OSCE Organization for Security and Co-operation in Europe
Office in Yerevan

FREEDOM OF INFORMATION
CENTER OF ARMENIA

OGP Armenia: Civil Society Monitoring Report

2015

The purpose of this monitoring report is to present the civil society's assessment of and observations on the process of development and course of one-year implementation of the Second National Action Plan of Armenia, within the framework of Open Government Partnership Global Initiative. The monitoring has been conducted by the Freedom of Information Center of Armenia NGO, with the support of the OSCE Office in Yerevan. The opinions and conclusions expressed herein are those of the authors and do not necessarily reflect the views of the OSCE Office in Yerevan.

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Abbreviations

RA	Republic of Armenia
OGP	Open Government Partnership
AP	Action Plan
IRM	Independent Research Mechanism
NGO	Non- governmental organization
CSO	Civil Society Organization
MM	Mass Media
MTAES	Ministry of Territorial Administration and Emergency Situations
MES	Ministry of Education and Science
FOICA	Freedom of Information Center of Armenia non- governmental organization
JFF	Journalists for the Future non- governmental organization
TI ACC	Transparency International Anti- Corruption Center
OSCE	Organization for Security and Co- operation in Europe
EU	European Union
EITI	Extractive Industries Transparency Initiative
USAID	United States Agency for International Development

Introduction

OGP processes in Armenia

The Republic of Armenia has joined the Open Government Partnership (hereinafter also – the OGP) global initiative in November 2011[1]. The OGP[2] (Open Government Partnership) is a volunteer international initiative aimed at promoting improvement of public governance system via the active involvement of civil society, fostering its effectiveness by raising the level of transparency, credibility and accountability of state-citizen relations. The OGP Declaration[3] notes that it is aimed at raising publicity about government activity, promoting public participation in the management of public life, achieving more transparent and accountable government.

> The Open Government Partnership Global Initiative was founded on 08 September 2011, on the initiative of 8 countries (Brazil, Indonesia, Mexico, Norway, Phillipines, South Africa, United Kingdom, United States). As of today, more than 65 countries have joint the initiative.

Within the framework of the Initiative, The Government of the OGP Member States are committed to develop a two-year Action Plan (henceforth also - AP) as a result of inter-agency consultations and public discussions, which will define problems and realistic deadlines aimed at reforming public government system.

Armenia's First Action Plan[4] was approved on 05 April 2012, by the RA Government's Protocol Decision on "Approving the RA Action Plan within the framework of the "Open Government Partnership Initiative". The Action Plan was officially presented to the international community at the Annual Summit of the OGP, held in Brazil on 17-18[5]. It was considered as completed in December 2014.

Since August 2013, the Government launched the process of the development of OGP – Armenia's next Action Plan for 2014-2016. The draft Action Plan underwent several stages of discussions between the civil society and Government, following which it was approved at the 31 July 2014 session of the Government[6] with the RA Government's Protocol Decision No. 32-1 "On approving the RA Second Action Plan within the framework of the "Open Government Partnership Initiative"[7]. The Second OGP Action Plan entered into implementation stage from September 2014, with the launch of implementation of number of commitments assumed under the Action Plan.

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[1] http://www.opengovpartnership.org/country/armenia
[2] www.opengovpartnership.org
[3] http://www.ogp.am/u_files/file/OGP%20Declaration%20of%20Prnciples_ARM.pdf
[4] http://www.ogp.am/u_files/file/OGP_ACTION%20PLAN_Arm.pdf
[5] http://www.ogp.am/hy/news/item/2012/04/19/Brazil/
[6] https://www.e-gov.am/sessions/archive/2014/07/31 /
[7] http://www.ogp.am/u_files/file/2ndvoroshum.pdf

With view to assessing national processes of OGP implementation, the OGP headquarters has developed an Independent Research Mechanism[8], based on which an independent expert from every country prepares a Report on the implementation of Action Plans. The first Independent Report on the Armenian Action Plan was published in February 2014[9], when a number of recommendations and comments were considered for the development of the Second Action Plan.

Another evaluation system is the self-evaluation report prepared by the Government. The RA Government has presented the self-evaluation report on the first Action Plan[10], as well, at the beginning of September 2015, draft self-evaluation report on the implementation of the second Action Plan was submitted for public discussions[11].

These two reports are considered as mandatory by the OGP headquarters, however the assessments of the civil society are also encouraged. Civil Society representatives of many OGP member countries has compiled monitoring reports, where the processes have been assessed from other perspectives and positions, thereby ensuring alternative opinion and public oversight.

Monitoring goal

The goal of this monitoring report is to present the civil society observations and assessments on the process of the development of the second Action Plan and the course of one-year implementation of the commitments under the Action Plan. Since Armenia's membership to the OGP in 2011, no complete and comprehensive monitoring has been conducted by the civil society. This report is aimed at filling this gap.

From the very first days of Armenia's membership to the OGP, the Freedom of Information Center of Armenia has expressed interest in the OGP processes in Armenia, has directly and actively participated in various stages of the National Action Plans' development and their implementation, in the international meetings within OGP framework and is included in the OGP working group.

Taking into account the experience gained during these processes, the FOICA has initiated conducting of interim monitoring of the process of the development of the Second Action Plan and its implementation. This is the first comprehensive and complete civil society monitoring on the OGP/Armenia processes, where these processes are presented and assessed based on the reports, assessments, evaluations, etc, available to date.

The monitoring has been conducted with the assistance of the OSCE Office in Yerevan, within the framework of the project "Support to OGP processes; FOI and extra-judicial solutions to media disputes in Armenia"[12]. In order to conduct the monitoring, within the framework of the above project, the FOICA has organized working discussions with civil society organizations[13], with an aim to present these organizations with the monitoring methodology for conducting monitoring of OGP processes and

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[8] http://www.opengovpartnership.org/about/about-irm
[9] http://www.ogp.am/hy/news/item/2014/02/09/IRM_Armenia/
[10] http://www.ogp.am/hy/news/item/2013/10/17/Self_reort/
[11] http://www.ogp.am/hy/news/item/2015/09/04/self_ass/
[12] http://www.foi.am/hy/current-projects/item/1456/
[13] http://www.ogp.am/hy/news/item/2015/06/30/monitoringtools/

models of several monitoring tools developed by the FOICA, as well as to find out the capacities of the civil society and possibilities for joint activities.

Monitoring stages

The monitoring comprises the period between the launch of the Second OGP Action Plan in September 2013 till September 2015, which marks the one year of the AP's implementation. Two main stages are included:

- The process of the Action Plan's development from September 2013 till July 2014;
- The one year of AP's implementation – from July 31 2014 till September 2015.

The monitoring consists of four main sections:

- Introduction;
- Chapter A: Action Plan elaboration stage;
- Section B: Action Plan implementation stage;
- Section C: Conclusions and recommendations.

With view to soliciting comments and supplements on the draft monitoring report, the report has been published on www.ogp.am website, as well as sent to the OGP National Coordinator, non-governmental organizations and IRM independent researcher. After summarizing the received recommendations, the report will be presented to the public. It is envisaged to conduct one more comprehensive and complete monitoring in June 2016 when all OGP commitments will be officially over.

Methodology

The monitoring and evaluation of the Second Action Plan of OGP-Armenia has been conducted according to the following chronological stages:

- Development and adoption of the Action Plan, covering the period from September 2013 to July 31,
- Process of the implementation of commitments under the Action Plan, covering the period of September 2014 to September 2015;
- Presentation and evaluation of every commitment under the Action Plan.

The evaluation of every stage of the Action Plan (oversight over the Action Plan) has been implemented based on four main OGP values: transparency, accountability, public participation and technology and innovation.

Three main tools have been applied for conducting the monitoring with the above methodology:

- **Questionnaire:** For each stage, respective questionnaires were developed. The questionnaires contain "yes/no" questions or multiple choice questions. These were sent to the relevant civil society organizations for filling in and the responses were incorporated in the monitoring's respective sections.

- **Analysis**[14] – This tool is based both on FOICA's observations about every stage of the process, and the reports, speeches, opinions and recommendations by the Government, civil society organizations, mass media and independent researcher, as well results of the face to face meetings between various officials involved in the process and civil society representatives.

- **Information requests (requests)** – Under this methodology the exercising of the right of access to information enshrined under the RA Constitution and further elaborated in the Freedom of Information law has been used as a tool, with the right to send written information requests to public bodies. Information requests were sent to the agencies responsible for the respective OGP commitments and the responses were reflected in the monitoring results.

These tools are mutually complementary. For evaluation purposes, all tools have found their equal use, or one tool was when necessary used as a condition for conducting evaluation through another tool (provide information, statistical data, opinions, etc.).

Sources of Information

The following main sources of information were used within the framework of this methodology:

OGP/Armenia's Second Action Plan (2014 - 2016)[15] – This is the main document under monitoring, based on which the OGP Armenian processes are being assessed.

Independent Reporting Mechanism[16] – The Independent Reporting Mechanism (hereinafter also the IRM) is a report carried out by an independent researcher, which thoroughly and comprehensively analyses the quality of the respective Action Plan by co-relating it with the OGP values. Although the independent research mechanism itself is a tool (analysis) however it is a great resource for evaluating the results of the implementation of commitments and a resource containing great amount of information at the stage of evaluating the overall Action Plan implementation results, for the purpose of preparing requests for information, soliciting official clarifications and conducting comparative analysis.

Self-Evaluation Report of the Government[17] – The self-evaluation report is the assessment of the Armenian Government on its own implementation of the OGP Action Plan and is the Government's report on it. Although the self-evaluation report itself is subject to evaluation, the information available in the self-evaluation report is a basis for preparing information requests, soliciting official clarifications and conducting comparative analysis.

Official website of OGP/Armenia processes: www.ogp.am: The official website of the Open Government Partnership/Armenia is the www.ogp.am, which was created in 2013, on the initiative of the Freedom of Information Center of Armenia, with the assistance of the USAID. The RA Government

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[14] Within the framework of this methodology, under the term "analysis" we understand as well the monitoring, as well as any kind of analysis presented via text narration and/or statistical data.
[15] http://www.ogp.am/hy/plan/
[16] http://www.ogp.am/hy/news/item/2014/02/09/IRM_Armenia/
[17] http://www.ogp.am/hy/news/item/2015/09/04/self_ass/

has recognized the website as the official website of the OGP Armenia[18]. The updating of the website and its technical maintenance is done by the FOICA, in cooperation with the Government. News regarding OGP processes, messages, documents, etc., are being published here. The website is open for interested parties for publishing information. We believe this is good demonstration of government-civil society cooperation when information about the respective processes is not limited to official information only but the www.ogp.am website presents comprehensive and thorough information about the process.

Official information – Availability of information at the disposal of the Government is one of the OGP values and it is necessary to assess as to how and to what extent the Government makes the information at its disposal accessible for the public. At the same time, the official information which was published (is being published), has been used as a possibility to assess the government's implementation of this or that commitment.

Publications by the mass media – As they carry out their role in public oversight, the mass media continuously address political issues, which pertain to or have to do with the non-effective use of state resources, occurrences of corruption, insufficient implementation of the commitments by the government. Hence, the mass media often can address issues, which concern the implementation of various commitments of the government assumed within the OGP framework and which point out the cases when the government acts in line or against OGP values.

Experience of the representatives of the civil society and their publications – Taking into account that the working groups established within the OGP framework are inclusive of civil society organizations as well as that some of the commitments of the Government under the OGP can be implemented (is implemented) with the assistance of the non-governmental organizations, the experience, publications, specific activities directed at the implementation of the commitments can also contain valuable information for assessing implementation of the Action Plan.

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[18] http://www.gov.am/am/open-government/

CHAPTER A.
ACTION PLAN DEVELOPMENT STAGE

The Government's staff announced to the OGP Working Group about the process of elaborating the Second Action Plan for 2014 – 2016 in September 2013[19], when the recommendations for inclusion in the Action Plan were also presented[20]. It was envisaged to summarize all comments till April 2014 and to start working on the final draft of the OGP Action Plan, as well as to approve the Action plan by June 15 and to start the implementation. Because of changes in the Government, the deadline for approving the Second OGP Action Plan was postponed for about one month and the AP was approved on 31 July with the Protocol Decision No. 32[21].

The OGP principles are:
- Transparency
- Accountability
- Public participation
- Technology and innovation

Both the entire monitoring and this Chapter's methodology is based on the materials published by the Government, civil society and media, various news releases, presentations, responses to information requests, discussions with civil society and summaries of questionnaire replies, as well as the research carried out by the Freedom of Information Center of Armenia[22].

A 1: Activities

As noted in the independent researcher's report[23], "the OGP member States should follow certain procedures for holding consultations when elaborating OGP Action Plans". According to OGP guidelines the countries should:

- Prior to commencing consultations, publish information about the details and schedule of this process (at least on the internet).
- Conduct broad discussions with public, including with the civil society and specific sectors, strive to identify a wide array of positions, publish summaries of public consultations and all written opinions on internet.
- Organize OGP awareness raising activities with view to enlarging public participation in the consultations.
- Hold meetings, offline or online, with public at large, with an aim to promote public engagement in the process, by informing about these events enough in advance.

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[19] http://www.ogp.am/hy/news/item/2013/09/26/AP_second/
[20] http://www.ogp.am/u_files/file/arajarkner_NewAP.pdf
[21] https://www.e-gov.am/protocols/item/401/
[22] Please see more details about methodology under the Introduction Section.
[23] http://www.ogp.am/u_files/file/Armenia_OGP_IRM_Armenian.pdf, page 28.

The activities which took place during this period are presented from the point of view of the mentioned requirements.

