



Şəffaflıq Azərbaycan

Monitoring Report

**on the implementation of the
Open Government Initiative
National Action Plan
for 2012-2015**

Reporting period
January 2015 – December 2015

Baku – May 2016

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Report authored by Transparency Azerbaijan research team

Every effort has been made to verify the accuracy of the information contained in this report. All information was believed to be correct as of 31 December 2015. Nevertheless, Transparency Azerbaijan cannot accept responsibility for the consequences of its use for other purposes or in other contexts.

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INTRODUCTION

Azerbaijan is one of 70 participant states of the Open Government Partnership (OGP) initiative that was officially launched on 20 September 2011 during the 66th session of the UN General Assembly. The country joined the Open Government Partnership and thus committed itself to improve its activity related to transparency and promotion of open government, contribute to the exchange of experiences and practices and also to the international efforts in this area.

The Open Government Initiative National Action Plan for 2012-2015 (NAP) has been approved on September 5th, 2012 by the Presidential decree no. 2421¹. The core principles and values of the National Action Plan relate to increasing transparency in the activities of the central and local executive authorities in the Republic of Azerbaijan, improving accountability, expanding public participation and introducing new technologies.

The Commission on Combating Corruption of the Republic of Azerbaijan has been fully responsible for the development and implementation of the National Action Plan. The National Action Plan has been developed by the Commission on Combating Corruption in early 2012.

This monitoring report based on the assessment methodology of the National Action Plan covers the activities toward the implementation of specific commitments carried out between January and December 2015. The Commitments made by the Government of Azerbaijan through the adoption of the National Action Plan are structured as follows :

Area 1: Facilitation of access to information;

¹For the full text of the National Action Plan, see Attachment 1 to this report.

Area 2: On-going visibility of the state institutions activity;
Area 3: Improvement of the Central Legislative Electronic Database;
Area 4: Increasing public's participation in the activity of the state institutions;
Area 5: Improvement of e-services;
Area 6: Increase of transparency in state financial control (SFC) institutions;
Area 7: Increase in transparency of tax control and examination;
Area 8: Increase of transparency in extractive industries;
Area 9: Awareness-raising and cooperation in the field of OGI.

2015 was the final year of the implementation of the National Action Plan. Therefore, the expert group also monitored the implementation of the National Action Plan on areas not assessed during previous reporting periods.

The second monitoring report covering the period of September 2013- December 2014, assessed the implementation of five areas of commitments out of all outlined in the Action Plan (areas 1, 2, 4, 5, and 8) .

The present report assessed the implementation status of all commitments in accordance with the appropriate monitoring methodology.

I. MONITORING METHODOLOGY

The monitoring methodology of the Open Government Initiative National Action Plan for 2012-2015 was developed at the request of Transparency Azerbaijan by the experts of the Institute for Development of Freedom of Information (IDFI) based in Saint-Petersburg, Russia. This assessment report on the progress made as part of the implementation of the National Action Plan has the following objectives:

- ~ *To assess the degree to which the commitments made as part of the National Action Plan were implemented as planned between January and December 2015;*
- ~ *To identify 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 assessment methodology combines both quantitative and qualitative tools. The quantitative component includes the measurement of the implementation of all the key commitments; the qualitative component is based on the interviews with various experts from both the government and the civil society.

The assessment includes the following steps:

- *Analyzing the degree to which the National Action Plan related commitments have been achieved and the degree to which those commitments are still responding to the current needs, realities and context of Azerbaijan;*
- *Developing scoring levels to assess the achievement level for each commitment reflected in the National Action Plan;*

- *Monitoring the websites of central and local executive authorities and analyzing the relevant information published there, namely, requests for information sent to the central and local executive authorities and their results, the legislative acts, the annual reports of the Cabinet of Ministers and the electronic version of the State Registry of Legal Acts;*
- *Systematizing, analyzing and evaluating the overall collected data;*
- *Summarizing findings and developing recommendations.*

The National Action Plan has nine 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 indicators for scoring. They are characterized by the implementation level and their results expressed in points for each indicator are described below:

a) Assessment of the implementation level of activities based on a 0-3 score 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 being completed.*

b) Assessment of the implementation level of activities based on a 0-2 score scale:

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

The average score is calculated based on the score scale of the same commitments and scores for all actions and sub-actions being summed up.

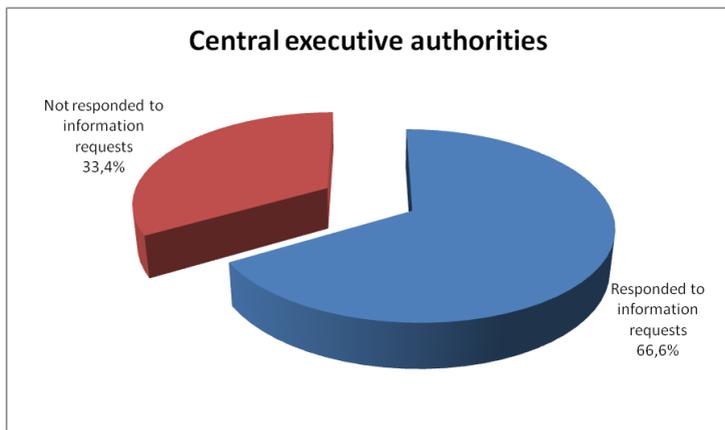
II. MONITORING PROCESS

The project staff, in accordance with the monitoring methodology, developed the criteria of selection of central and local executive authorities to be monitored during the reporting period. The criteria cover all central executive authorities (ministries, state committees, agencies, etc.), Baku City Executive Authority, executive authorities of all districts of the capital and cities of republican subordination, as well as executive authorities of three districts per each economic region.

Since the current report covers all areas outlined in the NAP, the expert group sent two information requests to central and local executive authorities.

The aim of the first information requests sent in August 2015 was to acquire information on areas of activities concluded in 2014 and not assessed in the second monitoring report. The State Oil Fund (SOFAZ), the State Statistics Committee, the State Committee for Property Issues, the Ministry of Economy and Industry, and the State Migration Service had already published their 2014 reports on the Internet, therefore no information requests were addressed to them. An information request was not addressed to the Special State Protection Service either, because they had accomplished the activity they were responsible for (Article 2.6 of the NAP: *Identification of a common template and minimum criteria to be met by the websites of the state authorities in accordance with modern standards*) already during the first reporting period. Thus together with the Office of the Commissioner for Human Rights (Ombudsman), the Central Bank, the Chamber of Auditors, and the Chamber of Accounts, 42 central and 45 local executive authorities received information requests to provide reports on the work done during 2014 to further the implementation of the NAP.

The number of the central executive authorities which responded to the information requests were 28 (66.6%) and only 20 of them provided their activity reports on the commitments outlined in the NAP and accomplished in 2014. This makes 47.6% of the monitored central executive authorities. Eight bodies (19%) refused to provide their reports using various excuses (the report had already been sent to the Commission on Combating Corruption, the report had been published on the Internet, etc.²) Remaining 14 bodies (33.4%) did not respond to the information requests in any form.

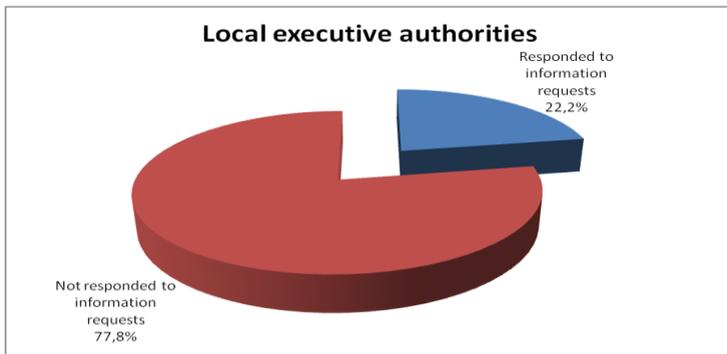


Only 10 (22.2%) of the local executive authorities responded to the information requests. 7 of them or 15.5% of all local executive authorities provided their reports and 3 bodies (6.7%) refused to send their reports. One of the local executive authorities that

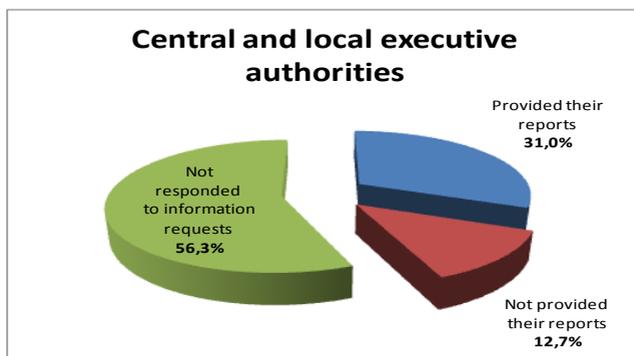
² Some state bodies which refused to send their implementation reports (e.g. the Ministry of Taxes, the State Committee for Securities, the State Migration Service, etc.) had indeed published those reports in their official websites. However, other state bodies (e.g. the Ministry of Emergency Situation, ASAN, the State Committee for Family, Women and Children Affairs, the Ministry of Youth and Sport, etc) had not published their reports online or had only provided general and limited information in their annual activities reports.

refused to provide their reports was Baku City Executive Authority. This body responded to the information request sent on 14 August 2015 very late, on December 23rd, 2015 stating that: “Your letter no. AZ/14-08-15/APT/125 dated 14.08.2015 and addressed to Baku City Executive Authority has been considered. We hereby inform you that Baku City Executive Authority is taking into consideration the 'Open Government Initiative National Action Plan for 2012-2015' and implementing it duly.”

Majority of the local executive authorities (35 bodies or 77.8%) did not respond to the information requests at all.



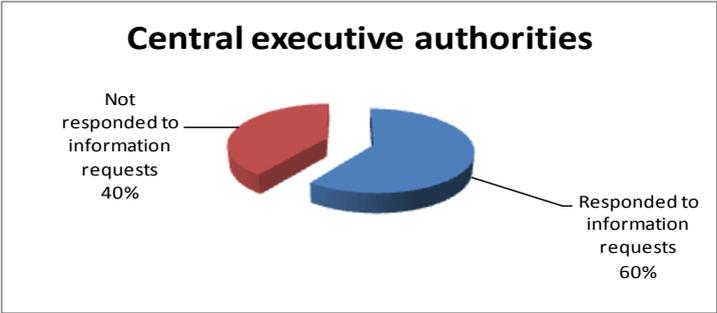
Accordingly, 38 (43.7%) of all 87 central and local executive authorities responded to the information requests sent in 2015. 27 of them (31% of all central and local executive authorities that received information requests) provided their annual activity reports on the NAP commitments. 11 bodies (12.7% of all central and local executive authorities that received information requests) refused to provide their respective reports using various excuses. 49 bodies (56.3% of all surveyed central and local executive authorities) did not react to the information requests.



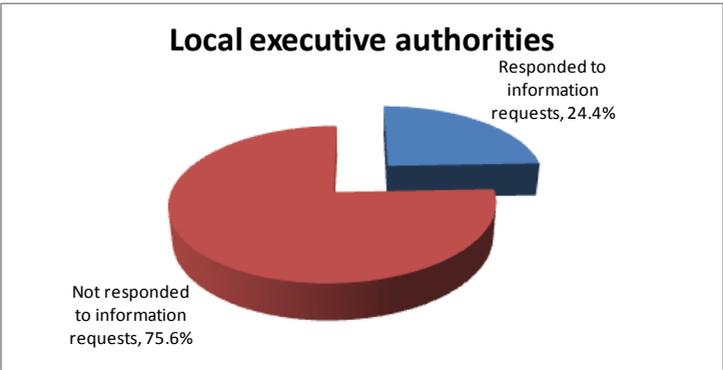
The expert group sent another information request to the central and local executive authorities in January 2016, in order to assess the implementation of the NAP activities that were still in progress as of 2015. No information requests were addressed to the Special State Protection Service for the aforementioned reason, because they had accomplished the activity they were responsible for (Article 2.6 of the NAP). Since the State Agency for Public Procurements³ and the Ministry of National Security⁴ were abolished by this time, they were taken out of the list of monitored state institutions. Thereby, the total number of the central and local executive authorities included in the monitoring process became 91 (46 central and 45 local executive authorities).

³ The Agency was abolished by the Presidential decree dated January 15th 2016 citing Paragraph 32 of Article 109 of the Constitution of Azerbaijan.

⁴ The Ministry of National Security was abolished by the Presidential decree dated December 15th 2015 in order to increase the efficiency of intelligence services and improve the structure of public administration. Two new bodies replaced the ministry -- the State Security Service and the Foreign Intelligence Service.



The expert group sent information requests to 45 central executive authorities, among them the Office of the Commissioner for Human Rights (Ombudsman), the Central Bank, the Chamber of Auditors, and the Chamber of Accounts, as well as 45 local executive authorities, to ask for their reports on the work done in 2015 in accordance with the NAP. In order to facilitate their responses, the expert group contacted majority of monitored agencies and paid particular attention to the local executive authorities. The expert group also suggested Transparency Azerbaijan to contact the State Commission on Combating



Corruption and ask for local executive authority reports on the NAP activities. The Commission has positively responded to the request of Transparency Azerbaijan and has provided the requested reports.

In response to the second information request, 27 central executive authorities (60%) have officially replied while 21 of them (46.7% of total agencies) provided the requested reports. Six authorities refused to provide their reports and referred to their Internet resources or to the reports provided to the State Commission on Combating Corruption.

18 bodies (40%) did not react to information requests in any form.

Only 11 local executive authorities (24.4%) responded to the information requests and six of them (11.1% of total surveyed) provided the requested reports. Five authorities refused to provide their reports and the remaining 34 did not react to the requests in any form. While contacted over the phone, they refused to respond formally by stating that they had already submitted their reports to the Commission on Combating Corruption.

Accordingly, 38 (42.2%) of all 90 monitored central and local executive authorities responded to the second information request, while only 27 of them (30% of total surveyed) provided the requested reports. 11 bodies (12.2%) refused to provide their reports and 52 (57.7%) did not react in any form.



For those public institutions that did not provide the activity reports on their NAP commitments, the expert group did their best to assess their performance through monitoring of their Internet resources, as well as their annual implementation reports prepared by the State Commission on Combating Corruption for 2013 and 2014.

The activities that were accomplished in 2014 and covered during previous monitoring periods were not assessed again. The findings on these activities have been taken from the previous monitoring reports and are incorporated into this text in an abridged version.

According to the Monitoring Results, two areas out of nine, have received maximum scores and they are: “increase of transparency in extractive industry” and “awareness raising and cooperation in the field of OGI”. The results of the implementation in these areas were equal to the average scores. The lowest score was recorded in the 1st area, “facilitation of access to information” – the average score here was 3, but the results of the monitoring was 1.4.

