

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

Direction 3: Accountability





ევროკავშირი
საქართველოსთვის
The European Union for Georgia



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

Direction 3: Accountability

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MAIN FINDINGS

The analysis of the Accountability direction of the Public Administration Reform Roadmap and the Action Plan for 2019-2020 reveals that the documents mainly address the challenges relevant during their development and accordingly define priority directions. However, in a number of cases, insufficient and/or technical activities are defined for the implementation of objectives, undermining their significance.

The Roadmap has not been updated since 2016 and, therefore, there are several inconsistencies between the Action Plan and the Roadmap. It is crucial for the Public Administration Reform Roadmap and the Action Plan to be in compliance with each other and for the Action Plan to be developed in accordance to challenges outlined in the Roadmap. Otherwise, the significance of the Roadmap is undermined.

The two-year action plan envisages a small number or inconsistent activities for each objective delaying the process of achieving the objectives which is completely unacceptable.

For the vast majority of objectives, it was impossible to obtain data for interim monitoring, as most of the activities required to implement them were planned by the end of 2020, however, these data were not available by the end of 2020 either.

Improperly formulated objectives and indicators, insufficient number of activities, formally defined risks and lack of ambitious reforms – all represent significant shortcomings of the Accountability direction of the PAR Action Plan.

The objectives and indicators of the Accountability direction of the Public Administration Reform Action Plan 2019-2020 do not meet S.M.A.R.T. criteria.

The implementation rate of the objectives envisaged under the Accountability direction of the Action Plan is very low by the end of the Action Plan. In particular, three of the five objectives envisaged in the Action Plan are partly implemented and two are unimplemented. Out of the six outcome indicators defined for the objectives (including one additional indicator), one is fully implemented, one - partly, four – are unimplemented.

As for the activities, out of the 14 activities defined in the Accountability direction during 2019-2020, only one activity was fully implemented, one - mostly, four activities were partly implemented, and most of the activities (eight activities) were not implemented. Out of the 19 output indicators, two were fully implemented, one - mostly, three - partly, and 13 – are unimplemented.



1. INTRODUCTION

The Government of Georgia recognized the importance of public administration reform along with signing the Association Agreement between Georgia and the European Union. The Agreement emphasizes commitment to good governance, including cooperation in the directions of public administration and public service reforms. According to the Association agreement between Georgia and the European Union, the country has to implement in-depth reforms in the direction of public administration and public service.¹ In order to comply with the mentioned commitment, the Government of Georgia approved the Public Administration Reform Roadmap 2020 in 2015. The Document is meant to create a comprehensive conceptual framework and mechanisms “aimed at transparent, predictable, accountable and effective public governance, meeting European standards and satisfying public needs”.²

In order to implement the Public Administration Reform, the Government of Georgia, once in every two years approves the Public Administration Reform Action Plan. The most recent [Action Plan for 2019-2020](#) approved by the Government of Georgia in June 2019 aims at the implementation of goals defined by the Public Administration Reform Roadmap 2020.

The Public Administration Reform Roadmap and the Action Plan feature six directions: policy planning and coordination, public service and human resource management, accountability, public service delivery, public finance management and local self-government. This document addresses the third direction of the Action Plan – the Accountability and the implementation of the activities and objectives envisaged by the Action Plan for this direction.

Monitoring the implementation of policy documents, identifying gaps and challenges and setting measures for responding to these challenges are crucial for the successful implementation of any policy. It is noteworthy that unlike previous years the Administration of the Government has started monitoring the implementation of the Public Administration Reform Action Plan and made monitoring results public for the first time in 2019. This document represents an alternative monitoring report and may not be in full compliance with the monitoring results published by the Administration of the Government.

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 Page 6, Public Administration Reform [Roadmap](#) of Georgia 2020.



2. METHODOLOGY

The subject of the monitoring was to assess the progress of the implementation of the objectives and activities envisaged by the Public Administration Reform Action Plan for 2019-2020 as of the end of 2020.

The implementation of the objectives and the activities defined by the Action Plan are described by one of the following 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 activity/objective was implemented while a major part remains incomplete;
4. **UNIMPLEMENTED** – an activity/objective was not implemented at all or a minor part is implemented and it is impossible to observe progress.

The monitoring was based on public information – the primary source of information when conducting the monitoring was the Administration of the Government of Georgia and responsible agencies defined by the Public Administration Reform Action Plan. Therefore, in the beginning of the monitoring process, the information about the implementation of each objective and activity was requested from responsible agencies. The draft was submitted to responsible agencies for comments and their position, to the possible extent, was considered while shaping the final version of the document.

Non-entrepreneurial (non-commercial) Legal Entity Youth Center for Civil Development and CRI "Bright Future" were involved in the monitoring process of Accountability direction together with IDFI to monitor the fulfillment of the relevant obligations in Kvemo Kartli and Imereti regions, respectively.



3. GENERAL ASSESSMENT OF THE ACTION PLAN

The General Assessment of the Accountability Direction of the PAR Action Plan for 2019-2020 discusses the relevance of the objectives set out in the PAR Roadmap and the Action Plan to the challenges in public administration. For this purpose, the current situation is analyzed, priority challenges are identified and the compliance of the objectives set out in the strategic documents with the existing challenges is assessed based on the reports, studies and recommendations of international and local NGOs. This chapter assesses the structural viability of the PAR Action Plan Accountability direction, whether the activities under the objectives are sufficient and relevant for the achievement of the goals, and whether the objectives, activities and indicators of the Action Plan comply with the S.M.A.R.T. criteria,³ according to which the mentioned components of the Action Plan should be specific, measurable, attainable, realistic and timely.