Date, venue	Organizer, donor organization	Type of activity	Topic
09 September, 2013, Yerevan[24]	RA Government	Session of OGP Working Group	Launch of AP's elaboration, presentation of self-evaluation report
27 September 2013, Yerevan[25]	Freedom of Information Center, USAID	"Golden Key and Rusty Lock" Annual Award Ceremony	Conferring a prize to the winner under OGP initiative category
25 November, 2013, Yerevan[26]	Government of the RA	OGP Working Group Session	Discussion of the Second Draft Action Plan
31 March, 2014 Gyumri[27]	Journalists Club "Asparez"	Public Awareness Raising	"Public awareness raising and participation in the OGP/Armenia Action Plan"
01 April, 2014, Vanadzor[28]	Journalists Club "Asparez"	Public Awareness Raising	"Public awareness raising and participation in the OGP/Armenia Action Plan"
April 5-6, 2014 Aghveran[29]	FOICA, RA Government, USAID, UNDP	Working discussion	Discussion of the Second Draft Action Plan
April 8, 2014, Երևան[30]	Journalists Club "Asparez"	Public Awareness Raising	"Public awareness raising and participation in the OGP/Armenia Action Plan
July 15, 2014, Yerevan[31]	RA Government	OGP Working Group Session	Discussion of the final Second draft Action Plan
July 18, 2014, Yerevan[32]	FOICA, RA Government, OSCE Office in Yerevan	Workshop	Discussion of the Final Draft Action Plan

[24] http://www.ogp.am/hy/news/item/2013/09/09/WG_September/

[25] http://www.foi.am/hy/awards-winners/2013/

[26] http://www.ogp.am/hy/news/item/2013/11/25/WG_November2013/

[27] http://www.asparez.am/wp-content/uploads/2014/04/31.3.2014-agenda-announcement-round-table-gyumri-jca-4pm-31.3.2014.pdf

[28] http://www.asparez.am/wp-content/uploads/2014/04/1.4.2014-agenda-announcement-round-table-vanadzor-12-14pm.pdf

[29] http://www.ogp.am/hy/news/item/2014/04/15/workshop/

[30] http://www.asparez.am/wp-content/uploads/2014/04/8.4.2014-announcement-agenda-round-table-yerevan-12-14pm.pdf

[31] http://www.ogp.am/hy/news/item/2014/07/15/WG_July/

[32] http://www.ogp.am/hy/news/item/2014/07/18/Second_AP/

OGP Working Groups Sessions

The agency coordinating OGP activities is the Government of the RA. In order to provide an institutional basis to this coordination, a Working Group (*hereinafter – the WG*) has been established on the Decree of the Armenian Prime Minister and is currently functional[33]. This is a consultative body, which comprises representatives of the CSOs. During the period of the elaboration of the Second draft Action Plan, the first Working Group was functional, coordinating the implementation of activities under the first Action Plan and this Group was established as per Prime Minister's Decree No. 931 – Ա, from September 2012[34]. Only three out of the 15 members of the WG were CSO representatives: the Freedom of Information Center of Armenia NGO; "Transparency International" Anticorruption Center NGO (henceforth – TI NGO); and "Asparez" Journalists Club in Gyumri.

> The Working Group has 24 members, of which 8 are members of the civil society. The Group is inclusive of all those CSO members who have applied in writing to the OGP National Coordinator, requesting inclusion into the Group.

In order to coordinate works stemming from the Second Action Plan of the Republic of Armenia within OGP framework, in accordance with the Decree 656 - Ա of the RA Prime Minister from 15 July 2014[35], a new Working Group was established under the leadership of the Deputy-Chief of Government Staff of Armenia, Gurgen Dumanyan, who is also the OGP Coordinator.

In line with the RA Prime Minister's Decree No. 395-Ա, from 18 May 2015[36], the Working Group was fulfilled by new members.

There are no working Rules of Procedures for regulating the coordination of activities of the Working Group, membership to the Group and other issues. The agenda of the WG meetings, the necessity to convene such meetings and other issues are based on the decision of the Head of the WG, as well as recommendations of the WG members. It becomes evident both from the results of questionnaires filled in during this monitoring initiative, and individual conversations with the members of the civil society, that the CSO representatives would prefer the WG to have clear work procedures, which will define the frequency of the WG sessions to be convened, conditions for membership, procedures for convening sessions, issues related with preparing minutes and publicizing information, authorities and responsibilities of the WG members and other issues.

An electronic notification has been sent to all WG member civil society organizations, about the launch of elaboration of the Second Action Plan, as well as an instruction was sent to relevant governmental bodies, soliciting provision of recommendations concerning the commitments to be included in the

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[33] http://www.ogp.am/hy/working-group/
[34] https://www.e-gov.am/decrees/item/11345/
[35] https://www.e-gov.am/decrees/item/13492/
[36] https://www.e-gov.am/decrees/item/14477/

Second Action Plan. The received recommendations[37] were discussed at the WG session held on 09 September 2013[38]. At the same time, the OGP National Coordinator announced about the commencement of the Second Action Plan's elaboration.

At the session of the WG held in November 2013[39], the first version of the OGP/Armenia's Second Action Plan was presented[40]. The Session presented the results of the OGP Summit held in London, where the Head of Armenian Delegation, Deputy Minister of Foreign Affairs Ashot Hovakimyan presented the most ambitious commitment under the Armenian Action Plan – the creation of electronic database on mining industry[41].

During the process of elaboration of the AP, the third and last session of the WG was held on 15 July 2014[42], at which the final AP was presented. Although page 7[43] of the AP reads that "Final version of the AP was discussed and approved (*author's highlight*) at the July 15, 2014 session of the Working Group established on the Prime Minister's Decree No. 656 – U, nevertheless the session discussed the final version of the Action Plan on which representatives of the civil society present at the meeting expressed their concerns. In particular, the FOICA did not assess positively that the Draft did not include more ambitious and stronger in terms of their impact recommendations in the area of freedom of information, such as, for instance, the development and adoption of a unified procedure for processing electronic information requests or the introduction of the institution of Freedom of Information Commissioner[44]. The representatives of Transparency International Anti-Corruption Centre and "Asparez" Journalists Club in Gyumri have also not given their clearly positive assessment of the draft. Moreover, the approval of the draft was not on the agenda. Furthermore, the final version on www.ogp.am website was put for public discussion on 15 July, mentioning that "…Nevertheless the document is not complete yet and civil society representatives' comments and recommendations are welcome"[45].

Public awareness raising and collecting of recommendations

The OGP Second Draft Action Plan and its revisions have been placed on the www.ogp.am website, with view to receiving civil society's recommendations on it and raising public awareness about the document. In parallel, the draft has been discussed several times during number of working discussions between Government and NGOs.

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[37] http://www.ogp.am/u_files/file/arajarkner_NewAP.pdf
[38] http://www.ogp.am/hy/news/item/2013/09/09/WG_September/
[39] http://www.ogp.am/hy/news/item/2013/11/25/WG_November2013/
[40] http://www.ogp.am/u_files/file/DRAFT_OGP%20ACTION%20PLAN2.pdf
[41] http://www.ogp.am/hy/news/item/2013/11/03/OGP2013Summit/
[42] http://www.ogp.am/hy/news/item/2014/07/15/WG_July/
[43] http://oww.ogp.am/u_files/file/OGP_AP2.pdf
[44] http://www.ogp.am/hy/civil-society/item/2014/06/17/Letter/
[45] http://www.ogp.am/hy/news/item/2014/07/15/Draft_Action_plan_second/

On 5-6 April 2014, a working discussion on the OGP Draft Action Plan jointly organized by the Government and the Freedom of Information of Armenia was held in Yerevan[46].

The meeting was perhaps the most effective one and had a significant impact on the final version of the AP. This discussion, held in Government-civil society joint format was aimed at ensuring the CS's participation and investment at the stage of Action Plan's elaboration and summarized recommendations and opinions of CS, to ensure that that projects and activities under the AP would meet the CS needs and that as a final result – the Second OGP Action Plan/Armenia for 2014-2016 would be improved with joint efforts. The two day discussions resulted in a summary of recommendations, which was presented to the National OGP Coordinator[47].

With view to including new recommendations in the Action Plan, from March – April 2014, "Asparez Journalists" Club, together with its partner organizations organized meetings in Gyumri, Vanadzor and Yerevan cities[48], which resulted in receiving recommendations and supplements from CSO representatives on the draft Action Plan. In total 23 recommendations were received[49]. Some of these recommendations were included in the new Action Plan.

As noted in the draft Self-Assessment Report of the Government[50], in total, about 50 recommendations were presented to the Chairman of the OGP Working Group, of which 11 were selected and included and were in tune with OGP principles and format. A summary paper was then prepared on the recommendations which were not included in the Action Plan, where the Government presented justifications and clarifications for non-inclusion. This summary paper was presented to the members of the Working Group as well and posted on www.ogp.am website[51].

According to the Government, it was not feasible to include those recommendations-activities in the Action Plan, which:
- Envisage implementation of activities under various laws or legal acts, since demands defined in legal acts are already subject for implementation;
- Envisage introduction of amendments or supplements to laws, since, according to the explanation by the OGP Coordinator, the Government is not vested with the authority to make decisions on adopting laws or amendments or supplements to laws. These is the authority of the National Assembly, thus the Government, by assuming such responsibility, will not be able to ensure achieving its final result.

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[46] http://www.ogp.am/hy/news/item/2014/04/15/workshop/
[47] http://www.ogp.am/u_files/file/Results_OGP_meeting_April.pdf
[48] http://www.asparez.am/project/ogp-armenia-civic-participatio/
[49] http://www.asparez.am/wp-content/uploads/2014/04/29.4.2014-lb-letter-david-harutyunyan-ogp-armenia-2014-2016-action-plan-draft-proposals-from-civil-society.pdf
[50] http://www.ogp.am/hy/news/item/2015/09/04/self_ass/
[51] http://www.ogp.am/u_files/file/Chyndunman%20ampopatert(1).pdf

The issue of including commitments concerning legal initiatives is under discussion till date, since the representatives of the civil society disagree with this justification. The issue has been discussed as well with the experts in OGP headquarters, who have quoted examples from the Action Plans of other countries, where Governments have assumed responsibility of adoption of laws as an OGP commitment. The Armenian CSOs offer another formulation for such cases, i.e. as a final result of the commitment to indicate not the adoption of the law which is indeed the Parliament's authority but elaborating and submitting the draft laws to the Parliament. This issue still remains open but we believe that the Government and NGOs will arrive to common understanding over this issue when elaborating the third Action Plan, since there are indeed some fields which need some new legal regulations in order to become more open and transparent.

> There are some fields, which need new legislative regulations, in order to become more open and transparent.

Another problem is the issue of financial means for implementation of the commitments. Many commitments are rejected with the reasoning that additional state financing will be needed for their implementation. Instead, state bodies suggest commitments for the implementation of which financial means are already envisaged and which will be implemented anyway with the available financial means. The civil society's suggestion is the following in this case: to prepare an estimate for the commitments' implementation at the Action Plan's elaboration stage and, if necessary, envisage financial allocations from state budge means. In any case, the Government has expressed readiness to discuss with the civil society possible mechanisms for the non-included recommendations, outside the scope of the OGP initiative. Using this opportunity the FOICA started working with the RA Ministry of Justice, towards the development of procedure for Providing Information as envisaged in the law on Freedom of Information and appointment of FOI officers in government bodies.

As a result of consistent cooperation, already in February 2015, the process of the appointment of Freedom of Information Officers was competed in the RA Ministries[52] and Governor's Offices[53]

In parallel, thanks to the cooperation between the FOICA and other partner organizations, the RA Government's draft Decree "On the registration, classification an maintenance of information developed by or delivered to information holder, as well as on approving the procedure for providing information (or its copy) by state and local self-government bodies, state agencies and organizations"[54] was discussed[55]. After undergoing a stage of public discussions and after amendments and supplements, the draft Decree was presented to the Government in September 2015 for final adoption.

These are probably exceptional initiatives that were not included in the AP, which, while remained out of the scope of the OGP processes, nevertheless turned into reality and promoted the improvements in

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[52] http://www.foi.am/hy/news/item/1431/
[53] http://www.foi.am/hy/news/item/1435/
[54] http://foi.am/u_files/file/Naxagits%20-%20FOI%20sub%20legal%20act.pdf
[55] http://www.foi.am/hy/news/item/1461/

FOI field. As the Government noted in its Self-Assessment Report, "The Government of the Republic of Armenia has expressed readiness to discuss with civil society the non-included commitments and possible mechanisms for their implementation outside the OGP scope, however during one year no interest was shown by civil society towards this announcement and no recommendations were received"[56].

Public Disucssssions

The working discussions organized jointly by the FOICA and Government with the assistance of the OSCE Office in Yerevan[57] was aimed at presenting final comments an recommendations on the draft AP. The event, which was held on 18 July, brought together WG members, as well as representatives of interested NGOs and international organizations. The summary paper presenting the results of the working discussions was presented to the OGP Coordinator and participants. It was in particular recommended to change the following provisions in the AP:

1. To add "and submission of application (*N.B. our own highlight*) for membership to Extracting Industries Transparency Initiative (EITI)" at the end of the last sentence in the Section "Verifiable and measureable criteria for the implementation of commitments" under the commitment Ensuring transparency of mining industry. Justification: Current formulation the does not envisage final and concrete result, but only implies preparatory works, which are quite generic and are not measurable.
2. To add "and to adopt the decision" at the end of the last sentence in the Section "Verifiable and measureable criteria for the implementation of commitments" under the commitment on Ensuring transparency of the property and incomes declarations of RA high-level public officials. Justification: The current formulation does not ensure final result, which will achieve removing limitations defined in the current governmental decision and enlargement of the list of data which should be made available to public.
3. It was suggested to remove the commitment on the introduction of Community Micro-Surveys in all 10 communities. Justification: The Project is already being/will be implemented by the Ministry of Territorial Administration. With the same justification the Draft excluded as well the commitment on launching website in 200 communities since it was to be implemented within the framework of another Project. Besides this was a pilot project and includes only 10 communities. It cannot be called ambitious and is actually not directed at open and transparent governance.
4. In terms of all commitments, it was suggested to review implementation schedules and to unite the third activity with the second activity under the commitment on "Making amendments to the procedures of the election of management boards in the state public education institutions of Armenia", by following the deadline of the second activity.
   Out of 4 recommendations, only 2nd and 4th recommendations mentioned above were incorporated into the OGO Armenia's Action Plan.

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[56] http://www.ogp.am/u_files/file/Armenai%20Draft%20SA%20Report_2015.pdf, page 6
[57] http://www.ogp.am/hy/news/item/2014/07/18/Second_AP/

A.2 Providing Information

The Official website of OGP Armenia: The official OGP/Armenia website is the www.ogp.am, which was created on the initative of the Freedom of Information Center and with the support of the USAID in 2013. The RA Government has recognized the website as the official OGP website[58]. The updating and maintenance of the website is carried out by the FOICA. The website publishes news, documents, etc., concerning OGP processes. The website is open for publications by all interested parties, be it CSO representatives, Government or individuals, to publish their materials concerning OGP processes. We believe this is good demonstration of Government-civil society cooperation where information about a process is not limited to official news. The www.ogp.am website presents comprehensive and through information about the entire process in Armenian and English languages.

