11 Support the Implementation of Public Administration Reform

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The Eastern Partnership's 20 Deliverables for 2020 include supporting the implementation of Public Administration Reform (PAR), to help establish professional, depoliticised, accountable and ethical public administration and provide a high level of services for citizens and business. The hope is that this will create more open and accountable government and increase citizen engagement. Implementation should include the introduction of service-oriented service-centres/ one-stop-shops and/or e-government services.

Present status

The Government of Georgia (GoG) has recognized the importance of reforming the public administration by signing the EU-Georgia Association Agreement, underling its commitment to good governance, including through Public Administration Reform.[1]

In 2015, the GoG developed the Public Administration Reform Roadmap – a planning document defining the medium-term policy of the GoG for public administration[2]. The PAR Roadmap sets out six policy areas for reform: policy development and coordination; human resources management (HRM); accountability; service delivery; public finance management; local self-government.

To execute the PAR Roadmap, the Government approved a two-year PAR Action Plan (AP). However, implementation has not been carried out in a proper manner – according to information provided by the GoG at the PAR Council meeting in 2018. Out of 122 activities assessed 55 (or 45%) were fully accomplished, 33 (27%) mostly accomplished, 22 (18%) partially accomplished, and 12 (10%) were not fulfilled at all. The monitoring reports of the PAR Action Plan have not been published, civil society was not involved in the monitoring process and only summary results of AP implementation were provided by the GoG at the PAR Council meetings. At the same time, in 2020, Public Administration Unit was created at the Government Administration and the involvement of civil society representatives in the monitoring of the Action Plan was ensured. The progress and monitoring reports on the implementation of the PAR Action Plan were published on the GoG webpage.

There is a lack of public awareness regarding the PAR Reform. According to the UNDP Georgia, only 38% of population have heard about it.[3] The Public Administration Unit at the Government Administration has started to elaborate Communications Strategy and Action Plan in order to remedy the challenge. The work is planned to be finalised in September 2020.

What Has Been Done

This document examines, three policy areas from the PAR Roadmap on the grounds that they are the most challenging: policymaking, accountability and service delivery. It explores the progress on them that the GoG has made to date towards implementing requirements

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1 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 (30.8.2014), https://bit.ly/2VxoYL6

2 Public Administration Reform Roadmap, Government of Georgia (2015), https://bit.ly/3aA9XMl

3 Public trust in Georgia's civil service is strong but challenges remain, UNDP Georgia (2019), https://www.ge.undp.org/content/georgia/en/home/presscenter/pressreleases/2019/PAR.html.

of the PAR Roadmap and the PAR Action Plan.

The lack of **common policy** standards and methodology has created challenges in Georgia for years. In December 2019, to ensure common standards in policy-making and evaluation , regulatory and methodological documents for policy development and coordination system in Georgia were adopted by the #629 Government Decree.[4] This decree introduced mandatory methodological and quality-oriented requirements in order to advance evidence-based and results-oriented policy-making practices in Georgia as part of the wider Public Administration Reform.

In terms of **transparency and accountability**, important commitments to improving access to public information through the adoption of a Freedom of information Act (FoI) was included in the PAR action plans. The FoI was drafted in 2014 but not been adopted. Regulatory Impact Assessment (RIA) became mandatory in 2020 in order to ensure transparency in the legislative processes.

The overall effectiveness of **public service delivery** in Georgia has improved substantially in many ways during the last decade. Programme budgeting has been implemented for the last few years and Public Service Halls have been established in the regions to deliver basic services to the local population; community centers are being created actively, operating 78 of them in Georgia as of 15 June, 2020. Some important steps have been made in term of providing electronic services, which includes creation of citizen's portal MY.GOV.GE providing up to 467 services for citizens.

Remaining Challenges

Despite the steps made towards implementing the PAR roadmap and the Action Plan, there are important challenges remaining and these need to be adequately taken into consideration in order to ensure successful implementation of the reform.

In terms of **policymaking**, as mentioned above, the GoG adopted new detailed methodology and standards. However, the Government Administration institution overseeing uniform policymaking and monitoring is very weak. This Unit is staffed with only four people to check the quality of over 90 policy documents and monitoring reports, which raises questions regarding the quality of the oversight. During 2019, 30 policy documents have been reviewed by the Unit.

The PAR Action Plan does not provide for ambitious reforms to achieve the objectives set forth by the Association Agreement and the 20 Deliverables adopted by the Eastern Partnership. Instead of determining commitments towards new reforms. the document copies old commitments from previous policy documents which have been left unimplemented for years.

The Lack of ambition of the Action Plan is demonstrated by the limited response to the commitment to improve access to an open data system (objective 3.2).[5] Only three agencies have been selected as responsible institutions for implementation of this objective (Civil Service Bureau, Ministry of Finance and Municipal Service Development Agency). This makes it impossible to achieve the planned objective and demonstrates the failure to comply with the commitment.

