

# Independent Reporting Mechanism (IRM): Armenia Design Report 2018–2020

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## Table of Contents

|  |           |
|--|-----------|
| <b>Executive Summary: Armenia</b>  | <b>2</b>  |
| <b>I. Introduction</b>   | <b>5</b>  |
| <b>II. Open Government Context in Armenia</b>  | <b>6</b>  |
| <b>III. Leadership and Multi-stakeholder Process</b>                                 | <b>12</b> |
| <b>IV. Commitments</b>   | <b>20</b> |
| 1. “Open Data” in Official Declarations  | 22        |
| 2. Government Grant Transparency   | 25        |
| 3. Beneficial Ownerships’ Register   | 28        |
| 4. Modernization of Community Websites   | 32        |
| 5. State Water Cadastre  | 36        |
| 6. Land Cadastre   | 38        |
| 7. Access to Integrated Social Services  | 40        |
| 8. Unified Information System for Management of Education                            | 42        |
| 9. Exploring Medical Assistance Program  | 45        |
| 10. Platform for Submitting Petitions  | 48        |
| 11. Public Service Dashboard   | 50        |
| <b>V. General Recommendations</b>  | <b>53</b> |
| <b>VI. Methodology and Sources</b>   | <b>61</b> |
| <b>Annex I. Overview of Armenia’s performance throughout action plan development</b> | <b>63</b> |



## Executive Summary: Armenia

Armenia's fourth action plan reflects the new government's commitment to reform and greater transparency. Notable commitments include those regarding transparency of beneficial ownership of companies, development of land and water cadastres, and e-petitions. The action plan's implementation will require sustained engagement and closely coordinated efforts within government.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Armenia joined OGP in 2011. Since then, it has implemented three action plans. This report evaluates the design of Armenia's fourth action plan.

### General overview of action plan

Armenia saw significant political changes in 2018, resulting in a new government that has expressed greater commitment to transparency and anti-corruption reform. Armenia's fourth action plan reflects notable improvements in co-creation consultations and commitment ambition.

The development of Armenia's fourth action plan involved greater public awareness and civil society engagement than previous action plans. For the first time, public consultations were held in all 10 regions of the country. Some consultations targeted groups of civil servants and youth. Overall, the additional consultations resulted in a more collaborative co-creation process, and readiness for legislative action helped create a more ambitious plan compared to the previous cycle.

Armenia's fourth action plan focuses on improving access to government-held information and promoting public participation. The commitments cover many important subjects, such as asset disclosure of public officials, beneficial ownership, budget transparency, natural resources, health, and education. Several commitments involve providing mechanisms for public feedback. The fourth action plan is the country's first to include commitments requiring legislative changes.

This report was prepared by Tatevik Margaryan, an independent researcher.

### Table 1. At a glance

Participating since: 2011  
Action plan under review: 4  
Report type: Design  
Number of commitments: 11

### Action plan development

Is there a multi-stakeholder forum? Yes  
Level of public influence: Collaborate  
Acted contrary to OGP process: No

### Action plan design

Commitments relevant to OGP values: 11 (100%)  
Transformative commitments: 2 (18%)  
Potentially starred commitments: 2 (18%)

### Action plan implementation

Starred commitments: N/A  
Completed commitments: N/A  
Commitments with major DIOG\*: N/A  
Commitments with outstanding DIOG\*: N/A

\* DIOG: Did it open government?



Notable commitments in Armenia's fourth action plan include the development of a beneficial ownership registry to be piloted in the extractives sector. The action plan also includes commitments to develop land and water cadastres.

**Table 2. Noteworthy commitments**

| <b>Commitment description</b>  | <b>Moving forward</b>   | <b>Status at the end of implementation cycle</b>                    |
|--|---|---|
| <p><b>3. Beneficial ownership register</b></p> <p>Create and launch a comprehensive and free register of beneficial ownership, to be piloted in the mining sector.</p>             | <p>The government could further strengthen beneficial ownership transparency by establishing mechanisms for mandatory inclusion of a larger scope of companies in the beneficial ownership registry. In particular, the government could mandate disclosure of media company ownership. To ensure beneficial ownership data verification, the government could promote international cooperation to obtain information held by foreign and domestic registries. Tangible penalties for companies providing false information should be set.</p> | <p>Note: this will be assessed at the end of action plan cycle.</p> |
| <p><b>5. State Water Cadastre</b></p> <p>Develop a database that consolidates information on all water resources in Armenia and that can check permits for specific water use.</p> | <p>The government should complete an inventory of water resources and develop mechanisms to continuously update the database. The government and interested civil society organizations can also promote awareness of the database among communities that are affected by water resource use.</p>   | <p>Note: this will be assessed at the end of action plan cycle.</p> |
| <p><b>6. Land Cadastre</b></p> <p>Provide public access to a database that is searchable by location and presented in a graphic (map) format.</p>                                  | <p>To ensure effective completion of this commitment, the government should adopt necessary legislative amendments to provide information on land ownership free of charge.</p>   | <p>Note: this will be assessed at the end of action plan cycle.</p> |

## Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

**Table 3. Five KEY IRM Recommendations**

|   |
|---|
| 1. Enhance the effectiveness of the multi-stakeholder working group by: <ul style="list-style-type: none"><li>• Providing a written mandate for the working group that formalizes its composition and ensures the fair and transparent selection of civil society representatives;</li><li>• Involving state representatives with relevant decision-making power; and</li><li>• Involving representatives of Parliament in the multi-stakeholder working group to ensure legislative engagement with the OGP process.</li></ul> |
| 2. Enhance the co-creation process by developing a method for collecting, filtering, analyzing, and formulating action plan commitments and providing clear justifications for inclusion or rejection of commitments.   |
| 3. Continue efforts to expand transparency regarding the beneficial ownership of companies and to strengthen mechanisms for beneficial ownership information monitoring and verification.   |
| 4. Include commitments on improving transparency and accountability in the judiciary, such as disclosing results of the monitoring and evaluation of judicial reforms, publishing information on sanctions against judges, and strengthening transparency and accountability of judicial councils.  |
| 5. Continue efforts to enhance access to information, public feedback, and monitoring mechanisms in the education and health sectors.   |

## ABOUT THE AUTHOR

**Tatevik Margaryan** is an independent researcher with a background in sociology, civil society organizations, and public policy research. She has worked for several nongovernmental organizations and presently provides consultation, training, and research and analysis services for a number of local and international organizations.

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



## I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

Armenia joined OGP in 2011. This report covers the development and design of Armenia's fourth action plan for 2018-2020.

The Independent Reporting Mechanism of OGP has partnered with Tatevik Margaryan, independent researcher, who carried out this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology please visit

<https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

## II. Open Government Context in Armenia

Armenia passed revolutionary political changes in 2018, with a new government declaring its commitment to fight corruption and put citizens at the center of decision making. The new leadership has shown greater commitment to reform, which bodes well for the open government priorities in Armenia, particularly in anti-corruption and transparency. Armenia's fourth action plan reflects some of these priorities but will require sustained political engagement and closely coordinated efforts within government.

In 2018, Armenia underwent a major political change, widely known as the Velvet Revolution. In spring 2018 mass protests occurred. The protesters opposed an attempt by Serzh Sargsyan, the country's president since 2008, to stay in power by switching to the post of prime minister. This attempt followed the establishment of constitutional amendments that changed the country's political system from semi-presidential to a parliamentary republic. Former journalist and opposition MP Nikol Pashinyan led the protest movement. The movement scaled up after Parliament's decision on 17 April 2018 to elect Sargsyan prime minister.

After a few days of mass demonstrations and actions of civil disobedience across the country, Sargsyan resigned on 23 April. The protests continued to prevent a new appointment by the ruling party (Republican Party of Armenia, RPA) until Pashinyan was elected by the parliament as prime minister on 8 May 2018.

Over the next few months, the government cabinet under Pashinyan's leadership was formed from the opposition parties, while the Republican Party continued to dominate in the parliament. In elections on 9 December 2018, Pashinyan's "My Step" coalition won more than 70 percent of the vote. The former ruling RPA did not pass the minimum threshold of votes to enter Parliament.<sup>1</sup>

Various reports considered the December elections much freer and fairer<sup>2</sup> than previous elections in Armenia. Previous reports noted incidents of pressure on voters, vote-buying, and misuse of administrative resource.<sup>3</sup> In contrast to parliamentary elections in 2017, the Organization for Security and Co-operation in Europe mission did not report any systematic vote-buying and other electoral malfeasance.<sup>4</sup> Also, for the first time in 20 years, the election results were not disputed in the Constitutional Court.<sup>5</sup>

After the parliamentary elections, the new cabinet proposed a five-year government program. The program highlighted the domestic and foreign security of the country, anti-corruption measures, protection of human rights, and preconditions for a competitive and inclusive economy.<sup>6</sup> The opposition criticized the program for the lack of concrete socioeconomic targets, but it eventually passed in parliament, as it had a majority of the ruling coalition's votes.<sup>7</sup>

Freedom House categorizes Armenia as "partly free." The 2019 Freedom in the World reports note improvements in several categories, including electoral processes, political pluralism and participation, and freedom of assembly.<sup>8</sup> Armenia moved from 111th to 103rd place in the Economist Intelligence Unit's Democracy Index 2018. Qualified as a country with a "hybrid regime," Armenia recorded the most improvement among all hybrid regime countries in Eastern Europe, raising its score from 4.11 in 2017 to 4.79 in 2018. In particular, the country improved its scores on government accountability and transparency, and public confidence in the government.<sup>9</sup>

### **Anti-corruption and accountability**

Corruption has been a problematic issue in Armenia, serving as a motive for the April 2018 protests. The new government considers it a high priority. Armenia's score in Transparency International's 2018 Corruption Perceptions Index did not change substantially from its 2017 score, with the going from shared 107-110 (out of 180 countries) places in 2017 to 105-113 places in 2018.<sup>10</sup>

Armenia has developed many anti-corruption laws and institutions since 2003, including the legislative amendments of 2017 and 2018. These efforts focused on strengthening oversight

mechanisms regarding conflict of interests, introducing regulations on whistle-blowing, and enlarging the scope of officials' asset declarations.<sup>11</sup>

However, civil society and the public often considered the government's anti-corruption efforts insufficient formalities.<sup>12</sup> Corruption remained a significant problem in critical areas of public administration. There was a lack of practical enforcement of anti-corruption laws in the monopolized economy and widespread conflicts of interest among public officials.<sup>13</sup> After May 2018, the new government demonstrated political will for fighting corruption and took practical measures to call for responsibility and initiate cases against corrupt former officials. According to a report by Prosecutor's Office, the number of cases filed on corruption crimes in 2018 was almost four times the number in 2017. The number of proceedings launched was 3.6 times higher than in 2017.<sup>14</sup>

The new, independent corruption prevention body—Commission for Prevention of Corruption—has not been set up yet. The concept of the commission was introduced in June 2017 by a special law. The commission should serve as a successor to the current Commission on Ethics of High-Ranking Officials after the constitutional amendments effect in April 2018.<sup>15</sup> The CSO Anti-Corruption Coalition of Armenia has expressed concerns over the draft amendments to the law on the Commission discussed in June 2019, particularly on the absence of the public discussion or justification regarding the proposed mechanism of nomination of Commissioners.<sup>16</sup>

The government published a new 2019–2022 anti-corruption strategy and implementation action plan in December 2018. The strategy includes policies regarding corruption prevention, identification of corruption crimes, and anti-corruption education.<sup>17</sup> However, nongovernmental organizations working in anti-corruption stated that the document lacks ambition, does not cover monitoring and awareness-raising mechanisms, and does not include necessary public consultations to incorporate civil society opinions.<sup>18</sup> In 2019, the Ministry of Justice revised the strategy and included many of the suggestions provided by CSOs. The revised draft strategy was published for public comments on the Unified Website for Publication of Legal Acts' Drafts in June 2019.<sup>19</sup>

Issues of corruption and weak independence also persist in Armenia's judiciary system. According to a 2019 Freedom House report, courts face systemic political influence, and judicial institutions are undermined by corruption.<sup>20</sup> According to the Caucasus Barometer 2017, courts are among the most mistrusted institutions in Armenia.<sup>21</sup> A new judicial code was adopted in 2018, placing particular focus on judicial self-governance. According to the code, a new independent body, Supreme Judicial Council, has been formed to lead the appointment, promotion, and dismissal of judges, as well as the initiation of disciplinary action.<sup>22</sup> Civil society organizations (CSOs) have emphasized the need to improve the independence of the council and to improve mechanisms for its transparency and accountability, to guarantee the independence of judges from pressure.<sup>23</sup> CSO reports have highlighted other issues in the judiciary. These include unclear criteria for the selection of judges, weak provisions for preventing conflicts of interest in judicial cases, and lack of transparency in the application of penalties.<sup>24</sup>

## **Access to information**

Generally, Armenia's Law on Freedom of Information (Fol), passed in 2003, is considered liberal and advanced. However, civil society organizations (CSOs) and journalists report cases of failure to provide information within the assigned time frame, as well as incomplete or elusive responses and unlawful rejections.<sup>25</sup>

The Fol law defines the responsibilities of information holders and the procedure, form, and conditions for receiving information.<sup>26</sup> In 2015, the government adopted a regulation on the registration, classification, storage, and provision of information by public administrators and municipal bodies, state agencies, and other state entities.<sup>27</sup> This regulation was developed in collaboration with the Freedom of Information Center of Armenia and other CSOs and it introduced electronic requests for information and defined responsibilities of officials for Fol requests.<sup>28</sup> In 2018, the Ministry of Justice launched the e-request.am platform, where users can send their applications, complaints, and information requests online and track their progress.<sup>29</sup>

The government published a new draft Fol law for public discussion in March 2017<sup>30</sup>, but CSOs criticized it for its restrictive provisions.<sup>31</sup> As a result, the amendment was suspended. After the formation of the new government, many CSOs raised concerns about the lack of coordination

regarding and knowledge of the FoI regulations among politicians and public servants. They noted that officials posted updates on social networks rather than official websites and that there was an increase in unlawful rejection cases and delayed responses.<sup>32</sup> The websites of state agencies and local municipalities are not regularly updated and do not publish all information required by law.<sup>33</sup> CSOs are also concerned with the uneven opportunities provided for broadcast media by the Law on TV and Radio and monopolization of the field by a public operator. Thus, CSOs have demanded reform in broadcast media.<sup>34</sup> The current OGP action plan does not cover issues related to implementation of FoI provisions or broadcast media regulations.

### **Civic participation**

Civil liberties such as the freedom of expression and the freedoms of assembly and association are guaranteed by the Constitution of Armenia. Armenian legislation provides a wide range of participation possibilities. According to the Law on Normative Legal Acts, legislative drafts are subject to public consultation, and other legal drafts can be discussed upon initiation by the responsible body developing the draft.<sup>35</sup>

An online platform, e-draft.am, established as a result of the second action plan, has functioned since 2017 to facilitate this consultation. Government agencies publish draft legal acts on the platform, and, as a rule, there are two weeks for public review. Registered users can vote for or against the draft and provide suggestions, which are aggregated in a summary table, along with responses to each suggestion.<sup>36</sup> Civil society organizations (CSOs) and individual citizens can participate in public councils adjacent to ministries. These councils were created according to a 2016 governmental order to ensure civil society participation in the functions and objectives of the ministries through regular meetings and discussions. In practice, however, CSOs note that participation is not always effective, mechanisms and outcomes of participation are sometimes not transparent, and some legislative decisions are made in a hasty manner without proper public consultation.<sup>37</sup>

The Law on the Freedom of Assembly, adopted in 2011, provides liberal organization of assemblies, with few restrictions. It requires assembly organizers to present advance notice to the local authorities in case the expected number of participants exceeds 100. However, spontaneous and urgent assemblies can be organized without prior notice.<sup>38</sup> In practice, Armenia experienced challenges with the right to peaceful assembly. These challenges included cases of police violence toward peaceful protesters and media, the pressuring of and criminal and administrative charges against assembly participants, and lack of investigation of police violations. Recent cases of violence and unlawful arrests were reported during the peaceful demonstrations in spring 2018 during the Velvet Revolution.<sup>39</sup>

Evidence shows that freedom of expression in Armenia has improved after the revolution, with the number of violations of the rights of media outlets and journalists significantly decreasing.<sup>40</sup> Nevertheless, challenges with media freedom persist. According to a Freedom House report, the media is still viewed as divided into political camps; particularly, broadcast and print outlets are considered to be affiliated with political interests.<sup>41</sup> The position of online media improved from “Partly Free” to “Free” according to the Freedom of the Net report. The report highlighted how “citizens effectively used social media platforms, communication apps, and live streaming to engender political change in April 2018” and how the government does not restrict online content and social media apps.<sup>42</sup>

Nonprofit organizations enjoy limited regulation, with moderate registration and reporting requirements. Amendments in nonprofit legislation entered into force in 2017. The new law on public organizations, in particular, removed a ban on entrepreneurial activities, provided more flexibility in governance structures, regulated volunteer resources use, and allowed organizations to represent their members’ interests on environmental issues in courts.<sup>43</sup> CSOs and informal civic groups were active in the 2018 protests, monitoring assemblies and providing legal aid to detainees. Many civil society activists were further involved in the composition of the new government or elected as Parliament members.

Financial sustainability poses an important challenge for CSOs. Limited local funding and relevant legal incentives are available, and many organizations are largely dependent on donor funding.<sup>44</sup> The third action plan addressed the lack of state funding transparency by stipulating governmental agencies publish results of grant competitions and reports online (Commitment 2). The commitment



was not fully implemented by the end of the action plan implementation period. Also, the potential impact of this commitment was assessed as low unless a competitive grant distribution mechanism was put in place and transparency of other types of CSO funding was ensured.<sup>45</sup> The fourth action plan includes a commitment on establishing a competitive system for funding CSOs (Commitment 2).

### **Budget transparency**

Key national budget documents are publicly available in Armenia and published on the government's and the Ministry of Finance's websites. During the third action plan, the government completed implementation of a commitment on budget transparency. This commitment made the state budget available in an interactive electronic platform and provided the ability to download the information (Commitment 3).

There exist few opportunities for the public to engage in the budget development process in Armenia. The draft law on budget is posted on the Unified Website for Publication of Legal Acts' Drafts, but no public hearings have been held on the budgeting process. Armenia does not participate in the International Budget Partnership's Open Budget Survey initiative.

The Ministry of Finance publishes procurement plans, announcements, and reports on the website of its Procurement System ([www.procurement.am](http://www.procurement.am)). In addition, since mid-2015, the sessions of the Procurement Appeals Board have been broadcast online at the e-gov.am portal, which was implemented during the second action plan (Commitment 5). Following a commitment from the second action plan on ensuring transparency in mining (Commitment 2), Armenia joined the Extractive Industries Transparency Initiative (EITI) as a candidate country in 2017. Government contracts and licenses for natural resource extraction are available on Armenia's EITI website.<sup>46</sup> Armenia's EITI work plan includes activities to ensure the disclosure of beneficial owners of extractive companies by 1 January 2020. In the fourth action plan, the government committed to establish mechanisms to publicly disclose beneficial ownership of companies (Commitment 3).

During the co-creation of this action plan, the government, for the first time, was open to including commitments requiring legislative changes, which, according to the government representative, was due to the country's transition to a parliamentary republic. This openness contributed to the expansion of the overall scope and ambition of the fourth action plan, compared to previous plans.

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<sup>1</sup> "Pashinian Alliance Scores 'Revolutionary Majority' in Landslide Armenian Win," Radio Free Europe/Radio Liberty, 10 December 2018, <https://www.rferl.org/a/armenian-elections-pashinian-my-step-sarkisian-hhk/29645721.html>.

<sup>2</sup> "Freedom in the World 2019: Armenia," Freedom House, <https://freedomhouse.org/report/freedom-world/2019/armenia>.

<sup>3</sup> Long Term Observation Mission on the Early RA National Assembly Election of December 9, 2018, *Interim Report*, 5 November – 5 December, 2018, <https://transparency.am/files/publications/1545323664-0-741866.pdf>; and European Parliament, *Statement by the Chairman of the Delegation, MEP Sajjad KARIM on the Parliamentary Elections in Armenia*, 10 December 2018, [http://www.europarl.europa.eu/cmsdata/158480/S%20KARIM\\_statement\\_DSCA\\_Parliamentary%20elections%20in%20Armenia.pdf](http://www.europarl.europa.eu/cmsdata/158480/S%20KARIM_statement_DSCA_Parliamentary%20elections%20in%20Armenia.pdf).

<sup>4</sup> International Election Observation Mission, Republic of Armenia, *Statement of Preliminary Findings and Conclusions*, 9 December 2018, <https://www.osce.org/odihr/elections/armenia/405890?download=true>.

