						✓					✓
17. Proactive publishing of surveillance data				✓		✓						✓					✓					✓
18. Electoral process awareness			✓			✓	✓				✓				✓					✓		
19. Transparency of budgetary processes			✓			✓	✓				✓						✓		✓			
20. Electronic system of procurement				✓		✓	✓				✓						✓			✓		

## General overview of commitments

As part of OGP, countries are required to make commitments in a two-year action plan. End of term reports assess an additional metric, ‘did it open government?’ The tables below summarize the completion level at the end of term and progress on this metric. Note for commitments that were already complete at the midterm, only an analysis of ‘did it open government?’ is provided. For additional information on previously completed commitments, please see Georgia’s IRM Midterm Progress Report 2014-2015.

A total of sixteen public agencies, five of them housed under the Ministry of Justice (MoJ), were in charge of implementing those commitments. While the Supreme Court and three independent agencies - the State Audit Office (SAO), the State Procurement Agency (SPA), and the Election Administration - were among the responsible agencies, elected bodies such as Parliament and local councils made no commitments. Parliament joined the Declaration on Parliamentary Openness in April 2015 and adopted a separate Open Parliament Action Plan in July.<sup>1</sup>

Georgia’s second national action plan consists of 29 commitments spanning four grand challenges: improving public services, increasing public integrity, more effectively managing public resources, and creating safer communities. However, this is not representative of the variety of topics that the commitments cover. For instance, some commitments included in the public services cluster, such as developing Voice of the Consumer and data.gov.ge, are more relevant for open data and public participation than for delivering public services. The government was not clear about this aspect in its clustering of the commitments. Additionally, although they seem to address the four grand challenges, twelve of the 29 commitments bear no relevance to OGP values.

For ease of understanding, IRM clustered the commitments in a way that differs from the national action plan. Specifically, the commitments were reorganized into sixteen different thematic clusters. The second action plan also includes a number of commitments, like expanding the e-procurement system, which has no equivalent in other commitments. IRM grouped such standalone commitments separately from the clustered ones. Due to their technical nature, IRM also merged milestones under each commitment.

Therefore, this report provides assessment at the commitment level, not at the milestone level. The commitments are numbered in accordance with the national action plan listing of commitments. The only difference concerns the total number of commitments. The action plan states 27 commitments but in actuality, it presents 29 commitments. Specifically, the government combines commitments 1A and 1B as well as 6A and 6B into two commitments, although each of these commitments appears to be an individual commitment. IRM counts these four commitments separately, thus increasing the total number of commitments to 29. The commitments are presented under the titles “Clustered Commitments” and “Standalone Commitments” and thus at times do not follow in a sequential numbering sequence.

Of all 29 commitments, twelve focus on delivering public services, building local government capacity and digitizing public service management systems while three concern increasing accessibility of national archives. Six commitments deal with implementing open data standards, launching online tools for public participation, and creating safer communities through technology. Eight commitments focus on a range of subjects including drafting a Freedom of Information (FoI) Act; improving the work of Georgia's OGP Forum; increasing transparency and impartiality in the public service recruitment process; establishing a monitoring system for public officials' asset declarations; proactively publishing surveillance data; raising public awareness of the electoral process; expanding the electronic system of public procurement; and increasing accessibility to the Ministry of Interior's webpage by people with special needs.

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<sup>1</sup> “Open Parliament Action Plan 2015-2016” (Parliament of Georgia), <http://bit.ly/2byx2ky>.

## Clustered commitments

### Cluster I: Public services

#### **1.A. Implementing travel insurance services at Public Service Halls (PSH)<sup>1</sup>**

*By visiting the PSH citizens will be able to apply for passports and obtain insurance at the same time.*

#### **1.B. Implementing state property registration services at PSH<sup>2</sup>**

*This initiative will make it possible for consumers to lease or purchase and register state property in “One Space”. Initially, additional services will be introduced in particular strategic regions where there is an absence of above described services (including the places where National Agency for State Property Management has no service centers) and for this reason, citizens have to visit another town. These regions are: Ozurgeti, Gurjaani, Batumi and Marneuli.*

##### **Lead Institutions:**

I.A, I.B: Public Service Hall (PSH)

##### **Supporting Institutions:**

I.A: Insurance Companies

I.B: National Agency for State Property Management

**Start Date:** May 2014

**End Date:** September 2014

#### **3. Creating an easier way, JUSTdrive, for receiving the PSH services<sup>3</sup>**

*Drive-up windows of JUSTdrive at Tbilisi PSH will allow citizens to save time when acquiring the service without leaving their cars. Consumers will only be required to carry an ID card on them when obtaining a desired service at the JUSTdrive area.*

##### **Lead Institutions:**

Public Service Hall (PSH)

##### **Supporting Institutions:**

Public Service Development Agency, National Agency of Public Registry, National Archives of Georgia, Data Exchange Agency, and Smart Logic

**Start Date:** May 2014

**End Date:** September 2014

#### **4. Making educational services available at PSH<sup>4</sup>**

*The competence of Ministry of Education and Science (MoES) to verify school certificates and diplomas will be transferred to the Public Service Development Agency and the verified documents will be issued within the premises of PSHs.*

##### **Lead Institutions:**

Public Service Development Agency (PSDA)

##### **Supporting Institutions:**

National Center for Educational Quality Enhancement, PSH

**Start Date:** September 2014

**End Date:** October 2014

#### **5. Develop Citizen's Portal – [www.mygov.ge](http://www.mygov.ge)<sup>5</sup>**

*By the end of 2015, the Data Exchange Agency (DEA) will ensure integration of e-services of the Ministry of Justice, Ministry of Education, Ministry of Health, and also several e-services of Ministry of Internal Affairs into the Portal. Moreover, municipal e-services will be incorporated in the Portal. Additionally, to make the services on the Portal even easier to use, DEA will create a comprehensive service catalogue. In order to boost the usage of e-services, an awareness-raising campaign will be planned and implemented until the end of 2015.*

##### **Lead Institutions:**

Data Exchange Agency (DEA)

##### **Supporting Institutions:**

Ministries and other governmental agencies, e-service provider private entities

**Start Date:** 2014

**End Date:** December 2015

#### **8: Implementing digital signature and online authentication systems<sup>6</sup>**

Online Authentication System will be developed by means of electronic ID card and relevant authentication mechanisms integrated in it.

- Digital Signature and Stamp (e-Seal) will develop the electronic document-flow systems in Georgia.

**Lead Institutions:**

Public Service Development Agency (PSDA)

**Supporting Institutions:**

State Insurance Supervision Service of Georgia

**Start Date:** July 2014

**End Date:** July 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding	
1.A. Travel insurance services				✓	Unclear					✓			✓					✓				
1.B. State property registration				✓	Unclear					✓				✓				✓				
3. JUSTdrive				✓	Unclear					✓						✓		✓				
4. Educational services			✓		Unclear					✓				✓				✓				
5. Citizen's Portal – www.mygov.ge			✓		Unclear					✓				✓				✓				
8. Digital signature and online authentication				✓	Unclear					✓				✓				✓				

## **I.A: Implementing travel insurance services at PSH**

### **Commitment Aim:**

This new commitment aimed to facilitate Georgians' travel abroad by allowing them to obtain passports and travel insurance cards simultaneously at Public Service Halls (PSHs). According to PSH, this new service would save time and resources for citizens who previously had to go to another city for the travel insurance card.

### **Status**

#### **Mid-term: Limited**

This commitment was not started by the midterm review point. In July 2015, PSH announced on its website a call for expressions of interest by insurance companies operating in Georgia. Eligible companies needed at least four years of experience in travel insurance, offer competitively priced insurance cards and share card sale profits with PSHs.

#### **End of term: Complete**

The commitment was completed by the end of term. In October 2015, PSH selected *Unsiom* as the company in charge of issuing travel insurance cards to citizens. Starting November 2, 2015, a new travel insurance service became available in all PSHs across Georgia.<sup>7</sup>

## **I.B: Implementing state property registration services at PSH**

### **Commitment Aim:**

This new commitment allowed citizens to buy, lease, and register state property at PSHs. Initially, this service would be implemented in municipalities with the most need, including Ozurgeti, Gurjaani, Batumi, and Marneuli municipalities.

### **Status**

#### **Mid-term: Limited**

At the midterm point, the commitment's implementation was limited as the state property registration service was introduced in the Marneuli municipality only.

#### **End of term: Complete**

The commitment was completed by the end of term. Along with the travel insurance service, the state property registration service was fully launched in all PSHs on November 2, 2015.<sup>8</sup>

## **3: Creating an easier way, JUSTdrive, for receiving the PSH services**

### **Commitment Aim:**

This pre-existing commitment aimed to allow citizens driving in Tbilisi to obtain PSH services without leaving their cars.

### **Status**

#### **Mid-term: Complete**

The commitment was completed in April 2015 when the JUSTdrive service was launched in the Tbilisi PSH.<sup>9</sup>

## 4: Making educational services available at PSH

### **Commitment Aim:**

This new commitment aimed to make educational services, such as the verification of school certificates, diplomas, and transcripts available at PSH. Before, citizens had to go through a maze of complicated procedures at different agencies under the Ministry of Education and Science (MoES) to have their educational documents verified. To simplify these complex procedures, the government would transfer the relevant competencies from MoES to PSH and ensure verification of all educational documents in one space within PSH.

### **Status**

#### **Mid-term: Limited**

The commitment's completion level at the midterm point was very limited. The Public Service Development Agency (PSDA) created the necessary business module and software, however the agency was unable to proceed further without government approval by special decree.

#### **End of term: Limited**

While PSDA achieved slight progress in the commitment's implementation by the end of term, the overall completion level remained limited. PSDA prepared necessary draft amendments to relevant legislation and sent them to the government for revision. The government must then submit final drafts to Parliament. Only after Parliament's approval will PSDA be authorized to launch this new service.<sup>10</sup>

## 5: Develop Citizen's Portal – [www.mygov.ge](http://www.mygov.ge)

### **Commitment Aim:**

This pre-existing commitment aimed to provide citizens with more public services online, including providing access via the mygov.ge portal to e-services of the Ministry of Justice, Ministry of Education and Science, Ministry of Labour, Health and Social Affairs, Ministry of Internal Affairs and municipalities. The Data Exchange Agency (DEA) committed to conduct a public awareness campaign to increase the number of users.

### **Status**

#### **Mid-term: Limited**

At the midterm point, the commitment's implementation was limited. Mygov.ge included new services from the Ministry of Justice, the National Bureau of Enforcement, and the National Intellectual Property Center Sakpatenti. However, the services of the Ministry of Labour, Health and Social Affairs, the Ministry of Education and Science, and local municipalities remained unavailable as these agencies did not implement internal digital case management systems to link their data to mygov.ge. Further, the government did not conduct a public awareness campaign to increase usage of e-services provided.

#### **End of term: Limited**

The commitment's implementation remained limited at the end of term. According to the DEA Chairman, this is mainly due to the lack of willingness and coordination between relevant agencies to develop online services and make them available on mygov.ge.<sup>11</sup> Another challenge is promoting the portal to the citizenry so they might begin regularly using the online public services.

## 8: Implementing digital signature and online authentication systems

### **Commitment Aim:**

The Public Service Development Agency (PSDA) committed to develop digital signature and online authentication systems to ease document processing and reduce transaction costs of paper signatures. When obtaining a new electronic ID card, citizens would receive a two-year certificate with a pin code to manage their personal information on the ID card. On id.ge, citizens could then download special software for reading the ID card and creating a digital signature, allowing them to provide online authentication via mygov.ge. Please see the 2014-2015 Midterm IRM Report for more information.

### **Status**

#### **Mid-term: Limited**

At the midterm point, the commitment's implementation was limited. In March 2014, the PSDA launched an updated version of the digital signature software. However, this software had a limited number of users as people frequently lost their login pin codes and were cautious about making their personal information available online. Another challenge was that private companies preferred using their existing digital authentication systems rather than the PSDA system. To address this, the PSDA planned to create software that would make it possible to restore pin codes as well as launch an awareness raising campaign.