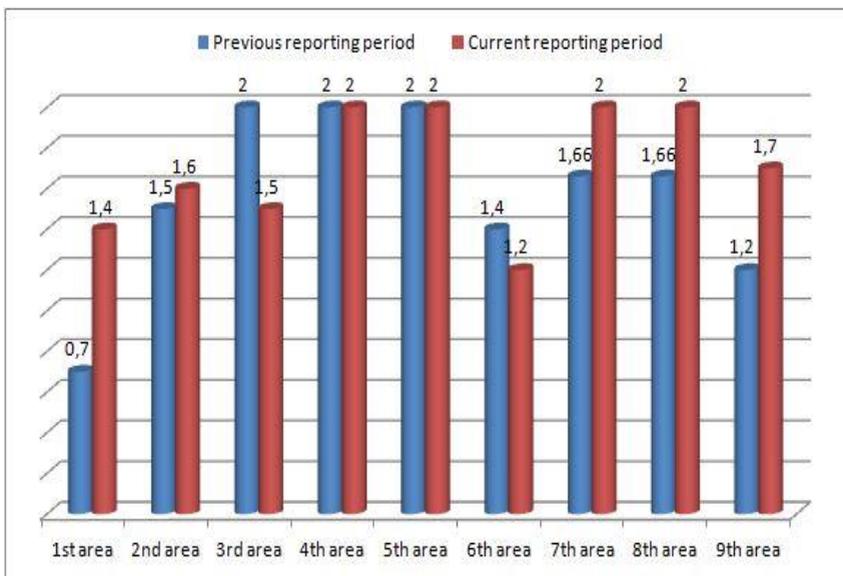
Areas of activities:	Maximum average score	Result
Area 1: Facilitation of Access to Information	3	1.4
Area 2: On-going visibility of the state institution activity	2.3	1.6
Area 3: Improvement of the Central Legislative Electronic Database	2	1.5
Area 4: Increasing public’s participation in the activity of state institutions	2.7	2

Area 5: Improvement of e-services	2.3	2
Area 6: Increase of transparency in state financial controls (SFC) institutions	1.9	1.2
Area 7: Increase in transparency of tax control and examination	2	2
Area 8: Increase of transparency in extractive industries	2	2
Area 9: Awareness- raising and cooperation in the field of OGI	2	1.7

As seen from the above chart, according to the monitoring results, the implementation of activities in

- the first area of the NAP “*Facilitation of access to information*” received 1.4 score out of maximum 3;
- the second area “*On-going visibility of the state institutions activity*” received 1.6 out of maximum 2.3;
- the third area “*Improvement of the Central Legislative Electronic Database*”) received 1.5 points out of maximum 2;
- the fourth area “*Enlargement of the public participation in the activity of the state institutions*” received 2 points out of 2.7 maximum;
- the fifth area “*Improvement of e-services*” received 2 points out of maximum 2.3;
- the sixth area “*Increase of transparency in state financial control (SFC) institutions*” got 1.2 out of maximum 1.9;
- the seventh area “*Increase in transparency of tax control and examination*” got 2 out of maximum 2 points;

- the eighth area “*Increase of transparency in extractive industries*” received 2 out of maximum 2; and
- the ninth area with focus on “*Awareness-raising and cooperation in the field of OGI*” gets 1.7 out of maximum 2.



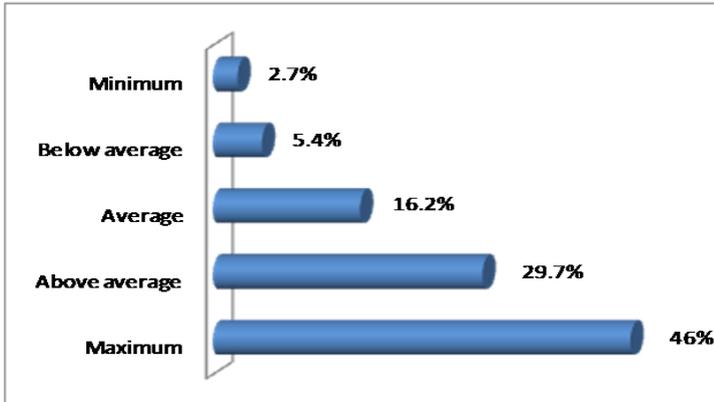
While comparing with the previous reporting period, it can be seen that scores have decreased when it comes to the third and sixth areas⁵. There has been no progress in the implementation of activities in the fourth and fifth areas either, as the above chart.

It should be noted that out of 37 main activities of the NAP, implementation of five had to be completed back in 2013, implementation of 12 activities back in 2014, and of the other 12

⁵ Since the activities in the third, sixth, seventh, and ninth areas were not assessed during the previous reporting period, the comparison is made with the results of the first reporting period.

in 2015. The remaining eight activities have to be continued on an ongoing basis.

According to the assessment, out of 37 produced results, 17 got maximum scores (46%); 11 – are above the average (29.7%); 6 are on average (16.2%), 2 are below average (5.4%), and remaining 1 – got minimum (2.7%).



III. MAIN FINDINGS:

1. **The main factor bringing down the overall results is the inactivity of local executive authorities.** The monitoring revealed that only seven of all 45 monitored local executive authorities had appointed relevant officials responsible for ensuring a good implementation on the freedom of information front; only five had adopted the internal rules ensuring the freedom of information; and only four had provided comprehensive trainings to civil servants responsible for ensuring access to the freedom of information. Only one local executive authority had established a public council (public oversight board). Additionally, only three local executive authorities had prepared the guiding principles of the legislative acts regulating their activities and only one of them had prepared and published the legislation regulating their activities in simple and comprehensible forms. It is interesting to note that the websites of executive authorities of big cities like Baku, Sumgait and Ganja have the least positive record in regards to disclosing the information about the activities of local authorities. It is regrettable that the frequency of the information updates on these websites is so weak and disappointing.
2. **Main duties and areas of competence are not delimited between the press secretaries and the officials who are responsible for ensuring the freedom of information.** In general, most state institutions delegated the task for ensuring freedom of information to their press secretaries. Few state institutions delegated this responsibility to a lawyer. Most state institutions do not have any legal and regulatory documents defining duties and areas of competence of press secretaries; in case a state institution has such a document, then it is usually not available to public. Therefore, it is not

possible to differentiate between a press secretary and an official responsible for ensuring the freedom of information in terms of their duties and areas of competence. Performance of the officials responsible for ensuring the freedom of information is regulated by the internal rules on freedom of information and these rules usually repeat the provisions of the Law on Obtaining Information.

3. **Some central executive authorities look as if interested in disseminating information about their activities and share press releases, audiovisual content and other information in media and on social media platforms every day. However, other central state institutions manifest an opposite attitude.** For example, the latest press release on the website of the Ministry of Youth and Sport was published in 2012. The schedule for the public office hours was last updated in 2012. When it comes to the local executive authorities here things are more problematic. With a few exceptions, none of the official websites of the local executive authorities have active e-services sections. It is challenging to find any useful information on the public office hours, solutions to social and economic problems, and areas of activities on the websites of local executive authorities. These website do not display any notices, decisions or regulatory acts issued by the local executive authorities, though they may contain some highlights of general law. The least friendly website is that of Baku City Executive Authority. Even the news section – the most common functional feature of all local executive authority websites, is not functional here at all. The website was last updated on 19 May 2015.
4. **Despite the fact that the year 2015 was the final one for the implementation of OGI NAP, no systematic information about the plan was available in the annual report of the**

Cabinet of Ministers to the Parliament of the Republic of Azerbaijan. 429-page long "Report on the activities of the Cabinet of Ministers of the Republic of Azerbaijan for 2015" had no separate section on OGI. Even section 12 on the implementation of main state programmes do not mention OGI NAP, but contain information about other programmes like the State Program on Social-Economic Development of the Regions of the Republic of Azerbaijan for 2014-2018, the State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015, and the State Program on the Reliable Supply of Food Products to the Population in the Republic of Azerbaijan for 2008-2015. The annual report of the Cabinet of Ministers mentions the Open Government Initiative National Action Plan for 2012-2015 only four times and in each case refers to episodic details about work done by various state institutions in regard to the implementation of the plan. The Cabinet of Ministers did not respond to the information requests on the implementation of OGI NAP or asked to refer to the Ministry of Finances and the Anti-Corruption Department under General Prosecutor's Office. Whereas, one of the state institutions in need of greater transparency is the Cabinet of Ministers itself.

5. **The online version of the State Register of Legislative Acts (huquqiaktlar.gov.az) is not timely updated in order to reflect the on-going changes made in the legislation. The online database is also not accessible from time to time.** Besides, several legislative acts, including some acts of the Cabinet of Ministers and other central executive authorities, are not available in the online database.

- 6. Information on the implementation of the OGI NAP commitments, as well as the reports on the implementation are not published on the official websites of the respective state institutions. Some state institutions also refuse to provide their reports as part of their responses to the information requests. These makes the objective assessment of the implementation of OGI NAP a very difficult task.**
- 7. Very few state institutions involve members of civil society in the process of drafting legislative acts of public importance, or hold public hearings. In addition, those institutions opening up draft laws for public comments do not comply fully with the relevant requirements of the legislation.**
- 8. Although the technical aspects of developing websites as means of involving the public in decision-making processes on matters of public concern (online application, FAQ sections, etc.) are accomplished, there is not enough evidence to prove that the process is underway in an interactive and engaging manner.**
- 9. The State Agency for Public Service and Social Innovations prepared and adopted the "Guidelines on the evaluation of the organization and provision of e-services by the state authorities" and conducts an evaluation of the e-services provided by the central executive authorities. Although the criteria and timetable of evaluation are publicly available, the results of the evaluation processes are not being disclosed.**

10. **Central legislative database that aims at regulating the activities of state financial control institutions is not ready.**
11. **There is a need for greater transparency and accountability in the activities of the state financial control institutions themselves.** The State Financial Control Agency within the Ministry of Finances (existed in 2015 - ed.) and the Chamber of Accounts discloses only limited information about their activities and control actions. Neither the Chamber of Accounts, nor the Ministry of Finances responded to the information requests sent during all three monitoring phases.
12. **Control over the publication of the financial statements of the state-owned enterprises together with the auditor's report and prepared in accordance with the International Financial Reporting Standards or the National Accounting Standards is not sufficient enough.** Some work with very limited scope was done in this area only during years 2012-2013.
13. **The Ministry of Taxes and the State Oil Fund (SOFAZ) have the best record in the implementation of the OGI NAP commitments.** Thus, the seventh area of activities implemented by the Ministry of Taxes and the eight area implemented by SOFAZ have obtained the maximum scores.
14. **Following Azerbaijan's latest EITI Validation report, the International EITI Board at its 29th meeting in Brazzaville reached the conclusion that Azerbaijan was not compliant with the EITI Standard but had made meaningful progress in implementing the EITI.** Board agreed that not all requirements were met regarding Requirements 1.3.b-e (civil society engagement), 1.4 (workplan), 6.1 (public debate)

and 7.2 (impact). In accordance with Requirement 1.6.b of the EITI Standard, the Board designated Azerbaijan as a Candidate country. It should be noted that Azerbaijan had previously been found compliant in 2009 against the old EITI Rules, thus the Board decision downgraded Azerbaijan to a candidate country. Board tasked the International Secretariat with undertaking a Secretariat Review, assessing compliance with required corrective actions set out below and outstanding requirements within 12 months (i.e., by 15 April 2016). Failure to achieve compliance with these EITI Requirements and outstanding corrective actions by this date will result in suspension or delisting in accordance with the EITI Standard.

15. **There is a delay in disclosure of the reports by the State Commission on Combating Corruption regarding the implementation status of the OGI NAP activities.** For example, the implementation report for 2015 was not yet available on the official commission website as of April 15th, 2016.

16. **There are no provisions in the budgets of central and local executive authorities to allocate financial resources to the civil society institutions in order to publish and distribute awareness raising materials about the Open Government initiative among the general public, as well as to implement respective activities outlined in the National Action Plan.** Thus, it was not possible to identify and assess which state institutions had to be involved and what amount of funds had to be allocated for the NAP purposes.

IV. MAIN RECOMMENDATIONS:

1. Although it was a positive step to launch official websites of the central and local executive authorities, much work remains to be done in terms of information provision. Web pages of the institutions should have comprehensive coverage of all their activities within their duties and competences; they should also be user-friendly for citizens in order for them to be able to receive all their daily information and services.
2. In order to make their activity reports publicly available, the Cabinet of Ministers should publish their electronic versions on their official website in addition to publishing them in a limited number and distributing among the MPs.
3. The online version of the State Register of Legislative Acts (huquqiaktlar.gov.az) and its “sister” site e-qanun.az should be updated on timely basis and accessible without any disruptions. Since there are a significant number of people using the online database, it is of great importance that these websites are up-to-date and always accessible. Additionally, several legislative acts, including some acts of the Cabinet of Ministers and other central executive authorities, should be published in the database and the search function should be improved and simplified.
4. The activity reports of the state institutions on the implementation of the NAP commitments should be made publicly available. Since the information on the implementation of the National Action Plan is public, the Cabinet of Ministers, the Commission on Combating Corruption and the Commissioner for Human Rights (who is responsible for the freedom of information) should make it obligatory for the state institutions to publish their reports on their websites.
5. Central executive authorities should publish their draft legislative acts in special sections on their websites and on the

e-government website, as well as to follow the required time frames as per the legislation. Also, the statistics of comments and feedback from the public and whether any of them were accepted or not, as well as other important information, should be distributed as press releases and incorporated into the activity reports.

6. The State Agency for Public Service and Social Innovations should disclose, in a comprehensible manner, the results of the evaluation of the e-services provided by the central executive authorities in line with the "Guidelines on the evaluation of the organization and provision of e-services by the state authorities".
7. The central executive authorities should have clear criteria and format for their public presentations of the e-services they provide as part of their area of competence. These criteria should include, among others, periodical recurrence, area of coverage, social structure of target audience, etc.
8. Measures to ensure electronic information exchange between state institutions, improve the electronic payment of duties, taxes, administrative fines, utility costs and other administrative fees, increasing the access to e-services for the population in regions, should be reflected in the next action plan.
9. The adoption of the Law on State Financial Control should be accelerated. The Law should delimitate clearly the areas of competence of state financial control institutions in a comprehensive manner and also reflect the mechanisms of coordination between these institutions. This measure insignificantly important mainly now, given that the oil revenues, which are the main income article of the country, have sharply declined.
10. Control mechanisms should be established over the publication of the financial statements of the state-owned enterprises together with the auditor's report and prepared in

accordance with the International Financial Reporting Standards or the National Accounting Standards.

- 11.** The government and the Multi-stakeholder Group (MSG) should ensure that civil society representatives who are substantively involved in the EITI processes are able to operate freely in relation to the EITI processes. The government and the MSG should also take steps to ensure that civil society representatives, substantively engaged in the EITI processes, are able to freely access and use funding to carry out their activities. More specifically, the government should ensure that the EITI Coalition and its members along with employees, are able to access their bank accounts and register new grants and any further restrictions on NGO operations should be avoided.
- 12.** The EITI Secretariat should be granted the status of a public legal entity and its financial independence should be ensured.
- 13.** Benchmarks for the commitments of the EITI NGO Coalition outlined in the National Action Plan should be raised and in this regards, public debates on central and regional TV channels should be organised.
- 14.** Shortened and simplified versions of EITI reports should be prepared for the general public. These reports should be also readily accessible on mobile devices.
- 15.** The reports by the State Commission on Combating Corruption regarding the implementation status of the OGI NAP activities should be disclosed no later than the end of the first quarter.
- 16.** Special provisions should be added on to the budgets of central and local executive authorities in order to provide the financial support for the civil society institutions in order for them to publish and distribute awareness raising materials about the Open Government initiative among the general public, as well as to implement activities outlined in the National Action Plan.