<sup>5</sup> "For the First Time the Results of Parliamentary Elections Will Not Be Disputed in Constitutional Court — Pashinyan," Armenpress, 24 December 2018, <https://armenpress.am/eng/news/959213.html>.

<sup>6</sup> *The Program of the Government of Armenia*, February 2019, <http://www.gov.am/files/docs/3133.pdf>.

<sup>7</sup> "Pashinian Wins Confidence Vote, Slams Opposition Party," Azatutyun.am, 14 February 2019, <https://www.azatutyun.am/a/29770434.html>.

<sup>8</sup> "Freedom in the World 2019: Armenia," Freedom House, <https://freedomhouse.org/report/freedom-world/2019/armenia>.

<sup>9</sup> "Democracy Index 2018," Economist Intelligence Unit, <https://www.eiu.com/topic/democracy-index>; and "Armenia sees most improvement in Democracy Index 2018," ARKA News Agency, 09 January 2019, [http://arka.am/en/news/politics/armenia\\_sees\\_most\\_improvement\\_in\\_democracy\\_index\\_2018/](http://arka.am/en/news/politics/armenia_sees_most_improvement_in_democracy_index_2018/).

<sup>10</sup> "CPI 2018 Scores for Armenia and Other Countries of the Region," Transparency International Anticorruption Center, <https://transparency.am/storage/CPI2018-Armenia-results-en.pdf>.

<sup>11</sup> RA Law on Public Service, 23 March 2018, <https://www.arlis.am/DocumentView.aspx?DocID=120832>; RA law On the Commission on Preventing Corruption, 09 June 2017, <http://www.arlis.am/DocumentView.aspx?DocID=114355>; and RA law On Whistleblowing System, 09 June 2017, <http://www.arlis.am/DocumentView.aspx?DocID=114364>.

<sup>12</sup> "Corruption Remains a Root Cause for Deplorable Armenian Economy," Anti-Corruption Digest, 09 January 2018, <https://anticorruptiondigest.com/anti-corruption-news/2018/01/09/corruption-remains-a-root-cause-for-deplorable->

[armenian-economy/](#); “EU Gave Armenia Clear Sign to End ‘Imitated Anti-corruption Campaign’ – Analyst,” Tert.am, 03 June 2017, <https://www.tert.am/en/news/2017/06/03/badalyan/2390895>; and “Struggle against Corruption: Reality or Imitation?” Media Center, 02 June 2016, <http://www.media-center.am/en/1464956130>.

<sup>13</sup> OECD, *Anti-corruption Reforms in Armenia: 4th Round of Monitoring of the Istanbul Anti-Corruption Action Plan*, July 2018, <https://www.oecd.org/corruption/acn/OECD-ACN-Armenia-4th-Round-Monitoring-Report-July-2018-ENG.pdf>.

<sup>14</sup> “Prosecution of Corruption Cases 3.6 Times up against 2017,” Iragir.am, 08 March 2019, <https://www.iragir.am/en/2019/03/08/71272>.

<sup>15</sup> RA law On the Commission on Preventing Corruption, 09 June 2017, <http://www.arlis.am/DocumentView.aspx?DocID=114355>.

<sup>16</sup> The IRM received this information from the CSO Anti-Corruption Coalition of Armenia during the pre-publication period for this report.

<sup>17</sup> “Draft RA 2019-2022 Anticorruption Strategy and Its Implementation Action Plan,” Unified Website for Publication of Legal Acts’ Drafts, <https://www.e-draft.am/en/projects/1439>.

<sup>18</sup> “Statement on Draft RA Anticorruption Strategy and Its Implementation Action Plan 2019-2022,” Transparency International Anticorruption Center, 08 January 2019, <https://transparency.am/en/statements/view/313>.

<sup>19</sup> Draft RA Government Decision “On approving Anticorruption Strategy of the Republic of Armenia and Its Implementation Action Plan for 2019-2022,” Unified Website for Publication of Legal Acts’ Drafts, <https://www.e-draft.am/en/projects/1733>.

<sup>20</sup> “Freedom in the World 2019: Armenia,” Freedom House, <https://freedomhouse.org/report/freedom-world/2019/armenia>.

<sup>21</sup> The survey indicates that 53 percent distrust or fully distrust, and 16 percent trust or fully trust courts. “Caucasus Barometer: Public Perceptions on Political, Social, and Economic Issues in the South Caucasus Countries: Some Findings from the CRRC 2017 Data,” Caucasus Resource Research Center, 19 December 2017, [http://www.crrc.am/hosting/file/\\_static\\_content/barometer/2017/CB2017\\_ENG\\_presentation\\_final\\_.pdf](http://www.crrc.am/hosting/file/_static_content/barometer/2017/CB2017_ENG_presentation_final_.pdf).

<sup>22</sup> RA Judicial Code, 07 February 2018, <https://www.arlis.am/DocumentView.aspx?DocID=119531>.

<sup>23</sup> Journalists’ Club “Asparez,” Open Society Foundations—Armenia, Transparency International Anticorruption Center, Union of Informed Citizens, Armenian Helsinki Committee, Helsinki Citizens’ Assembly Vanadzor Office, *Concept of Key Reforms to Restore the Republic of Armenia (Roadmap)*, December 2018, <https://transparency.am/files/publications/1546955556-0-360469.pdf>.

<sup>24</sup> “Judicial Reform in Armenia: Systemic Problems and New Challenges,” Open Society Foundations of Armenia, 3 October 2017, <http://www.osce.org/odihr/349776?download=true>; and Journalists’ Club “Asparez,” Open Society Foundations—Armenia, Transparency International Anticorruption Center, Union of Informed Citizens, Armenian Helsinki Committee, Helsinki Citizens’ Assembly Vanadzor Office, *Concept of Key Reforms to Restore the Republic of Armenia (Roadmap)*, December 2018, <https://transparency.am/files/publications/1546955556-0-360469.pdf>.

<sup>25</sup> Civic Space Initiative and NGO Center for Civil Society Development NGO, *Enabling Environment National Assessment (EENA)—National Report Armenia, 2018*, 30 July 2018, [http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia\\_ENG.pdf](http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia_ENG.pdf).

<sup>26</sup> RA Law on Freedom of Information, 29 September 2003, <https://www.arlis.am/DocumentView.aspx?DocID=1372>.

<sup>27</sup> Decision No. 1204-N, 15 October 2015, <http://www.arlis.am/DocumentView.aspx?DocID=101115>.

<sup>28</sup> “Reforms in Freedom of Information,” 15 October 2015, Freedom of Information Center of Armenia, <http://www.foi.am/hy/news/item/1494/>.

<sup>29</sup> Unified Portal for Online Requests, <https://www.e-request.am/en>.

<sup>30</sup> “Draft RA Law on Freedom of Information,” Unified Website for Publication of Legal Acts’ Drafts, <https://www.e-draft.am/en/projects/151/about>.

<sup>31</sup> Committee to Protect Freedom of Expression, *Annual Report 2017 on the Status of the Freedom of Speech in Armenia and the Violation of the Mass Media Rights*, 12 February 2018, <http://khosq.am/en/reports/annual-report-of-cpfe-on-the-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2>.

<sup>32</sup> “An Award Ceremony for Golden Key, Rusty Lock,” 29 September 2018, Freedom of Information Center of Armenia, <http://www.foi.am/hy/news/item/1687/>; and Committee to Protect Freedom of Expression, *Annual Report of CPFE on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia-2018*, <http://khosq.am/en/reports/annual-report-of-cpfe-on-the-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2018/>.

<sup>33</sup> Civic Space Initiative and NGO Center for Civil Society Development NGO, *Enabling Environment National Assessment (EENA)—National Report Armenia, 2018*, [http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia\\_ENG.pdf](http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia_ENG.pdf).

<sup>34</sup> “Statement,” Committee to Protect Freedom of Expression, 08 January 2019, <http://khosq.am/en/2019/01/08/statement-38/>.

<sup>35</sup> RA Law on Normative Legal Acts, 21 March 18, <https://www.arlis.am/DocumentView.aspx?DocID=123348>.

<sup>36</sup> Unified Website for Publication of Legal Acts’ Drafts, <https://www.e-draft.am/en>.

<sup>37</sup> USAID, *2017 Civil Society Organization Sustainability Index for Central and Eastern Europe and Eurasia*, 21<sup>st</sup> ed., September 2018,

[https://www.usaid.gov/sites/default/files/documents/1866/2017\\_CSO\\_Sustainability\\_Index\\_for\\_Central\\_and\\_Eastern\\_Europe\\_and\\_Eurasia.pdf](https://www.usaid.gov/sites/default/files/documents/1866/2017_CSO_Sustainability_Index_for_Central_and_Eastern_Europe_and_Eurasia.pdf); Civic Space Initiative and NGO Center for Civil Society Development NGO, *Enabling Environment National Assessment (EENA)—National Report Armenia, 2018*, [http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia\\_ENG.pdf](http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia_ENG.pdf); and NGO Center and Araza NGO, *Report on Monitoring Collaborative Governance Model of Policy Making in Armenia, 2017*, <http://ngoc.am/wp-content/uploads/2018/07/Հայաստանում-բաղադրականություն-մշակման-միասնական-կառավարման-մոդելի-մոնիթորինգի-գեկույց.pdf>.

<sup>38</sup> RA Law on Freedom of Assembly, 14 April 2011, <https://www.arlis.am/DocumentView.aspx?DocID=117173>.

<sup>39</sup> Protection of Rights Without Borders NGO, *Report on the Human Rights Violations during the Peaceful Assemblies of April 13-20 of 2018*, <http://prwb.am/new/wp-content/uploads/2018/04/Report-on-the-Human-Rights-Violations-during-the-Peaceful-Assemblies-of-April-13-20-of-2018-1.doc>.

<sup>40</sup> Committee to Protect Freedom of Expression, *Quarterly Report of CPFE on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia (July–September, 2018)*, October 2018, <http://khosq.am/en/reports/quarterly-report-of-cpfe-on-the-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-july-september-2018/>.

<sup>41</sup> “Freedom in the World 2019: Armenia,” Freedom House, <https://freedomhouse.org/report/freedom-world/2019/armenia>.

<sup>42</sup> “Freedom of the Net 2018: Armenia,” Freedom House, <https://freedomhouse.org/report/freedom-net/2018/armenia>.

<sup>43</sup> RA Law on Public Organizations, 16 December 2016, <https://www.arlis.am/DocumentView.aspx?DocID=119456>.

<sup>44</sup> USAID, *2017 Civil Society Organization Sustainability Index for Central and Eastern Europe and Eurasia*, 21<sup>st</sup> ed., September 2018, [https://www.usaid.gov/sites/default/files/documents/1866/2017\\_CSOSustainabilityIndexforCentralandEasternEuropeandEurasia.pdf](https://www.usaid.gov/sites/default/files/documents/1866/2017_CSOSustainabilityIndexforCentralandEasternEuropeandEurasia.pdf).

<sup>45</sup> Open Government Partnership, *IRM Armenia Progress Report 2016-2018*, [https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia\\_Midterm\\_Report\\_2016-2018\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia_Midterm_Report_2016-2018_EN.pdf).

<sup>46</sup> See Armenia Extractive Industries Transparency Initiative, [www.eiti.am](http://www.eiti.am).

### III. Leadership and Multi-stakeholder Process

Armenia made significant improvements in public awareness and civil society engagement during the development of its fourth action plan. For the first time, public consultations were held in all 10 regions of Armenia and with target groups of civil servants and youth. The government's readiness to include commitments requiring legislative changes resulted in a more ambitious action plan, compared to previous plans.

#### 3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Armenia.

The Staff of the Prime Minister is the leading office responsible for Armenia's participation in OGP and for the fulfillment of its commitments. Two staff members in the government lead the development of the action plans, facilitate multi-stakeholder working group meetings, and oversee commitment implementation. One of these staff members is the government point of contact and also serves as the OGP working group (WG) secretary. The other is the OGP coordinator and WG leader. In June 2018, the role of OGP coordinator was transferred from Deputy Chief of Staff Vahe Jilavyan to First Deputy Prime Minister Ararat Mirzoyan. In the December 2018 parliamentary elections, Ararat Mirzoyan was elected a parliament member, and there was no official OGP leadership until mid-February 2019. Then, Eduard Aghajanyan, chief of the Staff of the Prime Minister, took over the role of OGP coordinator in the country, though the respective legal act has not been adopted yet.

The fourth action plan was approved on 15 November 2018 by Decision NI307-L of the Government of the Republic of Armenia.<sup>1</sup>

The government allocates a budget for OGP's membership fee. However, it does not allocate a special budget for OGP-related activities, such as action plan development, awareness-raising, and working group meetings. The government sends circulars to governmental agencies as needed to encourage participation in meetings, provision of suggestions, or contribution to action plan implementation. Two staff members are assigned responsibilities under the OGP process. Two more staff members were involved as WG members in the third action plan implementation working group. Currently, there exists no new composition of the WG. However, at least one representative of the government staff—apart from point of contact and coordinator (deputy of the chief of staff)—is expected to be involved in the WG, as she is the responsible person under Commitment 11.

The involvement of the first deputy prime minister and chief of the staff demonstrates the high importance that the new government attaches to initiatives such as OGP. At OGP working group meetings, Ararat Mirzoyan has declared the government's interest in OGP values and the government's commitment to an ambitious action plan.

#### 3.2 Multi-stakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP's Articles of Governance also establish participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to OGP process. Armenia **did not** act contrary to OGP process.<sup>2</sup>

Please see Annex I for an overview of Armenia's performance implementing the Co-Creation and Participation Standards throughout the action plan development.

**Table 3.1: Level of Public Influence**

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.<sup>3</sup> 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 “collaborate.”

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

### Multi-stakeholder forum

A multi-stakeholder working group led the development of the fourth action plan. The group comprised 26 members—15 from government, 10 from civil society, and one from the private sector. This group was created to monitor the implementation of the previous (third) action plan and also participated in the development of the fourth plan.<sup>4</sup> Discussions for the fourth action plan included members of the acting working group and representatives of government agencies relevant to the discussed topics. It is expected that the government representatives responsible for the commitments in the fourth action plan will be involved in the new working group. These parties are currently included in electronic communication on the OGP process.<sup>5</sup> At the time of writing this report, there was no decision on new working group composition. A meeting with stakeholders (members of the working group for the third action plan implementation and government representatives responsible for the commitments in the fourth action plan) was held on 1 April 2019. The meeting aimed to discuss possible mechanisms of involving new nongovernmental members in the working group.<sup>6</sup>

The mandate of the working group is to serve in an advisory role in the OGP process. During the action plan development period the working group met regularly. The body discussed the suggestions collected from the public and state agencies, verified their relevance to OGP values and other criteria, identified priorities, and finalized the commitments.

Involvement in the working group is open to all civil society organizations (CSOs) that apply. Any CSO that knew about the possibility to participate could apply, and all those that applied were accepted. There was no selection procedure. However, the government issued no open call for applications and made no explicit announcement about the opportunity to be involved in the group. As a rule, the same CSOs stayed in the group. Only two CSOs and one private company have been added to the WG from the second to third action plan cycles. The CSOs in the working group mostly represent the areas of human rights, anti-corruption, social policy, and freedom of information. Two members of the working group are leaders of regional CSOs, while others represent Yerevan-based organizations. Nine members of the working group are women, with almost equal representation in government and civil society for female members.<sup>7</sup>

As during previous action plans, the working group did not have any internal procedures during development of the fourth action plan. The government point of contact, who is also WG secretary,



sent invitations to members, along with the draft agenda, which was open to suggestions. The OGP WG leader chaired the meeting, and the point of contact prepared the minutes, which were then sent to WG members for comments. Working group meetings were held on 19 February 2018, 29 June 2018<sup>8</sup> and 23 October 2018.<sup>9</sup> Meeting notices were sent to the working group members. Representatives of international organizations and the IRM researcher were also invited to participate in meetings as observers. The information about the meeting was not made public in advance, but the minutes and/or outcomes of the working group meetings were published on the [www.ogp.am](http://www.ogp.am) website under the “News” section. Anyone could provide comments. Apart from working group sessions, several meetings occurred with larger audiences to discuss the commitments of the fourth action plan (see the next section for details).

### **Participation and engagement throughout action plan development**

Armenia showed strong performance in multi-stakeholder forum composition and participation, as well as public outreach during the development process. Due to the work of multi-stakeholder working group members and donor funding, the outreach of the fourth action plan development process was unprecedented. The outreach included all regions of Armenia and practically all governmental agencies. An online Google survey tool helped to crowdsource ideas from anyone interested in the process. Multiple discussions provided the opportunity to shape the commitments and reach agreement among working group members. The formation of groups around specific commitment themes provided the opportunity for more in-depth and effective work on commitment development.

The government’s OGP task force presented the timeline of the fourth action plan at the working group meeting on 19 February 2018.<sup>10</sup> According to the timeline, collection of suggestions for the fourth action plan was to be implemented by 30 April, and the action plan finalized by the end of June. The government also published the main criteria for, guideline for, and format of commitments to be included in the fourth action plan. Anyone could provide suggestions on a commitment by email if their idea met the criteria and the suggestion was provided in the given format. The call for contributions was disseminated to governmental agencies and published through the website and the OGP Armenia Facebook page.<sup>11</sup>

In March 2018, government staff visited regional cities to raise awareness of the plan and encourage local civil society and citizens to submit proposals. These meetings took place in Armavir, Gyumri, Ijevan, Lernapat, and Vanadzor, with participants including civil society organizations (CSOs), students, and media.<sup>12</sup> The meetings were organized in collaboration with local nongovernmental organizations (NGOs) and regional administration bodies, and some were covered in local media.<sup>13</sup>

Due to the political events in the country in April–May 2018, and the following political transitions, the fourth action plan development was put on hold until the end of June 2018. In June, the Staff of the Prime Minister assigned a new working group leader, and the working group met to discuss processes and renewed the timeline for action plan development.

From May to August 2018, Tides Center and OGP’s Multi-Donor Trust Fund (MDTF) supported more outreach. Working group (WG) member CSOs, Freedom of Information Center of Armenia (FOICA), and Armavir Development Center (ADC) organized several meetings in regions and Yerevan with students, CSOs, and public servants (representatives of ministries and other governmental agencies).<sup>14</sup> The parties aimed to raise awareness of OGP and collect suggestions on the fourth action plan.<sup>15</sup> This was the first time in Armenia’s involvement in OGP that consultations were organized in all regions of the country and face-to-face meetings were held with a large number of governmental agencies.

At the meetings, the participants were introduced to the OGP initiative and some of the completed commitments from Armenia’s last action plans. The facilitators also outlined the format for submitting proposals for the fourth action plan. As in the previous action plan cycle, an online crowdsourcing tool was used in August 2018 to collect public input via a Google form.<sup>16</sup> As a result of outreach meetings and the call for ideas, 42 proposals were received from the representatives of WG members and public administration bodies. From the crowdsourcing tool, 47 were collected. From all these proposals, commitments for the action plan were selected.<sup>17</sup>

Many of the ideas received through the crowdsourcing tool came from participants of the outreach meetings, including public servants. These ideas covered themes such as education, public administration, and e-governance, as well as tax regulations, health care, agriculture, ecology, and tourism. The ideas collected from the crowdsourcing tool were not always relevant to the OGP framework, and thus not all were included in the action plan.<sup>18</sup> Two commitments that were eventually included in the action plan (Commitments 5 and 9) were proposed by government agencies not involved in the multi-stakeholder working group. It can be assumed that they gained interest in the OGP initiative as a result of the outreach meetings.

ADC and the Staff of the Prime Minister organized several validation meetings on the submitted suggestions, with participation of working group members and interested stakeholders, in the first half of September 2018. MDTF funds supported this work. Invitations to validation meetings were sent to working group members and governmental agencies relevant to the commitments discussed. Several thematic meetings were also held to discuss and finalize commitments around some of the common themes. As a result, most of the suggestions were discussed, and those that were relevant to OGP values and that had high ambition were selected. Some commitments were merged or modified.<sup>19</sup>

During a meeting with the OGP Support Unit team in September 2018, participants prioritized certain policy areas from a government program adopted in June 2018.<sup>20</sup> These priorities included anti-corruption, sustainable management of water resources, and transparent governance in education and health. Most of these priorities were discussed on 17 September 2018 in a large townhall meeting with representatives of CSOs and public administration bodies, as well as local citizens, including people with disabilities and ethnic minority representatives, from four regions of Armenia (Aragatsotn, Ararat, Armavir, and Kotayk) and Yerevan. MDTF funds also supported this work.

