



Transparency Azerbaijan



Economic Research Center

MONITORING REPORT

on implementation of Azerbaijan “Open Government Initiative National Action Plan 2012-2015”

(September 2012 – September 2013)

This report was prepared by the experts of the Economic Research Center (ERC)

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The Azerbaijan Partnership for Transparency (APT) Project is a four-year activity implemented by “Transparency Azerbaijan” Anti-Corruption Public Union in partnership with “Constitution” Research Foundation, “Economic Research Center” Public Union, “Integration of Azerbaijan Youth to Europe Organization” Public Union, and “Internews Azerbaijan” Public Union.

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BRIEF OVERVIEW - AZERBAIJAN PARTNERSHIP FOR TRANSPARENCY (APT) PROJECT

Azerbaijan Partnership for Transparency (APT) Project a four-year activity of Transparency Azerbaijan designed to strengthen key civil society organizations role in the fight against corruption, while supporting the Government of Azerbaijan (GOAJ) on a few strategic and high impact areas of its anti-corruption strategy and commitments to the Open Government Partnership (OGP). The overall objective of APT Project is to make civil society more effective at increasing transparency and reducing corruption.

The APT Project *goal* is to promote good governance and rule-of-law in Azerbaijan by fostering conditions for increased effectiveness of civil society in promoting transparency, while supporting national, regional and local initiatives to reduce corruption.

To achieve the goal and purposes of the project, the following activities will be undertaken in the course of the four-year project.

1. To strengthen civil society engagement in response to corruption through:

- *Establishing of CSOs coalitions and facilitating a multi-stakeholder civic dialogue on priority of anti-corruption measures to be implemented by the civil society and the state;*
- *Monitoring the implementation of the commitments by the GOAJ under OGP and the anti-corruption Action Plan; with a special focus on the enforcement of anti-corruption legislation;*
- *Improving CSOs governance and internal procedures by providing training and access to other national and international CSO capacity building resources.*



2. To support and further develop government engagement in anti-corruption activities through:

- *Improving the efficiency of public services, including e-services, with a priority focus on four key areas of great interest to the general Azerbaijan population: civil registration, utilities provision, social security, and social protection that affect people's daily life;*
- *Enhancing the implementation of anti-corruption programs fulfilling commitments made by Azerbaijan to the international community, as represented by multi-lateral organizations such as the UN and OSCE.*

3. To strengthen citizens' engagement in response to corruption through:

- *Empowering actual and potential victims of corruption with legal knowledge;*
- *Engaging various groups, especially the youth and women, in anti-corruption work;*
- *Increasing the efficiency of using internet-based civic instruments, especially, social networking and new media.*

As part of the implementation approach, Transparency Azerbaijan will work in close partnership with its five partner organizations (or Grantees) listed below.

Constitution Research Foundation representing *Anti-corruption Network*¹, founded in 2006 and uniting 23 specialized NGOs. The Network is the main mechanism to advocate for the change and works directly with the State Anti-corruption Commission.

Economic Research Center representing *National Budget Group*²

¹ See more at www.kafondu.com and www.anticornet.az

² See more at www.erc.az and www.nbg.az





The Economic Research Centre (ERC), representing *National Budget Group*, established as a coalition by 9 non-governmental organizations in 2006, unites the best experts in the country on monitoring and analysis of the budgeting process.

*Internews*³ aim is to support local media to become professional and self-reliant. Its online news site www.mediaforum.az, is among the five most popular and influential websites in the country⁴, and will be used as an awareness raising and information dissemination tool on corruption issues.

*LAYTE Youth NGO*⁵ aims to expose the youth to western democratic values and under the APT project will work to involve the youth into combat against corruption.

As the project evolves, a *fifth partner* – a CSO with specific expertise yet to be identified on the need basis, will be invited to join in during the project third year, after planned project evaluation by the USAID is conducted and pursuant to approval of the USAID.

³ See more at www.internews.az

⁴ According to the internet statistics: <http://www.ilk10.az/index.php>, <http://top.bakilllar.az/?maincat=3>, <http://rating.openstat.ru/?cid=666643>

⁵ www.facebook.com/pages/AGAT/107915645957419





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ABBREVIATIONS

- APT** - Azerbaijan Partnership for Transparency
CA - Chamber of Accountants
CB - Central Bank
CLEC –Central and local executive governments
CoM – Cabinet of Ministers
CSCUPRA - Civil Service Commission under the President of the Republic of Azerbaijan
CSO - Civil Society Organisations
ERC - Economic Research Center
FMSCB - Financial Monitoring Service under the Central Bank
MCIT - Ministry of Communication and Information Technology
ME - Ministry of Energy
MEI - Ministry of Economy and Industry
MENR - Ministry of Ecology and Natural Resources
MIA - Ministry of Internal Affairs
MLSP - Ministry of Labor and Social Protection of Population
MoF – Ministry of Finance
MoT - Ministry of Taxes
MoTr - Ministry of Transportation
NAP - National Action Plan
NAPPOG - National Action Plan for Promotion of Open Government
OGP – Open Government Partnership
OGI – Open Government Initiative
SSC - State Statistical Committee
SCSMP - State Committee for Standardization, Metrology and Patent
SSSC – Service for Special State Securities
SCAUP - State Committee for Architecture and Urban Planning
SCSA - State Commission on Student Admission
SSPF - State Social Protection Fund



EXECUTIVE SUMMARY

Azerbaijan joined the official launch of Open Government Partnership (OGP) on September 20, 2011, during the 66th UN General Assembly. Our country joined Open Government Partnership and with this committed to improve its activities related to transparency and promotion of open government, to contribute to the exchange of experiences and practices and to the international efforts in this field.

The “National Action Plan for Promotion of Open Government for the years 2012-2015” has been approved on September 5th 2012, by Presidential Decree number 2421. The core principles and values of the National Action Plan relate to the increase of transparency in the activities of the state authorities in Azerbaijan Republic, to providing accountability, to widening participation of the community and application of new technologies.