During the process of finalization of the current monitoring report, in early May (3-4 May, 2016) the OGP Steering Committee members met in Cape Town and one of the important agenda items included Azerbaijan. The Steering Committee recognized the positive steps taken by the government of Azerbaijan, including the submission of a new National Action Plan. However, there were a number of serious issues of concern which remained unresolved, specifically regarding constraints in the operating environment of CSOs. As a consequence, the OGP Steering Committee decided that the government of Azerbaijan is designated as “inactive”, under the terms of the Policy on Upholding the Values and Principles of OGP as articulated in the Open Government Declaration.

In line with the above, it is important that all key stakeholders in Azerbaijan join efforts to reengage with OGP in a meaningful way and for this, there are a number of steps that need to be undertaken in the months to come:

- Establishing an open collaboration platform between the Government and CSOs around the OGP and NAP related commitments’ implementation for the years to come;*
- Organizing discussions among CSOs and the Government on the decision made by the SC in May Steering Committee and look at ways to redress the situation;*
- Updating OGP Support Unit and Steering Committee on a regular basis on the progress made and seek feedback, support or assistance whenever needed.*

V. ASSESSMENT RESULTS

Area 1	Facilitation of access to information⁶
Average Score	1.40 out of maximum 3

1.1.	<i>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.</i>
Responsible for implementation	Central and local executive authorities in 2012-2014.
Indicator for assessment	1.1.1. Number of central and local executive authorities that have designated the employees in charge of the access to information
Methodological basis:	<p><i>3 – More than 70% of central and local executive authorities have appointed employees in charge of the access to information;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities have appointed employees in charge of the access to information;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities have appointed employees in charge of the access to information;</i></p> <p><i>0 – No evidence of progress o.</i></p>

⁶The findings on the activities that were completed in 2013-2014 and assessed in the second report (September 2013–December 2014) are incorporated in an abridged version. Full findings will be available in the final report.

Monitoring score	2
Rationale	<p>34 of 92 monitored central and local executive authorities have designated the employees in charge of the access to information. This equals to 31.28% of the monitored central and local executive authorities.</p> <p>However, most state institutions have designated their press secretaries also as officials in charge of the access to information. Few state institutions have delegated this responsibility to a different employee, usually a lawyer. Most state institutions don't have any legal and regulatory documents which set out duties and responsibilities of press secretaries and if a state institution has such a document, then it is usually not available to public. Therefore, it is not possible to differentiate between a press secretary and an official in charge of the access to information in terms of their duties and responsibilities.</p>
Indicator for assessment	1.1.2. Number of central and local executive authorities that have adopted the internal rules on freedom of information.
Methodological basis	<p><i>3 – More than 70% of central and local executive authorities have adopted the internal rules on freedom of information;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities have adopted the internal rules on freedom of information;</i></p> <p><i>1 – Less than 20% of the central and local</i></p>

	<i>executive authorities have adopted the internal rules on freedom of information; 0 – No evidence of progress observed confirming the implementation of planned activities.</i>
Monitoring score	2
Rationale	26 of 92 monitored central and local executive authorities have adopted the internal rules on freedom of information. This equals to 23.9% of monitored central and local executive authorities.
1.2.	<i>Comprehensive training for responsible civil servants in order to ensure freedom of information.</i>
Responsible for implementation	Central and local executive authorities in 2012-2014.
Indicator for assessment	Number of central and local executive authorities that have conducted comprehensive training for responsible civil servants to ensure freedom of information.
Methodological basis	<i>3 – More than 70% of central and local executive authorities have conducted comprehensive trainings for responsible civil servants to ensure freedom of information; 2 – Between 20% and 70% of central and local executive authorities have conducted comprehensive trainings for responsible civil servants to ensure freedom of information; 1 – Less than 20% of the central and local executive authorities have conducted</i>

	<i>comprehensive trainings for responsible civil servants to ensure freedom of information; 0 – No evidence of progress observed confirming the implementation of planned activities.</i>
Monitoring score	2
Rationale	24 of 92 monitored central and local executive authorities have conducted comprehensive training for responsible civil servants to ensure freedom of information ⁷ This equals to 22.08% of monitored central and local executive authorities.
1.3	<i>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 Law on the Right to Obtain Information, specialized training of the relevant employees.</i>
Responsible for implementation	The Commissioner for Human Rights (Ombudsman) during 2013-2014.
Indicator for assessment	1.3.1. Improvement of the structure of the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan
Methodological	<i>3 – The structure of the Office of the</i>

⁷Neither in the official responses to our requests for information, nor in the official websites of state institutions, there is no detailed information available on participants, content, agenda and timetable of these trainings.

basis	<p><i>Commissioner for Human Rights has been improved;</i></p> <p><i>1 – Preparatory activities are underway for improvement of the structure of the Office of the Commissioner for Human Rights;</i></p> <p><i>0 – No evidence of progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	1
Rationale	<p>As it is evident from the official response of the Office of the Commissioner to the request for information, the situation hasn't changed since the previous reporting period. The Commissioner states in her annual report for 2012: "The project of responsibilities, structure and staff positions of the intended "Department of Information Provision" at the Office of the Commissioner has been already developed and sent to the Cabinet of Ministers for approval, received positive feedback. Although the Ministry of Finances was tasked to resolve the issue and finance the department in 2012, the necessary actions have not been taken yet."</p> <p>The official response of the Office to the request for information also states that no decision has been taken in regard to the Commissioner's proposals for new staff positions.</p>
Indicator for assessment	1.3.2. Specialized training of the relevant employees of the Office of the

	Commissioner for Human Rights.
Methodological basis	<p><i>3 – More than 70% of relevant employees of the Office of the Commissioner have received specialized training;</i></p> <p><i>2 – Between 20% and 70% of relevant employees of the Office of the Commissioner have received specialized training;</i></p> <p><i>1 – Less than 20% of relevant employees of the Office of the Commissioner have received specialized training;</i></p> <p><i>0 – No evidence of progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	0
Rationale	<p>Although the Office of the Commissioner hasn't been allocated relevant staff positions and material-technical resources, responsible employees of the Office have received specialized training on the freedom of information. As the number of staff positions in the intended department is not confirmed yet, it is not possible to identify the percentage of responsible employees that have received training. Therefore this activity has been given 0 score.</p>

Area 2	On-going visibility of the state institutions' activity
Average Score	1.6 out of maximum 2.3

2.1	<i>The Uploading and updating of information on their activity at their respective websites</i>
Responsible for implementation	Central and local executive authorities on regular basis.
Indicator for assessment	2.1. The number of state institutions regularly updating their websites about their activities.
Methodological basis:	<p><i>3 – More than 70% of central and local executive authorities regularly upload and update information about their activities on their websites;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities regularly upload and update information about their activities on their websites;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities regularly upload and update information about their activities on their websites;</i></p> <p><i>0 – None of central and local executive authorities regularly upload and update information about their activities on their websites.</i></p>
Monitoring score	2
Rationale	There is a deep inequality of information as well as diverse positions on the disclosure of information among the numerous central

and local executive authorities covered in the monitoring process. Therefore, it is difficult to assess and characterize these authorities in general terms. Implementation by the central executive authorities is much better in comparison with the local executive authorities.

During the monitoring period, activities of 45 central executive authorities and other central institutions and 45 local executive authorities were assessed. The official responses of these authorities to the requests of information and their websites, as well as information about their activities on the Internet and via social media, were considered in the assessment. The official responses to the requests for information, as well as the reactions to the openness of information differ significantly among these authorities. Some authorities take transparency seriously and respond to the requests for information thoroughly and according to the law, other authorities are not interested in disclosing information and are "closed" institutions. The monitoring results show that there is a significant gap between the most open and most closed state authorities. Some central executive authorities demonstrate their interest in dissemination of information among wider audience by distributing information about their activities several times a day, posting it on social networks and sending press

	<p>releases, written and audio-visual information to the media.</p> <p>However some problems still persist in this area among several central executive authorities. For example, the latest press release in the relevant section of the website of the Youth and Sport Ministry was published in 2012. The schedule for the public office hours dates back to 2012 as well.</p> <p>However, the issue with local executive authorities is challenging. All local executive authorities had their websites established in 2012, but they are not interested in publishing and updating information online. With minor exceptions aside, none of them have active e-services on their official websites. Usually, on a standard website of a local executive authority, few pieces of news are published during a month. But these articles don't cover legal activities of the local executive authorities and are mostly about public events, cultural activities or about heads of some central executive authorities meeting local residents in the district area. The information posted on the websites is not of much use to the population, but serves for PR of the local authorities. Information related to about local officials receiving concerned citizens, ways to address social and economic problems, as well as spheres of activities of local authorities is rarely</p>
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	<p>published.</p> <p>"The Statute of Local Executive Authorities" approved by the Presidential decree dated 6 June 2012 and which constitutes the legal basis of local authorities has tasked these authorities with around 180 powers and 100 duties on areas of social-economic development of respective districts, agriculture, funding, consumption, social protection, labour, public housing and utility, environment, construction and maintenance, architecture, education and culture, children, youth and sports, tourism, mass media, law enforcement, public order and security, management of state property, healthcare, etc.</p> <p>Unfortunately, none of the local executive authorities publishes the information about their activities on abovementioned areas. Especially, the information on budget spending is rare.</p> <p>One significant aspect of the work of local executive authorities is the adoption of normative acts. However, the websites of local authorities do not contain any of these normative acts, though they cover some general information on legislation. However, paragraph 6.4 of the Statute states: "The implementation of normative acts adopted by the local executive authorities is mandatory for individuals living in its territory and legal entities located in its territory."</p>
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	<p>However the latest monitoring in 2015 also revealed a different approach by some local executive authorities.</p> <p>For example, the website of Ismayilli District Executive Authority has several useful additions to the standard template utilized by all local authorities: there is information about hotline 164; the members of the Public Council are listed; the 2015 report on ethics is published.</p> <p>The least transparent website is that of Baku City Executive Authority. Almost no useful information is available on the website. Even the news section mostly functional on the websites of many other local executive authorities is not functional here. The latest update was on 19 May 2015.</p>
2.2	<i>Preparation of the annual reports and their publishing on the Internet.</i>
Responsible for implementation	Central and local executive authorities in 2012-2015.
Indicator for assessment	2.2. The number of central and local executive authorities preparing and publishing their annual reports regularly.
Methodological basis	<p><i>3 – More than 70% of central and local executive authorities have published their annual reports on their official websites;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities have published their annual reports on their official</i></p>

	<p><i>websites;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities have published their annual reports on their official websites;</i></p> <p><i>0 – None of central and local executive have published their annual reports on their official websites.</i></p>
Monitoring score	2
Rationale	<p>In line with the assessment methodology, the information about yearly activities published by all central and local executive authorities on their websites was analyzed. The official websites of all local executive authorities lack any reports sections, and reports on the NAP activities are not published either in general or in particular forms. These reports were mostly disclosed in the joint annual meetings with the ruling New Azerbaijan Party at the end of the year⁸.</p> <p>The websites of central executive authorities do not always list the reports in separate sections.</p>
2.3	<i>Holding press conferences and other direct public communication events about performance of state institutions.</i>
Responsible for	Central and local executive authorities in

⁸ Heads of the most local executive authorities are also members of the ruling New Azerbaijan Party, so they usually present the implementation reports in the annual meetings of local party organizations. Heads of several central executive authorities also present the annual implementation reports in the central headquarters of the ruling party.

implementation	2012-2015.
Indicator for assessment	2.3. Number of central and local executive authorities holding press conferences at least once a year or communicating directly with the public.
Methodological basis	<p><i>3 – More than 70% of central and local executive authorities hold press conferences at least once a year or communicate directly with the public;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities hold press conferences at least once a year or communicate directly with the public;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities hold press conferences at least once a year or communicate directly with the public;</i></p> <p><i>0 – None of central and local executive authorities hold press conferences at least once a year or communicates directly with the public.</i></p>
Monitoring score	3
Rationale	The majority of central and local executive authorities have held annual meetings dedicated to their activity reports and disseminated respective information about them. The research also shows that most of 45 monitored local executive authorities have held these annual meetings at least once a year. News about the presentations of such annual reports has been published in

	<p>the media, but the reports themselves are not available on the websites of local executive authorities. It was not possible to identify whether those reports cover the implementation of 180 powers and 100 duties entrusted to the local executive authorities. The texts of the annual reports are not available to the public and transparency is not ensured in this respect. In response to the information requests, most local executive authorities refused to provide their reports and justified it by stating that they had already submitted their reports to a higher executive authority.</p> <p>The situation with the central executive authorities is much more positive. All institutions held presentations of their reports at least once a year and disseminated news of these meetings. But there remain serious questions about the quality of those reports⁹, as well as whether they cover the areas of real competences. Some state bodies also published their reports on their official websites, while others did not make their reports available to the public. Another problem is that financial reports are still unavailable. Particularly, information about procurements, tenders, budget expenses are</p>
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⁹ In terms of quality, these reports do not provide any substantial information on financial aspects of activities of state institutions. For example, while the scale of any construction and renovation works would be detailed in these reports, no information on funds spent on these projects would be disclosed. Therefore, serious concerns on the quality of reports remain unanswered.

	perceived as state secrets and very little is available to the public.
2.4	<i>Dissemination of reader-friendly versions of the legislation regulating the activity of the state institution, developed guiding principles.</i>
Responsible for implementation	Central and local executive authorities on an on-going basis
Indicator for assessment	2.4.1. Preparation of the guiding principles of the legislative acts regulating the activities of state institutions in a simple and comprehensible form.
Methodological basis	<p><i>2 – The guiding principles have been prepared in a simple and comprehensible form;</i></p> <p><i>1 – Activities towards preparation of the guiding principles have been carried out, but their adoption is delayed;</i></p> <p><i>0 – No evidence of progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	1
Rationale	<p>In their responses to the information requests, some central executive authorities stated that this action was implemented, but formulated their answers in vague terms. Several other institutions gave more detailed answers.</p> <p>For example,</p> <p>~ the State Civil Service Commission noted that they had prepared guiding booklets and published them in their</p>