3.1 COMPLIANCE OF THE ROADMAP AND THE ACTION PLAN WITH THE EXISTING CHALLENGES

The Public Administration Reform Roadmap⁴ and the Action Plan for 2019-2020⁵ were approved in the corresponding order in August 2015 and June 2019. The Public Administration Reform Roadmap was updated in 2016⁶, however, mainly technical amendments were incorporated and the content remained mostly unchanged. It should be noted that the Roadmap is a living document, which shall be updated in accordance with relevant challenges. However, the Roadmap has not been updated since 2016. Since the Public Administration Reform Action Plan is approved once in every two years, it is desirable to update the Roadmap with same periodicity and to approve the Action Plan in accordance with the updated Roadmap. Considering the abovementioned, this part of the document discusses, on the one hand, the challenges faced by the state in developing the Roadmap and, on the other hand, the challenges existing when developing the 2019-2020 Action Plan, which should have

³ Information is available at: <https://www.projectsmart.co.uk/smart-goals.php>.

⁴ #427 Ordinance of the Government of Georgia, Dated 19 August 2015, on the Approval of the Strategic Documents for the Implementation of the Public Administration – “Public Administration Reform Roadmap 2020 of Georgia” and “Policy Planning System Reform Strategy 2015-2017”; available at: <https://matsne.gov.ge/document/view/2953552?publication=1>.

⁵ #274 Ordinance of the Government of Georgia, Dated 10 June 2019, on the Approval of the Public Administration Reform Action Plan for 2019-2020; available at: <https://matsne.gov.ge/document/view/4586360?publication=0>.

⁶ #186 Ordinance of the Government of Georgia, Dated 18 April 2016, on the Amendments to the N427 Ordinance of the Government of Georgia, dated 19 August 2015, on the Approval of Strategic Documents for the Implementation of Public Governance – Public Administration Reform Roadmap 2020 and Policy Implementation System Reform Strategy 2015-2017; available at: <https://matsne.gov.ge/document/view/3259832?publication=0>.

been reflected in both the Roadmap and the Action Plan.

There have been challenges in the direction of accountability for years. These challenges have been repeatedly discussed at international and local levels. One of the main challenges is related to increasing the openness, transparency and accountability of public agencies and improving access to public information. As of today, norms regulating access to public information are scattered across separate legislative acts and some issues are not regulated at all. For example, the current legal framework does not provide for the existence of a supervisory body and a mechanism for monitoring access to information; neither does it impose appropriate sanctions for violating the norms on access to information by a public institution. The ambiguity of the legislation makes it possible to interpret it in many ways, which is why public agencies, which are responsible for providing information immediately, often use a maximum of 10 days term. The absence of an independent normative act regulating public information transparency in Georgia and an independent body overseeing access to information was assessed negatively in the Fourth Round Assessment Report of the OECD Anti-Corruption Network for Eastern Europe and Central Asia (OECD-ACN).⁷ One of the OECD-ACN's recommendations was to review the relevant legislation, adopt a new law, and establish an independent public institution to oversee the exercise of the right of access to information. Civil society has also been constantly discussing the challenges in this direction.⁸ Finally, in order to eliminate the legislative gaps, establish uniform practices and consolidate the norms regulating access to public information in one normative act, elaboration of a draft law on freedom of information was included as a commitment in the action plan of Open Government Partnership Georgia⁹ and the Anti-Corruption action plan,¹⁰ as well as in the Association Agreement and Annual

⁷ OECD Anti-Corruption Network for Eastern Europe and Central Asia (OECD-ACN), Anti-Corruption Reforms in Georgia - Fourth Round of Monitoring of the Istanbul Anti-Corruption Action Plan, 2016, page 78. Available at: <https://www.oecd.org/corruption/acn/OECD-ACN-Georgia-Round-4-Monitoring-Report-ENG.pdf>.

⁸ Institute for Development of Freedom of Information (IDFI), The Majority of recommendations issued by OECD-CAN for Georgia are unimplemented; Analysis, 2018; available at: https://idfi.ge/ge/georgia_failed_to_implement_most_of_anti_corruption_recommendations_issued_by_oecd_acn_in_20117; Transparency International Georgia, Georgia's Stalling Anti-Corruption Reforms: Unfulfilled Recommendations of the Istanbul Action Plan, 2019; available at: <https://transparency.ge/ge/blog/sakartvelos-sheperxebuli-antikorupciuli-repormebi-sheusrulebeli-rekomendaciebi-stambolis>; Georgian Young Lawyers Association (GYLA), GYLA Research: Access to Public Information in Georgia, 2017; available at: <https://gyla.ge/ge/post/saias-kvleva-sajaro-informaciis-khalmisatsvdomobis-mdgomareoba-saqartveloshi>.

⁹ Open Government Partnership Georgia Action Plan for 2014-2015; available at: <https://matsne.gov.ge/ka/document/view/2510377?publication=0>; Open Government Partnership Georgia Action Plan for 2016-2017. Available at: <https://matsne.gov.ge/ka/document/view/3456448?publication=0>.