The townhall meeting facilitators sought to raise awareness and encourage feedback on relevant commitments on water management, transparent management in education and health, and local government accountability. The participants of the townhall meeting endorsed the selected priorities and highlighted many issues in the above-mentioned areas that needed to be addressed.<sup>21</sup> Further regional townhall meetings have been planned to provide action plan outreach during the implementation period and get stakeholders' feedback on ongoing commitments.

The Staff of the Prime Minister and FOICA held a joint workshop with over 40 government and CSO representatives on 18–19 September 2018 in Aghveran. The Tides Center supported this work. The main goal of the workshop was to co-design new commitments for the fourth action plan, based on the outcomes of previous meetings, where commitment suggestions had been short-listed.<sup>22</sup>

Throughout the discussions, government and civil society representatives participated equally, reviewing the feasibility and rationality of implementing the suggested commitments. According to stakeholders interviewed and the observations of the IRM researcher, civil society representatives were highly active in discussions, and working group member NGOs presented many of the suggested commitments. The government representatives were open to CSO recommendations. The representatives accepted the suggestions or presented counterarguments when they found the commitments not feasible or already covered (or to be covered) in other plans and strategies.

The government published periodical updates on the action plan development process and consultations on the OGP Armenia website and Facebook page. It published the draft action plan on the website on 19 October 2018 and accepted public comments until 30 October 2018.<sup>23</sup> However, the government received no comments.

The OGP working group discussed and finalized the fourth action plan on 23 October 2018. In that session, the WG selected 12 commitments out of 15 published in the draft action plan.<sup>24</sup> As noted, the fourth action plan was approved on 15 November and included 11 commitments. CSOs proposed six of the final 11 commitments included, and government agencies proposed the rest. According to the point of contact, the government removed one commitment for lack of relevance to the current situation. The removed commitment called for publishing information on loan and

grant programs provided to the government by partner countries and international organizations, including interest rates, timelines, and measures undertaken under these programs.

With due consideration of the achievements noted in co-creation process, a few issues need further attention:

**MSF mandate:** There exists no written regulation regarding the composition and activities of the working group. A decree of the prime minister defined the working group composition based on the recommendation of the OGP task force. The mandate of the group is not clearly set. Officially, it is a working group for the implementation of the ongoing action plan, but de facto it is also responsible for the development of the next plan. The involvement of nongovernmental stakeholders is also not regulated. Currently, most civil society organizations (CSOs) continue their membership from the previous action plans, and CSOs that applied to be involved were included. However, many CSOs are unaware about the possibility to be involved, and there are no selection or involvement criteria. The working group also does not meet regularly.

**Feedback on suggestions:** Though there was a large public outreach during the co-creation process, many stakeholders that provided suggestions for the fourth action plan did not receive any feedback from the government. Although the level of public influence is coded “collaborate,” the level of feedback was weaker than in the previous action plan design cycle. CSOs not involved in the working group and individuals that provided suggestions did not receive written invitations to the meetings and/or a response to their suggestions provided in the Google form. They also did not receive any other update on the OGP process (apart from the information available on the OGP Armenia website).<sup>25</sup> After the action plan was approved, the government did not provide official responses to the proposals that were rejected, as of early March 2019. This practice is not in line with OGP standards and may discourage further public participation in OGP processes.

**Relevance of discussed commitments:** As observed by the IRM researcher during the fourth action plan discussions, and also noted by some stakeholders, there was a lack of a joint vision on the criteria for relevance of commitments to OGP values. This lack of consensus may have been due to the newness of some state administration participants to the OGP process. However, long-term members of the working group sometimes disagreed over the relevance of proposals too. Thus, there is a need to ensure that all participants have a shared understanding of OGP values before discussing commitment proposals. Civil society organizations provided such an introduction during the regional public meetings, and the OGP Asia Pacific Support Unit did so during the co-creation meeting in Aghveran. Sharing best practices from other countries would also be beneficial for getting more well-developed and ambitious suggestions.

**Selection of the commitments:** It is encouraging that the working group tried to discuss all proposals as a group and come to an agreement. However, since over 90 suggestions were presented, it was practically impossible (and inefficient) to discuss each of them with the working group members. In the discussion, it appeared that some suggestions were not at all relevant to the OGP concept, and others were repetitious. Many suggestions provided through the Google platform were not thoroughly discussed. The criteria for the final selection of the commitments were not clear, as there was no agreement on whether voting should be used as a decision-making method or not, and it was often difficult to reach a consensus.

Overall, the fourth action plan’s co-creation process saw enhanced awareness of OGP in regions outside the capital. The process helped inform a larger number of citizens about the opportunity to contribute to the process with their proposals. Meetings with various government agencies helped spark further interest among civil servants in the OGP process related to their work. Many submitted commitment proposals. Intense consultations and expert groups formed to discuss commitment proposals increased the quality of commitments in a collaborative process. Along with removing the restrictions on legislative changes, this process resulted in a more ambitious action plan compared to that of the previous cycle.

However, further action can be taken to make the co-creation process more inclusive for actors outside the working group. Such action could involve allowing an expert group to elaborate ideas and themes raised by citizens, provide feedback to all stakeholders who submitted proposals, and apply a more systemized approach for effective and transparent commitment selection.



## Co-creation and participation recommendations throughout development

As discussed above, the co-creation of Armenia's fourth action plan showed strong performance in multi-stakeholder forum participation and public outreach. Importantly, the fourth action plan was the first to include commitments requiring legislative changes. To improve the performance of the multi-stakeholder working group and the co-creation process in general—based on the OGP Participation and Co-creation Standards as well as stakeholder observations and recommendations—the IRM researcher suggests the following:

- Establish a written **mandate for the OGP working group** and open up the possibility of participation to all civil society organizations (CSOs), including those outside the capital, Yerevan. The government could invite CSO networks and coalitions to propose a representative who could present the views of CSOs working in a specific area, disseminating information and organizing internal discussions as necessary. The government should create mechanisms to select nongovernmental stakeholders in a fair and transparent process and publish information on involvement possibilities.
- Provide more **systematic mechanisms for selection and discussion** of the proposed commitments. The OGP task force could preliminarily filter the commitments and classify them in thematic areas so that each discussion covers a specific area. This process could involve relevant stakeholders (including the authors of the suggestions). The notification of discussions needs to be made public so that stakeholders interested in relevant issues are able to participate and the presence of relevant state representatives is ensured. During the previous action plan development process, the government filtered proposals and invited the authors of relevant proposals to separate meetings with representatives of relevant state agencies. This practice could be more cost-effective and provide greater participation opportunities. The presence of relevant state agencies is also important for the effectiveness of the discussion. Thematic groups formed around some commitments in the fourth action plan demonstrate that small discussions among stakeholders with expertise in certain policy areas can be more effective for producing specific outputs.
- Implement **awareness-raising activities** not only in the development process, but also during the implementation period. For a practice that aligns with the advanced OGP standards, make use of traditional and online media, as well as visualizations, infographics, videos to communicate relevant information, and updates on the process and its outcomes to a nonexpert audience.<sup>26</sup> Opening up working group meetings to interested stakeholders (with widely disseminated and timely announcements) and/or organizing periodical reporting meetings for civil society and the media could stimulate public participation and interest.
- Ensure **proactive publication of information** on action plan development and implementation, both on the OGP website and Facebook page. Efforts should be made to provide relevant materials and **documentation in advance**. For example, the government could post information on upcoming working group meeting or co-creation meetings to provide the possibility for interested stakeholders to participate. It could also report on the input provided by the public and report on commitment implementation. It is also necessary to provide **timely responses** to all stakeholders presenting commitment suggestions and to share information about the action plan development process.
- **Involve a team with clear and specific roles** in the government OGP task force, allocating domains of responsibility. Such domains could cover external communication, monitoring and reporting, and overall coordination of the process. This type of delegation would ensure timely and effective activities, from the awareness-raising and input-collection stage to monitoring and reporting on the action plan. Stakeholders mention that during the action plan development, the government point of contact was responsible for organizing all government-led events. The point of contact also held responsibility for communicating with the OGP Support Unit, the working group, relevant government units, and other stakeholders. However, a team of professionals is needed for more effective work.

- **Review the criteria of appointing government officials in the working group** to ensure involvement of officials with larger decision-making and/or coordination powers. These criteria should also ensure there is sufficient knowledge of the OGP concepts and process. As a rule, officials relevant to specific commitments (such as ministry department heads) are included in the working group. Such participation is expected, considering they periodically report on commitment implementation at meetings. However, when discussing other action plan commitments, general OGP activities, or the new action plan, these officials lack the mandate to present the viewpoint and/or conclusion of the given state agency. Furthermore, personnel changes among the government representatives in the working group during each action plan cycle prevent such officials from developing in-depth expertise of OGP compared to that of civil society organization (CSO) representatives. CSO representatives accumulate knowledge and ownership of the process due to years of involvement. It is necessary that government officials involved in the working group communicate with all departments of the given agency and have higher decision-making power. The officials responsible for particular commitments can attend meetings for reporting purposes, not necessarily in the capacity of working group members. Initial meetings and briefings could improve understanding of OGP processes in the future.
- Improve the **inclusiveness of the working group**. Involvement of Parliament representatives could contribute to better coordination with the parliament regarding legislative issues. The private sector is also currently poorly represented in the working group, so efforts should be made to involve interest groups or associations that represent businesses. Media representatives could also be involved in the process, which could lead to greater media support with dissemination.

<sup>1</sup> Government of the Republic of Armenia, Decision N1307-L, "On Approving the Fourth Action Plan of Open Government Partnership Initiative of the Republic of Armenia," <https://www.e-gov.am/gov-decrees/item/31081/>.

<sup>2</sup> Acting contrary to process: Country did not meet (1) "involve" during the development or "inform" during implementation of the NAP; (2) government fails to collect, publish, and document a repository on the national OGP website/webpage in line with IRM guidance.

<sup>3</sup> "IAP2's Public Participation Spectrum," IAP2, 2014,

[http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations\\_course/IAP2\\_P2\\_Spectrum\\_FINAL.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf).

<sup>4</sup> Prime Minister of the Republic of Armenia, Decision N12-06A on Appointing Coordinator and Creation of Working Group, 16 December 2016, <https://www.e-gov.am/decrees/item/16513/>.

<sup>5</sup> Lilia Afrikyan (Staff of the Prime Minister of the Republic of Armenia), interview by IRM researcher, 13 February 2019.

<sup>6</sup> "OGP stakeholders meeting was held," Open Government Partnership Armenia, 01 April 2019,

<http://ogp.am/en/news/item/2019/04/01/NGOs/>.

<sup>7</sup> "The Working Group to Coordinate the Works Stipulated under the Action Plan of the Participation of Armenia in the Open Government Partnership," Open Government Partnership Armenia, <http://ogp.am/en/working-group/>.

<sup>8</sup> "The First Meeting of the OGP Working Group of the New Government," Open Government Partnership Armenia, 30 June 2018, [http://ogp.am/hy/news/item/2018/06/30/OGP\\_WGnew/](http://ogp.am/hy/news/item/2018/06/30/OGP_WGnew/).

<sup>9</sup> "Discussion of the Armenia Open Government Partnership Fourth Action Plan," Open Government Partnership Armenia, 24 October 2018, [http://ogp.am/hy/news/item/2018/10/24/WG\\_October/](http://ogp.am/hy/news/item/2018/10/24/WG_October/).

<sup>10</sup> "The Meeting of OGP Working Group Took Place," Open Government Partnership Armenia, 28 February 2018, [http://www.ogp.am/hy/news/item/2018/02/28/WG\\_2018/](http://www.ogp.am/hy/news/item/2018/02/28/WG_2018/).

<sup>11</sup> "Armenia Kick-Off the Open Government Partnership-Armenia Fourth Action Plan," Open Government Partnership Armenia, 26 February 2018, <http://www.ogp.am/en/news/item/2018/02/26/4rd/>; and Open Government Partnership Armenia, Facebook,

[https://www.facebook.com/OpenGovernmentPartnershipArmenia/posts/1276956362407168?\\_tn=-R](https://www.facebook.com/OpenGovernmentPartnershipArmenia/posts/1276956362407168?_tn=-R).

<sup>12</sup> Government of the Republic of Armenia, OGP Armenia Action Plan 2018-2020, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>13</sup> "Open Government Partnership Awareness Campaign in Gyumri," Tsayg.am, 30 March 2018, <https://youtu.be/S7AGo9Da3Qs>.

<sup>14</sup> Meetings were organized with representatives of the Ministry of Health, Ministry of Territorial Administration and Development, Ministry of Justice, Ministry of Labor and Social Affairs, Ministry of Education and Science, and State Revenue Committee. Bilateral consultations have been carried out with the Water Resources Management Agency, the Real Estate Cadastre Committee, the Urban Development Committee, the Ministry of Culture, the Ministry of Agriculture, and the Commission of Ethics for High-Ranking Officials. Source: "Meetings with Ministries in the Framework of Open Government Partnership," Armavir Development Center, 31 August 2018, <http://infotun.armavirdc.org/1286.html>.

<sup>15</sup> "OGP for Youth. New Challenges," Open Government Partnership Armenia, 08 May 2018, <http://www.ogp.am/en/news/item/2018/05/08/opengovweek/>; "Civil Society Starts New Phase of Cooperation," Open Government Partnership Armenia, 23 June 2018, [http://ogp.am/en/news/item/2018/06/23/CSO\\_2018/](http://ogp.am/en/news/item/2018/06/23/CSO_2018/); "Outreach Meetings

for Regional Engagement Were Held,” Open Government Partnership Armenia, 31 July 2018, [http://www.ogp.am/en/news/item/2018/07/31/outreach\\_FOICA/](http://www.ogp.am/en/news/item/2018/07/31/outreach_FOICA/); “Meetings with Ministries in the Framework of Open Government Partnership,” Armavir Development Center, 31 August 2018, <http://infotun.armavirdc.org/1286.html>; “Public Engagement Meetings,” Armavir Development Center, 25 September 2018, <http://infotun.armavirdc.org/1303.html>; and “Public Participation Meetings,” Open Government Partnership Armenia, 15 September 2018, [http://www.ogp.am/en/news/item/2018/09/15/ADC\\_2018/](http://www.ogp.am/en/news/item/2018/09/15/ADC_2018/).

<sup>16</sup> “Platform of Suggestions for the OGP Armenia 4<sup>th</sup> Action Plan,” Open Government Partnership Armenia, 01 August 2018, [http://ogp.am/hy/news/item/2018/08/01/OnLine\\_4th/](http://ogp.am/hy/news/item/2018/08/01/OnLine_4th/).

<sup>17</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>18</sup> Naira Arakelyan (Armavir Development Center), interview by IRM researcher, 24 January 2019.

<sup>19</sup> Information based on interviews with OGP point of contact, working group member civil society organizations, and the IRM researcher’s observations at the validation meetings.

<sup>20</sup> Lilia Afrikyan (Staff of the Prime Minister of the Republic of Armenia), interview by IRM researcher, 13 February 2019.

<sup>21</sup> “Public Hearings on OGP 2018-2020 Strategy,” Armavir Development Center, 19 September 2018, <http://infotun.armavirdc.org/1302.html>.

<sup>22</sup> “Co-creation of the 4th National Action Plan,” Open Government Partnership Armenia, 20 September 2018, [http://www.ogp.am/en/news/item/2018/09/20/NAP\\_2018/](http://www.ogp.am/en/news/item/2018/09/20/NAP_2018/).

<sup>23</sup> “Draft OGP Fourth Action Plan Armenia,” 19 September 2018, [http://ogp.am/hy/news/item/2018/10/19/AP4th\\_draft/](http://ogp.am/hy/news/item/2018/10/19/AP4th_draft/).

<sup>24</sup> Lilia Afrikyan (Staff of the Prime Minister of the Republic of Armenia), interview by IRM researcher, 13 February 2019.

<sup>25</sup> Phone and electronic communication of IRM researcher with four CSO representatives and individuals who provided suggestions on the fourth action plan through Google form, February 2019.

<sup>26</sup> “OGP Participation & Co-creation Standards,” Open Government Partnership, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards>.

## 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/entity'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.<sup>1</sup> The indicators and method used in the IRM research can be found in the IRM Procedures Manual.<sup>2</sup> A summary of key indicators the IRM assesses is below:

- **Verifiability:**
  - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
  - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **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 or policies?
  - **Public Accountability:** Will the government create or improve public facing 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?
- **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.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.

### What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., 'Misallocation of welfare funds' is more helpful than 'lacking a website').
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., "26 percent of judicial corruption complaints are not processed currently.")?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment's implementation (e.g., "Doubling response rates to information requests" is a stronger goal than "publishing a protocol for response.")?

Based on these criteria, Armenia's action plan contains two potentially starred commitments:

- Commitment 3: Beneficial Ownership Register
- Commitment 5: State Water Cadastre

### Starred commitments

One measure, the “starred commitment” (★), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment's design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **Substantial** or **Complete** implementation.

This variable is assessed at the end of the action plan cycle, in the *Implementation IRM report*.

### General Overview of the Commitments

Armenia's fourth action plan comprises three key areas: ensuring transparency and accountability, promoting access to information, and promoting public participation. The commitments cover many open government themes, such as asset disclosure, beneficial ownership, budget transparency, natural resources, social issues, health, education, and participation in decision making. Many activities aim to facilitate online access to information and public services, while some also provide mechanisms for public feedback.

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<sup>1</sup> “Open Government Partnership: Articles of Governance,” OGP, June 2012 (updated March 2014 and April 2015), [https://www.opengovpartnership.org/sites/default/files/attachments/OGP\\_Articles-Gov\\_Apr-21-2015.pdf](https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf).

<sup>2</sup> “IRM Procedures Manual,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

## 1. “Open Data” in Official Declarations

### Language of the commitment as it appears in the action plan:<sup>1</sup>

#### Brief description:

1. Ongoing enlargement of the scope of declarants (members of councils of elders and secretaries of staffs of communities with populations of 15,000 and more).
2. Revision of content of declarations, including in regard to reduction of the threshold value of expensive property subject to declaration and identification of persons not affiliated to the declarant official through close kinship or in-law relationship as donators (revelation of relationship to the declarant).
3. Enlargement of the list of data of declarations subject to publication.”

#### Milestones

1.1 Publishing on the website of the Commission information on declarant officials who have not submitted a declaration for 2017-2020 or have submitted a declaration later than the prescribed time limit, the administrative liability measures applied by the Commission.

1.2 Elaboration of the draft Law of the Republic of Armenia “On making amendments and supplements to the Law of the Republic of Armenia “On public service”” and submission to the Staff of the Prime Minister in the context of enlargement of the scope of declarants, revision of the content of declarations, including reduction of the threshold value of expensive property subject to declaration and identification (revelation of relationship to a declarant) of persons not affiliated to a declarant official through close kinship or in-law relationship as donators.

1.3 Elaboration of the draft on making amendments and supplements to Decision of the Government of the Republic of Armenia No 1835-N of 15 December 2011 and submission to the Staff of the Prime Minister.

1.4 Upgrading the search engine of the "Registry of Declarations" section of the Commission's website at [www.ethics.am](http://www.ethics.am), ensuring its interactive accessibility for users, developing and installing the software.

Start Date: December 2018

End Date: August 2020

| Commitment Overview                     | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       | Completion |                |   |         | Did It Open Government? |           |   |                |          |       |             |
|---|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|------------|----------------|---|---------|-------------------------|-----------|---|----------------|----------|-------|-------------|
|   | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate   | Transformative | Not Started                               | Limited | Substantial             | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| I. “Open data” in official declarations |                                      | ✓                                | ✓                                |                     | ✓                     | ✓   |                  |       | ✓          |                | Assessed at the end of action plan cycle. |         |                         |           | Assessed at the end of action plan cycle. |                |          |       |             |

### Context and Objectives

Since 2014, asset and income declarations of high-ranking officials and their affiliates have been published on the website of the Commission on Ethics of High-Ranking Officials.<sup>2</sup> Since 2015, Armenia has introduced several measures to expand the scope of information disclosed in these declarations.<sup>3</sup> Legislative amendments passed in 2017 extended the circle of officials subject to



declaring income and assets to include not only high-level officials, but also officials employed in senior positions. The amendments also included heads of communities with populations exceeding 15,000.<sup>4</sup>

In the current commitment, civil society organizations proposed to extend the circle of officials who are subject to declaration further, to include municipality staff secretaries and members of councils of elders in large communities. This was due to concerns of possible conflicts of interest of secretaries and councils of elders who may receive funds or incentives through various channels. Some receive funds from the head of the community or through jobs for their close relatives.<sup>5</sup> According to the law, membership in councils is a nonpaid position, but in practice, council members might be subject to specific expectations in return for voting on specific decisions.