> Taking into account the recommendation by Independent OGP Researcher, a comments' window was added on the website in 2014, providing with an opportunity to leave a comment, opinion, recommendation under all materials.

Social network: The OGP processes are presented on Facebook social network in a separate page: https://www.facebook.com/OpenGovernmentPartnershipArmenia, which is also created and run by the Freedom of Information Center. This Facebook page publishes materials from the OGP Armenia's official website, as well as OGP's international news. It has more than 400 followers.

Official websites of public bodies: On the Government's official website: www.gov.am, under the Section "Information Center", information about OGP processes is published on one page, along with the First and Second OGP/Armenia Action plans in Armenian and English languages[59]. From this Section, a link is made to www.ogp.am, as OGP official website.

Decrees of the RA Government, governmental decrees about OGP processes, such as for instance on the approval of the Action Plan, establishment of the working groups etc., are published on the RA Government's electronic management website www. www.e-gov.am.

Other sections of the RA Government's official website do not contain information about OGP processes. The official website of the Government does not cover OGP related event, developments, even those organized by the direct initiative of the Government. For instance, the sessions of the OGP Working Groups are not being covered and no minutes of the sessions are presented.

The **official websites of other state agencies** also do not publish information about OGP processes. It is only the Ministry of Justice which published information about specific commitments and also

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[58] http://www.gov.am/am/open-government/
[59] http://www.gov.am/am/open-government/#

disseminates it through its Facebook page[60]. No other publications are available on the websites of other public bodies[61].

In their official websites the CSOs mostly publish information about OGP processes which has to do with their activities. For instance, the Projects Section of "Asparez" Journalists Club in Gyumri has posted complete information about the project "Public awareness raising and participation in Open Government Partnership's Armenia Action Plan" implemented by the NGO[62]. Publications about some events are available also in the newsfeed of the NGO website.

"Transparency International" Anti-Corruption Center not very frequently nevertheless does publish information about OGP processes on the organization's official website newsfeed.

> Addressing OGP issues during "Hraparakum" program of the Government could ensure public awareness about OGP processes.

As noted, the Freedom of Information Center had a key role in disseminating information about OGP processes. In addition to maintaining the above-mentioned www.ogp.am website and Facebook page, the FOICA presents on its official page the OGP Armenia's news[63].

Coverage by the mass media[64]: it is regrettable that publications about OGP processes in Armenia are very rare and mostly these are re-publications of press releases. No analytical materials were found in the media[65]. As a result of research conducted during monitoring initiative, only few releases published by online media were found[66], which were just informing about passed activities, without any reference to the essence of the OGP Action Plan, significance of the implementation of commitments and their impact.

In the period covered by this monitoring, neither TV news programs nor other programs addressed OGP processes. The Government's official **"Hraparakum" Program[67],** also did not cover OGP Armenian processes[68]. Whereas, covering the topic on regular basis could have its maximum impact in ensuring public awareness on the process, since the program is broadcast on Public Television in the entire territory of the RA and abroad.

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[60] https://www.facebook.com/mojarmenia

[61] The fact was placed on record by searchig the expression Open Governance Partnernsip on every state body's official website

[62] http://www.asparez.am/project/ogp-armenia-civic-participatio/

[63] http://www.foi.am/hy/OGPArmenia/

[64] Online media are also referred to here

[65]The fact is being placed on record based on FOICA's research, during which Armenia's leading print and online media, Public Television, "Armenia", "Shant", "Yerkir Media" and CivilNet Online TV companies' programs, Armenian Public Radio's news programs and news agencies' materials were monitored.

[66] http://www.nt.am/am/news/193539/, http://www.aravot.am/2014/07/18/481219/ , http://iravaban.net/54980.html

[67] http://www.gov.am/am/hraparakum/

[68] The fact was placed on record by studying the archive of the program under the section"Hraparakum" on www.gov.am website.

The OGP/Armenia processes fall out not only from the local mass media's radar but also the OGP's international community does not get informed about Armenian processes. The OGP newsletter[69] which is published every month and disseminated online to OGP international community has not addressed yet Armenian experiences and issues, despite the fact that the Newsletter published news about OGP member countries. In general, in terms of sharing information, the RA Government also takes passive stance in integrating to the OGP's international community. The CSOs have numerously suggested to frequently send messages to the OGP international network concerning Armenian processes, share local experiences and achievements.

Hence it can be concluded that in general in the period covered by the monitoring, the cooperation between the Government and civil society has been rather effective, which had its positive impact on the final version of the Action Plan. One of the results of this cooperation is that 8 out of 11 commitments came from the civil society. As noted by CSO representatives, the stage of developing the Action Plan and the final Action plan itself significantly differs from the process of developing and implementing the first Action Plan. However, it is worth mentioning that the Government was not enough initiative at this stage and it is mainly the CSOs' initiatives that had positive impact on the final result. Although public officials involved in OGP processes have continuously reacted and participated in the activities organized by the civil society, their information requests, etc., however they did not demonstrate enough pro-activity and official information was not widely disseminated.

21 events were organized on OGP processes and implementtion of Action Plan. 5 of them were organized on the initiative of the RA, of which 2 were organized jointly with the FOICA.

CHAPTER B.
IMPLEMENTATION OF THE ACTION PLAN

OGP Armenia's Second Action Plan was approved on 31 July 2014 at the session of the Government of the Republic of Armenia[70], with the Government's Protocol Decree No. 32 "On Approving Second Action Plan of the Republic of Armenia within the framework of the Open Governance Partnership Initiative[71]. The Second OGP/Armenia Action Plan entered into implementation stage in September 2014, when implementation of several commitments under the Action Plan was launched.

At the session of the Government, the Minister-Chief of Government Staff of Armenia Davit Harutyunyan presented the Action Plan and Justification for its adoption, which in particular mentioned that "the draft was developed based on the fundamental principles of the OGP initiative. The draft was compiled based on recommendations from both the civil society and the Government, including such fields as mining industry, health, education, local self-government, freedom of information, etc.[72].

Chapter B contains two main sections:

- **The course of implementation of the Action Plan**: to what extent the main OGP principles have been maintained during implementation; is the process of implementing commitments transparent and open; is the public informed about the process and its results? Is the dialogue between Government and civil society maintained at this stage as well? How often does the Government present report on the current steps and other issues?
- **Content of the commitments and their proper implementation:** to what extent do the commitments coincide with OGP principles and challenges, are they concrete and measurable, what scope of impact do they cover, are they implemented in a timely and decent manner?

B.1. Process of implementing the Action Plan

This section considers activities implemented between August 2014 and September 15, under the implementation of the Action Plan:

- Working Group sessions;
- Regional meetings;
- Public discussions;
- Online consultations;
- Awareness raising, aswell as sources of information.

The process is assessed in terms of transparency and accountability, public participation and introduction of technologies.

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[70] https://www.e-gov.am/sessions/archive/2014/07/31 /
[71] http://www.ogp.am/u_files/file/2ndvoroshum.pdf
[72] http://www.gov.am/am/news/item/11457/

Activities

The below Table presents activities during above-mentioned period, which were completely dedicated to the Open Governance Partnership's Armenian Action Plan or activities which addressed OGP issues in some sessions.

Date, venue	Organizer, donor organization	Type of activity	Topic
August 4, 2014, Vanadzor[73]	"Asparez" Club USAID, Counterpart	Public discussion with a regional CSO	"Public awareness Raising and participation in Open Government Partnership /Armenia Action Plan"
August 5, 2014, Gyumri[74]	"Asparez" Club USAID, Counterpart	Public discussion with regional CSO	"Public awareness Raising and participation in Open Government Partnership /Armenia Action Plan"
August 28, 2014, Yerevan[75]	"Asparez" Club USAID, Counterpart	Public discussion with regional CSO and government representatives	"Public awareness Raising and participation in Open Government Partnership /Armenia Action Plan"
September 26, 2014 Yerevan[76]	FOICA, Armenian Young Lawyers Association, EU Delegation to Armenia	Annual Award Giving Ceremony	Golden Key and Rusty Lock
October 16, 2014, Yerevan[77]	"Transparency International Armenia", World Bank	Meeting with CSO	"EITI initiative and the role of non-governmental structures in promoting it"
October 24, 2014 Goris[78]	"Journalists for the Future NGO; US Embassy to Armenia	Training course-discussion	Open Governance Partnership
November 7, 2014 Alaverdi[79]	"Journalists for the Future NGO; US Embassy to Armenia	Training course-discussion	Open Governance Partnership
November 14, 2014, Gyumri[80]	"Journalists for the Future NGO; US Embassy to Armenia	Training course-discussion	Open Governance Partnership

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[73] http://www.asparez.am/project/ogp-armenia-civic-participatio/
[74] http://www.asparez.am/wp-content/uploads/2014/04/5.8.2014-announcement-round-table-gyumri-jca-11-13.8.2014.pdf
[75] http://www.asparez.am/wp-content/uploads/2014/04/28.8.2014-agenda-announcement-yerevan.pdf
[76] http://www.foi.am/hy/awards-winners/
[77] http://transparency.am/hy/news/view/838
[78] http://jnews.am/OGP-workshop-in-Goris
[79] http://jnews.am/OGP-JFF-workshop-in-Alaverdi
[80] http://jnews.am/OGP-JFF-workshop-in-Gyumri-and-Armavir

November 15, 2014, Armavir[81]	"Journalists for the Future NGO; US Embassy to Armenia	Training course-discussion	Open Governance Partnership
November 21, 2014 Yerevan[82]	Freedom of Information Center of Armenia; British Embassy to Armenia	Working discussion with CSO	"OGP Armenia: cooperation with civil society"
January 22, 2015 Gavar[83]	"Journalists for the Future" NGO; US Embassy to Armenia	Training courses-discussion	Open Governance Partnership
January 22, 2015 Hrazdan[84]	"Journalists for the Future" NGO; US Embassy to Armenia	Training courses-discussion	Open Governance Partnership
February 3, 2015, Yerevan[85]	"Journalists for the Future" NGO; US Embassy to Armenia	Round table-discussion	Wrap- up of a series of regional training courses on the topic of Open Government Partnership
March 3, 2015, Yerevan[86]	RA Government and Freedom of Information Center of Armenia; British Embassy to Armenia	Enlarged session of the OGP Working Group	Course of Implementation of OGP/Armenia's Second Action Plan ԲԿԳ
April 15, 2015, Yerevan[87]	RA Government	Enlarged session of the OGP Working Group	Discussion of Armenia's submission of candidacy for the OGP Award
April 29-30, 2015 Yerevan[88]	FOICA, Civil Service Council, British Embassy to Armenia	Training for civil servants	Training in the area of freedom of information
May 27, 2015 Yerevan[89]	Freedom of Information Center of Armenia NGO, Ministry of Justice, OSCE Office in Yerevan	Public discussion	FOI sublegal acts discussion
June 29, 2015, Yerevan[90]	FOICA NGO, OSCE Office in Yerevan	Discussion with CSO and Government representatives	OGP processes monitoring and evaluation tools for civil society

[81] ibid

[82] http://www.ogp.am/hy/civil-society/item/2014/11/21/CSForum/

[83] https://www.facebook.com/media/set/?set=a.778793708865099.1073741834.108268855917591&type=3

[84] ibid

[85] http://jnews.am/JFF-OGP-round-table-in-Yerevan

[86] http://www.ogp.am/hy/news/item/2015/03/03/WG_March/

[87] http://www.ogp.am/hy/news/item/2015/04/15/WG_April/

[88] http://oww.ogp.am/hy/news/item/2015/04/30/FOI_training/

[89] http://www.foi.am/hy/media/item/1466/

[90] http://www.ogp.am/hy/news/item/2015/06/30/monitoringtools/

July 3-4, 2015, Tsaghkadzor[91]	Ministry of Justice, GIZ	Awareness raising-discussion for journalists	Main problems in fighting corruption in the Republic of Armenia
August 23, 2015, Yerevan[92]	RA Ministry of Justice	Public discussion	Discussion of draft Protocol Decree of the RA Government "On Approving "Model Working Procedure of the Public Council Adjacent to the RA Minister"
September 7-8, 2015 Manila, Philippines [93]	OGP Headquarters	Working discussion	OGP Asia Conference

As shown in the above list of activities, in the period between 31 July 2014 till 15 September 2015, 21 events took place on OGP processes and the implementation of OGP Action Plan. 5 activities were organized on the initiative of the Government of the RA, of which 2 jointly with the Freedom of Information Center. In the regions, public awareness raising activities were implemented on the initiative of NGOs.

OGP Working Group Sessions

An enlarged session of the Working Group took place only once on 03 March 2015, at the stage of implementation of the Action Plan, as a jointly organized event by the FOICA and the Government[94], where Working Group member governmental representatives reported on the course of implementation of the commitments[95]: The previous session held under the leadership of the Deputy Minister-Chief of the Government Staff of Armenia, OGP Coordinator[96] Gurgen Dumanyan had taken place on 15 July 2014[97], days before the AP's approval.

Regional meetings

It is characteristic that awareness raising activities in the regions of Armenia concerning OGP processes and Action Plan were initiated and carried out by the NGOs. Only one of these events organized in Vanadzor by the JFF NGO was attended by Aram Asatryan, WG member and expert of the Government staff. The main goal of "Asparez" Journalists Club in Gyumri and Journalists for the Future NGO was to introduce to regional NGOs the OGP processes and commitments undertaken by the Government of Armenia, as well as to summarize CSO recommendations and comments. According to the press release disseminated by JFF NGO, more than 150 persons, including NGO representatives, media and interested citizens have taken part in the training discussions organized in Goris, Alaverdi, Gyumri, Armavir,

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[91] http://moj.am/article/1324

[92] http://www.ogp.am/hy/news/item/2015/08/23/Councils/

[93] http://www.ogp.am/hy/news/item/2015/09/08/Manila/

[94] http://www.ogp.am/hy/news/item/2015/03/03/WG_March/

[95] http://www.ogp.am/hy/news/item/2015/03/04/ap_implementation/

[96] https://www.e-gov.am/decrees/item/13492/

[97] http://www.ogp.am/hy/news/item/2014/07/15/WG_July/

Vanadzor, Gavar and Hrazdan cities. In terms of results of these training discussions, the JFF NGO has noted that majority of the participants were not aware of the OGP initiative and commitments under the Actin Plan, and showed interest in this[98].

