

OPEN PARLIAMENT ACTION PLAN 2015-2016

SECOND MONITORING REPORT



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TABLE OF CONTENTS

I	Executive Summary	3
II	OGP and Open Parliament:	5
III	Georgia and the Open Parliament:	5
IV	Methodology	6
	1.1 Allowing comment (electronically and/or in writing) on the draft legislation	7
	1.2 Submitting Legislative Proposals and Initiatives Electronically to the Parliament of Georgia and Implementing its Support Mechanism through the Official Website of the Parliament of Georgia	8
	1.3 Empowering Citizens to Engage in the Legislative Process	9
	1.4 Ensuring Physical Access	10
	1.5 Obligation to Develop Justifications for Changes to the Agenda	11
	1.6 Raising Public Education and Awareness on Activities, Role and Mission of the Parliament of Georgia; Strengthening Institutional Image and Role of the Parliament of Georgia.	12
	2.1 Easing Access to the Parliamentary Information for Persons with Disabilities	13
	2.2 Proactive Disclosure of Annual Reports and Findings of the Parliamentary Committees ____	14
	2.3 Developing and Approving Legislative Framework for Consultations during the Legislative Drafting	15
	2.4 Posting the Changes and Edits Made to Initial Draft Legislation on the Website of Parliament of Georgia in a Visible and Timely Manner	17
	2.5 Updating the List of Public Information to be Proactively Published by the Parliament of Georgia	18
	2.6. Improving the Content of Explanatory Notes	20
	3.1. Posting Documents on the Website of the Parliament of Georgia in an Editable Format ____	21
	3.2 Implementing New Technologies and Innovative Approaches; Increasing Level of Involvement of Youth, Ethnic Minorities and Other Stakeholders in Parliamentary Work; Strengthening Bilateral Communication with Citizens.	22
	4.1 Establishing Permanent Parliamentary Council on Open and Transparent Governance	24
	4.2 Conducting Annual Meeting of the Parliament of Georgia and Civil Society Organizations (CSOs)	25
	4.3. Developing and Approving the State Concept of CSO Development	26
	4.4. Developing Code of Ethics for Members of the Parliament of Georgia	27
	Recommendations:	29

Executive Summary:

The 2015-2016 Open Parliament Georgia Action Plan consisted of 18 commitments and was drafted by the Inter-Factional Group of the Parliament of Georgia, which was comprised of CSOs and deputies from each parliamentary faction. The purpose of the Action Plan was 'to support the increase of public involvement and openness regarding the Parliamentary documents and activities'.

15 out of the 18 commitments in the OP Action Plan were proposed by the civil society organizations that are members of the Consultative Group. The remaining three commitments were proposed by the Georgian Parliament's office and an individual MP.

Notably, the majority of the fulfilled milestones of the OP Action Plan, such as the drafting of concept notes, budget and amendments, have been prepared largely by the non-governmental organizations from the Consultative Group. Moreover, several milestones in the OP Action Plan lacked proper indicators, which made it difficult to objectively assess their implementation.

While the formulation and deliberation part of the Action Plan 2015-2016 was a success, there have been serious errors and failures on part of the state legislature to deliver due and proper implementation. The negligence and improper approaches by the state legislature has resulted in majority of commitments being left unfulfilled, and the majority of the fulfilled commitments being delivered late. There is a credible threat that the same errors will be repeated in the adoption of the second Open Parliament Action Plan.

Notably, there have been three major pitfalls on behalf of the Parliament that has resulted in the mediocre implementation process. These are the following:

1) Lack of timetables for implementation

The Parliament has failed to formulate a clear timetable indicating when each of the indicators for the commitments have to be fulfilled. While it is true that each commitment had deadline for implementations, there was no specific timetable that would allow the implementing departments to show how the process would be handled. This has resulted in commitments having their fulfillment dragged out till the very end of the process, with majority of them failing to meet due deadlines.

2) Lack of coordination within the Permanent Council

The Open Parliament processes are governed by the Parliament's Permanent Council on Open Governance and Transparency. The Council is composed of a Chairperson, which is appointed by the Chairperson of the Parliament, and representatives from each Parliamentary faction. Coordination between the faction representatives and their respective factions has proven to be weak, with some members of the Parliament, including those carrying significant weight in the decision-making process, unaware of the major deliberations and agreements secured by the Permanent Council. This lack of coordination has resulted in the stalling of commitments, especially those that had been prepared and finalized in the form of amendments.