Commission on Combating Corruption of the Republic of Azerbaijan has been fully responsible for the elaboration, consultation and implementation of the National Action Plan for Promotion of Open Government. The Action Plan has been elaborated in-house by the Commission on Combating Corruption early in 2012.

Civil society organizations part of two networks “National Budget Group⁶” and “Anticorruption network of NGOs⁷” made contributions to the plan, with less than 10% of their input being reflected in it. Most of the civil society contributions addressed fiscal transparency.

Commitments made by the Government of Azerbaijan through the adoption of the National Action Plan on Promotion of Open Government relate to:

⁶ National Budget Group – there are 9 CSOs part of this network.

⁷ Anticorruption network of NGOs - there are 28 CSOs part of this network



- *Facilitation of access to information;*
- *On-going Publicity of the State Institutions Activity;*
- *Improvement of the Central Legislative Electronic Database;*
- *Enlargement of the public participation in the activity of the state institutions;*
- *Improvement of E-services;*
- *Increase of Transparency in State Financial Control (SFC) Institutions;*
- *Increase in Transparency of Tax Control and Examination;*
- *Increase of transparency in Extractive Industries;*
- *Awareness-raising and Cooperation in the field of OGI.*

The assessment report looks at the degree to which actions and sub-actions within the above commitments have been achieved or not, what is their current status, what are the key challenges of the implementation process and recommendations for the next steps.

1. A NOTE ON METHODOLOGY

The monitoring methodology of “National Action Plan for Promotion of Open Government for the years 2012-2015” was developed with the request of Transparency Azerbaijan organization by the experts of the Institute for Development of Freedom of Information (IDFI) based in Saint-Petersburg city of Russia.

The first assessment report on the progress made as part of the implementation of “National Action Plan for Promotion of Open Government for the years 2012-2015” has the following objectives:

-To assess the degree to which the commitments made as part of the National Action Plan on Open Government Promotion were implemented and completed as planned for September 2012 – July 2013;

-To analyze the main challenges affecting the implementation of the commitments made as part of the National Action Plan and to propose specific recommendations for the next steps.

The evaluation methodology combines both quantitative and qualitative tools. The quantitative evaluation component includes the measurement of the degree to which all the key commitments with their actions have been completed or not; the qualitative assessment was made based on interviews with both Government and civil society representatives.

The assessment includes the following steps:

- Reviewing the National Action Plan on Open Government Promotion with all its proposed actions; studying the legislation that is at the core of NAP on Open Government Promotion implementation in Azerbaijan;*

- *Developing scoring levels to assess the achievement level for each commitment;*
- *Analyses of the relevant information by monitoring the websites of central and local executive committees; analyses of the results of the requests for information sent to central and local executive committees; analyses of the legal normative acts; analyses of the annual report of the Cabinet of Ministers; analyses of the functionalities of the electronic version of the State Registry of Legal Acts; expert evaluation;*
- *Analysis of the overall collected information and data;*
- *Developing conclusions and making recommendations.*

National Action Plan on Open Government Promotion has 9 clusters of commitments, each cluster having specific actions and sub-actions to be implemented. Thus, each action of the plan has been assessed based on specific indications for scoring:

a) Achievement level description for actions assessed based on a 0-3 points scale:

- Score 0 – indicates lack of any progress on the specific action or sub-action;*
- Score 1 – indicates less than 20% of the action or sub-action being completed;*
- Score 2 - indicates between 20%-70% of the action or sub-action being completed;*
- Score 3 - indicates above 70% of the action or sub-action is being completed.*



b) Achievement level description for actions assessed based on a 0-2 points scale:

- Score 0 – indicates lack of any progress on the specific action;*
- Score 1 – indicates delay in the implementation, with some preparation work being done already;*
- Score 2 – indicates that action is being completed.*

Scores for all actions/sub-actions are being summed up and the average score is being calculated for the actions/sub-actions assessed with the same points scale scheme, under the same cluster of commitments. The average score per each commitment is calculated based on the scores.

2. SUMMARY of the KEY FINDINGS: CONCLUSIONS and RECOMMENDATIONS

This first assessment of the National Action Plan on Promotion of Open Government has not been an easy task. Three factors had hampered this process. First, the Action Plan itself is targeted for a 3 year and 4 months period, the consolidated action plan on annual basis has not been prepared and therefore, it was difficult to measure the implementation level for September 2012 – September 2013 reporting period. Second, the Action Plan lacks specific measurable indicators of activity and outcome. Thus, it was challenging to measure both activity and outcome. Third, the time frame established for implementation of numerous types of activities has been designed for broad interval (ex: 2013-2015) and the responsible state agencies (ex: local and central executive committee bodies) to execute these activities have not been specified. Given this, it was difficult to identify executors based on time and responsibility.



Moreover, the availability of some pre-existent actions in place (ex: electron services, increasing transparency in industries producing mineral resources and others), including the irrelevancy of particular activities with OGP (example: improving the online payment of duties, taxes, administrative fines, communal expenses and other administrative payments) had lowered the quality of both NAP and the implementation level of assessment report.

Additionally, the lack of a mechanism to constantly update the Action Plan limits the space for regular discussions, engagement with the expert community, effective usage from their resources and broader civil society on what has been achieved and what still needs to be done.

The researched conducted within the frames of monitoring has clearly demonstrated that the level of awareness among state authorities, especially local executive authorities on the issues related to Open Government Partnership is still low, and there is a need to increase their engagement in the delivery of the OGP related commitments. Furthermore, results of the assessment show that most of them are unaware of the commitments taken by the central and local executive committee agencies, and accordingly, are not aware of or have lower understanding about their specific responsibilities on implementation of these commitments. Getting specific feedback from authorities is a real challenge under such circumstances.

