

Independent Reporting Mechanism (IRM): Ukraine Transitional Results Report 2018–2020

This report was prepared in collaboration with Dmytro Khutkyy, Independent Researcher

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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 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 progress and determine if efforts have impacted people's lives.

The IRM has partnered with independent researcher Dmytro Khutkyy to carry out this evaluation. The IRM aims to inform ongoing dialogue around the 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>.

This report covers the implementation of Ukraine's fourth action plan for 2018–2020. In 2021, the IRM will implement a new approach to its research process and the scope of its reporting on action plans, approved by the IRM Refresh.¹ The IRM adjusted its Implementation Reports for 2018–2020 action plans to fit the transition process to the new IRM products and enable the IRM to adjust its workflow in light of the COVID-19 pandemic's effects on OGP country processes.

¹ For more information, see <https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/>.

II. Action Plan Implementation

The IRM Transitional Results Report assesses the status of the action plan's commitments and the results from their implementation at the end of the action plan cycle. This report does not re-visit the assessments for "Verifiability," "Relevance" or "Potential Impact." The IRM assesses those three indicators in IRM Design Reports. For more details on each indicator, please see Annex I in this report.

2.1. General Highlights and Results

Ukraine's 2018–2020 action plan included 17 commitments. By the end of the implementation period, five commitments (30 percent) were fully completed, six (35 percent) were substantially completed, and six (35 percent) had limited completion. This action plan contained a lower percentage of fully completed commitments than did the previous action plan.²

The election of a new president and parliament in 2019 affected implementation of commitments in both positive and negative ways. The election of President Volodymyr Zelensky in April 2019, and parliamentary elections in July 2019 that brought his Servant of the People political party to power, resulted in changes in the leadership of ministries and agencies in charge of commitments.

One of these changes included the newly formed Ministry of Digital Transformation,³ established in September 2019, to build on the foundation laid by its predecessor, the State Agency for E-Governance. The ministry provided new momentum for the digitalization of public services. This resulted in the completion of Commitment 12, which focused on developing priority digital services on the Diia platform. By the end of the implementation period, the platform offered an online one-stop shop to access over 40 public services (from registering births to applying for specific business licenses).⁴

The lack of clear direction from new ministerial leaders after these elections, and the dissolution or merging of ministries, caused delays and limited implementation of Commitments 9 (on environmental information), 10 (on natural resource registers), 13 (on a civil society organization–government online platform), and 14 (on an Extractive Industries Transparency Initiative platform). Commitments 2 (on the system for selling arrested assets) and 15 (on electronic education resources) did not proceed as originally formulated because of problems with tender processes.

Notable achievements of this action plan include greater transparency regarding public budgets, the sale and lease of public property and assets, and public procurement. Commitment 5 saw the publication of detailed budget plans at all levels of government in Ukraine, and these were presented in user-friendly visualizations. As they did during previous action plans,⁵ the Prozorro team progressed on its commitments. The team enhanced oversight of public procurement by publishing procurement payments and enabling electronic reporting of suspected public procurement violations (Commitment 4). The Prozorro.Sale platform has increased competition and public revenue by making transparent the sale and lease of public property and assets at all levels of government (Commitment 3). In addition, while the achievement is not relevant to open government values, it is notable that Commitment 12, on introducing priority public services online, has seen over 1 million downloads of the Diia e-services app and over 300,000 downloads of digital driver's licenses.⁶

Yet, Commitment 7, on launching a mechanism to verify beneficial ownership information, is the only noteworthy commitment identified in Ukraine's Design Report that did not demonstrate change in government practice by the end of the implementation period. It only had limited completion and is therefore not assessed in Section 2.3.

2.2. COVID 19 Pandemic impact on implementation

Ukraine took early lockdown measures in March 2020 and again in January 2021 in response to the COVID-19 pandemic.⁷ According to interviews with civil society,⁸ government officials,⁹ and international organizations,¹⁰ this did not significantly impact the implementation of commitments. However, the lockdown and prohibition of mass in-person meetings led to the cancellation of some of the usual deliberation formats and traditional in-person advocacy meetings. A nongovernment representative felt that the transfer of such engagements online negatively affected the quality of communication between the government and civil society.¹¹

Outside the scope of the action plan, the government used some open government approaches to tackle the challenges caused by the COVID-19 pandemic. Ukraine, along with many other countries at the start of the pandemic, scrambled for personal protective equipment. Thus, there are examples of questionable procurement that resulted in high prices, low-quality goods, and undelivered items.¹² The country still faces shortages of medical supplies for acute care, such as masks, protective suits, and ventilators.¹³ Early in the pandemic, emergency procurements for responding to COVID-19 were excluded from general procurement rules. The government later required all such emergency contracts to be structurally reported and published in full on the Prozorro online procurement platform, including terms of payment and delivery, and value.¹⁴

The government has used social media for disseminating information,¹⁵ and the Ministry of Health published a dedicated COVID-19 website. The website featured data visualizations; downloadable information about the disease, protection measures, and lockdown restrictions; up-to-date statistics; and links to other reliable sources of information.¹⁶ The Ministry of Foreign Affairs encouraged Ukrainians living abroad to register online to facilitate assistance for them during the pandemic.¹⁷

In addition, the Ministry of Digital Transformation conducted a hackathon (#HackCorona),¹⁸ through which it found initiatives to tackle the spread of the pandemic. The event resulted in 899 proposals, and the ministry selected 21 winners.¹⁹ One of these projects was an online educational series for people with disabilities, which the ministry integrated into the Diia platform. Other than the notice about the hackathon winners, no other public information was found about the implementation of the winning proposals.²⁰

² More details about the level of completion in the third action plan: six (46 percent) commitments with completed implementation, four (31 percent) commitments with substantial implementation, three (23 percent) commitments with limited implementation, and zero commitments not started.

³ The Ministry and the Committee of the Digital Transformation of Ukraine homepage, accessed November 2020, <https://thedigital.gov.ua/>.

⁴ This increased to 50 services available on platform as of April 2021, Government comment, received 15 April 2021

⁵ Open Government Partnership, *Ukraine End-of-Term Report 2016–2018, 2019*, https://www.opengovpartnership.org/wp-content/uploads/2019/08/Ukraine_End-of-Term_Report_2016-2018_EN.pdf.

⁶ According to the Ministry of Digital Transformation, as of 7 April 2021, the number of users of the Diia mobile application version 2.x (available from October 5, 2020) is 4,554,512 users.

⁷ Organisation for Economic Co-operation and Development, *The Covid-19 Crisis in Ukraine*, 11 December 2020, <https://www.oecd.org/eurasia/competitiveness-programme/eastern-partners/COVID-19-CRISIS-IN-UKRAINE.pdf>.

⁸ Olesya Arkhypska (member of the multistakeholder forum), interview by IRM researcher, 27 October 2020.

⁹ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020.

¹⁰ Oksana Kosenko (United Nations Development Programme in Ukraine), interview by IRM researcher, 29 October 2020.

¹¹ Serhii Karelin (EGAP), interview by IRM researcher, 3 November 2020.

¹² “COVID-19 Procurements: Approaches Need to Be Changed,” Transparency International Ukraine, 1 September 2020, <https://ti-ukraine.org/en/blogs/covid-19-procurements-approaches-need-to-be-changed/>.

¹³ Organisation for Economic Co-operation and Development, *The COVID-19 Crisis in Ukraine*, accessed January 2021, <https://www.oecd.org/eurasia/competitiveness-programme/eastern-partners/COVID-19-CRISIS-IN-UKRAINE.pdf>.

¹⁴ “Open Contracting Approaches to Emergency Procurement: Open Data, Business Intelligence & Community Engagement,” Observatory of Public Sector Innovation, 23 March 2020, accessed January 2021, <https://www.oecd->

opsi.org/covid-response/open-contracting-approaches-to-emergency-procurement-open-data-business-intelligence-community-engagement/; and Open Contracting Partnership, *Ukraine—COVID-19 Emergency Procurement Dashboard*, accessed December 2020, https://docs.google.com/document/d/1dBDljDiCb_dOD80Nwz83YjZ7eY84uKL_Zil-6KhbLNw/edit.

¹⁵ Via Telegram channel @COVID19_Ukraine and bot @COVID19_Ukraine_Bot, YouTube channel: “COVID-19,” YouTube, 16 March 2020, <https://www.youtube.com/watch?v=h6Pk5TFoB8I>; and “COVID-19,” YouTube, 17 March 2020, <https://www.youtube.com/watch?v=hEcjwPTSOKE>.

¹⁶ “COVID-19 Pandemic in Ukraine,” Ministry of Health of Ukraine, accessed December 2020, <https://covid19.gov.ua/en>; and “Materials about the Prevention of Spreading Coronavirus Infection COVID-19,” Ministry of Health of Ukraine, 12 March 2020, <https://moz.gov.ua/article/news/materiali-schodo-zapobigannja-poshirennja-koronavirusnoi-infekcii-covid-19>.

¹⁷ Using the “ДПУГ” system <https://friend.mfa.gov.ua>, *Ukrainian MFA publishes border crossing & consular assistance rules vis-a-vis COVID-19*, Euromaidan Press, 15 March 2020 <http://euromaidanpress.com/2020/03/15/ukrainian-mfa-publishes-border-crossing-consular-assistance-rules-due-to-covid-19/>.

¹⁸ “Ministry of Digital Transformation Announced the Start of the National Competition of IT Projects #HackCorona in Ukraine,” Government Portal, the Unified Web-portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 1 April 2020, https://www.kmu.gov.ua/news/mincifri-ogoloshuye-start-nacionalnogo-konkursu-it-proyektiv-hackcorona-ukraine?fbclid=IwAR0n-pblfYwqei5_YAiLoFzKp9a6VEGTfFwz8R6UcKfKwi5o7qB0xjlExs.