This commitment calls for reducing the threshold of the valuable property subject to disclosure. The current threshold—8 million AMD (about 16,500 USD)—is considered too high compared to the average salary of public servants.<sup>6</sup> However, the commitment does not specify the new threshold that will be included in proposed legislative amendments. The amount discussed during meetings was 2-3 million AMD.<sup>7</sup>

Finally, the commitment proposes identification (revelation of relationship to a declarant) of persons who made donations to a declarant official. Current legal regulations stipulate that gifts in the form of immovable, movable, and expensive property—as well as gifts received in the form of money—are subject to declaration. However, according to Decision No. 1835-N, from 15 December 2011, data regarding the donors shall not be subject to publication, for privacy protection. The currently published data does not reveal the relationship between the donor and the declarant or whether the gift contains corruption risks. Meanwhile, if the donor's name, as well as the relationship of the donor to the declarant, is accessible to the public, it could reduce the above-mentioned doubts regarding conflicts of interest.<sup>8</sup>

This commitment also continues the third action plan's commitment on publishing the list of officials who did not provide declaration on time and on providing an open data format in the registry of declarations. Currently, one can search for declarations with the name and position of the official and the year the income and property was declared. The commitment calls for providing a searchable platform in which other search characteristics can be used. For example, an improved search function would allow searches by annual income level or specific property owned. Besides, the data would be extracted in a machine-readable format. This objective was set in Commitment 4 of Armenia's previous action plan but was not fulfilled for several reasons.<sup>9</sup> The current commitment also aims to continue disclosing the lists of officials who fail to provide their declarations within the time specified by the law, as well as publishing information on the relevant sanctions applied.

This commitment has the potential to improve public access to information on public officials' asset and income declarations. It would do so by extending the scope of information provided in declarations and facilitating access to information via technological improvements. Disclosure of the list of those who have failed to submit declarations on time and publication of sanctions applied can help to hold officials accountable. Such accountability could also be reached by making more officials subject to declaration requirements. If fully implemented, these efforts can improve civic oversight on declaration submission and any subsequent actions taken by the commission. The potential impact of the commitment is assessed as moderate.

### **Next steps**

The disclosure of assets, income, and conflicts of interest by public officials has been continuously a major focus for civil society organizations working in anti-corruption and access to information. The government's legislative initiatives to provide disclosure of assets by public officials and to ensure the oversight of possible illicit enrichment and conflicts of interest provide a basis for effective anti-corruption measures. However, steps should be taken to implement these measures in practice and ensure that all relevant institutions and establishments work effectively to prevent corruption.

One implementation constraint is the delay in the formation of the new Commission for Prevention of Corruption. According to the law, this commission should be established to replace the

Commission on Ethics of High-Ranking Officials. The law afforded the new commission a larger scope of responsibilities and more domains of competence.

The IRM researcher recommends the following actions:

- Effective state and public oversight are needed to ensure implementation of the commitment brings better accountability of officials and prevents misconduct. Thus, it is highly necessary to ensure that the relevant anti-corruption body (whether the Commission for Prevention of Corruption or another) has the necessary power and ability to apply practical mechanisms of oversight and accountability.
- Stakeholders positively assess the intention to disclose more information. However, they suggest further extending the information in officials' declarations to include geographical location of the estate property, as well as expenses not related to the purchase of property such as acquired expensive services (for example, tour packages, tuition fees at international universities). They also suggest including family members living separately in the list of declarants, although the definition of who constitutes family members would need to be redefined in law.<sup>10</sup>

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> "Declaration Registry," Commission on Ethics of High-Ranking Officials, <http://ethics.am/en/declarations-registry/>.

<sup>3</sup> Government of the Republic of Armenia, Decision №150-N, 19 February 2015, "On Making Amendments to Government of Armenia Decisions №1835-N from 15 December 2011 and №1819-N from 15 December 2011"; Amendments to the RA law On Public Service, 16 December 2016 and 09 June 2017.

<sup>4</sup> Amendments to the RA law On Public Service, 09 June 2017, <http://www.arlis.am/DocumentView.aspx?DocID=114359>.

<sup>5</sup> Levon Barseghyan (Asparez Journalists' Club), phone interview by IRM researcher, 28 February 2019.

<sup>6</sup> According to the Armenian Statistical Committee, the average nominal wage in Armenia for employees working in the public sector was 158,155 AMD (appr. 327 USD) as of 2017. "Labour Market in the Republic of Armenia: Earnings," Statistical Committee of the Republic of Armenia, 2018, [https://www.armstat.am/file/article/trud\\_18\\_14.pdf](https://www.armstat.am/file/article/trud_18_14.pdf).

<sup>7</sup> Varuzhan Hochtanyan (Transparency International Anticorruption Center), interview by IRM researcher, 13 February 2019.

<sup>8</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>9</sup> For more information, see Open Government Partnership, *Armenia IRM End-of-Term Report 2016-2018*, [https://www.opengovpartnership.org/wp-content/uploads/2019/01/Armenia\\_End-Term\\_Report\\_2016-2018\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2019/01/Armenia_End-Term_Report_2016-2018_EN.pdf).

<sup>10</sup> Journalists' Club "Asparez," Open Society Foundations—Armenia, Transparency International Anticorruption Center, Union of Informed Citizens, Armenian Helsinki Committee, and Helsinki Citizens' Assembly Vanadzor Office, *Concept of Key Reforms to Restore the Republic of Armenia (Roadmap)*, 2019, <https://transparency.am/en/publications/view/247>; Mariam Zadoyan and Syuzanna Soghomonyan (Anticorruption Coalition of Armenia), interview by IRM researcher, 22 February 2019; and Open Government Partnership, *IRM Armenia Progress Report 2016-2018*, [https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia\\_Midterm\\_Report\\_2016-2018\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia_Midterm_Report_2016-2018_EN.pdf).



## 2. Government Grant Transparency

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** More efficient management of public resources, enhancement of public confidence, enhancement of public integrity.

### Milestones

2.1 Studying the instruments and procedures that are already applied for the provision of financial resources to CSOs; defining the advantages and disadvantages; improving the existing procedures by establishing grants; giving donations (grants) only through a competition, except for cases conditioned by exclusivity.<sup>2</sup>

2.2 Elaborating and introducing a unified package of sample application forms, attached documents and other necessary information.

2.3 Posting the results of competitions and the reports of beneficiary organisations on the official websites of authorised bodies.

Start Date: November 2018

End Date: August 2020

| Commitment Overview              | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       |          |                | Completion                                |         |             |           | Did It Open Government?                   |                |          |       |             |
|----------------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|----------|----------------|---|---------|-------------|-----------|---|----------------|----------|-------|-------------|
|                                  | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate | Transformative | Not Started                               | Limited | Substantial | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 2. Government grant transparency |                                      | ✓                                | ✓                                | ✓                   |                       |   |                  | ✓     |          |                | Assessed at the end of action plan cycle. |         |             |           | Assessed at the end of action plan cycle. |                |          |       |             |

### Context and Objectives

A set of laws regulates allocation of grants from the state budget in Armenia.<sup>3</sup> However, there is a strong public perception of a lack of transparency in the distribution of funds. As highlighted in the 2016–2018 IRM progress report, research and stakeholders identified a lack of a competitive mechanism of grant distribution by most state agencies.<sup>4</sup> The annual budget allocation for grants and subsidies to nongovernmental organizations was about 6.5 billion AMD in 2018<sup>5</sup> (approximately 13.3 million USD). The government allocated these funds in the areas of sports, culture, social protection, education, and others. However, information on grant programs has not been publicly available, and the methods of selecting grantee organizations are unknown. This scarcity of information undermines the transparency of funding distribution and raises concerns over the effectiveness of grant allocation.

The third action plan included a commitment (Commitment 2) that aimed to provide transparency of grants that were allocated through competition. It also called for the publishing of reports on state-funded grant projects. Although this commitment provided more information on projects implemented under the grants, the transparency and competitiveness of grant distribution remained unaddressed. Most state agencies did not organize any grant competition. The government allocated grants on a discretionary basis, with names of recipient organizations included in the law on budget or bylaws.<sup>6</sup> The lack of transparency in the grant allocation process has been discussed for several years in various reports, including the CSO Sustainability Index of the United States Agency for International Development.<sup>7</sup> Stakeholders participating in consultations during action plan development also highlighted the issue.<sup>8</sup> One of the key recommendations of the *IRM Armenia*

*Progress Report 2016–2018* called for establishing competitive and transparent mechanisms for awarding state grants and service contracts by executive agencies.<sup>9</sup>

The current commitment seeks to improve the procedures for granting financial resources from the state budget to organizations. It would do this by establishing mandatory competitive mechanisms, including application procedures, and developing a unified project reporting format for all agencies. While the commitment is overall verifiable, the language lacks clarity on the types of organizations to be covered. The English version of the action plan often refers to civil society organizations (CSOs), interpreted as nongovernmental organizations, in the background section. However, the Armenian version of the same section defines CSOs as nonprofit organizations. That term covers a larger scope of organizations, from religious and membership organizations to foundations and state-owned nonprofits.

Assuming that the commitment covers civil society organizations, it could contribute to improving a CSO-enabling environment. It would provide access to state funding for a larger number of CSOs through open and transparent grant provision mechanisms. The commitment could also improve public access to information on state funding distribution. In this regard, stakeholders consider this commitment as a necessary precondition for public budget transparency and improvement of public trust in public spending. Had the action plan been clearer in terms of the types of organizations covered by the commitment, it could have had a higher potential impact.

### Next steps

The IRM researcher recommends improving the specificity of the commitment by clearly defining the legal types of organizations covered by the commitment and referred to as civil society organizations (CSOs).

Further recommendations include:

- Along with the application forms, the procedure and criteria of the selection process need to be clearly defined and publicly available. Interviewed stakeholders recommended involving CSO representatives in the grant selection commission (with due attention to conflict-of-interest issues). Doing so could ensure a participatory process and fair selection. Measures should be taken to provide a fair and transparent selection process and exclude biases in the allocation of grants.
- As mentioned by one civil society stakeholder, attention should be paid to ensuring a smooth transition process from noncompetitive to competitive distribution of funding.<sup>10</sup> For example, many CSOs had been receiving state subsidies for providing social services to vulnerable groups, but their funding was interrupted in 2019. The government justified the interruption by stating that competitive procedures are to be introduced. As a result, these organizations had to stop their activities funded by the state and terminate contracts with the relevant staff.<sup>11</sup> Thus, some transition period could be planned before the establishment of the new mechanisms and the announcement of competition. This would help organizations dependent on state funding continue their services without interruption before the revised approaches are introduced in practice. A transition period can also provide such organizations the opportunity to participate in the competition and continue their operations.
- The IRM researcher recommends addressing in future action plans the need for proper monitoring and reporting of the projects funded by the state budget. The mechanisms of project monitoring by state are not transparent, and the government agencies publish the reports in an inconsistent manner with sometimes poor quality.<sup>12</sup> Unified standards of monitoring and reporting can be elaborated with the input of CSOs and international organizations, to provide better transparency and ensure the effectiveness of the funds spent.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> In the Armenian version: Studying the instruments and procedures that are already applied for the provision of financial resources to legal entities; defining the advantages and disadvantages; improving the existing procedures by defining provision of grants and donations only through a competition, except for cases conditioned by exclusivity. Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, Armenian version, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_ARM.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_ARM.doc).

<sup>3</sup> The Law of the Republic of Armenia On the State Budget, the Law of the Republic of Armenia On Procurement, and Decision No. 1937-N of 24 December 2003 "On Approving the Procedure for Allocation of Subsidies and Grants from the State Budget of the Republic of Armenia to Legal Persons."

<sup>4</sup> Open Government Partnership, *IRM Armenia Progress Report 2016-2018*, [https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia\\_Midterm\\_Report\\_2016-2018\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia_Midterm_Report_2016-2018_EN.pdf).

<sup>5</sup> Calculated based on data received through the interactive budget platform at <http://budget.minfin.am:82/>.

<sup>6</sup> Open Government Partnership, *IRM Armenia End-of-Term Report 2016-2018*, [https://www.opengovpartnership.org/wp-content/uploads/2019/01/Armenia\\_End-Term\\_Report\\_2016-2018\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2019/01/Armenia_End-Term_Report_2016-2018_EN.pdf).

<sup>7</sup> USAID, *2016 CSO Sustainability Index for Central and Eastern Europe and Eurasia*, July 2017, [https://www.usaid.gov/sites/default/files/documents/1866/CSOSI\\_Report\\_7-28-17.pdf](https://www.usaid.gov/sites/default/files/documents/1866/CSOSI_Report_7-28-17.pdf); and USAID, *2017 Civil Society Organization Sustainability Index for Central and Eastern Europe and Eurasia*, September 2018, [https://www.usaid.gov/sites/default/files/documents/1866/2017\\_CSO\\_Sustainability\\_Index\\_for\\_Central\\_and\\_Eastern\\_Europe\\_and\\_Eurasia.pdf](https://www.usaid.gov/sites/default/files/documents/1866/2017_CSO_Sustainability_Index_for_Central_and_Eastern_Europe_and_Eurasia.pdf).

<sup>8</sup> Naira Arakelyan (Armavir Development Center), interview by IRM researcher, 24 January 2019.

<sup>9</sup> Open Government Partnership, *IRM Armenia Progress Report 2016-2018*, [https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia\\_Midterm\\_Report\\_2016-2018\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2018/10/Armenia_Midterm_Report_2016-2018_EN.pdf).

<sup>10</sup> Suren Deheryan (Journalists for Future), interview by IRM researcher, 14 March 2019.

<sup>11</sup> "Why Unison Will Not Receive Subsidies? 21 February 2019, Armradio.am, [https://armradio.am/hy/7017?fbclid=IwAR0R3y53cP7WEh8ZNI G1eFncBN28bMEf33cE7jtUA8E3fjybpvI4uRQNY\\_c](https://armradio.am/hy/7017?fbclid=IwAR0R3y53cP7WEh8ZNI G1eFncBN28bMEf33cE7jtUA8E3fjybpvI4uRQNY_c).

<sup>12</sup> Open Government Partnership, *IRM Armenia End-of-Term Report 2016-2018*, [https://www.opengovpartnership.org/wp-content/uploads/2019/01/Armenia\\_End-Term\\_Report\\_2016-2018\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2019/01/Armenia_End-Term_Report_2016-2018_EN.pdf).

### 3. Beneficial Ownership Register

#### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** The Government is committed to develop and implement a common mechanism for identifying the real owners of companies operating in RA, by creating and launching a comprehensive open and freely accessible register of beneficial ownership.

#### Milestones

3.1 Development of a legislative package that establishes the framework necessary to meaningfully advance on beneficial ownership transparency and implement an open register of ultimate beneficial owners.

This legislative package will be based on a comprehensive analysis of international experiences on issues such as the Beneficial Ownership Data Standard, the definition of beneficial owners, verification and registration mechanisms, and the range of required documentation.

In addition, the development of the legislative package will include consultations with stakeholders, such as representatives of civil society and the private sector, and the presentation of a consolidated package to the Prime Minister's Staff.<sup>2</sup>

3.2 Presentation of legislative drafts package to the National Assembly

3.3 Development of a database (using the Beneficial Ownership Data Standard) of ultimate beneficial owners of all companies operating in Armenia within the State Registry which will be responsible of the technical implementation and discussions with civil society and the private sectors. The database will be open and freely accessible to the public and ensure adequate use and search capabilities.<sup>3</sup>

3.4 Piloting the register by entering data of ultimate beneficial owners of companies in the metal mining industry operating in Armenia. This includes collecting, verifying, publishing, and resolving system problems which are encountered during the pilot.

3.5 Launch of an open and public register of ultimate beneficial owners and parallel launch of a public awareness campaign.

Start Date: November 2018

End Date: December 2020

| Commitment Overview              | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       | Completion |                |   |         | Did It Open Government? |           |   |                |          |       |             |
|----------------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|------------|----------------|---|---------|-------------------------|-----------|---|----------------|----------|-------|-------------|
|                                  | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate   | Transformative | Not Started                               | Limited | Substantial             | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 3. Beneficial ownership register |                                      | ✓                                | ✓                                | ✓                   |                       | ✓   |                  |       |            | ✓              | Assessed at the end of action plan cycle. |         |                         |           | Assessed at the end of action plan cycle. |                |          |       |             |

#### Context and Objectives

Armenian legislation prohibits public officials from engaging in business activities.<sup>4</sup> However, many cases have been reported in which officials have ownership in business companies, with ownership officially registered to other persons (including their relatives or acquaintances). Apart from violating the law, ownership of large companies by state officials contains risks of political influence on business and harms the principle of a competitive business environment. Additionally, lack of

information on real owners of companies prevents identification of monopolized sectors and businesses. (It is possible for several businesses to have different registered founders but be owned by the same person.)

The Law on Combating Money Laundering and Terrorism Financing defines the concept of beneficial ownership and provides some regulations for the disclosure of and reporting on beneficial owners.<sup>5</sup> All organizations make a statement on their beneficial ownership during registration and when applying for state procurement tenders. These statements are publicly available for state procurement participants in the reports of the State Procurement System and in participants' bid packages.<sup>6</sup> However, the information on beneficial ownership filed with the State Registry is not available to the public.

This commitment calls for the creation of a publicly available beneficial ownership registry that will be piloted in Armenia's mining sector. This commitment will help identify conflicts of interest in cases in which a company is owned by an official. It will also ensure proper tax collection through the revealing of offshore ownership. According to statements by government representatives, the government also plans to develop mechanisms for verifying the provided information before publication.<sup>7</sup> However, the commitment itself does not mandate disclosure of beneficial ownership. It only covers the development of the framework related to beneficial ownership transparency. According to the commitment, the open registry will be operational by the end of the action plan implementation period (October 2020) and will include data on mining companies during the pilot stage. In addition to disclosing beneficial ownership information, Milestone 3.1 calls for consultations with stakeholders and the presentation of a consolidated legislative package related to the establishment of beneficiary ownership register to the prime minister's staff, making the commitment relevant to civic participation.

This commitment is closely linked with the requirement of the Extractive Industries Transparency Initiative (EITI) 2016 standards to disclose beneficial ownership of oil, gas, and mining companies.<sup>8</sup> As a candidate country to EITI, Armenia has pledged to follow this requirement by January 2020. In January 2018, Armenia published its road map for disclosing beneficial ownership information, including milestones and deadlines.<sup>9</sup>

Many interviewed civil society stakeholders had a positive assessment of the commitment and expect it to eventually cover all companies. However, the civil society organizations that proposed the commitment find that it does not entirely reflect the ambition they intended. They had suggested mandatory disclosure of beneficial ownership.<sup>10</sup> The objective of the commitment is ambitious, but the proposed activities are limited to the creation of the registry software and piloting the registry by including mining companies.

Some stakeholders noted that including a milestone on beneficial ownership disclosure for a larger scope of companies (for example, companies with incomes above a certain threshold)<sup>11</sup> would have an even greater impact in this field. However, the mandatory disclosure of mining companies' beneficial owners will be a major step. This sector contributed 3.2 percent to Armenia's gross domestic product in 2017<sup>12</sup> and has been targeted by several environmental movements. The ownership of mining companies has been a sensitive issue in Armenia, especially in recent years. There is a large amount of foreign investment, with relevant permissions provided by the former government administration. These deals have given rise to rhetoric about alleged ties and interests of officials (or ex-officials) and their lack of care about the damage to country's natural resources. The most prominent recent case involves the Amulsar mining project, which, according to the environmentalists, endangers one of the well-known resort towns and nearby water resources.<sup>13</sup>

The commitment calls for continued progress in beneficial ownership transparency. Thus, it marks a major (albeit preliminary) step toward institutionalizing beneficial ownership disclosure of companies. Therefore, the potential impact is assessed as transformative. The legislative framework and software required under the commitment will serve as a basis for further enlargement of the scope of companies subject to mandatory disclosure of their owners.

## Next steps

The IRM researcher recommends carrying this commitment forward to the next action plan. The government should establish mechanisms for mandatory inclusion of a larger scope of companies in the beneficial ownership registry, as well as mechanisms for monitoring and verification.

Stakeholders have stressed the importance of verifying the possibility of obtaining accurate information on beneficial owners of companies, particularly those in extractives sector. Those companies have offshore registration and use chains of ownership. Thus, real ownership is sometimes not possible to verify.<sup>14</sup> For this reason, mechanisms to verify the information presented in the registry must be established. Otherwise, the registry's usefulness to prevent corruption will be questionable.<sup>15</sup>

International experience and recommendations should be considered when designing the oversight framework, including the following:

- Establish international cooperation to provide and obtain information held by foreign and domestic registries, exchange information on shareholders, and quickly trace a chain of legal ownership;<sup>16</sup>
- Give appropriate resources, capacities, and legal mandate to the registry or the relevant assigned body to carry out due diligence and verification and to apply relevant sanctions; and
- Set serious penalties for providing false information; these need to be tangible to ensure that the disclosure provisions are met—for example, heavy fines or suspension of activities.<sup>17</sup>

Public oversight is also important, to ensure that the registry will serve its role. The IRM researcher recommends that civil society organizations (CSOs) initiate public awareness activities and conduct monitoring and verification of the disclosed information. Toward this purpose, it is important that the information in the registry is open and free of charge for everyone.

