

Institute for Development of Freedom of Information



Review of Commitments Undertaken by the Government of Georgia in its 2016-2017 Open Government Action Plan

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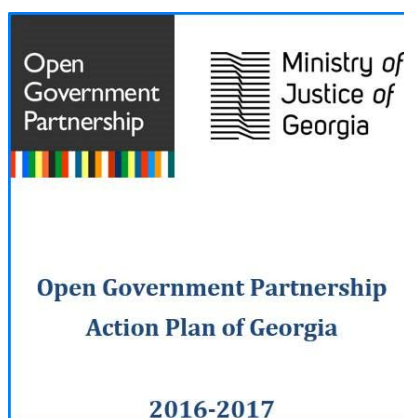
Introduction



On 11th of November, 2016 the Government of Georgia adopted Open Government Partnership's Action Plan of 2016-2017, which was elaborated by the Open Government Georgia's Secretariat (the Analytical Department of the Ministry of Justice of Georgia) in close collaboration with civil society, business sector and international organizations within the framework of the Open Government Georgia's Forum.

The Action plan consists of 24 commitments of 24 responsible agencies. Furthermore, in order to develop the Action Plan, 19 meetings were conducted across the country. These meetings, along with other public consultations, were technically supported by USAID Good Governance Initiative in Georgia, as for the Institute for Development of Freedom of Information (IDFI), within the competence of the Chairman of the Open Government Georgia's Secretariat, the latter was actively involved in planning and organization of consultations related to development of the Action Plan. In order to elaborate the Action Plan, public consultations were held in Borjomi, Batumi, Samtredia and other cities of Georgia. Furthermore, several commitments included in the Action Plan were selected as a result of public consultations. Among them are the commitments of local self-governments regarding the participatory process for budget development, transparency of local self-governing processes and adopting the Public Service Hall to the needs of disabled people.

In order to develop the Action Plan of 2016-2017, the Open Government Georgia's Secretariat was presented with additional recommendations from various non-governmental organizations, including Institute for Development of Freedom of Information (IDFI).



While Speaking of the commitments provided under the third Action Plan, it is noteworthy that the number of agencies responsible for implementation of commitments under the aforementioned Action Plan has increased from 17 to 24. Namely, in accordance with IDFI recommendations, Ministry of Labour, Health and Social Affairs of Georgia, Ministry of Energy of Georgia, Ministry of Economy and Sustainable Development of Georgia, Ministry of Regional Development and Infrastructure of Georgia, Ministry of Corrections and Probation of Georgia, Prosecutor's Office of Georgia and LEPL "Competition Agency" were added to the Open Government Georgia's Secretariat.

As for the structure of the Open Government Partnership's Action Plan of 2016-2017, it consists of five grand challenges, namely:

- **Challenge I:** Improving Public Services;
- **Challenge II:** Increasing Public Integrity;
- **Challenge III:** More effectively Managing Public Resources;
- **Challenge IV:** Creating Safer Communities;
- **Challenge V:** Increasing Corporate Accountability.

Moreover, each of the Challenges combines various commitments:

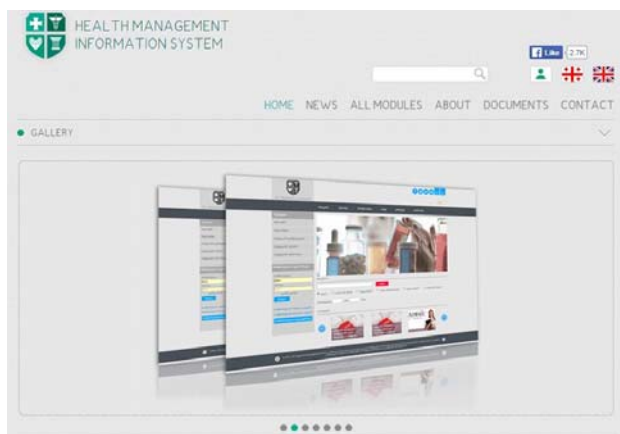
- **Challenge I: Improving Public Services: 6 Commitments** (Including creation of innovation ecosystems, adaptation of the Public Service Hall branches in compliance with the needs of the people with disabilities and other);
- **Challenge II: Increasing Public Integrity: 7 Commitments** (Including establishing unified regulations to publish the court decisions, development of Freedom of Information Law and other);
- **Challenge III: More Effectively Managing Public Resources: 2 Commitments** (Including increasing citizens participation in supervision over public finances (public audit), development of electronic innovations for more transparency of public procurement and other);
- **Challenge IV: Creating Safer Communities: 3 Commitments** (Including adoption of the Code of the Environmental Assessment, introduction of a mobile app as an alternative channel to contacting '112' and other);
- **Challenge V: Increasing Corporate Accountability: 3 Commitments** (Including development of a guidebook for economic agents, presentation of company reports in an electronic form and provision of their accessibility and other).