At a Glance

Member of Open Parliament since: 2015

Number of Commitments: 18

Commitment Completion:

Completed: 5

Not Completed: 13

Timing of milestones:

On time: 13

Behind schedule: 22

3) Lack of political will to push for significant reforms

The Open Parliament Action Plan 2015-2016 was initially written and approved with an ambitious mindset, with several of the commitments being spelled out in a way that would bring about radical reforms in the work of the Parliament. These ambitions, however, have not translated into the post-adoption period of the Action Plan. Interpretations of the written commitments have significantly differed from the initial ones, and some commitments have been watered down to accommodate for the lack of political will to push for actual tangible changes to the Parliament's work. For example, the Permanent Council scrapped the commitment to adopt a legally-binding Code of Ethics with sanctions, opting instead to adopt a document of basic principles with little to no enforceable power.

OGP and Open Parliament:

The Open Government Partnership (OGP) is a multilateral initiative launched in 2011 to provide an international platform for domestic reformers committed to making their governments more open, accountable, and responsive to citizens.

The OGP initiative was initially intended to strengthen the openness, accountability and responsiveness of the executive branches of participating government, but since 2014 the OGP platform began to spill over to legislative branches. In 2015, Georgia became the first country to draft and approve the Open Parliament Action Plan, as well as sign up to the Declaration on Parliamentary Openness.

To date the state legislatures of France, Chile and Ukraine have developed an Open Parliament Action Plan and committed to reforms to become more open, transparent, accountable and responsive to its citizens. Notably, the Open Parliament Action plans are not yet officially part of the Open Government Partnership. Nevertheless, the Open Parliament initiative is recognized within the OGP community as a growing, integral part of the OGP movement.

Georgia and the Open Parliament:

On July 17, 2015, the Bureau of the Parliament of Georgia approved the Open Parliament Georgia Action Plan 2015-2016, developed with the joint effort of the parliamentary Inter-Factional Working Group and the Open Parliament Consultative Council. On December 30, by the Order of the Chairperson of the Parliament of Georgia, the Permanent Parliamentary Council on Open and Transparent Governance was established, thus superseding the parliamentary Inter-Factional Working Group.

The Permanent Parliamentary Council on Open and Transparent Governance is assisted by the Consultative Council comprised with the representatives of International and non-Governmental Organizations. The tasks of the Consultative Council¹ is to provide feedback and recommendations during the formulation of Action Plans, as well as monitoring the implementation of the commitments of the Open Parliament Georgia Action Plan.

¹ The members of the Consultative Council: Transparency International Georgia, Institute for Development of Freedom of Information, National Democratic Institute, Georgian Young Lawyers' Association, Jumpstart Georgia, Civil Society Institute, United Nations Development Programme (UNDP), United States Agency for International Development (USAID), Open Society Foundation – Georgia, German Federal Enterprise for International Cooperation (GIZ), Eastern Partnership Civil Society Forum – Georgian National Platform, Council of Europe, Economic Policy Research Centre

Methodology

The Open Parliament Action Plan Monitoring Report is currently the only assessment toolkit for OP Action Plans. It draws largely based on OGP independent report questionnaire and guidelines, based on a combination of interviews with local OP stakeholders as well as desk-based analysis. Individual charts for commitments include six main components:

- **OGP Principles:** These markings are directly taken from the wording present in the OP Action Plan itself, and are used to illustrate what area of parliamentary practice the initiator seeks to improve with the commitment
- **Potential Impact:** This assesses the potential impact significance of the commitment, ranging from None (lowest) to Transformative (highest).
- **Milestones to Fulfill the Commitment:** These spell out the individual milestones as defined by the OP Action Plan, their implementation start and end dates, as well as the completion status (completed, completed with delay, substantial completion, limited completion, in progress, and not completed) and timing (on schedule, delayed).
- **Commitment background:** This includes an overview of the commitment, the existing framework and the need for change
- **Commitment fulfillment:** This includes an overview of the process of implementation of the commitment
- **Summary:** This includes a general overview and recommendations related to the commitment

1.1 Allowing comment (electronically and/or in writing) on the draft legislation

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
		X	X	X
Potential Impact	None	Minor	Moderate	Transformative
			X	
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Development of Concept	10/2015	12/2015	Completed	Completed, with delay
Modification of Rules of Procedure	01/2016	03/2016	Not Completed	Delayed
Development of Platform	01/2016	06/2016	Completed	Completed, with delay
Conduct Information Campaign	07/2016	09/2016	Not Completed	Delayed
Commitment Background	<p>This commitment concerns the creation of a platform that allows citizens to comment on the draft legislation (electronically and/or in writing) from the first reading. Under the current system, anyone can voice their comments and concerns on draft laws initiated by the government on the web-site of the Legislative Herald (www.matsne.gov.ge) through an online comment system. Nevertheless, there is no system in place that would send this comments over to the Parliament and put it up for further discussion.</p>			
Commitment fulfillment	<p>The concept paper for the commitment was prepared and presented by IDFI on March 5, 2016. The amendments to the Parliamentary Rules of Procedure was finalized in May 2016. In October 2016, the online platform for comments on draft laws was launched on the parliamentary website.</p>			
Summary	<p>This commitment has been partially fulfilled, as only the concept paper, prepared by the Institute For Development of Freedom Information (IDFI), has been adopted by the Permanent Council. Even though the amendments to the Parliamentary Rules of Procedure were prepared and finalized, they were not adopted.</p>			