OGP/Armenia Civil Society Network

With view to concerting civil society efforts within the framework of the OGP, an OGP civil society network was created at a discussion organized by the FOICA on 21 November 2014[99], with the help of which the interested NGOs had a chance to exchange opinions, ideas and information about the draft Action Plan, then conduct individual monitoring based on a unified monitoring model, as well as to come up with joint projects to the donors and act in a more effective and coherent manner. Through this network, the OGP-Armenia newsletter published by the FOICA is getting disseminated[100]. The network is functional as of today with the information being disseminated via electronic mail, however it is necessary to note that the overwhelming majority of NGOs has passive role. This fact can be perhaps explained with the fact that at this stage the NGOs do not implement projects aimed at OGP processes and due to lack of financial means, they do not demonstrate active interest.

Another important civil society related event was the working discussion organized on 29 June by the Freedom of Information Center of Armenia with the assistance of the OSCE Office in Yerevan, which was aimed at presenting the OGP monitoring methodologies and tools developed by the FOICA and to find out the NGO capacities in this field and to identify possible joint activities[101]. As a result, some NGOs expressed readiness to work jointly and to assess the AP implementation course.

Awareness-Raising Among Public Servants

Acknowledging the importance of the civil servants' awareness about OGP processes, the FOICA dedicated a session during training events on freedom of information to the Open Government Partnership initiative and the Second Action Plan. The training event was an implementation of the 10th commitment, within the framework of which on 29-30 April 2015, jointly with the Civil Service Council of Armenia, the Freedom of Information Center conducted training on access to information for 14 civil servants responsible for freedom of information in the Ministries and state bodies adjacent to the Government. All participants represented Press and Public Information Departments. The second session of the training course was dedicated to OGP processes and commitments under the Action Plan in particular. With this initiative, public awareness was promoted among state officials as well, considering that the experience showed that public officials were not even aware of OGP processes in general which raised concerns. More alarming was that they were not aware of specific commitments their respective structures had assumed under OGP Action Plan.

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[98] http://jnews.am/JFF-OGP-round-table-in-Yerevan
[99] http://www.ogp.am/hy/civil-society/item/2014/11/21/CSForum/
[100] http://www.ogp.am/hy/Newsletter/
[101] http://www.ogp.am/hy/news/item/2015/06/30/monitoringtools/

Awareness-raising for journalists

On the initiative of the Ministry of Justice, the journalists became informed about OGP processes for the first time. At the awareness raising discussion held on Tsaghkadzor on 3-4 July and entitled "Main problems in fighting corruption in the Republic of Armenia", FOICA expert, OGP civil society network coordinator and OGP Working Group Member Liana Doydoyan presented OGP processes in Armenia to journalists, as well as the commitments assumed by the Government under OGP Action Plan and encouraged journalists to be active and extensively cover these issues[102].We believe this initiative should be consistently continued.

As noted above, the OGP national coordinators do not involve media in OGP processes. There are almost no publications in the media on the Action Plan, its commitments, their implementation and results. As a result, Armenian public does not get informed about the reforms implemented by the Government within the framework of OGP initiative.

Encouragement

Another initiative of the FOICA was aimed at acknowledging and encouraging successes within the framework of the OGP initiative. A new category – the OGP initiative, has been introduced since 2012 under the "Golden Key and Rust Lock" Annual Award Ceremony organized on the International Right to Know Day. Public bodies which undertake effective steps for the development of open and transparent governance, implementation of OGP commitments and/or raising public awareness about the Initiative, become candidates for the above category.

The winner in this category is conferred with a special award – Golden Key, by the Freedom of Information Center of Armenia[103].

A journalistic competition announced by the GIZ international organization also contains a component on encouraging coverage and publicity of OGP processes. The competition is announced for the best coverage of legal issues in fighting corruption in the Republic of Armenia. When covering this topic, it is suggested to address the Open Governance Partnership initiative as well. The competition was launched on 14 July 2015 and results will be summarized after 15 September.

Public Discussions

At this stage public discussions were held around the implementation of individual commitments. In particular, under the 7th commitment - Ensuring Open, transparent, participatory and accountable process of state policies and legislative reforms, the Ministry of Justice of the Republic of Armenia organized bilateral meetings with the representatives of "Araza" and FOICA NGOs on the issues of amending and supplementing legal acts. Draft legislative acts were presented during public discussions as well. The sub-legal act was first presented on the FOICA's event on FOI sub-legal acts held on 27 May 2015, at which Head of the Desk for state registration of legal persons and civic residence, Organizational-Legal Department of the MoJ of the RA, Shushanik Ghukasyan presented the draft

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[102] http://moj.am/article/1324
[103] http://www.foi.am/hy/awards-winners/

Protocol Decree of the RA Government (hereinafter the Draft) on "Approving the Model Working Procedure of Public Council Adjacent to the RA Minister". Afterwards, the Draft was presented to journalists on 3-4 July working discussions.

On 21 August, draft Protocol Decree of the RA Government (hereinafter the Draft) on "Approving the Model Working Procedure of Public Council Adjacent to the RA Minister" was discussed together with the representatives of non-governmental organizations. The meeting was attended by the representatives of "Public Network" member and partner NGOs – the Freedom of Information Center of Armenia, "Araza", "Union of Manufacturers and Businessmen of Armenia", "Dalma", "Union of Assyrians in Armenia", "Mother and Child Health Alliance", "Young Lawyers' Association of Armenia", "Against Violations of Law"[104].

Before that, the Minister had sent the draft to interested organizations and state bodies. The received recommendations were summarized in one paper and circulated[105]. Following the discussion, the NGOs received an offer to submit their comments and recommendations. The draft is still at a discussion stage.

This is perhaps the only commitment on which the Government, represented by the Ministry of Justice, has shown the initiative and conducted proper awareness-raising and public discussions, ensuring active and direct participation of the civil society.

The launch of implementing the commitment on the membership to the Extractive Industries Transparency Initiative (EITI) was announced on 28 July 2015, **at the first Anti-corruption Council session held at the Government.** The RA Prime-Minister expressed readiness to become member of the EITI and delegated coordination of this processes to the Chief of Government-Staff of Armenia Davit Harutyunyan[106]. No public discussions, consultative meetings between the Government and civil society on this topic have taken place yet.

Private discussions on the implementation of specific commitments took place, on which there is unfortunately no sufficient official information. We are informed by the response from the Ministry of Economy and natural resources that with view to implementing the first and second commitments, the Ministry representatives have met several times with the experts of the EITI and other interested representatives and experts of other international organizations[107], but it was not possible to find information about the details concerning these meetings.

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[104] http://moj.am/article/1364
[105] http://www.ogp.am/u_files/file/Ampopatert1_Hanrayin_Xorhurd.pdf
[106] http://www.gov.am/am/news/item/12061/
[107] http://www.ogp.am/hy/news/item/2015/03/03/WG_March/

> A problem, which still persists, is the lack of government's pro-activity.

In order to implement the 9th commitment in education sector, a Working Group has been established at the RA Ministry of Education and Science, including officials from various subdivisions, representatives of World Vision Armenia Charitable Organization and the Teachers' Union in Goris NGO, discussing activities envisaged under this commitment. However, as we are informed from the response sent by the government, no minutes were prepared from the Working Group sessions and no information was published on the meetings[108].

The same picture is with the majority of the commitments, which we will address in the next section of this Chapter.

The WG meeting organized by the Government on 15 April 2015 was of consultative nature[109], bringing together as well the representatives of partner international organizations. At the session, the issue of Armenia's application to the OGP award on "Reforms in public services with the use of OGP principles" was discussed. Soliciting proposals about Armenia's application, the Government had sent invitations both to state bodies and non-governmental organizations. The received suggestions[110] were summarized and presented at the Working Group discussions. As a result of the discussion, it was decided that at the OGP Award, Armenia will present the project "The community governance information system[111]", developed jointly with the RA Ministry of Territorial Administration and Emergency Situations and "Center for the development and training in information systems" NGO.

Thus, in the assessment of the CSOs, in this period the Government was passive. As mentioned by the Executive Director of Transparency International Anti-corruption Center Varuzhan Hoktanyan[112], "The problem which used to be there and still persists is the lack of pro-active stance by the Government".

The Government staff, as a body coordinating OGP activities, did not organize frequent meetings of the WG. The NGOs assess this negatively noting that following the Adoption of the Second Action Plan the Working Group needs to meet at least once in three months to discuss the course of implementation of the commitments, problems in this process and developments, etc. The need for convening these meetings was raised at various events and meetings.

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[108] http://www.givemeinfo.am/hy/case/1729/
[109] http://www.ogp.am/hy/news/item/2015/04/15/WG_April/
[110] http://www.ogp.am/hy/news/item/2015/04/08/ogpaward_gov/
[111] https://www.youtube.com/embed/U_OHEsi1PO4?rel=0&showinfo=0
[112] http://www.ogp.am/hy/news/item/2015/09/14/Media/

Providing Information and Awareness-Raising

The www.ogp.am is the main platform for OGP processes and for this stage in particular. Here all news documents concerning the process are being published. Taking into account the independent researcher's comments[113], since 204 the website included a commens window, which provides with an opporunity to leave opinions and recommendations under each material.

The OGP Armenia's Facebook page also continues to publish materials from OGP/Armenia's official website, as well as international news.

Publications

At the stage of implementing OGP commitments most of the publications were online on the state bodies' and NGOs' official websites and part of them were also in the social networks. Publications by the media are very rare, especially when it comes to TV information. The government has not published booklets, information leaflets.

Official websites

Information about OGP processes is not available on **the websites of state bodies** during the stage of implementing OGP Action Plan as well. Only the Minister of Justice has published information about specific commitments[114].

The CSOs mostly publish information about events which were carried out by them.

The Journalists for the Future NGO, in its official newsfeed posted comprehensive information about training discussions entitled "Open Governance Partnership" implemented by the NGO, as well as two articles about the stage of implementation of the Action Plan, entitled "OGP initiative: the process of Armenia's participation is vague[115] and "The reaction of state bodies to JFF information requests concerning OGP processes"[116] which is the first report following the adoption of the Action Plan, as to at what stage the implementation of commitments is.

OGP Armenia Newsletter

Comprehensive information about OGP processes is provided in the OGP-Armenia newsletter published by the FOICA since December 2014**[117]** in Armenian and English languages. The newsletter is published not only in www.ogp.am website but also disseminated via electronic post to state bodies, more than 100 representatives of local international organizations in Armenia. It became possible to continue publication of the newsletter with the assistance of the OSCE Office in Yerevan.

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[113] http://www.ogp.am/u_files/file/Armenia_OGP_IRM_Armenian.pdf
[114] Relevant references are made in the list of Activities.
[115] http://jnews.am/statebodies_answers_to_jffletter_on_ogp_2014
[116] http://jnews.am/statebodies_answers_to_jffletter_on_ogp_2014
[117] http://www.ogp.am/hy/Newsletter/

"OGP – Armenia" Collection of Materials

On the initiative of "Asparez" Journalists Club, in November 2014 the collection of "OGP-Armenia: progress with the Action Plan 2012-2013 and 2014-2016 Action Plan"[118] was published. The Collection is bilingual: in Armenian and English, and contains details about OGP-Armenian processes, starting from Armenia's membership to OGP in October 2011 till 2014, including the Second Action Plan. All documents disseminated in this process are also included in the Collection. The Collection was published within the framework of the Project "Public awareness raising and participation in the Armenian Action Plan within OGP Initiative", implemented by "Asparez", with the financial assistance of the Counterpart International and USAID.

Coverage by the Mass Media[119]

Monitoring results showed that at the stage of Implementing the Action Plan only one material concerning the OGP processes was broadcast by "Yerkir Media" TV company, entitled "Public has an oversight means, of which it is not aware"[120].

Like in the past, at this stage as well, the staff of the Government, as an agency coordinating the OGP processes, has not involved the Government's "**Hraparak" program in OGP processes**[121]**.**

From July 2014 till September 2015, only Armenpress from among **news agencies** published few materials[122], which were almost identically repeated by other media as press releases[123].

"Aravot" online: www.aravot.am covered one of the events organized by the CSOs[124]. One more news was provided by iravaban.net, on the establishment of a Working Group coordinating the work of the AP's implementation[125]. Only one awareness raising material was available in www.armef.com website[126].

A material concerning specific commitments was published by GALA online. The article presented the draft developed by the Ministry of Justice on "Public Councils Adjacent to the Minister", assumed under the 7th commitment of the AP[127].

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[118] http://www.ogp.am/hy/civil-society/item/2014/11/24/asparez_book/

[120] http://www.ogp.am/hy/news/item/2015/09/14/Media/
[121] http://www.gov.am/am/hraparakum/
[122] http://armenpress.am/arm/news/769863/action-plan-is-developed-to-make-government-work-more-transparent-and-accountable.html , http://armenpress.am/arm/news/771242/karavarutyuny-hastatec-bac-karavarman-gortsynkerutyan.html, http://armenpress.am/arm/news/807183/iak-y-drakan-e-gnahatum-texekatvutyan-tramadrman-kargi.html, http://armenpress.am/arm/news/765583/hovik-abrahamyan-and-katherine-leach-discuss-expansion-prospects-of-armenian-british-cooperation.html,
[123] http://www.aravot.am/2014/07/31/484621/ , http://www.aravot.am/2014/06/12/470296/, http://armlur.am/202850/
[124] http://www.aravot.am/2014/08/28/492056/ ,
[125] http://iravaban.net/61710.html
[126] http://armef.com/hy/news/meknabanutyun/article_1407102827/
[127] http://galatv.am/hy/news/119657/

Online consultations, discussions

In the monitoring period the Government implemented online discussions.

In implementation of the 4th commitment under the Action Plan, in December 2014 the Ethics Commission of High-Level Officials of the Republic of Armenia developed draft Governmental Decree on "Making amendments and supplements to the RA Decision No. 1835-Ն, dating 15 December 2011" and circulated it with view to soliciting civil society's comments and recommendations. The draft was sent via e-mail to all members of the OGP Working Group, as well as disseminated via OGP civil society network. It was also published in www.ogp.am website[128].

> 8 out of 11 commitments in the Action Plan were included from amongst civil society recommendations; the remaining 3 were from the Government.

However, it's worth mentioning that the Government and the Commission did not publish the recommendations and comments received about the draft.