It is noteworthy that in the Action Plan 2016-2017 the challenges of the local self-governments are presented in the separate chapter. In accordance with the Action Plan, the local self-governments will respond to two grand challenges - Increasing Public Integrity (Challenge II) and More Effectively Managing Public Resources (Challenge III).

Commitments to be fulfilled in the years of 2016-2017

Challenge I: Improving public services

In the framework of the Open Government Georgia's Action Plan of 2016-2017, one of the commitments is **Improvement of Public Services**. This challenge includes adaptation of the Public Service Hall branches in compliance with the needs of the people with disabilities.



In compliance with the Action Plan of 2016-2017, in the hall of the Public Service Hall of Tbilisi a special navigation system will be created for blind people or people with poor eyesight, as for the Public Service Halls of Batumi and Kutaisi, the employees of the aforementioned entities shall be trained in terms of communication skills when interacting with disabled persons. This challenge shall be implemented in December 2017.

Another commitment under the Challenge I

is to **Launch the Unified Healthcare Information Portal (E-Health)**. Implementation of this commitment has already begun and is carried out by the Ministry of Labour, Health and Social Affairs of Georgia. Involvement of the Ministry of Labour, Health and Social Affairs of Georgia in the Action Plan of 2016-2017 is particularly noteworthy, since the mentioned entity did not participate in implementation of the Action Plan of 2015-2016.

As of today, the unified healthcare information portal consists of the information regarding blood bank, bed capacity, medical personnel, medical equipment and other. Since the healthcare information portal is still in the process of developing, some information is not presented in full. As for the information regarding electronic medical record, electronic medical services, birth and death module, such information is still unavailable and is currently in development/planning phase.

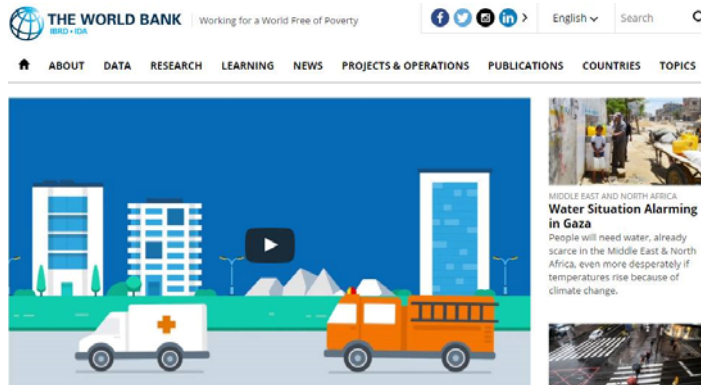
Creation of the portal shall be finished in December 2017.



The Action Plan of 2016-2017 also includes **Introduction of Electronic Licensing System in the Field of Natural Resources Application**. Currently, issuance of licenses for using natural resources (except for oil and natural gas) are only partially digitized by the National Environment Agency and a licensee is only able to

participate in the auction through electronic means.

As a result of creation of electronic licensing system in the field of natural resources application, the National Environment Agency will be able to render services entirely in an electronic manner and the customer will have simplified access to any public information (statistics, online map of resources, guidebook and other) available in the licensing field.



The Open Government Georgia’s Action Plan of 2016-2017 also provides commitment on **Creating Innovation Ecosystem**, which derives from the research prepared by the World Bank. The entity responsible for implementation of the aforementioned commitment is Georgia’s Innovation and Technology Agency and for this purposes 13 innovation centers and

2 techno-parks shall be opened by the end of 2017.

In the Open Government Georgia’s Action Plan of 2016-2016 special attention is given to **Increasing of Public Integrity**. Within the framework of the First Action Plan of Georgia (2012-2013), Decree of the Government of Georgia “About the Form of the Electronic Request of Information and Proactive Disclosure of Public Information” was adopted. Through this reform, Georgia Became one of seven finalist countries at the “Bright Spots” competition held by the OGP Global Summit in London.

