



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

**Direction 1: Policy Planning
and Coordination**

2021



ევროკავშირი
საქართველოსთვის
The European Union for Georgia



GEORGIAN
YOUNG
LAWYERS'
ASSOCIATION

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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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MAIN FINDINGS

The monitoring revealed several significant findings:

- Of the objectives and activities planned during the reporting period:
 - Out of 4 objectives, 3 are unimplemented and 1 is mostly implemented;
 - Out of 17 activities, 10 are fully implemented, 1 is mostly, 2 are partly and 4 are unimplemented;
- The Action Plan does not fully reflect the challenges of Policy Planning and Coordination; Neither does it fully implement the 2018 OECD/SIGMA recommendations, in addition, most of the shortcomings identified in the organization's report as of 2020 are still unresolved;
- The Action Plan provides some indicators that do not comply with S.M.A.R.T. criteria, making it impossible to measure the performance of an objective/activity; In addition, most output indicators are presented in the form of activity result or sub-activity, which hindered the assessment of progress;
- Some of the activities do not serve the purpose of the objective implementation; Some are insufficient to achieve both the objective and the goal;
- Indicator verification sources, in some cases, are not adequate for the relevant indicator;
- Several activities are repeated between objectives, which loads the Action Plan. For example, the creation of an electronic system of policy documents involves two objectives, with two different agencies responsible for it; Policy planning, monitoring and evaluation training is divided into two objectives as independent activities, which, although initially was intended as different training, both took the same aim (along with the module name, both target groups were actually the same);
- Some of the activities have been implemented overdue (2021), which has led to non-fulfillment of objectives planned for 2019-2020;
- Activities that provide for the training of civil servants are limited to be evaluated by a general indicator and do not specifically define the target group of civil servants. With such an approach, a part of the trained contingent may be completely irrelevant to the objective set, i.e., employees sent by agencies to attend training might not functionally involved in policy development and execution;
- Objective 3, which involves the electronic development of anti-corruption policy documents, is fully covered by Objective 2, which also aims to create an electronic platform. Respectively this solution is waste of resources.



1. INTRODUCTION

Public Administration Reform (PAR) is an integral part of the European Neighborhood Policy¹ and one of the preconditions for EU membership.² Its aim is to strengthen democratic and independent public institutions, economic development, depoliticize the civil service, and establish transparency and accountability.³ Reform is based on internationally recognized principles of good governance such as: accountability, reliability, predictability, participation, openness, transparency and efficiency.⁴ Adherence to these principles confirms the success of public administration.⁵ The same mission is served by the 16th UN Sustainable Development Goal - peace, justice and strong institutions.⁶ The importance of PAR is specifically mentioned in other reports of international organizations.⁷

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.⁸ The Public Administration Reform launched in 2015 is based on the Association Agreement.

After signing the Association Agreement the Government developed a Public Administration Reform Roadmap, approved a Policy Planning System Reform Strategy for 2015-17,⁹ Policy Planning Handbook¹⁰ and Government Activity Monitoring, Reporting and Evaluation Systems;¹¹ In 2020, an updated policy planning and coordination pack-

¹ The Principles of Public Administration: A Framework for ENP Countries, OECD/SIGMA, p. 3, available at: <https://bit.ly/3hr4miT>, last update: 28.05.2021.

² Toolkit for the preparation, implementation, monitoring, reporting and evaluation of public administration reform and sector strategies, Guidance for SIGMA partners, OECD/SIGMA, p. 8, available at: <https://bit.ly/33FpsC3>, last update: 28.05.2021.

³ The Principles of Public Administration: A Framework for ENP Countries, p. 2.

⁴ *Ibid*, p. 3.

⁵ Strategy Toolkit SIGMA, available at: <https://bit.ly/3ya149l>, last update: 28.05.2021.

⁶ Sustainable Development Goals, Take Action for the Sustainable Development Goals, available at: <https://bit.ly/3y9o0Gi>, last update: 28.05.2021.

⁷ Government at a Glance 2015, OECD *library*, available at: <https://bit.ly/3hqj8Pq>, last update: 28.05.2021; See also World Public Sector Report 2021, Working Title: Institutions for the SDGs: a five-year stocktaking, May 2020, available at: <https://bit.ly/3w6icLL>, last update: 28.05.2021.

⁸ 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').

⁹ 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”.

¹⁰ Decree of the Government of Georgia #629 (December 30, 2016) on Approval of the Rules of Policy Planning, Monitoring and Evaluation.

¹¹ Decree of the Government of Georgia #628 (December 30, 2016) on Approval of the Government Monitoring, Reporting and Evaluation Systems.

age was introduced: Rules of Policy Planning, Monitoring and Evaluation, along with a handbook and methodological instructions.¹² With these documents, the Government expressed the readiness to fulfill the obligations.

Under the General Strategic Framework, the Government has approved three 2-year action plans since 2015, with specific objectives, activities and outcome/output indicators. In 2019, the third action plan was prepared according to the EU Principles of Public Administration,¹³ 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.¹⁴

It should be noted that policy planning and coordination reform has played an important role in shaping result-oriented and evidence-based policies. As mentioned above, 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. Consequently, the Amendments were made to the Law on Normative Acts and it became mandatory to assess the impact of regulation on draft laws.

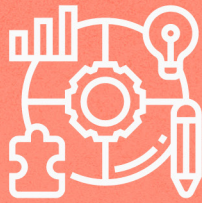
Despite the achievements, the reform faced significant challenges. Until 2019, its implementation was not monitored, the Government did not publish reports, and civil society was not involved not only in the evaluation of the results, but also in the process of the action plan elaboration. Only a brief monitoring results prepared for the EU Mission were presented to the Public Reform Council. Regarding the action plan for 2019-2020, the Government Administration published several monitoring reports.

This document addresses the first direction of the 2019-2020 Action Plan - Policy Planning and Coordination. It is an alternative report of the plan and monitors the implementation of the plan, as well as evaluates its content, feasibility and relevance to the challenges.

¹² Decree of the Government of Georgia #629 (December 20, 2019) on Approval of the Rules of Policy Planning, Monitoring and Evaluation.

¹³ Principles of Public Administration, SIGMA, available at: <https://bit.ly/2QgpVHR>, last update: 28.05.2021.

¹⁴ Decree of the Government of Georgia #274 (June 10, 2019) on Approval of the Public Administration Reform Action Plan for 2019-2020.



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 evaluates the implementation of each activity planned for 2019 and 2020, based on the indicators set out in the Action Plan.

The results of the monitoring are presented in the following structure:

1. Overall assessment of the Public Administration Reform Action Plan for 2019-2020;
2. Measuring the implementation of the objectives envisaged by the Action Plan and the activities planned for their achievement in 2019-2020, which are based on quantitative and qualitative criteria.

2.1. GENERAL ASSESSMENT OF THE ACTION PLAN

In this part of the monitoring, the compliance of the goals and objectives of the Public Administration Reform Roadmap and the Action Plan with the existing challenges was assessed. For this purpose, the situation analysis was conducted based on the reports, studies, recommendations and other information of international and local organizations.

In the same part the structural validity of the Action Plan and compliance of the objectives, indicators and activities with S.M.A.R.T criteria was assessed (according to which the mentioned components of the Action Plan should be specific, measurable, attainable, relevant and time- based).¹⁵

2.2. IMPLEMENTATION OF OBJECTIVES AND ACTIVITIES

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 or 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;

¹⁵ Toolkit for the preparation, implementation, monitoring, reporting and evaluation of public administration reform and sector strategies, p. 44- 45; see also: Duncan Haughey, SMART Goal, ebook - 21 Ways to Excel at Project Management, available at: <https://bit.ly/3UjdVxI>, last update: 28.05.2021.

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 full period of the Action Plan – 2019-2020.

