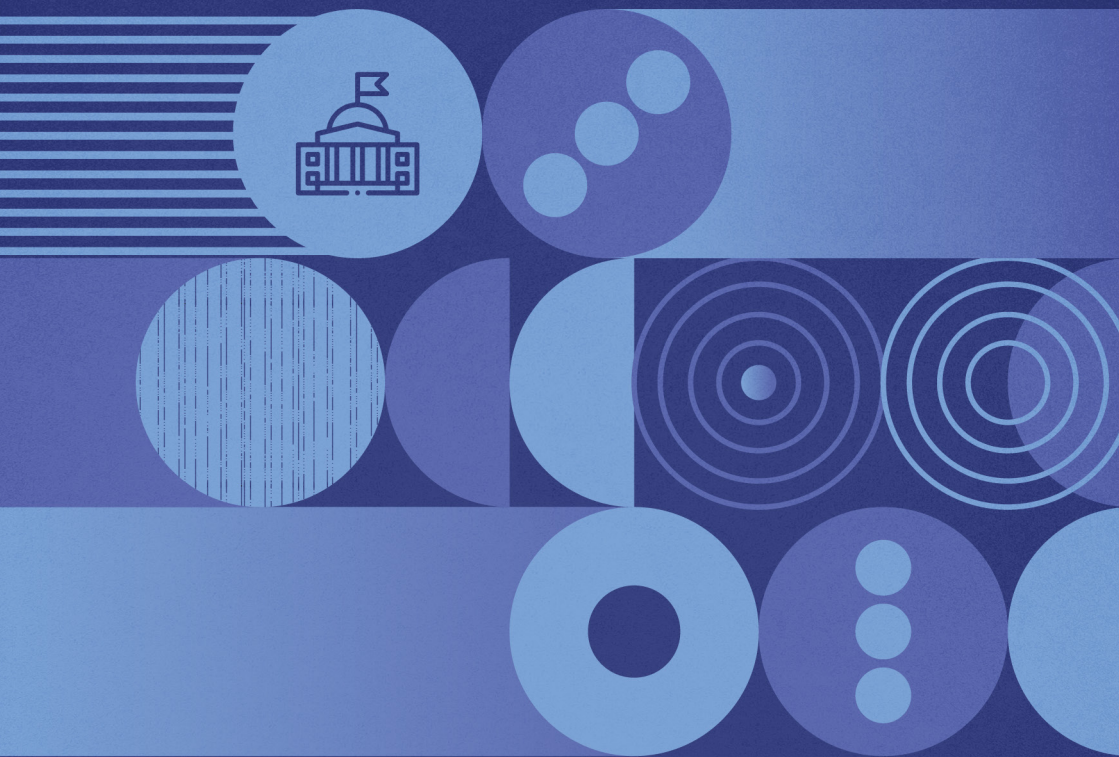


INTERIM ALTERNATIVE MONITORING REPORT ON THE IMPLEMENTATION OF THE PUBLIC ADMINISTRATION REFORM (PAR) ACTION PLAN FOR 2019-2020



Direction 1: Policy Planning and Coordination

Second half of 2020

2021 Year



ევროკავშირი
საქართველოსთვის
The European Union for Georgia



GEORGIAN
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INTERIM ALTERNATIVE MONITORING REPORT ON THE IMPLEMENTATION OF THE PUBLIC ADMINISTRATION REFORM (PAR) ACTION PLAN FOR 2019-2020

SECOND HALF OF 2020

Direction 1: Policy Planning and Coordination

The document was prepared by the Georgian Young Lawyers' Association (GYLA) supported by the European Union (EU). The Georgian Young Lawyers' Association is fully responsible for the content of the document. The content may not reflect the opinion of the European Union.

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1. INTRODUCTION

In the Association Agreement between Georgia and the European Union, the Government of Georgia recognizes the need for a number of reforms, including good governance, public service, public administration, the fight against corruption, and more.¹ The Public Administration Reform launched in 2015 is based on the Association Agreement. The Government approved a Public Administration Reform Roadmap and a Policy Planning System Reform Strategy.² With these documents, the Government expressed the readiness to fulfil the obligations.

The Government of Georgia, once in every two years elaborates and approves the Action Plan. In 2019, the third action plan was prepared, which includes 6 directions: policy planning and coordination, civil service and human resource management, accountability, public service delivery, public finance management and local self-government. The present document addresses the first direction of the reform - Policy Planning and Coordination.