Challenge II: Increasing public integrity

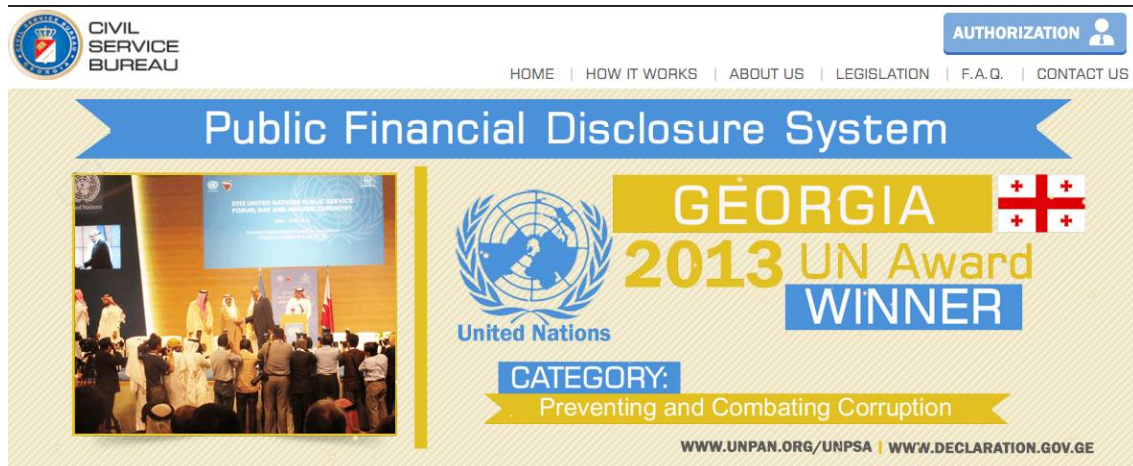


As of the Action Plan of 2016-2017, in its framework **Development of the Freedom of Information Law** is planned. For this purpose a special working group comprised of representatives from the Ministry of Justice, Anti-Corruption Council and non-governmental organizations, such as Institute for Development of Freedom of Information (IDFI) and Open Society Georgia Foundation was created. The draft law shall be presented to the Government and the Parliament of Georgia in December 2017. It should be noted that development of the Freedom of Information Law was initially defined by the Action Plan of 2015-2016, however, for unknown reasons, this commitment was not fulfilled. Therefore, its placement in the Action Plan of 2016-2017

gives us a hope that this time the commitment will be finally fulfilled.

Another commitment provided by the Action Plan of 2016-2017 is **Development of a monitoring and assessment system of the Government Policy and Legislative Acts**. By means of the system it will be possible to identify challenges regarding the implementation of the commitments taken by the Government in a timely manner and this will make the policy management process more efficient.

In compliance with the *Law of Georgia on Conflict of Interest and Corruption in Public Services*, starting from 2017, the Civil Service Bureau will conduct monitoring of the asset declarations of public officials. The aforementioned derives from the commitment of **Introduction of the Public Officials Asset Declarations Monitoring System**.



Monitoring shall be conducted annually by an independent committee based on obvious and objective criteria, also for the declarations randomly selected by the electronic system. This commitment aims to improve accountability of public officials and prevent corruptive offenses.