2.3. MONITORING TOOLS

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.

2.4. MONITORING SOURCES

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.¹⁶

¹⁶ Giorgi Bobghiashvili - Head of Policy Planning Division of the Policy Planning and Coordination Department of the Administration of the Government of Georgia.



3. GENERAL ASSESSMENT OF THE ACTION PLAN

3.1. COMPLIANCE OF THE PLAN WITH CHALLENGES

Any political decision needs to be based on objective evidence and be aimed at achieving tangible results. Thus, policy planning and coordination is one of the important directions under the Public Administration Reform. Its purpose is to establish strong institutions, open governance and implement evidence-based solutions.¹⁷ An important role in this process is played by monitoring and evaluating the implementation of commitments.¹⁸ It ensures public participation¹⁹ in management from the policy planning stage and monitoring the progress of strategic goals/objectives,²⁰ as well as the ability to address identified gaps to improve policy quality.²¹

The first two action plans for Public Administration Reform in Georgia have not been monitored at the national level, although they have not gone unnoticed by major international organizations. European Union (EU) and Organization for Economic Co-operation and Development (OECD) joint Initiative - Support for Improvement in Governance and Management (SIGMA), evaluated the direction of policy planning and coordination in the framework of the PAR in Georgia in 2018 on the basis of which it issued 21 recommendations.²² Most of them, namely 14 out of 21, are not fully implemented unfulfilled as of 2020.

OECD/SIGMA report of 2018 (hereinafter - SIGMA report) discusses the 2015-2017 period. The document presents situation analysis with respect to 12 principles in 4 main blocks. Compliance with each principle and indicator in the report is assessed on a 5-point scale (5 points is considered the best). Georgia's score for most of them is average or below (including 0 points in providing public consultations,²³ and one in the quality of policy planning;²⁴ in addition, the country has received 1 point in the implementation of five principles).

¹⁷ World Public Sector Report 2021, Working Title: Institutions for the SDGs: a five-year stocktaking, May 2020.

¹⁸ Toolkit for the preparation, implementation, monitoring, reporting and evaluation of public administration reform and sector strategies, p. 7.

¹⁹ Julia Abelson, François-Pierre Gauvin, *Assessing the Impacts of Public Participation: Concepts, Evidence, and Policy Implications*, Research Report P|06, Public Involvement Network, March 2006, p. 1, available at: <https://bit.ly/3eN1Cus>, last update: 28.05.2021.

²⁰ Toolkit for the preparation, implementation, monitoring, reporting and evaluation of public administration reform and sector strategies, p. 84.

²¹ Government at a Glance 2015, OECD *ilibrary*, p. 31.

²² Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, May, 2018, OECD/SIGMA, available at: <https://bit.ly/3okmT1R>, last update: 28.05.2021.

²³ *Ibid*, p. 40.

²⁴ *Ibid*, p. 12.

The recommendations issued by SIGMA in 2018 concern not only the improvement of the legislative framework, but also its implementation. Despite some progress in Policy Planning and Coordination direction since 2017, a significant part of the reform is still in an initial stage, with most still to be improved. As of 2020, the gaps that need to be addressed with strategic planning documents are identified. These documents are to create the primary binding framework for policy planning, coordination and development, beyond which none of the directions of this process will remain, after which it will be possible to control the fulfillment of the obligations set out in it. Thus, it is necessary for the governing body to consider all aspects of one direction in the strategic framework, otherwise an incomplete document would be an indicator of poor planning, even if the government actually performs other tasks beyond the plan.²⁵

Listed below are various international standards for policy planning and coordination; It also discusses the shortcomings identified in the SIGMA report, which as of 2020, have not yet been eliminated.

◆ **Lack of a clear framework for public consultation and less transparency**

Transparency and public involvement is one of the most important principles, the observance of which indicates the soundness of policy development and coordination system.²⁶ Stakeholder engagement (the essential component of which is public consultation) is also highlighted in the indicators of the Regulatory Policy and Governance (2015), defined for OECD member countries.²⁷ Sustainable Governance Indicator (SGI) measures how well the government cooperates with non-governmental actors.²⁸ Transparency Indicator, in addition to involvement, considers the openness of the decision-making process, as well as the simple perception of regulations by the community (business).²⁹ A similar methodology is provided by the Balkan Business Barometer.³⁰ Openness, in turn, provides access to governance. This obligation

²⁵ Methodological Framework for the Principles of Public Administration: ENP Countries, May, 2018, OECD/SIGMA, p. 26, available at: <https://bit.ly/3bsXHRM>, last update: 28.05.2021.

²⁶ Delia Rodrigo and Pedro Andrés Amo, *Background Document on Public Consultation*, OECD, available at: <https://bit.ly/3w8C3d9>, last update: 28.05.2021.

²⁷ Indicators of Regulatory Policy and Governance, OECD, available at: <https://bit.ly/33KGdvl>, last update: 28.05.2021.

²⁸ Sustainable Governance Indicators, Executive Accountability, available at: <https://bit.ly/2SREFhp>, last update: 28.05.2021.

²⁹ Methodological Framework for the Principles of Public Administration: ENP Countries, p. 29.

³⁰ Regional Cooperation Council, Balkan Business Barometer, available at: <https://bit.ly/3ho3dc7>, last update: 28.05.2021.

applies to policy documents adopted by a public institution.³¹ A similar requirement is given in the Open Government Index methodology.³² In addition, the Global Open Data Index, among other data, includes a category of legislation.³³ It is important that not only the draft legal act but also its accompanying documents are subject to publication for public consultation (Explanatory Note, RIA).³⁴

Although the 2019 Policy Planning Rule and Guidelines require a public consultation step before the adoption of a policy document,³⁵ and provide a separate annex as a Public Consultation Guidelines,³⁶ the 2019-2020 Action Plan ended without the document being approved which is a significant shortcoming in policy planning. Instructions for holding public consultations are important in order to standardize the practice of consultations, which in turn will facilitate the coordination of the process.³⁷

The problem of citizen involvement in the government decision-making process is still relevant:³⁸ Closed government sessions, non-publication of agendas³⁹ and minutes are still a challenge for the government.⁴⁰ Although there is no problem with access to the law in the country, the lack of free access to consolidated versions of bylaws is also indicated by the SIGMA report;⁴¹ And individual government acts, which represent a significant part of government activities, are incompletely or not at all posted on

³¹ Methodological Framework for the Principles of Public Administration: ENP Countries, p. 27.

³² WJP Open Government Index Methodology, World Justice Project, available at: <https://bit.ly/3w8ChB1>, last update: 28.05.2021.

³³ Open Knowledge Foundation, Global Open Data Index, Draft Legislation, available at: <http://index.okfn.org/dataset/>, last update: 28.05.2021.

³⁴ Methodological Framework for the Principles of Public Administration: ENP Countries, p. 43.

³⁵ Rules of Policy Planning, Monitoring and Evaluation, Article 9.

³⁶ Annex to the Decree of the Government of Georgia #629 (December 20, 2019) on Approval of the Rules of Policy Planning, Monitoring and Evaluation – Policy Planning, Monitoring and Evaluation Handbook.

³⁷ It should be noted that the United Kingdom has a Code of Practice for Public Consultation, which addresses issues such as: when consultations are needed, their duration, process and scope description (impact, costs), target group, accessibility, reflection of feedback in the report, outcome of consultations in decisions. See: Code of Practice on Consultation: The Seven Consultation Criteria, HM Government (2008), available at: <https://bit.ly/3hmlsi4>, last update: 28.05.2021.

³⁸ Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 38.

³⁹ The agendas are not often published in advance before the meeting, but it is, ex post, linked to the information published about the meeting already held.

⁴⁰ The minutes of the meeting are not published on the government website, and the information about the meeting is given as a press release. This problem was also highlighted by SIGMA. See: Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 22.