The Reform has played an important role in shaping result-oriented and evidence-based policies. During this period, the Government approved first policy-planning guide. However, due to its general nature, it was replaced by new methodological and regulatory documents that have reflected in more detail and clarity all stages of the policy cycle. Amendments were made to the Law on Normative Acts and it became mandatory to assess the regulatory impact on draft laws.

Despite the achievements, the reform faced significant challenges. Until 2019, its implementation was not monitored, the Government did not publish reports, and civil society was not involved not only in the evaluation of the results, but also in the process of the action plan elaboration. Only a brief monitoring results prepared for the EU Mission were presented to the Public Administration Reform Council.

After the civil society involved in monitoring of the Public Administration Reform, new challenges have been identified in relation to the content of the action plan objectives, indicators' compliance with the S.M.A.R.T. criteria, non-compliance with the deadlines on the implementation stage and other procedural issues.³ The main challenge in the Policy Planning and Coordination direction revealed through the assessment of 2019

¹ Article 4, Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part; ('Association Agreement between Georgia and the European Union').

² Decree of the Government of Georgia #427 (August 19, 2015) on Approval of the Public Administration Strategic Documents – "Public Administration Reform Roadmap 2020 of Georgia" and "Policy Planning System Reform Strategy 2015-2017".

³ Interim Alternative Monitoring Report on the Implementation of the Public Administration Reform Action Plan for 2019-2020, Georgian Young Lawyers Association (GYLA) and the Institute for Development of Freedom of Information (IDFI), 2020, available at: <https://bit.ly/3yFbIgx>, last update: 28.05.2021.

and the first half of 2020 was meeting deadlines of activity implementation making it impossible to achieve the objectives within the set timeframe; objective performance is still low - before the last 2 quarters of the 2-year action plan, 3 out of 4 objectives were still unimplemented and 1 was partly implemented; despite the improved wording of the indicators, the lack of specificity and measurability of the indicators was still observed; cases of content duplication were revealed not only in relation to objectives under other strategy but also in relation to activities; Lack of access to information and evidence from public institutions and responsible agencies was identified as a significant challenge.



2. METHODOLOGY

The purpose of this document is to monitor the implementation of the Public Administration Reform Action Plan for 2019-2020 and to evaluate the policies pursued. The report analyses the state of implementation of each activity planned for the second 6 months of 2020, based on the indicators set out in the Action Plan.

The monitoring results provide a measurement of the performance of the objectives set out in the Action Plan and the activities planned for their implementation during the second 6 months of 2020, based on quantitative and qualitative criteria. In addition, the report also provides the results of monitoring the activities that during the 2019 and 2020 monitoring had the status: mostly implemented, partly implemented or unimplemented.

Quantitative and/or qualitative indicators are used to assess the objectives and activities outlined in the Action Plan.

Implementation of the objectives and activities were given one of four statuses:

- 1. FULLY IMPLEMENTED** – an activity/objective is fully or almost fully implemented and only a minor part of it has not been completed;
- 2. MOSTLY IMPLEMENTED** – a major part of an activity/objective was implemented, while part of it has not been completed;
- 3. PARTLY IMPLEMENTED** – a part of an objective/activity was implemented while a major part remains incomplete;
- 4. UNIMPLEMENTED** – an objective/activity was not implemented at all or a minor part is implemented and it is impossible to observe progress.

The monitoring reporting period is the second 6 months of 2020 (from July 1 including December 31). Accordingly, the part of the reform that was planned to be implemented during the third and fourth quarters of 2020 was assessed.

The monitoring assessment was mainly based on an analysis of legislation, international standards and analysis of Public Administration Reform commitments through various tools. Legislative and other normative materials were analyzed during the monitoring. In addition, the monitoring team examined the international standards and commitments that Georgia has made in the area of public administration.

Monitoring was based on the following main sources:

- ▶ Public information

Statements requesting public information (Fol Requests) were sent to the responsible agencies, the Ministry of Justice and Administration of the Government of Georgia.

The document also is based on information from open sources, websites and reports from the government agencies.

▶ Group interviews and workshops

The monitoring methodology included group interviews and workshops. Due to the situation caused by the COVID-19 pandemic in the country, it was conducted online. 1 interview with the Government Administration was conducted during the reporting period.⁴

⁴ Giorgi Bobghiashvili - Head of Policy Planning Division of the Policy Planning and Coordination Department of the Administration of the Government of Georgia.