Another example of online consultation is the discussion of Armenia's application to OGP Award, on which the CSOs were also informed via e-mail and www.opg.am website[129]. Online discussions were also held. Afterwards there was a meeting of the Working Group in an enlarged format and the result of online discussions were summarized.

With view to implementing the 7th commitment of the Action Plan, the RA Ministry of Justice not only held public discussions but also sent the draft Protocol Decree of the Government "On the Public Council Adjacent to the Minister" to relevant NGOs via e-mail and put the draft for online discusions[130]. A summary paper on previously made recommendations was also presented[131].

"Araza" non-governmental NGO has significant role in the implementation of this commitment. The President of the NGO not only had active participation at the stage of the Draft's elaboration but also disseminated the draft, ensuring wide public participation.

On 04 September 2015, the Government of the Republic of Armenia disseminated through the civil society network's e-mail, as well as published its draft Self-Assessment Report on the implementation of the OGP Second Action Plan[132], providing a two weeks' time for sending recommendations and comments.

No public discussions and online consultations were carried out about the process of implementation of the commitments.

Thus, during the first year of implementation of OGP Action Plan (September 2024 – September 2015), 21 activities took place concerning implementation of OGP Armenia processes, of which 3 were organized by the Republic of Armenia Government, 2 – by the Government jointly with NGOs and the

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128 http://www.ogp.am/hy/news/item/2014/11/17/ethics/
129 http://www.ogp.am/hy/news/item/2015/04/08/ogpaward_gov/
130 http://oww.ogp.am/hy/news/item/2015/07/30/Minister_council/
131 http://www.ogp.am/u_files/file/Ampopatert1_Hanrayin_Xorhurd.pdf
132 http://www.ogp.am/hy/news/item/2015/09/04/self_ass/

remaining 16 – by the NGOs, with the assistance of donor organizations. Information regarding the process has been largely disseminated on the OGP/Armenia's official website www.ogp.am. The official websites of state bodies have almost no reference to the process. The Government has not published information materials on the OGP processes.

The NGOs have mostly covered projects implemented by them in this field. The media provide rare coverage on OGP processes. There has been enough online consultation about the course of implementation of commitments.

B.2 Second Action Plan

Within the framework of OGP initiative, Armenia's Second Plan for 2014 – 2016 (henceforth also the AP) was adopted on 31 July 2014 at the Government's session. As mentioned, the AP was elaborated with the cooperation between the Government and civil society. According to the schedule included in the Action Plan, launch of most of the commitments is mentioned as September 2014. The OGP National Action Plan consists of an Introduction, where the Armenian Government presents projects aimed at open and transparent governance implemented to this date. Afterwards, the process of elaborating the Action Plan is described.

The next section of the Action Plan presents the commitments assumed by the Government for 2014-2016. Out of 11 commitments, 8 were included in the Action Plan from amongst civil society recommendations, the remaining 3 – from the Government. As noted in the Self-Assessment Report of the Government:[133] ,"based on the experiences gained, using the materials of the OGP support unit and www.opengovpartnership.org website and model formats, taking into account the IRM recommendations, the Second AP was developed complying with OGP format, principles and it is directed at overcoming OGP challenges. For each commitment a structure responsible for implementation, partner organization or body, timeframes, measurable and verifiable criteria have been defined. Current situation was presented, as well as issues subject to solutions, the challenges they stem from, the OGP principles, whose advancement will be promoted as a result".

The OGP-Armenia National Action Plan presents concrete strategies concerning Open Governance and projects under implementation. No Action Plan or concrete commitment is forced to any country. These commitments can be based on ongoing projects, presenting reforms or activities in new areas. The commitment should be within the framework of five main challenges.

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[133] http://www.ogp.am/u_files/file/Armenai%20Draft%20SA%20Report_2015.pdf

> **The five challenges of the OGP are as follows:**
>
> 1. **Public service reforms**: improvement of public services and activities aimed at promoting private sector novelties, which concern the entire scope of services provided to citizens.
> 2. **Increase of public trust:** activities which address corruption, freedom of information, reforms in financing elections, freedom of the media and civil society.
> 3. **More effective management of public activities:** events, which address budjets, procurement, natural resources and external support.
> 4. **Creation of safe communities:** events, which address public safety, security sector, disasters and crisis management systems and nature protection issues.
> 5. **Corporate accountability improvement:** events, which pertain to nature protection, fight against corruption, protection of consumer rights and corporate accountability in community issues.

All OGP commitments should contain at least one of the fundamental OGP principles.

> **The main OGP principles are:**
>
> **Transparency:** These commitments concern accessibility of official information, the fundamental right of citizens to receive information, as well as ensuring open and transparent work style of the Government.
> **Public participation**: The Governments must ensure public participation in the process of adopting and implementing decisions. This implies the invovlement of citizens in public discussions, ensuring real participation, which will lead to the development of a more effective governance system.
> **Accountability:** These commitments should include justification by the Government before the public in engaging in this or that activity.
> **Innovation and technology:** The commitments concerning this principle encourage application of new technologies in the government system in such way as they promote transparency, accountability, more interactive participation of the public in governance processes.

In this Chapter the implementation of commitments under the Action Plan of Armenia is considered, covering the period from September 2014 till September 2015.

Commitments

Below presented are the commitments, first - with the description approved in the Action Plan, information about lead agency and partner organization and approved schedule. Afterwards, each commitment is assessed with the following criteria:

- Compatibility of the commitment with OGP challenges and principles;
- Clarity of the commitment's formulation and measurability of the result;
- Ambitiousness of the commitment and scope of impact;
- Proper implementation of the commitment, in line with the schedule.

The Action Plan is inclusive of 11 commitments, which are classified in five large groups, in line with the main OGP principles and challenges.

I.   **Ensuring transparency and accountability;**
II.   **Promotion of public participation;**
III.   **Strenghtening integrity;**
IV.   **Promotion of access to information.**

> Three out of eleven commitments have been implemented completely and in accordance with defined schedule. Two were implemented with technical shortcomings.

As of September 15, 2015, the 2nd; 4th and 9th commitments have been implemented completely and in line with the defined schedule. The 3rd and 5th commitments were implemented with technical shortcomings.

According to the defined schedule, the 1st commitment has not been launched at all and the 7th one, although its deadline is over, nevertheless the works are also at a completion stage. The implementation of other commitments is ongoing and the deadline is still upcoming.

I. ENSURING TRANSPARENCY AND ACCOUNTABILITY

1. Digitalization and publication of data at the "Republican Geological Fund" State Non-Commercial Organization

Purpose: To make information not prohibited by the RA laws accessible for wide circles of public through a website designed specifically for this purpose.

Description: It is envisaged to completely digitalize about 12 000 geological reports and 8 000 units of mapping and drawing packages concerning about 750 mines and 600 mining occurences, accumulated at the "Republican Geological Fund" State Non-Commercial Organization; to create a website where all the materials will be posted (in PDF, JPG, EXEL and other formats), using the information search principle. Besides, site interactive map will be created to facilitate the exploration of materials posted on the website and the materials will be pinned to the respective RA areas.

Lead agency – Ministry of Energy and Natural Resources [134].

Other interested agencies/organization: USAID

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[134] Although the contact details of the responsible person is missing in the Action Plan, they were published in the Self-Assessment Report of the Government.

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
√					

Compatibility with OGP principles

Transparency	Accountability	Public participation	Technology and innovation	None
√				

Measurability and concreteness of activities – concrete, clear and measurable

Level of implementation in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September, 2015
1. To digitalize at least 15-20% of the fund, create an internet website and post digitalized information on the website	2014 December	2015 June	**Not implemented**
2. Training activities with 2-4 staff of the Fund	2014 December	2015 June	**Not implemented**
3. Digitalize 100 % of funds	2014 December	2016 December	**Not commenced**
4. Public awareness campaign will be organized on the Action Plan, including publication and dissemination of booklets, presentation of the website with participation of interested stakeholders and other events.	2015 May	Continuous	**Not commenced**

5. Continuous digitalization of newly received geological and other information.	2014 December	Continuous	**Not commenced**

Content of the commitment and the course of its implementation

This is the first commitment which was announced as early as in the process of elaborating the Second Action Plan, as an ambitious commitment assumed by the Republic of Armenia[135]. This was mentioned at the Summit held in London from 31 October to 01 November 2013[136]. The Head of Armenian Delegation, Deputy Minister of Foreign Affairs Ashot Hovakimyan presented the project on the creation of electronic database on mining industry in Armenia. The commitment was acknowledged with great interest by the Governments and civil society of many countries. The Prime Minister of Great Britain noted about the significance of this commitment assumed by Armenia and its impact. At the stage of elaborating the Action Plan the importance of implementing this commitment was positively assessed as well by the CSOs. The Ministry of Energy and Natural Resources, a body authorized to implement the commitment, presented reports several times on the course of implementing this commitment. In the Report from March 2015, it is noted: "With view to implementing this commitment, currently negotiations with the USAID are ongoing; a draft project entitled "Support to the Republic of Armenia in increasing transparency of mining industry" has been compiled and is aimed at assisting the Government of Armenia to ensure transparency and accountability of mining industry in Armenia". It is worth mentioning that the draft project is still at a discussion stage and it comprises two activities in the remit of the Ministry of Energy and Natural Resources – digitalization of data available with "Republican Geological Center Fund" State Non-Commercial Organization; and "Ensuring Transparency of Mining Industry". The Project submitted to the USAID is at an agreement stage"[137].

At an enlarged session of OGP Working Group, the Head of Geology Department of the above Ministry, Vardan Vardanyan noted that "The digitalization of the archive of the "Republican Geological Fund" is underway and the activities will be completed in line with the scheduled timeframes"[138]. However, in response to information request sent by the FOICA in August 2015, the Ministry noted that the works have not commenced yet and the last stage of finalizing/approving the Project with the USAID is ongoing[139]. Whereas, according to the schedule defined in the Action Plan, as of June 2015 the relevant website was to have been created, publishing at least 15-20% of data available with the Fund; 2-4 staff members were to have been trained; from May, public awareness raising campaign was to have started, including publication and distribution of booklets, promulgation of the website with participation of relevant stakeholders and other events. The delay with the commitment's deadlines is mentioned as well in the Government's Self-Assessment Report[140]: "Due to the lack of financial means the implementation of the commitment is delayed". The relevant grant project has not been signed yet between the USAID

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[135] http://www.opengovpartnership.org/summary-london-summit-commitments
[136] http://www.ogp.am/hy/news/item/2013/11/03/OGP2013Summit/
[137] http://www.ogp.am/hy/news/item/2015/03/04/ap_implementation/ ,
[138] http://www.ogp.am/hy/news/item/2015/03/03/WG_March/
[139] http://www.givemeinfo.am/hy/case/1723/
[140] http://www.ogp.am/hy/news/item/2015/09/24/Self_assAP2/

and Government, within the framework of which the commitment will be implemented. No publications were found on the website of the Government or of the Ministry.

Possible impact: availability of information on mining industry will be improved for public at large.

The implementation of the commitment is lagging behind schedule. It has not started yet.

2. Ensuring transparency of mining industry

Purpose: ensuring accountability of mining companies and state regarding expenditures and imcomes in mining sector, as well as improving business envionment in the same sector.

Description: launch of the process of membership to the Extractive Industries Transparency Initiative (EITI), in particular conducting discussions and negotiations and implementation of other preparatory works.

Lead agency: Ministry of Energy and Nature Protection

Other organizations/structures involved: Ministry of Foreign Affairs of the RA, Ministry of Justice; Ministry of Economy; Ministry of Finance

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
	√	√			

Compatibility with OGP principles

Transparency	Accountability	Public Participation	Technology and innovation	None
√	√	√		

Measurability and concreteness of activities – activities are not mentioned concretely and clearly.

Status of implementation in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
Launch of the process of membership to the Extractive Industries Transparency Initiative (EITI), in particular conducting discussions and negotiations and implementation of other preparatory works.	October 2014	December 2016.	**Completed before deadline[141]**

Content of the commitment and the course of its implementation

At the outset this commitment was not included in the Government's Action Plan draft, despite the fact that as early as in 2013 the inclusion was recommended by Transparency International Anti-Corruption Center. The recommendation was included in the final version of the Draft[142] early July 2015. There were numerous discussions around the formulation of this commitment, as well as critical remarks by the NGOs.

Transparency International's recommendation was formulated as follows: "To become member (our own highlight) of the EITI, with an aim to ensure accountability of the state agencies and mining companies on the expenditures and incomes in this sector.

However the Government limited itself by including in the Action Plan only the commencement of the membership. As rightly mentioned by civil society representatives, there is no concreteness here; the current formulation does not envisage final and clear result but only implies preparatory works, which are quite generic and not-measurable. A suggestion was made to the Government to rephrase the activity towards this commitment in the following manner: "Submission of application[143] for membership in the Extractive Industries Transparency Initiative" (EITI), with view to ensuring clear and measurable result.

Nevertheless this commitment, in its current formulation, is considered to have been completed, since Armenia's Executive Power has announced the launch of membership to EITI. At the end of the first session of Anticorruption Council held at the Government on 28 July 2015, the Government's readiness in the membership to EITI was announced. The Prime Minister Hovik Abrahamyan noted: "On behalf of the Government, I would like to give an instruction to David Harutyunyan, to coordinate these

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[141] In our assessment this commitment is considered completed, according to the formulation included in the AP. It's another question that as we noted, the commitment is not formulated clearly and concretely.
[142] http://www.ogp.am/hy/news/item/2014/07/15/WG_July/
[143] http://www.ogp.am/u_files/file/Suggestions_OGP_Workshop_July18.pdf

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processes and activities towards introducing the relevant standard[144]. The US Embassy to Armenia and the USAID have welcomed this step[145].

Little information is available on the process of implementing the commitment. On 03 March 2015, at the enlarged session of the Open Government Partnership Working Group, the Head of Geology Department at the Ministry of Energy and Nature Protection, Vardan Vardanyan, noted that Government representatives have had meetings with the World Bank and EITI. However no details are published concerning this meeting.

Future steps: We are informed about future steps directed at the membership to EITI from the Government's Self-Assessment Report on the implantation of OGP AP[146]. It is envisaged to create a working group with the involvement of several interested stakeholders, to develop a program and submit application for membership to EITI. Let us note as well that this commitment, together with the first commitment, will be implemented under an agreement to be signed between the RA Government and USAID. Per the two-year Agreement it is intended to implement number of projects aimed at the transparency of mining sector.

The commitment has been completed before the deadline.