⁴¹ *Ibid*, p. 45.

the government website (a consolidated version of the ordinances is not available). Until 2020, neither the policy documents nor their monitoring reports were fully published.⁴² Due to the approval of the plan of government-approved policy documents for 2020⁴³ at the end of the same year, only three of the 21 concepts, strategies and action plans outlined in it were available in the open sources. Only one of the reports on the implementation of the policy document is available.⁴⁴ In addition, the websites of the Ministries do not provide separate field for policy documents making it difficult to determine which of the documents presented in the plan was approved.

Thus, in terms of public consultation and transparency of activities, the government has a lot of work to do, which should start from the normative framework. Only then will it be possible to measure progress and identify positive trends.

◆ **Problems of policy planning and coordination in ministries**

Coordinated action of central public institutions is essential for the formation of a comprehensive and consistent policy.⁴⁵ SIGMA report indicates lack of communication and coordination between central government bodies⁴⁶, which was confirmed in the current plan: The creation of an electronic system of one function is envisaged for two objectives and different agencies are responsible for them.⁴⁷

Challenges remain in policy planning in ministries. In particular, although the government has approved a methodological package for policy development, there are still no uniform rules for legislation to improve the quality of policy planning.⁴⁸ SIGMA report points to the lack of a policy-making structural unit in some ministries (which is still relevant).⁴⁹ In some cases, there is a structure for implementing a sectoral policy, although there is no coordinating unit in the Ministry, which complicates communica-

⁴² This gap is discussed in the SIGMA report. See: *Ibid*, p. 18.

⁴³ 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/2TqnJin>, last update: 28.05.2021.

⁴⁴ See: 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.

⁴⁵ Government at a Glance 2015, pp. 91-97.

⁴⁶ Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Coordination*, Georgia, p. 9-10. Note: Georgia was awarded 0 points in this sub-indicator.

⁴⁷ See details in the next subchapters of the monitoring report.

⁴⁸ This issue is considered in the Methodological Framework for the Principles of Public Administration. See: Methodological Framework for the Principles of Public Administration: ENP Countries.

⁴⁹ Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Coordination*, Georgia, p. 30.

tion from the government.⁵⁰ The position of a senior official (manager) at the administrative level in the ministries has not been added yet;⁵¹ The highest position here is the head of the department, which is why in case of differences of opinion between the structural units the issue is resolved at the level of the Minister or the deputy.⁵² This leads to the interference of political officials and is unacceptable.⁵³ It is important for the government to address the shortcomings identified in the report and to facilitate policy planning and coordination at the institutional level.

◆ **Weakness of evidence-based sustainable policy making and policy analysis**

The effective and efficient functioning of public institutions is impossible without evidence-based policies. According to the SIGMA report, the frequent revision of laws adopted in this area (especially reform and/or structural changes) confirms that well-thought-out, agreed and planned policies should not be subject to amend within an year;⁵⁴ One reason for this may be the high rate of expedited government review of bills.⁵⁵ This prevents proper project preparation, in-depth review, process credibility and policy quality.⁵⁶ Therefore, it is necessary to reduce the number of the initiatives, the achievement of which is initially outlined by one of the indicators in the action plan to indicate their reduced rate. It is noteworthy that the Government Administration also named this issue as one of the challenges.⁵⁷

In addition, explanatory notes of draft legal acts approving a policy document that should justify the introduction or amendment of a new policy often provide incomplete information (especially about policy alternatives).⁵⁸ As it became clear during the meeting with the Government Administration, the coordinating body will not discuss in detail the justification of the policy chosen by the initiating agency and wheth-

⁵⁰ Interview with a representative of the Administration of the Government of Georgia.

⁵¹ None of the ministries provide for such a position by a statute.

⁵² Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 29.

⁵³ *Ibid*, p. 40.

⁵⁴ *Ibid*, pp. 6, 42.

⁵⁵ *Ibid*, p. 27.

⁵⁶ Toolkit for the preparation, implementation, monitoring, reporting and evaluation of public administration reform and sector strategies, p. 14.

⁵⁷ Interview with a representative of the Administration of the Government of Georgia.

⁵⁸ This gap is discussed in the SIGMA report. See: Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 34.

er the arguments for not considering its alternatives are presented.⁵⁹ Correcting this will substantially improve the quality of policy planning.

The effective functioning of the Regulatory Impact Assessment (RIA) is important in terms of evidence-based sustainable policies. Under the RIA, initiatives can be evaluated in terms of costs, benefits, and risks that have significant economic, environmental, and social impact on society; The purpose of this assessment is to answer two fundamental questions: Is regulatory intervention necessary and, if so, what is the best way to solve the problem?⁶⁰ Measurement of the quality of RIA use is provided by sustainable governance indicators in parallel with SIGMA principles.⁶¹ Although regulatory impact assessment has already been introduced in Georgia⁶² and its methodology is approved,⁶³ the quality of analytical support for new policies and laws remains low.⁶⁴ The action plan does not include a content control component.⁶⁵ For the full and effective work of regulatory impact assessment, it is important to strengthen the analytical part by measuring its quality, which, first of all, should be facilitated by strategic (and not only methodological) documents.

◆ **Insufficient institutional and legislative framework for the European integration process**

SIGMA report focuses on insufficient mechanisms for monitoring the implementation of the Association Agreement and the lack of a medium-term plan for the European integration process.⁶⁶ This shortcoming is still relevant today: The PAR Action Plan does not envisage any objectives or activities on this issue. Mechanisms for approximation with the EU are fragmented and inconsistent, both at the institutional and regulatory

⁵⁹ Interview with a representative of the Administration of the Government of Georgia.

⁶⁰ „Annual Report of the Public Administration Reform 2019-2020 Action Plan Implementation Monitoring (January-December, 2019)”, Administration of the Government of Georgia, April 2020; p. 22; available at: <https://bit.ly/33QojaR>, last update: 28.05.2021.

⁶¹ Sustainable Governance Indicators, Evidence-based Instruments, available at: <https://bit.ly/3brF40j>, last update: 28.05.2021.

⁶² Organic Law of Georgia on Normative Acts, Article 17 paragraph 1² and Article 17¹.

⁶³ Decree of the Government of Georgia #35 (January 17, 2020) on Approval of the Regulatory Impact Assessment Methodology.

⁶⁴ This gap is discussed in the SIGMA report. See: Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 6.

⁶⁵ Required by the Methodological Framework for the Principles of Public Administration. See: Methodological Framework for the Principles of Public Administration: ENP Countries, p. 40.

⁶⁶ Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, pp. 11, 16.

levels. This issue was also named as one of the challenges during the meeting with the Government Administration.⁶⁷ In order to approximate internal regulations with EU legislation, it is necessary to establish appropriate monitoring mechanisms and strengthen the existing ones;⁶⁸ Also, the involvement of not only the Deputy Ministers (political level) in the coordination mechanism, but also the administrative management.⁶⁹

◆ The disadvantages of the government e-program

Although the e-government program has been successful and has been functioning in the highest administrative body for several years,⁷⁰ there is a lack of in-depth reviews of legal documents under this system;⁷¹ Ministries mainly express only a positive or negative position, which does not allow for a comprehensive, flexible discussion. The fact that the Ministry does not express its opinion is considered as disagreement with it,⁷² which indicates the shortcoming of electronic format. In addition, the consideration of parliamentary initiatives and the feedback of the executive agencies on them is one of the components of comprehensive policy planning.⁷³ In this regard, the problem is that if the Ministry does not express its position on parliamentary initiatives, its inaction is considered consent,⁷⁴ which hinders informed decisions. Statistics on the remarks and shortcomings identified in the program are still not produced, so that the ministries can work on correcting them in the future.⁷⁵ Although, according to the Government Administration, the activity of the Cabinet through the e-Government program is less relevant in PAR to fully implement public administration reform, it is important that the strategic documents focus on the full process of reviewing bills and the effectiveness of the e-Government system. It should also be noted that the SIG-

⁶⁷ Interview with a representative of the Administration of the Government of Georgia.