Finally, the engagement of a broader society and wider civil society organizations in the Open Government related initiatives has been limited given the fact that in generally civil society organizations is a weak implementing partner for Government of Azerbaijan. Similarly, the lack of constant state-civil society dialogues in this direction is another factor aggravating this situation. The administrative barriers that exist today, limit the access to resources of the independent civil society organizations; non-provision of fundamental freedoms is preventing from establishing an enabling environment for civil society organiza-

tions and thus, their role keeps decreasing year by year while Government's manipulation in this sector is increasing.

Assets disclosure is not implemented in Azerbaijan and the declaration about income of the high level officials is not disclosed either, all these factors reduce the effectiveness of OGP implementation in Azerbaijan.

Finally, the absence of an institution to be fully responsible for the implementation of the broader Open Government Agenda in Azerbaijan creates certain problems related to sustainability and stability both for mid and long term processes.

Specific recommendations related to the National Action Plan on Promotion of Open Government:

- *Updating the Action Plan on a regular basis, by making it more specific and measurable as well as by preparing an Annual Plan of Action based on the 3 year Action Plan;*
- *Adding result indicators to measure the implementation of each action and sub-action under the commitments of the Action Plan;*
- *Appointing one agency to be fully responsible for engaging the broader civil society community in the oversight and implementation of the Action Plan;*
- *Conducting a full monitoring of the Action Plan in order to assess the results of its commitments by increasing access to specific information, details, data that would support this kind of monitoring;*

Recommendations related to strengthening and broadening civil society engagement in OG:

- *Creating a networking mechanism for civil society and mobilizing it in the Open Government Agenda implementation, monitoring and evaluation – i.e. this can include a Bilateral Dialogue Platform with civil society being one of the key stakeholders;*
- *Gaining feasible cooperation both internationally and regionally (especially with former soviet countries which are making a good progress in this regards i.e. Moldova, Georgia);*
- *Creating an enabling environment for the implementation of the civil society driven activities related to Open Government;*
- *Increasing access to resources for civil society organizations to become real partners of the Government;*
- *Establishing a common dialogue platform that would increase the participation of the civil society in the decision-making processes. The common model of “Open door” civil society forums should be developed. In addition to this, frequency of these forums and the overall framework (including responsibilities of the agencies conducting such forums) should be determined.*

Recommendations related to the specific commitments (actions/sub-actions) of the Action Plan:

- *The process of alignment and regulation of the webpages of state authorities under a single format as per “Rules on creation and maintenance of internet information resources of*

state authorities” should be accelerated. Successful accomplishment of this action will allow state authorities to develop annual reports based on common principles, including regular upload and update of reports and activities on their respective webpages. The single principles on establishment of internet resources by the state program should be developed and all coordinating state agencies should abide by these principles.

- The Commissioner on Information Freedom (Ombudsman) should be established as an independent institution. The Ombudsman does not have reputation in the country and thus, it is not able to control the state agencies regarding provision on freedom of information.

- The core reasons for avoiding organizing public presentations on the services provided by the central executive authorities should be investigated and the reports covering responsibilities on facilitation of such presentations by each entity should be solicited.

- A series of activities should be carried out that would aim at broadening technical opportunities (provision of access to people) for making tax and duty payments via electron system and raising awareness and promoting such opportunities among citizens as well. Enabling conditions and environment should be created in order to increase IT capacities and knowledge of citizens and individuals working at the state entities in the regions. Moreover, their easy accession to contemporary information technologies should be granted.

- The proposals on control mechanisms and procedures of development and execution of local budget, including alignment of funds spent with the indicators for the approved budget and timely approval of financial reports of the municipalities

should be prepared in such a way that the responsibilities of agencies or people in charge of these activities are clearly defined and understood.

- Relevant amendments and addendums should be made to the statute of state financial control institutions in order to fulfill delineation of their powers. Furthermore, a set of rules on “Responsibilities of agencies implementing state financial control mechanism” should be prepared.

- After approval of the draft bill on “Financial control” the public discussions should be arranged both in Baku and in the regions.

- The reports describing the annual activities and how are the public resources of the state financial control agencies being used, along with their financial control actions should be fully available online.

- Disclosure of annual reports of state institutions should be accessible for broader public.

- The state budget and relevant draft laws should be uploaded online before submission to Milli Majlis of the Republic of Azerbaijan and at the same time public discussions around this issue should be arranged.

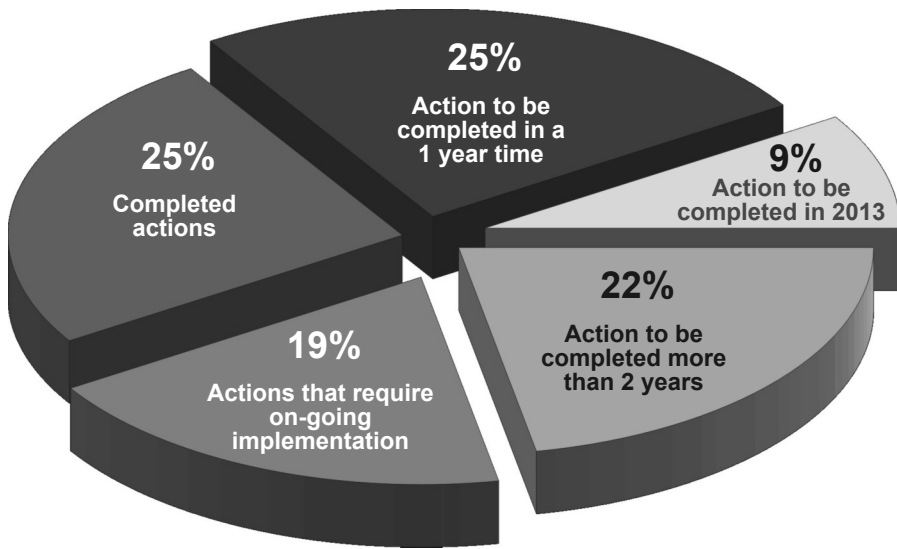
3. EVALUATION OF THE IMPLEMENTATION OF COMMITMENTS OF THE NATIONAL ACTION PLAN FOR PROMOTION OF OPEN GOVERNMENT