3. MAIN FINDINGS

The monitoring revealed several significant findings:

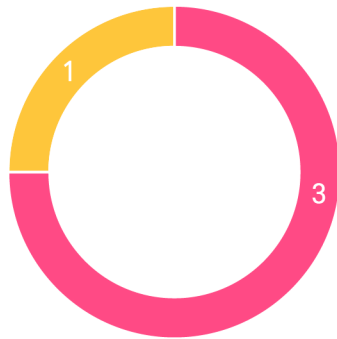
- During the reporting period:
 - ▶ Out of the 4 objectives envisaged in the Policy Planning and Coordination direction 1 objective is mostly implemented and 3 are unimplemented;
 - ▶ Out of 9 activities envisaged for the III-IV quarters of 2020, 2 are fully implemented, 1 is mostly implemented, 2 are partly implemented and 4 are unimplemented.
- The main problem in the direction of Policy Planning and Coordination identified within the Second Alternative Report on implementation of the Action Plan is delays in the activities' implementation, which ultimately lead to delays in achieving or not achieving the objectives at all;
- Similar to the previous monitoring, an important challenge is the receipt of comprehensive information from the responsible agencies, as well as the inability to verify this information in open sources;
- The monitoring revealed the wrong direction of the risks and its formal nature. In some cases, the risks were not described at all;
- The implementation of the Action Plan is, in fact, finalized, although its goal has not even partially been achieved.



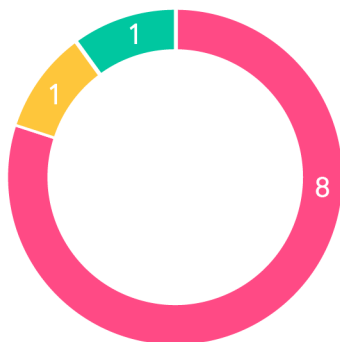
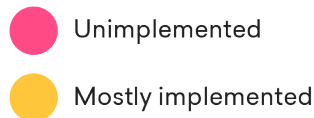
4. OBJECTIVE AND ACTIVITY IMPLEMENTATION MONITORING

The aim of the first direction of the Action Plan is to improve the field of public policy (from policy planning to outcome evaluation). The Action Plan in this direction includes 4 objectives and 17 activities. The deadline for implementation is from the 3rd quarter of 2019 to the end of 2020. This report evaluates the achievement of 4 objectives and 10 outcome indicators, as well as the achievement of 9 activities and 16 output indicators.

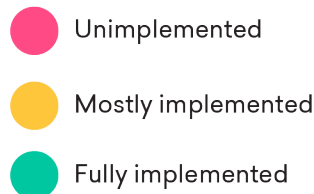
During the monitoring period, out of the four objectives of the Policy Planning and Coordination direction of the Action Plan one was mostly implemented and three were unimplemented. Out of 10 outcome indicators, 1 is fully implemented, 1 is mostly implemented and 8 are unimplemented.



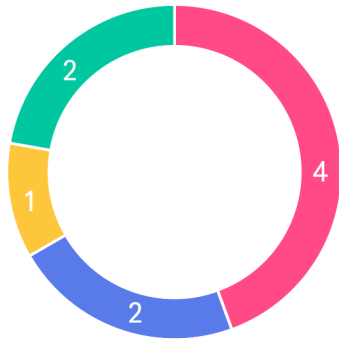
OBJECTIVE IMPLEMENTATION RESULTS



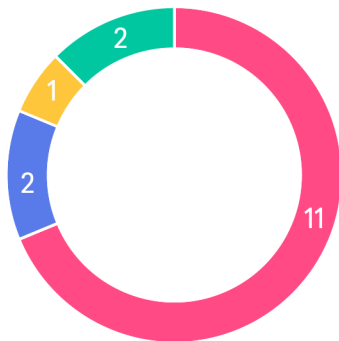
OUTCOME INDICATORS



Out of nine activities of the Policy Planning and Coordination direction of the Action Plan envisaged for the reporting period, 2 were fully implemented, 1 is mostly implemented and two are partly implemented, while four are unimplemented. Out of 16 output indicators, 2 are fully implemented, 1 is mostly implemented, 2 are partly implemented and 11 are unimplemented.