During the discussions for the action plan development, as well as in interviews, some CSOs suggested introducing mandatory disclosure of media company ownership<sup>18</sup>. As noted in Section II of this report, many media outlets have political affiliations or are perceived to have them. Issues such as misinformation or hidden political propaganda by media are often raised. Disclosure of media ownership could improve transparency in the media sector and apply a more deliberate approach to news and media reports.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> In Armenian version: "Development of a legislative package based on a comprehensive analysis of international experience. The package will include the concepts related to beneficial ownership, registration mechanisms, and the range of required documentation. Provide consultations with stakeholders, including representatives of civil society, and the present the consolidated package to the Prime Minister's Staff." Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, Armenian version, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_ARM.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_ARM.doc).

<sup>3</sup> In Armenian version: "Development of the software for the beneficial ownership registry (including development of ToR, discussions with CSOs and approval). The registry will be accessible to the public and provide accessible search capabilities." Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, Armenian version, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_ARM.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_ARM.doc).

<sup>4</sup> RA Law on Public Service, 23 March 2018, article 31, <https://www.arlis.am/DocumentView.aspx?DocID=120832>.

<sup>5</sup> RA Law on Combating Money Laundering and Terrorism Financing, 26 May 2008, <https://www.arlis.am/DocumentView.aspx?DocID=126311>.

<sup>6</sup> "Announcements on the Absence of Conflict of Interest and on Real Shareholder of the Participant," RA Ministry of Finance Procurement System of the Republic of Armenia, [http://procurement.am/en/page/announcements\\_on\\_real\\_shareholder\\_of\\_the\\_participant/](http://procurement.am/en/page/announcements_on_real_shareholder_of_the_participant/); and Armenian Electronic Procurement System, Bids, <https://armeps.am/ppcm/public/bid-report>.

<sup>7</sup> "Regulations to Reveal Beneficial Ownership of Armenia's Mining Companies Were Discussed," Hetq.am, 31 January 2019, <https://hetq.am/en/article/100469>; and "The Legal Regulation of Beneficiary Owners' Identification Was Discussed," Ministry of Justice press release, 31 January 2019, <http://moj.am/article/2240>.

<sup>8</sup> "The EITI Standard 2016, 2.5 Beneficial Ownership," Extractive Industries Transparency Initiative, <https://eiti.org/document/standard#2-5>.

<sup>9</sup> "Beneficial Ownership Disclosure Roadmap of the Republic of Armenia," Extractive Industry Transparency Initiative, January 2018, [https://eiti.org/sites/default/files/documents/bo\\_roadmap\\_draft\\_en.pdf](https://eiti.org/sites/default/files/documents/bo_roadmap_draft_en.pdf).

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<sup>10</sup> Mariam Zadoyan and Syuzanna Soghomonyan (Anticorruption Coalition of Armenia), interview by IRM researcher, 22 February 2019; and Shushan Doydoyan (Freedom of Information Center of Armenia), phone interview by IRM researcher, 28 February 2019.

<sup>11</sup> Sona Ayvazyan (Transparency International Anticorruption Center), interview by IRM researcher, 1 March 2019.

<sup>12</sup> Armenia Extractive Industries Transparency Initiative, <https://eiti.org/armenia>.

<sup>13</sup> See, for example, Bradley Jardine and Grigor Atanesian, "Mining Dispute Threatens Armenia's Post-revolutionary Political Consensus," Eurasianet, 24 July 2018, <https://eurasianet.org/mining-dispute-threatens-armenias-post-revolutionary-political-consensus>.

<sup>14</sup> Kristine Aghalaryan (Hetq Investigative Journalists NGO), phone interview by IRM researcher, 11 March 2019.

<sup>15</sup> Varuzhan Hochtanyan (Transparency International Anticorruption Center), interview by IRM researcher, 13 February 2019.

<sup>16</sup> See, for example, Financial Action Task Force, *FATF Guidance on Transparency and Beneficial Ownership*, October 2014, <http://www.fatf-gafi.org/media/fatf/documents/reports/Guidance-transparency-beneficial-ownership.pdf>.

<sup>17</sup> "Establish Robust Registers of Beneficial Ownership," Open Government Partnership, <https://www.opengovpartnership.org/theme/beneficial-ownership/establish-robust-registers-of-beneficial-ownership>.

<sup>18</sup> For example, disclosure of beneficiary ownership of media was included in the commitment proposed by Transparency International Anticorruption Center.



## 4. Modernization of Community Websites

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** Within the scope of performance of the commitment, it is envisaged to enlarge the composition of information prescribed by the Law of the Republic of Armenia “On local self-governance” and to be posted on the websites of communities, including the following:

- the budgets of institutions under the subordination of a community administration,
- general information (type of activity, address, contacts, etc.) regarding institutions (educational, cultural, etc.) existing in the community and/or the website of those institutions (if available),
- information cards containing descriptions of the procedures for services provided by the community administration or the institutions operating under its subordination, which will present, in detail, information regarding the service concerned and information required for the beneficiary of the service, required documents, terms of provision, legal grounds, levies fees, etc.
- information on issuance of permits for advertisements, trade, construction and other types of permits,
- information about theme parks, see-worthy sites, as well as historical and cultural sites located in the community (address, pictures, brief description),
- information related to construction underway in the community through public funding,
- application of the e-draft model in large communities (with 20000 or more residents), that is, posting on the website of the community administration the drafts of regulatory legal acts to be adopted by the head of community and council of elders of the community, for the purpose of informing and discussing.<sup>2</sup>

### Milestones

4.1 Preparing drafts of the laws on making amendments to the Law of the Republic of Armenia “On local self-governance” and “On local self-governance in Yerevan”.

4.2 Organising public discussions to make legislative amendments.

4.3 Presentation of “On local self-governance” and “On local self-governance in Yerevan” legislative drafts package to the National Assembly.

4.4 Bringing official websites of communities into compliance with the existing legislative amendments.

4.5 Information campaign (awareness raising) targeted at local self-government bodies and CSOs. Introducing new tools and capabilities of sites to the community users.

Start Date: November 2018

End Date: August 2020

| Commitment Overview                    | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       |          |                | Completion                                |         |             |           | Did It Open Government?                   |                |          |       |             |
|--|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|----------|----------------|---|---------|-------------|-----------|---|----------------|----------|-------|-------------|
|  | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate | Transformative | Not Started                               | Limited | Substantial | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 4. Modernization of community websites |                                      | ✓                                | ✓                                | ✓                   |                       | ✓   |                  |       | ✓        |                | Assessed at the end of action plan cycle. |         |             |           | Assessed at the end of action plan cycle. |                |          |       |             |



## Context and Objectives

The law requires Armenian communities with a population over 3,000 to have an official website with a list of specific, downloadable documents.<sup>3</sup> This list includes normative legal acts adopted by the head of the community and the council of elders. Other documents include community development program and program performance reports, and community budget and budget performance reports.<sup>4</sup>

Most communities in Armenia have the Community Management Information System created by the Information Systems Development and Training Center by the initiative of the Ministry of Territorial Administration and Development. Based on this system, over 250 communities run websites with information on community council sessions and decisions, budget and community structures, services and necessary templates. The system also provides the ability to file online requests and find information on land and building ownership. Community members can also calculate taxes and fees based on personal information requests. Visitors can give feedback on any information presented on the website.<sup>5</sup> Noting it is an exemplary transparency and participation tool, OGP designated the system (“Smart Municipality”) a “regional champion” in 2015.<sup>6</sup>

According to civil society organizations, improvements can still be made regarding transparency of community property management, budgets of community-owned entities, and the issuance of permits. This information could be published on community websites. The author of this commitment also proposed facilitating discussion of community legal drafts similarly to the discussion of national normative acts on the e-draft.am platform.

This commitment aims to expand the scope of publicly accessible information held by municipalities to include information not only on the municipalities but also other public institutions, such as kindergartens, musical schools, and cultural centers. The commitment also envisions posting information about provided services and permits. As noted by a civil society stakeholder, if construction permits are publicly available on community websites, it will be easier for the public to identify cases of illegal construction in their communities.<sup>7</sup> Thus, posting the information on provided permits could contribute to better public oversight of the legality and purposes of construction and of nonlicensed construction, advertising, and trade.

Stakeholders also highly value the publication of information on property management. It could allow better public oversight of property transactions in cases where bids and annual property management plans are posted in advance.<sup>8</sup>

In general, stakeholders find that if implemented, the commitment could facilitate public service provision and improve transparency. The publication of drafts to e-draft.am, with mandated opportunities to vote, discuss, and provide feedback, could enhance public participation in larger urban communities.

The impact of this commitment largely depends on the use of the new opportunities provided. Some stakeholders express skepticism about the use of community websites by community members as a significant source of information. They note that in smaller communities, people hardly use community websites, preferring face-to-face communication and lively discussions. Also, though publication of information on websites is stipulated for communities with population above 3,000, not all communities provide complete and regularly updated information. Thus, first of all it is necessary that community administrations enforce legal provisions of transparency by and conduct awareness-raising activities among the population to increase the use of online sources of information. The commitment milestones include such awareness raising.

Regarding the posting of drafts on the e-draft.am platform, stakeholders suggest posting the decision drafts on the community websites (as stipulated by law) and providing technical tools for discussion directly on community websites.<sup>9</sup> Stakeholders also put higher importance on more effective participation mechanisms that could be used in communities, such as face-to-face discussions and citizen councils.<sup>10</sup>

If fully implemented, the commitment could serve as a moderate step toward greater transparency of the local self-governance bodies. It could facilitate access to information that was previously not

publicly available. However, it would constitute a minor step forward in terms of participation for the community members.

### Next steps

This commitment calls for opening up new categories of information for better transparency and public oversight of areas that contain potential corruption risks. It also calls for enhanced public participation in decision making in communities with populations over 20,000. To make use of the opportunities provided by current legislation and this commitment, the IRM researcher recommends taking the following actions:

- Community authorities need to ensure proper publication as provided by law and timely update of the information on websites. They should also provide adequate feedback to the issues raised and suggestions by community members and other interested stakeholders.
- Training and awareness-raising activities for community inhabitants can be provided both by local government and civil society organizations (CSOs) working in this area. This will maximize use of the websites and facilitate public oversight of various aspects of local self-government.
- To increase use of the e-draft platform for the discussion of community legal drafts, the local authorities should publish announcements about and links to the drafts on community websites.
- According to the stakeholders, there is a need to improve the technical capacities and user-friendly design of the available websites.<sup>11</sup>
- Based on stakeholder suggestions, the IRM researcher also recommends further enlarging the scope of website information. The community authorities should publish the names and positions of municipality staff, along with their contact information, which will facilitate direct communication with citizens and CSOs.<sup>12</sup>

In future action plans, the IRM researcher recommends improving public participation opportunities beyond those available through electronic tools—for example, providing such opportunities through townhall meetings, citizen forums, and SMS polls.<sup>13</sup>

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> In the Armenian version: “Within the framework of the commitment, it is planned to undertake steps in two directions: legislative amendments and improvement of operational capacity of community websites.

“With the legislative amendments to be made, communities with 3000 or more population will also have the responsibility to publish the following:

- “general information on the institutions (educational, cultural, etc.) available in the community (including the budget, type of activity, address, contact information, etc.) and / or the address of their official website (if any);
- “services rendered by the municipality and its subordinate structures;
- “information about advertising, trade, construction and other permits issued by the municipality;
- “information about any construction works in the community implemented by public financial means;

“For the expansion of operational opportunities of community websites, it is envisaged to:

- “improve community property management component, which will make the information on community property and its management transparent and accessible to the population while at the same time ensuring access to information for relevant investors;
- “develop a component of information cards containing descriptions of the services provided, which along provision of detailed information on the provided services will allow residents to provide opinions and recommendations on the services to ensure pro-citizen service provision by local self-governments;
- “provide for the discussion of normative legal acts drafts of local self-government of communities with 20,000 or more residents on e-draft.am Unified Website of Legal Acts drafts.” Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, Armenian version, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_ARM.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_ARM.doc).

<sup>3</sup> This is according to Article 11.5 of the RA Law On Local Self-governance.

<sup>4</sup> RA Law On Local Self-governance, 07 May 2002, <https://www.arlis.am/DocumentView.aspx?DocID=125341>.

<sup>5</sup> Grisha Khachatryan (Information Systems Development and Training Center), phone interview by IRM researcher, 05 March 2019.

<sup>6</sup> “Armenia Wins Top Award at OGP International Competition,” OGP Armenia, 01 November 2015, [http://ogp.am/en/news/item/2015/11/01/OGP\\_Award2015/](http://ogp.am/en/news/item/2015/11/01/OGP_Award2015/).

<sup>7</sup> Naira Arakelyan (Armavir Development Center), interview by IRM researcher, 24 January 2019.

<sup>8</sup> Sara Petrosyan (Hetq Investigative Journalists NGO), phone interview by IRM researcher, 18 March 2019.

<sup>9</sup> Narine Mailyan (Araza NGO), interview by IRM researcher, 22 February 2019; and Levon Barseghyan (Asparez Journalists' Club), phone interview by IRM researcher, 28 February 2019.

<sup>10</sup> Marina Mkhitarian (UNDP Kolba Lab), interview by IRM researcher, 18 February 2019.

<sup>11</sup> Liana Doydoyan (Freedom of Information Center of Armenia), interview by IRM researcher, 18 February 2019.

<sup>12</sup> Sara Petrosyan (Hetq Investigative Journalists NGO), phone interview by IRM researcher, 18 March 2019.

<sup>13</sup> Community microsurveys have been included in the second action plan (Commitment 6). For more detail, see *IRM Armenia End-of-Term Report 2014-2016*, <https://www.opengovpartnership.org/documents/armenia-end-of-term-report-2014-2016>.

## 5. State Water Cadastre

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** The Water Resources Management Agency of the Staff of the Ministry of Nature Protection of the Republic of Armenia manages the State Water Cadastre, which constitutes an information system. Currently, works are being carried out to update the State Water Cadastre, and after updating, the complete data, except for information containing official, commercial and other secret protected by law, will be posted on the relevant website all legal and natural persons may make use of. At the same time, in case of availability of appropriate software, it will also be possible to implement the function for granting permits electronically.

### Milestones

5.1 Revising the terms of reference for updating the database of the State Water Cadastre.

5.2 Bringing the database of State Water Cadastre into compliance with the requirements set under Decision of the Government of the Republic of Armenia No 68-N of 2 February 2017.

5.3 Establishing a relationship between the tabular and spatial components of the State Water Cadastre

5.4 Designing a unified database for water resources.

5.5 Launching a new database of the State Water Cadastre by providing a link between the state information database and inventory data submitted by the interested departments.

Start Date: November 2018

End Date: August 2020

| Commitment Overview     | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       |          |                | Completion                                |         |             |           | Did It Open Government?                   |                |          |       |             |
|-------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|----------|----------------|---|---------|-------------|-----------|---|----------------|----------|-------|-------------|
|                         | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate | Transformative | Not Started                               | Limited | Substantial | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 5. State Water Cadastre |                                      | ✓                                | ✓                                |                     |                       | ✓   |                  |       |          | ✓              | Assessed at the end of action plan cycle. |         |             |           | Assessed at the end of action plan cycle. |                |          |       |             |

### Context and Objectives

Since the 1980s, Armenia has had no monitoring of underground water basins. Thus, the Water Resources Management Agency has difficulties assessing the available water for use and providing relevant usage permits. Also, according to the agency, there is a lack of accurate assessments of surface water balance.<sup>2</sup> Information on water use permits is published on the website of the Water Resources Management Agency.<sup>3</sup> However, due to the lack of accurate data, the information on available water resources is not accessible to the public.

This shortage of information hinders the ability to check the legitimacy of issuing water permits and contributes to a lack of transparency of water resource management. For example, according to various reports, groundwater outflow in the Ararat valley exceeds the inflow due to an over-issuance of water permits. Many local communities have limited access to drinking and irrigation water as a result.<sup>4</sup> Stakeholders mention other issues, such as inefficient water use, unjustified losses in the water system, illegal intake of groundwater, and overuse of river water by hydroelectric stations.<sup>5</sup>

This commitment aims to consolidate the information on all available water resources in the country into one database. The database would provide a map that visitors could use to check the use permits available for specific water resources and to see the permitted purpose of water use (e.g., drinking, economic, industry, irrigation). The database will be available online free of charge. It would exclude personal data and classified information, such as official and commercial information, or other secrets as defined by law.<sup>6</sup>

The government also plans for the platform to allow users to file their applications for water permits online by using the available map.<sup>7</sup> Apart from improving water resource management, the database will provide comprehensive and open information on available water resources. This will contribute to public oversight of water usage and verification of justification of relevant permits. As a result, it is expected that the effectiveness of water resource management will improve and that the ecological risks related to overuse, or unjustified use, of water will minimize. Thus, this commitment could significantly improve the accuracy and availability of water data as well as water resource management in Armenia. In the long term, this data could improve public oversight of water usage and facilitate greater accessibility to water for drinking and irrigation in communities where it has been scarce.

### Next steps

For effective implementation of the commitment, it is critical that the government successfully completes inventory of water resources that could provide a basis for further collection of information on water use, quality, and monitoring data. Doing so would provide accurate information on the surface and groundwater resources in the country. This would serve for more effective water management and transparent distribution of water resources. Mechanisms should be established to ensure continuous updating of the database.

So that the information serves its purposes, public awareness campaigns should be carried out by the government and interested stakeholders. Experts also note the population's low level of environmental awareness. In parallel to creating the database, it is necessary to initiate trainings on how to use the database with initiative groups and local civil society organizations. The government must also execute awareness-raising activities among communities, especially those vulnerable to violations of water resource use.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> Hrant Zakaryan (Water Resources Management Agency of the Ministry of Nature Protection), phone interview by IRM researcher, 21 February 2019.

<sup>3</sup> "Annual summary of water use permits," Water Resources Management Agency of the Ministry of Nature Protection of the Republic of Armenia, [http://wrma.am/4\\_1.php](http://wrma.am/4_1.php).

<sup>4</sup> "Water Stewardship in Ararat Valley," U.S. Embassy in Armenia, 20 July 2016, <https://am.usembassy.gov/water-stewardship-ararat-valley/>; and World Bank Group, *Toward Integrated Water Resources Management in Armenia. Directions in Development; Countries and Regions*, 2014,

<http://documents.worldbank.org/curated/en/433731468218409267/pdf/916410PUB0REPL0UBLIC009781464803352.pdf>; and "For Sake of a People of Republic of Armenia: Verdict of Public Environmental Public Court on Disaster in Ararat Valley," EcoLur, 05 February 2019, <https://www.ecolur.org/en/news/sevan/--/10818/>.

<sup>5</sup> Arman Vermishyan (environment expert), phone interview by IRM researcher, 21 February 2019; and Naira Arakelyan (Armavir Development Center), interview by IRM researcher, 24 January 2019.

<sup>6</sup> Government of the Republic of Armenia, Decision 68-N, 02 February 2017, <https://www.arlis.am/DocumentView.aspx?DocID=111392>.

<sup>7</sup> Hrant Zakaryan (Water Resources Management Agency of the Ministry of Nature Protection), phone interview by IRM researcher, 21 February 2019.

## 6. Land Cadastre

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** To ensure complete accessibility of the Land Cadastre and the land use schemes and zoning documents (data) for the public through a map, search functionality, ensuring the personal data protection regime.

### Milestones

6.1 Rearm and electronically map the database of the Real Estate Cadastre, ensuring the relationship of land use schemes with zoning plans, as well as with the State Register Agency of Legal Entities.

6.2 Publish and make accessible, with search functionality, the data of the cadastre, ensuring personal data protection in accordance with the legislation of the Republic of Armenia.