¹⁰ Georgia's National Anti-Corruption Strategy Implementation Action Plan for 2014-2015; available at: <https://matsne.gov.ge/document/view/2818704?publication=0>; Georgia's National Anti-Corruption Strategy Implementation Action Plan for 2017-2018. available at: <https://matsne.gov.ge/document/view/3816224?publication=0>; Georgia's National Anti-Corruption Strategy Implementation Action Plan for 2019-2020. available at: <https://matsne.gov.ge/document/view/4674422?publication=0>.

Action Plan for the Implementation of the Association Agenda between Georgia and the European Union.¹¹ The submission of the Law on Freedom of Information to the Parliament has been announced several times,¹² however, it has not been implemented and the challenges related to access to information were still in place by 2019. **Accordingly, the PAR Action Plan 2019-2020 defines improving the legislation on ensuring access to information through the adoption of an act on the freedom of information as a commitment.**

Situation analysis reveals that another important challenge in the period of drafting strategic documents was the proactive disclosure of information. According to IDFI monitoring, in the beginning of 2019, 15 out of 100 public agencies either did not have a public information section on their website, or did not have a website at all. The average compliance rate with the requirement for proactive disclosure of information was 53%, which was 18% lower than in 2014. Compared to 2014, by 2019, the performance indicator of 9 out of the 13 central public agencies had deteriorated.¹³ Herewith, in 2019, none of the public agencies showed full compliance with the requirements of the law on proactive disclosure of information. The most non-transparent situation in terms of proactive disclosure was in terms of public finance spending, and none of the agencies published information in open data format (CSV, XML).¹⁴ OECD-ACN named publishing information regularly in open data format on a single portal as a challenge in 2016.¹⁵ OECD/SIGMA mentioned problems regarding proactive disclosure of information in the policy development and coordination baseline assessment prepared in 2018.¹⁶ Besides, according to the OECD-ACN, despite the introduction of a system of proactive disclosure of information, many public institutions did not comply with established standards.¹⁷ According to the recommendation of the organization, it

¹¹ Action Plan for 2014 available at: <https://matsne.gov.ge/document/view/2496190?publication=0>; Action Plan for 2015 available at: <https://matsne.gov.ge/document/view/2702520?publication=0>; Action Plan for 2016 available at: <https://matsne.gov.ge/document/view/3222307?publication=0>.

¹² Public Broadcaster, Freedom of Information Act will be submitted to the Parliament in February, 2017. Available at: <https://1tv.ge/news/informaciis-tavisuflebis-aqti-parlaments-tebervalshi-waredgineba/>.

¹³ Institute for Development of Freedom of Information (IDFI), Accepted Practice of Publishing Public Information in Georgia's Public Agencies, 2019, page 22. Available at: https://idfi.ge/public/upload/IDFI_2019/General/research_on_proactive_disclosure_geo.pdf.

¹⁴ Ibid, page. 20.

¹⁵ OECD-ACN, Anti-Corruption Reforms in Georgia - Fourth Round of Monitoring of the Istanbul Anti-Corruption Action Plan, 2016, page 78. Available at: <https://www.oecd.org/corruption/acn/OECD-ACN-Georgia-Round-4-Monitoring-Report-ENG.pdf>.

¹⁶ OECD/SIGMA, Baseline Measurement Report, The Principles of Public Administration (Policy Development and Co-ordination), Georgia, 2018, page 18. Available at: <http://www.sigmaxweb.org/publications/Baseline-Measurement-Report-2018-Georgia.pdf>.

¹⁷ OECD-ACN, Anti-Corruption Reforms in Georgia - Fourth Round of Monitoring of the Istanbul Anti-Corruption Action Plan, 2016, page 78. Available at: <https://www.oecd.org/corruption/acn/OECD-ACN-Georgia-Round-4-Monitoring-Report-ENG.pdf>.

was important to improve the quality of proactive disclosure of public information by public institutions as well as raise the qualification of those responsible for providing public information and proactive disclosure.¹⁸ **Improving access to open data is one of the objectives of the Public Administration Reform Action Plan 2019-2020 (Objective 3.2). However, in order to achieve this objective, only three out of over hundred agencies were selected and the target indicator of the data to be placed on the open data portal was set at 30, which is so low that diminishes the significance of the objective.**

Another significant challenge during the adoption of the strategic documents for Public Administration Reform was the involvement of the public in the legislative amendment process and the lack of public awareness of the reforms, as well as the lack of awareness of public officials (For example, by 2019, only 38% of the society had information about public administration reform.¹⁹). In 2018, the OECD-ACN indicated that there was no general rule for public consultation for drafting laws in the country.²⁰ Consequently, no public discussions were held when elaborating some significant draft laws (e.g. Law on Remuneration in Civil Service and Draft Law on Legal Entities of Public Law). The Group of States against Corruption (GRECO) also discussed the challenges of public involvement in the legislative process.²¹ **Therefore, improving transparency and public involvement should have been one of the priorities for the government. However, the PAR Action Plan does not address this as a separate issue and does not aim to ensure greater transparency and engagement.**

Overall, the analysis of the Public Administration Reform Roadmap and the Action Plan for 2019-2020 reveals that the documents mainly address the challenges existing

¹⁸ OECD-ACN, Anti-Corruption Reforms in Georgia - Third Round of Monitoring of the Istanbul Anti-Corruption Action Plan, 2013, page 81, Recommendation 10. Available at: <https://www.oecd.org/corruption/acn/GEORGIAThirdRoundMonitoringReportENG.pdf>; OECD-ACN, Anti-Corruption Reforms in Georgia - Fourth Round of Monitoring of the Istanbul Anti-Corruption Action Plan, 2016, page 132, Recommendation 14. Available at: <https://www.oecd.org/corruption/acn/OECD-ACN-Georgia-Round-4-Monitoring-Report-ENG.pdf>.