¹⁹ “HackCorona in Ukraine – The Jury Has Selected the Best Projects,” Ministry and Committee of Digital Transformation of Ukraine, 11 April 2020, <https://thedigital.gov.ua/news/hackcorona-in-ukraine-suddi-viznachili-naykrashchi-proekti>.

²⁰ “Online Briefing. Digital Technologies for People with Disabilities,” Ministry and Committee of Digital Transformation, December 2020, accessed January 2021, <https://thedigital.gov.ua/news/onlayn-brifing-tsifrovi-tehnologii-dlya-lyudey-iz-invalidnistyu>.

2.3. Early results

The IRM acknowledges that results may not be visible within the two-year time frame of the action plan and that at least a substantial level of completion is required to assess early results. For the purpose of the Transitional Results Report, the IRM will use the “*Did it Open Government?*” (DIOG) indicator to highlight early results based on the changes to government practice in areas relevant to OGP values. Moving forward, new IRM Results Report will not continue using DIOG as an indicator.

Section 2.3. focuses on outcomes from the implementation of commitments that had an ambitious or strong design, per the IRM Design Report assessment or that may have lacked clarity and/or ambition but had successful implementation with “major” or “outstanding” changes to government practice.²¹ Commitments considered for analysis in this section had at least a “substantial” level of implementation, as assessed by the IRM in Section 2.4. While this section provides the analysis of the IRM’s findings for the commitments that meet the criteria described above, Section 2.4. includes an overview of the level of completion for all the commitments in the action plan.

Commitment 3: Ensure transparency of selling public assets	
Aim of the commitment	The commitment aspired to establish and implement clear procedures, via a single online system, to ensure the transparency of the privatization and leasing of state-owned property and enterprises. ²² Previously, the privatization and leasing procedures were decentralized on the different official web-resources of local city councils. There was little information about the varying procedures for privatization and leasing and a lack of trust in the efficiency of the “paper procedures” of selling state and municipal property. Authorities published auction announcements on their local official websites, which meant there was a limited audience and, therefore, little competition among bidders.
Did it open government? Outstanding	<p>The government completed the three milestones of this commitment through legislation and by mandating, by decree, the use of Prozorro.Sale.²³ The platform must be used to sell and lease public assets or property.²⁴ According to Transparency International (TI) Ukraine (one of the original co-developers of Prozorro and Prozorro.Sale) and state-owned-enterprise Prozorro.Sale, the collaboration between the government, business and TI Ukraine helped to ensure successful implementation of this commitment.²⁵ They also said that ministerial leadership helped advance changes.²⁶</p> <p>On Prozorro.Sale, public officials now publish online auction announcements, full sets of documents about sellers and lots, auction protocols and contracts, and auction organizer decisions.²⁷ This constituted a step forward, because, previously, bidders would have to look at individual local council websites for auction information about the privatization or leasing of state-owned property and enterprises. As noted by a civil society expert, previously, no information was available at the local government level about the number of objects, their price, or the entities to which they were leased.²⁸</p> <p>Items available for auction include state-owned enterprises, mining licenses, vehicles, buildings, and small-scale assets, such as cars and computers.²⁹ The largest privatization revenue stream (approximately a third of all revenue) now comes from the sale of real estate.³⁰ Also, the government expanded the mandatory use of the portal to all leasing of gas distribution systems (the</p>

largest gas distribution company had voluntarily used Prozorro.Sale since 2017).³¹

The successful implementation of this commitment has provided outstanding early results from opening government processes on the sale and leasing of state property via Prozorro.Sale.

The introduction of easily accessible and transparent auctions reduced the opportunity for uncompetitive tenders and corruption.³² For instance, the privatization of the Dnipro hotel in 2020 featured a processes not limited to those capable of bribery, but transparent and open for anyone.³³ TI Ukraine also said that the Prozorro.Sale online system created a more open and competitive process. Information is available for all participants, thereby minimizing economic and corruption risks.³⁴

Statistically, there has been a year-on-year increase in the number of bidders and, therefore, an increase in open competition. A Prozorro.Sale representative stated in communication with the IRM researcher that small-scale privatizations saw an increase from 2.54 bidders per auction in 2019 to 3.05 bidders in 2020.³⁵ They also said that with the new disclosure principles and improved processes, the biggest improvement in competition was in state property privatization auctions. (According to statistics on Prozorro.Sale, bidders rose from 2.25 in 2019 to 3.25 in 2020.³⁶) According to the State Property Fund of Ukraine, there is a significant increase in the number of bidders per auction on small privatization of state property overall: 3.84 in June 2020 versus 1.82 in June 2019. This rise ensured an average price increase of 208 percent on the original starting price (versus 3.56 percent in June 2019).³⁷

The selling of public assets and the leasing of publicly owned property via Prozorro.Sale have also improved the transparency of the sale and leasing process and increased final sale and leasing prices.³⁸ The lease of public and communal property via Prozorro.Sale started in February 2020. From then until November 2020, the online system hosted 814 successful auctions with 839 unique bidders. These auctions saw final sales that were, on average, 70 percent higher than the original starting price (equaling revenue of US\$167 thousand per month).³⁹ The sale of oil and gas fields by Geonadra (which began in March 2019) saw final sale prices 63 percent higher than the original starting price, bringing in US\$18 million in public funds.⁴⁰

As the use of the auctions spreads, it will be important to monitor whether the increased number of bidders is sustained and whether there is a diversity of auction winners. Furthermore, it will be important to monitor whether those who win turn out to be reliable leasers or managers of the properties. Monitoring and controls by government and civil society organizations will be important factors in sustaining the success of the overall sale and leasing processes.

Commitment 4: Improve transparency and accountability of public procurement	
<p>Aim of the commitment</p>	<p>The commitment aimed to improve the transparency and accountability of public procurement. It sought to develop a technical solution (via an application programming interface) to enable nongovernment resources to integrate with the Prozorro public online procurement system. It also sought to develop a public statistical module to structure and display data on public feedback. Finally, the commitment aimed to integrate the Prozorro system with the systems of the Ministry of Finance and the Treasury to enhance official oversight of public procurement.⁴¹</p> <p>Prior to this action plan,⁴² Prozorro already had an elaborate statistical module.⁴³ That module applied to lay users and professionals alike. The online platform Dozorro,⁴⁴ which is for civil society and business feedback on public procurement, also existed. However, audit and law enforcement agencies often treated civil society monitoring and feedback as unofficial. They also lacked information on procurement payments. The commitment, therefore, aimed to establish deeper integration of government digital systems and an official digital feedback and tracking mechanism.⁴⁵</p>
<p>Did it open government? Marginal</p>	<p>ProZorro, with Transparency International Ukraine, developed an application programming interface that enables civil society organizations (CSOs) to electronically report detected public procurement violations directly to the State Audit Service (SAS).⁴⁶ According to a Prozorro official, users had reported 160 violations as of November 2020,⁴⁷ but this number is expected to rise, since the Dozorro system has had thousands of feedback reports and an active web of trained CSOs.⁴⁸</p> <p>The status of appeals appears on the respective tender web page, along with the monitoring process from the SAS.⁴⁹ The official explained that users can submit an e-appeal directly to SAS either via Prozorro itself or through the appeal form on a tender web page.⁵⁰ Nevertheless, some nongovernment stakeholders expressed concerns that the SAS might not interact with these digital appeals.⁵¹ The Ministry for Development of Economy, Trade and Agriculture (MDETA) is in ongoing negotiation with SAS about their capacity to deal with potentially numerous e-appeals.⁵² The uncertainty about whether SAS will deal effectively with digital appeals limits the change toward open government in practice.</p> <p>While some open data on appeals is available, the statistical module that displays detected public procurement violations and the status of addressing them in Prozorro is still under development.⁵³</p> <p>The government saw significant early results from the integration of the Prozorro public procurement system with the digital systems of the Ministry of Finance and Treasury. The latter systems track payments per procurement contract, enabling the monitoring of the whole procurement process, from tender to implementation.⁵⁴ This integration will allow the government to better organize contracting at all stages, from initiation to reporting. Also, this integration will facilitate analyzing and monitoring the use of public funds.⁵⁵ This includes information on the auction, contract, contract amendments, payments, monitoring results, violations, and responses of audit and law enforcement authorities.⁵⁶ The latest Transparent Public Procurement Rating</p>

	<p>points to improvements in ProZorro across all areas of analysis from 2016–2017 to 2018–2020, and in particular to “efficiency” and “accountability and integrity” indicators.⁵⁷ However, some of the data is not in an open data format and, therefore, is analyzed manually. While data is available only for those public procurement contracts that were published after the integration, a civil society representative noted that public officials now publish more public procurement information in a machine-readable format.⁵⁸ That update facilitated the automatic monitoring of public procurement. Early results are marginal in demonstrating progress on the reporting of violations, and it is not clear whether reporting the costs throughout the procurement cycle has changed government practice or how the government might respond to public oversight.</p>
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Commitment 5: Raise public awareness of public funds and projects	
<p>Aim of the commitment</p>	<p>This commitment sought to inform the public about public funding and funding from international financial organizations through accessible formats.⁵⁹ The two projects within this commitment consisted of creating a Budget for Citizens module for public funding and creating a register of internationally funded development projects.⁶⁰ These undertakings continued previous government initiatives. In 2018, the government implemented a trial version of the Budget for Citizens module as part of the previous action plan.⁶¹ During 2015–2017, the official Open Aid Ukraine website presented some information about development projects funded by international financial institutions.⁶²</p>
<p>Did it open government? Major</p>	<p>The government beta-tested the Budget for Citizens module,⁶³ and it is now fully functional.⁶⁴ It appears on the OpenBudget online portal,⁶⁵ and the budget contains new information down to the basic territorial unit (<i>hromada</i>/community) level.⁶⁶ Unlike in the earlier version, there are now subsections on the state budget, state debt, local budgets, managers and recipients of public funds, and a BOOST-analysis.⁶⁷ The module also features further details explaining the budget system and the budget process, and provides contact details and a feedback form. The website allows users to compare budgets by different budget classifications, period, region, indicator, groups of indicators, planned versus actual indicators of incomes and expenses, and the allocation of revenue and expenses by types of funds in a Sankey diagram.⁶⁸ The government updates the data monthly.⁶⁹ A user can view public budget information in table, graph, or hierarchical (such as flowchart or tree-maps) mode. It is possible to download the data in JSON, CSV, and XLSX open data formats. The portal is equipped with application programming interface (API).⁷⁰ That and its user manual are open to the public.⁷¹</p> <p>The government also launched the Register of Social and Economic Development Projects Funded by International Financial Institutions (IFIs).⁷² The fully functional register (on a different website than OpenBudget) is available online on the IFIs projects portal.⁷³ It allows users to search the data of 125 international financial institution–funded projects (including a search by implementing public agency or international financial institution). Users can also browse the data via 14 thematic categories, view a year-by-year statistical infographic (from 1994 to 2020), and find related legislation.⁷⁴ The portal</p>