ACTIVITY IMPLEMENTATION RESULTS



OUTPUT INDICATORS



OBJECTIVE 1.1: IMPROVE THE QUALITY ASSURANCE CONTROL MECHANISM OF POLICY DOCUMENTS AND DEVELOP THE CAPACITY OF THE CIVIL SERVANTS INTENDING TO PERFECT THE SYSTEM OF POLICY PLANNING AND COORDINATION

The objective implies improvement of the quality assurance control mechanism of policy documents. Its goal is capacity building of civil servants so that each stage of the policy cycle is fully introduced. The two indicators evidencing the result evaluate the implementation of the objective qualitatively, presented as shares.

Outcome indicator(s):

1. Share of the policy documents submitted to the Government that meet the requirements of updated Policy Planning, Monitoring and Evaluation Handbook

Baseline 2018: N/A

Target 2020: 51%

2. Share of the trained civil servants in Public Policy Analysis Trainings who have been awarded with the "completed with distinction" (the highest) certificate

Baseline 2018: N/A

Target 2020: 51%

Objective implementation status: mostly implemented

According to the first Indicator, 51% of policy documents submitted to the Government for approval by the end of 2020 should meet the standards of the Handbook. It was approved by the Government in 2016, was updated at the end of 2019 and was enforced on January 1, 2020.⁵ Accordingly, all policy documents submitted to the Cabinet for approval shall be in compliance with it. In addition, according to the guidelines, the government prepares an annual plan of policy documents to be submitted to it (adopted by a legal act), after which the relevant agencies submit these documents to the Cabinet for approval.⁶ It is noteworthy that the Government approved the plan of policy documents for 2020 in the 4th quarter of the same year, on November 19.⁷ According to the procedure, the policy documents had to be initiated in the government

⁵ Decree of the Government of Georgia #629 (December 20, 2019) on Approval of the Rules of Policy Planning, Monitoring and Evaluation.

⁶ The Rules of Policy Planning, Monitoring and Evaluation, Article 6.

⁷ Ordinance of the Government of Georgia #2275 (November 19, 2020) on Approval of the Policy Document Annual Plan 2020 of the Administration of the Government of Georgia, available at: <https://bit.ly/3yjW4Zl>, last update: 28.05.2021.

right after the approval of this plan.⁸ However, due to delays in approving the plan, 15 policy documents were submitted to the Cabinet by November, of which, according to the Government Administration, 8 (53.3%) met the established requirements.⁹ Although the procedure for submitting policy documents was not followed in 2020 (their submission plan was approved at the end of the year), the index (51%) given in the indicator has been achieved. It is also important to note that the government shall approve the plan at the end of the previous year so that the ministries can follow this plan from the beginning of the year. This will make the evidence-based measurement of the indicator possible quantitatively.

Considering the abovementioned the status of outcome indicator is: **fully implemented.**

According to the second outcome indicator, the result will be achieved if at the end of 2020 51% of civil servants will complete a training course with a certificate of excellence. Courses are divided into phases and training is conducted in stages.¹⁰ As provided in the first and second Alternative Monitoring Reports, the monitoring team considers only the data of the second phase during the evaluation, as only the second phase refers to the updated regulatory and methodological documents.¹¹ At the end of 2019, 45 officials were trained in the first group (November-December 2019) under the second phase, of which, according to the Government Administration, 16 received certificates of excellence. In the second group (February-March 2020) 52 officers were trained, 11 of whom received certificates of excellence.¹² No other trainings were organized according to the letter of the government.¹³ In total, 97 servants were trained and 27 received the certificate. Consequently, the final target of the indicator is not reached at this stage. Respectively, **this component should be considered mostly implemented.** It should also be noted that trainings shall be provided after development of the respective methodology.

Finally, at this point the objective is **mostly implemented.**

⁸ The Rules of Policy Planning, Monitoring and Evaluation, Article 7, paragraph 1.

⁹ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

¹⁰ Letter #GOV 3 20 00003949 of February 3, 2020 of the Administration of the Government of Georgia.

¹¹ Interim Alternative Monitoring Report on the Implementation of the Public Administration Reform Action Plan for 2019-2020, Direction: Policy Planning and Coordination, 2020, pp. 19-20.

¹² Letter #GOV 0 20 00030009 of July 24, 2020 of the Administration of the Government of Georgia.