	<p>official website;</p> <ul style="list-style-type: none"> ~ the State Social Protection Fund pointed towards the FAQ section in their website; ~ the State Committee for Standardization, Metrology and Patents wrote that they had prepared a public service ad about the respective issue; ~ the Committee for City Planning and Architecture stated that respective information was published in newspapers regularly; ~ the Ministry of Labour and Social Protection and the Ministry of Agriculture linked their "open door" activities in districts with the implementation of this paragraph; ~ and the State Committee for Student Admission cited the publication of their magazine, <i>Abituriyent</i>. <p>The remaining institutions gave no information whether they had prepared the guiding principles of the legislative acts regulating their activities in a simple and comprehensible form. Unfortunately, very few state institutions have any respective information available in their official websites. This allows us to come to the conclusion that although there have been some activities to prepare the guiding principles, their adoption is being delayed. Almost none of the local executive authorities answered this paragraph in their</p>
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	<p>responses to the information requests, except for Ismayilli District Executive Authority. The latter stated that they did not implement this paragraph. The websites of local executive authorities carry no information about the issue as well.</p>
Indicator for assessment	2.4.2. The central and local executive authorities have prepared and published the legislation regulating their activities in simple and comprehensible forms.
Responsible for implementation	Central and local executive authorities on an on-going basis.
Methodological basis	<p><i>3 – More than 70% of central and local executive authorities have prepared and published the legislation regulating their activities in simple and comprehensible forms;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities have prepared and published the legislation regulating their activities in simple and comprehensible forms;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities have prepared and published the legislation regulating their activities in simple and comprehensible forms;</i></p> <p><i>0 - None of central and local executive authorities have prepared and published the legislation regulating their activities in simple and comprehensible forms.</i></p>
Monitoring score	1

Rationale	<p>Up to 20% of the central executive authorities prepared and published document forms and samples, instructions and tutorials related to their activities ¹⁰. Therefore, the preparation and publication of these forms and tutorials can be considered as preparation and publication of the legislation regulating the activities of respective institutions in simple and comprehensible forms.</p> <p>Among the local executive authorities only the executive authorities of Binagadi and Ismayilli District published similar materials on their respective websites. The websites of other local executive authorities do not contain any similar materials.</p>
2.5	<i>Development of the internet portals dedicated to all areas covered by the state programs.</i>
Responsible for implementation	Central and local executive authorities during years 2012-2015.
Indicator for assessment	2.5. Number of the Internet portals dedicated to all areas covered by the state programs.
Methodological basis	<p>3 – <i>The Internet portals dedicated to at least half of all areas covered by the state programs have been developed;</i></p> <p>2 – <i>The Internet portals dedicated to the</i></p>

¹⁰ Some examples from the Ministry of Taxes:

<http://taxes.gov.az/modul.php?name=birpencere&lang=&bolme=legal&bolme2=erize>,
<http://taxes.gov.az/modul.php?name=birpencere&lang=&bolme=legal&bolme2=nizaml>
a; and the Ministry of Education:
http://xaricdetehsil.edu.gov.az/uploads/Elektron_erizenin_doldurulmasina_dair_telimat.pdf

	<p><i>areas covered by the state programs haven't been developed, but some preparatory works have been carried out;</i></p> <p><i>0 – No evidence of progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	2
Rationale	<p>The state programs, national action programs and actions plans covering numerous areas have been monitored during the assessment process. Some of these programs have been completed in 2013. The majority of monitored 48 central executive authorities haven't developed separate websites for these programs and just added "State Programs" sections to their official websites. These sections usually contain the texts of programs themselves and no information about their implementation. However, some state institutions have created separate websites about the state programs and their implementation. For example, the Ministry of Education has developed the Internet portal for the State Program on Study of Azerbaijani Youth Abroad (www.xaricdetehsil.edu.gov.az) and it is fully operational. Another such portal is www.mesafedenmekteb.edu.az and covers the application of IKT in the education process. Another portal intended for publishing of electronic textbooks – www.e-derslik.edu.az has been just launched.</p>

	<p>The Ministry of Communication and High Technologies has also developed the Internet portal (www.azerkosmos.az) within the State Program on Establishment and Development of Space Industry. The E-Government Program is one of the successful state programs¹¹ and has its own operational Internet portal (www.e-gov.az).</p> <p>Out of 48 monitored central executive authorities, 43 were sent requests for information and among the received responses, only 2 state bodies have given some information about the Internet portals they have developed for the state programs; one state body stated that preparatory works for the development of the portal were underway.</p> <p>The Ministry of Internal Affairs wrote in its official response that it had started the preparatory work in this direction. However, the monitoring process revealed that no websites were developed or any preparatory work had been carried out in connection with numerous state programs, especially in the areas of agriculture and healthcare.</p>
2.6	<p><i>Identification of a common template and minimum criteria to be met by the websites</i></p>

¹¹ For instance, 339 out of 460 officially approved e-services have been integrated into the electronic government portal and are available for online users. Number of all services available on the portal is 423 out of all 500 services provided by all state institutions. More than 27,500,000 online applications have been lodged since the launch of the portal.

	<i>of the state authorities in accordance with modern standards¹².</i>
Responsible for implementation	Cabinet of Ministers, Special State Protection Service, Ministry of Communication and Information Technologies, Commission on Combating Corruption during 2013.
Indicator for assessment	2.6. Measures included in the annual report of the Cabinet of Ministers of the Republic of Azerbaijan.
Methodological basis	<i>1 – Measures were included; 0 – Measures were not included.</i>
Monitoring score	1
Rationale	The annual report of the Cabinet of Ministers for 2013 wasn't published on the website of the Cabinet of Ministers ¹³ , but it was published as a booklet and distributed among the Members of Parliament. The report states that a certain document entitled "The REQUIREMENTS on the Development and Maintenance of the Internet Information Resources of the State Institutions" was approved by decree number 189 of the Cabinet of Ministers back on September 4th, 2012. Although this

¹² The common template and minimum criteria to be met by the websites of the state authorities are regulated with "The REQUIREMENTS on the Development and Maintenance of the Internet Information Resources of the State Institutions" was approved by the decree number 189 of the Cabinet of Ministers dated September 4, 2012: <http://e-qanun.az/framework/24256>

¹³ The Cabinet of Ministers has not provided any rationale why the report is not published.

	document was approved one day before the approval of the National Action Plan for 2012-2015, the websites of the state authorities have been aligned with the common template and minimum criteria set by this document and thus, this action has been completed.
2.7	<i>Inclusion of the information on measures taken in order to promote open government and combat corruption in the reports of the Cabinet of Ministers of the Republic of Azerbaijan to the Parliament of the Republic of Azerbaijan.</i>
Responsible for implementation	Cabinet of Ministers during years 2012-2015.
Indicator for assessment	2.7. Inclusion of the information on measures taken in order to promote open government and combat corruption in the reports of the Cabinet of Ministers of the Republic of Azerbaijan to the Parliament of the Republic of Azerbaijan.
Methodological basis	<i>1 – Measures were included; 0 – Measures were not included.</i>
Monitoring score	0
Rationale	The 429-page "Report on the activities of the Cabinet of Ministers of the Republic of Azerbaijan for 2015" had no systematic information on OGI NAP implementation. Even section 12 on the implementation of main state programmes does not mention OGI NAP, but contains information about other programmes like the State Program on

	<p>Social-Economic Development of the Regions of the Republic of Azerbaijan for 2014-2018, the State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015, and the State Program on the Reliable Supply of Food Products to the Population in the Republic of Azerbaijan for 2008-2015. The report of the Cabinet of Ministers mentions the Open Government Initiative National Action Plan for 2012-2015 only four times and in each case refers to fragmented details about work done by various state institutions in regards to the implementation of the plan.</p> <p>For the first time, OGI NAP is mentioned in section 6 (Social areas) subsection 8 (Family, women and children issues)¹⁴: "Together with Azerbaijan University and within the framework of the Open Government Initiative National Action Plan for 2012-2015 a training titled "Increasing transparency and providing better services to the citizens in the area of family and children issues" was delivered to students and civil servants."</p> <p>In subsection 10 (Migration) of the same section there is information about the</p>
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¹⁴ Report on the activities of the Cabinet of Ministers of the Republic of Azerbaijan for 2015, p. 200.

	<p>implementation of the fourth activity in the fourth area of NAP¹⁵: "In several cities covered by various regional migration departments, "Open door" events – citizen forums were held and these events were reported in print and online media as well as TVs."</p> <p>In section 8 (Institutional areas) subsection 5 (Management and privatization of state property, and state registration of real estate) the report says: "Submission of respective information on the implementation of activities outlined in the Open Government Initiative National Action Plan for 2012-2015 approved by the Presidential Decree number 2421 on 5 September 2012 was ensured." Next paragraph elaborates this as the submission of the annual NAP implementation report by the State Commission for Combating Corruption¹⁶.</p> <p>In section 9 (Defence and public order) subsection 2 (Improvement of activities of law-enforcement agencies and fight against crime) the report says: "in line with the Open Government Initiative National Action Plan for 2012-2015, the head of media service was identified as the person responsible for ensuring the freedom of information; as well as relevant information</p>
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¹⁵ Report on the activities of the Cabinet of Ministers of the Republic of Azerbaijan for 2015, p. 212.

¹⁶ Report on the activities of the Cabinet of Ministers of the Republic of Azerbaijan for 2015, p. 275

	is regularly updated on the websites of the ministry and its divisions about transparency in activities, legal awareness of citizens, respective legislative acts, and e-services." ¹⁷
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¹⁷ Report on the activities of the Cabinet of Ministers of the Republic of Azerbaijan for 2015, p. 348

Area 3	Improvement of the Central Legislative Electronic Database
Average Score	1.5 out of maximum 2

3.1	<i>Regular updating and ensuring operating state of the State Register for Legislation of the Republic of Azerbaijan, as the official legal citation source.</i>
Responsible for implementation	Ministry of Justice on an on-going basis.
Indicator for assessment	3.1.1 Regular update of the online version of the State Register of Legislative Acts of the Republic of Azerbaijan.
Methodological basis:	<p><i>2 – The online version of the State Register of Legislative Acts of the Republic of Azerbaijan is updated systematically in line with the requirements of existing legislation;</i></p> <p><i>1 – The online version of the State Register of Legislative Acts of the Republic of Azerbaijan is updated in line with the requirements of existing legislation, but not in a systematic way;</i></p> <p><i>0 – No evidence of progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	2
Rationale	The analysis of the online version of the State Register of Legislative Acts of the Republic of Azerbaijan (www.huquqiaktlar.gov.az) showed that it is

	<p>regularly updated and in line with the requirements of the existing legislation. The updates are also in line with the provisions of section XIV of the Constitutional Law on Legislative Acts, and the Regulation of the Rules of State Registration of Legislative Acts. Legislative changes are also reflected on e-ganun.az website which is a part of the State Register and it is also updated in line with the current requirements of legislation.</p>
Indicator for assessment	3.1.2. The online version of the State Register of Legislative Acts of the Republic of Azerbaijan is accessible without any disruptions.
Methodological basis	<p><i>2 – The online version of the State Register of Legislative Acts of the Republic of Azerbaijan is accessible without any disruptions;</i></p> <p><i>1 - The online version of the State Register of Legislative Acts of the Republic of Azerbaijan is accessible without any serious disruptions;</i></p> <p><i>0 – The online version of the State Register of Legislative Acts of the Republic of Azerbaijan is accessible with serious disruptions.</i></p>
Monitoring score	1
Rationale	The analysis of the online version of the State Register of Legislative Acts of the Republic of Azerbaijan (www.huquqiaktlar.gov.az) and its “sister”

	<p>web page (e-qanun.az) showed that they are usually in operation with some minor disruptions. These disruptions are not serious and occur when there are some significant legislative changes or new legislative acts are adopted.</p>
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Area 4	Increasing public's participation in the activity of the state institutions
Average Score	2 out of maximum 2.7

4.1	<i>Involvement of the civil society representatives in the elaboration of draft legislation of public interest, organization of public hearings by state institutions</i>
Responsible for implementation	Central and local executive authorities on an on-going basis.
Indicator for assessment	4.1. Number of the draft legislation acts of public interest elaborated with the involvement of the civil society representatives.
Methodological basis:	<p><i>3 – Half of the draft legislation acts of public interest were elaborated with the involvement of the civil society representatives;</i></p> <p><i>2 – Less than half of the draft legislation acts of public interest were elaborated with the involvement of the civil society representatives;</i></p> <p><i>1 – Preparatory works are underway for the involvement of the civil society representatives in the elaboration of draft legislation acts of public interest;</i></p> <p><i>0 – No evidence of progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	2
Rationale	Only 16 of monitored 46 central executive authorities have organized public discussions. Some central executive authorities stated in

their reports that they had done preparatory work in this area; others stressed the absence of necessity to draft any legislative acts.

There is no information available on the official websites, in the reports or in any related information resources of local executive authorities on drafting any legislative acts.

However, the reports usually note the facts of public discussions and give no details about organizations and people who took part in discussions, their numbers, suggestions and proposals put forward in discussions and whether any of them were accepted.

"The Procedure of the public discussion of the draft legislation acts prepared by the central and local executive authorities, as well as the local self-government institutions" (approved by the decree number 172 of the Cabinet of Ministers on 30 May 2014) defines public discussion as a meeting of authorized representatives of the respective authorities, members of the civil society institutions, individual citizens, experts and professionals to hold public consultations on the draft legislation acts and to raise awareness of the citizens. The procedure demands the central executive authorities to create a special section on their websites and link it to the e-government portal for the organization of the

	<p>public hearing and public discussion on the draft legislation acts they have prepared.</p> <p>The respective central executive authority should publish the draft legislation act on its official website and on the e-government website when the act is sent for further deliberations. The draft legislation act should remain on the special section of the website for a period of 60 days in order to receive feedback, comments and suggestions from the civil society institutions, individual citizens, experts and professionals. If the central executive authority is entitled to prepare the draft legislation act for a period of three months or less, the draft act should be available on the website for a period of 10 days.</p> <p>Unfortunately, the majority of monitored central executive authorities do not comply with these requirements.</p>
4.2	<i>Establishment of the appropriate councils or cooperation networks with a view to improve interaction with the civil society by state institutions delivering public services.</i>
Responsible for implementation	Central and local executive authorities during years 2012-2013.
Indicator for assessment	4.2. Number of the appropriate councils or cooperation networks established by the state institutions delivering public services.
Methodological basis	<i>2 – All state institutions delivering public services have established appropriate</i>

	<p><i>councils or cooperation networks;</i> <i>1 – Some state institutions delivering public services have established appropriate councils or cooperation networks;</i> <i>0 – No progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	1
Rationale	<p>These activities were planned to start in 2012, but the development of the respective legislative framework was further delayed. During the previous reporting period (September 2013 – December 2014) the required councils or cooperation networks have been established at the Ministry of Youth and Sports, the Ministry of Justice, the Ministry of Labour and Social Protection, the Ministry of Ecology and Natural Resources, the State Agency for Public Service and Social Innovations, the State Social Protection Fund and other state institutions¹⁸. The situation with the establishment of public councils at the local executive authorities is much more challenging. In their official responses to the requests for information, some local executive authorities have</p>

¹⁸ In order to establish public councils or cooperation networks, the central and local executive authorities have to put up a notice on their official websites or other available media (mass media, notice boards, etc). These notices have to contain information on requirements for candidates, the start and the deadline of registration process. Each capable citizen aged at least 16 may be a candidate if they have appropriate experience or knowledge. Representatives of civil society organisations (in case of local authorities, their local chapters or the institutions working in the respective territory) should come together in equal numbers for a meeting and choose the members of public council by secret ballot.