In terms of **transparency and accountability**, the important commitment of improving access to public information by adopting the FoI was supposed to have been completed a few years ago, according to the PAR action plans. The FoI was prepared in 2014 but has been shelved for the last five years.

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4   Government Decree №629 of 20 December 2019, https://bit.ly/2xUAUh3
5   PAR Action Plan 2019-2020, https://matsne.gov.ge/ka/document/view/4586360?publication=0.

Few CSOs are members of the PAR Council, so the lack of involvement of CSOs from the initial phase of policy preparation remains a problem.[6]

Proactive publication of information is an integral part of accountability and transparency, but there are visible challenges in this area in the country. The existence of a legal and institutional framework regarding access to public information has not led to timely responses to public information requests or proactive disclosure of public information. As of May 2019, 15 out of the 100 monitored public institutions either had no public information section on their websites or did not have a website at all. In 2019, the average rate of compliance on proactive disclosure of public information was 53%, which is 18% less than in 2014. Nine of the 13 central public institutions have worsened their proactive disclosure rate since 2014.[7]

As mentioned above, the overall effectiveness of **public service delivery** in Georgia has improved substantially in many ways during the last decade. However, inconsistencies and asymmetries in the development of public services remain problematic. While the state's overall capacity to achieve its goals has increased substantially, the reforms have not touched all service providers evenly.

According to the UN E-Governance Index, Georgia comes 60th pout of 193 countries with a score of 0.69.[8] In terms of online services, Georgia is far behind the average score of European Countries and even behind countries like Russia, Kazakhstan, Moldova, Azerbaijan and Belarus. Among the EaP countries, while Georgia comes second after Belarus (Belarus is 38th with the score of 0.76), in terms of online services, only Armenia and Ukraine are behind Georgia. Just a small proportion of government agencies provide online services in Georgia, which affects the regions particularly negatively.

Public service delivery sector suffers from a lack of strategic planning and common standards for providing services, including e-services. Hence, all agencies create services based on their own needs, which then complicates the standardisation of existing services.

In addition, there are no systems or mechanisms for monitoring and evaluating service delivery projects or programmes; although programme budgeting has been implemented for the last several years, functional operability of performance indicators are probably years away.

Links with the Association Agreement

The impetus for Public Administration Reform arises from the EU-Georgia Association Agreement. According to Article 4 of the Agreement, the parties should: cooperate on developing, consolidating and increasing the stability and effectiveness of democratic institutions and the rule of law; pursue further public administration reform and the building of an accountable, efficient, effective, transparent and professional civil service.

The GoG initiated the PAR reform and adopted the PAR Roadmap 2020 in order to comply with the provisions of the Association Agreement. For that reason, the Roadmap makes numerous references to the Association Agreement.[9]

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6   PAR Action Plan 2019-2020 was introduced for consultations only when the draft was already prepared.
7   https://idfi.ge/public/upload/IDFI_2019/General/proaqtiuli_ENG.pdf
8   UN E-Government Survey (2018), https://bit.ly/2x3SEWM
9   Public Administration Reform Roadmap, Government of Georgia (2015), p. 3, 8, 9, etc.

Conclusions and Recommendations

As shown in this assessment Georgia has made some efforts towards implementation of Deliverable 11 by adopting, for example, a common policy standard and methodology, introducing Regulatory Impact Assessment to the legislative process, implementing programme budgeting, equipping regions with Public Service Halls. However, challenges remain in all directions: weak oversight mechanism for coordinating policy-making; lack of ambitious reforms anticipated in the PAR Action Plan and a low implementation level; lack of the involvement of CSOs from the initial phase of policy preparation; lack of proactive publication of all information; inconsistencies and asymmetries in the development of the public services, etc.

In order to meet the existing challenges of the PAR implementation it is recommended that the GoG:

- Commit to implementing ambitious reforms, finalise those launched years ago (including FoI) and initiate new ones.
- Ensure that there is proper monitoring of the implementation of the PAR Action Plan, and that the findings are published in reports that are made public.
- Ensure that the public and CSOs and all relevant stakeholders are made aware of the PAR monitoring process by publicity and are encouraged to participate. All should be engaged and informed about the ongoing reform and given the opportunity to provide their feedback.
- Ensure participation of the CSOs, including regional ones, in the monitoring of the PAR implementation, which will help the GoG adjust the Action-Plan implementation process to bring it in line with the findings and observations of the CSOs.

- Raise awareness about the reform in order to stimulate public demand for more ambitious reform commitments.
- Hold public consultations when initiating any reform connected to PAR. Representatives of the Administration of Government and thematic/relevant state institutions should actively organise meetings with the local population and offer people the opportunity to give feedback about the actions taken and the challenges encountered in the reform implementation process.
- Adopt common rules and standards for service delivery and monitoring and ensure that the services are adequately delivered in a coordinated manner in the capital as well as in regions.