



# Open Parliament Georgia Action Plan (2015-2016)



Adopted on the Sitting of Bureau of the Parliament of Georgia, on the 17<sup>th</sup> day of July, 2015

In order to support and follow the initiatives of the Open Government Partnership regarding the Parliamentary Openness, IDFI is implementing a new project – “Supporting Parliament of Georgia Involvement in Open Government Partnership” in partnership with the **Parliament of Georgia** within the joint program of the European Union (EU) and the United Nations Development Program (UNDP) “Strengthening the System of Parliamentary Democracy in Georgia”. The Open Parliament Georgia Action Plan was elaborated within the scopes of the aforementioned program.

The Open Parliament Georgia Action Plan (OPG) consists of 18 commitments that are adopted by the Parliament of Georgia. These commitments aim to improve and modify the functioning of the web-page of the Parliament of Georgia and at the same time support the increase of public involvement and openness regarding the Parliamentary documents and activities, including implementing the electronic processing of the bills, which also provides automatic access to the current version of the bill at any stage, availability of the agendas of Committees and Draft Bills on the web-page of the Parliament of Georgia, also possibility of subscription of the Agendas and Draft Bills etc.

Hereafter is given the commitments of the OPG action plan:

**1. Public Involvement.**

**1.1. The Possibility of Commenting the Draft Bills (electronically and/or in a written format)** (the initiator of the commitment is the Institute for Development of Freedom of Information (IDFI)): in many countries, including Brazil and Finland, citizens have the opportunity to comment the draft bills. In Georgia this opportunity is provided by the LEPL Legislative Herald but as the mentioned LEPL is the part of the Executive Government, it is important to introduce the opportunity for commenting of draft bills within the scopes of the Parliament of Georgia. The Parliament of Georgia is a Legislative part of the Government of our Country, therefore, this commitment should be implemented within the realms of the Parliament of Georgia. This commitment will give the opportunity to the citizens of Georgia to comment draft bills, starting from the first hearing, in an electronic and/or written way. At the same time the commitment includes receiving the feedback from the Parliament of Georgia. This commitment is upheld by the OpenGovGuide as well. The timeframe for implementation of this commitment starts from October this year and continues till September, 2016. First of all the concept of this commitment should be elaborated from October till December of this year. The elaboration of the concept will be followed by the adoption of the changes to the Rules of Procedure of the Parliament of Georgia from January, 2016 till March, 2016. New Web-Platform necessary for implementation of this commitment will be constructed from January, 2016 till June 2016. The last point in the implementation process of this commitment is providing the public awareness campaign that will last from July till September, 2016.

**1.2. Presenting the Legislative Proposals and Legislative Initiatives to the Parliament of Georgia via Electronic Way and Implementing Its Supporting Mechanism through the Official Web-Page of the Parliament of Georgia** (the initiator of the commitment is IDFI and the supporting entity is the LEPL Date Exchange Agency): this commitment is considered as major step towards the increasing of the public involvement. At the same time the mechanisms for e-petitions is implemented in various countries, for example, in Latvia, Mongolia etc. One of the recommendations of OpenGovGuide includes creating the web-platform for e-petitions where the citizens will have opportunity to present their initiatives. Currently, the Parliament of Georgia doesn't give the opportunity to the citizens to present and gather votes electronically in order to support their initiatives. After this commitment will be implemented, it will give the opportunity to the citizen's to increase their involvement in the Parliamentary activities, and present the legislative proposals and legislative initiatives in an electronic way with using the web-platform. This commitment includes presenting both legislative initiatives and legislative proposals electronically and gathering necessary votes electronically via the web-page of the Parliament of Georgia as well. The timeframe for the implementation of this commitment starts from October this year and continues till September, 2016. First of all the concept of this commitment should be elaborated from October till February, 2016. The elaboration of the concept will be followed by the adoption of the changes to the Rules of Procedure of the Parliament of Georgia from January, 2016 till March, 2016. New Web-Platform necessary for implementation of this commitment will be constructed from March, 2016 till August 2016. The last point in the implementation process of this commitment is providing the public awareness campaign that will last from August till September, 2016.