(reporting period September 2012 – September 2013)

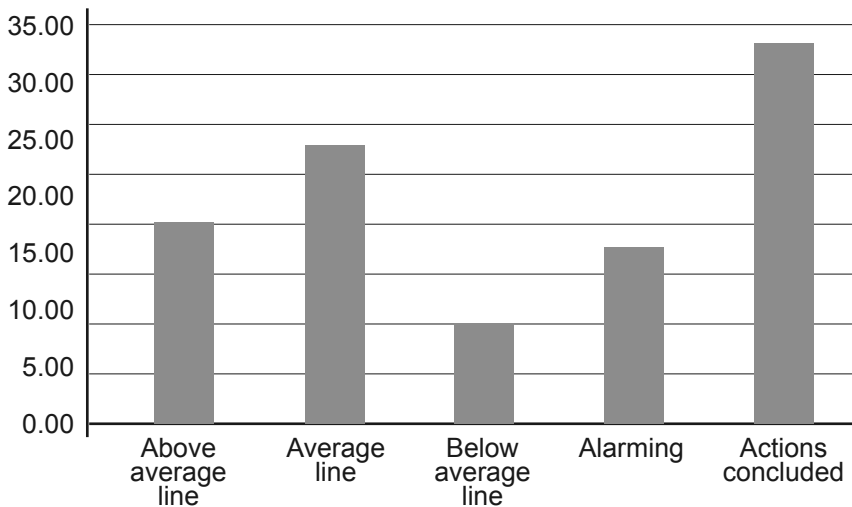
Implementation of Open Government related commitments as part of “National Action Plan for Promotion of Open Government in Azerbaijan” is not easy, and even if progress has been made in some areas, citizen engagement and more specifically, commitment related to “Enlargement of the public participation in the activity of the state institutions” is currently the weakest one.

The best results have been so far achieved for “Improvement of the Central Legislative Electronic Database” and “Increase of transparency in Extractive Industries” commitments of the Action Plan.

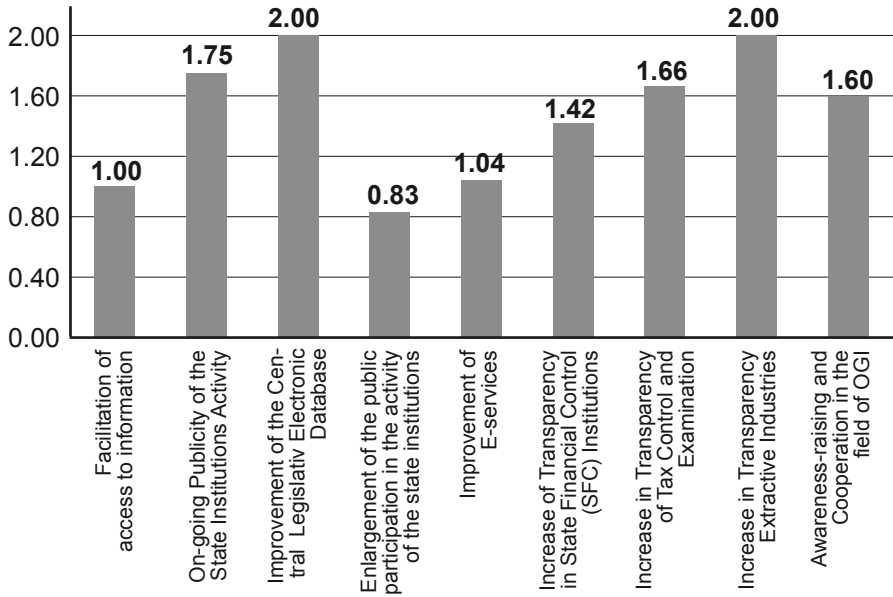
The National Action Plan on Promotion of Open Government Promotion has 9 major thematic clusters of commitments, a total of 43 specific actions and sub-actions. Fifteen actions have been already completed. Five specific actions will be completed throughout 2013. Fifteen actions should be completed within one year time, while for 13 actions to be implemented will take more than 2 years. 11 actions require on-going implementation.



The chart below illustrates what monitoring discovered in regards to the degree to which actions/sub-actions have been completed or not:



Each cluster of commitment received an average score as a result of the assessment, as per the chart below (average -1.46):

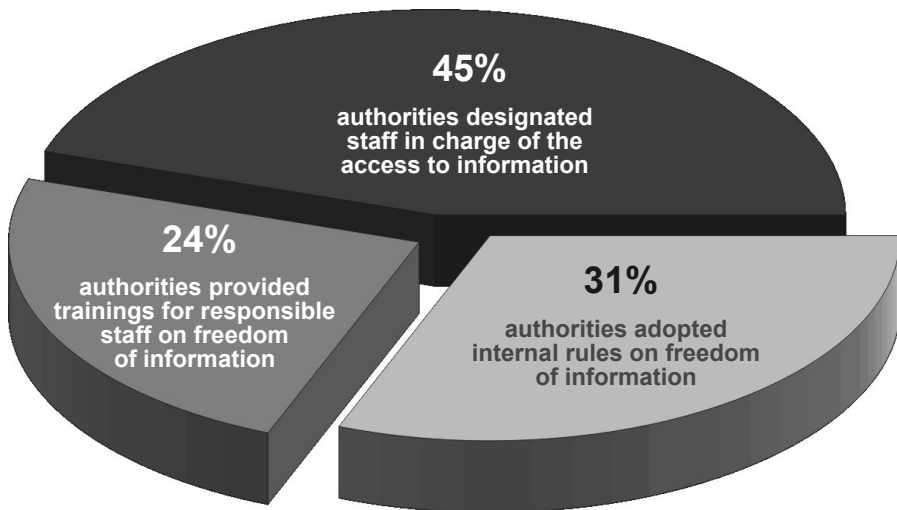


Cluster 1: Facilitation of access to information

Average score per cluster is 1

Requests for information have been submitted to 92 central and local executive authorities while carrying out the assessment. Additionally, all webpages of the central and local executive authorities have been analyzed, including online media resources.