	<p>presented the Elders' Councils as public councils. In almost all of the districts of Azerbaijan, there are local Elders' Councils. The Elders' Councils are non-governmental organizations and their status and activities are regulated by the Law on NGOs (Public Unions and Funds). The Elders' Councils cannot replace public councils. Among the local executive authorities, only the Executive Authority of Binagadi District has complied with the requirements of the Regulations and established the public council¹⁹.</p> <p>In the Review of the Implementation of the Open Government Initiative National Action Plan ²⁰ the State Anti-Corruption Commission notes that generally the number of public councils under central executive powers is limited.</p> <p>For this purpose, it is necessary to enforce the provisions of the Law on Public Participation²¹ which was enacted on January 16, 2014 and thus, ensures the activities of the public councils are under the state authorities.</p>
<p>4.3</p>	<p><i>Usage of web-pages as a means of involving the public in decision-making processes on</i></p>

¹⁹ The Regulations require that a local authority establish an election commission composed of 9 members (5 members from the civil society, 4 members from the local authority). The commission determines number of the members of public council (5 to 15) and organises the election process. Representatives of civil society organisations come together in equal numbers for a meeting and choose the members of public council by secret ballot.

²⁰ [http://www.commission-anticorruption.gov.az/upload/file/OGP%20\(action%20plan%20review\)%20.pdf](http://www.commission-anticorruption.gov.az/upload/file/OGP%20(action%20plan%20review)%20.pdf)

²¹ The Law on Public Participation: <http://www.president.az/articles/10814>

	<i>matters of public concern (reception of comments and proposals of citizens, organization of discussions, development of the Questions-Answers (Q&A) sections, etc.)</i>
Responsible for implementation	Central and local executive authorities on an on-going basis.
Indicator for assessment	4.3. Number of the central and local executive authorities using their websites as a means of involving the public in decision-making processes on matters of public concern.
Methodological basis	<p><i>3 – More than 70% of central and local executive authorities use their websites as a means of involving the public in decision-making process;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities use their websites as a means of involving the public in decision-making process;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities use their websites as a means of involving the public in decision-making process;</i></p> <p><i>0 – None of central and local executive authorities uses their websites as a means of involving the public in decision-making process.</i></p>
Monitoring score	2

<p>Rationale</p>	<p>All of the monitored 46 central executive authorities have FAQ and electronic application sections on their official websites. Most websites published FAQs as separate menu items.</p> <p>However, a close analysis of the websites and reports of the central executive authorities revealed that these sections look interactive only to those not used to navigating via public authorities' web pages.</p> <p>The below question and its answer taken from the website of the Ministry of Labour and Social Protection²² is a good example to this. Although the minimum wage is no longer a factor in calculation of income tax from salaries and has already been replaced by the subsistence minimum for four years, the information in the FAQ section has not been updated yet.</p> <p>Question: <i>How are income tax and social insurance contribution calculated from the salary?</i></p> <p>Answer: <i>According to Article 176.1 of the Labour Code, total deductions may not exceed 20 percent of the employee's compensation. In the case of legal actions defined by law, the deductions may not exceed 50 percent of his compensation.</i></p> <p><i>According to Article 176.2, when legal documents require several simultaneous deductions, the employee always shall be paid 50 percent of his compensation.</i></p> <p><i>First of all, we would like to bring to your attention that salaries equal to the amount of minimum wage (today this amount is equal to 93.5 AZN) are exempt from income tax; only social insurance contributions</i></p>
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²² <http://www.mlsp.gov.az/az/pages/19/52>

	<p><i>are deducted from them. If a salary exceeds the amount of minimum wage, then income tax is calculated not from the entire salary, but from the part exceeding the minimum wage. If a salary exceeds 200 AZN, then income tax is calculated from the entire salary</i></p> <p>Besides, there is no or little information available in the reports of central executive authorities on using their websites as means to facilitate public participation in the decision-making process.</p> <p>All monitored 45 local executive authorities have similar means technically available on their websites. But a close analysis of the official local executive websites revealed that although there are online application functions available on all sites, they are mostly formal. The websites are not used as a means to facilitate public participation or public discussion.</p> <p>The expert group used online application functions and sent requests to several local executive authorities and received no response.</p>
4.4	<i>Organization of the "Open-Door" forums by state institutions.</i>
Responsible for implementation	Central and local executive authorities on an on-going basis.
Indicator for assessment	4.4. Number of the central and local executive authorities organizing "Open Door" citizen forums.
Methodological basis	<i>3 – More than 70% of central and local executive authorities organized "Open Door"</i>

	<p><i>citizen forums;</i></p> <p><i>2 – Between 20% and 70% of central and local executive authorities organized "Open Door" citizen forums;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities organized "Open Door" citizen forums;</i></p> <p><i>0 – None of central and local executive authorities organized "Open Door" citizen forums.</i></p>
Monitoring score	3
Rationale	<p>Only 10 of all monitored 46 central executive authorities (21.7%) and 8 of all 45 monitored local executive authorities (17.8%) did not organize "Open door" citizen forums.</p> <p>State institutions that did not organize "Open door" citizen forums constitute 17.8% of all central and local executive authorities covered by the monitoring. No information were available on their official websites, in their reports or other related resources to confirm organization of any "Open door" citizen forums.</p>

Area 5	Improvement of e-Services
Average Score	2 out of maximum 2.3

5.1	<i>Evaluation of the e-services and public disclosure of the results.</i>
Responsible for implementation	Ministry of Communications and High Technologies, State Service for Public Service and Social Innovations of the Republic of Azerbaijan on an on-going basis.
Indicator for assessment	5.1.1. Evaluation of all forms of e-services.
Methodological basis:	<p>2 – <i>The evaluation of the e-services is being conducted;</i></p> <p>1 – <i>The preparatory work for the evaluation of the e-services is underway;</i></p> <p>0 – <i>No evidence of progress observed confirming the implementation of planned activities.</i></p>
Monitoring score	2
Rationale	<p>In 2015, the State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan, conducted an evaluation of the organization and provision of e-services by state authorities in line with "the Guidelines on the evaluation of the organization and provision of e-services by the state authorities".</p> <p>Organization and provision of 438 e-services offered by 39 central executive authorities were evaluated in the monitoring period. Each e-service was analysed according to criteria</p>

	<p>such as:</p> <ul style="list-style-type: none"> ~ digitalization and connectivity, ~ information openness and access, and ~ ease of use. <p>Separate reports were prepared for each state institution on the status of organization and provision of their e-services with respective deficiencies, remedies, and recommendations</p> <p>The working group used special software to prepare their reference on the results of evaluation of organization and provision of e-services during the reporting period.</p> <p>The Agency also reviewed 21 administrative regulations defining the procedures of provision of e-services and submitted by various state institutions. Besides, the Agency reviewed projects of 12 new e-services to be offered by 5 central executive authorities. These reviews were done in line with the "Rules of reviewing the expediency of the project proposals submitted by public authorities on information systems, information resources, and e-services".</p>
Indicator for assessment	5.1.2 The publication of the evaluation results.
Methodological basis	<p>2 – <i>The results of the evaluation of the e-services have been published;</i></p> <p>1 – <i>The results of the evaluation of the e-services have not been published, but the preparatory work for publication are underway;</i></p> <p>0 – <i>No facts observed confirming the publication of the evaluation results.</i></p>

Monitoring score	2
Rationale	The State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan disclosed the implementation period of evaluation conducted in central executive authorities in their annual report ²³ . The Agency also prepared the timetable of evaluation conducted in central executive authorities and published it on their website ²⁴ . However, it should be noted that even though the timetable of evaluation in addition to the list of evaluated state institutions are publicly available, the results of those evaluations are not being disclosed.
5.2	<i>Public presentation on e-services delivered by state institutions within their area of activity, at least once a year.</i>
Responsible for implementation	Central and local executive authorities during years 2013-2015.
Indicator for assessment	5.2. Number of state institutions holding public presentations on their e-services at least once a year.
Methodological basis	3 – <i>More than 70% of central and local executive authorities delivering/providing e-services have held a public presentation at least once a year;</i> 2 – <i>Between 20% and 70% of central and local executive authorities</i>

²³http://www.vxside.gov.az/images/files/DA_Hesabat_2015.pdf

²⁴<http://vxside.gov.az/redirect/post/pid/1257>.

	<p><i>delivering/providing e-services have held a public presentation at least once a year;</i></p> <p><i>1 – Less than 20% of the central and local executive authorities delivering/providing e-services have held a public presentation at least once a year;</i></p> <p><i>0 – None of central and local executive authorities delivering/providing e-services have held any public presentations.</i></p>
Monitoring score	2
Rationale	<p>During the monitoring process, only 21 central executive authorities out of all central executive authorities providing e-services, organized public presentations on their e-services.</p> <p>This represents 44.7% of all the state institutions covered by the monitoring. But it is not possible to state that that all 21 state institutions organized a separate presentation about their e-services. Most of these state institutions stated that they had presented their e-services as part of various events dedicated to other topics.</p> <p>The Ministry of Economy and Industry, State Service for Public Service and Social Innovations, the State Social Protection Fund and the Ministry of Communication and High Technologies are the examples of the state institutions which have been organizing public presentations about their e-services on regular basis.</p>

	During the reporting period, these institutions have also organized public presentations about their e-services in different regions of the country.
5.3	<i>Development of the unified system in order to ensure the electronic information exchange between the state institutions.</i>
Responsible for implementation	State Service for Public Service and Social Innovations, Ministry of Communication and High Technologies, Special State Protection Service during years 2013-2014.
Indicator for assessment	5.3. Development of the unified system for the electronic information exchange between the state institutions.
Methodological basis	<p>2 – <i>The unified system for the electronic information exchange between the state institutions has been developed;</i></p> <p>1 – <i>Preparatory work for the development of the unified system for the electronic information exchange between the state institutions are underway;</i></p> <p>0 – <i>No evidence of progress was observed regarding the development of the unified system for the electronic information exchange between the state institutions.</i></p>
Monitoring score	2
Rationale	The Ministry of Communication and High Technologies has stated in its official response to the information request that the "Electronic Government" State Information System had been developed and 40 state institutions had been integrated into the

	<p>system.</p> <p>In order to organize the information exchange between the information systems of various state institutions and to allow citizens to access the government e-services on "one stop shop" principle, a special electronic government portal (www.e-gov.az) was developed and implemented.</p> <p>It should be also noted that the Ministry of Communication and the State Agency for Public Service and Social Innovations prepared a draft law on the state information systems and information resources and presented it to the government for further deliberation.</p>
5.4	<i>Improvement of electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues.</i>
Responsible for implementation	Central executive authorities, State Service for Public Service and Social Innovations during years 2013-2014.
Indicator for assessment	5.4. The electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues.
Methodological basis	<p><i>2 – Measures for the improvement of the electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues have been implemented;</i></p> <p><i>1 – Preparatory work for the improvement of the electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues are underway;</i></p> <p><i>0 – No evidence of progress observed</i></p>

	<i>confirming the preparation and implementation of measures for the improvement of the electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues.</i>
Monitoring score	2
Rationale	<p>The Central Bank of the Republic of Azerbaijan has established the National Payment System (NPS) infrastructure. One new component of the NPS, the Centralized Information System for Mass Payments (CISMP) was developed and put into use on July 11, 2008. The main objectives of the CISMP were to improve the internal information systems of the public utility and other public service companies and to integrate them into the NPS, to improve the collection rate and transparency of public utility payments and to integrate the financial turnover of the public utility companies into the banking system.</p> <p>The Central Bank has also created the Government Payment Portal (GPP) on the basis of the CISMP to ensure online payment of duties and other payments for services provided by state institutions.</p>
5.5	<i>Implementation of measures facilitating access to e-services in the regions.</i>
Responsible for implementation	Central executive authorities, State Service for Public Service and Social Innovations, Ministry of Communication and High Technologies, Special State Protection

	Service during years 2013-2014.
Indicator for assessment	5.5. Implementation of the measures facilitating the access to e-services in the regions.
Methodological basis	<p><i>3 – At least one measure has been implemented in more than 70% of the regions for facilitating the access to e-services;</i></p> <p><i>2 – At least one measure has been implemented in between 20% and 70% of the regions for facilitating the access to e-services;</i></p> <p><i>1 – At least one measure has been implemented in less than 20% of the regions for facilitating the access to e-services;</i></p> <p><i>0 – No measures have been implemented for facilitating the access to e-services in the regions.</i></p>
Monitoring score	2
Rationale	<p>The Ministry of Communication and High Technologies stated that they were in the process of negotiations with the respective authorities for the implementation of the National Broadband Internet Development project.</p> <p>In order to facilitate the access to e-services in the regions and to raise the awareness of the local residents, the State Agency for Public Service and Social Innovations has the mobile ASAN service – specially equipped buses serving the population of 37 districts by providing e-services in 21 locations throughout the country.</p>

	<p>One of the activities of the ASAN service centres of the Agency is so-called "self-service". Special "self-service" booths installed in the ASAN centres provide an opportunity for citizens to use all types of electronic services by means of computers connected to the Internet²⁵. There are 3 "self-service" booths installed in the Sumgait ASAN service centre and 4 booths – in the Ganja ASAN service centre.</p>
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²⁵ One of the services available in the ASAN centres is so-called "self-service". "Self-service" is an opportunity for citizens to use all types of electronic services by means of computers connected to the Internet in the booths installed in the ASAN centres. Citizens without their own personal computers may come to ASAN centres to use these computers to access various e-services. Citizens who have problems using e-services available on the websites of state institutions may ask help for the staff of ASAN centres. "Self-service" booths are currently available in all ASAN centres: http://www.asan.az/uploads/files/Texniki_avadanliq.pdf

Area 6	Increase of Transparency in State Financial Control Institutions
Average Score	1.2 out of maximum 1.9

6.1	<i>Delineation of powers of the state financial control institutions and development of draft legislation providing for improved legal basis for the state financial control.</i>
Responsible for implementation	Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Ministry of Taxes during years 2013-2014.
Indicator for assessment	6.1.1 Delineation of powers of the state financial control institutions.
Methodological basis:	<p><i>3 – Powers of more than half of the state control institutions are delimited;</i></p> <p><i>2 – Powers of fewer than half of the state control institutions are delimited;</i></p> <p><i>1 – Powers of the state control institutions are not delimited, but some preparatory work is underway;</i></p> <p><i>0 – Powers of the state control institutions are not delimited, or no preparatory work is underway.</i></p>
Monitoring score	2
Rationale	The Cabinet of Ministers, the Ministry of Finances and the Chamber of Accounts did not respond to the information requests to enquire the implementation status of this paragraph. No systematic information on the implementation of OGI NAP is available on the websites of these institutions, as well as

	<p>part of the annual report of the Cabinet of Ministers to the Parliament. The Ministry of Taxes stated in their 2014 OGI NAP report that they had not received any documents delimitating the powers of state financial control institutions.</p> <p>A close monitoring of legislation sections of the official web pages revealed that no new activities were recorded when it comes to delimitation of the power of state financial control institutions during years 2014 and 2015.</p> <p>During the entire implementation period of OGI NAP, the only evidence observed in this area was the establishment and delimitation of powers when it comes to the State Financial Control Service at the Ministry of Finances.</p>
Indicator for assessment	6.1.2 The Law on State Financial Control is drafted.
Methodological basis	<p><i>2 – The law has been drafted;</i></p> <p><i>1 – The law is being drafted;</i></p> <p><i>0 – The law has not been drafted yet and no preparatory work is underway.</i></p>
Monitoring score	1
Rationale	The Cabinet of Ministers, the Ministry of Finances and the Chamber of Accounts did not respond to the information requests aimed to enquire the implementation status of this paragraph. No systematic information on the implementation of OGI NAP is available on the websites of these institutions, as well as in