**1.3. Enabling the Civic Engagement in the Legislative Process (regarding the proposed amendments to the constitution)** (the initiator of the commitment is National Democratic Institute (NDI)): the Rules of Procedure of the Parliament of Georgia upholds the common and the popular discussion period for the possible amendment to the constitution but the procedures of the popular discussion for the possible amendment are not clearly defined, for example, how many meetings should be held and in which regions (one of the indicator for this commitment defines at least one meeting for popular discussion per region) , how the feedback will be received from the citizens etc. In order to increase the public involvement regarding the proposed amendments to the constitution it is necessary to clarify the rules of the popular discussion. At the same time, it is desirable to establish certain rules of popular discussion for the most important draft bills as well (for example, for the bill on State Budget). This will increase the public involvement and the opportunity to receive and implement feedback in the legislative process. The timeframe establishes two main steps to achieve – first of all the draft bill should be initiated that will define the rules for organizing the public discussion and secondly, the Rules of Procedure of the Parliament of Georgia should also be amended to support the public discussion process of the proposed amendment to the constitution. Both of these steps are meant to achieve in the year of 2015.

**1.4. Providing the Easy Attendance to the citizens on the Plenary Sessions and Committee Meetings** (the initiator of the commitment is Transparency International Georgia): in order to enter the Building of the Parliament of Georgia the entrance permit is necessary and only MPs and few representatives of the Staff of the Parliament have the right to enable such passes. But the web-page of the Parliament of Georgia doesn't contain this information, and this contradicts with the principle of Parliamentary Openness. In order to comply with the standards of the international best practice the procedures for entering the building of the Parliament of Georgia should be published on the web-page. This will enable the citizens to attend the plenary sessions and committee meetings. The aim of the commitment is to publish the information of attendance on the Plenary Sessions and Committee Meetings on the web-page of the Parliament of Georgia. The time frame for the commitment is October and November this year – when the attendance procedures, issued and established by the Decree of the Chair of the Parliament of Georgia, will be uploaded on the web-page.

**1.5. Underlining the Obligation to Present the Substantiations for the Anticipated Amendment of the Agenda of the Committee Hearing** (the initiator of the commitment is Transparency International Georgia): all agendas of the meetings of the committees are published on the web-page of the Parliament of Georgia. There are cases when the agendas are amended during the committee meetings without any further justification. These cases weaken the possibility of civil society to involve effectively in the committee hearing. In order to avoid such practice it is necessary to alter the Agendas based on the substantiations and by the majority of the votes of MPs presented on the meeting. The aim of the commitment is to increase the level of justification for the possible change of the Agenda and therefore give more opportunity to the civil society organizations to involve in the committee hearing. This commitment should be implemented in the year of 2015.

**1.6. Raising the educational and awareness level about the activities, role and mission of the Parliament of Georgia; strengthening the institutional image and the role of the Parliament of Georgia** (the initiator of the commitment is the staff of the Parliament of Georgia): the Communication Strategy of the Parliament of Georgia designates the main values and principles that support the institutionalization of the Accountable and Open Parliament. At the same time the Open Parliament provides more involvement of the society in the legislative process. The Communication Strategy provides the active engagement of the citizens and open and transparent communication with them regarding the Parliamentary Activities. The main aim of the commitment is to increase the Institutional Image and Role of the Parliament of Georgia via increasing the public awareness, the civic engagement and open and transparent communication to the public. The timeframe of the commitment is from September, 2015 to December, 2016. This commitment consists of four parts: the Legislative Openness Week will be implemented from September, 2015 to December 2016. The second part of the commitment, involvement of the students in the legislative activities will be done from June, 2015 to December 2016. The third part of the commitment excursion tours for the visitors with the accompanying of the tour-guide will be implemented from January, 2015 to

December, 2016. The fourth part of the commitment – implementation of the educational programs – will be done from September, 2015 to December, 2016. Furthermore, the second and the third parts of this commitment are ongoing responsibilities of the Parliament of Georgia, and first and fourth parts are new.