	<p>allows the downloading of the data in JSON, CSV, and XLSX open data formats. It is also supplemented with a publicly available API.⁷⁵</p> <p>Ministry of Finance representatives said the proactive publication of information clearly via the Budget for Citizens module has improved transparency.⁷⁶ Civil society representative said it provides a plethora of data that could enable them to conduct independent financial oversight in the future.⁷⁷ Furthermore, two Ukrainian teams developed tools using the data to enable the comparison of prices for goods purchased within the public procurement system and find statistical outliers from the data.⁷⁸ These tools could be beneficial in providing information about the cheapest offers on the market or even to identify and highlight possible cases of corruption. The Market Research Tool developer says it reached the final round in an international hackathon in Taiwan,⁷⁹ and they are adapting the tool for use in Moldova and Kazakhstan.⁸⁰ A civil society representative stated that the successful implementation of this commitment could be attributed to advocacy efforts as well as support from the leadership of the Ministry of Finance and the Open Public Finance agency.⁸¹</p> <p>A large amount of data on the public budget and international funding is now disclosed in a user-friendly and accessible manner and in an open data format. Thus, this commitment has significantly advanced access to public finance information and therefore constitutes a major step in opening up budget information in Ukraine.</p>
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Commitment 11: Create an interactive map of mined territories	
<p>Aim of the commitment</p>	<p>This commitment aimed to create an interactive map of mined territories in the government-controlled parts of Donetsk and Luhansk oblasts. The map would identify and communicate to the public information about the areas contaminated with explosives on the approximately 7,000 square kilometers inhabited by over 1.5 million people. Prior to the start of this action plan, in October 2018, the Ministry of Defense published a simpler and less informative online map of mined Donbas territories.⁸²</p>
<p>Did it open government? Marginal</p>	<p>The Ministry of Defense (MoD), in collaboration with its partners,⁸³ has designed, developed, filled with data, tested, updated, and published the online interactive map. It shows the territories contaminated with mines and explosives in Donetsk and Luhansk oblasts.⁸⁴ The map uses several layers of data, such as settlements, regional boundaries, locations of contaminated territories,⁸⁵ and nearby health facilities.⁸⁶ Some territories do not have descriptions, and the map lacks some data that the government initially planned to include.⁸⁷ Despite the regular submissions of demining survey responses and clearance data to the ministry, national and international sources note its incompleteness.⁸⁸ They also call attention to the poor quality of available data on the map.⁸⁹ A civil society expert mentioned that a national demining agency, which the government has proposed, would be capable of ensuring proper data provision and functioning of this interactive map.⁹⁰</p>

	<p>By publishing the interactive map and conducting communication activities, the MoD and its partners advanced publicly available data about the mined territories to professional circles and the wider population. According to MoD, this map launched in August 2019 and circulated to Ukraine’s national online media (UKR.net, UATV, Censor.net, Ukrainian News, ZN.ua, ZIK.ua, InternetUA, RBK-Ukraine, META.ua, and PRIAMY, etc.). The government also presented the map at a series of offline events in 2019 and 2020. (These included the Geneva International Centre for Humanitarian Demining and Organization for Security and Cooperation in Europe [OSCE] workshop, a MoD thematic briefing, United Nations Development Programme meetings, OSCE celebrations, a regional seminar, an OGP Ukraine meeting, roundtables, and a press tour.⁹¹)</p> <p>The MoD reported a decline in the number of injured persons from mines.⁹² However, this may also be due to other awareness-raising activities and demining in the region, not just the map.</p> <p>Despite the limitations of data quality and an existing (but simpler) map, the interactive map provides disclosure and dissemination of more up to date and detailed information. Information also became available about the territories’ “open” and “closed” statuses and the location of nearby hospitals. This map therefore marks a marginal increase of access to public information about mined and safe territories in Donbas.</p>
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²¹ IRM Design Reports identified strong commitments as “noteworthy commitments” if they were assessed as verifiable, relevant and “transformative” potential impact. If no commitments met the potential impact threshold, the IRM selected noteworthy commitments from the commitments with “moderate” potential impact. For the list of Ukraine’s noteworthy commitments, see the Executive Summary of the 2018-2020 IRM Design Report:

<https://www.opengovpartnership.org/documents/ukraine-design-report-2018-2020/>.

²² Open Government Partnership, in collaboration with Dmytro Khutkyy, *Independent Reporting Mechanism (IRM): Ukraine Design Report 2018–2020*, 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/02/Ukraine_Design-Report_2018-2020_EN.pdf.

²³ Prozorro.Sale homepage, accessed November 2020, <https://prozorro.sale/en>.

²⁴ “The Cabinet of Ministers of Ukraine. Decree on 23 October 2019 #884,” Verkhovna Rada of Ukraine, 23 October 2019, <https://zakon.rada.gov.ua/laws/show/884-2019-%D0%BF#Text>; and “The Law of Ukraine on the Lease of Public and Community Property #157-IX,” Verkhovna Rada of Ukraine, 3 October 2019, updated 16 November 2020, <https://zakon.rada.gov.ua/laws/show/157-20/ed20201116#Text>.

²⁵ Oleksandr Lihotop (Prozorro.Sale), email exchange with IRM researcher, 13 November 2020; and Khrystyna Zelinska (Transparency International Ukraine), interview by IRM researcher, 29 October 2020.

²⁶ Khrystyna Zelinska (Transparency International Ukraine), interview by IRM researcher, 29 October 2020.

²⁷ See example auction: Prozorro.Sale, accessed January 2021, <https://prozorro.sale/auction/UA-PS-2021-01-19-000043-3>.

²⁸ Kseniia Alekankina, “iMoRe Focus: ‘Interesting’ and ‘Uninteresting’ State-Owned Property to Be Leased in a Different Way,” Vox Ukraine, 9 July 2020, <https://voxukraine.org/en/imore-focus-interesting-and-uninteresting-state-owned-property-to-be-leased-in-a-different-way/>.

²⁹ Karlolis Granickas and Artur Kovalchuk, “Using Open Data and Open Government Principles to Sell State Assets: ProZorro.Sale,” Open Contracting Partnership, 4 July 2019, <https://www.open-contracting.org/2019/07/04/using-open-data-open-government-principles-to-sell-state-assets-prozorro-sale/>.

³⁰ The statistics show that over the implementation period, a larger percentage of sales has come from bodies other than the Deposit Guarantee Fund (which had just over half of sales in 2020, compared to its over three quarters of sales in 2017). BI Prozorro.Sale, accessed November 2020, <https://bi.prozorro.sale/>.

³¹ Before the decree, the largest gas distribution company in Ukraine (UkrGasVydobuvannya, UGV) had used Prozorro and saw a 20 percent increase in the price for sold assets. Open Contracting, “Government’s First Online Store Driven by Open Data: How Ukraine’s Prozorro.Sale Is Turning Bankrupt Assets into Gold,” Medium, 18 November 2019, <https://medium.com/@opencontracting/governments-first-online-store-driven-by-open-data-574ba06a23ce>; and “The Cabinet of Ministers of Ukraine. Decree on 3 June 2020 #483,” Verkhovna Rada of Ukraine, 3 June 2020, <https://zakon.rada.gov.ua/laws/show/483-2020-%D0%BF#Text>.