3. Ensuring public awareness about healthcare financing

Objective: Increase of public awareness on the healthcare financing and governmental programs in this area.

Description: To create healthcare system financial portal where people, professionals and the public may obtain information on the state-guaranteed funding, on the basic package of services; when the payment for services is due for the patient, and when not; how they can get invoices subject to state-guaranteed payment, on financial and non-financial reports and other information.

Authorized body: RA Ministry of Health

Other organizations/structure involved: None

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
√	√				

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[144] http://www.gov.am/am/news/item/12061/
[145] https://www.facebook.com/usdos.armenia/photos/a.44940802672.226969.217655292672/10153480673912673/?type=1&fref=nf&pnref=story
[146] http://www.ogp.am/u_files/file/Armenai%20Draft%20SA%20Report_2015.pdf

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√			√	

Measurability and concreteness of activities – clear and measurable.

Level of implementation in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
Creation of a healthcare system portal • More than 25 reports for public use	September 2014	September 2015	**Implemented incompletely**

Content of the commitment and the course of its implementation

In the earlier version of the Action Plan, the Ministry of Health had presented two recommendations, which were combined in one commitment as a result of discussions between Government and CSO representatives[147]. As we are infomred from the Govnermnt's report from March 2015[148], the implementation of the commitment was completed before the deadline. According to the Report, "healthcare system financial portal www.sha.am has been created, where internet users can receive information about state-guaranteed programs on medical aid and services provided for free and on privileged conditions; as well an analytical – reporting website on the accumulated data has been designed, through which relevant reports and analysis will be made accessible both to the public and to professional medical circles".

In August 2015 the FOICA sent an enquiry to the Ministry to receive information about the implementation of the commitment. The response mentions[149] that with view to implementing the commitment the website www.sha.am has been created on the account of state budget means, where reports are published for public use. The website has two modules: Reporting Systems[150] and Ambulance Policlinic Reporting and Analytical Portal (APRAP)[151].

Our observations have shown that as of 15 September 2015, only 5 reports are published and available for public, as well as number of technical problems occurred when receiving the reports. Although the website's Home Page notes that the site is at a testing stage, nevertheless as an OGP AP commitment, it

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[147] http://www.ogp.am/hy/news/item/2014/04/15/workshop/
[148] http://www.ogp.am/hy/news/item/2015/03/04/ap_implementation/
[149] http://www.givemeinfo.am/hy/case/1724/
[150] https://sha.am/Hospital.Online.Public.Reports/PublicReports.aspx
[151] https://pbf.am/

cannot be considered as having been completely implemented. The Ministry has not conducted any public discussions, information campaign during and following the implementation. Generally, it can be mentioned about this and other commitments that their publicity is paramount. More attention should be paid to the issue of informing users on the implemented activities, so that the results are accessed and reach their target audience and thus serve their goal. Many are not aware of the opportunities offered by the commitment.

Thus, it can be concluded that the commitment has not been implemented completely.

4. Ensuring transparency of asset and income declarations of the RA high-ranking officials

Objective: Ensuring transparency of declarations of property and income of the RA high-ranking officials, enlargement of the list of information provided to the public, thereby increasing accessibility of declarations for the public.

Description: It is envisaged to develop and discuss with civil society the draft Governmental Decree "On Introducing amendments and supplements to Government Decision N 1835-N of December 15, 2011 and N 1819-N of December 15, 2011"; as well as to agree the draft with relevant agencies and adopt respective Decision of the Government.

Lead Agency: Ethics Commission of High-Ranking Officials

Other organizations/structure involved – RA Ministry of Justice; RA Ministry of Finance; Freedom of Information Center NGO (upon consent); Transparency International Anti-Corruption Center (upon consent)

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
	√				

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√				

Measurability and concreteness of activities – clear and measurable.

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. Enlargement of the list of information provided to the public, thereby increasing accessibility of declarations for the public. Organizing public discussions with civil society representatives.	September 2014	February 2015	**Before the deadline, completely implemented**
2. Agreement of the draft with relevant agencies and adoption of Government decision.	March 2015	June 2015	

Content of the Commitment and process of its implementation

Activities aimed at increasing transparency of income and property declarations of public officials in general are highly welcomed by the OGP Headquarters, since transparency of declarations ensures reduction of corruption; increases the Governments' accountability and boosts public oversight mechanisms.

The first and second Action Plans of OGP/Armenia includes recommendations about declarations. In September 2013, the Ethics Commission of High-Rank Officials submitted to the Government several recommendations for including in the Second Action Plan[152].

Afterword's, as a result of discussions, the recommendations were made shorter and received the following general formulation: "transition from paper version of high-rank officials and their related persons income and property declarations to electronic system, as well as automatic publication of the mentioned declarations through an internet site"[153].

The commitment was made more concrete and as a result of several public discussions[154] it received current formulation.

The Freedom of information Center NGO and Transparency International NGO have shown interest in this commitment. The draft's earlier version noted only "development and presentation" of the draft decision but following the working discussion on 18 July 2014,[155] a new commitment was defined: "adoption of the draft decision by Government". With this, the final expected result of the commitment was made clear.

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[152] http://www.ogp.am/hy/news/item/2013/09/26/AP_second/
[153] http://www.ogp.am/hy/news/item/2014/03/23/OGP_public/
[154] http://www.ogp.am/hy/news/item/2014/04/15/workshop/ ,
http://www.ogp.am/hy/news/item/2014/07/18/Second_AP/
[155] http://www.ogp.am/hy/news/item/2014/07/18/Second_AP/

With this, the the draft decision of the Government on introducing amendments and supplements to the Government's decision No. 1835-Ն, 15 December, envisaged under this commitment was presented to interested stakeholders and civil society, then posted on www.ogp.am for public discussions[156]. Neverthless, before the approved deadline, in February 2015, the RA Government approved the relevant decision No. 150-Ն, 19.02.2015[157].

Earlier, the list of high-rank officials' property and asset declarations subject to publication approved by the government in its decision No. 1835 –Ն, from 15 December 2011, did not provide with an opportunity to achieve complete transparency of data concerning all transactions with regard to the assets of high rank officials and their related persons, since the list was limited to the thresholds of the transactions only. The new decision excludes thresholds defined for asset transactions from the list of data subject to publication.

The commitment has been this carried out completely and ahead of time.

5. Online broadcasting of the State Procurement Appeals Board sessions

Objective: Ensuring transparency of Procurement Appeals Board decision-making

Description: It is envisaged to ensure online broadcasting of the State Procurement Appeals Board sessions.

Lead Agency: RA Government Staff

Other actors: "Procurement Support Center" State Non-Governmental Organization

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
	√				

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√				

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[156] http://www.ogp.am/hy/news/item/2014/11/17/ethics/
[157] https://www.e-gov.am/gov-decrees/item/25403/

Measurability and concreteness of activities – clear.

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. Negotiate with private companies, clarify the scope of relevant works;	September 2014	December 2014	**Completed in time with some technical shortcoming**
2. Develop technical task and launch procurement process;	January 2015	March 2015	
3. Procurement Appeals Board sessions' are broadcasted online via www.gnumner.am webpage.	June 2015	Ongoing	

Content of the commitments and process of its implementation

Several suggestions regarding ensuring transparency of public procurement and civil society involvement in this process were presented by the TIAC. As a result of public discussions conducted at the stage of developing the AP, this commitment was included. No publications are available on the course of implementing this commitment. At the enlarged session of the Working Group held in March 2015, the representative of the Ministry of Finance informed[158] that the first and second activities of the commitment were not completed as of March 2015. We were informed about the process of implementing this commitment from the answer of the Government sent in response to the enquiry sent by the FOICA within the framework of the monitoring[159]. The RA Government has provided detailed information about the implementation of all activities versus this commitment, in particular, how much was spent for the procurement of equipment, which agreements were concluded and with whom, how the procurement process was organized, etc. The response notes as well that in order to ensure online broadcasting of the sessions of the RA Procurement Appeals Board in real time regime, the relevant link has been posted on www.gnumner.am website and from June 2015 onwards, the online broadcasting of the sessions are available as well from the www.gov.am website and are carried out via www.youtube.com. However our research showed that the online broadcasting is available only from the www.gov.am and the website www.gnumner.am there is no section or link through which the use can get information about such possibility. The relevant link to www.gov.am website is placed under the Links section only[160]. This cannot be regarded as fully accessible link.

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[158] http://oww.ogp.am/hy/news/item/2015/03/04/ap_implementation/
[159] http://www.givemeinfo.am/hy/case/1725/
[160] http://gnumner.am/am/links.html

The FOICA has informed about this to the agency coordinating OGP activities and as the NGO was informed, the RA Ministry of Finance has given relevant instruction to post the respective link or banner at least on the first page of www.gnumner.am website.

It's worth mentioning here that public is almost not aware of this possibility. No notifications or publications about the online broadcasting were found in the monitoring period. Whereas, the implementation of commitments should not be an end in itself but serve its purpose. State agencies should be consistent not only in implementing their responsibility but also ensure public awareness on the results.

The commitment has been completed ahead of time but with technical shortcomings.

II. PROMOTING PUBLIC PARTICIPATION

6. Community micro-survey introduction in 10 communities

Objective: Sstrengthening communication between the community and local self-governance bodies and ensuring the transparency in the decision-making process.

Description: Through short messages community residents get involved in local government decision-making process. Via short messages (SMS) community residents receive one or several questions about the community problems with variants of possible answers. Within 24 hours, residents are responding to inquiry by sending an SMS stating their preferred option.

Lead agency: RA Ministry of Territorial Administration and Emergency Situations

Other actors: UNDP

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
√		√			

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
	√	√	√	

Measurability and concreteness of activities – clear and measurable.

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. "Community micro-survey" program has been introduced in 10 communities.	February 2015	June 2016	**Ongoing**
2. In all 10 communities SMS surveys have been conducted and the results have been published.	July 2016	December 2016	

Content of the commitments and process of implementation

The commitment was included in the Action Plan at the suggestion of the UNDP representative, at the working session held between the Government and civil society in April 2014. The relevance for including this commitment became subject for discussions. At another discussion held on 18 July it was suggested to remove the commitment from the final version of the AP with the justification that the project on micro-surveys[161] is already being/will be implemented by the Ministry of Territorial Administration. "The project in question is pilot project, includes 10 communities and cannot be called ambitious and is actually not directed at open and transparent governance"[162]. The suggestion however was not adopted and the commitment was included in the Action Plan. Implementation of the activities started from April 2015. It becomes evident from the letter of the Ministry of Territorial Administration and Emergency Situations that[163] as of 15 September 2015 in the five communities micro-surveys have already started: Aregnadem/Shirak marz; Byureghavan, Dzrvezh, Qasakh/Kotayq marz; Ashtarak/Aragatsotn marz. Copies of the Council of Elders are attached to the response.

However, no information was found on the results of micro-surveys in these communities neither on the MTAES's official website[164], nor on the website of "Community Micro-Survey" project.

A recommendation for shorter deadlines for implementing the commitment was made at the stage of final discussions of the Action Plan. Besides, the OGP Headquarter published in 2015 the schedule of Action Plans by member states, according to which Armenian Action Plan's implementation will be completed in June 2016[165]. Although the deadlines of the Action Plan have not officially changed, the

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[161] http://smspolling.mobbis.am/
[162] http://www.ogp.am/u_files/file/Suggestions_OGP_Workshop_July18.pdf
[163] http://www.givemeinfo.am/hy/case/1726/
[164] http://www.mta.gov.am/hy/sms/
[165] http://www.opengovpartnership.org/sites/default/files/attachments/OGP_EVEN_ARM_0.pdf

Government's staff has given an instruction to relevant agencies[166] to revise the deadlines and complete implementation before June 2016. This also concerns this commitment.

The commitment's implementation is still ongoing.

7. Ensuring open, transparent, participatory and accountable process of state policies and legislative reforms

Objective: formation of effective, transparent and accountable system for the participation of civil society in the process of policies and legal reforms.

Description: Making amendments and supplements to the Model Working Procedures of the boards/councils of Ministries of the RA established by the protocol decision N 47 of November 20, 2008 of the RA Government.

Lead Agency: RA Ministry of Justice

Other actors - "Araza" Charitable NGO

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
	√				

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√	√	√		

Measurability and concreteness of activities – clear and measurable.

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[166] http://www.ogp.am/hy/news/item/2015/03/05/deadlines/

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. Conduct studies of working procedures and international practices,	September 2014	December 2014	**Implemented**
2. Develop proposals on amending legal acts/Model Working Procedures,	January 2015	March 2015	**Implemented**
3. Organize public discussions, collect new proposals, amend the package of proposals and submit to the approval of the Government,	April 2015	June 2015	**Ongoing**
4. Adopt amendments to legal acts/model Working Procedures	July 2015	August 2015	**Not completed but at a completion stage**

Content of the commitment and course of its implementation

The commitment was included in the Action Plan on the suggestion of "Araza" and other NGOs. As a result of consistent work and discussions with the Ministry of Justice, draft decision of the Government "On Approving Model Working Procedure of Public Council Advancement to the RA Minister" was developed, presented on April-May 2015[167] and publicly discussed[168].

We were informed from the written reply of the Ministry of Justice that during the elaboration of the Draft the international experience in this field were studied and relevant record has been prepared on this[169].

Although complete implementation of the commitment is lagging behind pre-defined schedule, this is probably the only commitment, during the implementation of which comprehensive information was provided, active participation of CSOs was ensured during elaboration of the draft. In its official website and Facebook page the Ministry of Justice posted information about the discussions on the draft; the draft was posted as well on the www.ogp.am website, the document was sent to state agencies and NGOs, soliciting their comments and recommendations.

During several events the Ministry of Justice presented the Draft for different audiences and offered possibility to provide comments and recommendations. In particular, the representatives of "Public

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[167] http://www.foi.am/hy/media/item/1466/
[168] http://www.ogp.am/hy/news/item/2015/07/30/Minister_council/
[169] http://www.givemeinfo.am/hy/case/1727/

Network" member and partner NGOs – the Freedom of Information Center of Armenia, "Araza", "Union of Manufacturers and Businessmen of Armenia", "Dalma", "Union of Assyrians in Armenia", "Mother and Child Health Alliance", "Young Lawyers' Association of Armenia", "Against Violations of Law" attended the event held on 21 August 2015[170]. During discussions, the Deputy Minister of Justice Suren Qrmoyan presented the difference between the to be formed Public Council adjacent to the Minister and the already existing Boards, noting that the new body will include exclusively civil society representatives, who will have chance to discuss relevant issues and present their views and suggestions directly to the Minister without any intermediate circles, thereby becoming a participant in the implementation of policies of that agency.