#### **End of term: Limited**

The commitment's implementation remained limited at the end of term. PSDA developed the technical requirements for companies to complement ID cards with a function to restore the lost pin code. However, the agency was not able to select a company meeting those requirements during the reporting period. This, in turn, caused delays in launching the campaign to promote this new service to the general public.<sup>12</sup>

### **Did it open government?**

Improving public services is one of the five OGP grand challenges as they are important for making the government better and raising citizens' living standards. However, services are not sufficiently relevant to OGP if they do not seek to increase access to information, involve citizens in policy-making or hold the government accountable for its decisions.

None of the public service commitments explicitly involved disclosing new information, opening public sector decision-making, or holding the government more accountable to citizens. Further, stakeholders viewed these commitments as merely modest technical initiatives that did not envision any major reforms to empower local communities and encourage needs-based policies.

Given their tenuous relevance to OGP values and minor potential impact on bettering citizens' living standards, IRM thinks that the government's service delivery commitments did not change the existing practice in government openness over the last two years.

### **Carried forward?**

As of October 2016, the Georgian government carried forward none of the service delivery commitments that saw only limited implementation to the third action plan. To complete implementation of the existing commitments, relevant agencies should improve interagency coordination and information-sharing while increasing promotion of their new services to the public.

The IRM researcher recommends the government switch focus from improving technical aspects of public service delivery to more novel reformations with higher relevance to OGP values. This includes developing new services based on citizen priorities and launching new feedback mechanisms for citizens to engage in service development and implementation. In this context, it is important

that PSH, PSDA and DEA begin publishing regularly and proactively citizens' use and satisfaction level of their services. In case of service malfunctions, citizens should be able to send a report to the responsible agency quickly and seek redress. Only through such needs-based measures will the government succeed in aligning public services with OGP values.

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<sup>1</sup> See the original commitment 1A in the Action Plan, 4, <http://bit.ly/1Yf5K76>.

<sup>2</sup> See the original commitment 1B in the Action Plan, 5, <http://bit.ly/1Yf5K76>.

<sup>3</sup> See the original commitment 3 in the Action Plan, 6, <http://bit.ly/1Yf5K76>.

<sup>4</sup> See the original commitment number 4 in the Action Plan, 7, <http://bit.ly/1Yf5K76>.

<sup>5</sup> See the original commitment number 5 in the Action Plan, 8, <http://bit.ly/1Yf5K76>.

<sup>6</sup> See the original commitment number 8 in the Action Plan, 14, <http://bit.ly/1Yf5K76>.

<sup>7</sup> Unison Insurance Company (20 October 2015), <http://bit.ly/2bph800>.

<sup>8</sup> PSH (2 November 2015), <http://bit.ly/2bA3Nzs>.

<sup>9</sup> PSH, "JUSTdrive", <http://bit.ly/2b2Uc5r>.

<sup>10</sup> Giorgi Lobjanidze (Head of Project Management and Business Analysis Division of Research and Development Department at Public Service Hall), interview with the IRM researcher, 7 July 2016.

<sup>11</sup> Irakli Gvenetadze (Chairman of Data Exchange Agency), interview with the IRM researcher, 4 July 2016.

<sup>12</sup> Mikheil Kapanadze (Head of Identification Service Development Unit at Public Service Development Agency at Public Service Hall), interview with the IRM researcher, 7 July 2016.

## Cluster 2: Open data

### 9: Developing an open data portal - data.gov.ge<sup>1</sup>

The current data.gov.ge portal, which is mainly a navigation web-page for various links to the government pages, is to be transformed into a real open data portal where open data is available, similarly to the open data web-pages of the UK and the US.

**Lead Institution:** 9: Data Exchange Agency

**Supporting Institutions:** Ministries and other governmental organizations; e-service provider private entities

**Start Date:** August 2014

**End Date:** December 2014

### 15: Publishing financial declarations of political parties in machine-readable format<sup>2</sup>

Information provided by political parties and related statistics will be uploaded onto the official web-site of State Audit Office in a machine-readable format (excel forms).

**Lead Institution:** State Audit Office

**Supporting Institutions:** Not provided

**Start Date:** March 2014

**End Date:** September 2014

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding	
9. Open data portal – data.gov.ge			✓		✓						✓				✓				✓			
15. Political party financial declarations			✓		✓							✓				✓					✓	

## 9: Developing an open data portal - data.gov.ge

### Commitment Aim:

This commitment aimed to redesign data.gov.ge by including actual datasets published in open data formats, as seen in similar portals operating in the UK and the US. Providing government-held information as open data would foster innovation, business development and national economic growth while cultivating public-private partnerships. In an effort to raise awareness, the Data Exchange Agency (DEA) committed to conduct the first-ever hackathon on open data in the country.

### Status

**Mid-term: Substantial**

At the midterm point, the commitment was substantially implemented. Based on recommendations by foreign experts, the government launched a redesigned data.gov.ge portal in the beginning of 2015. It contained 95 datasets in .CSV and .XML format. Most of these datasets concerned finance and education. The portal allowed users to see the date of publication and last update of each dataset as well as contact details for the responsible person. It also provided information on the number of views and downloads, while enabling users to comment and rate the datasets provided.<sup>3</sup>

However, a major challenge with the portal was the lack of a legal mandate obligating public agencies to compile data systematically and publish it on data.gov.ge.

### **End of term: Substantial**

The commitment was not completed by the end of term review. The number of available datasets on data.gov.ge increased to 154. However, as of August 2016, many agencies did not link their data to the portal, leaving the important fields of healthcare, social protection, agriculture, and tourism with very few datasets. At the same time, key ministries like the Ministry of Internal Affairs and the Ministry of Defence provided no data at all. Finally, DEA did not organize the open data hackathon as envisioned by the action plan. According to the DEA Chairman, the fact that public agencies are not legally obliged to proactively publish their data on data.gov.ge resulted in the low number of available datasets and hence limited usage of the portal by the public.<sup>4</sup>

### **Did it open government?**

#### **Access to information: Marginal**

The midterm report assessed this commitment as relevant to improving access to information. Before data.gov.ge, Georgia did not have a unified open data portal that could provide citizens with current datasets concerning new governmental policies and actions. The government aimed to make data.gov.ge a useful source for innovation and economic development. Yet given that the portal lacks relevant data and only has a small number of users, it only had a marginal effect on increasing government openness during the course of the action plan.<sup>56</sup>

### **Carried forward?**

The government did not carry over improving data.gov.ge to the next action plan. In order to complete this commitment, the government should take the following actions:

- Create a legal basis obliging all public agencies to publish their data proactively on data.gov.ge;
- Allow users to subscribe to data.gov.ge, to choose what data they want, and to receive notifications when that data become available;
- Provide application source code to users so they might build their own software applications based on the available data;
- Enhance data functionality by properly labelling and tagging available data, and including geographic coordinates, diagrams and maps, when appropriate;
- Provide licensing information on each dataset as well as information on when the data was collected so users are able to reuse it more easily;
- Organize a large-scale public relations campaign and hackathon as outlined in the national action plan to promote data.gov.ge and attract more users to the portal.

## **I 5: Publishing financial declarations of political parties in machine-readable format**

### **Commitment Aim:**

This commitment aimed to improve the transparency of political finances by publishing relevant reports and statistics of political parties on the website of the State Audit Office (SAO) in a machine readable format in accordance with the IRM recommendation.

### **Status**

#### **Mid-term: Complete**

The commitment was completed before the midterm review. Since May 2014, SAO started publishing regular reports detailing income and expenditures of political parties, as well as the names and ID numbers of individual contributors in excel spreadsheets.<sup>7</sup> These reports, converted to .CSV format, were made available also on data.gov.ge.<sup>8</sup>

### **Did it open government?**

#### **Access to information: Major**

This commitment was assessed as relevant to improving access to information according to the midterm report. Previously, party financing data was published as .PDF files, making analysis difficult. SAO committed to publish this data in a user-friendly format, which paved the way for watchdog CSOs to enhance their monitoring and advocacy efforts. For example, based on the SAO's new data, in July 2016, Transparency International Georgia launched its own portal allowing users to find accumulated information on all donations made to Georgian political parties since 2012, as well as on the business interests of political party donors.<sup>9</sup> Given this positive change, representatives of leading local CSOs, Transparency International (TI), Georgian Young Lawyers' Association (GYLA), and Institute for Development of Freedom of Information (IDFI) assess this commitment as a major step forward in increasing government openness. According to them, they regularly use the SAO data to monitor political party financing for any violation of the legislation, and to advocate for reforms.

### **Carried forward?**

The government did not carry forward this commitment. According to stakeholders, party financing data is mostly used by CSOs monitoring the pre-election period and has limited use outside of the election context. Still, the general public and other stakeholders would benefit if SAO makes this data more user-friendly by creating infographics to enhance the public's understanding of this data.<sup>10</sup>

<sup>1</sup> See the original commitment 9 in the Action Plan, 15, <http://bit.ly/1Yf5K76>.

<sup>2</sup> See the original commitment 15 in the Action Plan, 22, <http://bit.ly/1Yf5K76>.

<sup>3</sup> "Open Data" (Data.gov.ge), <http://bit.ly/1Nxc6ds>.

<sup>4</sup> Gvenetadze, interview, July 2016.

<sup>5</sup> Sulkhan Saladze (Project Coordinator at Georgian Young Lawyers' Association) interview with the IRM researcher, 29 July 2016.

<sup>6</sup> Giorgi Kldiashvili (Director of IDFI), interview with the IRM researcher, 1 August 2016.

<sup>7</sup> "Financial Monitoring" (State Audit Office), <http://bit.ly/1BLEuhl>.

<sup>8</sup> "Donations to Political Parties" (Data.gov.ge), <http://bit.ly/1Po71m1>.

<sup>9</sup> Transparency International Georgia, <http://bit.ly/2b3yOA6>.

<sup>10</sup> Saladze, interview, July 2016.

## Cluster 3: Public participation tools

### 2. Launching a feedback mechanism for consumers of Public Service Hall (PSH) – “Voice of the Consumer”<sup>1</sup>

Currently, consumers’ interaction with the PSH is limited to lodging appeals. In the framework of this commitment, the PSH will launch a feedback system - “Voice of the Consumer,” which will allow citizens to directly participate in improving PSH service quality. The PSH aims to communicate to the citizens about existing products and to provide information regarding ongoing processes.

“Voice of the Consumer” will increase accountability of the PSH to the public and will allow citizens to directly participate in improving service development and quality improvement processes.

**Lead Institution:** Administration of the Government of Georgia

**Supporting Institutions:** Parliament; Ministry of Justice; Data Exchange Agency; Civil Service Bureau; IDFI; United States Agency for International Aid (USAID)

**Start Date:** May 2014

**End Date:** August 2014

### 12. Creating an e-petitions portal – I-Change.ge<sup>2</sup>

The I-Change.ge portal will enable citizens to initiate e-petitions on the issues within the competencies of the Government (Law on the “Structure and Competence and Activities of the Government of Georgia”). Those petitions that accumulate a necessary number of signatures will be discussed at the Cabinet Session.

Administration of the Government of Georgia will be leading and coordinating the process with different public agencies involved in the implementation of the commitment. To ensure involvement of all relevant agencies, a special working group will be created and meet regularly to plan and review the progress achieved. The working group will consist of the representatives from the Ministry of Justice of Georgia, LEPL Data Exchange Agency, the Parliament, the Civil Service Bureau, CSOs, and international organizations.

Work on e-petitions’ portal will be concluded with the portal’s launch in 2015.

**Lead Institution:** Public Service Hall (PSH)

**Supporting Institutions:** Consumer of PSH

**Start Date:** June 2014

**End Date:** June 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2. “Voice of the Consumer”				✓		✓	✓				✓					✓			✓		
12. I-Change.ge				✓		✓	✓				✓		✓				✓				

## **2: Launching a feedback mechanism for consumers of Public Service Hall (PSH) – “Voice of the Consumer”**

### **Commitment Aim:**

This new commitment aimed to improve PSH services and modify these services to public needs through a new citizen feedback mechanism called the Voice of the Consumer.