Start Date: January 2019

End Date: December 2020<sup>2</sup>

| Commitment Overview | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       | Completion |                |   |         | Did It Open Government? |           |   |                |          |       |
|---------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|------------|----------------|---|---------|-------------------------|-----------|---|----------------|----------|-------|
|                     | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate   | Transformative | Not Started                               | Limited | Substantial             | Completed | Worsened                                  | Did Not Change | Marginal | Major |
| 6. Land Cadastre    |                                      | ✓                                | ✓                                |                     |                       | ✓   |                  |       | ✓          |                | Assessed at the end of action plan cycle. |         |                         |           | Assessed at the end of action plan cycle. |                |          |       |

### Context and Objectives

Currently, Armenia's land cadastre database is not publicly accessible. To receive information on the status of any territory, for a fee, requesters must apply to the Real Estate Cadastre Committee of the Republic of Armenia or to the local government.<sup>3</sup> The law requires that land use schemes, zoning plans, and spatial planning documents be open. However, they are either not available at all or are available in formats that are not easily accessible for citizens. As a result, for years, the Real Estate Cadastre Committee provided this information to citizens upon request, only as prescribed by law. Thus, the heads of communities could arbitrarily dispose land slots without public oversight.<sup>4</sup>

Investigative journalists and interviewed stakeholders have reported several challenges related to mismanagement of land resources in Armenia. The investigative journalist outlet Hetq published an article in 2018 demonstrating corruptive schemes of purchasing land slots in the Hrazdan community's state-owned protected forest by many officials and by their personal affiliates in a resort territory.<sup>5</sup> Similar schemes exist at the community level. Community heads change the status of a land zone, so they can sell it to their personal affiliates or other influential persons, often for their own personal interests. For example, forest zones are used for agricultural purposes, or agricultural land is sold for construction.<sup>6</sup>

This commitment aims to provide public access to the land cadastre database and allow visitors to search by location of the land, which would be presented in graphic format. Investigative journalists mention that currently it is sometimes difficult to find the address and ownership of a land parcel identified through satellite photos.<sup>7</sup> A comprehensive database of land ownership would allow investigative journalists to easily track the ownership of land and possible misuse of land zones. The

public database would also facilitate access to public services and reduce paperwork for submitting inquiries to public administration bodies.

The commitment mentions certain limitations regarding personal data disclosure. It is not quite clear, however, whether these limitations involve the name of the owner or the personal data of the owner, such as passport information or contacts. The commitment also does not clearly state that the data will be accessible to the public free of charge. According to the law, fees are charged for provision of information on immovable property, with some exceptions—for example, for state bodies.<sup>8</sup> Thus, to provide information free of charge, legislative changes will be needed. The commitment does not include such changes. According to a civil society representative of the OGP working group, it was discussed that only creation of electronic map of land database is foreseen in the fourth action plan implementation cycle.<sup>9</sup> The publication of the database included in the second milestone is planned to be completed in 2022, within the next action plan.<sup>10</sup>

If the information on the land cadastre is available for the public free of charge—as is the case with the water cadastre commitment—this commitment could have a significant impact on state practices in managing land resources. Strengthened civil society monitoring could also work toward this goal. If the commitment had explicitly stated that information would be provided free of charge and included the necessary legislative amendments, it could have been assessed as transformative. Such an assessment would have applied if the commitment were also more specific about the type of information that would be provided on ownership.

## Next steps

This commitment can serve as an important contribution to open data from the land cadastre. To achieve maximal effectiveness and significant impact of the commitment, the IRM research recommends the following actions:

- Adopt the necessary legislative amendments to provide information on land ownership free of charge.
- Provide the maximum amount of information allowed by law about the owners of land slots.
- Ensure proper mechanisms for the timely update of information.
- Implement awareness-raising activities to ensure widespread use of the database.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> In Armenian version: January 2019-December 2022. Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, Armenian version, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_ARM.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_ARM.doc).

<sup>3</sup> RA Law On State Registration of Property Rights, 14 April 1999, <https://www.arlis.am/DocumentView.aspx?DocID=121898>.

<sup>4</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>5</sup> “Former Armenian Officials and Their Associates Privatize Fifty Hectares of Forested Lands,” *Hetq.am*, 28 January 2019, <https://hetq.am/en/article/93475>.

<sup>6</sup> Marina Mkhitarian (UNDP Kolba Lab), interview by IRM researcher, 18 February 2019. Mariam Zadoyan and Syuzanna Soghomonyan (Anticorruption Coalition of Armenia), interview by IRM researcher, 22 February 2019; Sona Ayvazyan (Transparency International Anticorruption Center), interview by IRM researcher, 1 March 2019; and Arpine Hakobyan (NGO Center), interview by IRM researcher, 7 March 2019.

<sup>7</sup> Tirayr Muradyan (Hetq Investigative Journalists NGO), phone interview by IRM researcher, 7 March 2019.

<sup>8</sup> RA Law On State Registration of Property Rights, articles 71–75, 14 April 1999, <https://www.arlis.am/DocumentView.aspx?DocID=121898>.

<sup>9</sup> The comment was provided during pre-publication period by Varuzhan Hochtanyan (Transparency International Anticorruption Center).

<sup>10</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, Armenian version, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_ARM.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_ARM.doc).



## 7. Access to Integrated Social Services

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** Introduction of the Open&Social instrument, based on collection, co-ordination and analysis of data.

### Milestones

7.1 Introducing the "Open&Social" instrument at [www.esocial.am](http://www.esocial.am) online information system of integrated social services for the purpose of ensuring access of the beneficiary to information on the social services that are available for him/her, as well as mapping of organisations providing social services within the whole territory of the Republic of Armenia.

7.2 Creating a platform and developing and revising existing solutions, 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. Revising, based on opinions of beneficiaries, services being provided, simplification of working procedures, reduction of time.

Start Date: November 2018

End Date: August 2020

| Commitment Overview                     | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       | Completion |                |   |         | Did It Open Government? |           |   |                |          |       |             |
|---|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|------------|----------------|---|---------|-------------------------|-----------|---|----------------|----------|-------|-------------|
|   | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate   | Transformative | Not Started                               | Limited | Substantial             | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 7. Access to integrated social services |                                      | ✓                                | ✓                                | ✓                   |                       | ✓   |                  | ✓     |            |                | Assessed at the end of action plan cycle. |         |                         |           | Assessed at the end of action plan cycle. |                |          |       |             |

### Context and Objectives

This commitment is a continuation of Commitment 7 from the third action plan, which was not fully completed, mainly due to a shortage of funding. This current commitment entails improving access to information on social protection programs and services by creating an online system (Open&Social) for visitors to obtain information on their eligibility for such services. In Armenia, about 80 state social protection programs are carried out, each providing several services with various preconditions and accompanying procedures.<sup>2</sup>

Through this platform, users will have the opportunity to enter their demographic information—such as age, family status, employment status, health status, or location—and receive information about the social services available. Visitors will also learn the procedures for getting these services or assistance, and which nonstate organizations provide alternative services in their geographic areas. These services include employment assistance, medical-social examinations for defining disability assistance, social allowances and pensions, and social worker assistance.

Thus, any person will be able to identify their eligibility for social services, and subjective interpretations and decisions by social service system employees will be minimized. Improved awareness of social programs and eligibility criteria will not only help to identify the relevant services to meet individual needs, but also raise the general level of public awareness and prevent corruptive



practices in providing access to social services. Another feature of the platform will be a rating system for specific services and service providers. The feedback provided through this platform will help relevant state structures improve their practices.

Stakeholders find this commitment valuable, as it would allow easier access to information on relevant social services and benefits. If the system provides accurate information on eligibility, users will be able to request a review of their applications for certain services (if previously rejected). They can also call hotline services or turn to other responsible bodies if the social service rejected them.<sup>3</sup>

Some stakeholders question the usability of the platform, as the primary target audience of the commitment includes socially vulnerable groups that might not have internet access. Civil society organizations interviewed suggested that the commitment's impact could be higher if relevant public servants (e.g., community administration, social workers) provided assistance to citizens in inputting and identifying their eligibility for services.<sup>4</sup> Knowing what services are available in the area may be useful for populations of major cities. However, in smaller communities, people learn of available services through word of mouth. The commitment also provides the possibility for users to rate services. However, it is not clear how users will be asked to give ratings or if it would be left up to citizens to access the system to provide ratings.

Overall, it is expected that the commitment will be a step forward in changing the practice of social service delivery. However, given the limitations of the website's use and the uncertainty of the rating system, the potential impact is assessed as minor.

### Next steps

The IRM researcher recommends specifying the features of the rating system in the commitment. Doing so would provide a clearer understanding of the rating criteria and its applicability (whether it is a quantitative score or whether more detailed assessment options are provided). The government should also clearly state how the ratings will inform policy development and implementation regarding social protection programs.

The IRM researcher also recommends the following:

- Organize a large awareness-raising campaign to ensure the usability of the platform by a wide range of social groups. These include vulnerable groups, such as people with disabilities, economically disadvantaged families, and people living in remote communities. Television campaigns and the involvement of local social services can be effective in awareness raising. Community social workers should be involved to provide practical help to citizens in using the platform.
- Ensure a high technical capacity and proper functioning of the platform. A civil society stakeholder commented on the need to ensure an adequate and professional design and structure of the website, making it easy to use and flexible for new page entries.<sup>5</sup>
- Provide accessibility and ease of reading text for the average user. Short videos and images in graphic format can be considered for user-friendly presentation of the information.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc)

<sup>2</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc)

<sup>3</sup> Naira Arakelyan (Armavir Development Center), interview by IRM researcher, 24 January 2019.

<sup>4</sup> Gayane Martirosyan (World Vision Armenia), phone interview by IRM researcher, 19 February 2019.

<sup>5</sup> Suren Deheryan (Journalists for Future), interview by IRM researcher, 14 March 2019.

## 8. Unified Information System for Management of Education

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** Development of a unified information system (which will provide information about the students record-registration, transferring from one educational institution to the other, listing and enrolment) for management of education by including all institutions of educational levels, including pre-school, irrespective of the organisational form and subordination.

It will provide multilevel and comprehensive information on the organization's activities, get acquainted with the reports, be informed about the availability of places, attendance, transfer, withdrawal of students, registration of children in pre-school institutions and other issues, provide feedback for parents, provide possibility to comments and complaints, and be informed on the measures taken to solve the issues. It will also help to regulate the process of identifying and including children left out of education.

The operation of the system will ensure the realization of each child's educational right, regulating the registration process for schoolchildren, ensuring that the responsibilities of the territorial administration and local self-governing bodies and all other responsible institutions and stakeholders are included in the process of involving children in education.

### Milestones

8.1 Creation of a unified management system for entering information on all the educational institutions of the Republic of Armenia.

8.2 Ensuring legal grounds. Fixing the relevant provision of the law for such a system in the RA Law on Education: Presentation of legislative draft package to the National Assembly.

8.3 Informing all participating parties on the created system, the significance, scope and effectiveness of activities.

8.4 Summarising the pilot stage, revealing issues, and revising them, upon necessity. Phased introduction of the system, end of the process.

8.5 Monitoring the launch and introduction of the system. Process assessment.

Start Date: November 2018

End Date: August 2020

| Commitment Overview                                       | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       | Completion |                |   |         | Did It Open Government? |           |   |                |          |       |             |
|---|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|------------|----------------|---|---------|-------------------------|-----------|---|----------------|----------|-------|-------------|
|   | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate   | Transformative | Not Started                               | Limited | Substantial             | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 8. Unified Information System for Management of Education |                                      | ✓                                | ✓                                | ✓                   |                       | ✓   |                  |       | ✓          |                | Assessed at the end of action plan cycle. |         |                         |           | Assessed at the end of action plan cycle. |                |          |       |             |

### Context and Objectives

In Armenia, enrollment in preschool education can be restricted due to the limited number of spaces in kindergartens. An assessment of preschool education access by Save the Children Armenia and Media Model found that common obstacles for admission include waiting in a queue and presenting significant documentation. The assessment also reported instances of corruption in the

admissions process. Such instances included requests for special permission from community leaders or bribes and the facilitation of access through a range of informal mechanisms, such as engagement of intermediaries. These trends exist especially in urban public kindergartens, where demand is high for a limited number of preschool establishments.<sup>2</sup> Similar problems have been noticed in secondary schools with high demand and limited admission.

This commitment aims to facilitate the enrollment process through the creation of a joint platform providing information on all educational institutions, including information on licenses, available spaces, and enrollment options. The platform will also provide the opportunity to register and deliver entry documentation online. This practice could reduce the possibility of informal and corrupt mechanisms of enrollment. The system will automatically enroll children according to the sequence of application.

Apart from providing equal opportunities for enrollment, the system will help exclude double-registration of the same child in several establishments. (To secure a space for a child, parents often apply to several schools simultaneously, creating further confusion in the enrollment process.) Also, the system can help facilitate the process of transferring a student from one educational institution to another, which will be done online without additional bureaucratic procedures.

In general, the platform will serve not only parents but also the Ministry of Education and Science and other responsible bodies (municipalities and regional government offices). The overall process of admissions and transfers in educational establishments will be easily tracked and monitored. The commitment will also reduce resource expenses compared to those used before the action plan, because the enrollment process currently requires heavy amounts of paperwork and communication.

Having information on school admissions in one place could also help authorities better track drop-out children by comparing data on school-aged children registered in communities and admitted children. According to the representative of the Ministry of Education and Science responsible for the commitment, the ministry will more easily follow up on this information and report on the drop-out children to the Ministry of Labor and Social Affairs. That ministry can undertake further steps for the enrollment of these children.<sup>3</sup>

Finally, the commitment intends to provide a space for parents to leave feedback on the platform. This feedback will be followed up by the Ministry of Education and Science. The feedback would provide an additional opportunity (besides the existing hotline) to identify and solve any problems in the educational institutions and collect relevant suggestions. Thus, apart from being relevant to access to information, the commitment is also relevant to civic participation. It provides the opportunity for citizens to provide feedback and thus make a contribution to decision making by responsible government agencies.

The commitment covers not only preschool and secondary school establishments, but also vocational and higher-level educational institutions. However, it lacks details on what information will be provided on higher education institutions and whether there will be opportunities to register for admission. According to a representative of the Ministry of Education and Science, the commitment also covers private establishments, but this is not clearly indicated in the commitment.

Interviewed civil society organization stakeholders expressed concerns regarding the accessibility of online services for the population. They also questioned whether the new online enrollment option will replace the existing in-person options. If a parallel possibility of enrolling offline remains, educational establishments will still have channels for using nonformal mechanisms to enroll based on their preferences. However, if enrollment will become possible only through the online platforms, vulnerable families or families in regions with limited access to internet and computers may turn to other channels to get their children registered. For example, they may pay fees to other individuals or services for completing registration process, or they may approach headmasters or other staff of schools and preschools.<sup>4</sup>

If fully implemented, this commitment could significantly improve Armenia's education enrollment policy. It could minimize corruptive practices and facilitate the process of selection, application, and entry. It would also provide a clear and comprehensive picture of the admission trends and an opportunity to analyze the data for designing more effective policies. It is not transformative,

however, due to the aforementioned questions regarding the higher education establishments and the uncertainty regarding whether the new online enrollment platform will replace existing offline options.

### Next steps

Moving forward, the IRM researcher recommends the following:

- Ensure continuous update of information provided by educational establishments.
- Define mechanisms for free access for all families and create safeguards for preventing possible violations in the registration process.
- Define specific mechanisms for feedback to grievances, comments, and suggestions posted in the platform. Establish mechanisms for providing relevant solutions to issues and/or holding educational establishments and staff accountable when there is misconduct.
- Specify the scope of information to be posted by educational establishments and opportunities for delivering admission documents for higher education institutions.

Stakeholders also suggest providing further information on educational institutions' enrollment and graduation data, regional distribution of students, admission from specific schools to higher education institutions, and employment of graduates if possible.<sup>5</sup> Such information would allow responsible state structures, field experts, and researchers to use open data for analysis and policy development. The data could also be used by potential applicants to the establishments to track information on specific educational institutions and make corresponding decisions.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> Media Model and Save the Children, *Assessment of Access of Children to Preschool Education Services*, Yerevan, 2017, [https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/Assessment%20on%20Access%20to%20Pre-school%20Education%20Services\\_ENG.pdf](https://armenia.savethechildren.net/sites/armenia.savethechildren.net/files/library/Assessment%20on%20Access%20to%20Pre-school%20Education%20Services_ENG.pdf).

<sup>3</sup> Syuzanna Makyan (Ministry of Education and Science), phone interview by IRM researcher, 19 February 2019.

<sup>4</sup> Suren Deheryan (Journalists for Future), interview by IRM researcher, 14 March 2019.

<sup>5</sup> Marina Galstyan (Center of Education Research and Consulting), phone interview by IRM researcher, 15 February 2019.

## 9. Exploring Medical Assistance Program

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** At the moment, to raise the public awareness of works actually done, existing places and listings in medical organisations carrying out medical assistance and servicing that are free of charge and under privileged conditions, guaranteed by the state, and to make it transparent, the website <https://www.armed.am/govlimits/> has been created, in which the above-mentioned data in three colours — red (consumed), yellow (listed) and green (available), and financial thresholds are shown. The source of showing the thresholds is the data entered in the system for each medical organisation within the scope of state funding. The source of data will be more clarified and simplified for the citizen (these services are grouped as their aim is the threshold and financing for the medical organisation).

A possibility of on-line listing will also be created. The doctor providing referral will enter the number of the referral in the system and, in addition to the information entered regarding the issue; additional necessary documents will be attached by him/her as well. The patient will be listed from his or her page of the existing system, selecting the medical organisation, and attaching the referral. The doctor providing the referral will also be able to carry out on-line listing instead of the patient. Listing will be carried out in the selected medical organisation based on the application, and the patient will be informed about that. To avoid falsifications, the system will perform verification of the number of the referral during listing.

The citizen will receive information about the day of receipt of medical assistance at the given medical organisation and will have the opportunity to assess the given function from his or her page.

### Milestones

9.1 Development of a task force for the listing system.<sup>2</sup>

9.2 Improvement of the tables of limits in the system and block of information on provision of electronic referrals and creation of a listing block on the <https://armed.am> website of the [www.ehealth.am](http://www.ehealth.am) software.

9.3 Pilot trial of the created system at several medical organisations.

9.4 Correction of drawbacks identified during the pilot, revision of legal documents.

9.5 Introduction of feedback, and public awareness.

Start Date: February 2019

End Date: August 2020

| Commitment Overview             | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       |          |                | Completion                                |         |             |           | Did It Open Government?                   |                |          |       |             |
|---------------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|----------|----------------|---|---------|-------------|-----------|---|----------------|----------|-------|-------------|
|                                 | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate | Transformative | Not Started                               | Limited | Substantial | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 9. Exploring medical assistance |                                      | ✓                                | ✓                                |                     |                       | ✓   |                  |       | ✓        |                | Assessed at the end of action plan cycle. |         |             |           | Assessed at the end of action plan cycle. |                |          |       |             |

## Context and Objectives

Individuals who are entitled to receive free, state-supported medical care in Armenia (such as vulnerable social groups and patients with specified diseases)<sup>3</sup> must currently undergo a time-consuming procedure to receive such care. First, they must obtain a referral from a primary health-care institution, state medical commission, or other authorized state agency. Next, they have to find the medical organization (hospital) providing necessary services. Further, since the budget for free medical services is limited, citizens often have to be enlisted in a hospital and wait to receive care. According to studies by civil society organizations, wait times for medical care vary between two and 10 months.

Apart from being time-consuming, the procedure to enlist lacks transparency and opens the possibility for corruption.<sup>4</sup> For example, illegal payments or other informal mechanisms are applied to serve patients “out of queue,” or patients are offered to be served for a fee to receive timely and effective health care. Apart from corruption risks, the enlisting procedure creates several difficulties for vulnerable groups. Individuals may have to search for hospitals with available funding or negotiate with several medical institutions. Sometimes, they may have to travel to another region or city for medical assistance.

Information about the financial thresholds and remaining funding per medical institution is already provided online on the [armed.am](http://armed.am) website, administered by the Ministry of Health.<sup>5</sup> This commitment aims to improve this information and allow citizens to reserve a place in the queue online to receive state-supported medical services in a specific institution. This commitment also includes a feedback mechanism for users to identify existing problems so that decision makers can apply targeted solutions based on the feedback received.

The IRM researcher and interviewed stakeholders see several limitations for this commitment. First, the use of internet for public services is still limited among the population. This is especially important considering that this commitment targets vulnerable groups who might lack the necessary computer equipment or internet access to utilize the newly available services.<sup>6</sup> Next, registration in the system (which is necessary in order to enlist) requires that the user have an ID card,<sup>7</sup> and most of the population does not have such a card.<sup>8</sup> Finally, some stakeholders doubt that citizens would prefer an electronic system to personal communication, particularly elderly people who do not use the internet.<sup>9</sup> However, as mentioned in the commitment, citizens can also enlist with a doctor referral. Thus, an alternative solution will be available in case the patient does not want or is not able to use the system her/himself.