- ³² Kseniia Alekankina, “iMoRe Focus: ‘Interesting’ and ‘Uninteresting’ State-Owned Property to Be Leased in a Different Way,” Vox Ukraine, 9 July 2020, <https://voxukraine.org/en/imore-focus-interesting-and-uninteresting-state-owned-property-to-be-leased-in-a-different-way/>.
- ³³ Andrii Borovyk, “The Fight for Anti-corruption Infrastructure Continues,” Ukrainian Truth, 19 December 2020, <https://blogs.pravda.com.ua/authors/borovyk/5fddd56fc151d/>.
- ³⁴ Khrystyna Zelinska (Transparency International Ukraine), interview by IRM researcher, 29 October 2020.
- ³⁵ Oleksandr Lihotop (Prozorro.Sale), email exchange with IRM researcher, 13 November 2020.
- ³⁶ Oleksandr Lihotop (Prozorro.Sale), email exchange with IRM researcher, 24 November 2020.
- ³⁷ Yulia Ruda, Oksana Tymchenko, Galyna Kalachova, “26 Billion over Four Years. How Prozorro.Sale Has Done So Far and What Next,” Vox Ukraine, 15 July 2020, <https://voxukraine.org/en/26-billion-over-four-years-how-prozorro-sale-has-done-so-far-and-what-next/>.
- ³⁸ Calculated as the average percentage difference between the minimum sale price at the beginning of an auction and the final price at the end of an auction, compared to the average percentage difference in previous years.
- ³⁹ Oleksandr Lihotop (Prozorro.Sale), email exchange with IRM researcher, 24 November 2020.
- ⁴⁰ Yulia Ruda, Oksana Tymchenko, Galyna Kalachova, “26 Billion over Four Years. How Prozorro.Sale Has Done So Far and What Next,” Vox Ukraine, 15 July 2020, <https://voxukraine.org/en/26-billion-over-four-years-how-prozorro-sale-has-done-so-far-and-what-next/>.
- ⁴¹ Open Government Partnership, in collaboration with Dmytro Khutkyy, *Independent Reporting Mechanism (IRM): Ukraine Design Report 2018–2020*, 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/02/Ukraine_Design-Report_2018-2020_EN.pdf.
- ⁴² Prozorro homepage, accessed December 2019, <https://prozorro.gov.ua/en>.
- ⁴³ BI.prozorro.org homepage, accessed December 2019, <http://bi.prozorro.org>; and BIpro.prozorro.org homepage, accessed December 2019, <http://bipro.prozorro.org>.
- ⁴⁴ “Public Control of Public Procurement,” Dozorro, accessed December 2019, <https://dozorro.org/>.
- ⁴⁵ Open Government Partnership, in collaboration with Dmytro Khutkyy, *Independent Reporting Mechanism (IRM): Ukraine Design Report 2018–2020*, 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/02/Ukraine_Design-Report_2018-2020_EN.pdf.
- ⁴⁶ Yulia Svyrydenko (MDETA), email exchange with IRM researcher, 28 October 2020.
- ⁴⁷ Vasyl Zadvornyy (Prozorro), focus group discussion with IRM researcher, 27 November 2020.
- ⁴⁸ “Ukraine: Empowering Citizen Watchdogs,” Open Government Partnership, 27 December 2018, https://www.ogpstories.org/impact_story/ukraine-empowering-citizen-watchdogs/.
- ⁴⁹ For example, see a vivid case here: “Teaching and Equipment Tools for Nature and Mathematical Subjects and STEM Laboratories,” Prozorro, accessed November 2020, <https://prozorro.gov.ua/tender/UA-2020-08-21-004934-c>; and Anastasia Ferents, “How to Inform State Audit Service about a Violation?” Prozorro Infobox, 6 October 2020, <https://infobox.prozorro.org/articles/yak-povidomiti-derzhaudit-sluzhbu-pro-porushennya>.
- ⁵⁰ Vasyl Zadvornyy (Prozorro), email exchange with IRM researcher, 28 October 2020.
- ⁵¹ Tetiana Lisovska (TAPAS), interview by IRM researcher, 29 October 2020.
- ⁵² Yulia Svyrydenko (MDETA), email exchange with IRM researcher, 28 October 2020.
- ⁵³ Tetiana Lisovska (TAPAS), Serhii Pavliuk (Transparency International Ukraine), and Vasyl Zadvornyy (Prozorro), focus group discussion with IRM researcher, 27 November 2020. The statistical module is being developed by Transparency International Ukraine and is sponsored by the US Agency for International Development and the UKAID-funded Transparency and Accountability in Public Administration and Services (TAPAS) Project.
- ⁵⁴ “The Ministry for Development of Economy, Trade and Agriculture of Ukraine and the Ministry of Finance of Ukraine. Decree on 4 February 2019 #149/44,” Verkhovna Rada of Ukraine, 4 February 2019, <https://zakon.rada.gov.ua/laws/show/z0204-19#Text>; and Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.
- ⁵⁵ “The Ministry of Finance Has Launched the ‘E-contract’ Project,” the Government Portal, the Unified Web-portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 22 October 2019, <https://www.kmu.gov.ua/news/ministerstvo-finansiv-zapustilo-proekt-e-kontrakt>.
- ⁵⁶ Tetiana Lisovska (TAPAS), interview by IRM researcher, 29 October 2020.
- ⁵⁷ Institute for Development of Freedom of Information, *2020 Report of Transparent Public Procurement Rating*, 2020, p. 74, accessed February 2021, https://idfi.ge/public/upload/Article/TPPR_Eng_IDFI_01-min.pdf.
- ⁵⁸ Serhii Pavliuk (Transparency International Ukraine), email exchange with IRM researcher, 12 November 2020.
- ⁵⁹ The “Transparent Budget” system aims to include information about the main goals, objectives and priorities of budget policy, justification of budget expenditures and revenues, planned and achieved results of budget funds, transparency of public budgets at the national and local levels.
- ⁶⁰ Open Government Partnership, in collaboration with Dmytro Khutkyy, *Independent Reporting Mechanism (IRM): Ukraine Design Report 2018–2020*, 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/02/Ukraine_Design-Report_2018-2020_EN.pdf.
- ⁶¹ It presented monthly dynamics of the state budget in the following dimensions: the year 2018 or 2019; national, local, and total; plans, revenues, and spending; and program, economic, and functional classifications of spending. Besides that, it contained a glossary on budgeting as a form of civic education.
- ⁶² Open Government Partnership, in collaboration with Dmytro Khutkyy, *Independent Reporting Mechanism (IRM): Ukraine Design Report 2018–2020*, 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/02/Ukraine_Design-Report_2018-2020_EN.pdf.

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- ⁶³ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.
- ⁶⁴ Oleksandr Hrubiy (Ministry of Finance), email exchange with IRM researcher, 16 October 2020.
- ⁶⁵ Open Budget homepage, accessed November 2020, <https://openbudget.gov.ua/>.
- ⁶⁶ Mykhaylo Tanchik, “The Public Manual for the State Budget for Citizens Web-Portal,” Confluence, last modified 28 February 2020, <https://confluence.spending.gov.ua/pages/viewpage.action?pagelid=39552782>.
- ⁶⁷ The methodology elaborated by the World Bank, <https://www.worldbank.org/en/programs/boost-portal>.
- ⁶⁸ Oleksandr Hrubiy (Ministry of Finance), email exchange with IRM researcher, 16 October 2020.
- ⁶⁹ Oleksandr Komareus (OPF), email exchange with IRM researcher, 10 March 2021.
- ⁷⁰ Mykhaylo Tanchik, “Public API,” Confluence, accessed November 2020, <https://confluence.spending.gov.ua/pages/viewpage.action?pagelid=39553516>.
- ⁷¹ Mykhaylo Tanchik, “The Public Manual for the State Budget for Citizens Web-Portal,” Confluence, last modified 28 February 2020, <https://confluence.spending.gov.ua/pages/viewpage.action?pagelid=39552782>.
- ⁷² Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.
- ⁷³ IFIs Projects homepage, accessed November 2020, <https://proifi.gov.ua/?p=index>.
- ⁷⁴ IFIs Projects homepage, accessed November 2020, <https://proifi.gov.ua/?p=index>.
- ⁷⁵ The Ministry of Finance of Ukraine, Open Public Finance, *The Description of Open Application Programming Interfaces (API) of the <https://proifi.gov.ua> Portal, on IFIs Projects*, accessed November 2020, https://proifi.gov.ua/data/api/api_fields.pdf.
- ⁷⁶ Oleksandr Hrubiy (Ministry of Finance), email exchange with IRM researcher, 16 October 2020.
- ⁷⁷ Volodymyr Tarnay (Open Contracting Partnership), interview by IRM researcher, 29 October 2020.
- ⁷⁸ Marketing Research Tool (accessed Nov. 2020), <https://mrt.in.ua>; CPV Tool (accessed Apr. 2021), <https://cpvtool.kse.ua/>.
- ⁷⁹ Presidential Hackathon. International Track (accessed Apr. 2021), <https://presidential-hackathon.taiwan.gov.tw/en/international-track/>.
- ⁸⁰ Volodymyr Tarnay (Open Contracting Partnership), email exchange with IRM researcher, 25 November 2020. The Moldovan tool launched in March 2021, outside the implementation period of this action plan. <https://openmoney.md/mrt>.
- ⁸¹ Nongovernmental advocacy includes Eidos, EGAP, Mind Lab, the Institute for Economic Research and Policy Consulting, and the National Institute for Strategic Studies. Volodymyr Tarnay (Open Contracting Partnership), interview by IRM researcher, 29 October 2020.
- ⁸² “MoD Published the Map of Mined Donbas Territories,” UNIAN, 7 October 2018, <https://www.unian.ua/war/10289166-minoboroni-opublikovalo-kartu-zaminovanih-teritoriy-donbasu.html>.
- ⁸³ Public agencies: The Armed Forces of Ukraine, the State Special Transport Service, and the State Emergency Service. International organizations: The Organization for Security and Co-operation in Europe, the Geneva International Centre for Humanitarian Demining, the Swiss Foundation for Mine Action, and Danish Demining Group. Private companies: The HALO Trust and Demining Solutions.
- ⁸⁴ “The Interactive Map of Territories Contaminated with Mines and Explosives,” Ministry of Defense, accessed November 2020, <https://mod-ukr.imsma-core.org/portal/apps/webappviewer/index.html?id=d1fc9330a4964cc793dac7894c725fa3>.
- ⁸⁵ Displaying their demining status, boundaries, square footage, names, infrastructure objects, industry and agriculture types, and demining organizations.
- ⁸⁶ Mostly hospitals in towns.
- ⁸⁷ Types of soils and detected explosives, civilian casualties caused by explosions in these areas, and types of economic activities to be conducted after demining.
- ⁸⁸ Tymur Pistriuha (Ukrainian Deminers Association), interview by IRM researcher, 9 November 2020.
- ⁸⁹ Mine Action Review, *Ukraine: Clearing Cluster Munition Remnants 2020*, 2020, http://www.mineactionreview.org/assets/downloads/903_NPA_Cluster_Munition_Remnants_2020_Ukraine.pdf.
- ⁹⁰ “The Draft Law of Ukraine on Amendments to the Law of Ukraine on Demining in Ukraine #2618,” Verkhovna Rada of Ukraine, 18 December 2019, accessed November 2020, http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=67674.
- ⁹¹ “The Interactive Map of Territories Contaminated with Mines and Explosives,” Ministry of Defense of Ukraine, accessed November 2020, <https://www.mil.gov.ua/diyalnist/protiminna-diyalnist/interaktivna-karta-teritorij-zabrudnenih-minami-ta-vibuhonebezpechnimi-predmetami.html>; and Serhii Rokun (Ministry of Defense), email exchange with IRM researcher, 21 October 2020.
- ⁹² Serhii Rokun (Ministry of Defense), email exchange with IRM researcher, 21 October 2020.