### **Status**

#### **Mid-term: Complete**

The commitment was completed before the midterm review. Starting in April 2014, PSH installed special boxes at the entrances of all PSHs. Citizens can take standardized feedback forms available on nearby desks, fill them out, and place them into the boxes provided. The form includes a section in which the users can indicate their personal information. It also provides information about the procedures wherein PSH Internal Audit Departments study citizens' comments and respond within 30 days. Citizens can check the status of their feedback by contacting the PSH call centre and providing the unique identification code indicated on each form. As of August 2015, PSH received over 1,000 feedback forms. In most cases, these included positive comments from customers who were satisfied with the treatment by the PSH staff. However, there were also complaints about the behaviour of certain staff members.

### **Did it open government?**

#### **Civic Participation: Marginal**

#### **Public accountability: Marginal**

The midterm report assessed this commitment as relevant to increasing civic participation and government accountability. Before, citizens did not have an opportunity to provide feedback on the quality of PSH services and to engage in the service improvement process. As of July 2016, PSH received a total of 1,717 feedback forms from citizens through the new Voice of the Consumer mechanism. Most of these forms were “thank you” letters to PSH while 32 percent included concerns about the quality of service delivery and treatment from the PSH personnel. Tbilisi residents were the most responsive with 279 feedback forms, followed by Zugdidi (71 forms), Batumi (40 forms) and Kutaisi (37 forms).<sup>3</sup>

As shown above, the Voice of the Consumer was applied on a limited scale, especially at the local level. PSH did not launch a campaign to promote this new communication mechanism across the country. Additionally, PSH has not published on its website regular statistics on how many citizens submitted feedback, the relevant issues and PSH's response. This leads IRM to assess the commitment as having only a marginal impact on opening government.

### **Carried forward?**

The government did not carry forward this commitment. Based on IRM's recommendation in the Progress report, PSH should commit to creating an online version of the Voice of the Consumer, which would enhance customer use.

## **12: Creating an e-petitions portal – I-Change.ge**

### **Commitment Aim:**

This pre-existing commitment aimed to increase public participation in decision-making through an electronic petitions platform called I-Change.ge (Ichange.gov.ge).

## Status

### Mid-term: Limited

The commitment's implementation was limited at the midterm evaluation. The government had started discussions on the concept of lchange.gov.ge with OGP Forum members in the Fall of 2014. Stakeholders agreed a threshold of 5,000 signatures for petitions that the government would be obligated to consider. They also developed criteria for the system and created a manual explaining the process and terms of usage of lchange.gov.ge. Please see the 2014-2015 Midterm IRM Report for more information.

In addition, the government developed and tested the portal's interface, but could not organize the launch in the Summer of 2015, as indicated in the action plan. This was due to difficulties in interagency coordination, which in turn delayed the adoption of the necessary Government Decree.

### End of term: Limited

No change occurred by the end of term. The government did not adopt the Decree giving permission for the launch of lchange.gov.ge and the commitment's level of implementation remained limited.

## Did it open government?

### Civic Participation: Did not change

### Public accountability: Did not change

The midterm report assessed this commitment as relevant to increasing civic participation and government accountability, as citizens did not have an opportunity to raise issues directly with responsible authorities by submitting petitions to them. Therefore, stakeholders thought the creation of an lchange.gov.ge online petitions' portal was the most important commitment of the action plan directly responding to OGP values. However, the government could not launch the portal over the course of the action plan, thus making no contribution to increasing government openness.

## Carried forward?

The government did not carry forward this commitment. According to key stakeholders from TI, GYLA, IDFI, and Open Society Georgia Foundation (OSGF), the implementation of this commitment is a matter of the government's political will, the lack of which resulted in its failed implementation over the course of the first two action plans. They thought the government was reluctant to launch lchange.gov.ge because the portal could generate politically sensitive petitions that might damage support for the ruling party in the upcoming October 2016 parliamentary elections.<sup>4</sup> Stakeholders did not recommend carrying over this commitment to the third action plan; instead, the government should focus on commitments it is more likely to implement. However, the IRM researcher recommends the government build on existing efforts and launch lchange.gov.ge as soon as possible in order to increase public trust in decision-making.

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<sup>1</sup> See the original commitment 2 in the Action Plan, 5, <http://bit.ly/1Yf5K76>.

<sup>2</sup> See the original commitment 12 in the Action Plan, 19, <http://bit.ly/1Yf5K76>.

<sup>3</sup> Nino Murvelashvili (Adviser to Service Development and Sales Department), interview with the IRM researcher, 22 August 2016.

<sup>4</sup> Vako Natsvlishvili (Open Society Georgia Foundation (OSGF)) and George Topouria (TI Georgia), phone interview with the IRM researcher, 1 August 2016.

<sup>4</sup> Saladze, interview, July 2016.

## Cluster 4: Local government capacity

### 6.A. Development of Community Centers in Georgia<sup>1</sup>

Development of Community Centers (CCs) in Georgia ensures provision of demanded private sector services to the local population at the village level. CCs provide citizens with opportunities to interact with the government and receive up to 200 public services locally without the need to travel outside the village. CCs serve as a point of service delivery for the local population, and most importantly, represent a good mechanism for promoting citizen engagement.

Currently, 12 Community Centers (CC) are fully operational across Georgia. Construction of 6 additional CCs is planned throughout 2014, which will increase the number of local inhabitants participating in local decision-making processes.

### 6.B. Introduction of e-Governance in Local Self-Governments<sup>2</sup>

In 2014, the PSDA plans to introduce the Municipal Services Management System in 6 selected pilot municipalities (Kareli, Tetrtskaro, Xashuri, Khobi, Akhmeta, and Gardabani). To meet the demands of the new software, necessary trainings for the municipality personnel will be organized.

The municipalities will have an access to the existing electronic databases, resulting in reduced time and human resources and decreasing costs related to data collection, processing and verification within self-government offices. All services available through the new electronic system will be integrated in the Citizen's Portal - my.gov.ge. Additionally, Public Service Development Agency (PSDA) will conduct a survey to study the interests and informational needs of the local population. Based on the findings, PSDA will design a new web-portal to post information on Municipality and Community Center activities. In 2014-2015, e-Governance will be implemented in 4 additional municipalities. It is also envisaged to increase the number of services selected at the initial phase of the project, study additional services and embed relevant procedures into the electronic municipal service management system.

### 7. Transformation of public libraries for regional development<sup>3</sup>

This commitment implies the use of public libraries with new functions: along with the traditional purposes libraries will acquire functions of Community Centers. Thus, libraries will serve as additional opportunity to increase capacity of communities and local governments. Trained librarians through modern technologies (Internet, computer technologies, and new books) will ensure high quality service delivery for local population. The project aims to ensure access to public information and better communication between citizens and the local governments as well. It will improve the level of civic engagement and capacity of local librarians through e-governance and modern technologies on the regional level.

The pilot project will be implemented in 2014. It will cover 4 public libraries. Based on the pilot, the work will continue in 2015.

**Lead Institution:** Public Service Development Agency (PSDA), Ministry of Justice (MoJ)

**Supporting Institutions:** 6.A: Local Government Units; MoJ; Social Service Agency; Ministry of Regional Development and Infrastructure; Meqanizatori LLC; European Union; CSO "Multinational Georgia for the Strengthening of Democratic Values;" Liberty Bank; MagtiCom

6.B: Local Government Units; MoJ; Social Service Agency; European Union; UGT

7: The National Parliamentary Library of Georgia; IREX; IDFI; Georgian Library Association

#### **Timescales:**

6.A: Development of Community Centers (CCs) in Georgia

**Start Date:** January 2014

**End Date:** December 2015

6.B: Introduction of e-Governance in Local Self-Governments

**Start Date:** March 2014

**End Date:** March 2015

7: Transformation of public libraries for regional development

**Start Date:** December 2013

**End Date:** December 2014

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Comple tion		Midterm		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
6.A. Development of Community Centers in Georgia			✓		✓					✓					✓						✓
6.B. Introduction of e-Governance in Local Self-Governments			✓		Unclear					✓					✓			✓			
7. Transformation of public libraries for regional development		✓			Unclear					✓					✓					✓	

## 6.A.: Development of Community Centers in Georgia

### Commitment Aim:

This commitment aimed to improve service delivery at the local level and increase public participation in local decision-making by expanding the chain of Community Centers (CCs).

### Status

#### Mid-term: Complete

The commitment was completed by the midterm review point. PSDA opened thirteen CCs, instead of the initially planned six, and was in the process of constructing seven more. PSDA launched a special website, [centri.gov.ge](http://centri.gov.ge), in December 2014 that gives information on the location of CCs as well as their services and activities.<sup>4</sup> The CCs provide more than 200 different services from public and private sector agencies. They are also used as a venue for public meetings involving central and local governments as well as CSO events.<sup>5</sup>

As of August 2016, PSDA has opened 35 CCs across Georgia, and is in the process of constructing nine more.<sup>6</sup> In March 2016, the government improved [centri.gov.ge](http://centri.gov.ge) by adding an online calendar where users can reserve CCs for public meetings and events.<sup>7</sup> In the period between July 2014 and July 2016, CCs hosted 70 public meetings with the involvement of local government officials. These meetings covered the following topics: Georgia's 2014 Local Self-Government Code, the government's village support program, agricultural development, EU integration, the OGP action plan, municipality development plans, ethnic minority rights, women rights and gender equality. Meetings on the village support program, which were particularly relevant to the rural population, were held in ten CCs and an average of 25-30 people attended each meeting.<sup>8</sup> In 2017, after they are

fully equipped with all necessary resources, PSDA will transfer the CCs' ownership to local municipalities.

### **Did it open government?**

**Civic participation: Marginal**

**Access to information: Major**

The midterm report assessed this commitment as relevant to increasing civic participation. Citizens, especially those in remote villages, did not have easy access to a venue that could host both public services and public events organized by different state and non-state institutions. According to the OSGF representative, "CCs have a very high impact on the regional development in Georgia, but also the potential to open up the government decision-making."<sup>9</sup> Local governments used CCs for organizing numerous public meetings on important issues with a high attendance rate by local citizens. These meetings concerned local services, the government's village development program and new local legislation with direct effect on rural citizens. Therefore, CCs contributed in a major way to improving access to information. However, despite this new infrastructure supporting public meetings, CCs do not necessarily establish any new mechanism for public participation in local decision-making. The aforementioned meetings were purely informational and did not solicit public feedback on the presented issues unlike town hall consultation meetings or participatory budgeting process. This leads IRM to assess this commitment as having only a marginal impact on increasing civic participation.

### **Carried forward?**

The government did not carry forward this commitment as it was complete. The IRM researcher recommends that the government should articulate that beyond providing services, the CCs also aim to increase transparency and public participation. It should establish mechanisms to measure progress in these areas. The government should also work on raising public awareness and informing local residents about the availability of such service centers in their areas so they start using these centers on a regular basis. CCs should host public meetings and discussions on the quality of CC services and their impact on the lives of local communities, especially the ethnic minorities. The IRM researcher recommends local governments use CCs more actively as a means for organizing consultation meetings with citizens and learning about their priorities, especially local budget and infrastructural issues.

## **6.B. Introduction of e-Governance in Local Self-Governments**

### **Commitment Aim:**

This commitment aimed to make CC services available online and improve management quality. PSDA committed to develop the CCs' digital infrastructure in six pilot municipalities and build the capacity of responsible local government staff. PSDA developed the Municipal Services Management System in close cooperation with local legislatures (Sakrebulo) and executives (Ganobas). The plan was to study the needs of local population, make the ten most demanded municipal services available within the new system, and to integrate those services with the mygov.ge portal.

### **Status**

**Mid-term: Substantial**

The commitment was substantially implemented by the midterm review. In February 2015, PSDA conducted a survey in eight municipalities to identify which information and services the citizens would like to access online. PSDA was supposed to improve the CC website, centri.gov.ge, based on the survey findings.<sup>10</sup> Further, the agency conducted trainings on the new service management system and effective communication for the responsible local government staff. It also installed high speed internet, fixed the ICT cables, and renovated the reception facilities within the selected CCs. The

next step was to test the new digital databases and to link them to mygov.ge, which was expected to be finalized in the Fall of 2015.