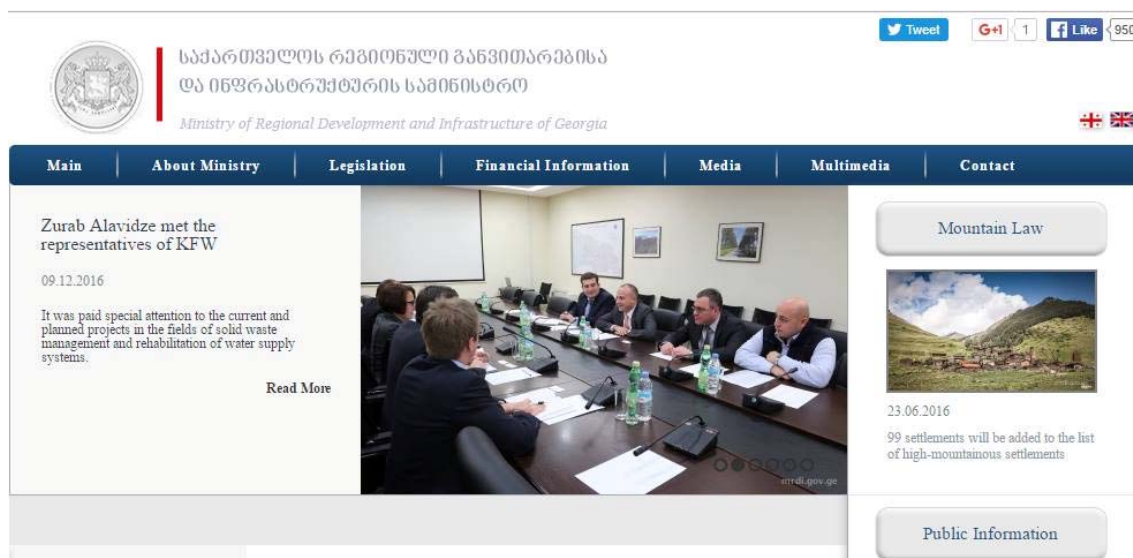
The Action Plan also provides commitment of **Establishing Unified Regulations to Publish Court Decisions**. This commitment aims to improve transparency, accountability and efficiency of the court system. In order to implement the aforementioned commitment, a special working group was

created. This working group is in charge of developing a project aiming to define key directions and principles in publishing court decisions through unified system. Implementation of the unified system shall be finished by December 2017.

In case of fulfillment of the commitments defined by the Action Plan of 2016-2017, **Transparency and Integrity Strategy and Action Plan in the Field of Regional Development and Infrastructure** will be developed by March 2017. Taking into account that the Ministry of Regional Development and Infrastructure of Georgia annually disposes huge amounts of budget funds, the aforementioned commitment is of huge importance in terms of corruption prevention and transparency and integrity standards improvement. In the strategy document the standards of transparency and integrity will be elaborated for the Ministry of Infrastructure and the entities under its system or management. In order to introduce these standards, an Action Plan will be developed. Furthermore, it is noteworthy that inclusion of the Ministry of Regional Development and Infrastructure in the Open Government Partnership Action Plan of 2016-2017 was recommended by the Institute for Development of Freedom of Information (IDFI).

Another recommendation from the Institute for Development of Freedom of Information (IDFI) was to include the Ministry of Corrections and Probations of Georgia in the Action Plan of 2016-2017. Within the framework of the Action Plan, the aforementioned Ministry commits to **Improve the Database of the Convicted and Transfer the Penitentiary Department Entirely onto the Electronic Workflow Management**. The existing database includes a large number of information, but cannot provide adequate processing/sorting of the data. Furthermore, complete data regarding the convicted is not outlined in the database. Therefore, this database does not meet modern standards. Improvement of the database of the convicted and transfer of the Penitentiary Department entirely onto the electronic workflow management is planned by December 2017.

While discussing increasing of public integrity, it is noteworthy that the local self-governments are also included in implementation of the commitments defined by the Open Government Partnership Action Plan of 2016-2017.



In the framework of the Action Plan, Zugdidi Municipality Assembly commits to **introduce an electronic petition portal and “Zugdidi-INFO” on the webpage of Zugdidi Municipality Assembly (www.zugdidi.gov.ge)**. By means of webpage www.zugdidi.gov.ge, citizens concerned with various issues will have the opportunity to easily submit petitions in electronic form about their needs and

interests to the municipalities. Moreover, the given Action Plan includes commitment on **Transparency of Ozurgeti Municipality Assembly Meetings**.



Within the framework of the aforementioned commitment, Ozurgeti Municipality Assembly shall ensure direct transmission of assembly meetings and uploading of their complete video recordings on the Ozurgeti Municipality webpage. The Assembly Meetings shall be directly transmitted on the webpage of Ozurgeti Municipality: http://ozurgeti.org.ge/?page_id=8925, as well as on <https://livestream.com>.

The complete video recordings of the Assembly meetings shall be posted on the official webpage of the Municipality: http://ozurgeti.org.ge/?page_id=7693.



It is also of great importance that the Action Plan of 2016-2017 includes a commitment on **Creation of Electronic Mechanism for Local Budget Planning in Kutaisi, Ozurgeti, Batumi and Akhaltsikhe**. In the framework of the third Action Plan, the aforementioned commitment provides that the four identified cities will ensure creation of an electronic mechanism “Plan City Budget” and add it to the Municipality webpage. Furthermore, in regard to the local budget, a citizen’s guidebook will be developed.



