

Independent Reporting Mechanism (IRM): Armenia Progress Report 2016-2018

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Executive Summary



Armenia Year 1 Report

Action plan: 2016-2018
Period under review: August 2016 – August 2017
IRM report publication year: 2018

Armenia's third action plan aims to improve transparency of government spending and service provision. However, the commitments are too limited in scope to lead to significant changes. The next plan could involve wider consultation and more ambitious commitments.

HIGHLIGHTS

Commitment	Overview	Well-Designed? *
2. Transparency of state grants	Publish information on grants funded by each state agency.	No
3. Interactive budget in open data	Improve interactive budget platform to enable users to search, download, process and re-use data.	No
7. Accessibility of integrated social services	Introduce public platform with information on social services, where citizens can rate services received.	No

* Commitment is evaluated by the IRM as specific, relevant, and has a transformative potential impact

PROCESS

The OGP task force began development of the third action plan included online consultation platforms and regional meetings. The final selection of the commitments took place during a two-day multi-stakeholder workshop with participation from CSOs, state agencies and international organizations. Greater awareness of the development and the implementation of the action plan, would generate more participation.

Who was involved?

	Government		
Civil society	Narrow/ little governmental consultations	Primarily agencies that serve other agencies	Significant involvement of line ministries

				and agencies
	Beyond "governance" civil society			
	Mostly "governance" civil society		✓	
	No/little civil society involvement			

A multi-sector working group of government and civil society representatives coordinates the action plan development and implementation. However, civil society input during development of the third action plan was less significant than in the second.

Level of input by stakeholders

Level of Input	During Development
Collaborate: There was iterative dialogue AND the public helped set the agenda	
Involve: The public could give feedback on how commitments were considered	✓
Consult: The public could give input	
Inform: The government provided the public with information on the action plan.	
No Consultation	

OGP co-creation requirements

Timeline Process and Availability Timeline and process available online prior to consultation	Yes
Advance notice Advance notice of consultation	Yes
Awareness Raising Government carried out awareness-raising activities	Yes
Multiple Channels Online and in-person consultations were carried out	Yes
Documentation and Feedback A summary of comments by government was provided	Yes

Regular Multi-stakeholder Forum Did a forum exist and did it meet regularly?	No
Government Self-Assessment Report Was a self-assessment report published?	Yes
Total	6 of 7

Armenia did not act contrary to OGP process

A country is considered to have acted contrary to process if one or more of the following occurs:

- The National Action Plan was developed with neither online or offline engagements with citizens and civil society
- The government fails to engage with the IRM researchers in charge of the country's Year 1 and Year 2 reports
- The IRM report establishes that there was no progress made on implementing any of the commitments in the country's action plan

COMMITMENT PERFORMANCE

Commitments in Armenia's third action plan covered state budget, local government, social services, licensing, and accountability of public officials. The overall level of implementation at the end of the first year of the action plan was low.

		Year 1	Year 2
COMPLETED COMMITMENTS	OGP Global Average *	18%	36%
	Action Plan 2016-2018	0 of 8 (0%)	
	Action Plan 2014-2016	3 of 11 (27%)	6 of 11 (54%)
	Action Plan 2012-2013	7 of 15 (47%)	N/A
TRANSFORMATIVE COMMITMENTS	OGP Global Average *	16%	
	Action Plan 2016-2018	0 of 8 (0%)	
	Action Plan 2014-2016	0 of 11 (0%)	
	Action Plan 2012-2013	2 of 15 (13%)	
STARRED COMMITMENTS	Most in an OGP Action Plan	5	8
	Action Plan 2016-2018	0 of 8 (0%)	
	Action Plan 2014-2016	0 of 11 (0%)	0 of 11 (0%)
	Action Plan 2012-2013	1 of 15 (7%)	N/A

RECOMMENDATIONS

1. Raise awareness about OGP process and results through varied communications and outreach.

2. Coordinate with the Parliament to include more ambitious commitments requiring legislative action.
3. Increase public participation in the budget development process and expand the ambition of commitments focused on transparent government spending, e.g. with a commitment to establish competitive and transparent mechanisms for awarding state grants and service contracts by executive agencies.
4. Develop more ambitious commitments that address anti-corruption issues, e.g. providing free access to information on the founders and current shareholders of companies.
5. Evaluate impact and gaps of implemented commitments to identify areas of focus in future action plans.

COMMITMENTS OVERVIEW

Commitment Title	Well-designed *	Complete	Overview
1. Transparency of public officials' trips	No	No	This commitment seeks to create a publicly accessible online platform to report public officials' business trips. The government has used the existing e-government platform, but the reports are published in PDF format and are not searchable.
2. Transparency of state grants	No	No	This commitment aims to improve budget transparency by providing information on state-funded grants. While some ministries have begun reporting, the commitment does not create a competitive mechanism for grant distribution.
3. Interactive budget in open data	No	No	This commitment aims to improve the current interactive budget platform. While the commitment could improve the searchability of information, changes in practice would depend on the usage of the budget platform.
4. Officials' declarations in open data	No	No	This commitment seeks greater transparency for high-ranking officials' declarations. However, the list of non-compliant officials was not published on time, and search capabilities of the platform have not been enhanced.
5. Portal for community decisions	No	No	This commitment seeks to create a unified, online portal for community decisions. The existing Armenian Legal Information System was expanded, but information is not searchable.
6. Licensing register	No	No	The commitment aims to create a unified electronic register of people subject to licensing by state bodies. The new platform is expected to launch May 2018, after the amendments to the "On Licensing" law takes effect.
7. Accessibility	No	No	This commitment seeks to publish information on social services. Progress has been made

of integrated social services			with the www.esocial.am website, but it is still not possible to rate services or to use an online consultation service.
8. One-stop-shop military registration offices	No	No	This commitment seeks to improve administrative efficiency in military registration. However, implementation was suspended due to planned changes to the military registration offices.

* Commitment is evaluated by the IRM as specific, relevant, and has a transformative potential impact

ABOUT THE AUTHOR

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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 (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. Introduction

The Open Government Partnership (OGP) is an international multi-stakeholder initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government.

Armenia began its formal participation in October 2011, when Edward Nalbandian, the Minister of Foreign Affairs, declared his country's intention to participate in the initiative.¹

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria. Objective, third-party indicators are used to determine the extent of country progress on each of the criteria: fiscal transparency, public official's asset disclosure, citizen engagement, and access to information. See Section VII: Eligibility Requirements for more details.

All OGP-participating governments develop OGP action plans that elaborate concrete commitments with the aim of changing practice beyond the status quo over a two-year period. The commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Armenia developed its third national action plan between February 2016 and June 2016. The official implementation period for the action plan was 12 August 2016 through 30 June 2018. This year one report covers the action plan development process and first year of implementation, from August 2016 to August 2017. Beginning in 2015, the IRM started publishing end-of-term reports on the final status of progress at the end of the action plan's two-year period. Any activities or progress occurring after the first year of implementation, 31 August 2017, will be assessed in the end-of-term report. The government published its draft self-assessment in September 2017. At the time of writing, November 2017, the final version of the self-assessment report has been published.

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Tatevik Margaryan, independent researcher, who carried out this evaluation of the development and implementation of Armenia's third action plan. To gather the voices of multiple stakeholders, the IRM researcher held focus groups and interviews in Yerevan, Dilijan, and Gyumri. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. Methods and sources are dealt with in Section VI of this report (Methodology and Sources).

¹ Armenia Letter of Intent to Join OGP, <https://www.opengovpartnership.org/documents/armenia-letter-of-intent-join-ogp>

II. Context

Armenia is engaged in policy reform processes in an environment of high levels of poverty, corruption and security threats on its border. The current action plan reflects a number of relevant issues related to budget information, asset and income declarations of public officials, decision-making of local authorities and social service delivery. However, civil society considers commitments to be too limited in scope to address the core problems related to current government practices and spending of public funds.

2.1 Background

Armenia's OGP eligibility criteria (budget transparency, access to information, asset declaration, and citizen engagement) remains unchanged in 2017.

Armenia scores 96 out of 150 on the Right to Information Index, which assesses the strength of countries' legal framework on the right to information.¹ Armenian Freedom of Information (Fol) legislation was passed in 2003 but access to government-held information, including previously classified Soviet-era files, was problematic. State bodies had frequently cited absence of regulations for implementation of the law as grounds for denying information requests or provision of incomplete information.² In October 2015, the Government of Armenia adopted a regulation on the information provision by state bodies with the aim to improve the implementation of Fol legislation. Approved regulations include permitting electronic requests for information, a new procedure of information provision by streamlining the classification, maintenance and provision of information from the government to the public and defining responsibilities of officials responsible for Fol requests.³ The previous OGP Action Plan (2014–16) included a commitment on trainings for public officials responsible for handling Fol requests (Commitment 10). At the time of writing, in November 2017, a new draft of the Law on Freedom of Information was under discussion.

Armenia meets minimum requirements for fiscal transparency, that is, having key budget documents publicly available, complete and generally reliable.⁴ The Ministry of Finance provides information on the budget and budget reports in a downloadable format on its own website⁵, while procurement plans, announcements and reports are available on www.procurement.am website. However, government spending is not fully transparent, and many cases of conflict of interest, excessive spending on specific products or services, and procurements not serving their purpose are often pointed out by investigative journalists.⁶ The third action plan includes a commitment on budget transparency, making the state budget available in an interactive electronic platform through applying open data principles with a possibility to download and process the information (Commitment 3).

Open data initiatives have been picking up in Armenia. Several e-government platforms, such as e-gov.am, datastat.am, armstat.am, e-register.am and others, provide information on official statistical data, decisions and legislation.⁷ For example, www.e-gov.am provides data on procurement from single source, funding for state non-commercial organizations and decisions of the prime minister and government cabinet. The unified statistical portal of the Ministry of Justice—datastat.am—provides publication and analysis of statistical data from the State Register of Legal Entities, Civil Status Register, the Compulsory Enforcement Service of Judicial Acts and the Department of Courts. The system combines predefined statistical indicators, which can be viewed as a graph, table, or downloaded as a .csv file. The online database of the Central Bank of Armenia—

databank.cba.am—provides statistical information on economic indicators. However, not all of these platforms function properly or are easy to use. A new foundation, Digital Armenia, was established by the government to form a common digitized environment in all areas of governance on the basis of modern information technologies.

Armenia is categorized as a “partly free” country according to the Freedom House. The Freedom in the World report from 2016 reveals that people’s ability to influence government decisions is limited and formal political opposition is weak.⁸ The ruling party’s dominance and control of administrative resources prevents a level playing field.⁹

A constitutional referendum was held in Armenia in 2015. The approved amendments to the constitution will result in a change in the country's political system, from semi-presidential to a parliamentary republic, which is planned to happen in April 2018 when the current president’s term is over.

The Constitution of Armenia guarantees civil liberties, freedom of expression and freedom of assembly and association. However, the Armenian government has a record of interference with public protests. Armenian human rights groups have highlighted the misuse of the penal code to intimidate protesters and prevent protests deemed unfavorable by the government.¹⁰ The police took harsh measures against peaceful protesters calling for resolution of a siege following the seizure of a police station by armed citizens. A large-scale police operation resulted in dozens of injured protesters and journalists.¹¹ According to Human Rights Watch, authorities have used excessive force against peaceful protesters and pressed unjustified criminal charges against protest leaders.¹² Nations in Transit Report 2017 shows a declined rating of National Democratic Governance (from 5.75 to 6.00 on a scale from 1 to 7, where 1 is the most democratic and 7 is the least democratic) justified by the inability of the government to address legitimate popular grievances before they spill over into protest, and then to resolve those protests without violence.¹³

Media freedom faces challenges. Most print and broadcast outlets are affiliated with political and commercial interests, and journalists are known to practice self-censorship to avoid harassment. Most independent outlets carrying out investigative journalism operate online.¹⁴ Taking into account the growing internet penetration rate, reaching 70.1 percent by June 2017, online media and resources are accessible to most of the population.¹⁵ Civil society in Armenia includes a few outspoken organizations and watchdog groups, mostly in Yerevan¹⁶. Non-governmental organizations lack local funding and rely largely on the support of foreign donors. In December 2016, the parliament passed a new Law on Public Organizations¹⁷, which was developed with extensive input from civil society and had been on the civil society and government agenda for several years. The law allows public organizations to directly engage in income-generating activities and represent their constituents’ interests on environmental issues in courts, and requires organizations receiving public funding to submit annual financial reports.¹⁸

On the policy level, the government has undertaken a range of legal reforms on anti-corruption measures, however, implementation of the law remains the main problem. Corruption is pervasive. Armenia ranks 113 out of 176 countries on Transparency International’s 2016 Corruption Perceptions Index, sharing this position with Bolivia and Vietnam.¹⁹ The report by the Council of Europe’s Group of States against Corruption (GRECO) notes that corruption remains an important problem for Armenian society, even though the fight against it has been high on the political agenda for years. According to the report, the judiciary in Armenia appears to be particularly prone to corruption and suffers from the deficit of independence. There are also concerns about the lack of clear separation of powers, the weakness of the

Parliament and insufficient transparency in public decision-making.²⁰ In the Global Corruption Barometer 2016 Survey, 24 percent of Armenian respondents said they had paid a bribe to at least one of the eight services mentioned. At the same time, 63 percent of respondents thought that “ordinary people do not make difference in the fight against corruption”, and 77 percent stated that “reporting corruption is socially not acceptable in this country”, which represents the highest number of all 42 countries of the region.²¹

Amendments to the Criminal Code were approved by the government in November 2016 and adopted by the parliament in December 2016, requiring high-level officials to “reasonably substantiate” the origin of their declared assets that significantly exceed their annual legitimate income. Failure to do so would make them liable for criminal prosecution²². The amendment entered into force on 1 July 2017. Asset and income declarations of high-ranking public officials in Armenia have been published online since 2014. In 2015, the government tightened the requirement for high-ranking officials to disclose assets and transactions by reducing the number of categories where disclosure was required only after the value passed certain thresholds. Thresholds remained for some valuable assets, for instance, where the value exceeds AMD 8 million, or for the assets and transactions of family members.²³ In June 2017, a package of anti-corruption legislative amendments was adopted, establishing administrative liability for failure to submit declarations on time or for violating regulations for declarations, as well as for failure to submit full or correct information by negligence, and criminal liability for intentional non-submission of the declarations, presenting false information, or hiding the information subject to declaration. The circle of officials subject to declaring income and assets has been enlarged to include not only high-level officials, but also officials employed in senior positions.²⁴ Apart from income and assets, declaration of interests will be included in the scope of high-ranking officials’ declarations from 2019. The officials will have to report whether they are founders or have at least 10 percent shares in any company, are in the managing body of a company or have membership of any non-commercial organization. In order to scrutinize income and asset declarations from more than 2,000 senior state officials and investigate possible conflicts of interest or unethical behavior, a Commission on Preventing Corruption will be formed and start functioning in 2018.²⁵ The third OGP action plan includes a commitment to publish asset and income declarations of public officials in open data. In the framework of anti-corruption measures, a law on whistleblowing was adopted in June 2017 and will enter into force in 2018.²⁶

On 4 April 2016, based on the publication in hetq.am (an electronic media outlet²⁷), Special Investigative Service initiated a criminal case against Major General of Justice, Head of Compulsory Enforcement Mihran Poghosyan, based on Article 310 of the Criminal Code of Armenia (illegal participation in entrepreneurial activity). Mr. Poghosyan was indicated in the ‘Panama Papers’ as a shareholder of three offshore companies in Panama. In January 2017, the criminal proceedings were terminated²⁸. Offshore scandals with involvement of officials are not new in Armenia, however, there is a lack of (at least publicly known) measures applied to ensure identification, penalty, and/or prevention of misuse of public funds through offshore accounts, which would increase public confidence towards relevant anti-corruption programs implemented by the government.