As the Ministry of Justice informed, the final version of the draft is ready[171] and following some editing will be sent for the Government's approval[172].

The implementation of the commitment is lagging behind schedule but is at a completion stage.

8. Public awareness raising about law-making activities of state governance bodies

Objective: to provide public to familiarize with drafts prior to their adoption, to present recommendations to the lead agencies, as well as have investment in their amendment.

Description: it is envisaged to create an online platform for publishing draft normative acts developed by the Government, providing civil society with a chance to present recommendations about drafts, as well as learn on their status.

Lead agency: RA Ministry of Justice

Other actors: not mentioned.

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
	√				

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[170] http://www.ogp.am/hy/news/item/2015/08/23/Councils/
[171] http://www.ogp.am/u_files/file/002%20naxagic%20xorhurd.pdf
[172] http://moj.am/article/1364

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√	√	√	√	

Measurability and concreteness of activities – clear and measurable.

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. Discussions about technical solutions, development of Terms of Reference; 2. Establishment of legal basis for he published draft legal acts; 3. Ensuring the process of training for officers in the respective bodies; 4. Publication of draft normative legal acts in the crated platform.	September 2014	December 2016	**Ongoing** **Ongoing, partially implemented** **Ongoing** **Ongoing**

Content of the commitment and the course of its implementation

The commitment has been included in the Action plan on the recommendation of several NGOs. We are informed from the Report submitted in March 2015[173] that the Protocol Decision No. 13 of the Government "On deeming invalid the Government decision from April 2012 "On Approving methodical instructions for the development of legal acts"; and the Government's Protocol Decision No. 42 from 28 October 2010, the rules for developing legal acts have been regulated. Besides, the rules for developing legal act concepts, strategies and projects are defined in the Republic of Armenia Government's Protocol Decision No. 2 from 22 January, 2015, "On Approving methodological guide for compiling concepts, strategies and projects". At the same time, activities for regulating issues with respect to the elaboration of legal acts and public awareness were conducted by the RA Ministry of Justice, with the involvement of international experts.

We were informed from the letter received from the Ministry in August 2015[174], that draft Government decision has been developed "On Making supplements to the RA Government Decision No. 296-N" from March 2010 and sent to the relevant bodies soliciting comments and recommendations. No other information is available on the implementation of the commitment. The Head of "Araza" NGO, Tamar

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[173] http://www.ogp.am/hy/news/item/2015/03/04/ap_implementation/
[174] http://www.givemeinfo.am/hy/case/1728/

Abrahamyan noted during conversation with us that discussions were held with the Government regarding the envisaged internet platform. The organization has suggested to use for the purposes of the commitment, the internet platform which has been created by the NGO and is functional. The issue is at a discussion stage.

The deadline of the commitment has been defined for an earlier time by the Government, until June 2016.

The commitment is currently ongoing.

III. STRENGTHENING PUBLIC INTEGRITY

9. Ensuring transparency of elections to the Management Boards of the RA general secondary education institutions and planning of their annual budgets and expenditures

Objective: Ensuring transparency of the elections to the Management Boards of the RA general secondary education institutions and planning of their annual budgets and expenditures.

Description: It is intended to introduce changes to the procedure for electing Management Boards of the RA general secondary education institutions and ensuring transparency of budget planning (annual budget draft) for education services provided in secondary education field, as well as financial expenditures, on school websites and notice corners.

Lead Agency: RA Ministry of Education and Science

Other actors: "World Vision Armenia" Charitable organization

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
	√	√			

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√	√	√	√	

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Measurability and concreteness of activities – clear and measurable.

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. Creation of a working group with the participation of the representatives of the RA Ministry of Education and Science, as well as of the civil society.	September 2014	October 2014	**Implemented**
2. Amendments to the election procedures of the Governing Boards of the RA general secondary education institutions and development and approval of the "Procedure of the annual budget planning and report on the budget expenses of the RA general education institutions".	December 2014	March 2015	**Implemented**

Content of the commitment and the course of its implementation

This commitment has been included in the Action Plan on the recommendation of "World Vision – Armenia" Charitable Organization. Earlier the organization made several proposals concerning education field. Afterwards, as a result of discussions, these proposals were united and rewarded in this commitment. When implementing the commitment, the Ministry of Education and Science has actively cooperated with "World Vision- Armenia". The representative of the organization, Varazdat Sargsyan disseminated information via civil society network about the ongoing works.

As we were informed from the response provided by the Ministry[175], in November 2014, a working group has been created on the instruction of the RA MES, including representatives of "World Vision" and "Teachers' Union in Goris". Minutes from the working group are not available and no information has been published on these.

The Working Group developed the "Procedures for the formation of the Board of "RA State Education Institution" State Non-Commercial Organization" and the draft was approved by the Minister in February 2015.

In March 2015, on the Decree of the Minister, another Rules of Procedures defined under OGP commitment and developed by the Working Group - "Planning of the annual budget of General Secondary Education Institutions and reporting on the annual budget expenditures" was approved. Relevant instructions were sent to Yerevan Municipality and RA Governors' Offices to apply the Rules

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[175] http://www.givemeinfo.am/hy/case/1729/

of Procedures in education institutions. Although the Ministry of Education and Science, in response to the FOICA's enquiry provided all requested documents and noted that they are published on the website of the MES, nevertheless comprehensive and necessary information about implementation of this commitment was not published for wider circles of the society. Both in case of the previously implemented commitments and with this one, the problem remains publicity of activities and informing public about it. For instance, parents are not aware that according to the amended procedure, school Directors must hold public discussions till 30 October on budget drafts, to publish them, etc. It is necessary to not only implement this commitment but also ensure wide awareness about it. The civil society has indeed a role to play here. As Varazdat Sargsyan, the "World Vision" representative noted to us, they will be consistent in their efforts and will conduct monitoring at schools to find out if the adopted Rules of Procedures are being implemented properly.

The commitment has been completed in time.

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10. Imrovement of the knowledge and skills of public servants in the areas of freedom of information and anti-corruption

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Objective: Ensuring implementation of access to information law and accessibility of official information.

Description: It is envisaged to conduct 10 training courses for 200 public servants on the topics of fighting corruption, integrity development and freedom of information. These courses will help civil servants to work in an open and accountable manner with public, as well as to properly formulate and provide responses to public enquiries.

Lead Agencies: RA Civil Service Council (upon consent), Ministry of Territorial Administration and Emergency Situtations

Other actors - FOICA and Young Lawyers Association NGOs

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
√					

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√	√			

Measurability and concreteness of activities – clear and measurable.

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. 10 courses will be conducted 2. 200 civil servants will be trained 3. 400 questionnaires will be filled in (200 at the beginning of training and 200 at the end) 4. Two analysis will be conducted based on questionnaires.	February 2015	December 2015	**Ongoing, partially implemented**

Content of the commitments and course of implementation

As an institutional basis for conducting freedom of information training, the Freedom of Information Center of Armenia NGO established non formal education Center in November 2010, thereby becoming a sustainable institutional mechanism providing public officials with knowledge and skills in the field of FOI[176]. Since the establishment of the Center, many civil servants have received training. The training courses conducted by the FOICA for officials of different ranks play a significant role in organizing the work in providing media, organizations and individuals with information by public bodies, local self-government bodies in a timely and proper manner.

With its decision 302-U, from April 17, 2008, the Civil Service Council of Armenia included the training course "Ensuring Freedom of Information and Public Relations in Government System" in the training programme for civil servant information officers. The result of this cooperation was that the position certificates of civil servant information officers were amended to include concrete functions and responsibilities in FOI field. And as a continuation of FOICA – Civil Service Council cooperation, training of civil servants restarted at the non-formal education center. Upon completion of the three-day course, the participants are provided with state certificates.

From October 2011, the Freedom of Information Center of Armenia, jointly with the RA Ministry of Territorial Administration conducts training for civil servants. The training courses are conducted based on the program approved by the Decree N129-U of Deputy Prime Minister, Minister of Territorial Administration from 20 October 2011, "Freedom of Information and Public Relations in the local self-government system".

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[176] http://www.foi.am/hy/trainings-overview/

This commitment was included in the first OGP Action Plan as well. As a result, the FOICA, in cooperation with the Civil Service Council and Ministry of Territorial Administration, conducted training for about 400 civil servants.

As mentioned in the IRM Report[177]: "This commitment is a good example of cooperation between the Government and CSOs. The IRM expert believes that it is necessary to continue RA Government-FOICA cooperation every year, noting as well how many civil servants need to pass the training and allocate resources for this. Based on this success story the RA Government can develop other projects of cooperation with CSOs, which will promote accessibility of government-held information, accountability and implementation of overall Government-public at large cooperation".

In order to implement this commitment under the Second Action Plan, the FOICA, together with the Civil Service Council conducted training for 14 civil servant information officers in April 2015[178]. The training was attended as well by civil servant information officers from the Armenian Ministries and adjacent bodies, representing press and public information departments.

With view to receiving information about the commitment's implementation, enquiries were sent to the RA MTAES and Civil Service Council. The reply from the Ministry of Territorial Administration and Emergency situation was rather incomprehensible and it actually did not respond the question as to how many training courses on freedom of information and anticorruption issues have been conducted within the framework of the commitment in the respective period[179]. Instead, the Civil Service Council provided clear answer[180], which showed that "Between February 2015 till 31 August 2015, the following training courses have taken place on the above-mentioned topics:

- "Integrity Basics" – Union of Armenian Civil Servants NGO, 8-12 June 2015, for 15 civil servants;
- "Fight against Corruption"- "Law Institute of the Ministry of Justice" of the RA State Non-Commercial Organization, 20-30 April 2015, 26 civil servants; 18-29 May 2015, for 26 civil servants;
- "Freedom of Information and Public Relations in Government System", Freedom of Information Center of Armenia NGO, 29-30 April 2015, for 14 civil servants.

According to the activities mentioned in the Commitment, with view to ameliorating the content and format of the training, questionnaires are being filled in, which are kept with the trainers".

In summary, 5 training courses have been organized for 95 civil servants.

The Commitment is under implementation and partially implemented.

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[177] http://www.ogp.am/u_files/file/Armenia_OGP_IRM_Armenian.pdf, էջ 85:
[178] http://www.ogp.am/hy/news/item/2015/04/30/FOI_training/
[179] http://www.givemeinfo.am/hy/case/1744/
[180] http://www.givemeinfo.am/hy/case/1743/

11. Ensuring transparency of local self-government bodies in large communities.

Objective: Ensuring transparency of local self-government bodies; online broadcasting of the Council of Elders' sessions.

Description: It is envisaged to create information websites in the communities having a population of 20 000 and more, with a possiblity of user comments, publication of all legal acts adopted by local authorities, notifications on the sessions of the Council of Elders, public discussions and hearings and online broadcasting of the Council of Elders sessions.

Lead agency: RA Governor's Offices; RA Communities

Other actors: RA Ministtry of Territorial Administration and Emergency Situations; "Asparez" Club NGO

Compatibility with OGP challenges

Improvement of public services	Increasing public trust	More effective management of public resources	Creation of safe communities	Improvement of corporate accountability	None
√	√				

Compatibility with OGP values

Transparency	Accountability	Public Participation	Technology and innovation	None
√	√	√	√	

Measurability and concreteness of activities – clear and measurable.

Implementation status in accordance with the schedule

Activity	Start date	End date	Implementation status as of 15 September 2015
1. Fundraising for the technical equipment of online broadcasting the sessions of the Council of Elders, public discussions and LSG conferences, for reequipping the existing or creating new websites for communities with population of 20, 000 and more. Ensuring procurement process of services for creating technical equipment and websites.	October 2014	July 2015	**Partially implemented**
2. Creation of internet information sites for communities with population of 20,000 and more with the possibility of public comments.	August 2015	March 2016	**Ongoing**
3. Organization of trainings for the respective specialists of the communities.	September 2015	February 2016	**Ongoing**
4. Launching the website, online broadcasting the sessions of the Council of Elders of targeted communities and LSG conferences.	April 2016	To be continued	**Ongoing**

Content of the Commitment and course of its implementation

The commitment was included in the Action Plan on the recommendation of "Asparez" Journalists club in Gyumri. Let us note that communities which have population of 20 000 and more are 16 in the Republic of Armenia and this is where the commitment needs to be implemented. We were informed for the reply of the MTAES[181] that the implementation of the commitment in terms of communities can be classified in the following manner: communities which are in the process of securing financial means for the procurement of technical equipment.

1. (Abovyan, Ejmiatsin, Kapan, Goris, Artashat, Gavar, Masis, Alaverdi, Sevan, Ashtarak, Artik).
2. Communities which have obtained technical equipment and implement pilot transmissions (Vanadzor, Charentsavan, Hrazdan).
3. Communities which have obtained technical equipment and are already broadcasting (Armavir, Gyumri).

Besides, the rural community of Vardenik in the RA Gegharkuniq region, within the framework of the project "Assistance to Armenia's local democracy strengthening" implemented by the Regional and Local Government Congress of the Council of Europe presented an application for organizing online

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[181] http://www.givemeinfo.am/hy/case/1721/

broadcasting of public events. The application has been approved and currently the process of the procurement of necessary equipment is underway.

Nevertheless, as of August 2015, most of the communities have not procured technical equipment. The main reason for this is the absence of financial means, since no funds are allocated for this in the state budget. Generally, at the stage of elaborating the Action Plan, this problem usually occurs since many ambitious projects are excluded from the Action Plan just because no financial means are envisaged for their implementation. We have addressed this issue under Chapter A of this research as well. However it's necessary to consider that in addition to expecting donor support from international community, the Government should prepare an estimate for funds necessary for implementing all activities and mechanisms for soliciting additional financial means. This was not done at the stage of elaborating this Action Plan. As a result, from the launch of this AP's implementation till date the Government had to fund additional means in order to implement the commitments thy assumed.

The commitment is under implementation but financial problems occurred during implementation.

CHAPTER C.