Challenge III: More effectively managing public resources

For better managing of public resources, the OGP 2016-2017 Action Plan includes a commitment to enhance citizen participation in the supervision process of public finances (public audit) that will build their trust in the State Audit Office. By means of implementing this obligation, the innovative ICT web platform mechanism will be introduced for citizens to receive complete information about the state budget, public finance management, audit findings, given recommendations and the status of its implementation. Various methods of visualization will be applied to make information easily perceivable on the web-platform.

It is worth mentioning that as per the action plan the transparent public procurement process and increasing the level of accountability, elimination of geographic barriers and rising competitiveness in this process is a permanent priority of the Government of Georgia.



This commitment consists of **three components**. As per the **first component**, the specific information on tender process and/or on procurement objects should be aggregated in one space to make it easily accessible.

The **second component** is on the aggregation of data on annual plans of public procurement. As a result of this initiative, public procurement will be carried out in compliance with pre-defined annual procurement plans, registered in the unified electronic system of public procurement – e-Plan module by contracting authority. The planned changes in the electronic module will allow the customer to obtain detailed information on the annual procurement of each procuring organization, and consolidate information on the planned public procurement according to the regions and price.

The **third component** is on creating E-catalogue on the procurement objects and economic operators (e-Marker). This innovation will allow the agencies to plan procurement more efficiently and obtain information on the market prices, economic operators, and conditions in a short period of time at the public procurement preparation stage.



Challenge IV – Creating safer communities

The 2016-2017 Action Plan includes a commitment of the Ministry of Environment Protection to **adopt the environmental assessment code** that will envisage the requirements of the convention “on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters” (hereafter, Aarhus Convention) in the environmental protection issues and will ensure public participation in the decision-making process in relation with effects on the environment.

The Action Plan also includes a commitment to **introduce a mobile app as an alternative channel to contacting 112**. The mobile app will make it easier for citizens to contact 112 and will also reduce the time of emergency response by making the exact location of the caller easier to identify.



Finally, the Action Plan includes a commitment to **develop local councils for crime prevention**. Starting from 2016, the Prosecutor’s Office of Georgia launched the project “Local Council”, the goal of which is to coordinate the crime prevention measures between relevant agencies and initiate new measures. At the current stage, crime prevention is a prerogative of a number of government agencies. Enhancing coordination between them is essential to avoid implementation of duplicate prevention measures by various agencies. Local councils are supposed to serve just this purpose.

Challenge V – Increasing corporate accountability



In terms of increasing corporate accountability, the 2016-2017 Action Plan includes a commitment of **presenting company reports in an electronic form and ensuring their accessibility**.

This commitment envisions the creation of an electronic platform for company reports. Such a platform will allow the Georgian National Energy and Water Supply Regulatory Commission to: create a trustworthy database, conduct a multi-sided analysis of the information obtained, keep an

eye on the dynamics of the enterprise indicators, monitor fulfillment of licensing conditions and in the shortest possible time to provide stakeholders with systematized information. Introduction of the electronic report system will assist companies and facilitate efficient application of the Commission administrative resources and information accessibility.



It is noteworthy that including the Georgian National Energy and Water Supply Regulatory Commission in the Action Plan and increasing the transparency of companies regulated by it was the recommendation of the Institute for Development of Freedom of Information (IDFI).

Open Government Georgia's Action Plan 2016-2017 includes the following commitments:

Challenge		Commitment	Lead Agency	Date of Implementation
1	Challenge Improving Public Services I:	Adapting the Public Service Hall to the needs of the people with disabilities	LEPL - Public Service Hall, Ministry of Justice of Georgia	2016-2017
2	Challenge Improving Public Services I:	Launch of the unified healthcare system information portal	Ministry of Labour, Health and Social Affairs of Georgia	2016-2017
3	Challenge Improving Public Services I:	Introduction of electronic licensing system in the field of natural resources application	LEPL – National Environment Agency, Ministry of Environment and Natural Resources Protection of Georgia	2016-2017
4	Challenge Improving Public Services I:	Creation of spatial (Geographic) data web-portal for the energy sector	Ministry of Energy of Georgia	2016-2017