In April 2016, the Nagorno Karabakh conflict escalated, leading to unprecedented fighting along the contact line between Nagorno Karabagh and Azerbaijan for four days and the highest number of deaths including among civilian population since the 1994 trilateral ceasefire agreement.²⁹ This “four-day war” created an upswing of national solidarity and support for army forces, at the same time generating questions related to corruption in the military and the inability of Armenian authorities

to ensure security.³⁰ From January 2017, the government introduced a new tax for all taxpayers (about two dollars monthly) to allocate for compensation paid to the families of servicemen killed and to the servicemen seriously injured in action. A special insurance foundation was established to organize, coordinate and distribute the funds. This initiative was criticized by representatives of opposition and civil society raising further concerns on corruption issues.³¹ To provide transparency for the foundation, the government created a website where reports on income and spending, as well as information on the foundation's board of directors, principles of work and internal decisions are included.³²

Public trust in government and public institutions remains low. The recent data from the annual Caucasus Barometer study showed that 5 percent of Armenian respondents said they fully trust, and 16 percent – somewhat trust the executive government, while 22 percent rather distrust and 36 percent fully distrust the government³³. Public confidence in the electoral process has been a continuous problem. A New Electoral Code was adopted in May 2016.³⁴ Discussions on the Code were participatory, allowing equal representation of authorities, political opposition and civil society in the working group.³⁵ Some of the changes welcomed by civil society were the publication of signed voter lists and the partial removal of limitations on observer and journalist access at polling stations. Despite some of the positive changes to the law, the parliamentary elections held in April 2017 did not contribute to increasing public confidence in the electoral process. Citizen Observer Initiative, a coalition of Armenian NGOs, recorded several violations during the pre-voting period and throughout the voting process.³⁶ The Final Report of OSCE/ODIHR Election Observation Mission indicates that accuracy of the voter lists was improved and voting procedures were generally followed; however, the election campaign “was tainted by credible and widespread allegations of vote-buying, pressure on public servants including in schools and hospitals, and of intimidation of voters to vote for certain parties”³⁷.

A cabinet reshuffle took place in September 2016, and the new prime minister took office amid promises of economic reform and anti-corruption efforts. In June 2017, a new government program was introduced for 2017-2022, outlining long-term reforms in public governance and the legal system, foreign policy and defense, economic progress, and social issues.³⁸ Changes in the cabinet have affected OGP processes, including the delay in starting the implementation of the action plan.

In November 2017, Armenia and the European Union signed a new framework agreement, dubbed the Comprehensive and Enhanced Partnership Agreement (CEPA). Among other issues, the agreement envisions clearer rules on publication of tenders and review procedures, new rules on public subsidies, more transparent public procurement, and increased attention to democracy elements such as free and fair elections and the right to fair trial. The agreement set up an independent Civil Society Platform, composed of Armenian and EU organizations, which will monitor the implementation of the agreement and make recommendations to the Armenian authorities and to the EU.³⁹

2.2 Scope of Action Plan in Relation to National Context

The themes of the third action plan prioritized by the stakeholders are mostly related to transparency issues. These include providing information and reporting on state-funded projects (Commitment 2), improvement of officials' income declaration system (Commitment 4) and accountable licensing (Commitment 6). However, many CSOs are pessimistic about the actual impact these commitments could make due to their limited scope and/or reach.

The current action plan reflects a number of issues related to budget information, asset and income declarations of public officials, decision-making of local authorities

and social service delivery. However, civil society representatives interviewed for this report note that the commitments in the third action plan are too limited in scope to address the core problems related to current government practices and spending of public funds. For example, the commitment on state grants falls short of establishing a competitive mechanism of grant provision and its scope does not include recipients of government subsidies, donations, and other types of funding. Likewise, the commitment on publication of officials' income and assets declarations does not cover publishing information on findings and application of relevant sanctions. CSOs are skeptical that open data on declarations could have any impact unless responsible bodies initiate relevant measures to hold officials accountable for false or late declarations, or for illicit enrichment. High-ranking government officials are known to own stakes in companies which are not declared. According to journalistic investigations, often the parents of either the officials or their spouses, as well as children living separately, are registered as owners or shareholders of companies.

While corruption is pervasive, and implementation of anti-corruption legislation remains a challenge in Armenia, the action plan does not place sufficient emphasis on anti-corruption enforcement measures. As corruption concerns are largely related to public procurement and misuse of public office, the government could have included commitments on instilling transparency in procurement procedures. Likewise, more wide-reaching efforts are needed for public accountability on overall budget spending.

The action plan contains a commitment on budget spending, however, it does not capture the military sector which has been closed for public oversight. Information on army expenditure has been restricted in Armenia as a matter of national security. After the large-scale ceasefire violation along the Line of Contact in April 2016, significant concerns were raised on the efficiency of spending of public funds for defense purposes. Thus, the government could address public concerns by opening up information on military spending wherever possible.

The low level of public trust hinders the effectiveness of public participation. For example, creation of the online legal drafts platform (e-draft.am) aimed at providing better access to information and expanding public participation was an important step forward. However, according to civil society representatives, the feedback on their comments is posted with delays, while follow-up information on the draft status is often not available. The government should take steps toward more effective usage of public participation mechanisms and pro-active organization of public consultations.

The work of law enforcement officials is another problematic area which raises concerns among local NGOs and international organizations. Nonwithstanding the recent policy and tax reforms, the violent conduct of police, the negative public image of tax enforcement officials and the enrichment of officials working in compulsory enforcement bodies call for steps toward improvements and increased accountability in these structures. There is need for transparency of disciplinary measures taken toward police and other state officers for alleged ill-treatment and abusing their authorities.

Improvement is also needed in increasing the transparency and accountability of the State Commission for the Protection of Economic Competition, an independent body aimed at protection and promotion of economic competition. The problems with monopolization and lack of competition are critical issues reflected in international reports and raised by civil society. More transparency in the activities of the commission, including reporting on sanctions applied, can potentially enhance the effectiveness of its work and improve public trust in state efforts in this direction.

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- ¹ Global Right to Information Rating, The Centre for Law and Democracy, <http://www.rti-rating.org/country-data/>
- ² Freedom of the Press 2016: Armenia, <https://freedomhouse.org/report/freedom-press/2016/armenia>
- ³ Government of Republic of Armenia, Decision No 1204-N, 15.10.2015, <http://www.arlis.am/DocumentView.aspx?DocID=101115>
- ⁴ U.S. Department of State 2017 Fiscal Transparency Report, <https://www.state.gov/e/eb/ifa/oma/fiscaltransparency/273700.htm>
- ⁵ The website of the Ministry of Finance of the Republic of Armenia, <http://minfin.am/>
- ⁶ See, for example, media stories by Civilnet under heading “From your pocket to...”, <https://www.civilnet.am/news/pn-qrwylhgh>, a number of publications in Hetq, such as: “Companies winning in public procurements are not accidental”, 14.09.2017, <http://hetq.am/arm/news/81973/petakan-gnumnery-och-patahakan-ynkerutyunnern-en-haxtum.html/>, , “Ten most expensive restaurants in Armenia: millions of property tax are not paid”, 30.08.2017, <http://hetq.am/arm/news/81634/hayastani-amenatank-10-restorannery%E2%80%A4-milionavor-dramneri-chvtcharvox-guyqahark.html/>, as well as other media publications: “Taron Margaryan makes lavish expenses to please himself: the municipality has bought 500 cognacs”, 29.08.2017, <http://armlur.am/724622/>, 41 million AMD for Dilijan training center’s cocktail spoons, cigar clippers and other freaks”, 08.12.2015, <http://www.aravot.am/2015/12/08/637584/>
- ⁷ Open Data in State Sector of Armenia, 01.12.2016, <http://kolba.am/en/post/open-data-government-armenia/>
- ⁸ Freedom House, Freedom in the World 2017: Armenia, <https://freedomhouse.org/report/freedom-world/2017/armenia>
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- ¹⁰ Civicus Monitor, <https://monitor.civicus.org/country/armenia/>
- ¹¹ Hetq.am, Yerevan: Police and Demonstrators Clash; 60 Injured, 30 July 2016, <http://hetq.am/eng/news/69582/yerevan-police-and-demonstrators-clash-60-injured.html>
- ¹² Human Rights Watch Report 2017, Armenia, <https://www.hrw.org/europe/central-asia/armenia>
- ¹³ Nations in Transit 2017, Armenia Country Profile, <https://freedomhouse.org/report/nations-transit/2017/armenia>
- ¹⁴ Freedom House, Freedom in the World 2016: Armenia, <https://freedomhouse.org/report/freedom-world/2016/armenia>
- ¹⁵ Internet World Stats, <http://www.internetworldstats.com/stats3.htm>
- ¹⁶ Freedom House, Freedom in the World 2016, <https://freedomhouse.org/report/freedom-world/2016/armenia>
- ¹⁷ Non-governmental organizations in Armenia are classified into public organizations (which is the majority of NGOs) and foundations by their legal status.
- ¹⁸ USAID 2016 CSO Sustainability Index (CSOSI) for Central and Eastern Europe and Eurasia, <https://www.usaid.gov/europe-eurasia-civil-society>
- ¹⁹ Transparency International, Corruption Perceptions Index 2016, https://www.transparency.org/news/feature/corruption_perceptions_index_2016#table
- ²⁰ Council of Europe urges Armenia to step up corruption prevention among parliamentarians, judges and prosecutors, 25.02.2016, <https://www.coe.int/en/web/human-rights-rule-of-law/-/council-of-europe-urges-armenia-to-step-up-corruption-prevention-among-parliamentarians-judges-and-prosecutors>
- ²¹ Global Corruption Barometer 2016 Survey in Armenia, <https://transparency.am/en/gcb>
- ²² RA law “On Amendment to the Criminal Code”, 16.12.2016, <http://www.arlis.am/DocumentView.aspx?DocID=110565>
- ²³ Armenia End-of-Term Report 2014-2016 - For Public Comment, <https://www.opengovpartnership.org/documents/armenia-end-of-term-report-2014-2016-public-comment>
- ²⁴ Amendments to the RA law “On Public Service”, 09.06.2017,, <http://www.arlis.am/DocumentView.aspx?DocID=114359>
- ²⁵ RA law “On the Commission on Preventing Corruption”, 09.06.2017, <http://www.arlis.am/DocumentView.aspx?DocID=114355>
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- ³² Insurance Foundation for Servicemen, <https://www.1000plus.am/en>
- ³³ Caucasus Barometer, Public Perceptions on Political, Social, and Economic issues in the South Caucasus Countries: Some findings from the CRRC 2017 data, December 2017, Yerevan, page 15, http://www.crrc.am/hosting/file/_static_content/barometer/2017/CB2017_ENG_presentation_final_.pdf
- ³⁴ Armenpress, Armenian Parliament adopts Electoral Code draft, 17 May 2016, <https://armenpress.am/eng/news/847479/armenian-parliament-adopts-electoral-code-draft.html>
- ³⁵ Armenia Now, 4+4+4: Opposition seeks particular format for Electoral Code debate, 23 March 2016, https://www.armenianow.com/news/politics/70815/armenia_politics_opposition_government_format_electoral_code_debate
- ³⁶ PanARMENIAN.Net, Armenian elections: Citizen Observer registers 1918 violations overall, 2 April 2017, <http://www.panarmenian.net/eng/news/236522/>
- ³⁷ OSCE/ODIHR Election Observation Mission Final Report: Republic of Armenia – Parliamentary Elections, 2 April 2017, page 2, <https://www.osce.org/odihr/328226>
- ³⁸ Program of the Government of the Republic of Armenia, 2017-2022, Yerevan, June 2017, <http://www.gov.am/files/docs/2219.pdf>
- ³⁹ The Comprehensive & Enhanced Partnership Agreement between the European Union & Armenia (CEPA), https://eeas.europa.eu/sites/eeas/files/eng_cep_a_factsheet_armenia_digital.pdf

III. Leadership and Multi-stakeholder Process

The consultation process for the third action plan was extensive, including online platforms and offline meetings in several regions. The awareness-raising activities on the development and implementation of the action plan, however, need to improve further to stimulate more participation and inform the wider public.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Armenia. Table 3.1 summarizes this structure while the narrative section (below) provides additional detail.

Table 3.1: OGP Leadership

1. Structure	Yes	No
Is there a clearly designated Point of Contact for OGP (individual)?	✓	
	Shared	Single
Is there a single lead agency on OGP efforts?		✓
	Yes	No
Is the head of government leading the OGP initiative?		✓
2. Legal Mandate	Yes	No
Is the government's commitment to OGP established through an official, publicly released mandate?	✓	
Is the government's commitment to OGP established through a legally binding mandate?		✓
3. Continuity and Instability	Yes	No
Was there a change in the organization(s) leading or involved with the OGP initiatives during the action plan implementation cycle?		✓
Was there a change in the executive leader during the duration of the OGP action plan cycle?	✓	

Armenia is a unitary state that, following constitutional changes, will transition in April 2018 from a semi-presidential to a parliamentary republic. The Staff of the Government of the Republic of Armenia acts as the administrative office for executing decisions and assignments issued by the Republic of Armenia government and the prime minister. The Staff of the Government has been the leading office responsible for Armenia's OGP commitments. (See Table 3.1 on the leadership and mandate of OGP in Armenia). At the current time, its mandate is the organization of working group meetings and follow-up of implementation of commitments by ministries. The government allocated four staff members to oversee implementation of the action plan, however, there is no dedicated line in the government's budget for OGP-related activities. The task force includes: a Deputy Chief of Staff, who serves as the OGP Working Group coordinator, and is responsible for convening and chairing Working Group meetings, and meeting with responsible agencies and other local and international stakeholders; and a leading specialist of the Department of

Foreign Relations of Government Staff, who serves as the Government’s Point of Contact, responsible for communication with the OGP Support Unit, the Secretary of the Working Group, and the Secretary of the Sustainable Development Goals-Armenia Working Group, as well as maintaining ongoing communication with OGP stakeholders, organizing meetings, and preparing meeting minutes and information to be posted on the OGP Armenia website and Facebook page. Two other staff members include the Head of the Personnel Management Department, who was the ex-Point of Contact, and the Extractive Industries Transparency Initiative (EITI) project leader, who are both involved as Working Group members.

The third national action plan was approved by the Protocol Decree of the Government of Armenia on 11 August 2016.¹ On 16 December 2016, a multi-sector working group was set up in accordance with the Prime Minister’s Decree 12-06A² for the implementation of the national action plan. Section 1.3 describes the activities of the working group. (The delay between national action plan approval and formation of the new working group was due to the change of prime minister and cabinet in September 2016.) The coordinator of the third national action plan implementation, Vahe Stepanyan, was assigned along with the new working group set-up. Another change of coordinator was made after Vahe Stepanyan was promoted from Deputy Chief of Staff to Chief of Staff of the Government in June 2017; thus, his deputy, Vahe Jilavyan, took over the role of coordinating the OGP Armenia Working Group from 25 July 2017.³

The mandate of the working group has not changed since the last action plan. The composition of the group has partly changed to include state officials responsible for the implementation of the commitments under the third action plan.

The Staff of the Government has prepared a document on working group composition and meeting procedure. The draft document was discussed at the working group meeting on 30 October 2017 and finalized by the end of 2017. However, since structural changes in the government system are expected in spring 2018, it was decided to postpone the approval of the document until the new cabinet is formed.

3.2 Intragovernmental Participation

This subsection describes which government institutions were involved at various stages in OGP. The next section will describe which nongovernmental organizations were involved in OGP.