⁶⁸ Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, pp. 12-13.

⁶⁹ Methodological Framework for the Principles of Public Administration: ENP Countries, p. 46.

⁷⁰ Rules of Procedure of the Government of Georgia (approved by the Decree #77 (February 14, 2018) by the Government of Georgia. Article 7, paragraph 2.

⁷¹ Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, pp. 9, 21.

⁷² Rules of Procedure of the Government of Georgia Article 11, paragraph 3.

⁷³ Methodological Framework for the Principles of Public Administration: ENP Countries, p. 34.

⁷⁴ Rules of Procedure of the Government of Georgia Article 30, paragraph 5.

⁷⁵ This gap is discussed in the SIGMA report. See: Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 22.

MA report focuses on a less in-depth discussion of the policy documents through the e-program. In this part, the Government has included in its next action plan a unified electronic program for policy documents, which responds to SIGMA's recommendation, however, it has not yet been implemented.

◆ **Lack of connection between the legislative plan and policy documents**

As lawmaking is the primary tool for policy implementation, it is essential to ensure that strategies and the legislative plan are consistent with each other. At the normative level, there should be a mechanism to verify the compliance of these plans and eliminate the problem of coordination between the relevant structures. Three different structures from the Government Administration are responsible for policy planning and lawmaking: Department of Parliamentary and Presidential Relations (so-called Parliamentary Secretary Office working on bills), Legal Department (on by-laws), Policy Planning and Coordination Department (drafting and coordinating policy documents).⁷⁶ Relevant questions are sent to them according to their competence. As it turned out, structural unit responsible for policy planning does not focus on the legislation plan,⁷⁷ which may lead to a mismatch between the planned activities. The existence of the RIA document, as well as the content, is checked by the Office of the Parliamentary Secretary. This is an informal cooperation. The need for coordination is also indicated in the SIGMA report.⁷⁸ It should also be noted that the Government checks the compliance of other policy documents with the country's Basic Data and Directions document,⁷⁹ which is good practice. In terms of other acts, it is also important to establish a coordination mechanism between these departments at the normative level, for example, to send formal opinions to each other when drawing up plans.

The rules for monitoring and reporting on the implementation of the legislative plan is not clearly established either;⁸⁰ Still remains a large rate of submission of legislative

⁷⁶ Statute of the Administration of the Government of Georgia approved by the Decree #340 (June 26, 2018) of the Government of Georgia.

⁷⁷ Interview with a representative of the Administration of the Government of Georgia.

⁷⁸ Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 14.

⁷⁹ Interview with a representative of the Administration of the Government of Georgia.

⁸⁰ This gap is discussed in the SIGMA report. See: Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 18.

initiatives beyond the plan;⁸¹ Although the obligation to substantiate at such times is prescribed at the level of the legislative framework,⁸² the study of the Government-initiated draft law review procedures published on the Parliament website does not confirm the practice of inadmissibility by the Parliament such draft laws.

◆ **Overlapping content of policy documents and low rate of their implementation**

Some of the issues raised in the area of reform policy planning are also reflected in other action plans. For example, the introduction of regulatory impact assessment can be found in both the Open Government Georgia Action Plan for 2018-2019 and the Georgian National Anti-Corruption Strategy approved in 2019.⁸³ This activity and goal were included in the current action plans and strategies due to its non-implementation in previous years. In addition, all three documents are approved by the government and it is easier to eliminate duplication. Incorporating this commitment into the Public Administration Reform Action Plan does not provide new opportunities. While the same objective may be substantively relevant for the purposes of different sectoral plans, specific activities should not be repeated as this leads to unjustified expenditure of both financial and human resources. Thus, it is important that Government Administration takes into account new and ambitious commitments in Public Administration Reform. The non-fulfillment of strategies and action plans is confirmed by the fact that most of the objectives and activities are transferred to the next plans.⁸⁴

In addition to the above issues, during the interview, the respondent identified several important challenges and risks, which may have an impact on the field in general, delay the process of achieving objectives and hinder the proper conduct of policy planning: The lack of persons in the Government Administration to review policy doc-

⁸¹ The Government presented 7 initiatives to the parliament beyond the legislative plan for the 2019 spring session, 6 for the autumn session in 2019, 10 in the spring 2020, and 9 in the autumn 2020 (including legislative packages). See: website of the Parliament of Georgia: <https://parliament.ge/legislation/find-legislation>. It should be noted that this number accounts for almost a third of all fully submitted initiatives. In addition, there is an intensity of submitting initiatives to the extraordinary session beyond the legislative plan, for which there is no obligation to substantiate.

⁸² Rules of Procedure of the Parliament of Georgia, Article 100, paragraph 2; Rules of Procedure of the Government of Georgia, Article 37, paragraph 7¹.

⁸³ 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.

⁸⁴ This gap is discussed in the SIGMA report. See: Baseline Measurement Report: The Principles of Public Administration, *Policy Development and Co-ordination*, Georgia, p. 14.

uments; The lack of persons in government agencies who are functionally responsible for policy planning; Uncoordinated process between policy makers and decision-makers; Frequent government changes; Problems caused by the pandemic that led to a change in priorities.

It should also be noted that the OECD/SIGMA has developed a methodological framework for public administration principles separately for the Instrument for Pre-Accession Assistance (IPA)⁸⁵ and the European Neighborhood Policy (ENP). Although Georgia falls within the scope of the second framework,⁸⁶ as it was revealed in the interview, in 2018, the country was evaluated by the IPA methodology at the initiative of the latter; The action plan for 2019-2020 was also prepared in accordance with it.⁸⁷ The argument for this was Georgia's active aspiration to join the European Union, for which it would be better to assess the implementation of the reform to a higher standard.⁸⁸ It is noteworthy that the IPA methodology is more detailed and rigorous than the ENP methodology. As shown above, the government still has a long way to go to address the shortcomings identified in the 2018 report. It is best for the country to consistently meet each of the requirements of the principles of public administration in order to outline progress towards a higher standard. Therefore, both methodological frameworks are relevant for the government.

Thus, the Public Administration Action Plan must meet internationally recognized standards for drafting a strategic document. In this process, first of all, it is necessary to analyze the situation/problem, identify the existing challenges, as well as their causes, and adjust each objective or activity of the plan to them.⁸⁹ In parallel, an analysis of political, economic, social, technological and legal factors (PESTLE) should be conducted; Strengths, weaknesses, opportunities and threats (SWOT) must also be analyzed.⁹⁰ Especially when there is a detailed report and recommendations of the international organization, the government should make more efforts to eliminate the identified shortcomings and reduce them as much as possible in future plans. As it turned out, the action plan for 2019-2020 did not fully meet the challenges and problems that existed during its development. Many issues remained beyond it. It is espe-

⁸⁵ Methodological Framework for the Principles of Public Administration, May, 2019, available at: <https://bit.ly/3ux2t7n>, last update: 28.05.2021.

⁸⁶ European Neighborhood Policy, European Commission, available at: <https://bit.ly/3ogBonh>, last update: 28.05.2021.

⁸⁷ Interview with a representative of the Administration of the Government of Georgia.

⁸⁸ *Ibid.*

⁸⁹ Toolkit for the preparation, implementation, monitoring, reporting and evaluation of public administration reform and sector strategies, pp. 17-19.

⁹⁰ *Ibid.*, pp. 24-28.

cially noteworthy that the plan leaves out the objectives required for the fulfillment of the commitments made in the direction of EU integration. Activities to approximate with the EU *acquis* should be consistently planned in the strategic document of public administration. The Action Plan does not contain any commitments to improve the procedures for drafting bills and other legal acts (other than a policy document), nor does it provide any indication of the openness and transparency of government activities. Coordination between government structures still needs to be improved.