¹⁹ ACT – Analysis and Consulting Team, Interim Report on the Current State of the Public Administration Reform 2019, page 37. Available at: https://www.undp.org/content/dam/georgia/docs/publications/DG/UNDP_GE_DG_PAR_civil%20service_public%20perceptions_midterm%20study_2019_geo.pdf

²⁰ OECD/SIGMA, Baseline Measurement Report, The Principles of Public Administration (Policy Development and Co-ordination), Georgia, 2018, page 6, 41. Available at: <http://www.sigmaweb.org/publications/Baseline-Measurement-Report-2018-Georgia.pdf>.

²¹ Group of States against Corruption (GRECO), Fourth Evaluation Round, Corruption Prevention in respect of Members of Parliament, Judges and Prosecutors, Evaluation Report, Georgia, 2016, page 12. Available at: <https://rm.coe.int/16806dc116>; Group of States against Corruption (GRECO), Fourth Evaluation Round, Corruption Prevention in respect of Members of Parliament, Judges and Prosecutors, Compliance Report, Georgia, 2019, page 3. Available at: <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/168095529a>.

during their development and prioritize the areas discussed above. However, as already mentioned, in some cases, insufficient or technical activities are provided for the achievement of the objective (for example, activities 3.2.1; 3.2.2; 3.5.1), which diminish the significance of the objective.

3.2 ASSESSMENT OF THE ACCOUNTABILITY DIRECTION OF THE ACTION PLAN

The Public Administration Reform Action Plan 2019-2020 envisages five objectives in the Accountability direction. Outcome indicators, baseline and target indicators, sources of verification and risks are listed under each objective. The Action Plan envisages the relevant activities for the achievement of the objectives, output indicators of which are defined to evaluate the quality of performance and the sources of verification of the outputs are listed. The Action Plan defines the agency responsible for the implementation of each activity (together with the partner agency, if any) and the deadline for the implementation of the activity (indicating the year and quarter). The Action Plan also provides columns for budget (indicates whether administrative costs are used for the activity) and source of funding (indicating whether funding is provided from the state budget, by the donor or if there is a deficit) for each activity.

It should be noted that the new Public Administration Reform Action Plan has been significantly improved from a technical point of view compared to the previous one - measurable indicators and sufficiently specific objectives have been added to better assess performance progress. In addition, the presence of baseline and target indicators allows to measure the outcomes and outputs and simplifies monitoring. The new Public Administration Reform Action Plan contains all elements of the mandatory structure of a similar policy document, except for the goal and impact indicator. Defining the goal as a long-term vision of the government as a solution to the problems identified in the sector and the desired outcome is crucial for the effectiveness of the action plan monitoring and evaluation. It should also be noted that for each objective set in the two-year action plan, one or two activities are defined during the year, which completely unacceptably delays the process of achieving the objective. For the vast majority of objectives, it was impossible to carry out interim monitoring due to the lack of required data.

In the process of developing the Public Administration Reform Action Plan for 2019-2020, the method of public consultations was applied for the first time and the draft Plan was published on official Government website²² for comments and opinions of

²² Declaration on Launching Public Consultations, Official Webpage of the Government of Georgia: http://gov.ge/index.php?lang_id=GEO&sec_id=423&info_id=69990.

wider audience. Civil society, including the Institute for Development of Freedom of Information (IDFI), as the member of the Interagency Coordinating Council of the Public Administration Reform was also involved in the process of developing the Plan.

However, despite the positive trends mentioned above, there are several gaps in the Public Administration Reform Action Plan for 2019-2020:

Improperly defined risks – risks are not defined for two objectives under the Accountability direction (Objective 3.4. and 3.5.). In case of other risks, passivity of state agencies is described as risks which indicates the imperfection of the policy planning process, as the readiness of agencies and stakeholders is essential when planning each objective and activity of the action plan in order to meet the realistic and achievable criteria. Such shortcomings indicate that in-depth analysis of the situation and proper coordination between agencies were not carried out during the development of the action plan. As a result, some problems have been overlooked and some have been misrepresented. Besides, the purpose of identifying risks in a policy document is to plan appropriate steps to eliminate or reduce them. Accordingly, the risks set out in the Action Plan should be accompanied by information on how to eliminate/reduce them, which is not the case with the PAR Action Plan. This gives the impression that the risks in the document are either formally defined without proper analysis, or are intended to enable the agency to justify its failure to implement a specific objective or activity when monitoring the evaluation of the action plan.

Improperly defined indicators - A policy document can define outputs and output indicators for an activity. Output indicators should comply with the S.M.A.R.T. criteria - should be specific, measurable, attainable, realistic and timely. With the help of the output indicator, it is assessed whether the expected result defined by the document for the specific activity was achieved. The outputs can be measured quantitatively and qualitatively with output indicators. PAR's new action plan provides activity and output indicator graphs, however, instead of output indicators, this graph largely provides information on activity results (in some cases, sub or parallel activities), which complicates the quantitative and/or qualitative measurement of the output when monitoring the implementation of the action plan.