If implemented, this commitment could allow citizens to enlist in a specific institution online. Online enlistment would help reduce personal interactions containing corruption risks. It could also facilitate an easier health-care enlistment process. Citizens will use online channels instead of having to visit medical institutions in person (and, for those who are less experienced with online forms, doctors can assist them in the online registration). However, given the limitations mentioned above, and the coverage of only several medical institutions in the period of action plan implementation, the potential impact of this commitment is assessed as moderate.

## Next steps

The IRM researcher recommends the following steps be taken to ensure effective implementation and the strongest impact of the commitment:

- Clearly specify the principles of selecting medical institutions for piloting the enlisting system.
- Clarify the possibility to enlist without an ID card or with the help of doctors or other medical staff. If possible, citizens should be provided an opportunity to register in the system through a simple login and password entrance, which might be provided by their primary health-care institution. The ability to use the platform without an ID card should be provided without undermining the credibility and accessibility of the platform.

The possibility of providing feedback also needs clarification. The government should clarify whether feedback would be allowed on the enlisting process only or if it would accept general feedback on services provided by the medical institutions. It should also clarify how the feedback will be

considered. Moving forward, the government can further address other transparency and accountability issues in the health-care system. Commitments can cover several issues mentioned in civil society organization reports,<sup>10</sup> as well as those mentioned by interviewed stakeholders, including the following:

- clear and transparent procedures for monitoring health-care quality,
- publication of health-care monitoring results,
- transparency of the prices and volume of medicine purchased by state,
- publication of the available list of state-provided medicine in medical institutions, and
- publication of price lists and pricing mechanisms for paid medical services.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> In Armenian version: “Development of Terms of Reference for the listing system.” *OGP Armenia Action Plan 2018-2020*, Armenian version, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_ARM.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_ARM.doc).

<sup>3</sup> Government of the Republic of Armenia, Decision № 318-N, “On State-Guaranteed and Free-of-Charge Medical Care and Service,” 04 March 2004, <https://www.arlis.am/DocumentView.aspx?DocID=128068>.

<sup>4</sup> Regional Development and Research Center, and Transparency International Anticorruption Center, *Corruption Risk Assessment in State-Guaranteed Medical Assistance Provided Free of Charge and under Privileged Conditions*, 2016, <https://transparency.am/files/publications/1465990875-0-326756.pdf>.

<sup>5</sup> “Works Actually Done, Existing Places and Listings in Medical Organizations Providing Medical Assistance and Services That Are Free of Charge and under Privileged Conditions, Guaranteed by the State,” Armed.am, <https://www.armed.am/govlimits/>.

<sup>6</sup> Gayane Martirosyan (World Vision Armenia), phone interview by IRM researcher, 19 February 2019.

<sup>7</sup> Tsaghkanush Sargsyan (Ministry of Health), phone interview by IRM researcher, 21 February 2019.

<sup>8</sup> According to the information provided by EKENG cjsc— the company authorized to issue electronic digital signatures in Armenia—about 1 million citizens of Armenia have ID cards (electronic communication with EKENG cjsc by IRM researcher, 06 March 2019).

<sup>9</sup> Liana Doydoyan (Freedom of Information Center of Armenia), interview by IRM researcher, 18 February 2019.

<sup>10</sup> Regional Development and Research Center, and Transparency International Anticorruption Center, *Corruption Risk Assessment in State-Guaranteed Medical Assistance Provided Free of Charge and under Privileged Conditions*, 2016, <https://transparency.am/files/publications/1465990875-0-326756.pdf>.



## 10. Platform for Submitting Petitions

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** A unified electronic platform for submitting petitions will be created.

### Milestones

10.1 Study of the international practice and development of a technical task with the state agencies' and NGOs' representatives.

10.2 Platform introduction and trial.

10.3 Full launch of platform.

Start Date: November 2018

End Date: August 2020

| Commitment Overview                   | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       |          |                | Completion                                |         |             |           | Did It Open Government?                   |                |          |       |             |
|---------------------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|----------|----------------|---|---------|-------------|-----------|---|----------------|----------|-------|-------------|
|                                       | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate | Transformative | Not Started                               | Limited | Substantial | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 10. Platform for submitting petitions |                                      | ✓                                |                                  | ✓                   |                       | ✓   |                  |       | ✓        |                | Assessed at the end of action plan cycle. |         |             |           | Assessed at the end of action plan cycle. |                |          |       |             |

### Context and Objectives

Article 53 of the renewed Armenian Constitution states that everyone shall have the right to submit, either individually or jointly, a petition to state and local self-government bodies and officials. It also states that everyone has the right to receive an appropriate reply within a reasonable time period.<sup>2</sup> Aligned with this article, the law on petitions adopted in 2017, describes the rights of petition applicants, the procedure for filing a petition, and the procedure for registration and publication of a petition. It also describes legitimate reasons for rejecting petitions.<sup>3</sup>

According to the law, both hard copies and electronic channels can be used for submitting petitions. When a public petition is submitted (by using a special application form), if there are no reasons for its rejection, the responsible state body shall publish the petition on the relevant electronic platform. Other persons can join the petition within 30 days of publication. The state body or official that received the petition must provide a response within one month after the signature period.<sup>4</sup>

This commitment aims to develop a unified electronic platform for submitting petitions. The law on petitions does not define the minimum number of signatures to make examination of the petition mandatory. Any petition must be examined and responded to if there are no reasons for rejection.<sup>5</sup> Along with this, the Constitution identifies several possibilities for citizen initiatives, such as:

- proposing a draft law to the parliament if signed by 50,000 or more citizens having a right to vote,<sup>6</sup>
- proposing constitutional changes if signed by 150,000 or more citizens having a right to vote,<sup>7</sup> and
- proposing a referendum initiative by 350,000 or more citizens with a right to vote, in case the draft law proposed by citizens was rejected by the parliament and recognized by the Constitutional Court as compliant with the Constitution.<sup>8</sup>

Thus, the electronic petitions platform will make it easier to start petitions to propose a draft law or initiate a referendum. Many citizen initiatives collect signatures in international petition platforms (such as [change.org](https://change.org) and [gopetition.com](https://gopetition.com)). These are usually initiated by human rights or environmental organizations, or political activists.<sup>9</sup> The opportunity to implement similar initiatives on a government-administered platform with mandatory discussion of petitions by relevant state bodies could improve dialogue between citizens and state bodies. It could also provide faster solutions to issues.

This commitment, as well as the law on petitions, does not clearly outline whether citizens joining the petitions need to sign with an electronic signature. If electronic signatures are needed, this will limit the use of the platform, as the vast majority of citizens do not have such a signature.<sup>10</sup> To get an electronic signature, users must acquire an ID card, obtain a smart card reader machine or USIM mobile card, and pay an annual fee of 3,000 AMD—about 6 USD. An electronic signature is also mandatory for using online services provided by state and local self-government bodies—for example, submitting tax reports and getting certificates.

The stakeholders interviewed for this report generally find this commitment important for creating a basis for meaningful public participation and direct democracy. Overall, the potential impact of the commitment is assessed as moderate. It provides a new opportunity for public participation in decision making, with feedback required. It can also fuel legislative initiatives by citizens and even help them to organize a referendum.

### Next steps

The commitment could provide additional tools for public participation and direct democracy. The IRM researcher recommends specifying the data needed for joining public petitions (whether electronic signature is needed or not). The government should also allow citizens to join a petition through providing names and passport data (not visible for public). This practice is used for hard-copy collection of signatures. Another civil society organization stakeholder suggested setting a reasonable threshold for signatures that will enable mandatory public discussion on an issue raised by a petition.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> Constitution of the Republic of Armenia, article 53, 06 December 2015, <https://www.president.am/en/constitution-2015/>.

<sup>3</sup> RA Law On Petitions, 21 December 2017, <https://www.arlis.am/DocumentView.aspx?DocID=119042>.

<sup>4</sup> RA Law On Petitions, 21 December 2017, <https://www.arlis.am/DocumentView.aspx?DocID=119042>.

<sup>5</sup> Reasons for rejection include repetitive submission, presenting statements that threaten constitutional order, contain hate speech, and needs settlement by judicial bodies.

<sup>6</sup> Constitution of the Republic of Armenia, 06 December 2015, article 109, <https://www.president.am/en/constitution-2015/>.

<sup>7</sup> *Ibid.*, article 202.

<sup>8</sup> *Ibid.*, article 204.

<sup>9</sup> See, for example, a petition on preserving Zvartnots airport building at <https://bit.ly/2ITfjdv>, and “Stop Mining in Amulsar” petition at <https://bit.ly/2IXOKnx>.

<sup>10</sup> According to the information provided by EKENG cjsc—the company authorized to issue electronic digital signatures in Armenia—about 100,000 citizens of Armenia have digital signatures (electronic communication with EKENG cjsc by IRM researcher, 06 March 2019). This constitutes about 3 percent of the population.

## 11. Public Service Dashboard

### Language of the commitment as it appears in the action plan:<sup>1</sup>

**Brief description:** Launch a public services online feedback platform which will allow to collect, sort and analyze citizens' assessments and recommendations.

Develop a human-oriented and user-friendly interface which will encourage citizens to participate in the design and evaluation of public services. Combine quantitative and qualitative feedback channels. Integrating / creating a tool for collecting, sorting and analyzing citizens' assessments on one of the current online platforms.

### Milestones

11.1 Study of the international examples of public administration with focus on public participatory, co-creative and citizen-centered cases.

11.2 A set of high-level suggestions on public services provision quality assurance methodology based on the ratings collected from citizens (including, responsible bodies, frequency, monitoring frequency, results-based executive system). Ensure transparency and tracking of the citizen's application process. Provide an application response management mechanism for all service providers.

11.3 Creation of the collection model for requests, complaints and ratings, which can co-exist with other existing solutions (e-gov.am, lgov).

11.4 Launch of the mechanism, with the participation of the public and through public raising awareness campaign.

Start Date: January 2019

End Date: August 2020

| Commitment Overview          | Verifiability                        |                                  | OGP Value Relevance (as written) |                     |                       |   | Potential Impact |       | Completion |                |   |         | Did It Open Government? |           |   |                |          |       |             |
|------------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------|---|------------------|-------|------------|----------------|---|---------|-------------------------|-----------|---|----------------|----------|-------|-------------|
|                              | Not specific enough to be verifiable | Specific enough to be verifiable | Access to Information            | Civic Participation | Public Accountability | Technology & Innovation for Transparency & Accountability | None             | Minor | Moderate   | Transformative | Not Started                               | Limited | Substantial             | Completed | Worsened                                  | Did Not Change | Marginal | Major | Outstanding |
| 11. Public service dashboard |                                      | ✓                                |                                  | ✓                   |                       | ✓   |                  | ✓     |            |                | Assessed at the end of action plan cycle. |         |                         |           | Assessed at the end of action plan cycle. |                |          |       |             |

### Context and Objectives

Each ministry and most state agencies in Armenia have feedback windows on their websites. However, these windows are rarely used by citizens. Further, there is no channel for processing feedback to inform decision makers in the development of policies.<sup>2</sup>

This commitment aims to create a dashboard for citizens to evaluate public services through specific tools using simplified a feedback mechanism. The feedback mechanism provided through the dashboard will help citizens identify problems with specific service providers. It would also help the government collect suggestions on public service delivery and administration in order to improve relevant policies and procedures. In contrast to the existing feedback windows and hotlines provided by most state agencies, the proposed public service dashboard will allow the government to gather all public feedback in one place. It will provide the government with quantitative indicators and

qualitative feedback. According to a representative of the Staff of the Prime Minister responsible for this commitment, the creation of a special analytical department within the Staff of the Prime Minister is being discussed. This department would review and analyze all available feedback on state services and provide policy recommendations based on the analysis. It is expected that main findings of the data analysis dashboard will be publicly available on the same platform.<sup>3</sup>

The commitment is relevant to civic participation, as it could improve citizens' ability to provide feedback on available services that would inform decision makers. It could also serve as a tool for accountability in case there are well-developed mechanisms for holding an agency responsible for violations.

The proposed tools for providing feedback are not clearly defined in the commitment. A stakeholder representative suggested that the commitment involve several channels used for collecting feedback, such as SMS survey, feedback in place immediately after receiving the service, or web platform.<sup>4</sup> According to the representative of the Staff of the Prime Minister, users will need ID cards to log in to the system and provide feedback. Generally, the primary target group of the platform includes users of electronic services provided by the government.<sup>5</sup> This reflects a small segment of the population, but the use of these services is on the rise.

This commitment could have a positive impact on the government's practice. Feedback collection, and monitoring and evaluation of services are already practiced by government agencies. However, the dashboard could create a new opportunity for systematic collection and analysis of public feedback. On the other hand, the feedback channels are not clearly specified in the commitment, and the expected target audience may be limited to users of online services. Thus, the potential impact is assessed as minor.

### Next steps

The commitment could serve as a channel for enhanced public participation in service design and delivery and for holding public servants accountable when grievances are reported. To improve the public service dashboard's impact, the IRM researcher recommends the government:

- Provide an opportunity to give feedback not only for online services, but also for the whole spectrum of public services—and allow feedback to be given in an anonymous mode;
- Clearly define the channels and mechanisms of citizen feedback and consider an SMS feedback option and usage of social media channels. At a July 2019 meeting of the OGP Working Group, the IRM researcher learned that the government changed the approach to include all types of state-provided services in the system. Alternative mechanisms for providing feedback, such as by phone and by email, were also discussed.<sup>6</sup>
- Establish a clear mechanism for gathering and analyzing the data, channeling the data into the policy development and implementation process, and using it to hold public servants accountable;
- Provide mechanisms to respond the citizens, offer feedback on how their comment or suggestion was used, and publicly communicate on the application of relevant measures in response to violations; and
- Provide details on and statistics of the accumulated feedback in an open data format for the use of researchers and interested stakeholders.

A successful example of collecting citizen feedback is the LAPOR platform in Indonesia. The platform allows citizens to submit reports on public services through several channels, including the LAPOR website, SMS messages, and a mobile application. Users can register in the system to facilitate their access, but an optional anonymity mode is provided. In contrast to the dashboard planned in this commitment, LAPOR allows users to report on any issues related to public services—for example, damaged roads or changes in the provision of subsidies. The reports pass a verification test and are channeled to the responsible government institution. The issue is investigated, and the informers receive notification about the actions done.<sup>7</sup> This system can be challenging in terms of dealing with a large volume of complaints and the associated workload of the managing agency. However, it can

serve as an effective tool of dialogue between the state and citizens, increase transparency and effectiveness of public service delivery, and contribute to the accountability of state institutions.

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<sup>1</sup> Government of the Republic of Armenia, *OGP Armenia Action Plan 2018-2020*, [https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia\\_Action-Plan\\_2018-2020\\_EN.doc](https://www.opengovpartnership.org/wp-content/uploads/2018/12/Armenia_Action-Plan_2018-2020_EN.doc).

<sup>2</sup> Ibid.

<sup>3</sup> Liana Ghaltaghchyan (Staff of the Prime Minister of the Republic of Armenia), phone communication with IRM researcher, 7 March 2019.

<sup>4</sup> Marina Mkhitarian (UNDP Kolba Lab), interview by IRM researcher, 18 February 2019.

<sup>5</sup> Liana Ghaltaghchyan (Staff of the Prime Minister of the Republic of Armenia), phone communication with IRM researcher, 7 March 2019.

<sup>6</sup> OGP working group meeting, 24 July 2019.

<sup>7</sup> For more information, please see Open Government Partnership, *Indonesia: Soliciting Citizen Feedback on Public Services*, [https://www.opengovpartnership.org/wp-content/uploads/2001/01/Indonesia\\_0.pdf](https://www.opengovpartnership.org/wp-content/uploads/2001/01/Indonesia_0.pdf); and Wahyu Mahendra, Metia Pratiwi, and Ririn Prawesti, *Citizens' Aspirations and Complaints Online System (LAPOR) in Indonesia: Making Citizens Happy*, [http://blog.lapor.go.id/images/dasar\\_hukum/WahyuMahendra.pdf](http://blog.lapor.go.id/images/dasar_hukum/WahyuMahendra.pdf).

## V. General Recommendations

This section aims to inform development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country or entity and, 2) an assessment of how the government responded to previous IRM key recommendations.

### 5.1 IRM Recommendations

Armenia's fourth action plan contained more ambitious commitments compared to previous action plans. The openness of the government officials to listen to civil society demands, its demonstrated political will in strengthening government transparency and accountability, and the accumulated experience and expertise of the working group members contributed to tangible progress in designing more ambitious commitments targeting priority country issues.

However, there is still room for improvement in commitment ambition and effectiveness, and in outreach to a wider range of civil society actors. Stakeholders note that the current action plan addresses important policy areas but is not as ambitious as they expected, considering the change of government and high post-revolutionary expectations. In addition, the current action plan mostly focuses on access to information, and there is limited space for establishing mechanisms of public participation and government accountability.

#### Possible improvements to OGP processes

The change of government and further transition created opportunities to include more ambitious commitments and maximize participation in developing the action plan.

The involvement of civil society organizations in the action plan development process ensured a large awareness-raising process and in-depth discussion of commitments. However, the IRM researcher recommends better synchronization of efforts in co-creation processes by civil society stakeholders and the government task force to improve the cost-effectiveness, inclusiveness, and comprehensiveness of the co-creation process. Due to time limitations, some proposals were not properly analyzed so that they could be shaped into OGP-relevant commitments. Others were discussed in several meetings, but there was no final consensus on their content.

In addition, many of the interviewed stakeholders noted that the final decision-making process for the action plan was not clear. They accept that the final say lies with the government. However, they did not have a clear picture of why certain commitments were ultimately included in the plan while others were not. One stakeholder suggested that commitment proposals not be rejected just for being poorly formulated. Rather, the idea can be analyzed further and molded into a better commitment.<sup>1</sup> Another suggestion was to extend the action plan development period (for example, allocating a year) for a more comprehensive process. This timeline could include the opportunity for citizens to raise issues, for conducting in-depth analysis of problems and their roots, for organizing citizen discussions, for expert validation of ideas, and for final formulation of commitments.<sup>2</sup>

As noted in the recommendations in Section III of this report, several steps need to be taken to make OGP processes compliant with advanced OGP Co-creation and Participation Standards, including:

- OGP working group mandate and selection procedure clarification, including an open call to all stakeholders to participate in the OGP process;

- A more systematic approach in action plan discussions and finalization—e.g., preliminary filtering and consultations with authors, thematic breakdowns with expert discussions on specific topics, and the final selection principles;
- Awareness-raising activities covering a larger audience not only in the development phase, but also during implementation period;
- Proactive publication of information on OGP and timely feedback to stakeholders, giving explanations for the rejection for each proposal individually;
- Assigning a larger team to involve in the OGP task force and fulfill all OGP-related responsibilities, such as external communication, monitoring and reporting, and overall coordination of the process; and
- Involvement of officials with larger decision-making and/or coordination powers in the working group and ensured participation of Parliament, the business sector, and media.

Moving forward, the government should take steps to ensure full completion of commitments and better public engagement during the implementation process:

- In terms of public engagement and visibility, the IRM researcher recommends proactively disseminating information on the progress of each commitment, conducting press conferences, and having open discussions, for example, on a semi-annual basis. This could ensure visibility of the action plan implementation and provide ongoing reporting and the opportunity for public feedback. Based on Armenia's previous action plans, civil society engagement during implementation (through briefings, discussions, and testing of platforms) is crucial to ensure civil society ownership and maximize effective implementation.
- To fully implement commitments, the government's OGP task force and working group need to monitor activities more closely. When launching a commitment, relevant financial and human resources have to be secured and realistic time frames set for milestones. Sustainability of achievements in the OGP plan is another issue of concern, also raised in the previous progress report. The functionality and usability of the platforms created should be ensured through the budgeting of their maintenance and administration and by implementing awareness-raising activities. The IRM researcher recommends conducting evaluation and impact assessments of commitments implemented in the previous OGP action plans to identify the actual impact and gaps and build upon the lessons learned. The publicity of evaluation results will improve the visibility of the OGP initiative and increase public trust in its effectiveness.

### **More commitments relevant to civic participation and public accountability**

The political changes in spring 2018 brought increased public interest and motivation to participate in the political life and policy making of the country. Thus, future action plans could focus on expanding participation mechanisms and improving available participation tools.

In particular, stakeholders stressed the importance of offline participation tools, which should not be fully substituted with online tools. The e-draft platform serves as an effective tool for notification on new legal drafts. It also provides the opportunity to comment and suggest, and state bodies are required to respond. However, state bodies often consider the posting of a draft on the platform as implementation of mandatory public consultation, regardless of the intensity of the discussion and the scope of incorporated comments. Civil society organizations (CSOs) mention that submission of suggestions is sometimes a



formality.<sup>3</sup> Thus, in case of legal drafts with high significance to the public or specific social groups, more in-person discussions, with participation of all interested stakeholders, are necessary.