3.2. ASSESSMENT OF THE PLAN STRUCTURE AND CONTENT

The structure of the Action Plan in the Policy Planning and Coordination direction, the formulation of objectives, activities and indicators, has improved compared to previous years. The document also provides baseline and target indicators. This greatly simplifies the monitoring process and is a good practice. However, there are still a few indicators which do not meet the S.M.A.R.T. criteria. It is important that the Action Plan does not include an indicator that will not be specific, achievable and measurable. Insufficient indicators to measure the result were also identified, such as those that were not related to the activity or objective. Problems in this direction are discussed in this paper for each objective.

1) Objective 1:

The objective 1 implies improvement of the quality assurance control mechanism of policy documents. To achieve this, the policy planning and coordination system needs to be improved. First of all, it should be noted that the quality control mechanisms refer to Objective 2, which outlines the reporting, monitoring and evaluation requirements. Accordingly, the title of Objective 1 itself should focus on improving the quality of policy documents.

Objective 1 is measured by two indicators. According to the first indicator, more than half of the policy documents (51%) submitted to the Government should meet the requirements of updated Policy Planning, Monitoring and Evaluation Guideline (hereinafter – “the Guideline”). According to the second indicator more than half of the trained civil servants (51%) in Public Policy Analysis Trainings should be awarded with the “completed with distinction” (the highest) certificate. An “Annual Action Plan Monitoring Report” is provided to confirm both indicators. It should be noted that this source of verification is illogical and inconsistent with respect to the outcome indicator. The

performance of the named indicators should be evaluated in the monitoring report. Consequently, it is impossible to match the verification source and the monitoring tool. The quality of policy documents can be verified through a special quality assurance mechanism - the conclusion issued by the Government Administration after the submission of the policy document by the initiating agency.⁹¹ And the passing of the training course by the public servants will be confirmed by the summary protocol of the completion of the relevant course or the relevant document, which will contain information about the participants and the results achieved by them.

Regarding the first indicator, it should be additionally noted that the rate of meeting the standards of the Guideline is a vague criterion. According to the Guideline, the submitted policy documents are checked by the Government Administration, after which it issues a positive conclusion or requests its amendment. In the event of a change, the initiating agency will provide a modification of the document and adapt it to the Guideline (after which it will be resubmitted to the government). Otherwise a positive conclusion cannot be issued on it. Given this procedure, it is unclear what the wording of the outcome indicator means: Should only first-submitted policy documents comply with the Guidelines, or does the indicator also consider documents revised, modified upon the Government Administration comments? Without specifying this detail, it is difficult to quantitatively measure the performance of a given indicator for monitoring purposes.

The formulation of the 2nd indicator of the objective does not specify the category of civil servants. In order for the objective to be considered implemented, it is necessary to plan an appropriate training course for the officials who have the policy planning function in their service. The training of any civil servant within the course deviates this indicator from both the objective and the goal, and at the same time leads to the illegal spending of resources. Although the structural units were specified during the implementation of the plan,⁹² it is necessary that this issue be directly stated in the plan. With regard to this indicator, it should also be noted that the share of trained persons with distinction only is not sufficient to confirm the built capacity of the officials. It is important that this quantitative indicator is primarily aimed at the full number of people working in the field of policy planning. As it turned out, the Government Administration determines the number of staff to be trained according to the data provided by the ministries.⁹³ It is necessary to first determine the full number of such persons, and then plan to train a large part of them. Otherwise, due to the

⁹¹ Policy Planning, Monitoring and Evaluation Guideline.

⁹² Interview with a representative of the Administration of the Government of Georgia.

⁹³ *Ibid.*

small number of such officials participating in the training, the number of honorary certificate holders will be even smaller. This does not guarantee the achievement of the objective - capacity building of civil servants.

The first activity out of 7 under the Objective 1 implies to Elaborate, deliberate, approve and print the package of the Regulatory and Methodological amendments of the Policy Planning, Monitoring and Evaluation. The first two of these output indicators express the result of the activity, i.e. what is provided by the activity. Instead, it is better to indicate the issues to be regulated by the rules and guidelines, the content of which will directly confirm the creation of regulatory and methodological documents of the policy planning and coordination system and will enable qualitative measurement of performance. The 3rd indicator also provides for the printing of the entire handbook. This is also the result of activity. Instead, it would be better to refer (for example) to the fact that this package is provided in hard copy to the policy-making structural units of public institutions.

The second activity implies development of a policy planning, monitoring and evaluation training course for public servants. The output indicator is an activity result here too ("Training module is developed"). Instead, it would be appropriate for the plan to indicate the content of the training module and its design (how it would be delivered). An indicator that directly responds to an activity with its wording eliminates the content of the same activity and makes it impossible to check its performance with a qualitative criterion.

Activity 4 envisages the study of best practices and legal framework for holding public consultations at the policy development stage. Like others, its indicator is the result of activity („Research report is developed and recommendations are elaborated accordingly“). A research document is also given as a source of verification. The wording of the activity would better be preparation of a comparative research report and the output indicator could be: Best practices are explored, visits/interviews are conducted, recommendations are developed.

Activity 5 envisages the creation of a systematic database of policy documents submitted to the government. According to the plan, it should also indicate the recommendations issued. Given that the other objective is to create an electronic program of policy documents that will bring together all the documents and information, it is not advisable to outline development of a database as a separate activity. The data that should be reflected in the systematized database can be integrated into the electronic system to be developed. Developing both databases in parallel will lead to an unjustified misuse of human and time resources.

Activity 6 is „Elaboration of the Annual Plan of the Government Policy Documents“. It should be noted that the government has this obligation by Resolution N629. Therefore, it is not advisable to include it in the 2-year action plan.

2) Objective 2:

Objective 2 of the plan is “Improve the quality of policy implementation Monitoring, Reporting and Evaluation”. It must ensure a result-oriented approach and public accessibility.

Indicators for this objective refer to the adequacy of monitoring and evaluation reports, their compliance with the requirements of the handbook, and ensuring commitment of the publication. It should be noted that the implementation of the strategy is monitored/evaluated and the relevant reports are prepared by the relevant responsible agency, while the compliance with this handbook is verified by the Government Administration. The interview with the representative of the agency revealed that the government's feedback on the reports of the ministries is informal: Remarks and opinions do not have the form of a conclusion or report, but are provided to the ministries through various means of communication. Their generalized (statistical) assessment is reflected in the government-prepared Public Administration Reform monitoring report.⁹⁴ It is best to confirm the position of the coordinating body on these reports with an official document. This will allow the coordinating body to see the full picture in refining the reporting system.

Activity 1 of the Objective 2 implies elaboration of the Policy Monitoring and Evaluation Standards First of all, it should be noted that the creation of the same standards is envisaged by the 1st activity of the 1st objective. In addition, approval – the next stage after elaboration is outlined as an output indicator („Monitoring and Evaluation Guideline is approved“). It is important to outline the international standards/recommendations that the monitoring and evaluation guidelines comply with as an output indicator, as well as the list of mandatory issues that this guideline should contain. Such an indicator allows to qualitatively check the implementation of the activity.

The second activity implies training of civil servants. Together with the output indicator, it is identical to an activity under the Objective 1. The wording of the training module is the same as well as the number of public servants. It is also necessary to indicate the category of officials, and the number should be determined not by a certain quantity, but the main principle should be the training of a proportional number of representatives of all agencies.

⁹⁴ Interview with a representative of the Administration of the Government of Georgia.