Below are some examples from the PAR Action Plan Accountability direction, where instead of the output indicator, the outputs are provided for the indicator column.²³ Here are also examples, how the output indicators should have been formulated:

²³ Same is relevant for the following activities 3.1.2.; 3.1.3.; 3.2.1.; 3.3.1; 3.3.3.; 3.5.2.

#	ACTIVITY AS PER THE ACTION PLAN	OUTPUT INDICATOR AS PER THE ACTION PLAN	WHAT THE OUTPUT INDICATOR COULD HAVE BEEN
3.4.3.	ENSURE THE EASY ACCESS TO THE INFORMATION ON OGP GEORGIA	OGP GEORGIA'S WEBSITE IS CREATED	<ol style="list-style-type: none"> 1. DAILY NUMBER OF USERS OF OGP GEORGIA WEBSITE; 2. RESULT OF THE OGP GEORGIA WEBSITE CUSTOMER SATISFACTION SURVEY
3.5.1.	IMPROVEMENT OF THE LEGISLATION REGULATING FREEDOM OF INFORMATION	THE DRAFT LAW ON FREEDOM OF INFORMATION IS SUBMITTED TO THE PARLIAMENT	<ol style="list-style-type: none"> 1. THE NUMBER OF PRINCIPLES OF ARTICLE 3 OF THE COUNCIL OF EUROPE CONVENTION ON ACCESS TO INFORMATION, WHICH ARE REFLECTED IN THE NEW LAW; 2. THE NUMBER OF RECOMMENDATIONS IN THE OECD-ACN FOURTH ROUND MONITORING REPORT REFLECTED IN THE NEW LAW; 3. DURATION OF PUBLIC CONSULTATIONS DURING THE PREPARATION OF THE NEW LAW
3.5.2.	DEVELOPMENT OF INFORMATION HANDBOOK FOR IMPLEMENTATION OF THE NORMS REGULATING THE FREEDOM OF INFORMATION	HANDBOOK FOR IMPLEMENTATION OF THE NORMS REGULATING THE FREEDOM OF INFORMATION IS DEVELOPED	SPECIFIC EXAMPLES AND PRACTICAL TIPS PRESENTED IN THE HANDBOOK FOR IMPLEMENTATION OF THE NORMS REGULATING THE FREEDOM OF INFORMATION

Although the indicators have improved compared to the previous action plan, the document still contains a vague indicator that makes it virtually impossible to fully measure objective implementation. For example, Objective 3.5. outcome indicator is presented as follows: “Percentage of decisions to refuse to disclose public information by public institutions (ministries and LEPLs) within their competence”. It should be noted that the rate of decisions to refuse to disclose information can be reduced at the expense of increasing the rate of decisions left unanswered which underscores the ambiguity of the indicator.

In addition, in some cases a defined indicator is not sufficient to measure the result. For

example, the outcome indicator for the Objective 3.2. implies increase of the number of data published on the open data portal. However, this is not enough to measure the improvement in open data accessibility. This requires an additional indicator, which in parallel with the increase in the number of data implies an increase in the number of public institutions that publish open data on the portal.

Improperly defined objectives - Policy Planning, Monitoring and Evaluation Handbook approved by Government Ordinance²⁴ (which was developed after the approval of the mentioned action plan) defines objective as a more specific statement about the improvement of a narrower aspect (related to root cause of a main problem) of a specific area(s) of a sector. The mentioned document defines activity as a sum of one or more measures carried out for the implementation of policy. Contrary to what is defined by government ordinance, the Public Administration Reform Action Plan contains objectives that are so specific that they meet the criteria for activity rather than the objective. For example, Objective 3.1. “Suggest institutional set-up to the LEPLs [...] in order to strengthen the principles of economy, effectiveness and efficiency.” An action plan cannot include “suggestion” as an objective, because it is overly specific and can only represent activity or sub-activity. The objective on strengthening the principles of economy, effectiveness and efficiency should have been defined as for example: improvement of institutional set-up to the LEPLs.

Objective 3.3. “Implement electronic monitoring tool on recommendations issued by the State Audit Office [...]” is also more suitable for an activity. Objective could have been, for example: improvement of the response to the recommendations issued by the State Audit Office. However, it is inadmissible to outline the same action as both an objective and an activity, which is the case for the Objective 3.4. (both of them envisage raising awareness on the Open Government of the society on a central level, including civil servants).

In summary, the inappropriately formulated objectives, indicators and insufficient activities, formally defined risks and lack of ambitious reforms of the Accountability direction of the PAR Action Plan is a significant shortcoming of the document.

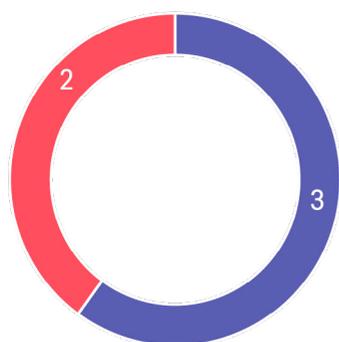
²⁴ Ordinance N629 of the Government of Georgia, dated 20 December 2019, on the Approval of the rule for the Planning, Monitoring and Evaluation of Policy Documents. Available at: <https://matsne.gov.ge/ka/document/view/4747283?publication=0>.