¹³ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

Activity 1.1.1: Elaborate, deliberate, approve and print the package of the Regulatory and Methodological amendments of the Policy Planning, Monitoring and Evaluation

Output indicator:

1. "Rule on Elaboration, Monitoring and Evaluation of the Policy Documents" is developed and approved by the decree of the Government
2. Handbook on the Elaboration, Monitoring and Evaluation of the Policy Documents is developed, discussed in the working group and approved by the decree of the government
3. Annexes of the Handbook on Policy Planning, Monitoring and Evaluation are elaborated - Instructions/samples:
 - On the conduct of the Situation Analysis;
 - On the development of the Goals and Objectives and Logical Framework;
 - On the elaboration of the Output Indicators and Indicators' Passport;
 - On the development of Action Plan;
 - Tools for Costing of Action Plan;
 - Instruction for the Quality Assurance;
 - Glossary;
 - Instruction for Conducting Public Consultations.

The full Handbook is printed.

Activity implementation status: fully implemented

The first activity of the first objective has 3 output indicators and evaluates the implementation of the activity qualitatively.

The performance of the first two indicators in the 2019 alternative monitoring report was considered to be fully implemented.¹⁴ Accordingly, its discussion is no longer presented in this report.

The third output indicator of the activity determines the minimum list of the Handbook annexes/instructions. One of such documents is "Instruction for Conducting Public Consultations". As during the Alternative Monitoring Reports for 2019 and the first six months of 2020, it has not been approved at this stage either. Despite the above-mentioned, the Action Plan requirement is met in terms of elaboration, due to which this part of **the third indicator should be considered "fully implemented". The activity is fully implemented too.**

¹⁴ Interim Alternative Monitoring Report on the Implementation of the Public Administration Reform Action Plan for 2019-2020, Direction: Policy Planning and Coordination, 2020, p. 20.

Activity 1.1.6: Elaboration of the Annual Plan of the Government Policy Documents

Output indicator:

The Annual Plan is approved by the decree of the Government

Activity implementation status: fully implemented

Approval of the Government policy document annual plan became mandatory by a Government Decree. According to the rule, a maximum of 50 working days are required to develop this plan, calculated from the beginning of the year.¹⁵ Considering this the Government was to approve the plan in the first quarter of 2020; however, it was approved late, in November 2020 by an ordinance instead of a decree.¹⁶

The ordinance is not available either on the Legislative Herald of Georgia or on the Government Administration website in the Legal Acts field. The monitoring team was able to find the ordinance only on the website of the Government Commission on Migration. It is important that the government maximizes the publicity and accessibility of all documents adopted in the framework of Public Administration Reform, especially legal acts.

Despite the partial violation of the procedure, in the end this activity is **fully implemented**.

Activity 1.1.7: Coordinate elaboration of the Standard Operating Procedures (SOP) on policy planning and coordination of the ministries in compliance with the decree of the Government

Output indicator:

SOP on policy development and coordination is developed by all ministries and approved by the Ministerial order.

Activity implementation status: partly implemented

Standard Operating Procedures (SOPs) is a document that provides detailed instructions for the process, and describes each step of the work to be performed. This document minimizes the risk of misconduct. In addition, it is fast and convenient to es-

¹⁵ The Rules of Policy Planning, Monitoring and Evaluation, Article 6.

¹⁶ Ordinance of the Government of Georgia #2275 (November 19, 2020) on Approval of the Policy Document Annual Plan 2020 of the Administration of the Government of Georgia.

establish an efficient workflow. According to the plan, the ministries were to develop the SOP document in the fourth quarter of 2020. According to the government, an expert selection process to assist the ministries in drafting such a document is underway.¹⁷ Respectively, this activity is **partly implemented**.

OBJECTIVE 1.2: IMPROVE THE QUALITY OF POLICY IMPLEMENTATION MONITORING, REPORTING AND EVALUATION IN ORDER TO ENSURE RESULT-BASED MANAGEMENT AND INCREASED PUBLIC ACCESSIBILITY

The lack of reporting was a significant shortcoming at the final stage of policy document development. The policy makers and actors responsible for the policy document implementation were not result-oriented due to that. Their actions were chaotic. This objective is aimed at the emergence and establishment of accountability. It serves to involve the public in policy-making and to systematize processes.

Three outcome indicators evaluate the implementation quantitatively and qualitatively.