The third activity envisages development of a Unified Electronic System (E-System) for elaboration, monitoring, reporting and evaluation of policy documents. Indicators of this activity are actually sub-activities, namely the procedures that are necessary to build the system step by step. Such an approach complicates the measurement of indicators by quantitative/qualitative criteria. To verify the implementation of this activity, it would be enough to define the following 2 indicators: (1) Based on the final business process description document, the e-system is functioning properly and instructions for use are provided; (2) The e-system has at least 200 registered users (for example) and they have expressed their opinion on at least one policy document under development. Such indicators will enable measuring the functioning of the e-system, as it focuses on the quality and efficiency of the system.

Activity 4 is the training of e-system users, and its output indicator is presented as following – “Trainings are conducted and 100 civil servants (users) are trained”. This indicator is subject to quantitative measurement; however, it is important to indicate not the result of the activity, but the focus should be on all agencies using the system, and the number of participants should be selected from the representatives of each agency proportionally.

3) Objective 3:

The third objective is to establish development of a practice of elaborating Policy Documents electronically in order to enhance the transparency of anti-corruption policy elaboration and effectiveness of inter-agency coordination. It should be noted that all three activities of this objective are covered by the activities provided for in the second objective. Both electronic systems are substantially the same and serve the same purpose. This is confirmed by the information in the annual report of the government, which refers to its possible modification, in particular: “At the first stage, it is important to launch a unified e-system for policy planning and coordination, and based on a thorough study and analysis of this system, the development of anti-corruption documents elaboration e-system will be modified or be continued without amendments”.⁹⁵ The only result of such duplication is the expenditure of additional resources. Therefore, it is not advisable to outline them separately.

However, it is important to include anti-corruption issues in the Public Administration Reform Action Plan, which will also serve to reduce corruption risks in the public sector and, at the same time, will not duplicate the Anti-Corruption Action Plan.

⁹⁵ Annual Report of the Public Administration Reform 2019-2020 Action Plan Implementation Monitoring (January-December, 2019)”, p. 31.

4) Objective 4:

The fourth objective is “Establish the evidence-based policy development system through implementation of Regulatory Impact Assessment (RIA) on legislative acts”. This mechanism helps to structure policy issues and assess the expected positive and negative consequences of regulation or non-regulatory action.⁹⁶ First of all, it should be noted that the wording presented in the Action Plan does not indicate a goal. In fact, the goal should be to establish a system of evidence-based policy implementation, and to achieve this objective – RIA on legislation should be introduced. The same logic is followed by both the outcome indicator and the activities.

The outcome indicator is that the share of the Government initiated legislative packages elaborated in accordance with the Regulatory Impact Assessment (RIA) should be 5%. The "legislative packages" indicated in the wording of the indicator significantly narrow the segment that may accompany the RIA document. The legislative package envisages several bills, and it may not be necessary to prepare and submit more than one bill to address a specific issue. Thus, according to the existing record, if one bill needs RIA, then this bill will not be included in the 5%, which will negatively affect the performance status of the indicator. Respectively, instead of the indicator should envisage a draft law instead of a legislative package.

It should also be noted that the reference to the standard share will most likely lead to non-compliance with the indicator, as its implementation essentially depends on the need to prepare relevant bills: If it does not become necessary to initiate bills that requires the RIA during a specific period, it is risky to implement the objective. This circumstance can be described as the risk of the objective (the risks of this objective are not specified in the plan at all). Thus, in parallel with the exact share, it is necessary to encourage the preparation of a RIA document on other bills for which it is currently optional under the legislative framework.

In addition, one of the indicators of the outcome of the objective should be the validity of the RIA documents, in particular, whether it meets the methodology established by the government. This should be evaluated qualitatively and an appropriate conclusion should be prepared. The latter will also be a source of verification of the implementation of the indicator.

As for the sources of verification of the outcome indicator of the 4th objective, these are: OGP Action Plan 2018-2019 self-assessment final report and joint report prepared by the AoG and MoJ (2020). Government-initiated projects are uploaded along with

⁹⁶ Decree of the Government of Georgia #35 (January 17, 2020) on Approval of the Regulatory Impact Assessment Methodology, Article 2, subparagraph “a”.

the attached materials on the Parliament website. Therefore, the primary source for their verification is the website of the legislative body and should be indicated in the plan instead of reports. This also excludes the risks of delaying the publication of the specified documents.

Activity 1 of the 4th objective elaboration of the draft law on Regulatory Impact Assessment of legislative acts. Its output indicators are, in fact, activities, and the first indicator is the result of the activity. Because of this, it is virtually impossible to measure its quality. Accordingly, it would be appropriate define presenting a draft law as an activity, and prescribing that the normative act defines the cases when it is necessary to assess the impact of regulation as the output indicator.

In the case of Activity 2, the results of the activity are also presented as an output indicator. It is better to indicate in the methodology part: "The rules and conditions for conducting a regulatory impact assessment have been established" or "The rules for conducting and preparing regulatory impact assessments in relation to the draft law have been established." The source of its verification will be the Legislative Herald, where the relevant government decree is published.

The Activity 3 refers to awareness raising and training of civil servants responsible for lawmaking on Regulatory Impact Assessment of legislative acts. It is not enough to indicate the number of public servants as an indicator. It is necessary to increase the share of officials in the preparation of the RIA and to use fewer external resources. Otherwise, conducting a training course for individuals who are not actually working on the RIA document would be an unreasonable waste of resources and would not even lead to capacity building of civil servants as defined by the action plan.

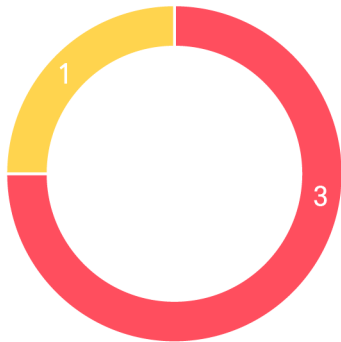
Thus, a number of shortcomings in the Policy Planning and Coordination direction of the 2019-2020 Action Plan were identified. They have a direct impact not only on the implementation status of each output and outcome indicator, but also on the achievement of objectives and goals. Improper planning of activities leads to transferring of the activities to further action plans, which hinders overall progress. Accordingly, the government should take into account the indicated shortcomings and the proposed recommendations when developing the plan. This will make the plan much easier to monitor and progress will be visible.



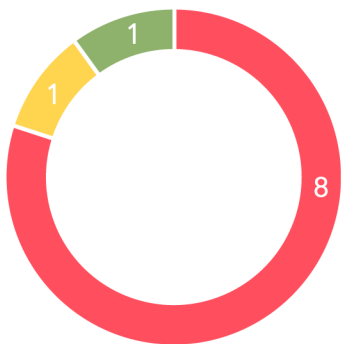
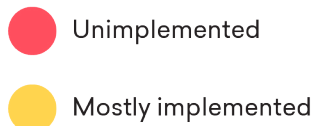
4. MONITORING OF THE OBJECTIVE AND ACTIVITY IMPLEMENTATION

The aim of the first direction of the PAR 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 17 activities and 30 output indicators.

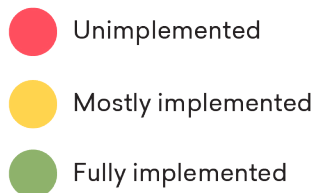
During the monitoring period, out of the four objectives of the Policy Planning and Coordination direction of the Action Plan one was mostly implemented and three were unimplemented. Out of 10 outcome indicators, 1 is fully implemented, 1 is mostly implemented and 8 are unimplemented.