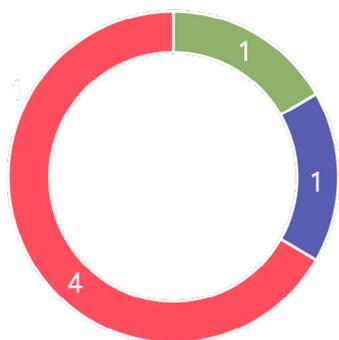
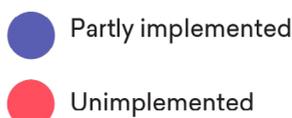
4. IMPLEMENTATION OF OBJECTIVES AND ACTIVITIES OF THE ACTION PLAN

Accountability is the third direction of the Public Administration Reform Action Plan and it includes five objectives. Implementation of each objective is assessed based on outcome indicators defined for them by the Action Plan. For the cases where the indicator does not comply with the S.M.A.R.T. criteria,²⁵ making it impossible to assess the implementation of the objective, additional indicators are defined. The objectives for which no information on the implementation was provided by the responsible agency, which would confirm the progress of the objective implementation, were considered unimplemented

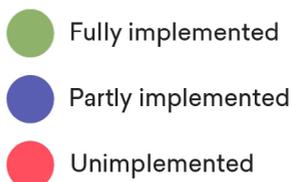
Out of five objectives envisaged by the Action Plan for the Accountability direction, three are partly implemented and two are unimplemented. Out of six outcome indicators (including one additional indicator), one is fully implemented, one is partly implemented and four are unimplemented.



OBJECTIVE IMPLEMENTATION RESULTS

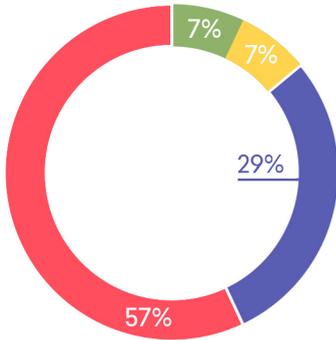


OUTCOME INDICATORS



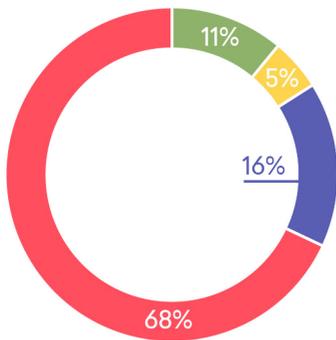
²⁵ S.M.A.R.T.: S - specific, significant, stretching; M - measurable, meaningful, motivational; A - agreed upon, attainable, achievable, acceptable, action-oriented; R - realistic, relevant, reasonable, rewarding, results-oriented; T - time-based, time-bound, timely, tangible, trackable. Information available at: <https://www.projectsmart.co.uk/smart-goals.php>.

As for the activities, out of 14 activities outlined by the Action Plan 2019-2020, only one activity is fully implemented, one is mostly implemented, four are partly implemented and eight are unimplemented. Out of 19 output indicators, two are fully implemented, one is mostly implemented, three are partly implemented and 13 are unimplemented.



ACTIVITY IMPLEMENTATION RESULTS

- Fully implemented
- Mostly implemented
- Partly implemented
- შეუსრულებელია



OUTPUT INDICATORS

- Fully implemented
- Mostly implemented
- Partly implemented
- Unimplemented

IMPLEMENTATION OF THE OBJECTIVE 4.1.

Objective 4.1. of the PAR Action Plan implies suggestion of institutional set up to the Legal Entities of Public Law covered by the Law of Georgia on Civil Service in order to strengthen the principles of economy, effectiveness and efficiency. The outcome indicator is the share of the Legal Entities of Public Law covered by the Law on Civil Service that have implemented recommendations issued by the Civil Service Bureau (“the Bureau”) on institutional set-up of the LEPLs.

Objective 4.1. Suggest institutional set-up to the LEPLs covered by the CSL in order to strengthen the principles of economy, effectiveness and efficiency

Outcome indicator(s): Share of LEPLs covered by the CSL that have implemented recommendations issued by the Civil Service Bureau on institutional set-up of the LEPLs

Baseline 2018: 0%

Target 2020: 10%

Objective implementation status: Unimplemented

According to information provided by the Bureau in the framework of the 2019 alternative monitoring report, development of recommendations on institutional set-up of LEPLs considered as public services was planned in the fourth quarter of 2020 after adoption of draft amendment to the Law of Georgia on “Legal Entity of Public Law”. According to the information provided by the Civil Service Bureau in the beginning of 2021, the process of functional and institutional analysis of legal entities of public law is still underway. Legislative amendments have not yet been enacted and recommendations for their institutional set-up have not been developed, which is planned by the Bureau after a secondary functional analysis.

The PAR Action Plan sets 2020 as a target for implementing the objective. The information provided by the responsible agency, according to which the activities envisaged by the objective indicators are to be implemented after 2020, indicates that the objective results are not achieved by the end of 2020. At the same time, the Action Plan envisaged three activities over two years to achieve Objective 4.1. two of which were to be completed in 2019 and one by the end of 2020. All three activities, according to which analysis of the functions and authority of the LEPLs as well as institutional analysis of LEPLs covered by the CSL were to be carried out and a new draft law on LEPLs that would define their functions, categorization and status of employees was to be elaborated, were considered unimplemented within the framework of alternative monitoring.²⁶ Progress on one of the two unfulfilled activities in 2019 (drafting a bill) was later observed (partly implemented), however, overall, the low rate of performance of the activities confirms the non-implementation of the objective. Out of the six indicators defined to measure the output of activities, only one is met and five are unimplemented. Accordingly, the **Objective 4.1 should be considered unimplemented.**

²⁶ Information available at: www.partracker.ge/reports.