Table 3.2 Participation in OGP by Government Institutions

How did institutions participate?	Ministries, Departments, and Agencies	Legislative	Judiciary (including quasi-judicial agencies)	Other (including constitutional independent or autonomous bodies)	Subnational Governments
Consult: These institutions observed or were invited to observe the action plan	24 ⁴	0	1 ⁵	13 ⁶	1 ⁷

but may not be responsible for commitments in the action plan.					
Propose: These institutions proposed commitments for inclusion in the action plan.	13 ⁸	0	0	4 ⁹	1
Implement: These institutions are responsible for implementing commitments in the action plan whether or not they proposed the commitments.	5	0	0	1	0

The Staff of the Government of Armenia sent out invitations for participation in the third action plan development to all governmental agencies and a number of independent agencies and commissions. The invitation was also sent to the State Prosecutor's office and Yerevan Municipality.¹⁰ Table 3.2 above details which institutions were involved.

Ministries and agencies who wished to participate sent their representatives to the kick-off meeting. Later they made written proposals and discussed these in person with Staff of the Government.¹¹ In particular, 11 ministries and four other state agencies presented their proposal, with seven proposals eventually included in the finalized action plan.

During the implementation period, the agencies directly involved in the third action plan as responsible for commitments were participating in the OGP Armenia working group, along with the agencies involved in the framework of the second action plan.¹²

3.3 Civil Society Engagement

The timeline of the action plan development and consultation process was drafted by the Government's OGP task force, and further presented and discussed during the February 15 extended meeting of the working group. The following day, the timeline was posted on www.ogp.am.¹³ Further, the guidelines on the main criteria for commitments and format for submitting suggestions on commitments were published.¹⁴ The call for input to the action plan was sent electronically to working

group members and in hard copies to government agencies. The CSOs involved in the working group were requested to disseminate the call among their networks.^{15,16}

In April 2016, the Staff of the Government organized regional meetings in marzes (administrative territorial units of Armenia outside the capital) to engage regional and specialized non-governmental organizations, as well as raise awareness on the OGP initiative and development of the third action plan.¹⁷ In addition, on 13 April 2016, an open call for ideas was made through an online crowdsourcing tool, developed with the support of Kolba Innovations Lab of the UN Development Programme, to engage larger groups of stakeholders.¹⁸ The tool was innovative as it allowed soliciting ideas for the action plan directly from citizens. As a result, by the end of April, 18 recommendations were submitted by citizens using this tool.¹⁹

More than 70 recommendations were received in writing, including 39 recommendations from state agencies, 22 from CSOs and 18 from individuals. These submissions were discussed in several stages. First, the Staff of the Government selected suggestions deemed to be within the framework of the announced guidelines. Then, meetings with the authors of these recommendations and the representatives of relevant government agencies were organized to discuss further details and feasibility. The recommendations of agencies were also discussed separately.^{20,21}

On 11–12 June 2016, the working group held a workshop on the third action plan in Aghveran, a mountain resort outside the capital, with the support of the UNDP. Besides the working group members, representatives of other local and international organizations and government agencies were invited to participate. Participants included those who provided suggestions on commitments deemed by the government's task force as fitting into the framework of pre-announced requirements. The participants were divided into two sub-groups (representing civil society and state bodies) to discuss and shortlist the recommendations. The two shortlists were then compared, and the recommendations in both lists were adopted. The recommendations included in one shortlist only were also discussed, and some of them were eventually added to the consolidated shortlist.²² Overall, eight commitments out of 70 recommendations presented were included in the third action plan. Though the final draft was prepared by the Staff of the Government, the voice of civil society was heard and during the workshop in Aghveran CSOs could put a veto on a commitment they did not want to include,²³ as well as propose modifications of the commitments in the shortlist.

The final version of the draft action plan was posted on www.ogp.am website for public comments on 18 July 2016. Three days were provided for comments; however, no comments were received in this period.²⁴ The summary of recommendations with feedback on their adoption, or reasons for rejection, was posted on the Government's official website²⁵ along with the final version of the third action plan.

Civil society representatives highlight that compared to the second action plan, the input of CSOs in the third action plan was less significant. Unlike the second action plan development process, where several CSOs organized discussions and collected suggestions from the CSO community in the framework of donor-funded projects, CSOs did not take any initiative and/or leadership role in the third action plan development process. According to a CSO representative, the quality of the input from public and CSOs was affected by the limited involvement and awareness-raising activities by CSOs at local level.²⁶ Seven of eight commitments included in the final draft of the action plan were provided by governmental agencies, with some of them reflecting adjusted and/or combined versions of recommendations originally provided by CSOs, and one commitment (commitment 3) was based on the

recommendation provided by a CSO representative. As a result, CSOs did not take ownership of the commitments, which further impacted their level participation in the implementation process.

Many stakeholders, and particularly representatives of government and international organizations, state that the development process of the third action plan was largely participatory and allowed inclusion of a diversity of views. However, several CSOs, including OGP Armenia Working Group member CSOs, working in the areas of human rights, good governance and access to information, are not satisfied with the content of the action plan and the possibilities for input. They mention that the limitations set did not allow inclusion of more ambitious commitments. Apart from the OGP framework, the limitations included budget constraints, exclusion of legislative initiatives justified by the scope of the government jurisdiction, and exclusion of anti-corruption measures which were to be covered by the Anti-Corruption Strategy (such as, for example, transparency in public procurement, verification of beneficial ownership, and declaration of foreign assets by public officials). It may be therefore concluded that the consultation process was extensive in scope and provided multiple channels of communication but the final incorporation of suggestions from civil society and the public was limited.

Countries participating in OGP follow a set of requirements for consultation during development, implementation, and review of their OGP action plan. Table 3.3 summarizes the performance of Armenia during the 2016-2018 action plan.

Table 3.3: National OGP Process

Key Steps Followed: 6 of 7						
Before	1. Timeline Process & Availability			2. Advance Notice		
	Timeline and process available online prior to consultation	Yes	No	Advance notice of consultation	Yes	No
		✓			✓	
	3. Awareness Raising			4. Multiple Channels		
	Government carried out awareness-raising activities	Yes	No	4a. Online consultations:	Yes	No
		✓			✓	
				4b. In-person consultations:	Yes	No
				✓		
5. Documentation & Feedback						
Summary of comments provided				Yes	No	
				✓		
During	6. Regular Multi-stakeholder Forum					
	6a. Did a forum exist?	Yes	No	6b. Did it meet regularly?	Yes	No
	✓					✗
After	7. Government Self-Assessment Report					
	7a. Annual self-assessment report published?	Yes	No	7b. Report available in English and administrative language?	Yes	No
	✓			✓		

	7c. Two-week public comment period on report?	Yes	No	7d. Report responds to key IRM recommendations?	Yes	No
		✓			✓	

Table 3.4: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.²⁷ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for “collaborative.”

Level of public influence		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.		
Involve	The government gave feedback on how public inputs were considered.	✓	
Consult	The public could give inputs.		✓
Inform	The government provided the public with information on the action plan.		
No Consultation	No consultation		

3.4 Consultation During Implementation

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation. This can be an existing entity or a new one. This section summarizes that information.

As noted in 3.1, the multi-sector working group for the third action plan was approved by the Prime Minister in December 2016.²⁸ The delay in an official decision on working group composition was due to the Prime Minister’s resignation in September 2016 and subsequent change of cabinet. The group consists of 26 members, including 15 representatives from government staff and ministries, 10 from civil society and one private sector representative. Most of the members were involved in the last working group, while two members representing NGOs, one private sector representative, and representatives of two more ministries were additionally involved on the basis of their engagement in the implementation of commitments in the third action plan. Involvement in the working group is open to CSOs by application. There was no open call for applications nor an explicit announcement about the opportunity of involvement in the group. Organizations active in discussions of action plan development and working in the areas of the finalized action plan were suggested by the current WG members, and some of them eventually did become involved. The NGOs represented in the working group are active mostly in the areas of human rights, anti-corruption, social policy, and freedom of information. Two members of the working group are leaders of regional NGOs, while others are Yerevan-based organizations’ representatives. The gender balance is equal among NGO representatives, while five of 15 government representatives are female, which is generally a better reflection of gender balance in government’s higher-level staff.²⁹

The working group does not have any internal procedures or regular meetings. The OGP coordinator in the Staff of the Government convenes the meeting and the Government Point of Contact sends out invitations to members along with the draft agenda, which is open to suggestions. The meeting is chaired by the OGP coordinator, and minutes are prepared by the point of contact, which are then sent to WG members for comments. During the meeting, the responsible agencies for the commitments present the status of implementation and answer questions from WG members. The agenda may include planning of the next action plan development, setting internal rules of procedure, and other current issues related to the action plan and WG procedures. During the third action plan implementation, by the time of writing this report, working group meetings were held on 16 November 2016, 16 May 2017, and 30 October 2017, which cannot be considered regular given that the OGP Guidance Note recommends one meeting every two months. Generally, the meetings are open to observers, however, since the meetings are held at the government's premises, an advance request on participation is needed for entrance into the building. In practice, there was no such request received by the Staff of the Government. The notice of the meeting is sent to the working group members and information about the meeting is not publicly available in advance. Representatives of international organizations are also invited to participate in meetings as observers.³⁰

The minutes of the working group meetings, as a rule, are posted on the www.ogp.am website under the 'news' section for public access. Comments are also allowed. The minutes include a review of the action plan commitments' implementation, which is one of the main themes of meetings. The IRM researcher participated in the meeting of 30 October 2017, which was dedicated to the discussion of rules of procedure for the group.

Apart from the meetings, the working group communicates online to discuss issues when necessary.³¹ However, apart from the working group meeting in May 2017, interviewed CSO representatives did not recall any online communication informing them of any commitment implementation process. Throughout the third action plan implementation, the online communication was exclusively on meeting organizational issues and development of internal rules of procedure for the group. At the same time, the Staff of the Government noted that more initiative and a proactive attitude is expected from the CSO community, and that the government is always open to discuss public concerns and receive inputs from CSOs.³² During the implementation of some of the commitments, the responsible agencies have consulted stakeholder CSOs on issues related to commitment implementation.

In addition to working group meetings, a workshop on OGP was organized on 25 January 2017 by the Freedom of Information Center NGO, titled "5-year Co-operation between the Government and the Civil Society". During the event, the OGP initiative, main achievements and further steps were presented by the Staff of the Government and other members of the working group and discussed with civil society stakeholders.³³

3.5 Self-Assessment

The OGP Articles of Governance require that participating countries publish a self-assessment report three months after the end of the first year of implementation. The self-assessment report must be made available for public comments for a two-week period. This section assesses compliance with these requirements and the quality of the report.

The government self-assessment was developed by the Staff of the Government and published on 11 September on www.ogp.am in the administrative language for a two-week comment period.³⁴ The report was also sent to working group members with a

request to disseminate among stakeholders, as well as being posted on OGP’s Armenia Facebook page³⁵, which is followed by 535 users. No comments were received during the assigned period. During the interviews and focus groups conducted by the IRM researcher, most of the CSO representatives not involved in the working group noted that they were not aware of the report.

The report includes a review of consultation efforts during action plan development and implementation and provides the status of completion of all commitments. It assesses the implementation of three commitments as complete, three as substantial, and two as limited. Evidence of the completion is provided for part of the commitments and activities, mostly as references to legal acts and relevant websites. Limited information is provided on challenges, particularly related to awareness-raising and following up commitments under previous action plans. A brief paragraph on next steps is included, with reference to the elaboration of internal procedures for the working group and plans to continue awareness-raising activities.

3.6 Response to Previous IRM Recommendations

Table 3.5: Previous IRM Report Key Recommendations

	Recommendation	Addressed?	Integrated into Next Action Plan?
1	The government can promote OGP through a well-designed national public awareness campaign, including the use of print media, radio and television, and targeted at a wide range of civil society stakeholders and citizens.	✓	✗
2	To reach out to a broader base of regional CSOs, government could organize meetings and have an equal distribution of consultative sessions of the OGP working group across the country.	✓	✓
3	To ensure meaningful participation in the development and implementation of the action plan, the government should prepare and present a timetable of OGP events necessary to ensure transparent and participatory development and implementation of the action plan.	✓	✓
4	The government may adopt a more holistic approach by including commitments that address more comprehensive reforms in areas such as public procurement and elections.	✓	✗
5	Ensure commitments from each iteration of the action plan are implemented within a specific timeframe to avoid excessive carry-over, or in certain cases, the loss of commitments as a result of non-implementation. In this regard the government should re-commit to fully implement the program budgeting commitment from the first action plan by 2018.	✗	✗

Of the five IRM recommendations, government addressed four in their self-assessment and integrated two in the action plan.

According to the self-assessment report, the recommendation for an awareness-raising campaign has been addressed throughout the third action plan development. Several regional meetings have been carried out, and a television program was filmed and broadcasted on Yerkir Media channel.³⁶ However, apart from including an item on awareness raising in the third action plan development timeline, no systematic outreach strategy was designed. Based on the feedback from stakeholders not involved in the working group³⁷, the IRM researcher finds that the campaign coverage was limited and did not reach a wide range of stakeholders.

The television program on OGP was developed by NGOs in the framework of a USAID-funded program “Media for Informed Civic Engagement”. Throughout the implementation period, in collaboration with Yerkir Media channel, the Freedom of Information Center (FOICA) produced 10-minute video stories on OGP commitments’ progress in the framework of “Civil Community for Open and Accountable Government” project funded by the U.S. Embassy³⁸ in 2016. However, no coverage on OGP was provided on public television, print media, or any radio channel. The website³⁹ and Facebook page⁴⁰ of OGP Armenia serve as the main sources of information on action plan development and implementation progress. These tools have been created under the USAID-funded program and are currently administered by FOICA on a voluntary basis.

The OGP Government Point of Contact indicated that the awareness-raising challenges are well-recognized by the task force; better television coverage and organization of regional meetings on the action plan implementation process are currently being discussed by the Staff of the Government. As to the administration of the OGP website and Facebook page by NGO representatives, the OGP task force finds this approach effective as it allows critical articles and comments to take place on these platforms.⁴¹

The second recommendation of the IRM report was addressed by the task force through organization of regional meetings in five regions of Armenia at the action plan development stage, which, however, did not provide equal coverage through the country, leaving out five other regions. The electronic tool for crowdsourcing ideas did, however, provide an opportunity for citizens to have their input regardless of location.

The third recommendation of the IRM report was also addressed, and the timeline of OGP events was posted on www.ogp.am website in February 2016⁴², providing opportunities for more transparent and participatory development and implementation of the action plan. The dissemination of the information on the timeline, however, was not sufficient to engage wide groups of society.

The fourth recommendation was related to the scope of action plan commitments. The IRM researcher recommended including more comprehensive reforms related to themes such as public procurement and elections. The government’s self-assessment report indicated that these reforms have been addressed in previous action plans, for example, in relation to public procurement.⁴³ According to a number of stakeholders interviewed, the commitments of the third action plan are not ambitious enough and do not sufficiently address priority areas such as anti-corruption, freedom of information, local governance reforms, etc. Many recommendations provided by CSOs were rejected with the justification that they would require legislative amendments and/or are implemented in the framework of other projects.⁴⁴ Thus, the IRM researcher concludes that this recommendation was not properly reflected in the third action plan.

The fifth IRM recommendation referred to following the specific timeframe of commitments (so that they do not get lost during unavoidable delays). It was also recommended to re-commit the program budgeting commitment from the first action plan. This recommendation was not addressed in the self-assessment report. Though the third action plan indicated specific timeframes for each commitment, the current report shows that there are delays in the implementation process and that the program budgeting commitment was not included in the third action plan. Thus, this recommendation was not implemented.