OBJECTIVE IMPLEMENTATION RESULTS

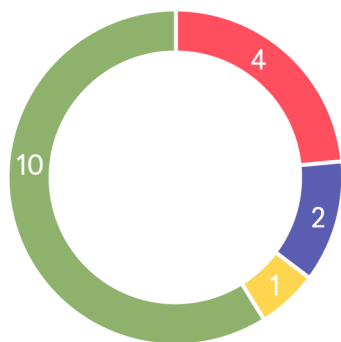


OUTCOME INDICATORS

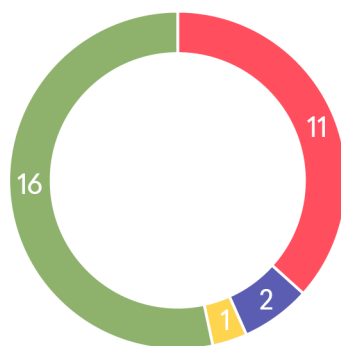


Out of 17 activities of the Policy Planning direction of the Action Plan, 10 were fully implemented, 1 is mostly implemented and two are partly implemented, while four are unimplemented. Out of output indicators, 16 are fully implemented, 1 is mostly

implemented, 2 are partly implemented and 11 are unimplemented.



ACTIVITY IMPLEMENTATION RESULTS



OUTPUT INDICATORS



While the implementation rate of the activities is not negative, it is noteworthy that none of the objectives were fully implemented.

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. The latter was approved by the Government at the end of 2019 and was enforced on January 1, 2020.⁹⁷ Accordingly, all policy documents submitted to the Cabinet for approval must 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.⁹⁸ It is noteworthy that the Government approved the plan of policy documents for 2020 in the 4th quarter of the same year, on November 19.⁹⁹ According to the procedure, the policy documents had to be initiated in the government right after the approval of this plan.¹⁰⁰ However, due to delays in approving the

⁹⁷ Decree of the Government of Georgia #629 (December 20, 2019) on Approval of the Rules of Policy Planning, Monitoring and Evaluation.

⁹⁸ The Rules of Policy Planning, Monitoring and Evaluation, Article 6.

⁹⁹ Decree of the Government of Georgia (November 19, 2020) on Approval of the Policy Document Annual Plan 2020 of the Government of Georgia.

¹⁰⁰ The Rules of Policy Planning, Monitoring and Evaluation, Article 7, paragraph 1.

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.¹⁰¹ Although the procedure for submitting policy documents was not followed in 2020 (their submission plan was approved at the end of the year), the target indicator (51%) has been achieved. It is also important to note that the government must 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.¹⁰² As provided in the first and second Alternative Monitoring Report, 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.¹⁰³ 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.¹⁰⁴ No other trainings were organized according to the letter of the government.¹⁰⁵ In total, 97 officers 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 must be provided after development of the respective methodology.

Finally, the objective is **mostly implemented**.

¹⁰¹ Letter #GOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

¹⁰² Letter #GOV 3 20 00003949 of February 3, 2020 of the Administration of the Government of Georgia.

¹⁰³ 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.

¹⁰⁴ Letter #GOV 0 20 00030009 of July 24, 2020 of the Administration of the Government of Georgia.

¹⁰⁵ Letter #GOV 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.

In December 2019, the Government approved rules for the policy document development, monitoring and evaluation, an integral part of which is the above-mentioned guideline. Their content includes the hierarchy of policy documents, the procedure for drafting and submitting, general quality control, as well as monitoring and evaluation procedures. Accordingly, the first two output indicators shall be considered **fully implemented**.

The 3rd outcome indicator of the activity determines the minimum list of the Guideline annexes/instructions. They are approved as annexes to the above government decree. Their content is in line with the OECD/SIGMA guideline, which sets out the tools for preparing, implementing, monitoring, reporting and evaluating public admin-

istration reform and sectoral policy documents.¹⁰⁶

One of the documents envisaged by this indicator is “Instruction for Conducting Public Consultations”. As during the Alternative Monitoring Report for 2019 and the first six months of 2020, it has not been approved at this stage either. Despite the abovementioned, 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.**

Activity 1.1.2: Elaboration of a Training Module for civil servants on Policy Planning, Monitoring and Evaluation in compliance with updated regulatory and methodological documents

Output indicator:

Training module is developed

Activity implementation status: fully implemented

The second activity of the first objective has only one output indicator which evaluates it qualitatively.

The implementation of the activity is confirmed by the development of a training course.¹⁰⁷ **Thus, it is considered fully implemented**

Activity 1.1.3: Training for civil servants on Policy Planning (monitoring and evaluation)

Output indicator:

70 civil servants are trained

Activity implementation status: fully implemented

According to the Government Administration, the policy planning, monitoring and evaluation training was conducted in two phases. The total number of trained civil servants was 97.¹⁰⁸ **Accordingly the activity is fully implemented.**

¹⁰⁶ Toolkit for the preparation, implementation, monitoring, reporting and evaluation of public administration reform and sector strategies.

¹⁰⁷ Letter #GOV 3 20 00003949 of February 3, 2020 of the Administration of the Government of Georgia.

¹⁰⁸ Letter #GOV 0 20 00030009 of July 24, 2020 of the Administration of the Government of Georgia.

However, it should be noted that the action plan repeats similar activity and its output indicator (Activity 1.2.2). Implementing the automatically confirms the implementation of another activity.

Activity 1.1.4: Study of the best practices and legislative basis for conducting public consultations at the policy elaboration stage

Output indicator:

A study report is prepared based on which recommendations are elaborated

Activity implementation status: fully implemented

The fourth activity also has one output indicator, which evaluates its implementation qualitatively. The implementation period is set for the third quarter of 2019. However, its implementation became possible only in the first 6 months of 2020, with the support of an international donor organization.¹⁰⁹ Although the Public Consultation Instruction have not yet been approved, this activity indicator only refers to the development of a research paper. **Respectively, this activity is considered fully implemented.**

Activity 1.1.5: Develop and run a database of the policy documents submitted to and approved by the government

Output indicator:

Data on policy documents submitted to/approved by the government and recommendations developed accordingly is systematized by years and agencies

Activity implementation status: fully implemented

The fifth activity also has one output indicator, which evaluates its implementation qualitatively.

The Government Administration has inventoried both the policy documents approved by the Cabinet and the policy documents of other agencies, and has developed a database that runs in Excel format. The database is quite extensive and integrates components such as: A policy document in the hierarchy; The type and name of the

¹⁰⁹ Letter N GOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia; See also: „Annual Report of the Public Administration Reform 2019-2020 Action Plan Implementation Monitoring (January-December, 2019)”, p. 17.

policy document; Coordinating agency; Information on the approval of the policy document by the Government/Ministry; Date of approval; Validity period; Information on the relevance of a particular document.

Respectively, this activity is considered **fully implemented**.

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.¹¹⁰ 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.¹¹¹

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**.

¹¹⁰ The Rules of Policy Planning, Monitoring and Evaluation, Article 6.

¹¹¹ 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.

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 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.¹¹² Respectively, this activity is **partly implemented**.

¹¹² Letter #GOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

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, as well as to improve the policy by eliminating the identified shortcomings.

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

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. 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 2021.¹¹³ This time is not enough to publish the evaluation documents. In

¹¹³ *Ibid.*

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.¹¹⁴ Only one of the three documents has an annual monitoring report.¹¹⁵ Consequently, **all three output indicators are unimplemented** based on these data.

Activity 1.2.1: Elaboration of the Policy Monitoring and Evaluation Standards

Output indicator:

Monitoring and Evaluation Guideline is approved along with the Policy Planning, Monitoring and Evaluation Handbook

Activity implementation status: fully implemented

The Rules for Development, Monitoring, and Evaluation of Policy Documents approved by the Government in December 2019, along with other annexes/instructions, include monitoring and evaluation instructions.¹¹⁶ They provide the following information: types and periodicity of reports, structure, filling samples, reporting principles; The evaluation instruction additionally includes: issues related to evaluation planning, scale, questions, methods of impact evaluation. **Accordingly, this activity is considered fully implemented.**

Activity 1.2.2: Retraining of civil servants through a Policy Planning, Monitoring and Evaluation training module

Output indicator:

70 civil servants are retrained

Activity implementation status: fully implemented

According to the government administration, the policy planning, monitoring and evaluation training was conducted in two phases. The total number of trained officers was 97.¹¹⁷ **Accordingly, this activity is fully implemented.** However, as mentioned,

¹¹⁴ Interview with a representative of the Administration of the Government of Georgia.