IMPLEMENTATION OF THE OBJECTIVE 4.2.

Objective 4.2. of the Action Plan implies improvement of access to open data. The outcome indicator is the number of open data published on the data.gov.ge.

Objective 4.2. Improve access to open data by strengthening existing mechanisms

Outcome indicator(s): Number of open data published on the Data.gov.ge

Baseline 2018: 3

Target 2020: 30

Additional outcome indicator: Number of public institutions publishing open data on data.gov.ge

Baseline 2018: 30

Target 2020: 50

Objective implementation status: partly implemented

According to the information provided by the LEPL Digital Governance Agency 719 data entries were placed on the open data portal in XML and CSV format by 30 public institutions by the end of 2020.

Regarding the first indicator, it should be mentioned that the number of data published on the open portal already exceeds the target set for 2020, indicating that, according to the indicator defined by the Action Plan, the objective has been fully implemented. The IDFI monitoring team considers that the indicator defined by the Action Plan for the Objective 4.2. does not comply with the S.M.A.R.T. criteria, it is not sufficiently important and cannot measure the implementation of the objective as it only aims for the publication of 27 data entries on <http://data.gov.ge> within the two-year period. Therefore, for the purposes of the monitoring, the number of public agencies publishing data on the open data portal has been defined as additional indicator for objective 4.2. According to LEPL Digital Governance Agency the number of public institutions publishing open data is 30 as of the end of 2020. This indicates that the baseline in this regard has not improved in two years, since 30 agencies had posted open data on the portal as of 2018 as well. So, the indicator is not implemented respectively. As for the activities envisaged for Objective 4.2., the Action Plan defined the implementation of a total of two activities, from which the open data portal

update was to be completed in 2019. In 2020, the number of open data published by three agencies on data.gov.ge was to be increased. The activity on the update of the portal was considered partly implemented, and the second activity was considered unimplemented in the framework of the alternative monitoring. Out of the two output indicators to measure their performance, one is respectively partly implemented and the other is unimplemented. The low performance rate of activities negatively affects the implementation of the objective. Considering the abovementioned, the **Objective 4.2 should be considered partly implemented.**

IMPLEMENTATION OF THE OBJECTIVE 4.3.

Objective 4.3. of the Action Plan implies introduction of electronic monitoring tool on recommendations issued by the State Audit Office in order to improve the feedback mechanism. The Outcome indicator is the percentage of the recommendations issued by the State Audit Office with a “No Response” status.

Objective 4.3. Implement electronic monitoring tool on recommendations issued by the State Audit Office in order to improve the feedback mechanism

Outcome indicator(s): Share of the State Audit Office recommendations with a "No Response" status

Baseline 2018: 12%

Target 2020: 8%

Objective implementation status: partly implemented

According to the information provided by the State Audit Office, the indicator will be calculated and presented in the 2020 activity report, which will be prepared and submitted to the Parliament by June 1, 2021. The agency also points out that due to the pandemic, the ARIS system could not be fully introduced in 2020, on which the benefits of electronic system depend.

According to the information provided by the agency, the increase or decrease in the percentage of recommendations issued by the State Audit Office with "no response" status at this stage does not measure the improvement of electronic monitoring practices, as the electronic mechanism has not yet been introduced. The Action Plan

identified three activities to achieve the objective, according to which Electronic Monitoring System to monitor implementation of the SAO recommendations was to be developed and introduced and the information on the implementation of SAO recommendations was to be disclosed at the Budget Monitor website. In the framework of the alternative monitoring, the activity on platform development was considered fully implemented, introduction of the platform was partly implemented, but the information on the web-platform was not published (unimplemented). Out of three output indicators, respectively the first one is met, the second – is partly implemented and the third is unimplemented. As we can see, the activities to achieve the objective are also incompletely performed, and the **Objective 4.3 should be considered partly implemented.**

IMPLEMENTATION OF THE OBJECTIVE 4.4.

Objective 4.4. of the Action Plan implies awareness raising of civil servants of central government bodies on the Open Government agenda in order to enhance implementation of the Open Government policy principles. The outcome indicator is the share of civil servants of central government bodies representing policy planning and analysis units, who claim that they are familiar with the OGP Georgia Action Plan and participate in the elaboration process of open government policy for 2020-2022.

Objective 4.4. Raise awareness of civil servants of central government bodies on the Open Government agenda in order to enhance implementation of the Open Government policy principles

Outcome indicator(s): Share of civil servants of central government bodies representing policy planning and analysis units, who claim that they are familiar with the OGP Georgia Action Plan and participate in the elaboration process of open government policy for 2020-2022

Baseline 2018: 0

Target 2020: 51%

Objective implementation status: partly implemented

According to the information provided by the Administration of the Government of Georgia, a communication strategy was developed together with an accompanying action plan in order to raise the awareness of civil servants about Open Governance which covers three target audiences. In addition, the Open Government Georgia website has been created, which contains information on the ongoing reforms since Georgia's accession to the Open Government Partnership. According to the same information, a monitoring functions will be integrated on the website, which will allow stakeholders to follow the implementation of Georgia's action plans and express their views online. The Government Administration indicates that the situation created during the reporting period hindered the development of the new Action Plan of the Open Government Georgia, due to which it is not possible to measure the outcome indicator according to the wording given in the PAR Action Plan. Instead, the Secretariat decided to measure the share of civil servants who declare to be familiar with the Open Government Georgia and would like to participate in the Open Government Georgia policy planning for 2021-2022. In order to measure the new outcome indicator, a quantitative survey was conducted. According to the results of the survey:

- ▶ 80% state they have heard about Open Government Partnership (OGP),
- ▶ 77% know and receive information about Georgia's membership in OGP,
- ▶ 97% express willingness to participate in the OGP Georgia policy planning for 2021-2022.