	<p>the annual report of the Cabinet of Ministers to the Parliament.</p> <p>The Ministry of Taxes stated in their 2014 OGI NAP report that they had not received any documents for reviews or feedbacks. The State Commission for Combating Corruption stated in their OGI NAP reports for years 2013 and 2014 that the Ministry of Finances had reviewed the relevant international practices, drafted the legislative act, and sent it to the Cabinet of Ministers. However, the draft law was not brought before the Parliament as there is no information available about the draft law on the official web page of the Parliament²⁶.</p> <p>Besides, as it was clear from the statement issued by the head of the Chamber of Accounts to the media, the Law on State Financial Control was not on the government agenda; instead, Budget Code was being drafted at that moment. However, a new draft law on the Chamber of Accounts was also prepared in order to improve financial control²⁷.</p>
<p>6.2</p>	<p><i>Enhancement of accountability of state financial control institutions and disclosure of the results of the financial examinations, analyses and statistical data to the public</i></p>
<p>Responsible for implementation</p>	<p>Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Ministry of Taxes</p>

²⁶ <http://meclis.gov.az/?/az/legislation/>

²⁷ http://fins.az/budce/891396/Dovlet_auditi_maliyye_pozuntularinin_qarsisini_alacaq_HESABLAMA_PALATASININ_SADRI.html

	during years 2013-2015.
Indicator for assessment	6.2.1. Implementation of relevant measures to enhance the accountability of state financial control institutions.
Methodological basis	<p>2 – <i>Relevant measures to enhance the accountability of state financial control institutions are being implemented;</i></p> <p>1 – <i>Preparatory work is underway for relevant measures to enhance the accountability of state financial control institutions;</i></p> <p>0 – <i>No facts were observed on implementation of any measures to enhance the accountability of state financial control institutions.</i></p>
Monitoring score	0
Rationale	Relevant measures to enhance the accountability of state financial control institutions were meant to be included in the Law on State Financial Control. Since the law is not adopted, it shows that the measures have not been implemented
Indicator for assessment	6.2.2. Disclosure of analyses and statistical data about the results of financial control to the general public.
Methodological basis	<p>2 – <i>Analyses and statistical data about the results of financial control are disclosed to the general public;</i></p> <p>1 – <i>Analyses and statistical data about the results of financial control are not disclosed to the general public, but some preparatory work is underway;</i></p>

	<i>0 – Analyses and statistical data about the results of financial control are not disclosed to the general public, no preparatory work is underway;</i>
Monitoring score	2
Rationale	The state financial control institutions publish their annual reports on their official websites and disclose them to the general public through mass media. The State Financial Control Service at the Ministry of Finances disclosed more detailed information in 2015 than during the previous years. The Chamber of Accounts have also started to open up more detailed information on their audit activities.
6.3	<i>Application of the IT in the state financial control area and elaboration of the e-control system.</i>
Responsible for implementation	Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Ministry of Taxes during years 2013-2014.
Indicator for assessment	6.3. Electronic control system (e-control) is established.
Methodological basis	<i>2 – Electronic control system (e-control) is established;</i> <i>1 – Preparatory work is underway to establish the electronic control system (e-control);</i> <i>0 – Electronic control system (e-control) is not established and no preparatory work is underway;</i>
Monitoring	1

score	
Rationale	<p>The first measure in this direction was the establishment of the Information System for Treasury Management (ISTM) based on SAP programme. ISTM was meant to improve the treasury system of the Ministry of Finances. Starting from 2014, all direct expenditures in national and foreign currencies are managed through this system. The software managing the transactions between the Ministry of Finances and budgetary institutions also works in ISTM.</p> <p>Also the State Treasury Agency at the Ministry of Finances established the Treasury Information Management Portal. The purpose of this portal is to allow any state institutions to send their documents in scanned form to the Treasury Agency after they acquire e-signatures or ASAN signatures. Ministry of Taxes have revised the terms of use for the Automated Tax Information System at the Central bank and allowed a greater exchange of data since 25 November 2014.</p> <p>However, the Treasury Information Management Portal is not fully operational. Not all central executive authorities and their regional divisions, or all required financial documents are covered by this system. "Access with the certificate" function on the portal (https://portal.dxa.gov.az/) was not active during the reporting period. Some central and local executive authorities have not acquired e-signatures and ASAN</p>

	<p>signatures yet.</p> <p>The State Treasury Agency stated in their latest press releases that they had contracted Cerberus company to help improve the document management, reception of documents sent using e-signatures and preparation of relevant reports.</p>
6.4	<i>Organization of the mutual activity between state financial control institutions, establishment of the state financial control central database, development of the electronic data exchange.</i>
Responsible for implementation	Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Ministry of Taxes during years 2013-2014
Indicator for assessment	6.4. Establishment of the central database of state financial control institutions.
Methodological basis	<p>2 – <i>The central database of state financial control institutions is established;</i></p> <p>1 – <i>Preparatory work is underway to establish the central Database of state financial control institutions;</i></p> <p>0 – <i>The central database of state financial control institutions is not established and no preparatory work is underway;</i></p>
Monitoring score	1
Rationale	The Ministry of Finances indicated that they had started preparatory work to create such a database. However, the database was not yet in use as of end of 2015. The Ministry of Taxes stated in their 2014 OGI NAP report that they had prepared relevant web services

	for integration to the Financial Monitoring Service at the Central Bank. According to the mass media, information exchange between the Ministry of Taxes and the Chamber of Accounts is already in use.
6.5	<i>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.</i>
Responsible for implementation	Cabinet of Ministers, Chamber of Accounts, Ministry of Finances during years 2013-2014.
Indicator for assessment	6.5. Measures to improve control over the publication of the financial statements of the state-owned enterprises together with the auditor's report.
Methodological basis	<i>2 – Measures to improve control took place; 1 – Preparatory work to improve control are taking place; 0 – Measures to improve control did not take place and preparatory work was delayed.</i>
Monitoring score	1
Rationale	State institutions responsible for the implementation of this activity did not respond to the information requests. In order to assess the implementation status in this area, the expert group monitored the official websites of relevant institutions as well as all relevant information disseminated in the mass media. Reports on the implementation of the National Action Plan prepared by the State

	<p>Commission on Combating Corruption for both 2013 and 2014 were also consulted. According to the Commission reports, in connection with the implementation of this provision, articles 12 and 16 of the Law on Accounting, article 247.1 of the Code of Administrative Offences, as well as “Rules of submission, reporting period and publication of annual financial reports and consolidated financial reports of commercial entities” (approved by decision no 97 of the Cabinet of Ministers dated on 27 May 2010) were amended. The relevant articles of the Law on Accounting were amended in May 2012, the Code of Administrative Offences²⁸ – in November 2012. The latter provision was kept intact in the new Code on Administrative Offences that was adopted in 2015 and came into force on January 1st, 2016.</p> <p>The aforementioned decision of the Cabinet of Ministers was amended on 9 September 2012. The Cabinet of Ministers issued another decision on 1 October 2014 renewing the list of all institutions of public importance that have to do accounting and prepare their</p>
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²⁸ "Violation by the accounting subject of the regulations for execution, filing the statutory financial accounts and consolidated financial reports and other statements and information to be submitted to insurance supervision body, including correct reflection of information and indices in statements and other forms required under legislation, as well as keeping registration documents stipulated by the legislation entails imposition of the penalty on official persons in the amount of 300-400 manats, legal entities — 1500-2000 manats."

http://www.taxes.gov.az/uploads/qanun/2011/mecelleler/inzibati_xetalar_mecellesi_eng.pdf

	<p>financial statement in accordance with the International Financial Reporting Standards (except credit organisations, insurance companies, investment funds, non-state social funds, publicly listed legal entities). Some state-owned enterprises like SOCAR, Azersu or Azerenerji publish their annual financial statements together with auditor's report in order to comply with requirements of international financial institutions and attract their funding. However, other enterprises in the list, like some of SOCAR subsidiaries and Azerbaijan Airlines, do not publish their financial statements separately.</p>
6.6	<p><i>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.</i></p>
Responsible for implementation	<p>Ministry of Justice, Ministry of Finances, Chamber of Accounts during 2013.</p>
Indicator for assessment	<p>6.6. Development of proposals on the mechanism and procedure of oversight over drafting and execution of local budgets.</p>
Methodological basis:	<p>2 – <i>Proposals on the mechanism and procedure of oversight over drafting and execution of local budgets were presented;</i> 1 – <i>Preparatory work is underway to develop Proposals on the mechanism and procedure of oversight over drafting and execution of local budgets;</i> 0 – <i>Proposals on the mechanism and</i></p>

	<i>procedure of oversight over drafting and execution of local budgets were not developed.</i>
Monitoring score	2
Rationale	<p>According to the annual report on administrative oversight over the activities of municipalities (2013) submitted by the Ministry of Justice, it is reported that proposals to amend the Law on the Basics of Municipal Finances, as well as to the Code on Administrative Offences in line with the Open Government Initiative National Action Plan for 2012-2015 have been developed.</p> <p>Analysis of legislation in this area shows that the Law on the Basics of Municipal Finances and the Law on Accounting include provisions on financial reporting by municipalities, drafting and execution of local budgets, regulations of subsidies, subventions, and loans to municipalities, oversight over preparation of reports, etc. Besides, the Ministry of Finances considers including the municipalities in their activities when it comes to electronic reporting aspect.</p> <p>According to the recent changes made to the Law on Local (Municipal) Taxes and Payments, municipalities can no longer accept local taxes or payments in cash – they have to be paid via banks, postal service and other non-cash means.</p>
6.7	<i>Publication of the reports on the implementation of state budget and the</i>

	<i>relevant legislation drafts prior to referral to the Parliament of the Republic of Azerbaijan.</i>
Responsible for implementation	Cabinet of Ministers, Ministry of Finances during years 2013-2015.
Indicator for assessment	6.7. Measures to ensure the publication of the state budget and other relevant draft legislation prior to being presented in the Parliament of the Republic of Azerbaijan.
Methodological basis:	<i>1 – Reports on the execution of state budget and other relevant draft legislation are published prior to being presented before the Parliament;</i> <i>0 – Reports on the execution of state budget and other relevant draft legislation are not published prior to being presented before the Parliament;</i>
Monitoring score	1
Rationale	Research done in the mass media and on the website of the Ministry of Finances indicated that the state and consolidated budgets for 2016 were published on the ministry website at the beginning of October 2015, prior to the draft legislation being presented in the Parliament. ²⁹

²⁹ For additional information, see: <http://maliyye.gov.az/node/1128>

Area 7	Increase in Transparency of tax control and examination
Average Score	2 out of maximum 2

7.1	Provision of necessary information to and awareness raising among tax payers
Responsible for implementation	Ministry of Taxes during years 2012-2014.
Indicator for assessment	7.1. Implementation of measures aimed at providing taxpayers with necessary information.
Methodological basis:	<p><i>2 – Measures aimed at providing taxpayers with necessary information were implemented;</i></p> <p><i>1 – Preparatory work is underway to implement measures aimed at providing taxpayers with necessary information;</i></p> <p><i>0 – Measures aimed at providing taxpayers with necessary information were not implemented and no preparatory work is underway;</i></p>
Monitoring score	2
Rationale	A special booklet entitled "Features of utilizing cash registers and special accounting forms" and another booklet in line with the new "Rules of installation, use and application of POS-terminals in the territory of the Republic of Azerbaijan" (approved by the decision no. 219 of the Cabinet of Ministers on 4 October 2012) were also published.

In 2013, the Ministry has published 14 titles of small information booklets in Azerbaijani and English reflecting the necessary information about tax legislation and tax administration and took appropriate measures to deliver them to taxpayers. At the same time, the Ministry advertised for its new electronic service – mandatory registration of employment contracts by employers and placed a public service advertisement about employment contracts on the reverse side of electricity bills issued by Baku Electrical Network. The Ministry also put special advertisement boards around the country promoting the non-cash payment means.

In February 2014 the Ministry of Taxes imprinted on the 40 the ministry's logos to raise more awareness among the taxpayers. These care are used in management of document circulation, provision of mobile services, provision of services related to the use of POS-terminals, meetings with taxpayers and municipalities, events organised at schools or for the Tax Friends network, as well as advertisement and promotion.

In order to facilitate the use of POS terminals throughout the country, "For fast track, do not pay in cash!" campaign was launched in big shopping centres. Public service ads about the necessity of employment contracts were printed on the plane tickets. In cooperation with advertisement agencies operating in

	<p>Baku, the Ministry placed average of 90 advertisement boards and videos per month in different parts of the city, including road sides and big shopping centres stressing the importance of employment contracts. These kinds of activities are being implemented on a regular basis.</p> <p>Besides, the Ministry published the necessary information and guiding materials on their official website which registers up to 3 million visitors a year. There is also a FAQ section available on the website. The Ministry also took measures to send necessary information to the taxpayers via text messages.</p> <p>According to the 2015 OGI NAP report by the Ministry of Taxes, in 2012 they had published 15 titles of small information booklets reflecting the necessary information about tax legislation and tax administration, including the advantages of non-cash payment means, bank cards and POS-terminals. The Ministry published 111,500 copies (9,900 of them in English) and took appropriate measures to deliver them to taxpayers.</p>
7.2	<i>Implementation of measures in order to align the activity of the tax institutions with the IMF Code of Good Practices on Fiscal Transparency.</i>
Responsible for implementation	The Ministry of Taxes during years 2012-2013.

Indicator for assessment	7.2. Implementation of measures in order to align the activity of the tax institutions with the IMF Code of Good Practices on Fiscal Transparency.
Methodological basis	<p><i>2 – Measures to align the activity of the tax institutions with the IMF Code of Best Practice on Tax Transparency were implemented;</i></p> <p><i>1 – Preparatory work is underway to implement measures to align the activity of the tax institutions with the IMF Code of Good Practices on Fiscal Transparency;</i></p> <p><i>0 – No measures were implemented and no preparatory work was observed;</i></p>
Monitoring score	2
Rationale	<p>Information about some measures to align the activities of fiscal institutions with IMF Code of Good Practices on Fiscal Transparency were reported to the Cabinet of Ministers on September 6th, 2008. These measures include monitoring conducted by the Ministry of Taxes, aligning the respective legislation and the activity of the Ministry with the Code and implementation of the respective provisions of the Code within the competence of the Ministry.</p> <p>At the same time, IMF has been working on improving the Code and drafting amendments and supplements to it during the reporting period. The final text of the Code has been prepared taking into account the feedbacks</p>

	and comments and sent to the Executive Board of IMF for approval.
7.3.	<i>Implementation of measures in order to improve electronic payment of taxes and other mandatory payments.</i>
Responsible for implementation	Ministry of Taxes during years 2012-2013.
Indicator for assessment	7.3. Implementation of measures to improve electronic payment of taxes and other mandatory payments.
Methodological basis	<p><i>2 – Measures to improve electronic payment of taxes and other mandatory payments were implemented;</i></p> <p><i>1 – Preparatory work is underway to implement measures to improve electronic payment of taxes and other mandatory payments;</i></p> <p><i>0 – No measures were implemented and no preparatory works were observed.</i></p>
Monitoring score	2
Rationale	According to the report of the Ministry of Taxes, several measures were implemented in order to improve electronic payment of taxes and other mandatory payments. In particular, the Ministry of Taxes together with the Central Bank implemented relevant measures to integrate the Ministry of Justice into the Government Payment Portal in order to facilitate the payment of state duties using non-cash payment means. The Ministry of Justice prepared the lists of budget classification of duties and treasury accounts

of institutions collecting duties. The technical and other aspects of integration of the information system of the ministry to the Government Payment Portal were thoroughly discussed as well.