Outcome indicator(s):

1. Share of annual monitoring reports on implementation of strategies approved by the government that comply with the requirements of updated Policy Planning, Monitoring and Evaluation Handbook

Baseline 2018: N/A

Target 2020: 51%

2. Share of mid-term or final evaluation reports on implementation of strategies approved by the government that comply with the requirements of updated Policy Planning, Monitoring and Evaluation Handbook

Baseline 2018: N/A

Target 2020: 51%

3. Share of annual monitoring reports on implementation of strategies approved by the government that are published on the website of the responsible agency

Baseline 2018: N/A

Target 2020: 90%

Objective implementation status: unimplemented

¹⁷ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

The aim of the objective is to increase the quality of policy document implementation monitoring and evaluation. Verification of the first and second indicators requires the existence of relevant guidelines. The latter was approved in December 2019 and came into force in January.¹⁸ Accordingly, the objective is directed to the policy documents adopted after the approval of this guideline. According to the Government Administration, 8 policy documents have been approved, the annual monitoring of which will be started and then the implementation report will be published in the first quarter of 2021.¹⁹ This time is not enough to publish the evaluation documents. In fact, 3 of the 8 policy documents mentioned are approved after the enactment of the methodological guide, and the rest are amendments to previously adopted plans/strategies.²⁰ Only one of the three documents has an annual monitoring report.²¹ Consequently, **all three output indicators are unimplemented** based on these data.

Activity 1.2.3: Develop a Unified E-System for elaboration, monitoring, reporting and evaluation of policy documents

Output indicator:

1. A document describing business processes of the e-system is developed in accordance with agreed concept
2. E-system (platform) is developed and operates on the bases of the final document describing business processes
3. E-system operates properly and technical support is sustained
4. E-system allows citizens to give their opinion on policy documents that are in the process of elaboration

Activity implementation status: partly implemented

The 1st output indicator was considered fully implemented in the monitoring report for the first 6 months of 2020.²²

The deadline for the implementation of the second output indicator is defined in the

¹⁸ Decree of the Government of Georgia #629 (December 20, 2019) on Approval of the Rules of Policy Planning, Monitoring and Evaluation.

¹⁹ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia

²⁰ Interview with a representative of the Administration of the Government of Georgia.

²¹ Monitoring Report 2020 of the Action Plan for Improving the Quality of Ambient Air in Rustavi 2020-2022; available at: <https://mepa.gov.ge/Ge/Reports>, last update: 11.06.2021.

²² Interim Alternative Monitoring Report on the Implementation of the Public Administration Reform Action Plan for 2019-2020, 2020.

Action Plan for the first quarter of 2020 and implies the development and operation of an e-system. However, according to the Government Administration, due to the situation created by the Coronavirus pandemic, the LEPL - Digital Governance Agency (responsible for the development of this system) fully directed human resources to develop e-services in the country, due to which the e-system could not be launched within the timeframe set by the Action Plan; According to them, the implementation of the first stage will start at the end of the first quarter of 2021.²³ Accordingly, this activity is considered **partly implemented**.

The deadline for the other two activities is the IV quarter of 2020. However, since these activities are directly related to the launch of the system, their status is unimplemented.

The activity is considered **partly implemented** for the reporting period because a large part of its indicators has not yet been performed.

Activity 1.2.4: Training for e-system users

Output indicator:

1. Trainings are conducted and 100 civil servants (users) are trained

Activity implementation status: unimplemented

As the unified electronic system does not function at this stage of monitoring, neither have public officials been trained. **Respectively, the activity implementation status is unimplemented.**

²³ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

OBJECTIVE 1.3: DEVELOP A PRACTICE OF ELABORATING POLICY DOCUMENTS ELECTRONICALLY IN ORDER TO ENHANCE THE TRANSPARENCY OF ANTI-CORRUPTION POLICY ELABORATION AND EFFECTIVENESS OF INTER-AGENCY COORDINATION

The aim of the objective is to increase the transparency and coordination of the anti-corruption policy development process. According to the objective, policy documents should be prepared through an electronic platform. This will help to increase citizen participation, quality of documents and publicity.

The objective has four indicators, which evaluate it qualitatively.