The IDFI Monitoring Group welcomes the steps taken by the Secretariat to raise the awareness of civil servants, however, these activities are not sufficient to have a significant impact. In particular, the development of documents and a website by the Government Administration without introducing and promoting them to public officials cannot be considered as awareness-raising activities. In addition, the monitoring team does not agree with the change in the indicator by the Secretariat. The new indicator diminishes the importance of the objective when, instead of measuring the share of civil servants involved in the OGP Action Plan development, it measures the share of civil servants who would like to participate in the OGP Action Plan elaboration. These indicators are absolutely different. The Government Administration outlines that the need for the change was due to the fact that the OGP Action Plan was not developed which was the responsibility of the Government. The three activities defined under the objective implied public awareness raising, including of civil servants working at the central level, about the Open Government issues, engagement of a wide public and all ministries in the Open Government policy elaboration process and ensuring access to the information on OGP Georgia. The first activity is partly implemented,

the second activity is unimplemented and the third is – mostly implemented. Out of the five output indicators one indicates that the activity is mostly implemented, one is partially met, and two are unimplemented. The results of the survey presented by the Government Administration show the partial performance of the Objective indicator under the Action Plan thus the **Objective 4.4 should be considered partly implemented.**

IMPLEMENTATION OF THE OBJECTIVE 4.5.

Objective 4.5. of the Action Plan implies improving existing legislation on access to information and ensuring its consistent use in practice. The outcome indicator for this objective has been defined as the percentage of refusals to provide public information within their competence by the public agencies (central offices of Ministries and LEPLs).

Objective 4.5. Improve existing legislation on the access to information in order to enhance openness, transparency and accountability of the public institutions and ensure its consistent application in practice

Outcome indicator(s): Percentage of decisions to refuse to disclose public information by public institutions (ministries and LEPLs) within their competence

Baseline 2018: 15%

Target 2020: 10%

Objective implementation status: unimplemented

The Government Administration indicates in the beginning of 2021 that the outcome cannot be measured as the activities under the objective are not implemented.

Since relevant activities are necessary to improve baseline of the Objective 3.5, which, according to the information submitted by the Government Administration, were not implemented, it is logical that the target would not be achieved by the end of 2020. In addition, all three activities envisaged by the Action Plan for the objective and all three indicators defined for their measurement were considered unimplemented in the framework of the alternative monitoring. According to the activities, the legislation regulating freedom of information was to be improved, information handbook was to

be developed and staff capacity responsible for disclosure of public information was to be improved – none of them is implemented. Consequently, the **Objective 4.5 should be considered unimplemented.**



5. CONCLUSION AND RECOMMENDATIONS

Situational analysis of the Accountability direction of the Public Administration Reform Roadmap and the Action Plan reveals that strategic documents take into consideration challenges facing public administration during the period of their adoption and define relevant objectives. However, in some cases, indicators and target indicators defined for the confirmation of the implementation undermine the significance of objectives and/or make it impossible to measure their implementation.

Analysis of the Accountability direction of the Public Administration Reform Action Plan reveals that objectives and indicators still require refinement according to S.M.A.R.T. criteria. In addition, in order to actually achieve the objectives, more activities are necessary to be defined and real efforts need to be made for their implementation.

Risk assessment standards of the Action Plan need to be sophisticated. Often, factors that represent actual circumstances rather than risks are described as risks. The Action Plan does not offer mechanisms for risk elimination.

Interim monitoring of objectives defined by the Action Plan turned out to be impossible due to the lack of the relevant data; this is because the Action Plan does not actually provide interim targets.

Most of the objectives and activities envisaged under the Accountability direction of the Action Plan are unimplemented. In some cases, monitoring is complicated by the lack of relevant data, which is due to the fact that the responsible agencies do not process the required data in a timely manner and do not take seriously the activities envisaged in the Action Plan.

In order to eliminate the afore-mentioned gaps and challenges, the following recommendations need to be considered:

- ▶ Conduct appropriate situational analysis for the development of Public Administration Reform policy documents;
- ▶ Define ambitious/significant commitments for the Action Plan;
- ▶ Include S.M.A.R.T. objectives and indicators in the Action Plan;
- ▶ Define indicators necessary for the actual implementation of objectives;
- ▶ Define interim indicators along with baseline and target indicators, in order to simplify monitoring of the implementation of the Action Plan;
- ▶ Consider activities necessary for the implementation of objectives and set realistic deadlines for their implementation;
- ▶ When defining activities, accurately assess required resources in order to avoid the

delay in activity implementation for the future;

- ▀ Improve coordination and oversight with responsible agencies, and emphasize the importance of the Public Administration Reform to facilitate the implementation of the action plan.