¹ Extract from RA Government Meeting Protocol, 11.08.2016, <https://www.e-gov.am/protocols/item/658/>

² Decision of RA Prime Minister N 12-06A on appointing Coordinator and Creation of Working Group, 16 December 2016, <https://www.e-gov.am/decrees/item/16513/>

³ Decision of RA Prime Minister N 828-A on amendments to the decision of 16 December 2016 N 1206-A, <https://www.e-gov.am/decrees/item/17379/>

⁴ Ministry of International Economic Integration and Reforms, Ministry of Agriculture, Ministry of Culture, Ministry of Defense, Ministry of Diaspora, Ministry of Economy, Ministry of Education and Science, Ministry of Emergency Situations, Ministry of Energy and Natural Resources, Ministry of Finance, Ministry of Foreign Affairs, Ministry of Healthcare, Ministry of Justice, Ministry of Labor and Social Affairs, Ministry of Nature Protection, Ministry of Sport and Youth Affairs, Ministry of Territorial Administration and Development, Ministry of Transport and Communication, Ministry of Urban Development, RA Police, State Property Management Department, General Department of Civil Aviation, State Committee of the Real Estate Cadastre, State Revenue Committee

⁵ General Prosecutor's Office of the Republic of Armenia

⁶ Commission on Ethics of High-Ranking Officials of the Republic of Armenia, Human Rights Defender of the Republic of Armenia, Procurement Support Center State Non-Commercial Organization (currently dissolved), National Academy of Armenia, Central Bank of Armenia, National Statistical Service of the Republic of Armenia, Central Electoral Commission of the Republic of Armenia, Public Service Regulatory Commission, National Commission on Television and Radio of the Republic of Armenia, Council of Public Television and Radio Company of Armenia, State Commission for the Protection of Economic Competition of the Republic of Armenia, Civil Service Council of the Republic of Armenia, EKENG CJSC

⁷ Yerevan Municipality

⁸ Ministry of Finances, Ministry of Economy, Ministry of Defense, Ministry of Labor and Social Affairs, Ministry of Emergency Situations, Ministry of Justice, Ministry of Sport and Youth Affairs, Ministry of Culture, Ministry of Education and Science, Ministry of Nature Protection, Ministry of Territorial Administration and Development, State Property Management Department, State Committee on Water Economy of the Ministry of Agriculture

⁹ Commission on Ethics of High-Ranking Officials of the Republic of Armenia, Council of Public Television and Radio Company of Armenia, Civil Service Council of the Republic of Armenia, EKENG CJSC

¹⁰ Vahe Jilavyan, Lilia Afrikyan (Staff of the Government), interview by IRM researcher, 17 October 2017

¹¹ OGP Midterm Self-Assessment Report on the Third Action Plan of the Republic of Armenia (2016-2018), http://ogp.am/u_files/file/Armenia_MID-TERM_report_3AParm.doc

¹² The Working Group to coordinate the works stipulated under the action plan of the participation of Armenia in the Open Government Partnership <http://ogp.am/en/working-group/>

¹³ 2016-2018 (third) Action Plan Development Timeline, http://ogp.am/u_files/file/2016_2018APDev_Timeline.pdf

¹⁴ The government has published the guidelines for the recommendations on the third action plan, http://ogp.am/hy/news/item/2016/03/15/manual_commitments/

¹⁵ Aram Asatryan (ex-Staff of the Government), interview by IRM researcher, 8 December 2017

¹⁶ OGP Midterm Self-Assessment Report on the Third Action Plan of the Republic of Armenia (2016-2018), http://ogp.am/u_files/file/Armenia_MID-TERM_report_3AParm.doc

¹⁷ Regional meeting kick-off by the government, <http://www.ogp.am/hy/news/item/2016/04/22/regions/>

¹⁸ OGP Third Action Plan: Idea Contest, http://ogp.am/hy/news/item/2016/04/13/3AP_contest/

¹⁹ Marina Mkhitarian, Aram Asatryan: Beggars and Netizens: Crowdsourcing policy-making in Armenia, 02.08.2016, <https://www.opengovpartnership.org/stories/beggars-and-netizens-crowdsourcing-policy-making-armenia>

²⁰ Aram Asatryan (ex-Staff of the Government), interview by IRM researcher, 8 December 2017

²¹ OGP Midterm Self-Assessment Report on the Third Action Plan of the Republic of Armenia (2016-2018), http://ogp.am/u_files/file/Armenia_MID-TERM_report_3AParm.doc

²² Vahe Jilavyan, Lilia Afrikyan (Staff of the Government), interview by IRM researcher, 17 October 2017

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- ²³ Marina Mkhitarian (UNDP Kolba Lab), interview by IRM researcher, 8 November 2017
- ²⁴ The draft OGP third action plan Armenia, <http://www.ogp.am/hy/news/item/2016/07/18/3rdAP/>
- ²⁵ Summary of recommendations presented for OGP Armenia third Action Plan, http://www.gov.am/u_files/file/OGP/ampopatert.pdf
- ²⁶ Tamara Abrahamyan (Araza NGO), interview by IRM researcher, 7 December 2017
- ²⁷ IAP2's Public Participation Spectrum, http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf
- ²⁸ Decree of the Prime Minister of Armenia No 1206-A, 16.12.2016, <https://www.e-gov.am/decrees/item/16513/>
- ²⁹ According to "Armenia: Country Gender Assessment" by Asian Development Bank, 2015, women represent 13.7 percent of higher civil servant staff in Armenia (<https://www.adb.org/sites/default/files/institutional-document/162152/arm-country-gender-assessment.pdf>, page 35).
- ³⁰ Vahe Jilavyan, Lilia Afrikyan (Staff of the Government), interview by IRM researcher, 17 October 2017
- ³¹ Vahe Jilavyan, Lilia Afrikyan (Staff of the Government), interview by IRM researcher, 17 October 2017
- ³² Vahe Jilavyan, Lilia Afrikyan (Staff of the Government), interview by IRM researcher, 17 October 2017
- ³³ "5-year Co-operation between the Government and the Civil Society", http://ogp.am/hy/news/item/2017/01/26/5years_OGP/
- ³⁴ Public consultation: Draft Self-Assessment Mid-Term Report of the Government, http://ogp.am/hy/news/item/2017/09/11/Gov_self/
- ³⁵ Open Government Partnership/Armenia Facebook post, <https://web.facebook.com/OpenGovernmentPartnershipArmenia/posts/1076356989133774>
- ³⁶ See, for example, <https://www.youtube.com/watch?v=Si6DVsI0gs>, <https://www.youtube.com/watch?v=icey0IBDsAg>, https://www.youtube.com/watch?v=TtD_JP4XzOA,
- ³⁷ Focus group discussion in Yerevan, 26 October 2017
- ³⁸ See, for example, <https://www.youtube.com/watch?v=k2eZLytquY>, <https://www.youtube.com/watch?v=U9qhud4WnZ0>, <https://www.youtube.com/watch?v=AHNH7nNK3l8>
- ³⁹ OGP Armenia website, www.ogp.am
- ⁴⁰ OGP Armenia Facebook page, <https://web.facebook.com/OpenGovernmentPartnershipArmenia/?fref=ts>
- ⁴¹ Vahe Jilavyan, Lilia Afrikyan (Staff of the Government), interview by IRM researcher, 17 October 2017
- ⁴² 2016-2018 (third) Action Plan Development Timeline, http://ogp.am/u_files/file/2016_2018APDev_Timeline.pdf
- ⁴³ OGP Midterm Self-Assessment Report on the Third Action Plan of the Republic of Armenia (2016-2018), http://ogp.am/u_files/file/Armenia_MID-TERM_report_3AParm.doc
- ⁴⁴ Summary of suggestions on the third action plan, http://www.gov.am/u_files/file/OGP/ampopatert.pdf

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹

What Makes a Good Commitment?

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible. This report details each of the commitments the country included in its action plan and analyzes the first year of their implementation.

The indicators used by the IRM to evaluate commitments are as follows:

- **Specificity:** This variable assesses the level of specificity and measurability of each commitment. The options are:
 - **High:** Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective.
 - **Medium:** Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective.
 - **Low:** Commitment language describes activity that can be construed as verifiable but requires some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be.
 - **None:** Commitment language contains no measurable activity, deliverables, or milestones.
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - **Access to Information:** Will the government disclose more information or improve the quality of the information disclosed to the public?
 - **Civic Participation:** Will the government create or improve opportunities or capabilities for the public to inform or influence decisions?
 - **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions?
 - **Technology & Innovation for Transparency and Accountability:** Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?²
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and

- Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.

Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:

- Starred commitments will have “medium” or “high” specificity. A commitment must lay out clearly defined activities and steps to make a judgment about its potential impact.
- 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.
- The commitment would have a “transformative” potential impact if completely implemented.³
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of “substantial” or “complete” implementation.

Based on these criteria, Armenia’s action plan does not contain any starred commitments.

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Armenia and all OGP-participating countries, see the OGP Explorer.⁴

General Overview of the Commitments

Armenia’s third action plan contains eight commitments, grouped into three topics: ensuring transparency and accountability (Commitments 1-4), promoting access to information (Commitments 5-7) and strengthening public integrity (Commitment 8). The commitments cover areas such as state budget, local government, social services, licensing and accountability of public officials. One of the commitments, related to the publication of declarations of high ranking officials (Commitment 4), was carried over from the second action plan. The commitment on community decisions’ platform is aimed at the transparency of local government, which was also covered in the previous action plan. Other commitments include new initiatives, generally addressing access to information and e-governance issues. The relevance of the commitment on “One-Stop-Shop in the Army” (Commitment 8) is unclear as it primarily addresses public administration and bureaucracy issues.

Themes

This report presents the commitments of the third action plan in the same sequence and specification as provided in the original action plan.

¹ Open Government Partnership: Articles of Governance, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf

² IRM Procedures Manual. Available at: http://www.opengovpartnership.org/sites/default/files/IRM-Procedures-Manual-v3_July-2016.docx

³ The International Experts Panel changed this criterion in 2015. For more information visit: <http://www.opengovpartnership.org/node/5919>

⁴ OGP Explorer: bit.ly/1KE2WII

1. Transparency of public officials' trips

Commitment Text:

Title: Responsible official trips: Ensuring transparency and accountability of official trips of representatives of republican executive bodies and territorial administration bodies

A unified platform with a search engine will be created based on the "open data" principle for posting decisions on official business trips of officials and reports thereon. The main objective is to raise the level of efficiency and accountability of funding allocated from the State Budget of the Republic of Armenia for the purpose of sending on official business trips heads, deputy heads and other officials of state executive bodies or territorial administration bodies on official trips; improve the transparency of activities of the Government of the Republic of Armenia.

The activities under this commitment are as follows:

- Drafting of amendments and supplements to legal acts defining the procedure for permissions for international official trips of officials, and discussion thereon with interested representatives of civil society (Sep 16 - Jan 17)*
- Coordination of draft legal acts with interested government agencies and adoption thereof (Jan 17 - Apr 17).*
- Creating a unified information platform accessible to users for posting decisions and reports on official business trips of heads, deputies or other officials of state executive bodies or territorial administration bodies (May 17 - Oct 17).*

Responsible institution: Ministry of Justice of the Republic of Armenia

Supporting institution(s): Staff of the Government of the Republic of Armenia, Ministry of Finance of the Republic of Armenia, Ministry of Foreign Affairs of the Republic of Armenia

Start date: September 2016

End date: June 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
Transparency of public officials' trips			✓		✓					✓			Yes			✓	

Context and Objectives

To ensure efficient and proper use of public funds by officials, in 2013 the government of Armenia adopted legal acts defining procedures for business travel permission and for submitting the related narrative reports.¹ Reports must contain information on the purpose of the trip, the inviting party, topics discussed, meetings, decisions made, documents signed, expected outcomes, etc. Individual decisions on official trips of heads of state, executive bodies or territorial administration bodies,

their deputies or other officials are posted on Armenia's electronic government website—www.e-gov.am. Nonetheless, reports on the results of trips were not published, which provided grounds for various interpretations on the goals and efficiency of the trips by the media and general public. The media has reported a public concern that the trips are used for tourism purposes and are often a waste of public funds, rather than serving the purposes of the particular state body.^{2,3,4}

This commitment entails the creation of a platform where the official trip reports will be publicly available. It is expected that the platform, with a search capability, will provide public access to information on the aims and outcomes of such trips and thus justify the relevant budget spending.

The commitment text refers to the “open data principle” without identifying the specific features of open data except for the availability of a search option. While the commitment lists steps for drafting and adopting amendments to the relevant legal acts and creation of a portal, it falls short on specifying the content of reports and whether or not financial information will be disclosed. Thus, the specificity of the commitment is rated as medium.

As noted, reports on officials' trips have been required since 2013 but were not published online. If the commitment is fully implemented as written, it can have a minor impact in terms of more efficient budget spending through better transparency of officials' travel expenses and allow a more effective public oversight on government spending on travel.

Completion

The commitment is on time but has not been fully completed. The relevant amendments have been passed but a separate platform with search capabilities has not been created. In April 2017, an amendment to the Prime Minister's decision⁵ was adopted enforcing the publication of official trip reports within one day of presenting the reports. The decision entered into force on 1 May 2017. Presently, the reports on international official trips, from May 2017 onwards, are available on the website www.e-gov.am in the section "Reports on Official Trips."⁶ According to the Ministry of Justice representatives, it was deemed purposeful not to establish a different platform but to use an available e-government platform.⁷ An independent expert interviewed for this report finds that creating the platform with data search possibilities is realistic, however, it would not be cost-effective, as the number of users would be limited.⁸

The level of commitment completion is assessed as substantial as the reports are published on the government's website. However, due to the lack of search engine and open data format, the commitment cannot be considered as completed. The reports on officials' business trips are provided in PDF format (with a list of 20 reports on each page) without search possibilities other than those provided by the browser, which allows to find a link to the report on the given page through browsing the official's name, date, or destination country. The MoJ representatives state that the signed reports are provided in scanned format and thus posted in PDF.⁹

The reports contain narrative information on the trip, mostly following the same headings such as the purpose of the trip, topics discussed, and commitments made. No information is provided on the budget amount or the source of funding, though, as implied in the commitment context and highlighted by CSOs.

Early Results (if any)

According to the CSOs interviewed and those who participated in group discussions, the reports currently posted are useful as a means of tracking the outcomes of the trips and can be used by journalists and other interested stakeholders. However, reports do not contain the financial data to provide a basis for assessing the cost-

effectiveness of trips.¹⁰ As to usability, the platform does not allow filtering data by branches, agencies, time periods, destination countries or review budgets to sufficiently analyze the cost efficiency of the reports or find out the costs and outcomes of trips by a specific agency. The PDF format is not machine readable which makes it difficult to process the texts of the reports. However, the very fact of publishing the reports can serve as a stimulus for officials to provide more specifics and be more cost- and time-efficient on trips.¹¹

The data provided by Helix Consulting LLC on the officials' trips report page visits shows that 2,179 page views were registered between May and October 2017, with an average visit duration of 2:23 minutes, which proves that visitors spend some time checking the reports.¹² The IRM researcher did not find any media publications reflecting on the narrative reports on official trips that could indicate that the information is used by journalists to reach a larger audience. The journalists interviewed indicated that the information provided could be useful in terms of checking the outcomes and follow-up actions of trips, which can serve as material for media publications. However, they note that reports do not provide complete information or a systematic summary of outcomes in the context of priorities and programs of the given executive agency to make general conclusions on the performance of the given program or state body.¹³

Next Steps

It is recommended to take forward the commitment to ensure compliance with the 'open data' principle for easy search and usage of reports. If a searchable platform is not created, it is recommended to:

- Include the title of the position of officials in the links of the documents for easier search through browser;
- Standardize titles and content of all report documents, ensuring compliance of the reports with the approved reporting structure;
- Produce reports in machine readable format, providing structured data;
- Allow proper monitoring on spending and evaluation of cost-effectiveness of trips. Reports need to include the total budget amount and source of funding for the trip and provide linkages with the corresponding decisions and budget spending reports;
- Include attachments or links for details of the trips, e.g. the signed documents, speech texts, photos;
- Include the strategic direction and/or the program priority of the relevant state agency which informed the purpose of a trip.