2.4. Commitment implementation

The table below includes an assessment of the level of completion for each commitment in the action plan.

Commitment	Completion: <i>(no evidence available, not started, limited, substantial or complete)</i>
1. Introduce CoST standards	<p>Substantial</p> <p>The online portal on infrastructure data (Construction Sector Transparency Initiative [CoST] Portal) started publishing a significant amount of previously unavailable information. It provides data on the repair of public roads (at the state, regional, and local levels).⁹³ It gathers data from the national agency and 11 regional authorities (up from three regional authorities at the end of 2018).⁹⁴ Over 100 residents of Ukraine have used CoST Portal e-tools for monitoring. Due to their civic oversight, approximately 40 kilometers of local roads have been repaired.⁹⁵</p> <p>The government adopted decree #409, which requires data on the construction, reconstruction, and repair of public roads be published using the CoST standards.⁹⁶ In practice, information on the portal meets newer standards (Open Contracting for Infrastructure Data Standard),⁹⁷ but this has not been institutionalized in legislation yet. In September 2019, the Ministry of Infrastructure assumed the responsibility of the CoST online platform.⁹⁸</p> <p>In addition to publishing data on roads, the government is consulting with seaport and railway state enterprises about publishing infrastructure project data using the CoST standard. (The government has prepared a memorandum of cooperation with air traffic services.) Thus, information on the implementation of other infrastructure projects may be published in the future on the CoST Portal.⁹⁹</p>
2. Introduce the e-system of selling arrested assets	<p>Substantial</p> <p>The government monitored and evaluated the previous procedure for selling seized assets.¹⁰⁰ Using those findings, decree #413/5 amended the procedure by splitting the roles of database administrator and auction organizer.¹⁰¹ Despite a formally competitive tender process, in practice, the government used very specific selection criteria.¹⁰² This resulted in the E-System of Selling Arrested Assets state enterprise (SETAM) being chosen as the auction organizer.¹⁰³ Continued problems with the procedure that maintained conflict of interest and corruption risks led to decree #2933/5. That decree mandated that Prozorro.Sale administer the database,¹⁰⁴ thereby fully separating the functions of database administrator (Prozorro.Sale) and auction organizer (SETAM). The technical integration of the SETAM and ProZorro.Sale systems for the sale of arrested assets was not yet completed by the end of the implementation period. In November 2020, the government set up the working group in charge - consisting of representatives of the Ministry for Development of Economy, Trade and Agriculture; SETAM; and the Ministry of Justice.¹⁰⁵</p>

3. Ensure transparency of selling public assets	Complete For details regarding the implementation and early results, see Section 2.3.
4. Improve transparency and accountability of public procurement	Substantial For details regarding the implementation and early results, see Section 2.3.
5. Raise public awareness of public funds and projects	Complete For details regarding the implementation and early results, see Section 2.3.
6. Introduce e-calls for CSO funding proposals	Limited There were four public and expert discussions aimed at drafting legislation and designing an online platform for calls for proposals for financial support to civil society organizations (CSOs). ¹⁰⁶ Amendments to the government resolution #1049, regulating the funding contest procedure, were not yet submitted to the Cabinet of Ministers before the end of the action plan cycle. In any case, the Ministry of Youth and Sport together with the E-governance for Accountability and Participation (EGAP) program drafted the terms of reference for the online platform and decided to integrate it into the VzaemoDiia portal. These two parties also procured an IT developer, ¹⁰⁷ and they directed that company to start development. ¹⁰⁸ The VzaemoDiia portal is a section of the Diia digital services portal (see Commitments 12 and 13). It would integrate the new software to run the process of collecting calls for CSO funding proposals. ¹⁰⁹ By the end of the implementation period of the action plan, the software had not been launched or tested. ¹¹⁰
7. Launch the mechanism of verifying final beneficiaries	Limited The register now displays separate fields for founders and ultimate beneficial owners, ¹¹¹ following a software update. ¹¹² This information is free to access, ¹¹³ but it displays the data fields separately only if those fields have been updated by the registered entity since the software update. ¹¹⁴ It remains unclear whether, or to what extent, new and accurate information is available. The working group holding responsibility has not yet published the concept paper on this, ¹¹⁵ and no further steps have been taken. ¹¹⁶ Database registrars and government entities responsible for ensuring the veracity of the data submitted, therefore, do not have updated guidelines for verifying data. ¹¹⁷
8. Introduce anti-corruption training for officials	Complete The Ukrainian School of Governance (USG) launched an interactive training course, created jointly with the USAID-funded Support to Anti-Corruption Champion Institutions program, ¹¹⁸ on countering corruption and ensuring integrity for public officials. ¹¹⁹ USG also launched an online test on anti-corruption laws, policies, and the respective standards by central and local authorities, and the course overall has been accessed by 199 users. ¹²⁰ Two civil society experts said the format, content, and target audience of the training course and online test should be revised.

	It should be designed not for anti-corruption specialists, but for all public officials, and include the most recent legislative changes. ¹²¹
9. Provide public access to environmental information	Limited The Ministry of Environment has only developed a draft concept paper and action plan for implementing this commitment (as part of an Open Environment system). ¹²² The ministry had not yet launched the software for the Open Environment system, according to an independent ecology expert, due to the merging and restructuring of ministries in 2019 and 2020. ¹²³ The Open Environment system would include a radiation monitoring system. A separate radiation monitoring system, functioning as an online map, ¹²⁴ existed prior to this commitment. ¹²⁵
10. Update the state registers of natural resources	Limited The government had started to conduct a full inventory and analyzing its registers of natural resources to translate them into digital formats. ¹²⁶ The State Service of Geology and Mineral Resources was still updating its registers of natural resources. ¹²⁷ Comprehensive registers of natural resources in open data formats are not available on the Ukraine Geoinform website, ¹²⁸ the Ministry of Ecology and Natural Resources website, ¹²⁹ or the governmental Open Data Portal. ¹³⁰ An independent expert confirmed that the institutional changes in and the loss of specialist staff due to the merging and then reestablishment of the Ministry of Ecology and Natural Resources in 2020 paused the implementation of comprehensive registers. ¹³¹ The government did publish data on mineral reserves (i.e., the amount of reserves and location) on the Geoinform website, and this data can be accessed via a search function. ¹³²
11. Create an interactive map of mined territories	Complete For details regarding the implementation and early results, see Section 2.3.
12. Introduce priority electronic services	Complete The government launched the unified e-governance web portal (named Diia and also available as a mobile app). ¹³³ The government representative said there are over 120 digital services available (although some of these may be available outside the Diia portal). ¹³⁴ Diia offers over 40 digital services for citizens and business, categorized in 15 topic areas. ¹³⁵ Diia includes a plain-language online guide on 17 topic areas. ¹³⁶ It points users to relevant digital services according to 20 life situations that citizens may encounter (such as registering a birth) or 16 situations for businesses. Within the first week of its launch, 1 million Ukrainians downloaded the app, and over 360,000 people downloaded digital driver's licenses. ¹³⁷
13. Introduce an online platform for civil society-authorities interaction	Limited The government conducted a public survey and held discussions with civil society and the public about the needs and requirements of an online platform for interaction between executive bodies and civil society organizations. ¹³⁸ The platform is called VzaemoDiia, ¹³⁹ and it is to be integrated into the government's Diia digital services portal. ¹⁴⁰ While

	there is a landing page with basic information, the VzaemoDiia platform is not developed for public use yet. ¹⁴¹
14. Introduce online EITI	Substantial The Ministry of Energy and Coal Industry conducted an independent feasibility study on developing an online platform. Then, along with its partners, it commissioned a developer, and the developer has built a version of the online platform that is being tested. ¹⁴² However, at the time this report was written, the Ukraine Extractive Industries Transparency Initiative online platform was not publicly available. ¹⁴³
15. Introduce electronic resources for school education	Limited The Ministry of Education and Science conducted a procurement procedure and identified a contractor to build the National Education Electronic Platform. ¹⁴⁴ However, a district court found that the procurement winner obtained an undue advantage; the tendered software did not meet requirements and had an inflated price. ¹⁴⁵ The platform is now part of criminal investigations. ¹⁴⁶ Furthermore, a civil society expert explained that the software was not open source. ¹⁴⁷ Decree #521 indicates that the government has restarted the design and development of the online educational platform. ¹⁴⁸
16. Introduce online verification of education certificates	Substantial The Ministry of Education and Science adopted technical requirements for verification. It also commissioned, developed, and installed an online verification software for educational documents. ¹⁴⁹ (This software exists within the Unified State Education Electronic Database. ¹⁵⁰) The government clarified that the online verification service checks higher education certificates, but it still has to be extended to secondary and vocational education certificates, accompanied by a manual, and beta-tested. ¹⁵¹
17. Introduce the National Repository of Academic Texts	Substantial UkrINTEI launched the National Repository of Academic Texts. ¹⁵² The repository allows registered and unregistered users to search, read, and download full-text PhD dissertations (among other resources) in PDF format. ¹⁵³ Although local repositories are not fully integrated into the National Repository yet, ¹⁵⁴ three higher education institutions made preliminary agreements to test the interaction between the local repositories and the National Repository of Academic Texts. ¹⁵⁵ The ecosystem of academic integrity instruments, such as plagiarism-checking online tools, has not yet been developed. So, the repository refers only to external legislation and guidelines on academic integrity and plagiarism-checker tools. ¹⁵⁶

⁹³ “CoST Portal: Transparent Infrastructure,” CoST Ukraine, accessed November 2020, <http://portal.costukraine.org/>.