5	Challenge I: Improving Public Services	Creation of innovation ecosystem	LELP- Innovation and Technology Agency, Ministry of Economy and Sustainable Development of Georgia	2016-2017
6	Challenge I: Improving Public Services	Electronic portal for registering and disposal of State Property – Customer’s Module	LELP – National Agency of State Property, Ministry of Economy and Sustainable Development of Georgia	2016-2017
7	Challenge II: Increasing Public Integrity	Development of the Freedom of Information Law	Ministry of Justice of Georgia; Anti-Corruption Council	2016-2017
8	Challenge II: Increasing Public Integrity	Development of a monitoring and assessment system of the Government policy and legislative acts	Administration of the Government of Georgia	2016-2017
9	Challenge II: Increasing Public Integrity	Introduction of the public officials’ asset declarations monitoring system	LEPL –Civil Service Bureau	2016-2017
10	Challenge II: Increasing Public Integrity	Establishing unified regulations to publish court decisions	Supreme Court of Georgia	2016-2017
11	Challenge II: Increasing Public Integrity	Development of transparency and integrity strategy and action plan in the field of regional development and infrastructure	Ministry of Regional Development and Infrastructure of Georgia	2016-2017
12	Challenge II: Increasing Public Integrity	Improvement of the database of the convicted and transfer of the penitentiary department entirely onto the electronic workflow management	Ministry of Corrections of Georgia	2016-2017
13	Challenge II: Increasing Public Integrity	Publication of phone tapping data according to the nature of the crime and geographic area	Supreme Court of Georgia	2016-2017
14	Challenge III: More Effectively Management of Public Resources	Increasing citizen participation in supervision of public finances (Public Audit)	State Audit Office	2016-2017
15	Challenge III: More Effectively Management of Public Resources	Electronic innovations for more transparency and efficiency of Public Procurement	LELP - State Procurement Agency	2016-2017
16	Challenge IV: Creating Safer Communities	Adoption of the Environmental Assessment Code	Ministry of Environment and Natural Resources Protection of Georgia	2016-2017

17	Challenge IV: Creating Safer Communities	Introduction of a mobile app as an alternative channel to connect to “112”	LELP - „112“ Ministry of Internal Affairs of Georgia	2016-2017
18	Challenge IV: Creating Safer Communities	Development of local councils for crime prevention	Prosecutor’s Office of Georgia	2016-2017
19	Challenge V: Increasing Corporate Accountability	Development of a Guidebook for Economic Agents	LELP–Competition Agency	2016-2017
20	Challenge V: Increasing Corporate Accountability	Development and introduction of the quality control program of commercial service	Georgian National Energy and Water Supply Regulatory Commission	2016-2017
21	Challenge V: Increasing Corporate Accountability	Presentation of company reports in an electronic form and provision of their accessibility	Georgian National Energy and Water Supply Regulatory Commission	2016-2017
22	Challenge II: Improving Integrity in Public Sector	Introduction of an electronic petition portal and “Zugdidi-INFO” on the webpage of Zugdidi Municipality Assembly	Zugdidi Municipality Assembly	2016-2017
23	Challenge II: Improving Integrity in Public Sector	Transparency of Ozurgeti Municipality Assembly meetings	Ozurgeti Municipality Assembly	2016-2017
24	Challenge III: More Effectively Managing Public Resources	Creation of Electronic Mechanism for Local Budget Planning in Kutaisi, Ozurgeti, Batumi and Akhaltsikhe	Kutaisi Municipality Town Hall; Ozurgeti Municipality Assembly; Batumi Municipality Town Hall; Akhaltsikhe Municipality Town Hall;	2016-2017

Georgia became member of the OGP Steering Committee in August 2013. On May 4, 2016, the country was elected as the co-chair of the Open Government Partnership (OGP). The decision was made in Cape Town, South Africa, at the Steering Committee meeting by the majority of votes - from 22 members 18 voted in favor of Georgia. Other candidate countries were Croatia and Romania.

Currently, the Steering Committee is headed by France and co-chaired by Georgia. In a year’s time when France completes its term as the chair country, Georgia will be appointed as head of the OGP Steering Committee.

The Steering Committee is the governing body of the Open Government Partnership. The Committee monitors the fulfillment of commitments by member countries at the international level.

The Steering Committee is composed of government and civil society representatives. The Committee conducts its activities through subcommittees.

The fact that Georgia was elected as co-chair of OGP for a 2 year term, which includes serving as the OGP chair country for a period of one year starting October 1, 2017, means that Georgia must fulfill all of its commitments and serve as an example for other member states.