## **2. Access to Information**

**2.1. Easing Access for the People with Disabilities to the Parliamentary Documents** (the initiator of the commitment is IDFI and partner organization supporting this initiative is the Ministry of Internal Affairs): in order to increase the public involvement, it is important to increase participation of the citizens in the process of the Parliamentary Openness, especially to increase the involvement of the vulnerable groups of our society. Therefore, easing access for the people with disabilities to the Parliamentary documents would be considered as one of the major commitments of the Parliament of Georgia. OpenGovGuide also upholds this commitment. According to the commitment of the draft action plan, it is necessary to create the Platform that provides easy access of the people with disabilities to the documents of the Parliament of Georgia. Currently, Parliament of Georgia doesn't offer this opportunity to the target group of this commitment. But first of all, the commitment upholds the preparation of the concept and the budget for the further implementation of the given commitment. Once the concept and the budget will be elaborated, then the implementation will start. The timeframe for implementing this commitment will last from September, 2015 till September, 2016.

**2.2. Proactive Publishing of the Annual Reports and Conclusions of the Committees of the Parliament of Georgia** (the initiator of the commitment is Transparency International Georgia): short descriptions and press-releases of committee hearings and plenary sessions are effectively posted on the web-page of the Parliament of Georgia; currently it is also possible to watch live and rewind the committee hearings and plenary sessions. One can also have easy access to various statements and reports posted on the official web-page on the Parliament of Georgia. But annual reports and conclusions of the committees either are not published at all or are posted at a later period. The aim of the commitment is to improve the method of posting the reports and conclusions of the committees that eventually will enable the transparency and easy access to the legislative process. First of all, the Rules of Procedure of the Parliament of Georgia will be amended, and this will be followed with uploading the annual reports and the conclusions of the committees of the Parliament of Georgia. The time-frame for implementing this commitment is the year of 2015.

- 2.3. Enacting the Legislative Frame of Consultations during the Legislative Process** (the initiator of the commitment is Georgian Young Lawyers' Association (GYLA): currently, both the Parliament of Georgia and the Government of Georgia are characterized that they are willing to involve stakeholders in the legislative process but as there is no certain legislative frame of conducting consultations, these consultations remain spontaneous and under discretion of the decision making bodies in Parliament and in Government. There are no regulations defining the consultation procedures. In order to increase the level of civic engagement in the legislative process it is necessary to define the legislative frame for consultations. The main aim of the commitment is to designate and enact the legislative frame of consultations during the legislative process. This commitment consists of two parts: the concept of the commitment will be formed from 09/2015 to 12/2016. The concept of the legislative frame will be discussed and adopted by the Parliament of Georgia from 01/2016 to 12/2016.
- 2.4. On time Publishing of the Amendments to the Initial Draft Bill, altered during its Discussion, on the Web-Page of the Parliament of Georgia** (the initiator of the commitment is GYLA): in order to support the inclusiveness of the legislative process it is of utmost importance to have proper and on time follow-up procedures for all amendments to the draft bills during the process of consultations. At the same time it is important to publish such changes on the web-page of the Parliament of Georgia. This will give the opportunity to all relevant stakeholders involved in the legislative process to have easy access to the amendments of the draft bill. At the same time this is important not just to the representatives of civil organizations but to the MPs themselves because they will have quick access to all amendments to the draft bills from the first till the third hearing. Thus, implementing this commitment is important of raising the awareness of all relevant stakeholders about the legislative process. Currently, there is no proper system that can visualize the information about all amendments to the draft bills. The main aim of the commitment is to elaborate the Concept and the Budget for supporting the on time publication of all amendments to the draft bills on the web-page of the Parliament of Georgia. The time-frame of implementing the commitment goes from 09/2015 to 06/2016.
- 2.5. Renewing the list of the proactively published public information** (the Initiators of this commitment are Transparency International Georgian and MP, Member of the Inter-Factional Group, Tamar Kordzaia): the MP has the right to send a question to the Government of Georgia, to the members of the Government of Georgia and to the executive branches of the municipalities of Georgia and assess their answers. This is one of the effective ways for implementing Parliamentary Control. All respondents are obliged to provide a written answer maximum in 15 days. Currently, the statistics, including the rate of sent MP questions and received answers, is not published on the web-page. At the same time Parliament of Georgia is the definer of the policy on foreign relations. In implementing this function, Parliament of Georgia is actively involved in various international relations with the Parliamentary Delegations and with the Friendship Groups. But the society is poorly informed about these activities. Thus, in order to raise the public awareness it is necessary to proactively publish the report on Parliamentary Delegations and Friendship Groups. The main aim of this

commitment is to publish in a raw format the statistics about the send questions of MPs and received answers and at the same time to publish the reports on activities of the Parliamentary Delegations and Friendship Groups. The timeframe for establishing this commitment contains of three parts: Proactive Publishing of the Statistics of the questions on MPs (09/2015), Proactive Publishing of the Questions and the answers received by MPs (09/2015) and proactive publishing of the annual reports of the Parliamentary Delegations and the Friendship Groups (09/2015-09/2016).