⁹⁴ Sviatoslav Abramov (CoST Ukraine), interview by IRM researcher, 27 October 2020.

⁹⁵ “Transparency in Infrastructure and the Ways of Achieving It—In the CoST Ukraine Framework,” CoST Ukraine, 2 July 2020, <https://costukraine.org/prozorist-v-sferi-infrastruktury-ta-shlyahy-yiyi-dosyagnennya-v-kontseptsiyi-cost-ukraine/>.

⁹⁶ “The Cabinet of Ministers of Ukraine. Decree on 17 Apr. 2019 #409,” Verkhovna Rada of Ukraine, 17 April 2019, <https://zakon.rada.gov.ua/laws/show/409-2019-%D0%BF#n10>.

⁹⁷ “Open Contracting for Infrastructure Data Standards Toolkit,” Open Contracting Partnership, accessed November 2020, <http://standard.open-contracting.org/infrastructure/latest/en>.

⁹⁸ “Firm Commitment from the Government of Ukraine as a New Memorandum of Understanding Is Signed with CoST,” CoST Ukraine, 17 September 2019, <https://infrastructuretransparency.org/news/firm-commitment-from-the-government-of-ukraine-as-a-new-memorandum-of-understanding-is-signed-with-cost/>.

⁹⁹ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.

¹⁰⁰ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*.

¹⁰¹ “The Ministry of Justice of Ukraine. Decree on 12 Feb. 2019 #413/5,” Verkhovna Rada of Ukraine, 12 February 2019, <https://zakon.rada.gov.ua/laws/show/z0147-19#Text>.

¹⁰² A prospective organizer was required to have an e-trading system using a particular blockchain-based technology (although other e-trading systems, including Prozorro.Sale, were programmed using other IT). The organizer also had to be able to store and transport arrested assets (although this function can and should be outsourced to another entity), have regional divisions in two-thirds of Ukraine’s regions (while this is not necessary for an online e-trading system), and have a share capital of at least 5 million UAH (\$US175,275, although some e-trading systems may be developed and administered with less costs).

¹⁰³ “The Results of the Contest Defining the Organizer of Electronic Auctions of Selling Arrested Assets,” Ministry of Justice, 18 March 2019, <https://minjust.gov.ua/news/ministry/rezultati-konkursu-z-viznachennya-organizatora-elektronnih-torgiv-z-realizatsii-areshtovanogo-mayna?fbclid=IwAR29MM5EsevmvYRUgEawXqzrxelxoaxNTLYulRyU8ZVqoPjjEwoWIX24XiqQ>.

¹⁰⁴ “The Cabinet of Ministers of Ukraine. Decree on 28 August 2020 #2933/5,” Verkhovna Rada of Ukraine, 28 August 2020, <https://zakon.rada.gov.ua/laws/show/z0832-20#Text>.

¹⁰⁵ Oleksii Sobolev (Prozorro.Sale), email exchange with IRM researcher, 26 November 2020.

¹⁰⁶ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf; and Serhii Karelin (EGAP), interview by IRM researcher, 3 November 2020.

¹⁰⁷ Kitsoft. For more details, see <https://www.kitsoft.kiev.ua/en/>.

¹⁰⁸ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.

¹⁰⁹ To be developed by Kitsoft. For more details, see <https://www.kitsoft.kiev.ua/en/>.

¹¹⁰ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf. According to government, since the implementation period ended, a few CSOs have been selected to test and provide feedback on the beta version of the module on VzaemoDiia, IRM email exchange with government, 15 April 2021.

¹¹¹ In particular, name, residence address, the type of beneficial ownership, and the percentage share of the share capital in a legal entity or the percentage of voting rights in a legal entity of an ultimate beneficial owner.

¹¹² Valeria Kolomiyets (Ministry of Justice), email exchange with IRM researcher, 2 November 2020. On 11 August 2020, after the implementation period ended, the updated software of the Unified State Register was introduced into full operation allowing for the introduction of verification of personal information, using information from the State Register of Civil Status, the Unified State Demographic Register, the State Register of Individuals - Taxpayers, the Unified information system of the Ministry of Internal Affairs of Ukraine.

¹¹³ “Free Request. The Unified State Register of Legal Entities, Private Entrepreneurs and NGOs,” The Ministry of Justice of Ukraine, accessed November 2020, <https://usr.minjust.gov.ua/content/free-search>.

¹¹⁴ “The Law of Ukraine on Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction #361-IX,” Verkhovna Rada of Ukraine, 16 August 2020, <https://zakon.rada.gov.ua/laws/show/361-20#Text>.

¹¹⁵ Public agencies: The Ministry of Justice, the Ministry of Finance, the State Financial Monitoring Service, the National Bank, the State Tax Service. Civil society organizations: Together Against Corruption, OGP Evaluation project, YouControl, International Renaissance Foundation. International project: The Consultancy Fund for Supporting the Ukraine-EU Association. These organizations signed a memorandum for cooperation and formed the Up to 100% Correct working group. Also, inputs were submitted by the Federal Ministry of Finance of Austria, Open Government Partnership, OpenOwnership, Innovating Governance Association, OpenOwnership Pilot Program, and the Council of Europe.

¹¹⁶ Valeria Kolomiyets (Ministry of Justice), email exchange with IRM researcher, 2 November 2020.

¹¹⁷ Valeria Kolomiyets (Ministry of Justice).

¹¹⁸ The USAID project Support to Anti-Corruption Champion Institutions.

¹¹⁹ Available via the USG “Moodle” platform, Ukrainian School of Government, accessed November 2020, <http://moodle.usg.org.ua/>.

¹²⁰ Igor Osyka (SACCI), interview by IRM researcher, 2 November 2020.

¹²¹ Igor Osyka (SACCI); and Volodymyr Kuprii (independent expert), interview by IRM researcher, 26 October 2020.

¹²² Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf. The Ministry of Environmental

Protection and Natural Resources said that it revised the Open Environment system by drafting a concept on digital development and digital transformation in environmental protection, rational use of natural resources, and environmental safety. As part of the implementation of the concept, it is planned to develop new functional modules of the system, which will create a Unified Environmental Platform, email exchange with IRM, 15 April 2021.

¹²³ Dmytro Averin (independent expert), interview by IRM researcher, 4 November 2020.

¹²⁴ “RM & EWS Chornobyl,” accessed November 2020, <http://www.srp.ecocentre.kiev.ua/MEDO-PS/index.php?lang=ENG>.

¹²⁵ Internet Archive Wayback Machine, accessed November 2020,

https://web.archive.org/web/*/http://www.srp.ecocentre.kiev.ua/MEDO-PS/index.php?lang=UKR.

¹²⁶ The government have since then, published 32 sets of open data on the state of the environment and natural resources.

¹²⁷ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.

¹²⁸ “Approval Protocols of Mineral Reserves,” Ukraine Geoinform, accessed November 2020, <http://geoinf.kiev.ua/protokoli-zatverdzhennya-aprobaci%dl%97-zapasiv-ta-resursiv-korisnix-kopalin/>.

¹²⁹ “Open Data,” Ministry of Ecology and Natural Resources, accessed November 2020,

<https://mepr.gov.ua/timeline/Vidkriti-dani-.html>.

¹³⁰ “Ecology,” Open Data Portal, The Unified State Open Data Portal, The Cabinet of Ministers of Ukraine, accessed November 2020, <https://data.gov.ua/group/ekolohiia>.

¹³¹ Dmytro Averin (independent expert), interview by IRM researcher, 4 November 2020.

¹³² “Approval Protocols of Mineral Reserves,” Ukraine Geoinform, accessed November 2020, <http://geoinf.kiev.ua/protokoli-zatverdzhennya-aprobaci%dl%97-zapasiv-ta-resursiv-korisnix-kopalin/>.

¹³³ Diia homepage, accessed November 2020, <https://diia.gov.ua/>.

¹³⁴ Oleksiy Vyskub (MDT), email exchange with IRM researcher, 2 November 2020.

¹³⁵ For citizens: certifications, ecology, security, family, social benefits, transport, real estate, licenses, and entrepreneurship. For businesses: real estate, licenses, transport, medicine and pharmaceuticals, certifications, launching a business.

¹³⁶ “The Guide on State Services,” Diia, accessed November 2020, <https://guide.diia.gov.ua/>.

¹³⁷ Anatoly Motkin, “Ukraine in a Smartphone: Zelenskyy’s Digital Dream,” Atlantic Council, 18 February 2020, accessed January 2020, <https://www.atlanticcouncil.org/blogs/ukrainealert/ukraine-in-a-smartphone-zelenskyy-s-digital-dream/>. Since the implementation period, the government has said that the Diia app has seen over 4 million downloads, IRM email exchange with government, 15 April 2021.

¹³⁸ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf. Also confirmed by Serhii Karelin (EGAP), interview by IRM researcher, 3 November 2020.

¹³⁹ VzaemoDiia (meaning “interaction”).

¹⁴⁰ Diia homepage, <https://diia.gov.ua/>.

¹⁴¹ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf. Since the end of the implementation period, the government has said that the platform entered its first development stage meaning that certain functionality such as e-calls are being tested in a closed beta development stage. They added that other services, such as e-petitions, e-consultations, etc. are being actively researched and analyzed by experts to meet high international standards and practices and would be developed once the requirements are finalized and IT developers are procured, IRM email exchange with government, 15 April 2021.