COMCLUSION AND RECOMMENDATIONS

C.1 Conclusion

Summary of OGP- Armenia processes

Studying the one year period of elaborating the Second OGP-Armenia Action Plan (from 2013 till July 2014) and its implementation (September 2014 to 15 September 2015) it can be said that OGP-Armenia processes have entered a new stage, starting from the stage of elaborating the Second Action Plan. Taking into account the experience of the previous years, the comments and recommendations of the IRM expert and civil society, the Government has demonstrated more readiness and accountability this time. The cooperation between the Government and civil society has been considerably enlarged, which has had its positive impact on the final version of the Action Plan. As the CSO representatives mention, the stage of elaborating the Second Action Plan and the AP itself positively differs from the previous one.

However it is worth mentioning the Government has not been enough initiative. Although the officials involved in OGP processes have been regularly reacting to and participating in CSO organized events, surveys, etc., however they have not shown enough pro-active attitude and official information has not been widely disseminated.

The positive developments are:

- **The process of elaborating the Action Plan has improved:** Drafts of the Second Action Plan have been discussed several times at the OGP Working Group, effective discussions were held about it in the Government-civil society format, with view to soliciting new recommendations and supplements, the draft has been posted on www.ogp.am website. Relevant summary paper has been prepared on the received recommendations and justifications were provided on the rejected recommendations, ensuring wide public participation in the process, as well as transparency and accountability of the process.
- **The OGP Working Group has included new CSO members:** 8 out of 24 members of the OGP Working Group represent civil society. No requests for inclusion in the WG the have been rejected, all CSO representative who applied to the National OGP Coordinator were included in the Group.
- **The Government has reacted to information requests regarding the processes:** The CSO enquiries, comments and recommendations addressed to the Government have received their responses. The Government has responded to all requests.
- **Civil society has been quite active during the process of elaborating the Action Plan:** Several NGOs have conducted public awareness raising activities and discussions in the regions to involve local NGOs in OGP processes and seek their inputs for inclusion in the Action Plan. The civil society has also been pro-active in disseminating information about OGP processes.

- **The interest and assistance from the international donor community has significantly increased.** The majority of activities conducted within the OGP framework were carried out with donor support. Besides, donor organizations are direct partners for implementing some of the commitments.

Nevertheless, there still are several problems:

- **The Government is not enough pro-active:** Although the Government reacts to CSO requests and recommendations, however Government's own initiatives are not sufficient in ensuring wide public awareness raising and publicity on OGP processes. The official websites of state bodies almost do not address the process. The Government has not published informative print materials**.**

- **There is no working Rules of Procedures for regulating the coordination of activities of the OGP Working Group**: The Government staff, as an agency coordinating OGP activities, has not organized regular sessions of the Group. The CSOs assess this fact negatively, noting that the Group needs to convene at least once in three months to discuss the course of implementing commitments, problems in this process, developments, etc.

- **OGP processes are not being made public:** The mass media are not involved in the OGP processes. Public does not get informed about reforms conducted within OGP framework, thus the effectiveness and impact of the commitments becomes weaker.

- **No cost estimate is prepared and no additional funding is provided:** Many commitments get rejected with the reasoning that additional state funding is necessary for their implementation. Instead, public bodies suggest inclusion of commitments, for the implementation of which financial means are already envisaged and which will be implemented anyway through one means or another.

- **The Civil Society is not consistent in its efforts:** Only 1-2 NGOs show consistent interest in OGP processes in Armenia. Mostly the NGOs become active at the stage of implementing specific projects, without much consistency later on towards the commitments and the overall process to see whether they are really directed at the OGP values, to what extent, for instance the Government's adoption of this or that decision will lead to achieving the main result, etc.

Assessment of the commitments and their implementation:

After studying the commitments under the Second Action Plan, we can state that:

8 out of 11 commitments included in the Programme were selected from amongst civil society proposals sand the remaining 3 – from the Government. As a result of working discussions organized jointly by Government-CSOs, many proposals from state agencies were excluded from the AP, instead, more ambitious proposals of the civil society were included. **The Commitments under the Action Plan were made compatible with OGP criteria.** For each criteria an implementing agency, partner agency or organization, deadlines, measurable and verifiable criteria, current situation and issues to be solved are defined, as well as the objective of the commitment, which challenge it stems from, which OGP value it promotes.

- *As of September 15, 2015, the 2nd; 4th and 9th commitments have been implemented completely an in line with the defined schedule. The 3rd and 5th commitments were implemented with technical shortcomings. Implementation of other commitments goes in line with the pre-defined schedule.*

1. **The first commitment** has not started at all due to lack of financial resources. According to the schedule approved by the Action Plan however, as of June 2015 the relevant internet website was to be created, publishing at least 15-20% of data available with the Fund; 2-4 staff members were to be trained, starting from May, public awareness program on the initiative was to have started including publication and dissemination of leaflets, website promulgation with participation of interested stakeholders and other events.

2. **Second commitment**: The launch of implementing the commitment on the membership to Extractive Industries Transparency Initiative (EITI) was announced on 28 July 2015, at the first Anti-corruption Council session held at the Government. **The commitment has been completed before the deadline but the formulation is not clear and measurable.**

3. **Third commitment.** A healthcare system financial portal www.sha.am was created, where internet users can receive information about state guranteed medical services and programs provided on free or privileged basis. An analytical-reporting website of accumulated data was created through which reports and analysis will be made available to public and to wide medical circles. However, as of 15 September 2015 only 5 reports were published here, as well, several tehcnical issues occured when downloading the Reports. **Thus, the commitment is clear and measurable but was implemented incompletely.**

4. **Fourth Commitment:** In February 2015, the RA Government approved the relevant decision No. N150-Ն, 19.02.2015. Earlier, the list of high-rank officials' property and asset declarations subject to publication approved by the government in its decision No. 1835 –Ն, from 15 December 2011, did not provide with an opportunity to achieve complete transparency of data concerning all transactions with regard to the assets of high rank officials and their related persons, since the list was limited to the thresholds of the transactions only. The new decision excludes thresholds defined for asset transactions from the list of data subject to publication. **The commitment is clear and implemented before the deadline.**

5. **Fifth commitment: I**n order to ensure online broadcasting of the sessions of the RA Procurement Appeals Board in real time regime, the relevant link has been posted on www.gnumner.am website; and from June 2015 onwards, the online broadcasting of the sessions are available as well from the www.gov.am website and are carried out via www.youtube.com. The commitment is clear but implemented with technical shortcomings since the online broadcasting is available only from the www.gov.am and on the website www.gnumner.am there is no section or link or a banner through which the user can get information about such possibility.

6. **The sixth commitment:** As of 15 September 2015, in the five communities micro-surveys have already started: Aregnadem/Shirak marz; Byureghavan, Dzrvezh, Qasakh/Kotayq marz; Ashtarak/Aragatsotn marz. **Implementation of the commitment is ongoing, the deadline is June 2016.**

7. **Seventh commitment:** Draft Protocol Decree of the RA Government (hereinafter the Draft) on "Approving the Model Working Procedure of Public Council Adjacent to the RA Minister" was

developed and publically discussed. According to the Draft, the Council will include exclusively civil society representatives, who will have the chance to discuss relevant issues and present their views and suggestions directly to the Minister without any intermediate actors, thereby becoming a participant in the implementation of policies of that agency. The commitment's implementation is lagging behind schedule, but is at a completion stage.

8. **Eight commitment**. Draft Government Decision on making amendments to the Decision No. N296-ն from 25 March 2010, was developed and sent to relevant bodies in August 2015 with view to receiving rcommendations and comments. With the involvement of international experts, activities directed at developing legal acts and public awareness raising were conducted. The commitment's implementation is ongoing.

9. **Ninth commitment**: The "Procedures for the formation of the Board of "RA State Education Institution" State Non-Commercial Organization" was approved by the Minister of Education and Science in February 2015. In March 2015, on the Decree of the Minister, another Rules of Procedures defined under OGP commitment and developed by the Working Group - "Planning of the annual budget of General Secondary Education Institutions and reporting on the annual budget expenditures" was approved. Relevant instructions were sent to Yerevan Municipality and RA Governors' Offices to apply the Rules of Procedures in education institutions. The commitment is completely implemented.

10. **Tenth commitment: 5 training courses were conducted for 96 civil servants. The commitment's implementation is ongoing.**

11. **Eleventh commitment:** There are 16 communities in Armenia with population of 20 000 and more where this commitment should be implemented. Vanadzor, Charentsavan, Hrazdan, Armavir and Gyumri communities have obtained technical equipment and are implementing pilot and complete broadcasting. Abovyan, Etchmiadzin, Kapan, Goris, Artashat, Gavar, Masis, Alaverdi, Sevan, Ashtarak, Artik communities are in the process of securing necessary financial means for the procurement of technical equipment. The commitment is ongoing, but financial problems occured during implementation.

C. 2. Recommendations

Recommendations to the Government

- **To be pro-active, insure wide public awareness-raising.** We recommend to the RA Government to ensure pro-active publication of information both on OGP processes and on its activities in general, i.e. publish comprehensive information on the OGP processes and course of implementation of OGP Action, by ensuring as well accessibility of the published information. In order to ensure accessibility of the published information, we suggest publishing information through as many as possible means available to the Government, including official websites, social networks, media, etc. We also recommend publishing and disseminating relevant information leaflets, brochures, etc.

- **Continue and enlarge cooperation and dialogue between the Government and Civil Society.** Streghten the already existing cooperation by involving other interested NGOs into the process.

- **Invovle journalists into the process:** Organize meetings, press conferences for journalists, so that they can get informed and raise public awareness on OGP processes, projects and their results.

- **Raise awareness among state officials:** organize/initiate training for public agencies (Ministries, bodies adjacent to Government, public relations officers from agencies responsible for implementing OGP commitments and/or public officials related with the implementation of OGP-Armenia Second Action Plan commitments) concerning the goals, values, as well as commitments under OGP Action Plan. Another solution was suggested by the former National OGP Coordinator – to appoint an OGP officer in every Ministry. It is recommended to review this proposal at the Working Group and find possible solutions.

- **To regulate the works of the agency coordinating OGP processes:** It is suggested to develop together with the Working Group members and approve Procedures for the work of the Group, which will regualate publication of information about WG sessions, conducting of the meetings, preparing records on the meetings, etc. It is worth mentioning that the proposed procedure does not imply envisaging provisions which will reduce the participatory nature of the Working Group or definition of rules for inclusion in the Group, but suggests having procedures which will be directed at availability of information about the activities of the WG and publicity of issues discussed at the WG sessions.

- **Envisage budget allocations for implementing commitments:** For the implementation of every commitment, conduct financial estimate at the stage of elaborating the AP, clarify necessary expenses and secure them, so that more ambitious commitments are not omitted from the AP because of the lack of financial means and/or already included commitments' implementation is not terminated because of the same reasons.

- **Discuss the issue of including legislative iniaitives as an OGP commitment,** taking into account that this will provide with a chance to assume more ambitious commitments.

- **Include more ambitious and stronger with their impact commitments in the Action Plan.**

- **Make the deadline of implementing all commitments more concrete.**

- **Get integrated to international efforts:** Provide to the OGP Headquarters regular information about OGP-Armenia processes, participate in online discussions, webinars, international meetings, present Armenia's experiences and achievements in these platforms.

Recommendations to civil society

- **Be more consistent and initiative.** To present more ambitious recommendations for inclusion in the Action Plan. In case they are included, monitor the implementation process, if necessary, support the Government in the process of implementation.
- **Cooperate with each other**: It is recommended to NGOs active in the process to use the CSO network as a source for interacting with each other and sharing information; provide materials on specific projects and events for publishing them on the www.ogp.am website.
- **Conduct interim monitoring at various stages of the AP's implementation.** We suggest conducting an oversight of the implementation of AP within the limits of available resources and capacities. From the one hand, this will ensure the NGOs' participation in the implementation process, on the other hand, decent oversight will prevent instances of possible abuses or non-deliberate omissions.
- **Implement monitoring, report-writing and analysis in a mutually agreed manner, in order to avoid possible duplications**: This will also provide with a possibility to supplement various pieces of analysis and create an inclusive and comprehensive research on the results of the implementation of the Action Plan commitments.
- **Use information requests defined under FOI Law as a tool to ensure oversight versus implementation of the commitments under the Action Plan.** From the one hand the Government will be responsible by law and will not be able to conceal and refuse the requested information, on the other hand responses to official information requests are considered official information, thus they are a decent source of information, which can be referred to when conducting analysis, holding public discussions and other public events. Involve as many partners as possible to the process.

OGP in Armenia

In September 2011, the Republic of Armenia joined the Open Government Partnership initiative. The initiative seeks achieve improved governance based on active involvement of civil society, as well as enhance public management efficiency through increased level of transparency, mutual trust and accountability in State-citizen relationship.

On April 5, 2012, the Standing Ministerial Committee on Institutional-Legal Affairs approved the protocol decision of the Government of the Republic of Armenia "On approval of Republic of Armenia program of action under Open Government Partnership initiative." The program was developed by a Ministry for Foreign Affairs-led working group consisting of Armenian public agency and civil society representatives. The program's main provisions are aimed at improving public administration efficiency, transparency and accountability in Armenia. The Open Government Partnership Armenia Action Plan was officially presented to the international community by Deputy Minister for Foreign Affairs Ashot Hovakimyan during a session on South Caucasus States on the sidelines of the annual high-level conference of the Open Government Partnership initiative on April 17-18, 2012 in Brasilia (Brazil).

Activities under the Open Government Partnership initiative are being coordinated by a Deputy Minister-Chief of Government Staff Tigran Gevorgyan-headed task force (set up by Republic of Armenia Prime Minister's decree, numbered 931-A, dated 29.09.2012). In addition to government agencies, the working group features civil society organizations, including the Center for Freedom of Information NGO, the "Transparency International" anti-corruption center, the "Asbarez" Journalists Club of Gyumri.

On July 31, 2014, the Government approved Armenia's second action plan under the Open Government Partnership initiative. Of around 50 proposals submitted by the Government and civil society, 11 have been selected for inclusion in the Action Plan, which meet the values and format of the OGP project. The Action Plan has gone through several stages of public consultations, as well as repeatedly discussed at the OGP task force meetings. The obligations set out in the document are aimed at ensuring transparency and accountability in mining, healthcare, education, local government, and other areas, as well as promoting public participation, strengthening public integrity, enabling greater access to information. The Government has expressed readiness to discuss with civil society the mechanisms for the implementation of those recommendations not included in the Acton Plan outside the OGP initiative.

OGP Second Action Plan of for the Republic of Armenia.

http://www.ogp.am is the official website of the Open Government Partnership in Armenia.