Outcome indicator(s):

1. Timeline for Policy elaboration, monitoring and evaluation

Baseline 2018: 4 months / 2 months

Target 2020: 3 months / 1 months

2. Share of representatives of the Anti-corruption Inter-agency Coordination Council member agencies who have completed the training "with distinction"

Baseline 2018: 0%

Target 2020: 70%

3. Increased engagement of the Council member NGOs and international organizations

Baseline 2018: up to 30 comments

Target 2020: At least 50 activities of the Action Plan have written remarks from council member civil society and international organizations

4. Share of the strategic documents and monitoring reports that are filled out flawlessly

Baseline 2018: 0%

Target 2020: 70% of the first drafts

Objective implementation status: unimplemented

The basis for achieving the objective is the development of an electronic portal by the Anti-Corruption Council, however, since the mechanism has not been developed by the Council similar to the previous two alternative reports,²⁴ **this objective is unimplemented.**

It is noteworthy that the Government Administration has started development of a similar platform, a unified electronic system for the development, monitoring, reporting and evaluation of policy documents. It is significant that the Ministry of Justice and Public Administration Reform Secretariat (hereinafter – "Secretariat") modify the ob-

²⁴ Interim Alternative Monitoring Report on the Implementation of the Public Administration Reform Action Plan for 2019-2020, 2020.

jective to avoid duplication and ensure better performance of activities and objectives envisaged by the Action Plan. Accordingly, the content of the activities or its activities should be given the status of "implementation process is suspended", which in this case will be a reasonable step of the agency both in terms of content and technically. This view is shared by the Secretariat, in response to which all the activities carried out by the Ministry of Justice related to the development of the electronic platform, were given the status of "implementation process is suspended" in the 2020 progress report.²⁵

Activity 1.3.1: Development of Anti-corruption Council E-portal concept

Output indicator:

1. Interim working group is established and composed of representatives of the Council member agencies and technical personnel in order to develop E-portal
2. A research on best-practice is conducted
3. A concept of E-portal is developed and agreed upon by the WG
4. Document describing business processes of the E-portal is developed on the bases of agreed concept

Activity implementation status: unimplemented

The status of the activity in the Alternative Monitoring Reports 2019 and the first six months of 2020 was "unimplemented" as the information provided to the Secretariat by the Ministry of Justice did not confirm the achievement of the output indicator.²⁶ Provision of comprehensive information and analysis still remain a problem. The source of their response is still unverified.²⁷ **Thus, all four output indicators of the activity are unimplemented.**

²⁵ Progress Monitoring Report on the Implementation of the Public Administration Reform Action Plan for 2019-2020 (January-June, 2020), Administration of the Government of Georgia, 2020, available at: <https://bit.ly/3vyXowO>, last update: 28.05.2021.

²⁶ Interim Alternative Monitoring Report on the Implementation of the Public Administration Reform Action Plan for 2019-2020, 2020.

²⁷ Letter N2501 (March 1, 2021) of the Ministry of Justice of Georgia.

Activity 1.3.2: Technical development and launch of the portal

Output indicator:

1. E-portal (program) is developed and launched based on the final document describing business processes
2. User Manual of the E-portal is developed
3. E-portal operates properly and technical support is sustained

Activity implementation status: unimplemented

According to the information provided by the Ministry of Justice, the responsible agency neither has a final document describing business processes, nor has it launched working on operational part of the e-portal.²⁸ **Accordingly, all three output indicators are unimplemented.**

Activity 1.3.3: Trainings of E-portal users

Output indicator:

Representatives of the Anti-Corruption Council member agencies are trained

Alternative output indicator: At least 2 employees of units with analytical functions from each Anti-Corruption Council member agencies are trained in using e-portal.

Activity implementation status: unimplemented

In order to perform the output indicator of the third activity and to train e-portal users, the electronic system itself needs to exist which is not created yet. In addition, it is noteworthy that the output indicator is similar to the activity, making it impossible to evaluate it for monitoring purposes. An alternative indicator was outlined accordingly allowing the monitoring team to evaluate the activity quantitatively. **Despite the mentioned, the activity is unimplemented.**

²⁸ *Ibid.*

OBJECTIVE 1.4: ESTABLISH THE EVIDENCE-BASED POLICY DEVELOPMENT SYSTEM THROUGH IMPLEMENTATION OF REGULATORY IMPACT ASSESSMENT (RIA) ON LEGISLATIVE ACTS