¹⁴² Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*. This has also been confirmed by civil society experts collaborating on this commitment: Olesya Nekhoroshko (Extractive Industries Transparency Initiative Ukraine), interview by IRM researcher, 29 October 2020; and Oleksiy Orlovsky (International Renaissance Foundation), interview by IRM researcher, 3 November 2020.

¹⁴³ After the implementation period, it became available at: <https://eiti.gov.ua/>.

¹⁴⁴ Rimma el Dzhuveidi (MES), email exchange with IRM researcher, 13 November 2020.

¹⁴⁵ “The Pechersk District Court of the Kyiv City, Court Decision on 23 July 2019, Case #757/38418/19-k,” LIGA 360, accessed November 2020, <https://verdictum.ligazakon.net/document/83953210>.

¹⁴⁶ Rimma el Dzhuveidi (MES), email exchange with IRM researcher, 13 November 2020.

¹⁴⁷ Mykola Skyba (Ukrainian Institute of the Future), email exchange with IRM researcher, 22 November 2020.

¹⁴⁸ “The Ministry of Education and Science of Ukraine. Decree on 19 April 2019 #521,” Verkhovna Rada of Ukraine, 19 April 2019, <https://zakon.rada.gov.ua/laws/show/z0505-19#Text>.

¹⁴⁹ Dmytro Yelchenko (Inforesource), email exchange with IRM researcher, 4 November 2020.

¹⁵⁰ “The Register of Education Documents,” The Unified State Education Electronic Database, (accessed Nov. 2020), <https://info.edbo.gov.ua/edu-documents/>.

¹⁵¹ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.

¹⁵² “National Repository of Academic Texts,” UkrINTEI, accessed November 2020, <http://nrat.ukrintei.ua/en/>.

¹⁵³ “Information about NRAT,” UkrINTEI, accessed November 2020, <http://nrat.ukrintei.ua/pro-naczionalnyi-repozytarij/informaciya-pro-nrat/>.

¹⁵⁴ As confirmed by Volodymyr Kamyshyn (UkrINTEI), email exchange with IRM researcher, 5 November 2020; and by Mykhailo Serebryakov (Together Against Corruption), interview by IRM researcher, 28 October 2020.

¹⁵⁵ Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf.

¹⁵⁶ “Academic Integrity,” National Repository of Academic Texts, UkrINTEI, accessed November 2020, <http://nrat.ukrintei.ua/en/akademichna-dobrochesnist/>. Also confirmed by Open Government Partnership, *The Report on the Realization of the Action Plan for the Implementation of the Open Government Partnership Initiative in 2018–2020*, 3 December 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/12/Ukraine_End-of-Term_Self-Assessment_2018-2020_UKR.pdf and by Mykhailo Serebryakov (Together Against Corruption), interview by IRM researcher, 28 October 2020.

III. Multistakeholder Process

3.1. Multistakeholder process throughout action plan implementation

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 the OGP process. Ukraine **did not act** contrary to OGP process.¹⁵⁷

Please see Annex I for an overview of Ukraine’s performance implementing the Co-Creation and Participation Standards throughout the action plan implementation.

Table 3.1: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply it to OGP.¹⁵⁸ In the spirit of OGP, most countries should aspire to “collaborate.”

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

During implementation, government officials and civil society in Ukraine’s multistakeholder forum—the Coordination Council (CC) – officially met only once, in December 2019.¹⁵⁹ The CC officially met far fewer times during implementation than during the co-creation process, when they held quarterly meetings. However, the CC secretariat (hosted by the Secretariat of the Cabinet of Ministers of Ukraine [SCMU]) met three times to discuss organizational issues of the council with officials and civil society groups.¹⁶⁰

Furthermore, members of the CC and nonmembers from civil society organized four public thematic working group meetings.¹⁶¹ Some members stopped participating in the CC during this time,¹⁶² while others did not attend these meetings due to limited organizational capacity.¹⁶³ Thus, these meetings were not considered decision-making CC meetings, because they did not achieve quorum. The CC considered that electing new members would be necessary before the approval of a new action plan. The SCMU and a civil society representative co-chaired CC meetings (including these smaller thematic working groups), and civil society was able to shape the agenda.

In 2020, the CC did not meet at all. The government secretariat ascribed this to the COVID-19 pandemic,¹⁶⁴ even though numerous online activities¹⁶⁴ did occur during 2020 for developing the new action plan. The government even held a virtual public discussion with civil society on a specific commitment (i.e., transparent public finance).¹⁶⁵

There may have been limited opportunities for engagement in the CC. However, civil society groups acknowledged that there was active input from and collaboration between government and civil society in the implementation of all the commitments.¹⁶⁶ The government representative emphasized the central role of civil society organizations (CSOs) and international partners in commitment implementation.¹⁶⁷ That representative also highlighted collaborative formats between these parties and authorities, such as the multistakeholder memorandum to develop the mechanism to verify information on ultimate beneficiaries. Also, the Ministry of Youth and Sport formed a working group with grassroots civil society representatives to develop procedures for conducting e-calls for funding CSO projects and activities.

Other related activities engaged the public on open government throughout implementation. In particular, the government held multiple events during Open Government Week (11–17 March 2019).¹⁶⁸ According to the government, these events were designed to implement commitment activities.¹⁶⁹ Government authorities held a discussion with the public about the content and services of the prospective online platform for citizen-authority interaction (Commitment 13).¹⁷⁰ The government, civil society, and international partners organized a public discussion about the procedures of e-calls for funding civil society programs (Commitment 6).¹⁷¹ There was also a conference related to Commitment 17, titled the National Repository of Academic Texts and Digital Services of Open Science.¹⁷² Later that year, on 3 July 2019, the CC secretariat and civil society collected and discussed inputs for Commitment 7, to develop the mechanism for verifying information on ultimate beneficiaries.¹⁷³

¹⁵⁷ Acting Contrary to Process - Country did not meet (1) “involve” during the development or “inform” during implementation of the action plan, or (2) the government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

¹⁵⁸ “IAP2’s Public Participation Spectrum,” IAP2, 2014,

https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf.

¹⁵⁹ “The Implementation of the Open Government Partnership Initiative Action Plan Has Been Discussed,” the Government Portal, the Unified Web-portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 20 December 2019, <https://www.kmu.gov.ua/news/obgovoreno-stan-realizaciyi-planu-dij-iz-vprovadzhennya-iniciativi-partnerstvo-vidkritij-uryad>.

¹⁶⁰ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020; and Olesya Arkhypska (member of the multistakeholder forum), interview by IRM researcher, 27 October 2020.

¹⁶¹ Olesya Arkhypska (member of the multistakeholder forum), interview by IRM researcher, 27 October 2020.

¹⁶² Olesya Arkhypska (member of the multistakeholder forum).

¹⁶³ Oksana Kosenko (United Nations Development Programme in Ukraine), interview by IRM researcher, 29 October 2020

¹⁶⁴ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020.

¹⁶⁵ “Group 258 Working Meeting,” Facebook, E-Data, Open Public Finance, 24 September 2020,

<https://www.facebook.com/events/351421899542414>.

¹⁶⁶ Olesya Arkhypska (member of the multistakeholder forum), interview by IRM researcher, 27 October 2020; and Oksana Kosenko (United Nations Development Programme in Ukraine), interview by IRM researcher, 29 October 2020.

¹⁶⁷ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020. The memorandum included the Ministry of Justice, Ministry of Finance, State Fiscal Service, State Financial Monitoring Service, Asset Recovery and Management Agency, e-Governance Agency, Transparency International Ukraine, Together Against Corruption, International Renaissance Foundation, ANTAC, and other civil society organizations.

¹⁶⁸ “OGP Ukraine,” Facebook, accessed November 2020, <https://www.facebook.com/ogpUkraine/>.

¹⁶⁹ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020.

¹⁷⁰ “How the Online Platform for the Interaction between the Executive Authorities and the Public Should Look Like Was Discussed during the Open Government Week,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 15 March 2019, <https://www.kmu.gov.ua/news/yakoyu-maye-butii-onlajn-platforma-dlya-vzayemodiyi-organiv-vikonavchoyi-vladi-ta-gromadskostiobgovorili-pid-chas-tizhnya-vidkritogo-uryadu>.

¹⁷¹ “The Mechanism of Introducing Electronic Procedures for Conducting Contests for Civil Society Organizations Was Discussed in Kyiv,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 15 March 2019, <https://www.kmu.gov.ua/news/u-kiyevi-obgovorili-mehanizm-vprovadzhennya-elektronnih-procedur-provedennya-konkursiv-dlya-institutiv-gromadyanskogo-suspilstva>.

¹⁷² “In the Framework of the Open Government Week in Ukraine,” UkrINTEI, accessed December 2020, <http://www.uintei.kiev.ua/news/v-ramkah-tyzhnya-vidkrytogo-uryadu-v-ukrayini>.

¹⁷³ “The Mechanism to Verify Information about Ultimate Beneficial Owners Was Discussed at the ‘Communication Agora’ of the Open Government Partnership Initiative,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 3 July 2019, <https://www.kmu.gov.ua/news/na-komunikacijnomu-majdanchiku-iniciativi-partnerstvo-vidkritij-uryad-obgovoreno-pitannya-mehanizmu-perevirki-informaciyi-pro-kincevih-beneficiarnih-vlasnikiv>.