### **End of term: Substantial**

This commitment was not completed by the end of term. PSDA implemented the Municipal Services Management System in 45 municipalities in the mountainous regions, including three from the pilot project, and trained 500 local government staff on how to use the system. Since January 2016, these municipalities started providing the following services that are specifically relevant to residents in those regions: granting, restoring, suspending and terminating the status of permanent resident as well as issuing a status registration card. In addition, social services were added to the existing list of municipal services while other services of high public demand will be added in the near future.<sup>11</sup>

### **Did it open government?**

Given its focus on e-governance systems and the delivery of public services, the midterm report assessed this commitment as having a tenuous relevance to the OGP values of access to information, civic participation and public accountability. Implementation of this commitment failed to change the status quo in those three areas. Therefore, this commitment had no impact on opening up the government decision-making.

### **Carried forward?**

The government did not carry forward this commitment. In the next action plan, the IRM researcher recommends the government avoid including commitments on public services that lack a clear connection to OGP values.

## **7. Transformation of public libraries for regional development**

### **Commitment Aim:**

This commitment sought to modernize existing village libraries in four selected municipalities and integrate them into the system of CCs, thereby increasing access to information and civic participation.

### **Status**

#### **Mid-term: Substantial**

This commitment was substantially implemented by the midterm point. A pilot project in two target CCs in Khidistavi and Nukriani started in March 2015 and ran until September 2015. Librarians from the other two CCs also participated in the training program on Training of Trainers (ToT) and building librarians' IT skills. These trained librarians were then expected to train their colleagues from other CCs on the same topics.

Libraries within CCs provide six computers with free Wi-Fi as well as different types of printed literature, including fiction and public documents produced by governmental and nongovernmental agencies. PSDA supplied the target libraries with books that are in high demand among the local population. The agency also developed monitoring software which found many locals visited the modernized libraries that were also used as venues for public meetings and developing proposals for local government projects. Please see the 2014-2015 Midterm IRM Report for more information.

#### **End of term: Complete**

The commitment was completed by the end of term. PSDA equipped all four pilot libraries with necessary infrastructure to provide library services to local residents. In addition, the agency conducted intensive capacity building trainings for the library staff. As mentioned above, PSDA will

transfer all CC and library ownership to local governments after finalizing CC development and building capacity among the local staff.

### **Did it open government?**

Transforming Georgia's previously meagre village libraries into service delivery points is important for enhancing service accessibility at the local level and bridging the divide between rural and urban populations. This value is even greater if these efforts are aimed at increasing access to information and civic participation in local decision-making. However, the commitment's vague language does not explain how the latter component would be achieved. Therefore, the midterm report assessed this commitment as having unclear relevance to OGP values.

Implementation of this commitment supported OGP in that the modernized libraries were used as venues for organizing public meetings on thematic topics and developing local proposals. Yet, given the limited scope of only four libraries, IRM assesses this commitment to have had only a marginal impact on increasing government openness.

### **Carried forward?**

The government did not carry this commitment forward as it was complete.

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<sup>1</sup> See the original commitment 6A in the Action Plan, 9, <http://bit.ly/1Yf5K76>.

<sup>2</sup> See the original commitment 6B in the Action Plan, 11, <http://bit.ly/1Yf5K76>.

<sup>3</sup> See the original commitment 7 in the Action Plan, 12, <http://bit.ly/1Yf5K76>.

<sup>4</sup> "Community Centres" (PSDA), <http://bit.ly/1JbYT6E>.

<sup>5</sup> Tsiklauri, interview, August 2015.

<sup>6</sup> "Community Centres" (Public Service Development Agency (PSDA)), <http://bit.ly/2bXxQ8l>.

<sup>7</sup> "Community Centres" (PSDA), <http://bit.ly/2b8VWDGy>.

<sup>8</sup> PSDA, response to IRM researcher's FOI request, September 1, 2016.

<sup>9</sup> Natsvlshvili, interview, August 2015.

<sup>10</sup> "Community Centres" (PSDA), <http://bit.ly/2bNYTSA>.

<sup>11</sup> Mariam Dzagnidze (Project Director of "Implementation of e-governance in local self-governments") and Giorgi khachidze, (Business Analyst of the Project "Implementing E-governance in Local Municipalities"), interview with the IRM researcher, 7 July August 2016.

## Cluster 5: Digital public service management systems

### 21. Develop electronic human resources management system for civil service<sup>1</sup>

Electronic Human Resources Management System - e-HMRS is a unified database for civil servants countrywide. It aims at ensuring electronic human resources management in accordance with the defined policy and standards. E-HMRS is a solution that brings civil service human resources management to the next level of development.

E-HRMS will allow Civil Service Bureau (CSB) and other relevant agencies to easily and quickly obtain the information existing in the database of the system that can be used for development and overhauling of the HR management policies and practices. E-HRMS will reduce the spending of materials, time and human resources.

The system elaboration process will be coordinated by the CSB in close cooperation with LEPL Financial-Analytical Service of the Ministry of Finance of Georgia. CSOs will be involved in the process.

**Lead Institution:** Civil Service Bureau

**Supporting Institutions:** Relevant MoF agencies; Ministry of Regional Development and Infrastructure; local governments; National Association of Local Authorities of Georgia; Association of Finance Officers of Georgian Local Self-Governing Units

**Start Date:** January 2014

**End Date:** December 2015

### 25. Increase efficiency and transparency of public finance management system<sup>2</sup>

This commitment includes the development of an integrated information system for public finance management, which will contribute to the further development of E-Government in Georgia.

Improvement of the PFMS integrated information system is planned to be achieved through the following advancements:

--Further development of State Treasury electronic service system (eTreasury) and implementation in all fiscal organizations, legal entities and relevant bodies of local governments. The system will enable all payments to be executed electronically;

--Further development of electronic system for State budget planning (eBudget) - will be implemented in all fiscal organizations, including relevant bodies of local governments;

--Further development of information system of state debt management and investment projects (eDMS) represents a collection of tools for managing state internal debt and loans. It aims to gather all relevant information regarding state debts, loans and grants and thus ensure access to trustworthy and exhaustive information on financial related areas;

--Further development of online auction of state-owned property (eAuction) - unique system of buying and selling goods, which was initiated by the relevant LEPLs of the Ministry of Finance of Georgia, aimed to dispose state-owned property through auctions. As a result, both private and legal persons can purchase state or private property and place their property for sale online without leaving their homes or offices.

**Lead Institution:** Financial Analytical Service of the Ministry of Finance

**Supporting Institutions:** Relevant MoF agencies; Ministry of Regional Development and Infrastructure; local governments; National Association of Local Authorities of Georgia; Association of Finance Officers of Georgian Local Self-Governing Units

**Start Date:** 2014

**End Date:** 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding		
21: Develop electronic human resources management system for civil service			✓		Unclear				✓					✓						✓			
25: Increase efficiency and transparency of public finance management system			✓		Unclear				✓							✓			✓				

## 21: Develop electronic human resources management system for civil service

### Commitment Aim:

The Civil Service Bureau (CSB) committed to create a unified digital database of job profiles for all public servants through the electronic human resources management system (e-HRMS). This would improve management of HR policies in public service and reduce transaction costs.

### Status

#### Mid-term: Limited

The commitment's implementation was limited by the midterm point. E-HRMS was implemented in thirteen Ministries only, while other Ministries, local municipalities and Legal Entities of Public Law (LEPLs) were still in the implementation process.

#### End of term: Substantial

The commitment was substantially implemented by the end of term. As of July 2016, CSB, in cooperation with the Data Exchange Agency (DEA) had introduced the e-HRMS module in 275 government agencies (including nineteen Ministries and 149 local government offices) and was working to introduce the module in the remaining 40 public agencies.<sup>3</sup>

## 25: Increase efficiency and transparency of public finance management system

### Commitment Aim:

This commitment aimed to improve public fund management and to ensure financial stability through the development of the integrated information system, Public Finance Management (PFM), which would include such electronic modules as e-Treasury, e-Budget, e-DMS, e-HRMS, and e-Auction. These systems would help consolidate public finance information and reduce transaction costs for processing and applying this information in practice.

### Status

#### Mid-term: Complete

The commitment was completed by the midterm point. E-Budget with its budget-planning module, was integrated with e-Treasury in 2012. In January 2015, local governments, Legal Entities of Public Laws (LEPLs) and the PFM's funds were also integrated into the system. Since then, all transactions concerning public funds have been processed through a single treasury account. The e-DMS system, used for improving public debt payments, was updated in June 2015 with new modules including the targeted grant module. Also in 2015, the government added a new "Buy It Now" module for immediate online purchases and mobile applications to the existing e-Auction website.

### Did it open government?

Developing digital management systems is important for public administration reform. However, due to their lack of a public-facing component, the midterm report found both the e-HRMS and PFM module commitments had insubstantial relevance to OGP. Specifically, the information generated through e-HMRS, e-Treasury, e-Budget, and e-DMS are available for internal use only. While the e-Auction is a public website, the commitment focuses on improving service provision rather than the transparency and accountability of the public auctions. Further, the commitment heavily focuses on technical specifications beyond the knowledge of the typical user, which goes against OGP values. Based on this analysis, the two commitments on digital public service management systems did not contribute to increasing government openness.

### Carried forward?

The government did not carry forward this commitment. Stakeholders and the IRM researcher think the government should avoid commitments dealing with internal government processes in future OGP action plans and instead focus on commitments that citizens can see and monitor. In the context of public finance management accountability, this would include creating an online module allowing citizens to track how different public agencies are spending public funds.

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<sup>1</sup> See the original commitment 21 in the Action Plan, 28, <http://bit.ly/1Yf5K76>.

<sup>2</sup> See the original commitment 25 in the Action Plan, 32, <http://bit.ly/1Yf5K76>.

<sup>3</sup> Irina Aghapishvili (Head of the Civil Service Institutional Set-Up and Practice Generalization Department at Civil Service Bureau), interview with the IRM researcher, 5 July 2016.

## Cluster 6: Transparency of archives

### 22. Digital preservation system: e-Archive<sup>1</sup>

Currently, an e-archive system does not exist in Georgia. This represents a big challenge in respect of preservation of electronically born documents. The E-archive - electronic solution for archiving digital data, will allow long term preservation of data, provide access to authentic data and ensure its long term maintenance and usability.

E-Archive Project is an essential component of e-governance strategy of Georgia. It enables retention of electronic documents for a long period of time in a technology-neutral way, to ensure access to the data through the Internet for all relevant stakeholders.

**Lead Institution:** National Archives Agency; Data Exchange Agency; Ministry of Justice

**Supporting Institutions:** Electronic service provider private companies

**Start Date:** May 2014

**End Date:** December 2015

### 23. Increasing openness and accessibility of national archives<sup>2</sup>

The National Archives of Georgia preserves unique historical material from the IX century until now. Unrestricted access to those documents carries great importance for researchers as well as the general public. Currently, fees are attached to services of National Archives; besides, only original documents are accessible, which eventually leads to their damage as a result of frequent use. Ministry of Justice of Georgia, under the leadership of the National Archives of Georgia in the framework of the National Action Plan of 2014-2015, will study relevant legislation framework and elaborate amendments needed to ensure greater openness of archives and increased citizen engagement. Electronic documents preserved in the system of National Archives will be available for free and researchers will be allowed to work on the preserved material without limitations. Original documents will not be in use on a daily basis and thus they will be protected from damage.

**Lead Institution:** The National Archives of Georgia, Ministry of Internal Affairs (MIA) of Georgia's Archive

**Supporting Institutions:** Academy of the Ministry of Internal Affairs of Georgia; Office of the Personal Data Protection Inspector; CSOs

**Start Date:** July 2014

**End Date:** 2015

### 24. Create and publish electronic catalogues of MIA archives<sup>3</sup>

Archives of the Ministry of Internal Affairs of Georgia preserve archives of former National Security Committee and the Communist Party agencies, including Soviet period and beyond. Due to the specific features of the documents preserved in the mentioned archives, MIA's archive used to be one of the least accessible agencies in Georgia.