Out of 90 central and local executive authorities:



None of two information requests submitted to the Commissioner for Freedom of Information were responded. There has been no real improvement of the structure of the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan in line with its role of overseeing the implementation of the Access to Information Act, including specialized training of the relevant employees.

Actions	Level of completion
<p>1.1 Designation of the employees in charge of the access to information, adoption of the internal rules on freedom of information and awareness raising by public institutions.</p>	<p>22 out of 90 central and local executive authorities monitored under this specific action from the Action Plan have designated employees in charge of the access to information. This is 24,4% of the total number of central and local executive authorities. Average score for this action as per measuring indicator is 2 on 0-3 points scale (20%-70% of central and local executive authorities appointed responsible personnel to PR Departments);</p> <p>15 out of 90 central and local executive authorities have adopted internal rules on freedom of information and awareness raising by public institutions. This is 16,7 % of the total number of central and local executive authorities. Average score for this action as per measuring indicator is 1 on a 0-3 points scale (less than 20% of central and local executive authorities adopted internal rules on freedom of information and awareness raising by public institutions).</p>
<p>1.2 Comprehensive training for responsible civil servants in order to ensure freedom of information.</p>	<p>12 out of 90 central and local executive authorities have conducted comprehensive training for responsible civil servants in order to ensure freedom of information. This is 13,3 % of the total number of central and local executive authorities.</p> <p>Average score for achievement of this action is 1 on a 0-3 points scale, as per measuring indicator (less than 20% central and local executive authorities involved civil servants in comprehensive training on freedom of information).</p>

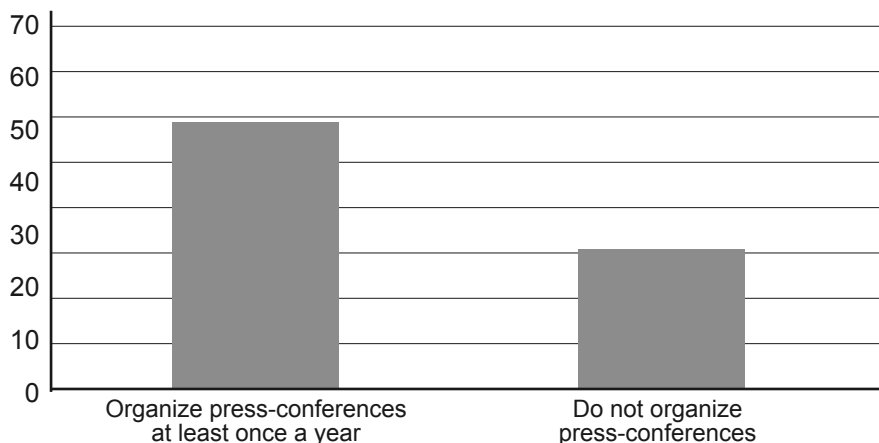
<p>1.3 Improvement of the structure of the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan in line with its role of overseeing the implementation of the Access to Information Act, specialized training of the relevant employees.</p>	<p>Due to non-allocation of financial-technical resources and staff units the institution was unable to build the provision of access to information effectively.</p> <p>“The draft version outlining the responsibilities, structure, and personnel list of “Department on Information issues” which is planned to be established by the Commissioner was prepared, the appeal on ratification the number of staff presented to the Cabinet of Ministers was positively verified and relevant instructions about financing and the task to resolve this issue in 2012 was assigned to the Ministry of Finance⁸. Nevertheless, it is still has not been solved.</p> <p>Average score for this action as per measuring indicator is 1 on a 0-3 points scale (<i>preparations are underway for improvement of Ombudsman structures of Azerbaijan Republic</i>).</p> <p>Due to the fact that staff units and financial-technical resources of respective department were not allocated and therefore, it was not possible to implement the provision of specialized training for relevant employees. Thus, this sub-action scores 0 on a 0-3 points scale (<i>cases verifying realization of planned activities are not revealed</i>).</p>
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⁸ Message delivered in the report of Ombudsman in the Parliament as well as highlighted in the 2012 report

Cluster 2: On-going Publicity of the State Institutions Activity

Average score per cluster **1,75**

Out of 90 central and local executive authorities:



Actions	Level of completion
2.1 Up-loading and updating of information on their activity at their respective web-pages	55 out of 90 central and local executive authorities post with regularity information about their activities on their webpages, whereas 35 authorities do not upload or update information on their webpages. Thus, 61,1% of central and local executive authorities are regularly posting information online, on their webpages. Average score for this action as per measuring indicator is 2 on a 0-3 points scale (<i>between 20-70% central and local executive authorities regularly up-load and update information on their activity on their respective webpages</i>).

<p>2.2 Composition of the annual reports and their uploading to the web-pages</p>	<p>54 out of 90 central and local executive authorities monitored are regularly uploading reports on their web pages, however, 36 authorities do not take the similar actions. In other words, 60% of central and local executive authorities publish the reports about their activities on the webpages. Average score for this action as per measuring indicator is 2 on a 0-3 points scale (<i>20-70% central and local executive authorities published reports about their activities on their official webpages</i>).</p>
<p>2.3 Holding of press conferences and other direct public communication events about their performance by state institutions</p>	<p>59 central and local executive authorities monitored organize press conferences about their activities at least once in a year or other direct public communication events about their performance. Nonetheless, 31 state agencies disregard such activities. Thus, 65,5% of central and local executive authorities hold press conferences at least once in a year or other direct public communication events about their performance.</p> <p>Average score for this action as per measuring indicator is 2 on a 0-3 points scale (<i>20-70% percent of central and local executive authorities hold press conferences or build relations directly with population in other forms at least a year</i>).</p>