3.2. Overview of Ukraine’s performance throughout action plan implementation

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

Multistakeholder Forum	During Development	During Implementation
1a. Forum established: The Coordination Council, mandated by government decree, oversees action plan implementation. ¹⁷⁴	Green	Green
1b. Regularity: The Coordination Council met once in December 2019, ¹⁷⁵ but there were three meetings of the council management working group. ¹⁷⁶ Several council members met occasionally to discuss progress on individual commitments, ¹⁷⁷ but these meetings did not fulfill quorum requirements. In 2020 the council did not meet at all. OGP standards require that the forums meet at least once every quarter.	Green	Yellow
1c. Collaborative mandate development: This standard was assessed in the IRM Design Report.	Green	N/A
1d. Mandate public: Information on the Coordination Council mandate, structure, and membership is available on the governmental OGP web page. ¹⁷⁸ However, the most recent updates on the council membership (as of January 2020) are not on the council webpage. They are on the legislation portal. ¹⁷⁹	Green	Yellow
2a. Multistakeholder: The Coordination Council includes both governmental and nongovernmental representatives.	Green	Green
2b. Parity: The council includes an even balance of governmental and nongovernmental representatives, both in its membership and leadership. ¹⁸⁰	Green	Green
2c. Transparent selection: The selection process did not change during the implementation period.	Green	N/A
2d. High-level government representation: During the development of the action plan, the council included a minister, a governmental agency head, and deputy ministers. During implementation, it included the government state secretary, a deputy department head, and deputy ministers.	Yellow	Yellow

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<p>3a. Openness: The Coordination Council meetings were announced <i>post-factum</i>. Therefore, other stakeholders could not participate. Council members invited non-forum sectoral experts from civil society to take part in meetings of its thematic working groups.¹⁸¹ In addition, any non-council stakeholder was able to provide inputs for specific commitments during public discussions.¹⁸²</p>	Green	Yellow
<p>3b. Remote participation: Yes, there were opportunities for Coordination Council members and invited stakeholders.</p>	Yellow	Green
<p>3c. Minutes: The Coordination Council proactively reports on its meetings and decisions. It also communicates its activities and results to wider government and civil society stakeholders. This is performed via its official government OGP web page.¹⁸³ The government also disseminates this information via its social media web page.¹⁸⁴</p>	Yellow	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

Action Plan Implementation		
<p>4a. Process transparency: Updates on the progress of commitments are announced on the government OGP web page,¹⁸⁵ alongside other news. There is no dedicated online tracker on the progress against milestones, reasons for delay, or next steps.</p>	Yellow	
<p>4b. Communication channels: The government OGP web page lacks a built-in feature for the public to comment on action plan progress updates.¹⁸⁶ Some news is accompanied by a call for inputs via email.</p>	Yellow	
<p>4c. Engagement with civil society: In 2019 the government conducted at least one action plan implementation review meeting between government bodies.¹⁸⁷ The government hosted at least four commitment-specific meetings with civil society (including during the Open Government Week in March) to discuss national action plan implementation.¹⁸⁸ In 2020 it held at least one commitment-specific public meeting with civil society about ensuring the transparency of public finance.¹⁸⁹</p>	Yellow	
<p>4d. Cooperation with the IRM: The Secretariat of the Cabinet of Ministers shared the link to the draft IRM Design Report on its social media web page.¹⁹⁰ The Secretariat encouraged public input during the public comment phase. It also circulated the draft IRM Design Report among other central government ministries and agencies and collected their feedback.¹⁹¹</p>	Green	

<p>4e. MSF engagement: The Coordination Council met at least once to monitor and deliberate on the implementation of the action plan, in December 2019.¹⁹² The authorities reported on progress in implementing commitments. Public officials and invited civil society representatives discussed implementation challenges. There is no evidence of joint government–civil society monitoring activities by the multistakeholder forum in 2020. The Secretariat of the Cabinet of Ministers performs the monitoring.¹⁹³</p>	<p>Yellow</p>
<p>4f. MSF engagement with self-assessment report: The government announced a public call for feedback on the draft end-of-term self-assessment report on its OGP web page.¹⁹⁴ The announcement contained a hyperlink to the draft text and indicated an email address for comments during a two-week period. The call was also announced on the OGP Ukraine social media web page.¹⁹⁵</p>	<p>Green</p>
<p>4g. Repository: The Secretariat of the Cabinet of Ministers has published a repository on the government OGP website.¹⁹⁶ It is available online, without barriers to access, linked to evidence, and updated regularly. The repository contains a timeline on the action plan process and implementation. Each news item is hyperlinked to a separate governmental web page with more details. In addition, the repository contains an online form for subscribing to a governmental digest.</p>	<p>Green</p>

¹⁷⁴ “Coordination Council,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, accessed November 2020, <https://www.kmu.gov.ua/ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad/pro-iniciativu>.

¹⁷⁵ “The Implementation of the Open Government Partnership Initiative Action Plan Has Been Discussed,” on the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 20 December 2019, <https://www.kmu.gov.ua/news/obgovoreno-stan-realizaciyi-planu-dij-iz-vprovadzhennya-iniciativi-partnerstvo-vidkritij-uryad>.

¹⁷⁶ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020.

¹⁷⁷ Olesya Arkhypska (member of the multistakeholder forum), interview by IRM researcher, 27 October 2020.

¹⁷⁸ “Coordination Council,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, accessed November 2020, <https://www.kmu.gov.ua/ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad/pro-iniciativu>.

¹⁷⁹ “The Cabinet of Ministers of Ukraine. Decree on 29 January 2020 #83-p,” Verkhovna Rada of Ukraine, 29 January 2020, <https://zakon.rada.gov.ua/laws/show/83-2020-%D1%80#Text>.

¹⁸⁰ “Coordination Council,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, accessed November 2020,

<https://www.kmu.gov.ua/ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad/pro-iniciativu>.

¹⁸¹ Olesya Arkhypska (member of the multistakeholder forum), interview by IRM researcher, 27 October 2020.

¹⁸² Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020.

¹⁸³ “Open Government Partnership,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, accessed November 2020,

<https://www.kmu.gov.ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad>.

¹⁸⁴ “OGP Ukraine,” Facebook, accessed November 2020, <https://www.facebook.com/ogpUkraine/>.

¹⁸⁵ “Timeline,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, accessed November 2020,

https://www.kmu.gov.ua/timeline?category_id=18&tag=%D0%9F%D0%B0%D1%80%D1%82%D0%BD%D0%B5%D1%80%D1%81%D1%82%D0%B2%D0%BE%20%22%D0%92%D1%96%D0%B4%D0%BA%D1%80%D0%B8%D1%82%D0%B8%D0%B9%20%D0%A3%D1%80%D1%8F%D0%B4%22&type=posts.

¹⁸⁶ “Open Government Partnership,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, accessed November 2020,

<https://www.kmu.gov.ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad>.

¹⁸⁷ “The Implementation of the Open Government Partnership Initiative Action Plan Has Been Discussed,” the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 20 December 2019, <https://www.kmu.gov.ua/news/obgovoreno-stan-realizaciyi-planu-dij-iz-vprovadzhennya-iniciativi-partnerstvo-vidkritij-uryad>.

¹⁸⁸ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020.

¹⁸⁹ "Group 258 Working Meeting," Facebook, E-Data, Open Public Finance, 24 September 2020, <https://www.facebook.com/events/351421899542414>.

¹⁹⁰ "OGP Ukraine," Facebook, 4 March 2020, <https://www.facebook.com/ogpUkraine/>.

¹⁹¹ Natalia Oksha (SCMU), email exchange with IRM researcher, 2 November 2020.

¹⁹² "The Implementation of the Open Government Partnership Initiative Action Plan Has Been Discussed," the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 20 December 2019, <https://www.kmu.gov.ua/news/obgovoreno-stan-realizaciyi-planu-dij-iz-vprovadzhennya-iniciativi-partnerstvo-vidkritij-uryad>.

¹⁹³ Olesya Arkhypska (member of the multistakeholder forum), interview by IRM researcher, 27 October 2020.

¹⁹⁴ "The Call to Discuss the Draft Report on the Open Government Partnership Initiative Implementation in 2018-2020," the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, 9 November 2020, <https://www.kmu.gov.ua/news/zaprosuyemo-do-obgovorennya-proektu-zvitu-pro-realizaciyu-planu-dij-iz-vprovadzhennya-iniciativi-partnerstvo-vidkritij-uryad-u-2018-2020-rokah>.

¹⁹⁵ "The Call to Discuss the Implementation of the 4th Action Plan of the Open Government Partnership Initiative," Facebook, 10 November 2020, <https://www.facebook.com/ogpUkraine/posts/760896321159150>.

¹⁹⁶ "Timeline," the Government Portal, the Unified Web-Portal of Executive Authorities of Ukraine, Cabinet of Ministers of Ukraine Secretariat, accessed November 2020, https://www.kmu.gov.ua/timeline?category_id=18&tag=%D0%9F%D0%B0%D1%80%D1%82%D0%BD%D0%B5%D1%80%D1%81%D1%82%D0%B2%D0%BE%20%22%D0%92%D1%96%D0%B4%D0%BA%D1%80%D0%B8%D1%82%D0%B8%D0%B9%20%D0%A3%D1%80%D1%8F%D0%B4%22&type=posts.

IV. Methodology and Sources

Research for the IRM reports is carried out by national researchers. All IRM reports undergo a process of quality control led by IRM staff to ensure that the highest standards of research and due diligence have been applied.

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

Current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual¹⁹⁷ and in Ukraine's Design Report 2018-2020.

About the IRM

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



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¹⁹⁷ IRM Procedures Manual, V.3: <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

Annex I. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.¹⁹⁸ 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?
- **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.

Results oriented commitments?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment design 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

For public comment: do not cite or circulate response rates to information requests” is a stronger goal than “publishing a protocol for response.”)?

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. To receive a star, a commitment must meet several criteria:

- The commitment’s design should be **Verifiable**, **Relevant** to OGP values, and have **Transformative** potential impact. As assessed in the Design Report.
- The commitment’s implementation must be assessed by IRM Implementation Report as **Substantial** or **Complete**.

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

¹⁹⁸ “IRM Procedures Manual,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.