As mentioned, the Archive contains unique historical information that covers all aspects of the XX century history. The public interest toward these archives is high. Although the digitalization of documents and formation of preserved databases is carried out by the Ministry of Internal Affairs on a permanent basis, as of now documents preserved in the MIA archive are not yet fully sorted in accordance with the modern catalogue system. The descriptions of several archival funds and registry are very general and therefore, not user-friendly. Due to the high public and scientific interest in the documents preserved in the archives of former National Security Committee, MIA's Archive will create and publish electronic catalogue and provide relevant descriptions for documents preserved in the former National Security Committee.

**Lead Institution:** Academy of the Ministry of Internal Affairs of Georgia

**Supporting Institutions:** Institute for the Development of Freedom of Information (IDFI)

**Start Date:** 2014

**End Date:** 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding	
22. Digital preservation system: e-Archive			✓		Unclear					✓				✓				✓				
23. Openness and accessibility of archives				✓		✓				✓					✓					✓		
24. Electronic catalogues of MIA archives				✓		✓				✓				✓						✓		

## 22: Digital preservation system: e-Archive

### Commitment Aim:

This commitment aimed to improve data storage and access by creating digital archives through a new e-Archive system.

### Status

#### Mid-term: Limited

The commitment's implementation was limited by the midterm point. In 2014, the National Archives started consultations with Data Exchange Agency (DEA). Based on these consultations, the agency developed a draft general concept for the e-Archive system, its main modules, and general requirements. However, implementation has seen no further progress.

#### End of term: Limited

The commitment's implementation remained limited by the end of term. According to the General Director of the National Archives, the main obstacle is insufficient funding.<sup>4</sup>

### Did it open government?

Creating a digital database of archived data would simplify data sharing. However, due to the lack of a public-facing component, the midterm report found this commitment had tenuous relevance to OGP values. Further, implementation remained limited over the course of the action plan. Therefore, it had no impact on opening up the government.

### **Carried forward?**

The government did not carry forward this commitment. In future OGP action plans, the government should avoid including commitments like the e-Archive system that heavily focus on technical specifications and lack a public-facing component.

## **23: Increasing openness and accessibility of national archives**

### **Commitment Aim:**

This commitment aimed to ensure unrestricted access to archived data by removing usage fees.

### **Status**

#### **Mid-term: Substantial**

The commitment was substantially implemented by the midterm point. The National Archives drafted a relevant amendment and sent it to the Ministry of Justice (MoJ) for revision. The agency needed technical infrastructure beyond their three reading halls and nine computers that linked to digital catalogues containing 2,500 archived cases (516,000 files). As these catalogues were unavailable online, users had to physically go to the National Archives, provide their ID number for registration, and use the free computer in the reading hall.

#### **End of term: Complete**

The commitment was completed by the end of term. In December 2015, the government amended the relevant legislation to make the archived data available for free within National Archives facilities.<sup>5</sup> In addition, all reading halls of National Archives were equipped with additional computers and necessary technical infrastructure making it easier for people to search through digitally stored documents.<sup>6</sup>

## **24: Create and publish electronic catalogues of MIA archives**

### **Commitment Aim:**

Under this commitment, the Ministry of Internal Affairs (MIA) aimed to digitize and publish archives from the Soviet period, including records from entities like the National Security Committee and Communist Party.

### **Status**

#### **Mid-term: Limited**

The commitment's implementation was limited by the midterm point. While the Ministry uploaded 90 percent of archived documents stored at the Soviet Union's National Security Committee and Communist Party to an e-catalogue, only personal files of citizens' relatives were made available to the public upon request. Please see the 2014-2015 Midterm IRM Report for more information.

#### **End of term: Complete**

The commitment was completed by the end of term. The MIA created a special section on its website containing e-catalogues of the Soviet archives that are searchable by name, source and theme.<sup>7</sup>

## Did it open government?

### Access to information: Marginal

The midterm report found these two commitments relevant to OGP since easier access to publicly held archives is beneficial for citizens, but there are limitations on this data usage. National Archives data is unavailable online. Therefore, citizens have to go to the agency's building, provide their ID number for registration, and use the free computer in the reading hall in order to access the data. Similarly, the MIA's webpage hosts only a few datasets that are available as scanned files. For additional documents, citizens have to send special requests to the MIA and pay a set fee for each document requested. More importantly, there has not been any public campaign to inform citizens about the availability of the new archived data, either from the National Archives or the MIA. This leads IRM to assess these two commitments as having only a marginal impact on increasing government openness.

## Carried forward?

The government did not carry forward these commitments. Stakeholders think the National Archives and the MIA should publish their data in user-friendly formats and launch informational campaigns to attract more users.<sup>8</sup> These agencies should also publish statistics on how many citizens are using their archived data and the level of citizen satisfaction with the provided services. However, the archives typically interest researchers and scientists, whereas the general public is more interested in data concerning current policies and events. Therefore, IRM recommends that in the future, the government should prioritize NAP commitments that more directly affect citizens' lives, such as disclosing more information about the government's ongoing activities and involving citizens more actively in decision-making.

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<sup>1</sup> See the original commitment 22 in the Action Plan, 29, <http://bit.ly/1Yf5K76>.

<sup>2</sup> See the original commitment 23 in the Action Plan, 30, <http://bit.ly/1Yf5K76>.

<sup>3</sup> See the original commitment 24 in the Action Plan, 31, <http://bit.ly/1Yf5K76>.

<sup>4</sup> Teona Iashvili (General Director of National Archives of Georgia), interview with the IRM researcher, 6 July 2016.

<sup>5</sup> Amendments to the "Government Decree No. 506 on Fees Attached to the Services of the National Archive," (Government of Georgia, 22 December 2015), <http://bit.ly/2c2dx9P>.

<sup>6</sup> Iashvili, interview, July 2016.

<sup>7</sup> "Archives," (Ministry of Internal Affairs), <http://bit.ly/2bdxR5B>.

<sup>8</sup> Saladze, interview, July 2016.

## Cluster 7: Safer communities through technology

### 26. Develop alternative channels to connect to “112”<sup>1</sup>

In response to the challenge *Creating Safer Communities - Legal Entity of Public Law of the Ministry of Internal Affairs of Georgia*, which is an emergency situations service center across the country, will develop alternative and innovative means to connect with the emergency situations call center 112-to swiftly provide citizens (especially people with disabilities) as well as each and every individual residing in Georgia with assistance in emergency situations. It is important that the connection to call center is not limited to phone only as it might not always be possible to use a phone during an emergency.

By the end of 2014, the emergency situations call center “112” will be accessible through multiple channels, including: a) phone call; b) fire and gas detectors - in case of threat the system automatically sends alarm signal to 112 c) text message or video call - the latter will be especially helpful for people with disabilities who have problems with speech and hearing; d) GPS tracker - satellite device, which sends an alarm signal even if a mobile device is out of the coverage area. Additionally, the device enables the emergency center to define exact location of a person in need of assistance to ensure immediate and effective response.

**Lead Institution:** “112”

**Supporting Institutions:** Georgian National Tourism Administration; United Nations Development Programme (UNDP)

**Start Date:** March 2014

**End Date:** End of 2014

### 27. Interactive statistics and crime mapping<sup>2</sup>

This commitment implies diversification of statistics and opening up and presenting crime statistics through innovative tools:

1. Interactive statistics will be provided based on the data of the Integrated Criminal Case Management System of Georgia (which made criminal case management paper-free and fully electronic in law enforcement and prosecution service);

2. Detailed Crime Mapping will be created: an interactive instrument, which allows seeing the statistics in various formats with combination of different variables, including specified time period, crime type, regions etc.

**Lead Institution:** Ministry of Internal Affairs of Georgia

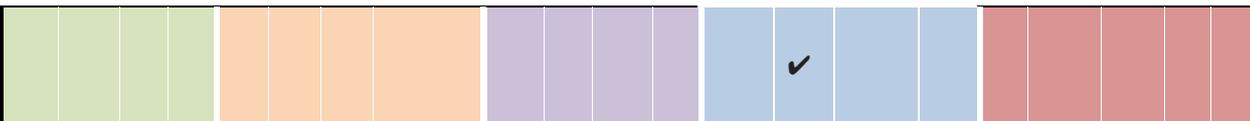
**Supporting Institutions:** Chief Prosecutor’s Office of Georgia; Interactive statistics and crime mapping

**Start Date:** 2014

**End Date:**

2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Comple tion		Midterm		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding	
26. Alternate channels to “112”				✓	Unclear						✓					✓		✓				
				✓	✓		✓			✓			✓				✓					



## 26: Develop alternative channels to connect to “112”

### Commitment Aim:

This commitment aimed to establish alternative and innovative means of communication with an Emergency and Operative Response Center (called 112) and to make it easier for citizens to request help in emergencies. The first two components of this commitment (concerning contacting 112 via phone calls as well as fire and gas detectors) were completed before the development of the second national action plan. Therefore, during the implementation in the period under review, 112 focused on other channels of contact, such as text messages, video calls, and GPS trackers.

### Status

#### Mid-term: Complete

The commitment was completed by the midterm point. Deaf and hearing-impaired people comprised the main audience for text message and video call accessibility as they were previously unable to contact 112. The agency consulted with the Union of the Deaf through a number of workshops. Based on these consultations, 112 hired special translators and launched both video call and text message services in March 2015. This was followed by a series of public relations events across the country during which 112 registered all participants in the new system.

In addition, given the frequent challenge of locating lost foreign tourists, 112 decided to integrate GPS trackers. Trackers can pinpoint the exact location of lost persons, even if they are beyond coverage of mobile operators. The main beneficiaries of this commitment were the following agencies: the National Tourism Administration; the Ministry of Environment; the Natural Resources Protection; MIA’s Emergency Management Agency and companies specializing in extreme sports and mountain tourism. Center 112 purchased 60 trackers for USD 24,000 (a single unit costs USD 400) and transferred them to the aforementioned agencies, which had to identify direct beneficiaries to receive the trackers based on the special usage terms. Please see the 2014-2015 Midterm IRM Report for more information.

### Did it open government?

The midterm report found the 112 commitment had vague relevance to OGP given its heavy focus on service provision. Therefore, they had no impact on increasing government transparency, accountability and civic participation.

### Carried forward?

The government carried this commitment forward. In the third action plan, 112 commits to establish a new communication channel with the agency through a mobile application that facilitates quicker responses to emergency situations. Based on the findings from the midterm report, IRM recommends the government avoids service-oriented commitments with no clear connection to OGP in the next action plan. To better align with OGP values, 112 should commit to developing a system for collecting customer feedback and using this feedback for improving its services. It should also publish customer satisfaction with its services.

## 27: Interactive statistics and crime mapping

### Commitment Aim:

This was a pre-existing commitment under which the MIA pledged to disclose crime statistics through new technology. Specifically, based on data generated by the Integrated Criminal Case Management System, the Ministry aimed to create an interactive crime-mapping module allowing citizens to view crime statistics broken down into categories such as time period, crime type, and location.

### Status

#### Mid-term: Limited

The commitment's implementation was limited at the midterm point. The MIA installed the software for the Integrated Criminal Case Management System. However, it could not purchase necessary GPS trackers for law enforcement bodies. The devices, which cost GEL 100,000, are necessary to plot crime statistics on a map. Under Special Decree, the government authorized the MIA to purchase the GPS trackers through the simplified procurement procedure. However, the change of Minister in January 2015, the ensuing restructuring of the MIA, and the lack of available funding all have obstructed this purchase, as noted by the MIA representative in the midterm report.