**2.6. Updating the Internal Part of the Explanatory Cards of the Draft Bills** (the initiator of the commitment is Transparency International Georgia): the explanatory cards of the draft bills are one of the key components in increasing the level of accountability of the Parliament and the rate of civic engagement in the legislative process. The explanatory cards should be persuasive and informative. It is necessary to implement the common approach and update the internal part of the explanatory cards. The common standard of submitting the explanatory cards will enable to fill thoroughly all necessary fields of explanatory cards and the draft bills will be better justified and the reasons and aim for adopting the draft bills will be better explained. The main aim of the commitment is to update the internal parts and implement the common approach regarding the explanatory cards. Two main steps are identified for implementing this commitment: first of all, the consultation process should start to agree upon the common standards of explanatory cards, and secondly, the Bureau of the Parliament of Georgia should adopt the Instruction for updating the internal part of the explanatory card and for implementing the common standard for its submission. The implementation of the first part of the commitment will last from September, 2015 till March, 2016. The implementation of the second part of the commitment will start from March, 2016 and will last till June, 2016.

### **3. Technologies and Innovation**

**3.1. Placing the Documents on the Web-Page of the Parliament of Georgia in a Raw Format** (the initiators of the commitment are IDFI, Georgian Young Lawyer's Association (GYLA), Transparency International-Georgia, and the supporter organization is LEPL Legislative Herald of Georgia): currently at least part of the Parliamentary documents is published on the web-page of the Parliament of Georgia but the problem is the further usage of the published material. The problem is that the most of the information (for example, resolutions, decrees, statements, draft bills and the related documents etc.) published on the web-page is in a PDF format that intervenes the further search and use of the documents. Therefore, in order to comply with the principles of the OpenGovGuide, it is important to publish the

Parliamentary documents in a raw format (for example, in HTML or Word etc.). The timeframe for implementation starts from October this year and the first step is adopting the changes in the Rules of Procedure of the Parliament of Georgia. After the Rules of Procedure will be amended then the implementation process of the commitment will start, and fully enacting of the given commitment will end in July, 2016.

**3.2. Implementation of the new technologies and innovative approaches; increasing the level of involvement of youth, ethnical minorities and other stakeholders in the activities of the Parliament of Georgia; strengthening the bilateral communication with the society** (the initiator of the commitment is the staff of the Parliament of Georgia): for ensuring the active involvement of the society in the activities of the Parliament of Georgia, including in the process of legal drafting, the Parliament of Georgia plans to implement Bilateral and various communicative and innovative approaches. For example, Parliament of Georgia plans to spread the news for web-page subscribers according to the prior established standards; to place additional interactive modules on the web-page of the Parliament of Georgia; to elaborate the mobile applications for web-services of the Parliament of Georgia etc. These initiatives will support the effective bilateral communication between the Parliament of Georgia and the Citizens. The main aim of the commitment is to increase the active civil involvement process with the implementation of the new technologies and innovative approaches. The timeframe of the commitment is from September, 2015 to December, 2016. This commitment consists of five parts: the E-News Module will be created from September, 2015 to December 2015. The second part of the commitment, adding additional interactive functions to the Web-Page of the Parliament of Georgia will be done from September, 2015 to December 2016. The third part of the commitment virtual educational-informative tour of the Web-Page of the Parliament of Georgia will be implemented from January, 2016 to September, 2016. The fourth part of the commitment – creating the mobile application for the Parliament web-services – will be done from September, 2015 to September, 2016. The fifth part of the commitment – the restructuring of the Web-Page of the Parliament of Georgia will be done from September, 2015 till December, 2016.