The Internet Tax Office of the Ministry of Taxes also has a new feature available to taxpayers starting from 21 October 2013. If any debts on VAT interests are incurred by taxpayers via their VAT deposit accounts, the amount is automatically charged from the sub-account to the budget.

The Ministry of Taxes did also several important measures to increase the range and numbers of e-services provided to the civil society and business community, in line with the Presidential "Decree on Some Measures in The Area of Organization of Electronic Services Provided by The State Institutions".

The Ministry has also launched the electronic payment system of taxes and duties in cooperation with the Central bank. During the entire reporting period, payments worth 154,4 million AZN entered the state budget via 754,163 payment operations. The ministry also upgraded their operational software to meet the needs of activities (preparing and sending) regarding the use of POS terminals.

Area 8	Increase transparency in extractive industries
Average Score	2 out of maximum 2

8.1	<i>Continuing the cooperation between the Government of the Republic of Azerbaijan and both local and foreign companies engaged in extractive industries, as well as civil society institutions, in order to ensure continuous implementation and development of the Extractive Industries Transparency Initiative in Azerbaijan.</i>
Responsible for implementation	State Oil Fund during years 2012-2015.
Indicator for assessment	8.1. Implementation of measures for the continuous cooperation between the Government of the Republic of Azerbaijan and both local and foreign companies engaged in extractive industries, along with civil society institutions, in order to ensure continuing implementation and development of the Extractive Industries Transparency Initiative in Azerbaijan.
Methodological basis:	<i>2 – Some measures have been implemented; 1 – Preparatory work for some measures are in progress; 0 – No measures have been implemented and no preparatory work is in progress.</i>
Monitoring score	2
Rationale	In their response to the information request, the State Oil Fund stated that EITI activities

	<p>went on, back in 2015, in accordance with the work plan for that year. During the reporting period, the Multi-Stakeholder Group (MSG) consisting of the representatives of the companies engaged in extractive industries, the civil society and the government had held 7 meetings, EITI Coalition also organised series of roundtables in cities of Shirvan, Neftchala and Gadabay with the support of the World Bank and SOFAZ.</p> <p>EITI NGO Coalition organized a seminar entitled "The compliance of the 2013 EITI report of Azerbaijan with EITI Standard" in October 2015, in order to familiarize the NGOs' representatives with new EITI Standard. The seminar took place in the administrative premises of SOCAR and was funded by the Council on State Support to NGOs.</p> <p>Another seminar to increase the proficiency of companies in preparing EITI reporting forms and improve the transparency of EITI reporting took place in SOCAR on July 30th, 2015. The seminar was organized for the representatives of the companies that are part of EITI Memorandum. Members of EITI NGO Coalition also took part in the event.</p>
8.2	<p><i>Continuation of the public disclosure of the information on cumulative incomes obtained by the Government of the Republic of Azerbaijan from the extractive industries.</i></p>
Responsible for implementation	State Oil Fund during years 2012-2015.

Indicator for assessment	8.2. Public disclosure of the information on cumulative incomes obtained by the Government of the Republic of Azerbaijan from the extractive industries.
Methodological basis	2 – <i>The information is disclosed;</i> 1 – <i>Preparatory work is underway to disclose the information;</i> 0 – <i>No information is disclosed and preparatory work is in progress.</i>
Monitoring score	2
Rationale	The 18th Report (for 2013) on the cumulative incomes, obtained by the Government of the Republic of Azerbaijan from the extractive industries, prepared in accordance with the EITI Standard, as well as the independent auditor's draft reconciliation report (more detailed than previous years) were approved on July 16th 2015. The independent auditor's draft reconciliation report for 2014 was presented to the Multi-stakeholder Group on 25 December and the EITI Implementation Report for 2014 was disclosed on 30 July. ³⁰
8.3	<i>Disclosure of the annual reports on the implementation of the Extractive Industries Transparency Initiative in Azerbaijan.</i>
Responsible for implementation	State Oil Fund during years 2012-2015.
Indicator for assessment	8.3. The publication of the annual report on the implementation of the EITI in Azerbaijan.

³⁰ EITI Implementation Report for 2013:

http://www.eiti.az/doc/2013/EITI_Report_2013_aze.pdf and EITI Implementation Report for 2014: http://www.eiti.az/doc/2014/18_03_2016_MS_AZ_.pdf

Methodological basis	<p><i>2 – The annual report on the implementation of the EITI in Azerbaijan was published;</i></p> <p><i>1 – Preparatory work is in progress for the publication of the annual report on the implementation of the EITI in Azerbaijan;</i></p> <p><i>0 – The annual report on the implementation of the EITI in Azerbaijan was not disclosed and preparatory works are in progress.</i></p>
Monitoring score	2
Rationale	<p>In their response to the information request the State Oil Fund stated that the annual report on the EITI implementation in Azerbaijan for 2014 was disclosed on June 29th, 2015³¹.</p>

³¹ http://www.eiti.az/doc/2014/feal_hesabat_2014.pdf

Area 9	Awareness raising and cooperation in the field of OGI
Average Score	1.7 out of maximum 2

9.1	<i>Evaluation of implementation of the Action Plan and disclosure to the public of its results on annual basis.</i>
Responsible for implementation	Commission on Combating Corruption during years 2012-2015.
Indicator for assessment	9.1.1. Annual evaluation of the implementation of the National Action Plan.
Methodological basis:	<p>2 – <i>The implementation of the National Action Plan was evaluated;</i></p> <p>1 – <i>Preparatory work was underway to evaluate the implementation of the National Action Plan;</i></p> <p>0 – <i>The implementation of the National Action Plan was not evaluated or no preparatory work was observed.</i></p>
Monitoring score	2
Rationale	<p>The central and local executive authorities have to report all information on the implementation of measures outlined in the Open Government Initiative National Action Plan to the Cabinet of Ministers and the Commission on Combating Corruption in accordance with the Presidential decree of 5 September 2012 which approved the plan.</p> <p>Besides these reports, the Commission also takes into account other sources of information, namely reports by mass media,</p>

	<p>and research, opinion and feedback by civil society groups.</p> <p>The assessment by the Commission is a two-step process.</p> <p>In the first step, the Commission evaluates 45 actions in 9 areas and identifies whether and why they are implemented in full, in part or not at all by respective state institutions. Each action is assigned scores on 0-2 scale. 0 score means "not implemented"; 1 score means "implemented in part"; 2 score means "implemented in full". Scores for all actions are added separately for each state institution, and the average scores for full, partial or non-implementation are calculated according to the score board of the same group of commitments.</p> <p>As part of the second step, the general implementation level of the actions envisaged for 2014 is determined based on the results of the initial evaluation.</p>
Indicator for assessment	9.1.2. Publication of the evaluation results of the implementation of the National Action Plan.
Methodological basis	<p><i>2 – The evaluation results of the implementation of the National Action Plan were published;</i></p> <p><i>1 – Preparatory work is underway to publish the evaluation results of the implementation of the National Action Plan;</i></p> <p><i>0 – The evaluation results of the implementation of the National Action Plan were not published and no</i></p>

	<i>preparatory work is underway.</i>
Monitoring score	2
Rationale	The Commission on Combating Corruption publicly discloses its evaluation reports of the Open Government Initiative National Action Plan, by publishing them on its official website (antikorrupsiya.gov.az). The reports are available in PDF form for reading and downloading in the Materials section of the menu, under "Implementation of the Action Plan" sub-menu.
9.2	<i>Publication and dissemination among the public of the educational material on Open Government Initiative</i>
Responsible for implementation	Commission on Combating Corruption, Cabinet of Ministers and central and local executive authorities on an ongoing basis.
Indicator for assessment	9.2. Publication of the educational materials on Open Government Initiative.
Methodological basis	<i>2 – Educational materials were published; 1 – Educational materials were prepared for publication; 0 – No materials were published and no preparatory work for publication is in progress.</i>
Monitoring score	2
Rationale	A close study of the websites, reports and other related resources of central and local executive authorities, addressed as part of this monitoring, has revealed that there are some challenges in this area. In particular,

most of 45 local executive authorities covered by the monitoring did not publish educational materials to promote open government. In the responses to the information requests and the reports published on the official websites, this was explained by the lack of respective funding in local budgets. Sumgait City Executive Authority and Binagadi District Executive Authority stated as part of their reports that they had implemented this action.

The Commission on Combating Corruption recommends that central and local executive authorities use modern information and communication technologies to promote open government on the Internet and social networks.

Some of 45 central executive authorities approached by the monitoring published both educational materials about open government and other publications on various actions outlined in the National Action Plan. Some of these publications were posted on the official websites.

The 429-page "Report on the activities of the Cabinet of Ministers of the Republic of Azerbaijan for 2015" had no separate section on the implementation of the Open Government Initiative National Action Plan. Even section 12 on the implementation of main state programmes does not mention OGI

	NAP, but has information about other programmes like the State Program on Social-Economic Development of the Regions of the Republic of Azerbaijan for 2014-2018, the State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015, and the State Program on the Reliable Supply of Food Products to the Population in the Republic of Azerbaijan for 2008-2015. The report of the Cabinet of Ministers mentions the Open Government Initiative National Action Plan for 2012-2015 only four times and in each case refers to some fragmented details about work done by various state institutions in regards to the implementation of the plan.
9.3	<i>Continuation of measures within the framework of implementation of commitments as part of the membership of Azerbaijan in the Open Government Partnership.</i>
Responsible for implementation	Cabinet of Ministers, central and local executive authorities and Commission on Combating Corruption during years 2012-2015.
Indicator for assessment	9.3. General assessment of the implementation of the National Action Plan.
Methodological basis	<i>2 – Significant achievements are recorded; 1 – Some achievements are recorded; 0 – No achievements are recorded.</i>
Monitoring score	1
Rationale	A careful examination of information

	<p>disclosed by 91 central and local executive authorities addressed by the monitoring, as well as their official websites, reports by mass media and interviews with experts, provide sufficient ground to conclude that no significant progress was achieved in the implementation of these commitments. In particular, availability of information on the implementation of the NAP commitments leaves much to be desired. Only 27 out of 87 central and local executive authorities (31%) responded to the information requests sent within the monitoring process in 2015 and provided their activity reports. 11 out of 87 (12.7%) cited various excuses in order not to make their reports public. 49 central and local executive authorities (56.3%) did not react to the information requests at all.</p> <p>In 2016, 27 out of 90 central and local executive authorities (30%) responded to the information requests and provided their reports, 11 (12.2%) – refused to make their reports available and 52 (57.7%) did not react at all.</p> <p>14 out of 46 central executive authorities addressed by the monitoring, have published their reports on their official websites. Some of them contain only general and unsystematic information and do not elaborate further or provide any relevant details.</p> <p>Compared to previous years, the local</p>
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	<p>executive authorities are better informed about the National Action Plan. However, it is almost impossible to obtain any information about its implementation from the websites of local executive authorities. These websites have no separate sections for reports. As a result, it makes the final assessment of the implementation of NAP difficult.</p> <p>Measures aiming to increase public participation in the work of state institutions, to publish regular and updated information about the activity of state institutions on their official websites, to organise direct communication with the general public, to organise public discussion through the websites and receive feedback, others, are not sufficient. All these result in less transparency and accountability of state institutions which are among the basic pillars of open government. Thus, among the key achievements are the improvement of e-services and further application of ICT.</p>
9.4	<i>Provision of the financial support to the civil society institutions for the implementation of the measures foreseen in the Action Plan.</i>
Responsible for implementation	Cabinet of Ministers, central and local executive authorities, Council for the State Support of the NGOs with the President of the Republic of Azerbaijan and Commission on Combating Corruption during years 2012-2015.
Indicator for	Provision of financial support to civil

assessment	society institutions for the implementation of the measures outlined in the National Action Plan.
Methodological basis	<i>2 – Financial support was provided; 1 – Preparatory work is in progress to provide financial support; 0 – No financial support was provided and no preparatory work is in progress.</i>
Monitoring score	2
Rationale	<p>On 21 October 2014 the President issued the decree no. 654 approving the list of state institutions that may award grants to legal entities and individuals in Azerbaijan in line with the latest amendments (no. 1081-IVQD, 17 October 2014) to the Law on Grants. The decree identifies following institutions as grant-awarding agencies:</p> <ul style="list-style-type: none"> • Ministry of Youth and Sport • Ministry of Culture and Tourism • Ministry of Environment and Natural Resources • Ministry of Communication and High Technologies • Ministry of Education • Ministry of Healthcare • Ministry of Finances • Council on State Support to NGOs • Commission on Combating Corruption <p>On 21 October 2015 the President also issued the decree no. 652 on "the Rules of coordinating grants awarded to NGOs by</p>

state institutions with the Council on State Support". According to these Rules, the grant-awarding state institutions have to award grants in agreement with the Council. This means that the Council has to review the topics and areas of proposed grants and submit their feedback to the relevant institutions.

The Rules require that the institutions submit the information about the areas they intend to fund next year to the Council, no later than 30 December of the incumbent year. The Council has to review and compare the proposals within 20 working days after they receive the relevant information; and within 10 working days the Council has to submit their feedback in written form. The Rules also require that the state institutions submit the information about NGOs participating in the call for proposals to the Council within 10 working days after they receive relevant applications. The Council has to give their feedback about the NGOs and their grant proposals to the state institutions within 10 working days. State institutions have to take into account feedback of the Council in both cases. If the Council fails to provide feedback to the relevant state institutions on grant competitions, intended topics and areas of grant activities, as well as the process of awarding the grants within the set timeline, it is considered that the Council does not have

	<p>any objections and provides its consent by default.</p> <p>The process of bringing the legislation in line with the aforementioned Rules was not finalised in 2015, but continued in 2016. The Cabinet of Ministers amended the "Rules on Registration of Grant Contracts (Decisions)" with the decree no. 73 on 22 February 2016. The Regulation of the Council on State Support to NGOs was amended by the Presidential decree no. 845 on 17 May 2016. However, awarding of grants to the NGOs by the state institutions continued during the reporting year despite the fact that grant legislation was not yet updated and finalised in 2015. The Council on State Support to NGOs played an active role in this direction. Both the Council and the Commission on Combating Corruption allocated funds to support activities outlined in the National Action Plan. The reports by both institutions support these facts. However, there is no evidence on on the side of the local executive authorities in terms of funding the civil society organisations during the reporting year.</p>
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ATTACHMENT 1
OPEN GOVERNMENT INITIATIVE
NATIONAL ACTION PLAN FOR 2012-2015

**Endorsed by the Presidential Decree of the 5th September
2012**

Enhancement of transparency in the state institutions of the Republic of Azerbaijan, provision of accountability, enlargement of public participation and application of the new technologies are key principles of this initiative. In order to improve the activity of the state institutions in line with the modern standards, National Strategy for Increasing Transparency and Combating Corruption for 2007-2011 has been implemented. This Strategy contained important measures in the area of Open Government. The Republic of Azerbaijan also joined all international initiatives in the sphere of Good Governance.