<p>2.4 Dissemination of reader-friendly versions of the legislation regulating the activity of the state institution, developed guiding principles</p>	<p>24 central and local executive authorities out of 90 monitored have developed guiding principles on their activities, which is 26,7 % of the central and local executive authorities. Average score for this action as per measuring indicator is 2 on a 0-2 points scale - <i>key principles were prepared in simple and understandable language.</i></p> <p>Only 19 out of 90 central and local executive authorities prepared and published reader-friendly versions of the legislation regulating their activities. This is 21,1% of total number of central and local executive authorities. Average score for this action as per measuring indicator is 2 on a 0-3 points scale (20-70% percent of central and local executive committees were able to design and publish legislative acts regulating their activities in simple and understandable language).</p>
<p>2.5 Development of the internet sources dedicated to the areas covered by the state programs</p>	<p>5 out of 31 state programs have established/created internet portals of separate sections within the webpage of the central/local executive authorities. Work on this process started within other 3 central authorities. Average score for this action as per measuring indicator is 2 on a 0-3 points scale (the establishment of internet portals raises arguments related to preparation works in this field).</p>

<p>2.6 Identification of a common template and minimum criteria to be met by the webpages of the state authorities in accordance with modern standards</p>	<p>“Rules on establishment and maintenance of internet information resources of state agencies” endorsed by # 189 decree of the Cabinet of Ministers on September 04, 2012. Activities included to the annual report of Cabinet of Ministers of Azerbaijan Republic. Average score for this action as per measuring indicator is 1 on a 0-1 points scale – <i>(activities were included)</i>.</p>
<p>2.7 Inclusion of the information on measures taken in order to promote open government and combating corruption in the reports of the Cabinet of Ministers of the Republic of Azerbaijan to Milli Majlis (Parliament) of the Republic of Azerbaijan</p>	<p>The report on “About the activities of the Cabinet of Ministers of Azerbaijan Republic in 2012” contains about 6 pages about the fight against corruption and it presents the implemented activities. However, there is not any information incorporated in this report about OGP. If taking into account that OGP has been implementing in Azerbaijan during the last four months of 2012, there was no information included to this report.</p> <p>Average score for this action as per measuring indicator is 1 on a 0-3 points scale.</p>

Cluster 3: Improvement of the Central Legislative Electronic Database

Average score per cluster is 2

Actions	Level of completion
<p>3.1 Regular updating and ensuring operating state of the State Register for Legislation of the Republic of Azerbaijan, as the official legal citation source</p>	<p>The webpage of the State Register for Legislation of the Republic of Azerbaijan elaborated in a reader-friendly and understandable language. Additionally, the access to and download of the information is user-friendly. Average score for this action as per measuring indicator is 2 on a 0-2 points scale (<i>electronic version of State Register of Legal Acts of Azerbaijan is being systematically updated in accordance to the requirements of current legislation</i>).</p> <p>The electronic version of legislative register is operating on a regular basis, without any disruption. Average score for this action as per measuring indicator is 2 on a 0-2 points scale (<i>electronic version of State Registry of Legal Acts of Azerbaijan Republic is operating on a regular basis</i>).</p>

Cluster 4: Enlargement of the public participation in the activity of the state institutions

Average score per cluster is **0.83**

During the reporting period, vast majority of central and local executive authorities organized the called “Open door Fora” with civil society representatives. However, these authorities, particularly local executive ones, do not share information or publish press releases about organizing such Fora.

Actions	Level of completion
<p>4.1 Involvement of the civil society representatives in the elaboration of draft legislation of public interest, organization of public hearings by state institutions</p>	<p>There has been no progress in the implementation of this action, thus, the average score is 0 on a 0-3 points scale (<i>no progress gained reaching the defined goal</i>).</p> <p>There is no systematic approach towards addressing legal acts through public debates.</p> <p>Several central executive authorities organized very few public discussion jointly with civil society representatives and therefore, such activities can not considered as public hearings.</p> <p>NOTE: currently, the draft law on “Public participation” was adopted in the second reading of Parliament of Azerbaijan Republic. Additionally, it is anticipated that this law will be approved during autumn session of 2013 of the Parliament. This draft law outlines the participation of civil society representatives in preparation of draft laws and public hearings as well. However, this law is out of capacity to ensure enabling legal environment in this field.</p>

<p>4.2 Establishment of the appropriate councils and/or cooperation networks with a view to improve interaction with the civil society by state institutions rendering public services</p>	<p>Currently, public councils were created in 7 central executive authorities. Nonetheless, these public councils are not operating independently and given this, their impact over ongoing processes can be considered ineffective.</p> <p>The draft law on “Public participation” specifies the establishment of public councils under all central executive authorities.</p> <p>Average score for this action as per measuring indicator is 1 on a 0-2 points scale (<i>some councils or cooperation networks serving to population were established by all state authorities</i>).</p>
<p>4.3 Usage of web-pages as means of involving the public in decision-making process on matters of public concern (reception of comments and proposals of citizens, organization of discussions, development of the questions-answers sections, etc.)</p>	<p>There has been no progress registered in the implementation of this action, thus the score as per measuring indicator is 0 on a 0-3 points scale (<i>The web pages are not utilized as a means of increasing the public participation in decision making process</i>).</p> <p>Even though all central executive committee agencies have webpages, however, these pages are not are not used for increasing the public participation in decision making process. There is no activity going on as part of citizen opinion and feedback/questions & answers sections on the webpages.</p> <p>Besides, feedback and complaints from public is not addressed by the authorities. The special sections on the authorities’ web pages are formal in nature and not explored for boosting public participation in decision making process.</p>

<p>4.4 Organization of the Open-Door Fora by state institutions</p>	<p>Monitoring conducted among targeted 84 executive authorities (42 central executive authorities, 42 local executive authorities) demonstrated that 35 of these bodies organized “Open door forum” for civil society. This is 41,7 % of the total number of target central and local executive authorities organized such forums, and they did it quite often. However, it was also disclosed that 58,3% percent (49 executive authorities) do not organize open door forum events.</p> <p>Average score for this action as per measuring indicator is 2 on a 0-3 points scale (<i>20-70% of central and local executive authorities organized Open Door Fora</i>).</p>
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Cluster 5: Improvement of E-services

Average score per cluster is **1.04**

The first steps towards building an “Electron government” have been made, the clear evidence to this is establishment of the unified portal that helps ensuring secure electronic information exchange among state institutions. Nonetheless, there are delays in joining this system by some state authorities and providing their services via this portal as well.