#### **4. Accountability**

**4.1. Creating the Permanent Parliamentary Council on Openness and Transparency** (the initiator of the commitment is IDFI): OGP member countries like Chile and Mexico have Parliamentary Committees who work on the issues of Open Government Partnership regarding the Parliamentary Openness and the public involvement. At the same time OpenGovGuide also supports the idea of Institutionalization the initiatives regarding the

OGP. Thus, with assuming the experience of other countries, creating of the Permanent Parliament Council on Openness and Transparency was decided. The Parliamentary Council will consist from the MPs and the Consultation Council. The Consultation Council will be comprised by the representatives of NGOs and International Organizations. The Parliamentary Council will have two co-chairs: one from the side of the Parliament of Georgia and other from the side of the civil society organizations. The timeframe for implementation of this commitment starts from September this year and continues till December, 2015. First of all, concept of this commitment should be elaborated from September till October of this year. The elaboration of the concept will be followed by the adoption of the changes to the Rules of Procedure of the Parliament of Georgia from September till October of this year. The last point in the implementation process of this commitment will be the creation of the Parliamentary Council that will take place in the end of the year from November till December 2015.

**4.2. Enabling the Obligation to Hold the Annual Meeting of the Parliament of Georgia with the Civil Society Organizations** (the initiator of the commitment is the Civil Society Institute): starting the year of 2012 the tradition of annual meeting of the Parliament of Georgia and Civil Society Organizations was implemented. This is the important mechanism for dialogue between the Parliament and the civil organizations and responds the principles of accountability, transparency and public involvement. The meetings of 2012 and 2013 proved to be effective as it supported the communication between the Parliament and the civil organizations. At the same time this tradition was strengthened by the memoranda signed between the Parliament of Georgia and civil society organizations in December, 2013. This tradition is in full accordance to the principles of Open Government Partnership. Therefore, it is necessary to continue this kind of meetings in the future as well. The main aim of the commitment is to hold annual meetings between the Parliament of Georgia and the civil society organizations. This commitment should be implemented annually.

**4.3. Developing and Adopting the State Concept regarding the Development of Civil Society Organizations** (the initiator of the commitment is the Civil Society Institute): the memoranda signed between the Parliament of Georgia and civil societies in December, 2013, contains the provision on development of state concept regarding the civil societies. This concept should underline the state's support for the further development of civil society organizations and for constructing the area of political dialogue between the Parliament of Georgia and civil society organizations. This commitment is supported by OpenGoveGuide. According to the OpenGoveGuide, the State is recommended to have policy in support of development of civil society organizations. OGP member countries have already implemented the commitments on creating state concepts regarding the development of civil actors. The main aim of the commitment is to develop and adopt the State Concept regarding the Development of Civil Society Organizations. This commitment consists of two parts: the concept will be formed from 09/2015 to 12/2015. The developed concept will be discussed and adopted by the Parliament of Georgia from 01/2016 to 06/2016.

**4.4. Elaborating the Ethical Code for the Members of the Parliament of Georgia** (the initiator of the commitment is NDI): the Ethical Code of the Parliament of Georgia will be the basic document that will define the behavior of the MPs. The Code should include clear provisions on the appropriate and non-appropriate standards of acting from the side of the members of the Parliament, including to publicize the information connected to the private interest, to present the declarations on property, the usage of the state funds and state benefits and the type of a work MP was performing before and after being a member of the Parliament. Special Committee should be designated to discuss the complaints regarding the violation of the Ethical Code, and at the same time this committee should monitor the activities of the MPs regarding the Code. In the year 2004 Parliament of Georgia enacted the non-obligatory Code of Ethics for MPs but this system proved to be non-effective, and the non-ethical behavior of Georgian MPs remained as a challenge to the Parliament. At the same time, the implementation of the Ethical Code complies with the standards of OGP as the principle of Good Faith will be implemented in the public sphere. The Ethical Code will also support the publishing of the information regarding the financial interests of MPs. The time frame for implementing this commitment starts from 2015 and lasts till September, 2016. In the year of 2015 creating the working group on elaborating the draft version of the Ethical Code is planned. In the year of 2016 the public discussion and empowerment of the Ethical Code is planned.