The Republic of Azerbaijan has also joined the Open Government Partnership (OGP) in 2012 with a view to improve its activities aimed at increasing transparency and promoting Open Government; to exchange the international experience; and to contribute to the international efforts in this area.

The following measures were implemented to implant the principles of transparency and open government in the activity of state institutions:

Freedom of information

Law on the Right to Obtain Information was enacted in 2005. The Commissioner for Human Rights (Ombudsman) was commissioned with the task of overseeing the implementation of the law. Practical measures facilitating the acquisition of information were enforced within the framework of the National Strategy for Increasing Transparency and Combating Corruption. The Strategy also defined the measures ensuring proactive submission of information to public by state institutions.

E-services

In 2010, the Second Electronic Azerbaijan State Program was adopted. The President signed the Decree on The Measures in Organizing E-Services on the 23rd May 2011. According to this Decree, the state institutions are bound to organize e-services within the area of their activity. The www.e-gov.az portal was launched in order to ensure one stop shop principle application in rendering e-services.

One stop shop

The state incorporation of the entrepreneurial activity is carried out according to the One-Stop Shop principle since 2008. As a result, the number of procedures for incorporation of the commercial legal persons dropped from thirteen to three, the term shortened from fifty three days to just three and the number of the documents to be provided was cut by five times. Azerbaijan was named a 'reformer state' in the World Bank survey of Doing Business 2009, due to reforms in the field of launching business. The registration of the physical persons for entrepreneurial

activity started as on the 1st June 2011 and the incorporation of the legal person, as of February 2012. Furthermore, One stop shop facilities were in the areas of border-checking of transported goods and vehicles as of 2008, immigration procedures as of 2009 and registration of imported vehicles as of 2011.

The State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan was established on July 2012 along with the ASAN service centers in order to ensure that all services are rendered to citizens from single source, with higher quality and in more convenient manner.

Extractive Industries Transparency Initiative

The Republic of Azerbaijan has joined the Extractive Industries Transparency Initiative (EITI) in 2003 and established the State Commission charged with the implementation of this initiative. The implementation mechanism for the initiative was defined by the State Commission, local and foreign companies engaged in extractive industries, NGOs acting in the field of increasing transparency in the extractive industries, subsequently leading to the signing of the Memorandum of Understanding on the Implementation of the Initiative in 2004. Azerbaijan was granted a status of the candidate in 2007 and was designated as EITI compliant in 2009. The State Oil Fund was rewarded with the UN Public Service Award for its achievements in the area of Raising Transparency, Accountability and Responsibility in 2007. In 2009, the EITI award was also conferred on Azerbaijan.

Cooperation with the civil society and ensuring public participation

NGOs' participation was ensured through their active involvement with the work of the working groups under the Commission on Combating Corruption of the Republic of Azerbaijan. The Information Network of Anti-Corruption NGOs was set up in 2005. The Commission on Combating Corruption joined the Network as a party. The Network has held public hearings on each of the draft legislation on increasing transparency and combating corruption. The Multi-stakeholder Coalition for Increasing Transparency in the Extractive Industries was set up in 2004, for the purpose of implementing the initiative.

The following measures are planned in the area of raising transparency and open government:

1. Facilitation of access to information

Actions and indicators of implementation:

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.

Implementation: central and local executive authorities in 2012-2014.

1.2. Comprehensive training for responsible civil servants in order to ensure freedom of information.

Implementation: central and local executive authorities in 2012-2014.

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 Law on the Right to Obtain Information, specialized training of the relevant employees.

Implementation: Commissioner for Human Rights (Ombudsman) in 2013-2014.

2. On-going visibility of the state institutions activity

Actions and indicators of implementation:

2.1. Up-loading and updating of information on their activity at their respective websites

Implementation: central and local executive authorities on on-going basis.

2.2. Composition of the annual reports and their uploading to the websites.

Implementation: central and local executive authorities in 2012-2015.

2.3. Holding of press conferences and other direct public communication events about their performance by state institutions.

Implementation: central and local executive authorities in 2012-2015.

2.4. Dissemination of reader-friendly versions of the legislation regulating the activity of the state institution, developed guiding principles.

Implementation: central and local executive authorities on on-going basis.

2.5. Development of the internet resources dedicated to the areas covered by the state programs.

Implementation: central and local executive authorities in 2012-2015.

2.6. Identification of a common template and minimum criteria to be met by the websites of the state authorities in accordance with modern standards.

Implementation: Cabinet of Ministers, Special State Protection Service, Ministry of Communication and Information Technologies, Commission on Combating Corruption in 2013.

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 the Parliament of the Republic of Azerbaijan.

Implementation: Cabinet of Ministers in 2012-2015.

3.1. Improvement of the Central Legislative Electronic Database

Actions and indicators of implementation:

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.

Implementation: Ministry of Justice on on-going basis.

4. Increasing public's participation in the activity of the state institutions

Actions and indicators of implementation:

4.1. Involvement of the civil society representatives in the elaboration of draft legislation of public interest, organization of public hearings by state institutions.

Implementation: central and local executive authorities on on-going basis.

4.2. Establishment of the appropriate councils or cooperation networks with a view to improve interaction with the civil society by state institutions rendering public services.

Implementation: central and local executive authorities in 2012-2013.

4.3. Usage of websites 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.).

Implementation: central and local executive authorities on on-going basis.

4.4. Organization of the Open-Door forums by state institutions.

Implementation: central and local executive authorities on on-going basis.

5. Improvement of e-services

Actions and indicators of implementation:

5.1. Evaluation of the e-services and public disclosure of its results.

Implementation: Ministry of Communications and IT, Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan on on-going basis.

5.2. Public presentation on e-services rendered by state institutions within their area of activity, at least once a year.

Implementation: central and local executive authorities in 2013-2015.

5.3. Establishment of the unified system in order to ensure electronic information exchange between state institutions.

Implementation: Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan, Ministry of Communications and IT, Special State Security Service in 2013-2014.

5.4. Improvement of electronic payment of fees, taxes, administrative fines, utility costs and other administrative dues.

Implementation: Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan in 2013-2014.

5.5. Implementation of measures facilitating access to e-services in the regions.

Implementation: central and local executive authorities, Citizen Services and Social Innovations State Agency with the President of the Republic of Azerbaijan, Ministry of Communications and IT, Special State Security Service in 2013-2014.

6. Increase of transparency in state financial control (SFC) institutions

Actions and indicators of implementation:

6.1. Delineation of powers of the SFC institutions and development of draft legislation providing for improved legal basis for the state financial control.

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2014.

6.2. Enhancement of accountability of SFC institutions and disclosure of the results of the financial examinations, analyses and statistical data to the public.

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2015.

6.3. Application of the IT in the SFC area and elaboration of the E-Control system.

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2014.

6.4. Organization of the mutual activity between SFC institutions, establishment of the SFC Central Database, development of the electronic data-exchange.

Implementation: Cabinet of Ministers, Chamber of Accounts, Ministry of Finance and Tax Ministry in 2013-2014.

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.

Implementation: Cabinet of Ministers, Chamber of Accounts and Tax Ministry in 2013-2014.

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.

Implementation: Ministry of Justice, Ministry of Finance and Chamber of Accounts in 2013.

6.7. Publication of the reports on the implementation of state budget and the relevant legislation drafts prior to referral to the Parliament of the Republic of Azerbaijan.

Implementation: Cabinet of Ministers and Ministry of Finance in 2013-2015.

7. Increase in transparency of tax control and examination

Actions and indicators of implementation:

7.1. Provision of necessary information to and awareness raising of tax-payers.

Implementation: Tax Ministry in 2012-2014.

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: Tax Ministry in 2012-2013.

7.3. Execution of measures in order to improve electronic payment of taxes and other mandatory payments.

Implementation: Tax Ministry in 2012-2013.

8. Increase of transparency in extractive industries

Actions and indicators of implementation:

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 Industries Transparency Initiative in Azerbaijan.

Implementation: State Oil Fund in 2012-2015.

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.

Implementation: State Oil Fund in 2012-2015.

8.3. Disclosure of the annual reports of the implementation of the Extractive Industries Transparency Initiative in Azerbaijan.

Implementation: State Oil Fund in 2012-2015.

9. Awareness-raising and cooperation in the field of OGI

Actions and indicators of implementation:

9.1. Evaluation of implementation of the Action Plan and disclosure to the public of its results on annual basis.

Implementation: Commission on Combating Corruption in 2012-2015.

9.2. Publication and dissemination among the public of the educational material on Open Government Initiative.

Implementation: Commission on Combating Corruption, Cabinet of Ministers and central and local executive authorities on ongoing basis.

9.3. Continuation of measures within the framework of implementation of commitments before Open Government Partnership.

Implementation: Cabinet of Ministers, central and local executive authorities and Commission on Combating Corruption in 2012-2015.

9.4. Provision of the financial support to the civil society institutions for the implementation of the measures foreseen in the Action Plan.

Implementation: Cabinet of Ministers, central and local executive authorities, Council for the State Support of the NGOs with the President of the Republic of Azerbaijan and Commission on Combating Corruption in 2012-2015.

ATTACHMENT 2
Actions and sub-actions of the National Action Plan

Nº	Areas of activities (commitments)	Actions	Sub-actions
1	Facilitation of access to information	3	4
2	On-going visibility of the state institutions activity	7	2
3	Improvement of the Central Legislative Electronic Database	1	2
4	Increasing public's participation in the activity of the state institutions	4	-
5	Improvement of e-services	5	2
6	Increase of transparency in state financial control (SFC) institutions	7	4
7	Increase in transparency of tax control and examination	3	
8	Increase of transparency in extractive industries	3	
9	Awareness-raising and cooperation in the field of OGI	4	2
Total:		37	16

ATTACHMENT 3

The list of monitored central and local executive authorities

1. State Customs Committee of the Republic of Azerbaijan
2. State Statistics Committee of the Republic of Azerbaijan
3. State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan
4. State Committee for Refugees and IDPs of the Republic of Azerbaijan
5. State Committee for Property Issues of the Republic of Azerbaijan
6. State Committee for Standardization, Metrology and Patents of the Republic of Azerbaijan
7. State Committee for Work with Religious Organizations of the Republic of Azerbaijan
8. State Committee for Work with Diaspora of the Republic of Azerbaijan
9. State Committee for Securities of the Republic of Azerbaijan
10. State Committee for City Planning and Architecture of the Republic of Azerbaijan
11. Chamber of Accounts of the Republic of Azerbaijan
12. Chamber of Auditors of the Republic of Azerbaijan
13. Central Election Commission of the Republic of Azerbaijan

14. State Commission for Student Admission of the Republic of Azerbaijan
15. State Civil Service Commission of the Republic of Azerbaijan
16. Special State Protection Service of the Republic of Azerbaijan
17. State Migration Service of the Republic of Azerbaijan
18. State Agency for Public Procurements of the Republic of Azerbaijan ³²
19. Copyright Agency of the Republic of Azerbaijan
20. State Service for Public Service and Social Innovations of the Republic of Azerbaijan
21. State Social Protection Fund of the Republic of Azerbaijan
22. State Oil Fund (SOFAZ) of the Republic of Azerbaijan
23. Central Bank of the Republic of Azerbaijan
24. Financial Monitoring Service at the Central Bank of the Republic of Azerbaijan

³² Since the State Agency for Public Procurements and the Ministry of National Security were both abolished, they were not included in the monitoring for 2015.

25. Office of the Commissioner for Human Rights of the Republic of Azerbaijan
26. Ministry of Internal Affairs of the Republic of Azerbaijan
27. Ministry of Ecology and Natural Resources of the Republic of Azerbaijan
28. Ministry of Youth and Sports of the Republic of Azerbaijan
29. Ministry of Labour and Social Protection of the Republic of Azerbaijan
30. Ministry of Justice of the Republic of Azerbaijan
31. Ministry of Economy and Industry of the Republic of Azerbaijan
32. Ministry of Foreign Affairs of the Republic of Azerbaijan
33. Ministry of Taxes of the Republic of Azerbaijan
34. Ministry of Education of the Republic of Azerbaijan
35. Ministry of Energy of the Republic of Azerbaijan
36. Ministry of Healthcare of the Republic of Azerbaijan
37. Ministry of Communication and High Technologies of the Republic of Azerbaijan
38. Ministry of Transportation of the Republic of Azerbaijan

39. Ministry of Culture and Tourism of the Republic of Azerbaijan
40. Ministry of Emergency Situations of the Republic of Azerbaijan
41. Ministry of Defense of the Republic of Azerbaijan
42. Ministry of National Security of the Republic of Azerbaijan
43. Ministry of Finances of the Republic of Azerbaijan
44. Ministry of Agriculture of the Republic of Azerbaijan
45. State Service for Mobilization and Conscription of the Republic of Azerbaijan
46. Intelligent Transport Management Centre at the Ministry of Transportation
47. Cabinet of Ministers of the Republic of Azerbaijan
48. Absheron District Executive Authority
49. Gobustan District Executive Authority
50. Astara District Executive Authority
51. Baku City Executive Authority
52. Binagadi District Executive Authority

53. Garadagh District Executive Authority
54. Khazar District Executive Authority
55. Khatai District Executive Authority
56. Narimanov District Executive Authority
57. Nasimi District Executive Authority
58. Nizami District Executive Authority
59. Sabunchu District Executive Authority
60. Sabail District Executive Authority
61. Surakhany District Executive Authority
62. Yasamal District Executive Authority
63. Sumgait City Executive Authority
64. Naftalan City Executive Authority
65. Ganja City Executive Authority
66. Shamkir District Executive Authority

67. Gazakh District Executive Authority
68. Dashkasan District Executive Authority
69. Tovuz District Executive Authority
70. Shamakhy District Executive Authority
71. Gabala District Executive Authority
72. Shaki District Executive Authority
73. Zagatala District Executive Authority
74. Lankaran District Executive Authority
75. Jalilabad District Executive Authority
76. Guba District Executive Authority
77. Siyazan District Executive Authority
78. Gusar District Executive Authority
79. Khachmaz District Executive Authority

80. Yevlakh City Executive Authority
81. Mingachevir City Executive Authority
82. Barda District Executive Authority
83. Shirvan City Executive Authority
84. Ujar District Executive Authority
85. Sabirabad District Executive Authority
86. Beylagan District Executive Authority
87. İmişli District Executive Authority
88. Hajigabul District Executive Authority
89. Goranboy District Executive Authority
90. Tartar District Executive Authority
91. Fuzuli District Executive Authority
92. İsmayilli District Executive Authority