Following a government decision in 2016, many ministries have organized public councils with involvement of CSO representatives<sup>4</sup> (this commitment was included in the second action plan). According to the reports of CSOs, several improvements are needed for more effective and transparent functioning of the councils. Such improvements include fair and transparent selection mechanisms, proactive publication of information on council meetings and meeting outcomes, and provision of meeting documentation to participant CSOs in advance.<sup>5</sup>

In addition, the government should conduct large public forums to discuss specific policies and drafts and provide participation opportunities to target social groups and the public in general.

Some stakeholders are concerned with the repeated government official practice of disregarding the legal provisions on public consultations and making decisions without proper discussion with stakeholders. Incompliance to legal provisions is also mentioned in regard to freedom of information. In this area, gaps have been noticed regarding proactive publication of information on official websites and timely provision of responses. CSOs note that one of the reasons for these gaps is the insufficient knowledge and experience of newly appointed officials. Thus, the government should conduct relevant awareness raising among and training of officials in the areas of public participation and freedom of information. It should also stress that transparency and participation are priorities.

Current legislation does not mandate parliamentary hearings to discuss draft laws. These are held on a discretionary basis.<sup>6</sup> Parliamentary committees can establish working groups around a draft law, with involvement of civil society, but this process is done discreetly. Therefore, more mechanisms and tools for strengthening civic participation in parliament are needed. For example, parliamentary committees can establish collaborative links with CSOs working in specific policy areas and organize regular meetings with interested stakeholders. A “civil society day” in Parliament was initiated several times in the past, with support of donor organizations. These days served as tools for Parliament-civil society dialogue and allowed further collaboration.<sup>7</sup> This experience can be incorporated into parliamentary regulations as one participatory tool.

Along with policy development, CSO engagement in state policy monitoring and evaluation is another area requiring attention. Many CSOs in Armenia have experience in monitoring and evaluation, and their resources can be used for more effective and efficient policy monitoring. The government can organize periodical open meetings with CSOs, with media present. They can present the results of their work and collect relevant feedback and recommendations from civil society.

The notion of accountability in OGP refers to “rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.”<sup>8</sup> However, in Armenian, “accountability” is often confused with “reporting.” For example, publishing reports by government or officials is assumed to strengthen accountability, when such activities do not specify the means for the public to hold the government accountable.

Accountability of officials and state institutions remains a highly relevant topic—particularly the disclosure of public office misuse. Due to increasing transparency, dissemination of new technologies, and social media, information on government investigations is easily circulated to the public. However, the institutional mechanisms to hold officials accountable need more visibility. Several cases have been initiated in the last year to hold ex-officials accountable,

but the principles and criteria are not always clear. Thus, the cases are sometimes perceived to be selective and/or politically motivated. The IRM researcher recommends including more accountability commitments in future action plans. These could include, for example, publishing sanctions applied to noncompliant officials and the measures taken to improve the work of public institutions, as well as their justification.

### **Other suggestions on the themes of the next action plan**

Based on the stakeholder suggestions and issues raised in civil society organization (CSO) reports, the IRM researcher recommends several actions that can be considered for inclusion in future action plans.

- To further improve access to information, the government should create a user-friendly inventory of all platforms and open data sources provided by the government. This will enable citizens to easily get necessary information. In recent years, a vast number of websites, platforms, and open data resources have been created, but the level of awareness and use is low. Even though each ministry or state agency provides banners on their pages, there is no comprehensive and systematic information on the available resources. Thus, it is difficult to find necessary information without investigating several websites.
- Regarding civic space, measures can be taken to improve the legal environment for CSOs. In particular, current legislation lacks tax benefits and incentives for donations to CSOs. Possible commitments could strengthen CSO financial sustainability by creating incentives for corporate and public giving—for example, introducing the mechanism practiced in Eastern and Central European countries in which individuals can dedicate 1-2 percent of their income tax to a specific CSO.<sup>9</sup> CSOs also often raise the issue of not being able to represent the public interest in court. They would like removal of this barrier not only for environmental cases (as provided by current legislation), but also for any case related to the public interest in their area of activity.<sup>10</sup>
- Considering the issues in Armenia's judicial system, described in Section II of this report, the IRM researcher recommends including commitments on improving transparency and accountability in the judiciary. The commitments can be aimed at strengthening transparency and accountability of judicial councils and allowing CSO participation in the formation of the Supreme Judicial Council. Such commitments could also focus on reflecting transparency in the appointment of judges and assignments of cases. Other future commitments could target the publication of information on sanctions against judges and disclosure of the results of monitoring and evaluation of judicial reforms. They could also focus on any other measures aimed at improving the integrity of judges and improving the credibility of the public prosecution office.<sup>11</sup>
- CSOs suggested creating extrajudicial mechanism to review denials of freedom of information requests.<sup>12</sup> The failure of state agencies to provide information in accordance with legal provisions can be appealed in court. However, CSOs claim that appeals are ineffective, as court cases are time consuming and expensive. It might take several years for the court to announce a verdict (usually in support of the claimant), and by then, the disputed information might be already outdated.<sup>13</sup>
- Among anti-corruption activities, recovery of stolen assets is an important issue, considering the government's desire to identify and follow up on corruption crimes. One stakeholder proposed a commitment in this area, but it was not included in the action plan. It was rejected based on the government's conclusion that it should be included in the Anticorruption Strategy.<sup>14</sup>
- Another recommendation, included in the IRM progress report 2016–2018 and reaffirmed by investigative journalists, involves providing free access to information

available in the State Registry database on [www.e-register.am](http://www.e-register.am) website. According to the law, basic information on any legal entity can be accessed free of charge on this website. Such data includes the name and legal status of the organization, registration date and number, and names of founders.<sup>15</sup> However, information on founders of joint stock companies and nongovernmental organizations is not available. Requesters can send a query to the State Registry and pay a fee (3,000 AMD, or about 6 USD) for each piece of additional information on a specific organization (including information on founders and current shareholders and changes in charter).<sup>16</sup> Providing free access to the information of the State Registry can have a transformative impact for journalistic and CSO investigations, including those involving verification of beneficial ownership.

- The commitment on beneficial ownership disclosure could be expanded by requiring mandatory disclosure of more companies in the beneficial ownership registry. Such a commitment could also provide monitoring and verification mechanisms for the information provided. In particular, stakeholders consider disclosure of media companies' ownership as a necessary means to improve transparency in the media sector.
- During regional meetings throughout the action plan development process, stakeholders often discussed the need for education and health reforms.<sup>17</sup> Several issues in education area were highlighted by CSOs and reflected in state strategies, such as:
  - improving the quality of secondary education and ensuring enabling conditions for inclusive education,
  - integrating modern instruction methods through teacher trainings based on proper needs assessments,
  - revising textbooks and improving transparency in textbook selection,
  - aligning professional education with demands of the labor market, and
  - assisting employment of university graduates.<sup>18</sup>

Regarding the health-care priorities, as identified in Commitment 9 in Section IV, clear and transparent procedures for monitoring health-care quality, publication of health-care monitoring results, awareness raising on state-provided medicine and its distribution, and transparency in medicine and pricing of medical services are needed.

**Table 5.1: Five Key Recommendations**

|          |  |
|----------|--|
| <b>1</b> | <b>Enhance the effectiveness of the multi-stakeholder working group by:</b> <ul style="list-style-type: none"> <li>• Providing a written mandate for the working group that formalizes its composition and ensures fair and transparent selection of civil society representatives,</li> <li>• Involving state representatives with relevant decision-making power, and</li> <li>• Involving representatives of Parliament to ensure parliamentary engagement with the OGP processes.</li> </ul> |
| <b>2</b> | <b>Enhance the co-creation process by developing a method for collecting, filtering, analyzing, and formulating action plan commitments and providing clear justifications to the public for inclusion or rejection of commitments.</b>  |
| <b>3</b> | <b>Continue efforts to expanding transparency in beneficial ownership of companies and strengthen mechanisms for beneficial ownership information monitoring and verification.</b>   |

|   |  |
|---|--|
| 4 | Include commitments on improving transparency and accountability in the judiciary, such as disclosing results of monitoring and evaluation of judicial reforms, publication of information on sanctions against judges, and strengthening of transparency and accountability of judicial councils. |
| 5 | Continue efforts to enhance access to information and public feedback and monitoring mechanisms in education and health sectors.   |

## 5.2 Response to Previous IRM Key Recommendations

**Table 5.2: Previous IRM Report Key Recommendations**

| Recommendation |   | Responded to? | Integrated into Current Action Plan? |
|----------------|---|---------------|--------------------------------------|
| 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 (public service announcements) 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.  | ×             | ×                                    |

Of the five key recommendations from the IRM 2016–2018 progress report, the government addressed four in the fourth action plan. A self-assessment report was not issued by the time this report was written.

The development of the fourth action plan included awareness-raising events for a wide range of stakeholders, including regional participants, state servants, journalists, and students. However, limited awareness-raising was done on the implementation of the third action plan. Such awareness raising involved only web channels. A video public service announcement was prepared on the OGP process in Armenia in December 2018. It

presented OGP concepts and values and the opportunity the process provides for civic participation, transparency, and accountability.<sup>19</sup> However, by early March 2019, the video had only 12 views on YouTube and was broadcast by a TV channel once or twice.<sup>20</sup> The efforts for larger awareness-raising on OGP processes, particularly during implementation, are limited and need further attention.

Following key recommendation 2, more ambitious commitments have been included in the fourth action plan. The commitments cover legislative initiatives, in contrast to the previous action plan, in which legislative changes were not initially planned. According to the government point of contact, the government plans to involve a Parliament representative in the new composition of the working group.<sup>21</sup>

Regarding recommendation 3 (commitments related to budget and spending transparency), the fourth action plan includes a competitive mechanism for state budget grants to civil society organizations. It also includes the opportunity to track the available budget for state-supported medical assistance in health institutions.

More ambitious commitments on anti-corruption have been included in the current action plan, per key recommendation 4. These include Commitment 1, which includes actions on enlarging the scope of declarations by state officials, and Commitment 3, on creating an open register of beneficial owners.

The fifth recommendation has not been addressed through the development of the fourth action plan. According to the point of contact, the human resources of the OGP task force are limited, and impact assessment requires significant time and professional work.<sup>22</sup> Similar to the last progress report, stakeholders emphasized the importance of evaluation and impact assessment. They also stressed the need to review the implementation of commitments in earlier action plans to assess their effectiveness, identify and address gaps, and provide relevant feedback and updates to the public.

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<sup>1</sup> Naira Arakelyan (Armavir Development Center), interview by IRM researcher, 24 January 2019.

<sup>2</sup> Marina Mkhitarian (UNDP Kolba Lab), interview by IRM researcher, 18 February 2019.

<sup>3</sup> Civic Space Initiative and NGO Center for Civil Society Development NGO, *Enabling Environment National Assessment (EENA)—National Report Armenia*, 2018, [http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia\\_ENG.pdf](http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia_ENG.pdf); and “Civil Society Remarks on the Draft Judicial and Criminal Codes,” Open Society Foundations Armenia, 18 January 2018, <http://www.osf.am/2018/01/civil-society-remarks-on-the-draft-judicial-and-criminal-codes/>.

<sup>4</sup> Decision N 337-N, “On Amendments and Additions to a Number of Decisions by the Government of the Republic of Armenia,” 31 March 2016, <https://www.arlis.am/DocumentView.aspx?DocID=104665>.

<sup>5</sup> NGO Center and Araza NGO, *Report on Monitoring Collaborative Governance Model of Policy Making in Armenia*, 2017, <http://ngoc.am/wp-content/uploads/2018/07/Հայաստանում-քաղաքականության-մշակման-միասնական-կառավարման-մոդելի-մոնիթորինգի-գեկույց.pdf>; and Civic Space Initiative and NGO Center for Civil Society Development NGO, *Enabling Environment National Assessment (EENA)—National Report Armenia*, 2018, [http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia\\_ENG.pdf](http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia_ENG.pdf).

<sup>6</sup> Law on Rules of Procedures of the National Assembly, 16 December 2016, article 125, <https://www.arlis.am/DocumentView.aspx?DocID=119557>.

<sup>7</sup> “Day of Civil Society Organizations in the RA National Assembly,” National Assembly of the Republic of Armenia, 25 February 2014, [http://www.parliament.am/news.php?cat\\_id=2&NewsID=6435&year=%7B\\$Year%7D&month=%7B\\$Month%7D&day=%7B\\$Day%7D&lang=eng](http://www.parliament.am/news.php?cat_id=2&NewsID=6435&year=%7B$Year%7D&month=%7B$Month%7D&day=%7B$Day%7D&lang=eng); and “‘Civil Society Day in the National Assembly’ Event to be Held at the Initiative of the RA National Assembly for the Benefit of More Participatory Legislative Process,” National Assembly of the Republic of Armenia, 10 June 2015, [http://www.parliament.am/news.php?do=view&cat\\_id=2&day=10&month=06&year=2015&NewsID=7611&lang=eng](http://www.parliament.am/news.php?do=view&cat_id=2&day=10&month=06&year=2015&NewsID=7611&lang=eng).

<sup>8</sup> IRM Procedures Manual,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

<sup>9</sup> “Percentage Laws,” European Center for Not-for-Profit Law, [http://ecn.org/category/percentage-laws/?post\\_type=publications](http://ecn.org/category/percentage-laws/?post_type=publications).

<sup>10</sup> Civic Space Initiative and NGO Center for Civil Society Development NGO, *Enabling Environment National Assessment (EENA)—National Report Armenia*, 2018, [http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia\\_ENG.pdf](http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia_ENG.pdf).

[Armenia\\_ENG.pdf](#); and Journalists' Club "Asparez," Open Society Foundations—Armenia, Transparency International Anticorruption Center, Union of Informed Citizens, Armenian Helsinki Committee, and Helsinki Citizens' Assembly Vanadzor Office, *Concept of Key Reforms to Restore the Republic of Armenia (Roadmap)*, December 2018, <https://transparency.am/files/publications/1546955556-0-360469.pdf>.

<sup>11</sup> "Research on the Impact of Judicial and Legal Reforms Programs on the Independence of Judiciary in Armenia," Protection of Rights without Borders NGO, 2018, <http://prwb.am/new/2019/01/25/hknwnqnnnpjnl-nwnwnwn-l-hpwnwnwn-p/>; and Journalists' Club "Asparez," Open Society Foundations—Armenia,

Transparency International Anticorruption Center, Union of Informed Citizens, Armenian Helsinki Committee, and Helsinki Citizens' Assembly Vanadzor Office, *Concept of Key Reforms to Restore the Republic of Armenia (Roadmap)*, December 2018, <https://transparency.am/files/publications/1546955556-0-360469.pdf>.

<sup>12</sup> Shushan Doydoyan (Freedom of Information Center of Armenia), phone interview by IRM researcher, 28 February 2019.

<sup>13</sup> Civic Space Initiative and NGO Center for Civil Society Development NGO, *Enabling Environment National Assessment (EENA)—National Report Armenia*, 2018, [http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia\\_ENG.pdf](http://ngoc.am/wp-content/uploads/2018/11/EENA-Report-Armenia_ENG.pdf).

<sup>14</sup> Mariam Zadoyan and Syuzanna Soghomonyan (Anticorruption Coalition of Armenia), interview by IRM researcher, 22 February 2019.

<sup>15</sup> Law on the State Registration of Legal Entities, State Accounting of the Divisions of Legal Entities, Enterprises and Individual Entrepreneurs, 03 April 2001, article 61, <http://www.arlis.am/DocumentView.aspx?DocID=110864>.

<sup>16</sup> Law on State Fees, 27 December 1997, <https://www.arlis.am/DocumentView.aspx?DocID=127240>.

<sup>17</sup> Ani Harutyunyan (Armavir Development Center), phone interview by IRM researcher, 17 May 2019.

<sup>18</sup> Turpanjian Center for Policy Analysis American University of Armenia, Yerevan, *Access to School Education in Armenia: Exploratory Research*, 2012, [http://www.osf.am/wp-content/uploads/2013/11/Access-to-School-Education-Report\\_English.pdf](http://www.osf.am/wp-content/uploads/2013/11/Access-to-School-Education-Report_English.pdf); "Proposals by Civic Initiative for Education," <https://www.facebook.com/krtakan2017/posts/1253567038125098>; and Government of the Republic of Armenia, *Armenia Development Strategy for 2014-2025*, [https://eeas.europa.eu/sites/eeas/files/armenia\\_development\\_strategy\\_for\\_2014-2025.pdf](https://eeas.europa.eu/sites/eeas/files/armenia_development_strategy_for_2014-2025.pdf).

<sup>19</sup> OGP Armenia video, ogp.am, 24 December 2019, [http://ogp.am/en/news/item/2018/12/24/video\\_OGP/](http://ogp.am/en/news/item/2018/12/24/video_OGP/).

<sup>20</sup> Liana Doydoyan (Freedom of Information Center of Armenia), electronic communication with IRM researcher, 18 February 2019.

<sup>21</sup> Lilia Afrikyan (Staff of the Prime Minister of the Republic of Armenia), interview by IRM researcher, 13 February 2019.

<sup>22</sup> Ibid.

## VI. Methodology and Sources

The IRM reports are written by researchers for each OGP-participating country or entity. 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, observation, and feedback from nongovernmental stakeholders. The IRM report builds on the evidence available in Armenia's OGP repository (or online tracker),<sup>1</sup> website, findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organizations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day period of comments or feedback regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. 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 during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are 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.<sup>2</sup>

### Interviews and stakeholder input

Civil society organizations (CSOs) active in the working group through the development process—as well as CSOs, journalists, and experts specializing in thematic areas of the fourth action plan commitments—have been interviewed for commitment evaluation. The IRM researcher conducted 31 interviews—nine face-to-face interviews and 22 phone interviews. The IRM researcher extends her sincere gratitude to the interviewed stakeholders for providing their input for the report.

The IRM researcher also participated in meetings throughout the fourth action plan development process:

- Working group meetings on 19 February 2018, organized by the government, aimed at debriefing the third action plan implementation and presentation of the fourth action plan development timeline; on 29 June 2018, aimed at discussion of further steps within the fourth action plan development process and possible role of CSOs;
- Civil society meeting—“Role and approaches of CSO in the OGP initiative”—organized on 22 June in Yerevan, by the Freedom of Information Center of Armenia; and
- Meetings on the validation of suggested commitments in the fourth action plan development process, on 3 and 10 September in Yerevan, organized by Armavir Development Center; co-creation meeting on 18-19 September in Aghveran, organized by Freedom of Information Center of Armenia.

### About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel



(IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Juanita Olaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

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](mailto:irm@opengovpartnership.org).

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<sup>1</sup> The repository is under development and not available yet.

<sup>2</sup> IRM Procedures Manual, V.3: <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

## Annex I. Overview of Armenia's performance throughout action plan development

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

| Multi-stakeholder Forum  |        |
|--|--------|
| <b>1a. Forum established: There is a forum to oversee the OGP process</b>  | Green  |
| 1b. Regularity: The forum meets at least every quarter, in person or remotely  | Yellow |
| 1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership and governance structure.                                      | Yellow |
| 1d. Mandate public: Information on the forum's remit, membership and governance structure is available on the OGP website/page.                                  | Red    |
| <b>2a. Multi-stakeholder: The forum includes both governmental and non-government representatives</b>  | Green  |
| 2b. Parity: The forum includes an even balance of governmental and non-governmental representatives  | Yellow |
| <b>2c. Transparent selection: Non-governmental members of the forum are selected through a fair and transparent process.</b>                                     | Red    |
| 2d. High-level government representation: The forum includes high-level representatives with decision making authority from government                           | Yellow |
| <b>3a. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum</b>       | Green  |
| 3b. Remote participation: There are opportunities for remote participation in at least some meetings and events  | Yellow |
| 3d. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities and results to wider government and civil society stakeholders | Green  |

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

| <b>Action Plan Development</b>  |        |
|---|--------|
| 4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published.   | Yellow |
| 4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process.  | Yellow |
| 4c. Awareness-raising: The forum conducts outreach and awareness raising activities with relevant stakeholders to inform them of the OGP process.   | Green  |
| 4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity.   | Yellow |
| <b>4e. Reasoned response: The multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.</b>  | Yellow |
| <b>5a. Repository: Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, National Action Plans, government self-assessments, IRM reports and supporting documentation of commitment implementation (e.g., links to databases, evidence of meetings, publications)</b> | Yellow |

**Editorial note:** If a country “meets” the six standards in bold, the IRM will recognize the country’s process as a Starred Process.