#### End of term: Limited

The commitment's implementation remained limited at the end of term. The MIA plans to purchase the GPS trackers by the end of 2016. The Ministry of Justice and its subordinated agency, Smart Logic, are responsible for providing the coordinates and the software to the MIA to launch interactive crime statistics and maps.<sup>3</sup>

### Did it open government?

#### Access to information: Did not change

The midterm report found this commitment relevant to increasing access to information and using technology and innovation to improve government transparency and accountability, especially given high public demand for a unified online module detailing crime statistics. However, over the course of the two action plans, the MIA was not able to purchase the GPS trackers necessary for launching the interactive crime mapping module. According to stakeholders, it seems likely that the MIA has complete internal statistics and maps on the crime situation in the country, but they are reluctant to make this data freely available to the general public, and they are blaming insufficient funds as an excuse.<sup>4</sup>

### Carried forward?

The government did not carry this commitment forward. Stakeholders believe the government failed to implement this commitment over the course of the two action plans due to political reasons. Specifically, they think the MIA is reluctant to give monitoring CSOs an opportunity to closely examine crime data, find problems with the Ministry's work, and influence public opinion. The commitment to publish interactive crime statistics addresses an issue of concern to many local CSOs and citizens. CSOs say that the MIA's official crime data is not based on the uniform methodology, making it difficult to compare data over time or to find new trends. In turn, this creates discrepancies between a publicly perceived increase in crime and the MIA's statistics to the contrary. Therefore, stakeholders think that crime statistics data might have transformative impact on preventing crimes and improving the safety of citizens, while also building trust in the MIA's work. To address this issue, the MIA should complete this commitment as soon as possible.

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<sup>1</sup> See the original commitment 26 in the Action Plan, 34, <http://bit.ly/1Yf5K76>.

<sup>2</sup> See the original commitment 27 in the Action Plan, 35, <http://bit.ly/1Yf5K76>.

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<sup>3</sup> Giorgi Kavelashvili (Head of Main Unit of Information-Analytical Department), interview with the IRM researcher, 5 July 2016.

<sup>4</sup> Saladze, interview, July 2016.

## Standalone Commitments

### 10. Freedom of Information Act Draft

Currently, the norms regulating access to public information are scattered in several laws. significant difficulties are encountered in practical implementation of legislation. Taking into consideration practical challenges, elaboration of special law aims to eradicate legislative gaps and consolidate existing legal provisions in a separate act.

Ministry of Justice of Georgia will coordinate elaboration of freedom of information law in close cooperation with civil society. In order to ensure broad consultation process and wide involvement of stakeholders, a special working group will be created. Based on consultations and international expertise a special working group will elaborate the new provisions of freedom of information in compliance with international standards. The first draft will be completed in spring of 2015.

**Lead Institution:** Ministry of Justice of Georgia; Anticorruption Council of Georgia

**Supporting Institutions:** Parliament of Georgia; Open Society Foundation - Georgia; Institute for the Development of Freedom of Information (IDFI)

**Start Date:** February 2014

**End Date:** Spring 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End of term		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding	
10. Freedom of Information Act Draft				✓	✓					✓				✓				✓				

#### Commitment Aim:

The Ministry of Justice (MoJ) pledged to draft a separate Freedom of Information (Fol) Act<sup>1</sup> in close cooperation with stakeholders and to submit it to the Government and the Parliament for adoption. This would have combined previously different norms into a single law and improve the level of government openness.

#### Status

##### Mid-term: Substantial

The commitment was substantially implemented at the midterm point. The Open Society Georgia Foundation (OSGF) took the lead on the civil society side in drafting the law. Following encouragement from the government, in January 2014, OSGF created a working group of prominent experts in the field. This group researched the best international practices, specifically the Mexican Fol law, and developed the first draft in the Spring of 2014. The draft contained important aspects such as creating a new oversight body with a Freedom of Information Commissioner and a public interest test; the draft was submitted to the MoJ in October 2014. However, the authors did not

receive any feedback from the Ministry of Justice. Please see the 2014-2015 Midterm IRM Report for more information.

### **End of term: Limited**

The process did not move forward since the midterm point and the commitment remained incomplete by the end of term. IRM decided to change the completion level status of this commitment from substantial to limited, given that the government showed no implementation progress over the last two years and even failed to hold public consultations on the draft Fol law in the Fall of 2015 as previously committed.

### **Did it open government?**

#### **Access to information: Did not change**

The midterm report found this commitment relevant to increasing access to information. A standalone law was intended to give freedom of information more weight in Georgia as compared to existing separate legal provisions. However, given its limited completion status, the commitment did not change the existing practice in government openness.

### **Carried forward?**

The government carried forward this commitment. The MoJ commits to completing the new Fol Act and submitting it to the Government and the Parliament for approval. According to the MoJ, the main reason blocking implementation throughout the second national action plan was time constraints. There were other more urgent issues on the government agenda, such as developing the new Juvenile Justice Code, and refining the initial draft of the Fol law took a substantial amount of work.<sup>2</sup> Stakeholders hold a different opinion. Similar to [lchange.gov.ge](http://lchange.gov.ge) and interactive crime statistics, stakeholders believe the failed implementation was due to a lack of the government's political will and a lack of coordination and engagement with relevant agencies, especially law enforcement bodies.<sup>34</sup> According to the representative of Georgian Young Lawyers' Association, the government was reluctant to comply with higher standards of openness as envisioned by the initial draft such as an obligation to explain damage that might be inflicted on the state and society by publishing the classified information, as well as an obligation to declassify information that is in high public demand. The representative also felt the government was reluctant to introduce a new independent oversight body, the Freedom of Information Commissioner, to issue administrative fines to agencies that violate the Fol legislation. Finally, the representative believed the government did not see the adoption of a new Fol law as a challenge or a necessity toward improving its performance unlike the anti-discrimination legislation that was adopted swiftly despite confrontations in society, especially from the representatives of the Georgian orthodox church.<sup>5</sup>

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<sup>1</sup> See the original commitment 10 in the Action Plan, 16, <http://bit.ly/1Yf5K76>.

<sup>2</sup> Zurab Sanikidze (Head of the Analytical Department of the Ministry of Justice of Georgia), interview with the IRM researcher, 6 July 2016.

<sup>3</sup> Vako Natsvlshvili (Open Society Georgia Foundation (OSGF)), interview with the IRM researcher, 1 August 2016.

<sup>4</sup> Natsvlshvili, August 2016.

<sup>5</sup> Saladze, interview, July 2016.

## 11: Georgia's OGP Forum

The Open Government Georgia's Forum is a national coordination-consultative mechanism of the OGP at the national level established under the Anti-Corruption Council of Georgia to support elaboration of the OGP Action Plan and monitor its implementation. The Forum comprises responsible agencies, CSOs, international organizations and private sector. The Forum held its first meeting on January 15, 2014, since then Forum sessions have been held regularly, on a monthly basis and were mainly focused on elaboration of Georgia's second Action Plan. After submitting the second Action Plan of Georgia to the OGP Support Unit, the Forum will continue to assist the Action Plan implementation, monitor its progress, raise awareness on Open Government Georgia's process and coordinate OGP processes at the national level.

The Secretariat of the Anti-Corruption Council of Georgia commits itself to:

1. Coordinate the forum activities and assist in administrative matters;
2. Determine agenda for the sessions;
3. Prepare minutes of the Forum meetings;
4. Present activity reports of the Forum to the Anti-Corruption Council of Georgia biannually.

**Lead Institution:** The Secretariat of Anticorruption Council at Ministry of Justice

**Supporting Institutions:** Responsible agencies under the action plan; Forum member civil society and international organizations

**Start Date:** January 2014

**End Date:** Not specified

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
11. Georgia's OGP Forum			✓		✓	✓			✓						✓					✓	

### Commitment Aim:

This commitment aimed to improve the work of Georgia's OGP Forum<sup>1</sup> by preparing the agenda and minutes of meetings and presenting the Forum's activity reports to Georgia's Anticorruption Council.

### Status

**Mid-term: Complete**

The commitment was completed before the start of the second national action plan. Since January 2014, the MoJ started hosting the redesigned Forum meetings, first on a monthly basis (during the development of the second national action plan) and then on a bimonthly basis (during the implementation). The Ministry created meeting agendas jointly with the Forum members by sending them an email with the draft agenda a week before the actual meeting. It was also consistent in publishing the minutes of all Forum meetings on its website and in reporting on the progress of the second national action plan to the Forum members and the Anticorruption Council.

## **Did it open government?**

**Civic participation: Major**

**Public accountability: Marginal**

The midterm report found this commitment relevant to increasing public accountability and civic participation in the OGP process. Stakeholders think that Georgia's OGP Forum is the most successful government coordination mechanism, which is exemplary for other policy areas. They especially point out the practice of co-rapporteurs, through which, alongside the government, CSOs report regularly on the progress of the action plan. The Forum gives CSOs and donor organizations an opportunity to receive up-to-date information on the government's work in OGP, raise issues and engage directly with responsible agencies, as well as provide agencies with recommendations for the action plan development and implementation. In addition, the Forum member CSOs were actively involved in OGP consultation meetings to develop the first two national action plans and to raise public awareness of the process. On behalf of the Forum, MoJ representatives and CSOs jointly organized meetings in different municipalities throughout the country to solicit citizen input for the action plans. Thanks to CSO efforts and public feedback from consultation meetings, those two action plans included a number of reform initiatives that were highly relevant to OGP values. Therefore, the Forum had a major contribution in increasing civic participation.

In addition, the Forum introduced a monitoring matrix to better track progress made in implementing OGP commitments. Under this mechanism, responsible agencies send quarterly progress reports to the Forum members for their feedback. Monitoring results are then discussed at the Forum meetings. However, there is no involvement of key decision-makers in Forum meetings and the Forum has no mandate to ensure its members hold responsible agencies accountable. This limited influence of the Forum resulted in the gradual decrease of CSO interest in the Forum's work. This leads IRM to assess this commitment as having only a marginal impact on increasing public accountability.

## **Carried forward?**

The government did not carry forward this commitment as it was complete. It must be noted that activities foreseen by this commitment (i.e. improving the multi-stakeholder consultation forum) are essential for a country to participate in OGP. Therefore, it is advisable for the government to successfully use the Forum as an OGP mechanism to develop and implement an effective action plan, rather than including the Forum's operation as an action plan commitment. IRM assesses the consultation mechanisms during development and implementation of the action plan in a separate chapter of the IRM report.

The government and CSOs should address the challenges in the Forum's work identified by the midterm report. Specifically, key government decision-makers do not participate in the Forum meetings. The mid-level public servants limit their participation to simply providing technical updates on the activities of their agencies rather than engaging in meaningful discussions on the impact of their commitments. At the same time, civil society continues to be represented by the same small group of 'usual suspect' CSOs while regional and sectoral organizations are not involved in the Forum's work. The Forum does not have an online mechanism for such organizations to share their feedback on relevant commitments

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<sup>1</sup> See the original commitment 11 in the Action Plan, 18, <http://bit.ly/1Yf5K76>.

### I 3: Transparency of public service recruitment

The Civil Service Bureau will coordinate the process of overhauling the civil service recruitment process. A special working group will be created in order to ensure inclusive process.

**Lead Institution:** The Civil Service Bureau

**Supporting Institutions:** Special working group: Ministry of Justice, CSOs and international experts

**Start Date:** July 2014  
2014

**End Date:** Fall

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	did not change	Marginal	Major	Outstanding
13. Transparency of public recruitment				✓	✓	✓	✓			✓						✓			✓		

#### Commitment Aim:

This commitment aimed to improve the transparency of public service recruitment procedures<sup>1</sup> and to increase citizen trust in the government’s staff recruitment policies.

#### Status

**Mid-term: Complete**

The commitment was completed by the midterm review. In June 2014, the government adopted a decree defining new rules for recruiting public servants. A major revision was the now mandatory involvement of independent experts, representatives from Non-Governmental Organizations (NGOs), and trade unions as members in the selection commission.

In addition, the decree expanded powers of the Civil Service Bureau (CSB) in two ways: 1) to monitor the appointment of the head of the selection commission and to ensure that independent members are included in the commission; 2) to check all vacancies announced on hr.gov.ge, a web directory of public sector jobs, and verify job descriptions are adequate given the position requirements. Please see the 2014-2015 Midterm IRM Report for more information.