One of the key drawbacks of the “E-services” is mainly due to the fact that the central executive authorities do not organize public presentations about their services.

Actions	Level of completion
5.1 Evaluation of the E-services and public disclosure of its results	<p>Evaluation results related to provision of e-services have been publicly disclosed, results being published on http://mincom.gov.az and promoted publicly 7 times since January 2013. Average score for this action as per measuring indicator is 2 on a 0-2 points scale (<i>results of the evaluation of e-services published</i>).</p> <p>Publication of outcomes scores 2 on a 0-2 points scale (<i>the outcomes of assessment of provision of electronic services were published</i>).</p>
5.2 Public presentation on E-services rendered by state institutions within their area of activity, at least once a year	Implementation of this action scores low as per measuring indicator, and the score is 0 (<i>no public presentation on e-services organized</i>), with only 1 central executive authority ⁹ organizing public presentations on electron services in more than 20 regions.
5.3 Establishment of the common system in order to ensure electronic information exchange between state institutions	<p>39 state agencies have already joined the united system. Ministry of Communications and IT takes regular actions towards connecting state agencies to this system.</p> <p>Average score for this action as per measuring indicator is 2 on a 0-3 points scale (<i>single system with the purpose of provision of electronic information turnover among the state agencies was established</i>)</p>

⁹ Ministry of Economic Development (MED)

<p>5.4 Improvement of electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues</p>	<p>Implementation of activities related to improving electronic payment of fees, taxes, administration fines, others has not been fully completed yet. Some progress was in terms in regards to paying communal expenditures via electronic payment system. However, most central executive authorities either do not have full capacity of applying the electronic payment system or those competences might completely miss. That is why, the average score for this action as per measuring indicator is 1 on a 0-2 points scale (<i>preparation work is underway related to improvement of electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues</i>).</p>
<p>5.5 Implementation of measures facilitating access to E-services in the regions</p>	<p>The analysis shows that the current state of usage from electron services is very low. That is why, the average score for this action as per measuring indicator is 1 on a 0-3 points scale (at least 1 event was implemented on increasing of possibilities of the population to use electronic services less than 20 percent of the regions)</p> <p>However, efforts are in place and as per Ministry of Communications and IT "Internet points were established within postal departments of "Azerpost" LTD in over 30 remote villages and they were provided with broadband internet. Besides, access to internet was provided in the telecommunication centers. "Telecommunication and broadband internet" project was prepared and finance was allocated under 3.6 paragraph within " About the budget of State Fund of Azerbaijan Republic in 2013" president decree endorsed on December 30, 2012. The relevant state program was prepared and this document is being negotiated with respective agencies."</p>

Cluster 6: Increase of Transparency in State Financial Control (SFC) Institutions

Average score per cluster is **1.42**

Actions	Level of completion
<p>6.1 Delineation of powers of the SFC¹⁰ institutions and development of draft legislation providing for improved legal basis for the state financial control</p>	<p>Actions regarding delineation of powers in the agencies fulfilling state financial control have been mainly completed in one out of three institutions, and so, the average score for this action as per measuring indicator is 2, on a 0-3 points scale (analyses conducted in less than half of the SFC institutions).</p> <p>Development of the draft legislation is in progress, which scores this sub-action with 1 point on a 0-2 points scale. “A new draft bill on “State financial control” is under preparation and the best practices of the European countries are studied”. However, it is not clear when the draft law will be prepared and submitted to the legislative body (info dates back to February 21, 2013)¹¹.</p>

¹⁰ State Financial Control Institutions

¹¹ As per Azer Bayramov – Deputy Minister of Finance, Republic of Azerbaijan.

<p>6.2 Enhancement of accountability of SFC institutions and disclosure of the results of the financial examinations, analyses and statistical data to the public</p>	<p>Overall, there is no systematic approach to updating information on the webpages of the SFC institutions. <i>Facts on increase of accountability of SFC institutions are not revealed</i>, which gives 0 points on a 0-2 points scale, for this sub-action implementation.</p> <p>Sub-action related to analyses and statistical data to the public – scores 2 0-2 points scale, “Execution of state budget in 2012 of the Republic of Azerbaijan” and the review of Chamber of Accounts on state budget execution have been uploaded to the website (http://ach.gov.az) of the agency during May-June 2012. The external audit conducted among the state agencies by the Chamber of Accounts in the first half of 2013 was also placed online on the web page of the agency. Ministry of Taxes regularly uploads and updates information about tax evasion facts, tax control inspections and tax collections on its web page¹².</p>
<p>6.3 Application of the IT in the SFC area and elaboration of the E-Control system</p>	<p>Implementation of this action scores 0 on a 0-2 points scale (electronic control (“e-control”) system is not established and preparation works are not carried out either).</p>

¹² <http://www.taxes.gov.az/?name=yenilikler&page=2>

<p>6.4 Organization of the mutual activity between SFC institutions, establishment of the SFC Central Database, development of the electronic data-exchange</p>	<p>Implementation of this action scores 1 on a 0-2 points scale (<i>establishment of single electronic data base of financial supervision bodies is under preparation</i>). Ministry of Finance launched preparation activities on establishment of single electron information base of financial control agencies.</p>
<p>6.5 Improvement of the mechanism of control over the publication of the financial reports, drawn by the state institutions in accordance with the International Standards of Financial Reporting or National Accounting Standards, along with the auditor's report</p>	<p>At least preparation activities on improvement of normative acts were started (end of 2012 and first half of 2013), and so, this action implementation scores 1 on a 0-2 points scale (<i>work on improvement of the mechanism of control over the publication of financial reports is in progress</i>)</p>