¹ Decision of the Prime Minister of the Republic of Armenia No 1087-N of 26 November 2013 "On international official trips of representatives of republican executive bodies and territorial administration bodies", <http://www.arlis.am/DocumentView.aspx?DocID=112868>

² Hraparak.am, "I am not concerned about visiting London or shopping", 17.06.2014, <http://bit.ly/2jA1zo7>

³ "From your pocket to new business trips", CivilNet, 20.12.2015,

<https://www.civilnet.am/news/2015/12/20/from-your-pocket-per-diem-expenses/283974>

⁴ Marina Mkhitarian (UNDP Kolba Lab), interview by IRM researcher, 8 November 2017

⁵ Decision No 367-N dated 13.04.2017 "On making amendments to the Decision of Prime Minister No 1087-N of 26.11.2013", <http://www.arlis.am/DocumentView.aspx?DocID=112853>

⁶ Electronic government of the Republic of Armenia, Trip Reports, <https://www.e-gov.am/trips/>

⁷ Suren Krmoyan, Mariam Galstyan (Ministry of Justice), interview by IRM researcher, 25 October 2017

⁸ Aram Mkhitarian (Helix Consulting LLC), interview by IRM researcher, 2 November 2017

⁹ Suren Krmoyan, Mariam Galstyan (Ministry of Justice), interview by IRM researcher, 25 October 2017

¹⁰ Focus group discussion in Yerevan, 26 October 2017

¹¹ Naira Arakelyan (Arnavir Development Center NGO), interview by IRM researcher, 30 October 2017; Focus group discussion in Gyumri, 23 November 2017

¹² Aram Mkhitarian (Helix Consulting LLC), interview by IRM researcher, 2 November 2017

¹³ Gagik Aghbalyan (journalist), Tirayr Muradyan (Armenian Times), telephone interviews by IRM researcher, 15 November 2017

2. Transparency of state grants

Commitment Text:

Title: Accountability of grants from the government: Ensuring transparency and accountability of allocation of grants from the State Budget of the Republic of Armenia

Posting on the official website of the respective government agency the list of organizations having participated and recognized as winners in the competition for obtaining grants from the State Budget, as well as the reports on projects implemented under the grants. Main objective is to raise the level of effectiveness of using grants allocated from the State Budget of the Republic of Armenia, enhance access to information on procedures for allocating grants and on projects implemented under the grants, the goal of a grant, accountability and transparency of the field.

The activities under this commitment are as follows:

1. *Drafting amendments and supplements to legal acts defining the procedures for provision of grants and discussion thereon with interested representatives of civil society (Sep16-Dec 16).*
2. *Coordination of legal acts with interested agencies and adoption thereof (Jan-May 17).*
3. *Posting reports of organization having obtained grants on official websites of implementing agencies providing grants (starting June 17).*
4. *Placing the list of organizations having participated and recognized as winners in competitions for provision of grants from the State Budget of RA on official websites of the implementing agencies providing grants (starting June 17).*

Responsible institution: Ministry of Justice of the Republic of Armenia

Supporting institution(s): Staff of the Government of the Republic of Armenia, Ministry of Finance of the Republic of Armenia

Start date: September 2016

End date: June 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
Transparency of state grants			✓		✓					✓			No		✓		

Context and Objectives

The processes for allocating grants from the state budget are regulated by several legal acts. The laws on annual budgets specify the lists of organizations receiving grants without competition, indicating organizations' name, amount of grants, specific projects and the agency providing a grant. However, the procedures for selecting

these organizations, as well as monitoring and reporting of implementation of state-funded projects are not defined. This gap has been discussed for several years in various reports, including the USAID CSO Sustainability Index¹ which states that the process for selecting these CSOs is not transparent and the provision of grants is mostly done on a non-competitive basis at the discretion of state agencies. However, two governmental agencies—the President's Administration and the Ministry of Sport and Youth Affairs—organize grant competitions through intermediary organizations. The information on the outcomes of these competitions and/or the funded programs is usually posted on the websites of the intermediary organization, Armenian Youth Fund², in the case of the President's grants, and on the special grant program platform www.cragrer.am in the case of the Ministry of Sport and Youth Affairs.³

This commitment intends to increase transparency of grants funded from the state budget through publishing the list of organizations receiving grants from each state agency as well as project reports for such grants. The commitment lists activities related to legal changes and actual publication of lists and reports of organizations receiving grants.

The intended results of the commitment are efficient management of budget funds, increased accountability and public confidence. However, the commitment covers only the information on grants received through competition, while the problem highlighted by the research and stakeholders is the lack of a competitive mechanism of grant distribution, as well as a lack of reporting on organizations and projects funded from the state budget.⁴ The potential impact of this commitment would be negligible unless a competitive grant distribution mechanism is put in place for all agencies providing grants. The potential impact would be more significant if it covered not only grants but also funding from public resources, such as subsidies, donations, and procurement contracts. In this regard, the new Law on Public Organizations, adopted in December 2016, has provided more space for public accountability. According to the law, from 2018 public organizations must publish reports on any projects, funded from the state and/or community budget, including information on funding amounts, income sources and project results.⁵

Completion

There has been limited progress on the commitment implementation. The government (Cabinet) adopted decision No 579-N on 1 June 2017 "On making supplements to Decision of the Government of the Republic of Armenia No 1937-N of 24 December 2003."⁶ According to this decision, in a three-day period after signing a grant contract with an organization, the name, address, and project proposal of the funded organization is published on the official web page of the state body allocating the grant.

Prior to the adoption, the draft decision was circulated among all the ministries for discussion.⁷ There was no electronic or in-person consultation with civil society representatives. The decision was adopted on 1 June 2017 and entered into force on 16 June 2017. As of 1 November 2017, the IRM researcher could not find a list of organizations recognized as winners of state grant competitions on any ministry website. The Ministry of Sport and Youth Affairs website provides a link to www.cragrer.am established in 2010, where the results of grant competitions within the scope of State Youth Policy implementation are posted.⁸

As a result of the government decree, some ministries, including the Ministry of Agriculture and the Ministry of Education and Science, started to post grant project reports on their websites. More details on the implementation of activities 3 and 4 of the commitment are covered in the next section on Early Results, as this information refers to actual changes in government practice. At the time of writing the report, the IRM researcher noted that in general, the grant project reports are not available on

the websites of implementing agencies in proper quality and scope. Thus, it is concluded that activities 3 and 4 of the commitment have not been completed on time (June 2017 as per action plan).

Early Results (if any)

In November 2017, FOICA, a CSO working in the area of access to information, sent out inquiries to all the ministries requesting information on grant competition results and grant project reports in 2017. According to the responses, at the time of writing, most ministries did not hold grant competitions in 2017. The grants were distributed in accordance with the Law on Budget 2017, which specifies the list of grants provided without competitions.⁹ There are also cases where grants or donations are provided by special governmental decrees.

As a result of the governmental decree stipulating publication of grant project reports, the Ministry of Agriculture created a page on grant projects on its website¹⁰, after the mid-term reporting period. At the time of writing, this page presents contract documents and brief financial reports of one grant project, though grants were allocated to 10 organizations in 2017. Several reports are provided on the website of the Ministry of Education and Science, posted in July and October 2017,¹¹ including narrative project reports or notification letters provided by 20 organizations, though grants were provided to 38 organizations in 2017.¹² This information can be useful for reviewing the results of the projects funded from the state budget. However, as the scope of implementation is limited, the impact of this commitment on the practical level is yet to be seen.

Next Steps

In order for the commitment to be completed, all ministries need to start posting information on all the grants provided to various organizations on their websites. It is recommended that all agencies adopt the same standards on the titles and content of grant report documents.

To ensure transparency of state funding allocation, further steps are needed. The next OGP action plan can include a commitment with measures for ensuring transparency and accountability of funding from the state budget. These can be:

- Reform the grant allocation process to ensure competitive and transparent mechanisms for providing grants.
- The state agencies allocating budget funding to organizations need to provide a rationale for donating grants or outsourcing services to other organizations and identify major budget lines and eligible costs allowed by the grants to justify public spending.
- Extend the scope of publication of information on state-funded projects, ensuring that not only the lists and reports of grant projects, but also the list of organizations receiving subsidies, donations, assistance and other types of funding from the state budget, as well as the relevant narrative reports are publicly available.

¹ 2016 CSO Sustainability Index for Central and Eastern Europe and Eurasia, https://www.usaid.gov/sites/default/files/documents/1866/CSOSI_Report_7-28-17.pdf

² Armenian Youth Fund website, www.heh.am

³ Ministry of Sport and Youth Affairs, Online Grant System, www.cragrer.am

⁴ Naira Arakelyan (Armavir Development Center NGO), Tamara Abrahamyan (Araza NGO), Marina Mkhitarian (UNDP Kolba Lab), Varuzhan Hochtanyan (Transparency International Anti-Corruption Center), participants of focus groups in Yerevan and Gyumri

⁵ The Law on Public Organizations, 16.12.2016, Article 24, <http://www.arlis.am/DocumentView.aspx?DocID=110802>

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- ⁶ Government decision No 579-N "On making supplements to Decision of the Government of the Republic of Armenia No 1937-N of 24 December 2003", 01.06.2017, <http://www.arlis.am/DocumentView.aspx?DocID=113823>
- ⁷ Suren Krmoyan, Mariam Galstyan (Ministry of Justice), interview by IRM researcher, 25 October 2017
- ⁸ Ministry of Sport and Youth Affairs website, Grant Projects, <http://www.msy.am/en/category/dramashnorhavin-tsragrer.html>
- ⁹ The Law "On State Budget 2017 of the Republic of Armenia" Annex 1, Table 16 "List of projects identified by the Law "On State Budget 2017 of the Republic of Armenia" for which the relevant government agencies will provide allocations to economic entities in the form of grants, without competition", http://www.arlis.am/Annexes/4/PT92.1_2016page925-950.pdf
- ¹⁰ Ministry of Agriculture website, Grant Projects, <http://bit.ly/2AjTxF>
- ¹¹ Ministry of Education and Science website, Narrative reports on activities conducted by organizations in the third quarter of 2017 within the framework of grant projects by MES Staff General Education Department, <http://edu.am/index.php/am/documents/view/1835>
- ¹² Give Me Info, Queries, Ministry of Education and Science, <http://www.givemeinfo.am/hy/case/2297/>

3. Interactive budget: Open Data principle

Commitment Text:

Title: More Interactive budget: Ensuring transparency of the State Budget applying the Open Data principle

Besides the expenditure part, improvement of the system of interactive electronic budget will provide an opportunity to interactively show not only the estimated revenues, but also the actual revenues through sources of generation, to make the search for particular data possible by applying relevant advanced instruments (for example, the distribution of expenditures of the State Budget among state bodies of the Republic of Armenia, etc.), as well as to make the information machine-readable for further processing by users. It will ensure that the information on the State Budget of the Republic of Armenia is user-friendly and will improve transparency of information on actual expenditures and collected revenues of the State Budget of the Republic of Armenia.

The activities under this commitment are as follows:

1. Discussions with private companies and civil society aimed at clarifying the scope of activities (Oct 16 - Jan 17).
2. Drafting of the terms of reference and implementing procurement (Feb 17 - Jun 17).
3. Improvement of the interactive budget system based on the open data principle also with the option of presenting actual revenues according to the sources of generation thereof (Jul 17 - Jun 18).

Responsible institution: Ministry of Finance of the Republic of Armenia

Supporting institution(s): Staff of the Government of the Republic of Armenia

Start date: December 2016

End date: June 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
Interactive budget: Open Data principle			✓		✓			✓		✓			Yes		✓		

Context and Objectives

Currently, the structure of the state budget and the estimated actual expenditures are published in accordance with functional classification via the online electronic “interactive budget” tool available on the websites of Armenia’s electronic government¹ and the Ministry of Finance.² The “interactive budget” is a visual tool, which with step-by-step clicking on specific budget categories, provides data on the relevant budget expenditures, including procurement contracts where applicable. The disadvantage of the system is that it is not built on “open data” principles. The

system does not provide users with an opportunity to easily find, download, process and re-use information, nor does it include information on budget income by source.

This commitment entails improvement of the interactive budget platform through providing downloadable data with a search and filter option. The intended results are improved accessibility and transparency of the state budget through online presentation of revenues and expenditures with possibility of analysis.

The commitment text specifies the main characteristics of the “interactive budget” including possibilities to search by specific criteria, and downloading and processing data. However, it does not specify a detailed level of information on expenditures (e.g. the general expenditure article or the costs, the vendor, etc.). According to the representative of the NGO which provided the suggestion to include this commitment, the intended result was to open up the expenditure broken down to the cost lines incurred by state agencies.³

The potential impact of this commitment is assessed as minor. The commitment provides for a new format of the budget data, while the relevant data has already been published in different formats through the interactive budget tool and budget reports. The main value added by the commitment is a more user-friendly and less time-consuming search of information. The system will allow publishing data within one day of reporting the spending to the Ministry of Finance.⁴ The actual impact in terms of changes in practice would depend on the level of usage of the budget platform and subsequent public oversight.

Completion

At the end of the first year of implementation, the overall completion of the commitment was limited, although the first two activities have been completed. The discussion with private companies and civil society took place prior to the implementation period—that is, during the discussion of the third action plan. Throughout the implementation period, terms of reference have been drafted and the software was procured from the sole source. The vendor is LSOFT Ltd, which has already provided similar services to the Ministry of Finance. The contract was signed in August 2017 with a two-month delay as of action plan (due June 2017).⁵ The planned date of completion was end of December 2017 according to the ToR attached to the contract. The funding for this work was allocated from the state budget and comprises 4.8 million AMD. Although outside of the assessment period, most of the technical work was carried out by October 2017.

Next Steps

The commitment is planned to be completed on time. The IRM researcher recommends organizing a discussion of the test version of the budget platform with civil society and other stakeholders through a public presentation before finalization, to take into account comments and suggestions from users. CSOs interviewed noted that the term ‘interactive’ does not reflect the concept of the product and recommend changing the title to ‘visual’, as in this case the budget data does not provide any opportunity for feedback from the public.⁶ In the next action plan, the government could consider including a commitment on an interactive platform for public discussion of the budget in the planning stage, which would require both online and offline consultation tools and measures, including usage of online platforms, public discussions, and expert roundtables.

¹ Electronic government of the Republic of Armenia, Interactive Budget, <https://www.e-gov.am/interactive-budget/>

² Ministry of Finance, Interactive Budget, http://minfin.am/en/page/interactive_budget/

³ Gharib Harutyunyan (Compass Research, Training and Consultancy Center NGO), interview by IRM researcher, 9 November 2017

⁴ Zhirayr Titizyan (Ministry of Finance), interview by IRM researcher, 15 November 2017

⁵ State procurement contract No RA MF 17/5, 29.08.2017, https://www.e-gov.am/procur_files/40772838-pg.PDF

⁶ Focus group discussion in Gyumri, 23 November 2017

4. Officials' declarations in open data

Commitment text:

Title: "Open data" in official declarations: Improving the electronic system of declarations on property, income and affiliated persons of high-ranking officials

Compliance of the format of declarations of high-ranking officials with the "open data" principle, improvement of the processing, analysis and search system thereof.

The objective of this initiative is to make data on declarants having failed to submit declarations within the time limits specified by law should be made available and accessible for the civil society, as well as to enable to receive the data subject to publication from the system through an interactive method and in an open electronic format.

It is expected to have, with the help of civil society, an impact on declarants to perform their duty of submitting declarations. This will improve the statistics on declarations that have not been submitted within the time limit specified by law and those submitted late. Moreover, by introducing the declarations registry interactive instrument, the Commission expects to receive from the interested groups of civil society more substantiated recommendations and applications in relation to cases of restrictions on the activities defined by the Law of the Republic of Armenia "On public service", or conflict of interests, or prima facie violations of the rules of ethics on the part of any high-ranking official, or risks recorded in that regard.