#### Did it open government?

**Access to information: Marginal**

**Civic participation: Marginal**

**Public accountability: Marginal**

The midterm report found this commitment relevant to all key OGP values: access to information, civic participation and public accountability. Before, CSOs had no opportunity to engage with the selection commission and provide valuable input on the public service recruitment process. The

process was closed to citizens and marred by arbitrary decisions from selection commission members, staff dismissals on political grounds, and public concerns about nepotism and favouritism. Despite positive amendments to open up this process, a number of issues at the local level remained unresolved. Specifically, the heads of local governments had full discretion in defining the number and composition of the selection commission. In some cases, independent observers were completely left out of selection commissions and therefore unable to fully monitor local recruitment processes where risks of political bias, nepotism and favouritism are higher based on the CSO reports.<sup>2</sup> Nevertheless, a CSO interviewed by the IRM researcher stated that their involvement in the selection commissions gave them access to information regarding the recruitment process, as well as an opportunity through civic participation to develop targeted recommendations for deficiencies in the process. CSOs are able to raise complaints with the recruiting agencies during different stages of the selection process, thereby ensuring an active role in holding the process accountable. Based on this analysis, and despite challenges identified in the process, stakeholders think that this commitment had a marginal impact on increasing government openness in the civil service recruitment process.<sup>3</sup>

### **Carried forward?**

The government did not carry forward this commitment as it is complete. Given high public interest in the public administration staff recruitment process, especially at the local level, the government should undertake the following actions:

- Make it a binding obligation for local governments to include independent observers in the work of selection commission;
- Give free access to independent observers at all stages of the recruitment process, including interviews and final decision making;
- Establish unified standards for disclosing information of high public interest;
- Disclose to interested parties information about the job applicants and their attestation (qualification exam) results in a comprehensive and timely manner;
- Develop clear criteria for selecting candidates prior to their attestation;
- Make it possible to print written test results immediately after the completion of the test to compare them with the final results;
- Design uniform threshold scores for different ranks of public servants for passing the written tests across all municipalities;
- Establish a body where candidates might appeal their attestation results.

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<sup>1</sup> See the original commitment number 13 in the Action Plan, 20, <http://bit.ly/1Yf5K76>.

<sup>2</sup> International Society for Fair Elections and Democracy (ISFED), *Monitoring Selection and Certification Process in Civil Service*, Summary Report (22 December 2015), <http://bit.ly/2bNgk94>.

<sup>3</sup> Gigi Chikhladze (Senior Lawyer at Transparency International Georgia), interview with the IRM researcher, 17 August 2016.

## I4: Public officials' asset declarations monitoring system

The Civil Service Bureau will coordinate the processes related to the implementation of the asset declaration monitoring system in Georgia. The process will be carried out in close cooperation with governmental and non-governmental sectors.

**Lead Institution:** The Civil Service Bureau

**Supporting Institutions:** Anticorruption Council of Georgia; Government of Georgia; Parliament of Georgia; German Society for International Cooperation (GIZ)

**Start Date:** March 2014

**End Date:** 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End of term		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	did not change	Marginal	Major	Outstanding	
I4. Asset declaration monitoring system		✓			✓		✓				✓				✓			✓				

### Commitment Aim:

This pre-existing commitment sought to create a verification mechanism for public officials' asset declarations<sup>1</sup> in order to mitigate corruption risks in the public service.

### Status

#### Mid-term: Substantial

The commitment was substantially implemented by the midterm review point. In 2014, the Civil Service Bureau (CSB) created a working group involving relevant government agencies, CSOs, and experts. Another intra-agency group was created in February 2015 under the umbrella of the Anticorruption Council. The CSB conducted eight public consultation meetings across the country. Feedback from the public consultations was reflected in the draft amendment package. This package was submitted to Anticorruption Council in June 2015 and then to Parliament a month later. In August 2015, the draft amendments passed the first hearing in Parliament.

Under the draft amendments, the CSB Director will create an independent commission including CSOs. This commission will use special methodology to select random asset declarations for monitoring. Results will be proactively published on an annual basis at the end of each year.

#### End of term: Substantial

The commitment's implementation status did not change by the end of term and remained incomplete. In October 2015, Parliament approved the CSB's draft amendments package. However, the new monitoring system is scheduled to begin 1 January 2017, falling outside of the second action plan.<sup>2</sup>

## **Did it open government?**

**Access to information: Did not change**

**Public accountability: Did not change**

The midterm report found this commitment relevant to increasing access to information and public accountability. Before, there was no official mechanism for verifying public officials' asset declarations and CSO reports indicated some officials were hiding important information on their assets or providing incorrect data in their declarations. Please see the 2014-2015 Midterm IRM Report for more information. However, given that the new monitoring system was not put in place during the course of the action plan, this commitment did not change the existing practice in government transparency and accountability.

## **Carried forward?**

The government carries forward this commitment. The CSB committed to launching a new asset declaration monitoring system in 2017. To ensure effective implementation of this system, the government should equip the CSB with necessary resources for assuming the new monitoring role, publish the monitoring results within one month after completing the work, and provide arguments for negative assessments. In addition, given that the new system will only cover declarations submitted since January 1, 2017, CSOs recommend the government retroactively apply the system to past declarations as these can provide valuable information for detecting corruption risks within the public service.<sup>3</sup>

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<sup>1</sup> See the original commitment 14 in the Action Plan, 21, <http://bit.ly/1Yf5K76>.

<sup>2</sup> Law on the Conflict of Interests and Corruption in Public Service, Article 18 (1), <http://bit.ly/1Lo3Pbg>.

<sup>3</sup> George Topouria (Senior Analyst at Transparency International Georgia), interview with the IRM researcher, 30 July 2016.

<sup>3</sup> Natsvlishvili, interview, August 2016.

## I6: Special needs accessibility to Ministry of Interior's webpage

At present, the official web-site of the Ministry - [www.police.ge](http://www.police.ge) - is not accessible for persons with disabilities, particularly for blind people. The MIA communicates with citizens through e-mail and Facebook account. However, Ministry aims to further develop public relations and to add an option of live-chats to the MIA webpage.

In the framework of the commitment, the web-page of MIA will be accessible for people with disabilities. In addition, online consultation mechanism will be implemented. Besides, using the live-chat application citizens will be able to communicate with the representatives of the Ministry on issues related to the competences of the MIA.

**Lead Institution:** Ministry of Internal Affairs

**Supporting Institutions:** None specified

**Start Date:** May 2014

**End Date:** December 2014

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	did not change	Marginal	Major	Outstanding
I6. Special needs access to Ministry of Interior's webpage			✓	✓						✓					✓						✓

### Commitment Aim:

Under this commitment, the Ministry of Internal Affairs (MIA) pledged to make its published information accessible to blind and visually impaired people and to improve its communication with citizens in general through a live-chat application<sup>1</sup>.

### Status

#### Mid-term: Complete

The commitment was completed by the midterm point. A special website, [voice.police.ge](http://voice.police.ge), was launched in 2014. This website allows audio reading of the main [police.ge](http://www.police.ge) website content. MIA's consultations with representatives of the Union for the Blind of Georgia helped tailor the new website to their needs. In addition, in January 2015, MIA launched a live-chat application on its Facebook page to communicate more actively with the citizens.

#### End of term: Complete

The commitment was completed before the end of term.

### Did it open government?

#### Access to information: Outstanding

The midterm report found this commitment relevant to increasing access to information. Before, blind and visually impaired people did not have an opportunity to receive up-to-date information

about government activities including the MIA in particular. Therefore, representatives of the Union of the Blind in Georgia think that creating audible public websites is an outstanding reform initiative to open the government to every citizen. The Union members involved in the development of voice.police.ge have no problems using this new website, communicating with the MIA or receiving regular news updates about the Ministry's activities.<sup>2</sup>

### **Carried forward?**

The government did not carry forward this commitment as it is complete. The researcher recommends the government adopt special legislation requiring all public agencies adapt their websites to the needs of disabled people. At the same time, the MIA should publish data on how many people are using voice.police.ge and the live chat application, customers' satisfaction levels, and which additional information or services users would like to receive from the Ministry.

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<sup>1</sup> See the original commitment 16 in the Action Plan, 23, <http://bit.ly/1Yf5K76>.

<sup>2</sup> Lado Urdulashvil (Member of Union of the Blind in Georgia and an IT Specialist), phone interview with the IRM researcher, 25 August 2016.

## I 7: Proactive publishing of surveillance data

The Supreme Court of Georgia started maintaining statistics on hearing the motions regarding operative investigative activities since 2014, in order to ensure transparency and accountability of law enforcement agencies. However, that statistics is not available for public.

Pursuant to Article 7 of the Law on Operative Investigative Activity, a covert investigative action such as phone tapping is only possible with the permission of the court order. Thus, the courts have the possibility to maintain and publish statistics of surveillance proactively. Starting September 2014, the Supreme Court of Georgia will publish statistics on surveillance quarterly, which will be followed by an annual publication starting from 2015.

**Lead Institution:** The Supreme Court of Georgia

**Supporting Institutions:** None specified

**Start Date:** September 2014

**End Date:** January 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	did not change	Marginal	Major	Outstanding
I 7. Proactive publishing of surveillance data				✓	✓						✓				✓						✓

### Commitment Aim:

The Supreme Court committed to publishing regular phone tapping data to shed light on the government's surveillance activities.<sup>1</sup>

### Status

#### Mid-term: Complete

The commitment was completed by the midterm point. The Supreme Court started producing statistics on phone tapping in January 2014 in response to the high public interest in this issue. Initially, these statistics were produced for internal use. However, following a request by the OGP Forum members and subsequent amendments to the Criminal Procedures Code, the Court started proactively publishing annual statistics in October 2014. In 2015, the Court started publishing quarterly statistics as part of the action plan commitment. The data, presented in .PDF format on the Court's website, includes the number of motions on phone tapping submitted by prosecutors to the courts and the number of motions granted by the courts. A Supreme Court representative explained that no further details were given in an effort to protect the personal information of the people tapped.

## **Did it open government?**

### **Access to information: Outstanding**

The midterm report found this commitment relevant to increasing access to information. There were frequent reports about the Georgian government's illegal and covert phone tapping of its citizens and local civil society demanded transparency in this area. Therefore, stakeholders think that proactive publishing of surveillance data is an outstanding commitment toward increasing government openness and directly responds to public concern. CSOs report they are actively using the new data for their advocacy efforts within the "This Affects You Too" campaign focused on limiting and conducting effective oversight of the government's ubiquitous surveillance over its citizens.<sup>23</sup>

### **Carried forward?**

The government carries forward this commitment. Based on IRM recommendations from the midterm report and following a request from OGP Forum members, the Supreme Court commits to publishing additional data detailing the types and geographic distribution of crimes for which the courts grant motions on phone tapping. To ensure better readability, the court also commits to publishing this data in Excel spreadsheets.

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<sup>1</sup> See the original commitment 17 in the Action Plan, 24, <http://bit.ly/1Yf5K76>.

<sup>2</sup> Giorgi Kldiashvili (Director of IDFI), interview with the IRM researcher, 1 August 2016.

<sup>3</sup> Natsvlishvili, interview, August 2016.

## I 8: Public awareness of the electoral process

In order to increase public participation in the electoral process and to raise awareness of involved parties, the Election Administration of Georgia (CEC) and LEPL Center of Electoral Systems Development, Reforms and Trainings will organize various meetings for the electorate and other involved parties.

**Lead Institution:** Election Administration of Georgia (CEC), Training Center

**Supporting Institutions:** Election Administration of Georgia and all interested public agencies, local and international CSOs

**Start Date:** September 2014.

**End Date:** October 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End of term		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	did not change	Marginal	Major	Outstanding	
I 8. Electoral process awareness			✓		✓	✓					✓				✓						✓	

### Commitment Aim:

The Election Administration of Georgia (CEC) committed to implement a number of awareness-raising activities to better inform citizens about the electoral process and ensure their active participation.<sup>1</sup> These included introducing educational programs in universities, conducting trainings for different groups of voters and parties involved in the elections, and implementing gender equality projects as well as grants to increase the voting culture in the society.