<p>6.6 Development of proposals on the mechanism and procedure of oversight over the drafting and execution of local budget, including correspondence of the expenditures to the approved budget indicators, as well as the local municipality financial reports</p>	<p>Implementation of this action scores 1 on a 0-2 points scale (<i>Preparation of proposals on composition, control mechanisms and procedures of local budget are underway</i>).</p>
<p>6.7 Publication of the reports on the implementation of state budget and the relevant legislation drafts prior to referral to Milli-Majlis of the Republic of Azerbaijan</p>	<p>Implementation of this action scores 1, on a 0-1 points scale (<i>reports and relevant draft laws about execution of the state budget are being published until submission to the Milli Mejlis of Azerbaijan Republic</i>).</p>

Cluster 7: Increase in Transparency of Tax Control and Examination

Average score per cluster is **1.66**

Despite the fact that there are feasible capacities to pay taxes and other mandatory payments via electronic system, nevertheless, the gaps still exist in this field. Firstly, they are associated with technical challenges and gaps on making payments via e-system. Secondly, activities related to dissemination, sharing and raising awareness about the online payment of taxes and other mandatory payments are implemented at a slow pace.

Actions	Level of completion
7.1 Provision of necessary information to and awareness raising of tax-payers	Implementation of this action scores 2, on a 0-2 points scale (<i>Activities on provision of the tax payers with necessary information are implemented</i>).
7.2 Execution of measures in order to align the activity of the Tax institutions with the IMF Code of Best Practice on Tax Transparency	Implementation of this action scores 2, on a 0-2 points scale (<i>Relevant activities in the direction of strengthening online payment of taxes and other compulsory duties were carried out</i>). Implementation and usage rules for the electronic tax invoices have been approved by the Cabinet of Ministers on September 28, 2009. The current assessment revealed that electronic services provided by the Ministry of Taxes are as follows: "E-Declaration", "Electronic tax invoices", "Electronic payments through single VAT deposit account".

7.3 Execution of measures in order to improve electronic payment of taxes and other mandatory payments	Implementation of this action scores 1 on a 0-2 points scale (preparations are underway on appropriate measures for improvement of payment of taxes and other obligatory charges in electronic form).
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Cluster 8: Increase of transparency in Extractive Industries

Average score per cluster is **2**

Actions	Level of completion
8.1 Continuation of cooperation by the Government of the Republic of Azerbaijan with the local and foreign companies engaged in extractive industries, civil society institutions in order to ensure continuing implementation and development of the Extractive Industry Transparency Initiative in Azerbaijan	Implementation of this action scores 2, on a 0-2 points scale (<i>activities were implemented</i>). Activities in regard to EITI implementation in Azerbaijan were pursued in accordance to the Work Plan for 2012 and 2013 years. During this period, 10 meetings of Multi-stakeholder Group with participation of representatives from production companies, civil society and government were arranged. Additionally, the training on increasing the quality of EITI accountability were conducted for local and foreign companies that are part of the Memorandum.

<p>8.2 Continuation of the disclosure to public of the information on cumulative incomes obtained by the Government of the Republic of Azerbaijan from the extractive industries</p>	<p>Implementation of this action scores 2, on a 0-2 points scale (<i>information is disclosed</i>).</p>
<p>8.3 Disclosure of the annual reports of the implementation of the Extractive Industry Transparency Initiative in Azerbaijan</p>	<p>Implementation of this action scores 2, on a 0-2 points scale (<i>annual report on implementation of the EITI engaged in production of mineral reserves in Azerbaijan was published</i>).</p> <p>The Annual report on Extractive Industries Transparency Initiative implementation in Azerbaijan has been attached to the feedback received from the State Oil Fund of Azerbaijan Republic sent to the Economic Research Center on May 17, 2013.</p>

Cluster 9: Awareness-raising and Cooperation in the field of OGI
Average score per cluster is **1.2**

Actions	Level of completion
<p>9.1 Evaluation of implementation of the Action Plan and disclosure to the public of its results on an annual basis</p>	<p>9.1.1. Facts on evaluation of performance condition of the measures for execution of the Action Plan for each year scores 1 on a 0-2 points scale (<i>evaluation is under preparation</i>);</p> <p>9.1.2. Publication of the results of evaluation of commitments of the National Action Plan for Promotion of Open Government scores 1 on a 0-2 points scale (<i>publication of the results of evaluation of performance condition of the measures for execution of the Action Plan is under preparation</i>).</p>
<p>9.2 Publication and dissemination among the public of the educational material on Open Government Initiative</p>	<p>Implementation of this action scores 1 on a 0-2 points scale (<i>materials are under preparation</i>).</p> <p>“Increasing the effectiveness of implementation of the National Action Plan on Open Government promotion in 2012-2105 through provision the active participation of youth and civil society organizations” project implemented with support of the Council on State Supported NGOs under the Auspices of the President of the Republic of Azerbaijan is one example of an initiative aiming to educate the broader public about Open Government initiative.</p>

<p>9.3 Continuation of measures within the framework of implementation of undertakings before Open Government Partnership</p>	<p>Implementation of this action scores 1 on a 0-2 points scale (<i>some progress was disclosed</i>).</p>
<p>9.4 Provision of the financial support to the civil society institutions for the implementation of the measures foreseen in the Action Plan</p>	<p>Implementation of this action scores 2 on a 0-2 points scale, (<i>financial support was provided</i>).</p> <p>Currently, two projects supporting the implementation of “Open Government Partnership” are funded by the Council on State Support to NGOs under the Auspices of the President of the Republic of Azerbaijan.</p>

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