The activities under this commitment are as follows:

- 1. Presenting the proposal regarding the commitment to the interested civic groups, receiving their viewpoints, organizing discussions, summarizing results with regard to publication of lists of persons having failed to submit declarations within the time limit specified by law and developing software for making the Registry of Declarations section of the Commission's website interactive for users (Sep 16 - Dec 16).*
- 2. Posting on the Commission's website the lists of persons having failed to submit declarations and persons having submitted declarations late in 2016 (Dec 16 - Mar 17).*
- 3. Upgrading the search engine of the Registry of Declarations section of the Commission's website at www.ethics.am, ensuring its interactive accessibility for users, developing and installing the software (Mar 17 - Jun 18).*

Two milestones have been identified by the IRM researcher for this commitment, differentiated by the outputs of the commitment: posting the list of officials' that did not submit declarations on time, and the establishment of search engine with information in open data format.

Responsible institution: Commission on Ethics of High-Ranking Officials (upon consent)

Supporting institution(s): Staff of the Government of the Republic of Armenia

Start date: September 2016

End date: June 2018

Commitment Overview	Specificity	OGP Value Relevance	Potential Impact	On Time?	Completion
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	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
Officials' declaration in open data			✓		✓	✓	✓	✓		✓			No		✓		

Context and Objectives

Since 2012, declarations on property and income of high-ranking officials as well as their affiliated persons have been published in PDF format in accordance with the requirements of the Decision of the RA Government No 1835-N of 15 December 2011. The declarations are publicly available on the website of the Commission on Ethics of High-Ranking Officials ('the Commission') at www.ethics.am. However, apart from an official's name, title, and year, it is not possible to search and filter declarations by specific types of information. For example, to find data of officials with income above a certain threshold, each official's declaration has to be searched separately. Besides, publication format in the Registry of Declarations does not allow to process and analyze the data dynamics by year.

In 2015, the Commission set up an electronic system of declarations, which enables receiving information on persons who have failed to submit declarations, as well as persons who have submitted declarations late. However, this system is not connected to the website of the Commission at www.ethics.am and the information is not publicly available¹.

The objectives of the commitment are publication of declarations of high-ranking officials in "open data" format, i.e. providing downloadable and searchable data instead of PDFs, and publication of the list of declarants who did not submit declarations within the time limits specified by law. The commitment also entails consulting with civil society on the process of publication of the list of non-compliant officials and the software to be developed for the website. The completion of the commitment would enable investigative journalists and civil society to have improved access to declarations and verify officials' declared income and assets through fact-checking and reporting. Publication of the list of non-compliant officials could help to hold these officials accountable. Thus, the commitment addresses OGP values of access to information, civic participation and public accountability.

The commitment lists specific activities for achieving set targets. The Commission envisions discussion with interested civic groups, however, the scope of consultations and format of discussions are not clearly specified. The upgrade of the search engine of the Registry of Declarations sections of the www.ethics.am website aims to ensure interactive accessibility for users without specifying the search criteria that would be available. Thus, overall, this commitment is assessed as having 'medium' specificity.

This commitment has the potential to improve public access to information on public officials' asset and income declarations. Publication of the list of those who have failed to submit declarations on time can potentially help to hold those officials accountable. If fully implemented, these efforts can improve civic oversight on declaration submission and any subsequent actions taken by the Commission, as well as provide an opportunity for the Commission to utilize the analyzed data for its

own investigations. However, the impact of the commitment could remain limited in scope as long as it depends on the activities of a limited number of CSOs and media working in this area and on the follow-up actions taken by the responsible agency.

Completion

There has been limited progress on the commitment implementation. The Commission held discussions during various meetings with civil society and media representatives. For example, several working meetings were held with the participation of Transparency International Anti-Corruption Center NGO in 2016. The Commission took into account the opinions and recommendations presented by “Investigative Journalists” NGO through their publications in “Hetq” online media and during non-formal interactions with Commission representatives.^{2,3} On 12 October 2016, in the framework of the “Multi-Faceted Anti-Corruption Promotion” program funded by the EU an event “Problems of Increasing Transparency in the Declaration System of High-Ranking Officials’ Income, Assets and Their Related Persons, as well as the Reforms Implemented” was organized in Vanadzor by the Armenian Lawyers’ Association in partnership with the Commission on Ethics of High-Ranking Officials and the FOICA. Presentations by Commission representatives and experts were followed by the discussion of participant CSOs and media.⁴

The list of officials that failed to present declarations on time was scheduled to be completed by March 2017 but has not been published within the first year of action plan implementation. In fact, this list was published on 30 October 2017, presenting only the names and positions of officials who had not provided declarations on income and property for 2016 by that date. Any information on delayed submissions of declarations was not reflected in the published list. According to the Commission representatives, extra time was allocated to officials to review their declarations and complete missing information. Technical problems and legislative amendments, with subsequent reforms within the Commission, also contributed to the delay.⁵

In parallel to commitment implementation, several legislative amendments were adopted in the area of public declarations. Amendment to the law “On Public Service” and a number of other laws was adopted by the parliament on 9 June 2017, and entered into force on 1 July 2017. According to the amendments, administrative liability is established for failure to submit declarations on time or for violating regulations for declarations, as well as for failure to submit full or correct information by negligence, and criminal liability is set for intentional non-submission of declarations, presenting false information, or hiding the information subject to declaration.⁶ This amendment can have a multiplication effect on the potential impact of the commitment, as improved access to information on declarations can have practical implications on enforcing the sanctions toward non-compliant officials.

The funds envisaged for commitment implementation have been included in the scope of the “Third Public Sector Modernization Project for Armenia” (2016-2020) funded by the World Bank. However, as noted by the Commission representative, the modernization of the search engine was conditioned by the legal amendments, which entered into force in July 2017, thus it was delayed. At the time of writing, the Commission has prepared the draft terms of reference for the development of software to upgrade the search engine of the “Registry of Declarations” section of the Commission’s website.⁷

Next Steps

The commitment should be implemented in the remaining period of the action plan. After the approval of the draft ToR on modernization of the electronic system of declarations, the Commission plans to launch the procurement process to select a company for developing software.

When the search engine is ready, it is recommended to discuss it with interested civil society stakeholders to ensure its compliance with the commitment objectives and receive additional comments and recommendations on the provided search criteria and ease of use.

The representative of the Commission notes that for better impact of the commitment, CSOs and media have to be more active and carry out investigations to ensure civic oversight and help reveal the facts of illicit enrichment.⁸ As noted by civil society representatives, apart from the improved platform of declaration data, what is more important is that the Commission takes further steps to verify data provided in declarations and ensures application of relevant sanctions as provided by law.⁹ Publication of related decisions of the Commission and information on sanctions applied would contribute to increased public trust in this institution and better use of the platform by civil society organizations engaged in data analysis and civic oversight.

¹ OGP Third National Action Plan of the Republic of Armenia (2016-2018),

http://ogp.am/u_files/file/3AP_ENG.docx

² Armen Khudaverdyan (Commission on Ethics of High-Ranking Officials), interview by IRM researcher, 24 October 2017

³ Grisha Balasanyan (Hetq.am run by Investigative Journalists NGO), interview by IRM researcher, 23 October 2017

⁴ "CSOs and Mass Media Must Play an Important Role in terms of Ensuring Transparency of the Income and Asset Declaration Institution", Iravaban.net, <http://iravaban.net/en/141518.html>; "An anti-corruption event was held on problems of Increasing transparency in the declaration system and implemented reforms", Commission on Ethics of High-Ranking Officials, <http://www.ethics.am/hy/events/item/2016/10/13/news5/>

⁵ Armen Khudaverdyan (Commission on Ethics of High-Ranking Officials), interview by IRM researcher, 24 October 2017

⁶ RA Law "On making amendments and supplements to the RA law 'On Public Service'", 09.06.2017, <http://www.arlis.am/DocumentView.aspx?DocID=114359>

⁷ Armen Khudaverdyan (Commission on Ethics of High-Ranking Officials), interview by IRM researcher, 24 October 2017

⁸ Armen Khudaverdyan (Commission on Ethics of High-Ranking Officials), interview by IRM researcher, 24 October 2017

⁹ Focus group discussion in Yerevan, 26.10.17, Grisha Balasanyan (Hetq.am run by Investigative Journalists NGO), interview by IRM researcher, 23 October 2017, Varuzhan Hokyanyan (Transparency International Anticorruption Center NGO), interview by IRM researcher, 30 October 2017

5. Portal for community decisions

Commitment Text:

Title: Portal for community decisions: Creation of a unified legal information system for decisions of council of elders and heads of communities

Creation of a unified legal information system for decisions of council of elders and heads of communities, based on the “open data” principle. Ensuring accessibility of the decisions of councils of elders and heads of communities, providing a search function (simple and advanced search), ensuring usability, increasing transparency of the activities of communities.

Publication of the decisions of councils of elders and heads of communities based on the “open data” principle conveys new quality to the introduction and persistent development of the value of public accountability in terms of access to information.

The activities under this commitment are as follows:

1. *Discussion with representatives of civil society and private organizations on possible technical solutions for the creation of a single unified electronic platform for publishing the decisions of councils of elders and heads of communities (Sep 16 - Nov 16).*
2. *Creation of a single unified electronic platform with search function for publishing the decisions of councils of elders and heads of communities (Dec 16 - Jun 18).*
3. *Organizing and conduct of training courses for community servants (Jul 17 - Dec 17).*
4. *Creation of a repository for previously adopted decisions of councils of elders and heads of communities (starting January 18).*

Responsible institution: Ministry of Territorial Administration and Development of the Republic of Armenia

Supporting institution(s): Marzpetarans (regional governors’ offices) of the Republic of Armenia

Start date: September 2016

End date: June 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
Portal for community decisions			✓		✓			✓		✓			Yes		✓		

Context and Objectives

By the time of undertaking the commitment, the decisions of councils of elders and heads of communities were electronically posted in PDF format on various official websites, particularly in communities (if available) and relevant marzpetarans (regional governments). However, Armenia did not have a single unified platform for

this purpose. Thus, it was difficult for users to easily find the community legal acts they needed. National legal acts, however, are posted on the online platform—Armenian Legal Information System (ARLIS)—providing possibilities to search by criteria as well as to download specific legal acts.¹

This commitment intends to create a web platform which will serve as a unified information system for the publication of community decisions. Thus, the commitment is relevant to the OGP value of access to information.

The commitment specifies that decisions of community heads and councils will be published according to the open data principle in a unified legal information system. However, the commitment does not specify the exact format and structure in which the data will become available.

If fully implemented, the commitment will ensure better access to decisions of various communities and facilitate decision searches by specific criteria. Currently, in order to find a decision on a specific topic, users have to visit the websites of all 10 marzpetarans and search among a number of scanned PDF documents for each community separately. The expected potential change in the government practice is minor, as the decisions are already available in various platforms, however, the commitment implementation would facilitate access to information on a unified platform.

Completion

The commitment is limited in completion. In July 2016, a new LSGB Acts section was introduced on www.arlis.am, where the decisions of councils of elders and heads of communities were published in the format of a quarterly bulletin in PDF format.² According to the responsible Ministry, the technical capacities of the ARLIS website were considered, and it was found purposeful to publish the information of community acts on the same platform as national level legal acts.³ The CSO representatives have different views on whether the portal should be on a separate website. Some CSOs state that a new portal should be created as specified in the commitment text, while others mention that it can serve its aims on the ARLIS website, as it is better known and cost-efficient.⁴ However, virtually all CSOs agree that the format of the published decisions does not allow for user-friendly search and information retrieval, taking into account the lack of machine-readable options in PDF file and its downloading capacity.

The platform provides a table of contents where the name of each legal act is provided, including the community, the number and the date of adoption, and often the subject of the decision. This makes it possible to use the search engine of the browser to find a specific decision in the content table and further find the relevant legal act in the PDF bulletin. However, if the year of the decision is not known, one should conduct a search for each year. Further, the IRM researcher noticed that not all the decisions published on the websites of governors' offices are posted in the bulletin. Particularly, the "community council decision" section of the websites of Aragatsotn and Armavir marzpetarans have been reviewed for decisions of communities adopted in 2016.⁵ Agarak community from Aragatsotn marz had 40 decisions published, and Alashkert community from Armavir marz had 45 decisions published on their regional governments' websites. However, out of these 85, only one decision from the Alashkert community from 2016 was included in the bulletin at www.arlis.am.

In 2011, the government approved a concept on community consolidation⁶, and from 2015 most of the communities in Armenia (915 communities as of 2011) have been merged into larger administrative units. According to the ministry, as soon as reforms on consolidation of municipalities are completed (expected in 2018), it would be

feasible to publish the decisions of consolidated municipalities on the searchable section of ARLIS.⁷

Early Results (if any)

It is currently difficult to make conclusions on the usability of the platform. The stakeholders interviewed, particularly representatives of CSOs and media, noted that the collection of all community decisions in one platform is useful and they might use the resource created within the commitment. They also note that the availability of online publication of decisions can have minor effects on the quality of document development by community governments, but not on the content of decisions.⁸ There are no usage statistics available for the section of LSGB decisions, but overall statistics for www.arlis.am show around 80,000-90,000 unique users and millions of page uploads each month⁹, which reflects the popularity of the portal. However, because of limited data search and processing options and an incomplete list of community decisions, the portal might not serve as effectively as it could.

Next Steps

It is recommended to improve the commitment implementation in the remaining period of the action plan. In particular, the following recommendations are suggested by the IRM researcher based on discussions with stakeholders:

- Ensure the portal covers all decisions of all Armenian communities;
- Publish the decisions in machine readable format, providing structured data;
- Consider further revision of the portal to make it compliant with the commitment text, in particular providing simple and advanced search possibility;
- Make the bulletin more user-friendly for reading from the website (e.g. providing possibility of full screen view).

¹ Armenian Legal Information System, <http://www.arlis.am>

² Susanna Grigoryan (Pashtonakan teghekagrer CJSC), interview by IRM researcher, 17 November 2017

³ Ashot Giloyan (Ministry of Territorial Administration and Development), interview by IRM researcher, 16 November 2017

⁴ Focus Group discussion in Yerevan, 26 October 2017

⁵ Aragatsotn Regional Administration website, Community Council Decisions, <http://aragatsotn.mtad.am/community-council-decisions>, Armavir Regional Administration website, Community Council Decisions, <http://armavir.mtad.am/community-council-decisions>

⁶ Extract from RA government protocol decision No 44, "On approval of the concept on community consolidation and formation of intercommunity units" 10.11.2011, <http://www.arlis.am/DocumentView.aspx?DocID=73958>

⁷ Ashot Giloyan (Ministry of Territorial Administration and Development), interview by IRM researcher, 16 November 2017

⁸ Focus Group discussion in Gyumri, 23 November 2017

⁹ Susanna Grigoryan (Pashtonakan teghekagrer CJSC), interview by IRM researcher, 17 November 2017

6. Licensing register

Commitment Text:

Title: Accountable licensing: Creation of a state unified electronic register of persons carrying out activities subject to licensing by state bodies and subject to notification

Creation of a state unified electronic register of persons carrying out activities subject to licensing by state bodies and subject to notification, and digitization of the licenses issued. Creation of a state unified electronic register of persons carrying out activities subject to licensing by state bodies and subject to notification will help further simplify the process of issuing a license and the administration related to types of activities subject to notification, as well as reduce potential corruption risks.