### Status

#### Mid-term: Substantial

The commitment was substantially implemented by the midterm point. The CEC concluded memoranda with nineteen major universities across Georgia and added a course on electoral law to their curriculum. As part of this project, in April 2015, the CEC Training Center created a legal clinic for students. In the clinic, students held thematic debates on election issues such as voting age and gender quotas.

In addition, the CEC conducted a two-week course on elections for a total of 70 homeless orphans in Tbilisi and Kutaisi, including first-time voters reaching the age of eighteen. In July 2015, the CEC began Electoral Development Schools for youth aged seventeen to 25 in ten election districts of Georgia. The CEC received 923 applications, of which they accepted 550. The first participant feedback on this school was very positive, according to the CEC Chairperson. Please see the 2014-2015 Midterm IRM Report for more information.

Finally, the CEC announced two calls for grant competitions. The first one focused on four main priorities: (1) voter education; (2) women's political participation; (3) strengthening election capacity of political parties, especially at regional levels; and (4) helping ethnic minorities participate in policymaking. The CEC received more than 75 applications for this call and provided funding in the amount of GEL 1.3 million to 25 local CSOs. In July 2015, the CEC announced a second grant call

focused on two priorities: (1) informing voters about the October 2015 by-elections for Members of Parliament and (2) assisting vulnerable groups in districts of these elections to participate in the election process.

### **End of term: Complete**

The commitment was completed by the end of term. Between September 2015 and July 2016, the CEC conducted a series of trainings and informational meetings for different groups of voters and parties directly involved in the elections, including ethnic minorities, youth, election lawyers, election commission members, political parties, and local governments. In addition, the CEC conducted a regional conference and training cycle on gender and election issues.<sup>2</sup> More importantly, in active cooperation with local CSOs, the CEC developed a Strategy Plan for 2015-2019, including a commitment to draft a gender policy paper and encourage women's political participation.<sup>3</sup>

### **Did it open government?**

**Access to information: Major**

**Civic participation: Major**

The midterm report found this commitment relevant to increasing access to information and civic participation. In Georgia, citizens tend to lose interest in electoral process after their completion; this disinterest is conditioned by no election education in schools and a lack of information about electoral processes in general. Therefore, stakeholders think that the CEC-led promotional activities contributed in a major way to informing citizens and encouraging their active participation in the field. For example, the CEC, political parties and CSOs employed the graduates of Election Development Schools as members of Precinct and District Election Commissions and/or observers during the October 8 parliamentary elections. Furthermore, the Georgian Young Lawyers' Association (GYLA) offered a job contract to one of the graduates and plans to recruit more to involve them not only in the monitoring but also analytical work on electoral processes.<sup>4</sup>

### **Carried forward?**

The government did not carry this commitment forward as it is complete. Stakeholders recommend the CEC organize Electoral Development Schools not only for the youth but also for other groups of people lacking electoral education.<sup>5</sup>

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<sup>1</sup> See the original commitment 18 in the Action Plan, 25, <http://bit.ly/1Yf5K76>.

<sup>2</sup> "Event Calendar," (CEC), <http://bit.ly/2bi5tBT>.

<sup>3</sup> "CEC Strategy Plan for 2015-2019," (CEC), <http://bit.ly/2bRn4NS>.

<sup>4</sup> Irma Pavliashvili (Election Projects Lawyer at Georgian Young Lawyers' Association), interview with the IRM researcher, 12 October 2016.

<sup>5</sup> Pavliashvili, interview, October 2016.

## I9: Transparency of budgetary processes

The public is informed about budget process through various presentations as well as publication of the relevant documents online. However, there is no formal mechanism for managing these processes.

With coordination with the Ministry of Finance of Georgia and based on the recommendation of international and civil society organizations, list of specific actions and the scheme for disseminating information of budgetary processes was elaborated and ensuring civil society involvement in the budgetary process.

**Lead Institution:** Ministry of Finance

**Supporting Institutions:** Parliament of Georgia; International Organizations, Forum member CSOs

**Start Date:** July 2014

**End Date:** December 2015

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	did not change	Marginal	Major	Outstanding
19. Transparency of budgetary processes			✓		✓	✓					✓					✓	✓				

### Commitment Aim:

The Ministry of Finance (MoF) committed to open up the budgetary process by publishing key budget documents with informative presentations and creating an interactive online survey for soliciting public feedback.<sup>1</sup>

### Status

#### Mid-term: Complete

The commitment was completed by the midterm point. In June 2014, the MoF redesigned its online survey to allow citizens to identify their budgetary priorities across different sectors for 2016. As of August 2015, 4,157 citizens had participated in this survey and prioritized education, science, social, and healthcare programs. Moreover, in 2015, the MoF published a Citizens Budget, a shorter and less technical version of the enacted state budget, in a more accessible format. This included informative tables and charts summarizing the key data from the budget.

### Did it open government?

**Access to information: Did not change**

**Civic participation: Did not change**

The midterm report found this commitment relevant to increasing access to information and civic participation. In Georgia, citizens receive substantial budget information from the government, but they have limited opportunities for engaging in budget processes and modifying budget expenditures to their needs. Despite its relevancy, stakeholders do not think this commitment changed the government's existing budget transparency. Firstly, the government consistently published all key budget documents and informative presentations before the action plan. Secondly, the MoF did not

design the online survey to ensure public participation at different stages of the budgetary process nor did it inform citizens about the government's response to citizen's feedback.<sup>2</sup> Given it was not promoted widely, only 4,814 citizens participated in the survey, which is 0.1 percent of the total population of 3.7 million.<sup>3</sup> Finally, the survey was not updated to reflect citizen feedback in the drafting of the 2017 state budget.

### **Carried forward?**

The government did not carry this commitment forward. To institutionalize public participation in budgetary processes, the government should develop legal procedures for the MoF detailing citizen engagement at every stage of the budget including drafting, execution, and oversight. The MoF should adjust budget expenditures to reflect public needs and proactively reach out to citizens, involving them more meaningfully in the discussions, and adjust final decisions on key priorities in response to public concern. The MoF should publish the budget documents in an open data format so users might filter data and search for keywords when looking for specific information. Finally, the MoF should publish impact analysis of different possible macroeconomic scenarios (e.g. GDP growth, inflation rate) on budget expenditures, revenues, and debt. This is especially relevant in the context of recent currency fluctuations and commodity price increases.

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<sup>1</sup> See the original commitment 19 in the Action Plan, 26, <http://bit.ly/1Yf5K76>.

<sup>2</sup> Mikheil Kukava (Senior Analyst at Transparency International Georgia), interview with the IRM researcher, 1 August 2016.

<sup>3</sup> National Statistics Office of Georgia, <http://bit.ly/2bl7N4Y>.

## 20: Electronic system of procurement

In order to ensure greater transparency of state procurement, the State Procurement Agency (SPA) in the framework of this commitment will expand the Unified Electronic System of State Procurement (Ge-GP) and integrate electronic module of contest into the system.

According to the current rule, a contest representing an alternative method of state procurement of design services is announced via the official web page of the SPA. Conducting the Contest process is not fully electronic as it is in case of tenders. The contest is held in the procuring entity, while the related documentation is sent to the SPA and published on its official web-page.

Current method does not provide necessary level of transparency and publicity as it is the case with tenders. Procuring entity has wide discretion and autonomy and the decisions of the committee, which is making decisions on contests, are not appealable to the Dispute Resolution Board (DRB).

Implantation of e-Contest system will enable suppliers to participate in the contest through Ge-GP in the same way as in case of tenders. Implementation of e-Contest system will remove geographical obstacles and simplify procedure for participation in contest. Decisions of the committee will be appealable to the DRB, which will ensure that the suppliers' rights are effectively protected. Incorporation of e-Contests in the system will make contest procedures more transparent which directly responding to Open Governing Partnership principles and will ensure efficiency of public spending.

**Lead Institution:** State Procurement Agency

**Supporting Institutions:** None specified

**Start Date:** June 2014

**End Date:** May 2015

Commitment Overview	Specificity				OGP value relevance				Potential Impact				Completion		Midterm End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	did not change	Marginal	Major	Outstanding
20. Electronic system of procurement			✓		✓		✓				✓					✓			✓		

### Commitment Aim:

The State Procurement Agency (SPA) committed to increase transparency of public procurements by supplementing the existing e-procurement system with an e-Contest for purchasing design, architectural, and engineering services.<sup>1</sup>

### Status

#### Mid-term: Complete

The commitment was completed by the midterm point. The SPA launched a pilot version of e-Contest, in May 2015, and the full system on 1 July 2015.

A major innovation is that all contest procedures, including selection and assessment of submitted bids and the final grant decision, are conducted electronically. The new system also envisions concurrently assessing the price and the quality of bids and automatically determining the winning bid. Finally, e-Contest allows bidders to file complaints to the SPA's Dispute Resolution Board if they think they were disqualified unfairly.

The SPA conducted public consultations in different cities to inform relevant stakeholders, including procuring entities and private companies, on e-Contest operations. In addition, the agency developed a special manual and published it on its website. Please see the 2014-2015 Midterm IRM Report for more information.

### **Did it open government?**

**Access to information: Marginal**

**Public accountability: Marginal**

The midterm report found this commitment relevant to increasing access to information and public accountability. Public procurement process transparency is vital for preventing corruption within the government and private sector. Stakeholders stated e-Contest is a useful monitoring tool for increasing transparency and impartiality of the public procurement bidding process. However, it is not meant to address the ambiguities concerning exemptions and how the government streamlines tenders under the pretext of “urgent need” and “public necessity.” Exemptions allow the procuring entities, especially law enforcement and defence agencies, to grant contracts worth millions to favoured suppliers and bypass the e-procurement system.<sup>23</sup> At the same time, the contest is the least used procurement method and, therefore, far less competitive than electronic tenders. Specifically, between July 2015 and October 2016, only 226 e-Contest tenders were published on the SPA website as opposed to 51,131 regular e-tenders published over the course of the past six years (more than 8,500 per year). Of the 226, only four e-Contest tenders cost more than GEL 1 million; the most expensive, published in August 2016, cost GEL 4 million. In contrast, 2,036 regular tenders have passed the one-million threshold, with the most expensive totalling GEL 58 million. Please see the 2014-2015 Midterm IRM Report for more information. This leads IRM to assess the commitment as having only a marginal impact on increasing government openness.

### **Carried forward?**

The government carried forward this commitment. The SPA commits to supplementing the existing e-procurement portal with additional components such as providing aggregated information about all past public tenders through a new webpage, providing more details about annual procurement plans of public agencies through an e-Plan module, and creating a digital catalogue of procurement product market prices through an e-Market module.

CSOs<sup>4</sup> are more focused on monitoring regular and simplified procurement tenders than those administered under the e-Contest module. Nonetheless, CSO stakeholders and the IRM researcher think the SPA should create an effective monitoring system for reviewing public tenders that are processed under e-procurement exemptions. Similarly, the government should limit the number of exemptions from the e-procurement and clearly define “urgent need” and “public necessity.” This should ensure agencies like the Ministry of Internal Affairs and the Ministry of Defence publish important public tenders online. Finally, users of the e-procurement platform should be able to receive automatic e-mail notifications on tenders of their interest.

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<sup>1</sup> See the original commitment 20 in the Action Plan, 27, <http://bit.ly/1Yf5K76>.

<sup>2</sup> Saladze, interview, July 2016.

<sup>3</sup> Topouria, interview, July 2016.

<sup>4</sup> Georgian Young Lawyers Association, Jumpstart Georgia, and Transparency International.

## METHODOLOGICAL NOTE

This report is based on a desk review of governmental programmes, draft laws and regulations, review of the government self-assessment report, analysis of the commitments, and monitoring the process of implementation of the second action plan. The IRM researcher also relied upon interviews with stakeholders, including representatives of responsible public agencies, key actors from the civil society and the direct beneficiaries. Specifically, in the period between 4 July and 25 August 2016, the IRM researcher conducted in-person meetings and phone calls with thirteen public officials, seven representatives of civil society and one direct beneficiary of the commitment for blind and visually impaired people. The information generated provided a valuable input to the close-out assessment of the second action plan.

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