The goal of the fourth objective is to develop and conduct evidence-based policy by the Government. This implies an assessment of the impact of legislative acts on various areas. The State took the commitment to introduce and implement Regulatory Impact Assessments as early as 2015²⁹ and its implementation was undertaken not only within the framework of Public Administration Reform, but also through other strategic documents and agreements.³⁰

Outcome indicator(s):

Share of the Government initiated legislative packages elaborated in accordance with the Regulatory Impact Assessment (RIA)

Baseline 2018: 0%

Target 2020: 5%

Objective implementation status: unimplemented

The objective is evaluated by one indicator. By the end of 2020, 5% of legislative packages initiated by the Government should have passed the regulatory impact assessment. During the reporting period, an amendment was made to the Law on Normative Acts and the norms for assessing the regulatory impact were added, although it was determined to enter into force from January 2020.

According to the Government of Georgia, in 2020, three legislative packages were submitted to the Parliament of Georgia, accompanied by an RIA document. Since the regulatory impact reports were developed prior to the approval of the methodology, the responsible agency did not take them into account to assess the achievement of the outcome indicator, which is correct. According to them, by 2020 it had not submitted a legislative package that would have required an impact assessment.³¹

It should also be noted that it is impossible to evaluate the performance of the objective in terms of share in the absence of an RIA report developed in accordance with the methodology.

²⁹ Policy Planning System Reform Strategy 2015-2017, Objective 3 of the Action Plan.

³⁰ Decree of the Government of Georgia #537 (November 12, 2018) on Approval of the Open Government Partnership Georgia Action Plan 2018-2019, Commitment 8 of the annex; Decree of the Government of Georgia #484 (October 4, 2019) on Approval of the National Anti-corruption Strategy of Georgia and National Anti-corruption Strategy Action Plan 2019-2020, Annex, Action Plan objective 3.2.

³¹ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia

Accordingly, the responsible agency did not achieve the aim set by the objective and the outcome indicator is unimplemented at this stage.

Activity 1.4.3: Awareness of civil servants responsible for lawmaking is raised and trainings are conducted on Regulatory Impact Assessment of legislative acts

Output indicator:

Trainings are conducted, 50 civil servants are trained

Activity implementation status: mostly implemented

The deadline for the activity implementation is IV quarter of 2019 and IV quarter of 2020. According to the information provided by the Government Administration, distance training on RIA system introduction was organized with support of donor organizations,³² attended by 12 representatives of the Ministry of Justice, the Ministry of Finance, the Ministry of Economy and Sustainable Development and the Government Administration, and in September-December 2020, also with the support of a donor organization,³³ 19 civil servants from 11 state institutions³⁴ underwent this training.³⁵ Accordingly, a total of 31 civil servants were trained.

Eventually, the number of trained civil servants approached the target, thus the activity shall be considered mostly implemented.

³² USAID/GGI and EU project "Supporting Public Administration Reform in Georgia".

³³ USAID Economic Management Project.

³⁴ Administration of the Government of Georgia, National Bank of Georgia, Ministry of Justice of Georgia, Ministry of Finance of Georgia, Ministry of Regional Development and Infrastructure of Georgia, Ministry of Environment and Agriculture of Georgia, Ministry of Economy and Sustainable Development of Georgia, Parliament of Georgia, Parliamentary Research Center, LEPL Revenue Service LEPL State Insurance Supervision Service of Georgia.

³⁵ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.



5. CONCLUSION AND RECOMMENDATIONS

The Policy Planning direction of the Public Administration Reform Action Plan sets out the objectives essential to conduct evidence-based and result-oriented policies. All components of policy planning require time and resources. Consequently, it is necessary for the responsible agencies to see this challenge in order to achieve the objectives set for the future. The monitoring team outlined several significant recommendations:

- ▶ Many of the activities to be implemented in 2019 and first six months of 2020 are still in an active phase, so it is essential for each agency to rationally determine the timeframe for the remaining activities in order to avoid overdue;
- ▶ Proper risk assessment and identification of measures for their management is significant;
- ▶ Indicators related to training modules should be specified. The contingent of participants should be clearly defined;
- ▶ The Action Plan should not include indicators that are not specific and measurable;
- ▶ The Government needs to envisage new and ambitious commitments within the Public Administration Reform;
- ▶ Duplication of activities in the Action Plan should be ruled out;
- ▶ Every responsible agency should ensure high accessibility to public information on all documents representing the source of verification of activities or objectives to ensure comprehensive alternative monitoring.