The activities under this commitment are as follows:

1. *Studying the international practice (Aug 16 - Oct 16).*
2. *Drafting the amendments to relevant secondary regulatory legal acts (Sep 16- Nov 16).*
3. *Developing a state unified electronic register of persons carrying out activities subject to licensing by state bodies and subject to notification, developing software and creating an electronic website (Sep 16 - Mar 17).*
4. *Digitalizing all the licenses previously issued by state bodies and including them in the unified electronic register (Dec 16 - Mar 17).*
5. *Connecting the electronic register to other state electronic registers, for example, to the database of the state register of legal persons (e-register) (Mar 17 - Apr 17).*
6. *Organizing relevant training courses on the peculiarities of maintaining a unified electronic register for representatives of state bodies issuing licenses (Dec 16 - Mar 17).*

Responsible institution: Ministry of Justice of the Republic of Armenia

Supporting institution(s): Staff of the Government of the Republic of Armenia, Ministry of Finance of the Republic of Armenia

Start date: August 2016

End date: April 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
Licensing register		✓			Unclear					✓			No		✓		

Context and Objectives

Currently, the Republic of Armenia has no unified register of persons carrying out activities subject to licensing by state bodies and subject to notification. Activities subject to notification are covered by the Law on Activities Subject to Notification¹ and include activities that do not require licensing but relevant notification to be sent to state bodies (such as production and/or sale of specific products, including wine, beer, veterinary biologics, etc.). The information on the existence or absence of a

license/notification or its authenticity with the original is verifiable only through the hard copy documents. The lists of licensed organizations for some areas of economic activities are posted on the respective websites of authorized issuing bodies, but there is no unified format or requirement on public disclosure of the lists. During competitions or other events held by state bodies, the process of verifying an organization's license or its validity may be carried out more effectively if there is a unified electronic system. In this case, by using the state unified electronic register of licenses, the responsible party would be able to verify the information on the availability of a license and its validity by entering the number and date of the license².

The commitment text does not specify that the unified electronic register will be accessible to the public, thus its relevance to access to information is unclear. If the register were to be public, the commitment could potentially serve as a significant improvement: the organizations applying for a license could follow the conditions under which similar organizations have received licenses, and thus be better prepared, while civic oversight could potentially decrease risks of illegal service provision. However, since the commitment text does not specify that public access will be provided to the register the potential impact related to the usage of it will be minor.

Completion

The first activity under the commitment, analysis of international experience, was conducted in 2016. Further, the Terms of Reference for development of the register have been designed.³ Through these activities, the Ministry of Justice closely collaborated with Harmonious Development NGO, an involved civil society stakeholder.⁴

In parallel, draft amendments to relevant legal acts have been prepared and circulated among governmental agencies for review. In particular, an amendment to the law "On Licensing" introduced the concept of unified electronic registry of licenses, the information it covers, the rules on providing free access and the maximum amount of state fees for access to the information in the registry.⁵ The revised amendments were presented to the parliament in July 2017 and adopted on 25 October 2017.⁶ The amendments will enter into force on 15 May 2018. According to the amendment to the law "On Licensing", the electronic registry will contain information on the name and address of the licensed legal entity, or, place of residence and registration address of the natural person, license number and date of issue, the type of activity for which the license was issued, address of business activities, term of validity, and other information as provided by law. According to the amendment, the procedure of provision of information on licenses and validity checking, as well as the list of state agencies which can access the electronic register free of charge, shall be defined by the government. At the same time, the amendment states that information on any license holder stored on the electronic register can be provided online to other individuals and legal entities for a fee but will be free of charge to the license holder itself.⁷ The VX-Soft company was contracted to carry out the development of the software for electronic registry. By the time of writing, the company has developed the draft software and tested it in several state agencies. Information on the start and planned completion dates was not provided to the IRM researcher. According to the Ministry of Justice, the responsible agency for this commitment, the launch of the platform is expected by the date when the relevant legal amendments enter into force.⁸

Though the commitment was scheduled to be completed in April 2017, it was delayed by the adoption of the legal act and allocation of necessary funding.⁹

Next Steps

To make this commitment relevant to open government, the IRM researcher recommends to design measures that provide a higher level of transparency. It is recommended to make the key data on license holders, including the list of license holders for each category of activities with name, address, and date of license validity, accessible free of charge, so that citizens are able to find out the availability and terms of license by searching a company's or person's name and address of business activities. Integration of supplementary information available on websites of state agencies, such as eligibility requirements and procedures of obtaining a license in a specific area, and a link to online application and reporting platforms available on www.e-gov.am, would be an additional value-added component.

¹ RA law on activities subject to notification, 13.11.2015,

<http://www.arlis.am/DocumentView.aspx?DocID=117286>

² OGP Third National Action Plan of the Republic of Armenia (2016-2018),

http://ogp.am/u_files/file/3AP_ENG.docx

³ Suren Krmoyan, Mariam Galstyan (Ministry of Justice), interview by IRM researcher, 25 October 2017

⁴ Mary Katvalyan (Harmonious Development NGO), interview by IRM researcher, 28 November 2017

⁵ RA law "On making amendments and supplements to the Law of the Republic of Armenia 'On licensing'" <http://www.arlis.am/DocumentView.aspx?DocID=117125>

⁶ History of the draft law "On making amendments and supplements to the Law of the Republic of Armenia 'On licensing'", http://www.parliament.am/draft_history.php?id=8898&lang=arm

⁷ RA law "On making amendments and supplements to the Law of the Republic of Armenia 'On licensing'" <http://www.arlis.am/DocumentView.aspx?DocID=117125>

⁸ Suren Krmoyan, Mariam Galstyan (Ministry of Justice), interview by IRM researcher, 25 October 2017

⁹ Suren Krmoyan, Mariam Galstyan (Ministry of Justice), interview by IRM researcher, 25 October 2017

7. Integrated social services and awareness raising

Commitment Text:

Title: Open and Social: Accessibility of integrated social services and awareness raising

Introduction of "Open&Social" instrument based on collection, coordination, analysis and accessibility of data, and transformation of "114 Hot Line" Service into a Call Center.

The innovation instruments developed within the framework of the "Open&Social" commitment will ensure access to information on social services that is classified in detail and presented in an automated manner; participation of the public in the assessment of social services online; as well as rating organizations providing these services, ensuring increase in accessibility and transparency of social services for the public.

The activities (milestones) under this commitment are as follows:

- 1. Introducing the "Open&Social" instrument at <http://www.esocial.am> on-line information system of integrated social services for the purpose of ensuring access of the beneficiary to information on the social services that are available, ensuring automated provision of information on social services chosen by the beneficiary (Nov 16 – Jun 18).*
- 2. Posting reports on the results subject to publication with regard to the monitoring and assessment of services provided in the social protection sector that are regularly carried out by the Ministry of Labour and Social Affairs of the Republic of Armenia, at www.elibsocial.am under the "Knowledge Management System" of the social protection sector (Jan 17 – Jun 18).*
- 3. Creating a platform where the public will be provided with an opportunity to give scores to the specific service and the organisation providing this service, and as a result of analysing these scores, such services and organisations functioning in the social protection sector will get a certain rating. Revision of services being provided based on opinions of the beneficiaries, simplification of working procedures and reduction of time (Dec 17 – Jun 18).*
- 4. Extending the scope of services provided by Nork Technological and Awareness Center for Social Services Foundation ("Nork Foundation") by way of transforming the Hot Line Service into a Call Center, conducting internal investigation with regard to complaints and alerts received from the citizens (Jul 17 – Jun 18).*

Responsible institution: Ministry of Labor and Social Affairs of the Republic of Armenia

Supporting institution(s): Ministry of Health, Ministry of Agriculture, Ministry of Education and Science, Ministry of Defense, Ministry of Sport and Youth Affairs, Ministry of Territorial Administration and Development, Ministry of Finance, Ministry of Justice, Ministry of Diaspora.

Start date: November 2016

End date: June 2018

Commitment Overview	Specificity	OGP Value Relevance	Potential Impact	On Time?	Completion
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	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
Integrated social services and awareness raising			✓		✓	✓	✓				✓		Yes			✓	

Context and Objectives

Nearly 80 state social protection programs are carried out within the scope of integrated social services in the Republic of Armenia, and the procedures for each program are different¹. In this regard, there is a need to raise awareness on procedures of social services in a more accessible manner and with suitable instruments, as well as to make social services more accessible. This is intended to be done through posting information on all state social protection services differentiated by location, beneficiary status, and type of service.

The commitment aims to introduce a comprehensive information platform presenting the eligibility for, and scope and mapping of, provided services. Thus, it promotes access to information and provides mechanisms for citizen participation.

The commitment text has medium specificity. The information to be provided at www.esocial.am and principles and criteria for rating organizations are not specified in detail in the descriptions of milestones 1 and 3. Milestone 2 clearly indicates that available monitoring and evaluation reports for services in this area, which are open to publication, will be posted. Milestone 4 entails the creation of a call center, but the difference between the call center and the Hot Line is not clarified.

The potential impact of the commitment is assessed as moderate. The representative of the Ministry of Labor and Social Affairs noted that this commitment is carried out in the context of larger reforms in social protection and will contribute to changing the practice of social service delivery. Particularly, citizens would be able to learn about their rights and accessible services and procedures on application for specific services or benefits through a user-friendly internet platform. The staff of integrated service provision centers will also utilize the information and tools provided by the Open&Social initiative and thus increase the efficiency of services.² Other stakeholders note that to effectively reach their objectives, the designed platforms should provide a user-friendly interface with accessible, regularly updated information. They should be widely promoted among the public.³

Completion

The commitment is expected to be completed on time. The list of main legal acts and provisions related to social protection was drawn up by the National Institute of Labor and Social Research, Ministry of Labor and Social Affairs. Certain detailed descriptions of services provided within the framework of state programs in the field of employment were developed. By the time of writing, www.esocial.am was fully functioning, providing mapping and description of the integrated social service centers, information on services and programs grouped by the category of specific social groups eligible for the given services, and the list of organizations providing services in each category, etc.

Within the framework of the second milestone, the monitoring and evaluation reports regarding the programs of the social protection sector implemented during 2012-2016, as well as related materials, were published in the electronic library of the online system www.elibsocial.am. The system provides a free registration option with larger possibilities available for registered users.

Within the framework of the third action, the assessment of social services platform is still under development. The registered users of www.esocial.am will be given the opportunity to rate specific social services.

Technical problems were observed by the IRM researcher through usage of both platforms—[esocial.am](http://www.esocial.am) and [elibsocial.am](http://www.elibsocial.am). The representative of the responsible state agency noted that the technical problems were due to a change of the hosting service.

Within the framework of the fourth action, no progress was registered. According to the representative of Pension System Awareness Center of Nork Foundation, technical enhancement of the 1–14 Hot Line center was carried out in early 2015, including the set-up of an online consultation service and a 24/7 hotline through registration of calls in non-working hours. However, since September 2017, the online consultation service is not available due to lack of financing.

Next Steps

The commitment should be completed in the remaining period of the action plan. The following recommendations are suggested by the IRM researcher based on discussions with stakeholders:

- Organize a large awareness-raising campaign to ensure the usability of the platforms by a wide range of social groups.
- Consider merging several different platforms operated by the Ministry of Labor and Social Affairs or a well-designed information brief (for example, on the Ministry's websites) where purposes and possibilities of different platforms will be explained in an accessible and user-friendly manner.
- Ensure high technical capacity and proper functioning of the platforms.
- Provide accessibility and ease of reading text for average users. Short videos and images in graphical format can be considered for user-friendly presentation of information.

¹ OGP Third National Action Plan of the Republic of Armenia (2016-2018), http://ogp.am/u_files/file/3AP_ENG.docx

² Arman Sargsyan (National Institute of Labor and Social Research, Ministry of Labor and Social Affairs of the Republic of Armenia), interview by IRM researcher, 16 November 2017

³ Focus group discussion in Yerevan, 26 October 2017; Anahit Khachatryan (USAID), interview by IRM researcher, 8 November 2017; Suren Deheryan (Journalists for Future NGO) interview by IRM researcher, 28 November 2017.

8. One-stop-shop military registration offices

Commitment Text:

Title: One-stop-shop in the Army: Introduction of One-stop-shop pilot project within military registration offices of the Republic of Armenia

Implementation of the "One-stop-shop" pilot project within 2-3 military registration offices. Improvement of administration in the activities of military registration offices through testing and further introduction of the "One-stop-shop" pilot project and reduction of risks therein, restriction on contacts of citizens with the military registration office personnel, reduction of the time limits for providing requested information/documents.

The activities under this commitment are as follows:

1. Clarifying the scope of functions relating to the One-stop-shop (Sep 16 - Nov 17).
2. Assessing capacities of military registration offices and selecting military registration offices (Dec 16 - Feb 17).
3. Introducing the One-stop-shop (Mar 17 - Jun 18).
4. Survey regarding change of public confidence (if necessary) (Jan 18 - Jun 18).
5. Submitting recommendations on making amendments to secondary regulatory legal acts (if necessary) (Mar 18 - Jun 18).

Responsible institution: Ministry of Defense

Supporting institution(s): None

Start date: September 2016

End date: June 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
One-stop-shop military registration services		✓			Unclear					✓			No	✓			

Context and Objectives

In Armenia, a two-year service in the Army is compulsory for males from 18 to 27 years old. The registration of conscripts, the conscription process, record-keeping, post-service registry maintenance and the provision of related documents are implemented by military registration offices located in each district and/or community. The scope of activities of military registration offices is diverse, and there is a need to specify legislative regulation for services provided¹. The introduction of "one-stop-shop" pilot project in 2-3 military registration offices will provide an opportunity to test its effectiveness in providing services related to provision of certificates, verification documents, etc.

The introduction of a single unified service will make it possible to eliminate problems that emerge during personal contact with citizens in the process of providing documentation, by narrowing the scope of direct communication between representatives of military registration offices and citizens.

The commitment text has low specificity. Though there is a clear indication of the purpose and activities included in the commitment, the scope of services to be provided through one window is not specified.

The commitment is related to improvement of administration and services as it aims to facilitate procedures for providing information to people visiting military registration offices. However, the commitment does not include any activities that would enhance transparency or create more citizen oversight and public accountability of the military sector. Therefore, the relevance of the commitment to OGP values is unclear.

If implemented, the commitment could make military registration offices more service oriented. The military offices usually not only provide documents, certificates, and other paperwork, but are a contact point for relatives of soldiers if any information is needed or any grievance related to military service occurs. Adopting the single window principle would ensure that instead of military officers, visitors would deal with civil servants specialized in information and service provision. A representative of a CSO, working in the area of conscripts' rights and awareness-raising on military service, noted that the one-window approach will serve more effectively as a means for communication and document provision. In particular, it will reduce waiting times, facilitate faster provision of military service related documentation and ensure better control of the process.² However, as the current commitment includes only piloting the one-window approach in 2-3 offices, the potential impact of this commitment is assessed as minor.

Completion

In 2016, military registration offices in two districts of Yerevan, Nor-Nork and Kentron, were selected for the introduction of "one window".³ However, following the resignation of the government cabinet, the Minister of Defense was replaced in October 2016, and the strategy of the Ministry's work was revised. A package of new laws on military service was adopted by the parliament in October-November 2017, and subsequent reforms of military registration offices are planned, thus the implementation of this commitment has been suspended.⁴

The possibility of providing specific services of military registration offices ' through post offices ("Haypost" CJSC) is currently being discussed.⁵ It should be noted that since November 2016, a number of documents are provided to citizens through the unified system of public service delivery offices, mostly located in "Haypost" offices, both in Yerevan and regions.⁶ These documents include verification of marital status, real estate certificates, penal clearance certificates, etc. Thus, the Ministry of Defense considers provision of military service related certificates through the same system, which saves time and human resources at military registration offices and excludes any possibility of personal contact throughout the provision of documents. However, the services in the unified system will be limited to provision of standardized information and documents, while other types of inquiries will still be served by military registration offices.

The Ministry of Defense launched a Hot Line service (1–28)⁷ in January 2017, which provides the possibility for citizens to receive answers to inquiries and leave information on grievances related to any aspect of military service, including mistreatment of soldiers, results of medical examinations, corruption cases or administrative impediments. In this regard, the Hot Line partly covers the services previously planned for the "one-stop-shop" system (information provision and response to grievances).