¹¹⁵ Monitoring Report 2020 of the Action Plan for Improving the Quality of Ambient Air in Rustavi 2020-2022.

¹¹⁶ Decree of the Government of Georgia #629 (December 20, 2019) on Approval of the Rules of Policy Planning, Monitoring and Evaluation; Annex 10 and 11.

¹¹⁷ Letter #GOV 0 20 00030009 of July 24, 2020 of the Administration of the Government of Georgia.

the action plan repeats a similar activity and an output indicator (Activity 1.1.3).

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 2020.¹¹⁸

The deadline for the implementation of the second output indicator is defined in the 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 2021.¹¹⁹ **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 period because a large part of its indicators has not yet been performed.

¹¹⁸ 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/3bc89Ns>, last update: 28.05.2021.

¹¹⁹ Letter NGOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

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.**

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 **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 Secretariat and the Ministry of Justice and Public Administration Reform Secretariat (hereinafter – “Secretariat”) modify the objective 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.¹²⁰

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 first activity of the objective in the framework of Alternative Monitoring Reports of 2019 and 2020 was “unimplemented” as the information provided to the Secretariat by the Ministry of Justice did not confirm the achievement of the output indicator. The source of their response is still unverified.¹²¹ **Thus, all four output indicators of the activity are unimplemented.**

¹²⁰ 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.

¹²¹ 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.¹²² **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.**

¹²² *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 2015¹²³ and its implementation was undertaken not only within the framework of Public Administration Reform, but also through other strategic documents and agreements.¹²⁴

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 2020.¹²⁵

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.¹²⁶

It should also be noted that it is impossible to evaluate the performance of the objec-

¹²³ Policy Planning System Reform Strategy 2015-2017, Objective 3 of the Action Plan.

¹²⁴ 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.

¹²⁵ Organic Law of Georgia on Normative Acts, Article 17¹.

¹²⁶ Letter #GOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.

tive in terms of share in the absence of an RIA report developed in accordance with the methodology.

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

Activity 1.4.1: Elaboration of the draft law on Regulatory Impact Assessment of legislative acts

Output indicator:

1. Draft law on Regulatory Impact Assessment of legislative acts is elaborated
2. Draft law on Regulatory Impact Assessment of legislative acts is submitted to the Government
3. Draft law on Regulatory Impact Assessment of legislative acts is approved by the Government and submitted to the parliament

Activity implementation status: fully implemented

In February 2019, the Ministry of Justice and the Government, submitted a draft amendment to the Organic Law on Normative Acts to the Parliament, which provided for the mandatory introduction of regulatory impact assessment of legislative acts. It was approved in May 2019 and came into force on January 1, 2020.¹²⁷

Accordingly, the implementation of the activity is confirmed by all three indicators and will be considered fully implemented.

Activity 1.4.2: Elaboration of the methodological manual on Regulatory Impact Assessment of legislative acts

Output indicator:

1. Methodological manual on the Regulatory Impact Assessment of legislative acts is developed
2. Methodological manual on the Regulatory Impact Assessment of legislative acts is submitted to the Government

Activity implementation status: fully implemented

With the abovementioned amendments, the Government was instructed to approve

¹²⁷ Organic Law of Georgia on Normative Acts, Article 17¹.

the methodology for Regulatory Impact Assessment by January 2020.¹²⁸ Although the Cabinet has approved this document overdue,¹²⁹ **the activity is still considered fully implemented.**

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,¹³⁰ 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,¹³¹ 19 civil servants from 11 state institutions¹³² underwent this training.¹³³ Accordingly, a total of 31 civil servants were trained.

Eventually, the number of trained civil servants approached the target, thus the status is - mostly implemented.

¹²⁸ *Ibid*, paragraph 5.

¹²⁹ Decree of the Government of Georgia #35 (January 17, 2020) on Approval of the Regulatory Impact Assessment Methodology.

¹³⁰ USAID/GGI and EU project “Supporting Public Administration Reform in Georgia”.

¹³¹ USAID Economic Management Project.

¹³² 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.

¹³³ Letter #GOV 7 21 00003799 of February 5, 2021 of the Administration of the Government of Georgia.



5. SUMMARY AND RECOMMENDATIONS

The direction of Policy Planning and Coordination of the Public Administration Reform Action Plan for 2019-2020 has been improved compared to the plans of previous years. It is largely focused on meeting the relevant international standards - OECD/SIGMA guidelines and methodology. The reform coordination body - The Government Administration is actively working to achieve the goals and objectives set out in the Action Plan. Approval of the policy planning, monitoring and evaluation rules, guidelines and instructions relevant to the process as well as activities implemented on a normative level to introduce RIA should be underlined.

Nevertheless, in the process of alternative monitoring of the Action Plan, a number of shortcomings were identified, which relate not only to the content and viability of the plan, but also to its implementation. Despite the more or less positive trend of implementation of activities, 3 out of 4 objectives are still unfulfilled. Neglecting components in the PAR strategic document such as the European integration commitments, legislation and its process, ensuring transparency of activities still remain a significant challenge.

The present monitoring report also confirmed the inconsistency of the objectives, activities and indicators with S.M.A.R.T. criteria as well as the problem with duplication of individual activities and objectives. Procedural deficiencies in the performance of various activities were also identified (For example, late submission of policy plan, approval of normative acts by individual act).

The Policy Planning and Coordination direction of the PAR Action Plan should address the necessary objectives that are critical to the implementation of evidence-based and results-oriented policies. All components of policy planning are time-consuming and require resources. Thus, it is necessary for the responsible agencies to see this challenge in order to achieve the objective set for the future.

In order to eliminate the shortcomings identified as a result of the monitoring of the 2019-2020 plan and to take them into account in further plans, the monitoring team developed the following recommendations:

- ▀ The Government must address new and ambitious commitments PAR, such as objectives to be implemented for the EU integration, legislation and transparency of activities;
- ▀ The formulation of objectives, indicators and activities should be in line with S.M.A.R.T. criteria according to which these components of the action plan should be specific, measurable, achievable, realistic and timely; The wording of the indicators should not directly reflect the output of the activity;

- ▶ Duplication of activities in the Action Plan should be ruled out;
- ▶ The objectives and activities defined in the plan should not overlap the same components provided for in the other strategic document;
- ▶ The action plan should not include obligations that are already defined as a function of the government by other normative acts (non-strategic documents);
- ▶ It is necessary for each agency to rationally determine the timeframe for the implementation of activities in the future in order to avoid non-compliance with the deadlines;
- ▶ The annual plan of policy documents must be approved by the government at the end of the previous planning year, so that the responsible agency can start fulfilling its obligations from the beginning of the following year;
- ▶ The government should take active steps to address deficiencies identified in the interim, progress or annual reports, and should not wait for the plan timeframe to be over (Including amendments to the action plan, if necessary);
- ▶ It is better to confirm the position of the coordinating body on the monitoring/evaluation reports prepared by the ministries with an official document; This will allow seeing the full picture of refining the reporting system;
- ▶ With regard to the indicators that are provided for the training modules, it is important to specify the contingent of participants in the plan, so that the indicator does not deviate from the set goal, at the same time, financial resources are not wasted;
- ▶ It is important to properly assess the risks and outline the measures needed to manage them;
- ▶ Every responsible agency should ensure high accessibility to public information on all documents representing the source of verification of activities or objectives, among them, publishing government legal acts, and allocate a special field for policy documents on their websites to ensure comprehensive alternative monitoring.