Next Steps

According to the Ministry of Defense, it is possible that the commitment will be reformulated to reflect the revised approach of the Ministry. However, timelines of implementation of the revised approach are not known yet, since they are dependent on the larger reform process.⁸

Based on the feedback from CSOs who participated in interviews and focus groups, the IRM researcher has identified a number of concerns related to non-implementation of the commitment originally planned. Therefore, the following recommendations are suggested in case it is decided to organize the delivery of services through the unified state service delivery system:

- clarify the list of services to be provided by the unified system of state service delivery as per the scope of military registration offices,
- provide appropriate solutions to privacy issues, often linked to the military service-related documents,
- clarify the possibilities to continue rendering the same services through military registration offices in parallel with the unified service delivery system,
- plan a large awareness-raising campaign ensuring that citizens are aware of the new possibilities provided by the integrated system.

While these recommendations might be considered through further reforms of military offices, it is recommended to include in the next action plan other commitments that are relevant to OGP values, i.e. access to information, public accountability, or civic participation.

¹ OGP Third National Action Plan of the Republic of Armenia (2016-2018),

http://ogp.am/u_files/file/3AP_ENG.docx

² Sergey Harutyunyan (Support and Rights NGO), interview by IRM researcher, 7 November 2017

³ OGP Midterm Self-Assessment Report on the Third Action Plan of the Republic of Armenia (2016 - 2018), http://ogp.am/u_files/file/Armenia_MID-TERM_report_3AParm.doc

⁴ Alexander Avetisyan (Ministry of Defense), interview by IRM researcher, 27 November 2017

⁵ Alexander Avetisyan (Ministry of Defense), interview by IRM researcher, 27 November 2017

⁶ The provision of public services will be closer to Armenian citizens, armenpress.am, 18.11.2016, <https://armenpress.am/arm/news/868529/petakan-tsarayutyunneri-matucumn-aveli-mot-klini-hh.html>

⁷ The Hot Line of the RA Ministry of Defense has been launched, 10.01.2017, <http://www.mil.am/hy/news/4576>

⁸ Alexander Avetisyan (Ministry of Defense), interview by IRM researcher, 27 November 2017

V. General Recommendations

A well-designed public outreach campaign is needed not only during action plan development, but also through the implementation process and follow-up of the outcomes achieved. Ambitious commitments addressing stakeholder priorities such as budget transparency, civic participation and anti-corruption measures should be included in further action plans, as well as securing appropriate human and financial resources to ensure full implementation of the commitments.

This section aims to inform development of the next action plan and guide completion of the current action plan. It is divided into two sections: 1) those civil society and government priorities identified while elaborating this report and 2) the recommendations of the IRM.

5.1 Stakeholder Priorities

The themes of the current action plan prioritized by the stakeholders are mostly related to transparency issues. These include providing information and reporting on state-funded projects (Commitment 2), improvement of officials' income declaration system (Commitment 4) and accountable licensing (Commitment 6).

Stakeholders recommend expanding the scope of current commitments to cover the following measures:

- Establish competitive mechanisms of grant provision and enlarge the scope of published information on state-funded projects, including recipients of subsidies, donations, and other types of funding, as well as relevant reports. The main problem behind the commitment 2 is the lack of procedures for selecting, monitoring and reporting of organizations implementing state-funded projects, and the lack of information published on these organizations and/or projects.
- Apply measures to verify the information provided in the officials' income and assets declaration and publish information on findings and application of subsequent sanctions. CSOs are skeptical if the open data on declarations would have any impact unless responsible bodies initiate relevant measures to hold officials accountable for false or late declarations, or for illicit enrichment.
- Extend the scope of information included in the officials' declarations, including sources of monetary gifts, companies where they have ownership, geographical location of the estate property, sources of loans as well as the scope of their family members subject to declaration beyond cohabitants. According to journalist investigations, often the parents of either the officials or their spouses, as well as children living separately, are registered as owners or shareholders of companies.

The stakeholder priorities for the next action plan include further anti-corruption measures, including:

- Provide free access to information on the founders and current shareholders of companies. According to journalist investigations and CSO monitoring reports, a number of conflict of interest issues were identified related to state procurement. According to the law, information on the names of founders can be accessed free of charge from the State Registry database on www.e-register.am website;¹ however, in fact, the information on founders of joint stock companies and non-governmental organizations is not available, as well as

updated information on the current shareholders of companies. More details on a specific organization (including information on founders and current shareholders) are provided on the basis of a query sent to the State Registry and require payment of state fees.

- Publish information on personal expenses of officials covered from the state budget, particularly related to usage of vehicles and phone communication. Recent media publications revealed substantial amounts of phone expenses by parliament members, and misuse of official cars for personal purposes is also an often-discussed issue.
- Publish timely information on the activities and decisions of the State Commission for the Protection of Economic Competition. Monopolization of several segments of the economy and the lack of competition in the market are critical issues raised by civil society, and accountability of these activities is a priority to be addressed.

5.2 IRM Recommendations

The awareness-raising activities and involvement of CSOs in the development of the action plan should be further enhanced as well as continued throughout the implementation process. This would provide better quality inputs in the action plan and subsequently more effective implementation. At the same time, the government should take on more ambitious commitments addressing access to information, public accountability and civic participation in further action plans.

More ambitious commitments addressing country priorities

It is recommended to take on more ambitious commitments that can transform practices in open budgeting, transparent and accountable spending, and verification of beneficial ownership and real beneficiaries of organizations. To respond to these challenges, the next action plan should include commitments that prioritize establishing competitive mechanisms for awarding grants or service contracts to non-profit organizations by executive agencies, with transparent and fair selection criteria and further accountability measures in place. Another area that would benefit from more openness is the ownership and participation of shareholders in companies published on www.e-register.am. Government could commit to provide free access to information on the founders and current shareholders of all companies in the current register.

An example of a more ambitious commitment for government spending would be to publish information on the personal expenses of officials covered by the state budget, particularly related to usage of vehicles and phone communication.

Awareness-raising on the action plan development and implementation

Although more awareness-raising activities were initiated by the government through the third action plan development process as compared to previous action plans, the quality of the inputs provided and the scope of the audience covered need improvement. The OGP Armenia website and Facebook page cover a limited number of users and are administered by a CSO, which puts the sustainability of these channels at risk. The IRM researcher recommends implementing the following activities in relation to awareness raising:

- Utilize more resources and channels for raising awareness on the concept of OGP in general, and action plan development and implementation processes in particular.
- Actively engage CSOs in both consultation and implementation processes through their available resources or by allocating additional resources from government and donor funds. Broaden the coverage to regional stakeholders

and clearly formulate the OGP messages through the consultations on action plan development.

- Organize large awareness-raising campaigns on the outcomes of the current and previous action plans. To this end, the government might consider using the “Hraparakum” program on public television which covers the activities and programs of government.² Government could prepare and use video PSAs presenting accessible information on OGP aimed both at soliciting suggestions in the development process and ensuring usage of the outputs after commitment completion.
- Take ownership of the OGP Armenia website and Facebook page through securing the website costs from the state budget and allocating staff for administration and maintenance.
- Promote successful results of commitments in the international arena.

CSO participation in OGP processes

The multi-stakeholder working group, established in the framework of OGP initiatives, serves as an effective platform for exchange of information, discussion, and dialogue among stakeholders. The regularity of working group meetings should be improved and transparent mechanisms on the procedures of participation designed, along with the internal procedures of meetings. The development of internal procedures is currently under way, and it is recommended to make them public upon approval.

CSOs are concerned with the lack of collaboration and consultations through the implementation period. Though all the commitments in the third action plan indicated CSOs among stakeholders, involvement in the implementation process was minimal. On one hand, responsible agencies often did not communicate with involved CSOs, and on the other hand, there was a lack of initiative on the part of CSOs. Several CSO stakeholders explain their limited involvement with a lack of trust and motivation, a result of disappointment with the outcomes of the last action plan and a lack of transformational commitments in the current plan. However, as noted by the stakeholders and pointed out in the IRM Progress Report Armenia 2014-15³, the commitments are most successful if a CSO is involved as a stakeholder in the implementation or monitoring process. It is therefore recommended that the government take proactive steps to address these concerns and involve stakeholder CSOs in the implementation process, including ongoing consultation on outputs, challenges, and more effective implementation of specific commitments.

Quality of the action plan

The limitations set by the government have meant that only executive lead commitments have been prioritized, limiting the scope and ambition of the action plan. This approach does not allow for addressing many issues of concern presented by civil society.

The OGP action plan should be treated as a national action plan which includes all branches of government as well as civil society. Several countries have incorporated legislative amendments in their OGP action plans to address issues that reflect country priorities. For example, in the Ukraine’s third action plan, a number of commitments entailing legislative amendments are included, such as development of legal amendments or new drafts on urban planning documentation, disclosure of information in extractive industries, and public consultations.⁴

The Armenian government needs to consider involvement of stakeholders from Parliament in the development in order to remove the limitation on commitments requiring legislative amendments. The current action plan, in fact, includes commitments that go beyond the executive branch. For example, commitment 4

pertains to an independent commission that is not subordinate to the government but still committed to the implementation.

Budget limitations were another factor for the selection of commitments though not explicitly mentioned in the summary of proposals as a reason for proposal rejection. In some cases, the budgeting issue was mentioned by responsible institutions as a reason for delay and/or limited implementation of commitments. However, CSOs consider that the government is able to, and must, allocate necessary budget resources in order to implement all the commitments in an optimally efficient manner. Resources can be allocated also in the framework of large donor programs aimed at the improvement of public administration. It is recommended to estimate the commitment budget and consider possible sources of funding for implementation and further maintenance of outputs before incorporating the commitment into the action plan. Synergy with relevant projects of CSOs/international organizations with secured funding might also be a solution (as was the case with the second action plan).

Publication of the summary of proposals provided throughout the action plan development process is a valuable step forward. However, the explanations for the rejection of specific proposals are general and vague. Therefore, it is recommended to provide detailed explanations of rejection for each proposal individually to provide better accountability and increased trust in the process.

Impact assessment and sustainability

Sustainability of achievements in the framework of the OGP plan is another issue of concern. The functionality and usability of the platforms created should be ensured. The lack of awareness on numerous sources of information is emphasized by many stakeholders, while platforms created through OGP commitments are not always functional. For example, the Health Financing Portal www.sha.am established in the framework of the second action plan is currently not available. The relevant financial and human resources need to be secured for sustainability of OGP commitment outcomes. Creation of an inventory of open data sources and organization of outreach campaigns to ensure usage of these sources is another activity recommended for sustaining results and reaching the intended impacts of the commitments.

Based on CSOs' suggestions, it is recommended to conduct evaluation and impact assessment of commitments implemented in the framework of not only the current, but also previous action plans. This would help to identify the actual impact and gaps that can be reflected in further undertakings of the government and civil society, including through future action plans. This activity might also be useful in increasing the visibility of the OGP initiative and thus improve public trust in its effectiveness.

Table 5.1: Five Key Recommendations

1	Utilize more resources and wide-coverage channels for raising awareness of the OGP concept, process of action plan development and implementation, as well as on the results achieved, including through video PSAs and other communication tools.
2	Coordinate with the Parliament to include more ambitious commitments that require legislative action in areas of access to information, public accountability, and participation.
3	Expand the scope of budget-related commitments focusing on the transparency of government spending and increase public participation in the budget development process. Establish competitive and transparent

	mechanisms for awarding state grants and service contracts by executive agencies.
4	Include more ambitious commitments that address anti-corruption issues, e.g. providing free access to information on the founders and current shareholders of companies.
5	Conduct evaluation and impact assessment of implemented commitments to identify the actual impact and gaps that can be reflected in further activities of the government and civil society, including through future action plans.

¹ Article 61, RA Law on the State Registration of Legal Entities, State Accounting of the Divisions of Legal Entities, Enterprises and Individual Entrepreneurs, 03.04.2001, <http://www.arlis.am/DocumentView.aspx?DocID=110864>

² “Hraparakum” TV series, <http://www.gov.am/en/hraparakum/>

³ Armenia: IRM Progress Report for 2014-2015, https://www.opengovpartnership.org/sites/default/files/Armenia_IRM14-15_EN_0.pdf

⁴ Ukraine Third National Action Plan, 2016-2018, <https://www.opengovpartnership.org/documents/ukraine-third-national-action-plan-2016-2018>

VI. Methodology and Sources

The IRM progress report is written by researchers based in each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each IRM researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency and therefore, where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each report.

Each report undergoes a four-step review and quality-control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology.
2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole. (See below for IEP membership.)
3. Prepublication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report.
4. Public comment period: The public is invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.¹

Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Researchers should make a genuine effort to invite stakeholders outside of the "usual suspects" list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g., online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than is provided in the self-assessment or is accessible online.

For interview purposes, the IRM researcher has contacted all agencies and organizations indicated in the action plan as responsible or involved stakeholders representing governmental agencies and CSOs. In addition, other organizations involved in the working group and representatives of the media were interviewed on OGP development and implementation processes and/or specific commitments.

In total, 27 in-person interviews, nine telephone interviews and two focus group discussions were conducted by the IRM researcher in Yerevan, Dilijan, and Gyumri through October-December 2017.

For each focus group discussion, 35–40 participants were invited. The following criteria of selecting the invitees of focus group discussion were taken into consideration:

- organizations both experienced and previously not involved in the OGP processes,
- organizations working in thematic areas relevant to OGP in general and the third action plan in particular, including good governance and accountability, budget transparency, local government, and social services.

The IRM researcher attended an Open Space forum organized by “NGO Center” Civil Society Development NGO on 27-28 October 2017, where issues under a headline topic of inter-sectoral collaboration were discussed, and participated in a small group discussion on CSO-government collaboration challenges in the framework of the OGP initiative. On 30 October 2017, the IRM researcher attended the meeting of the OGP Armenia Working Group.

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on an annual basis. The design of research and quality control of such reports is carried out by the International Experts Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Hazel Feigenblatt
- Mary Francoli
- Brendan Halloran
- Hille Hinsberg
- Anuradha Joshi
- Jeff Lovitt
- Fredline M’Cormack-Hale
- Showers Mawowa
- Ernesto Velasco

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org.

¹ IRM Procedures Manual, V.3 : <https://www.opengovpartnership.org/documents/irm-procedures-manual>

VII. Eligibility Requirements Annex

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.¹ When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

In September 2012, OGP officially encouraged governments to adopt ambitious commitments that relate to eligibility.

Table 7.1: Eligibility Annex for Armenia

Criteria	Earliest Date ²	Current	Change	Explanation
Budget Transparency ³	ND	ND	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information ⁴	4	4	No change	4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration ⁵	3	4	Increase	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	3 (5.88)	3 (5.88) ⁶	No change	<i>EIU Citizen Engagement Index</i> raw score: 1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total / Possible (Percent)	10/12 (83%)	11/12 (92%)	Increase	75% of possible points to be eligible

¹ For more information, see <http://www.opengovpartnership.org/how-it-works/eligibility-criteria>.

² All numbers come from 2010 except for Asset Declaration, which is from 2009

³ For more information, see Table 1 in <http://internationalbudget.org/what-we-do/open-budget-survey/>. For up-to-date assessments, see <http://www.obstracker.org/>.

⁴ The two databases used are Constitutional Provisions at <http://www.right2info.org/constitutional-protections> and Laws and draft laws at <http://www.right2info.org/access-to-information-laws>.

⁵ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009), <http://bit.ly/19nDEfK>; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009), <http://bit.ly/13vGtqS>; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009), <http://bit.ly/1cIokYf>. For more recent information, see <http://publicofficialsfinancia444disclosure.worldbank.org>. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and de facto public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at <http://bit.ly/1EjLJ4Y>.

⁶ "Democracy Index 2014: Democracy and its Discontents," The Economist Intelligence Unit (London: Economist, 2014), <http://bit.ly/18kEzCt>.