1.2 Submitting Legislative Proposals and Initiatives Electronically to the Parliament of Georgia and Implementing its Support Mechanism through the Official Website of the Parliament of Georgia

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
		X	X	X
Potential Impact	None	Minor	Moderate	Transformative
			X	
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Development of Concept	10/2015	02/2016	Completed	Completed, with delay
Modification of Rules of Procedure	01/2016	03/2016	Not Completed	Delayed
Development of Platform	03/2016	08/2016	Not Completed	Delayed
Conduct Information Campaign	08/2016	09/2016	Not Completed	Delayed
Commitment Background	<p>During the drafting of the Open Parliament Action Plan, MPs and representatives of the Office of the Parliament of Georgia agreed to allow citizens, or initiative groups, to submit and support legislative initiatives and proposals electronically. This sort of system will enable citizens to be informed about legislative proposals and have the ability to support them throughout the process.</p> <p>The commitment consists of two components:</p> <ol style="list-style-type: none"> 1. In the case of legislative proposals, any proposal registered by Parliament will automatically be posted on the parliamentary web-site and citizens will be allowed to vote for it electronically. The documents developed during the discussion of the proposal will also be published online. 2. In the case of legislative initiative, the initiative groups will be allowed to post information about the initiative on the parliamentary website in line with the established procedure and vote for it electronically. If the initiative receives 30,000 electronic signatures, it will be debated in accordance with the procedures set out under the Georgian Law. <p>Notably, under the Constitution of Georgia, the right of legislative initiative is granted to the Government, MPs, parliamentary factions, parliamentary committees, supreme representative bodies of the Autonomous Republic of Abkhazia, the Autonomous Republic of Ajara, and not less than 30,000 voters.</p>			
Commitment fulfillment	<p>The concept paper for the commitment was prepared and presented by IDFI on March 5, 2016. The amendments to the Parliamentary Rules of Procedure was finalized in May 2016.</p>			
Summary	<p>This commitment has not been fulfilled completely, as only the concept paper, prepared by the Institute For Development of Freedom Information (IDFI), has been adopted by the Permanent Council. Even though the amendments to the Parliamentary Rules of Procedure were prepared and finalized, they were not presented to the Parliament, and hence no new system had been put into place.</p>			

1.3 Empowering Citizens to Engage in the Legislative Process				
OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Improve organizational procedures for conducting public discussions of a draft law on the full or partial revision of the Constitution	2015	2015	Not completed	Delayed
Make changes to the organizational procedures under the Rules of Procedure of the Parliament of Georgia for conducting public discussions of a draft law on the full or partial revision of the Constitution.	2015	2015	Not completed	Delayed
Commitment Background	This commitment was suggested as a response to the Parliament's lackluster engagement with the public over draft laws related to the full or partial revision of the Constitution. If passed, the amendments would set a minimum number of meetings and number of locations for discussions, as well as specific forms for citizens' feedback (survey through website, feedback questionnaires disseminated during the meetings).			
Commitment fulfillment	While the issue has been discussed at meetings of the Permanent Council and the draft amendments have been prepared, no organizational changes or amendments to the Rules of Procedure has taken place.			
Summary	Since the issues related to this commitment have been discussed and agreed on by the Permanent Council, it is recommended that the Parliament does not delay the implementation of this commitment any further.			

1.4 Ensuring Physical Access

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X			
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Posting instructions on the website by the Decree of the Chairman of the Parliament	10/2015	11/2015	Complete	Completed, with delay
Commitment Background	<p>This commitment concerns the availability of information on the parliamentary webpage related to the admittance to the Parliament building for persons interested in attending plenary and committee sessions.</p> <p>Transparency International Georgia had initially petitioned the Inter-Faction working group to make admittance to the Parliament easier for citizens. We suggested that permits for attending plenary and committee sessions could be given on the spot on a first-come first-serve basis, as well as appointing a permanent staff to receive and process any sort of requests related to permits. In spite of support from other NGO organizations, this suggestion was struck down by the members of the Parliament on grounds of it jeopardizing security measures, as well as being incompatible with the current architectural layout of the legislature's building.</p>			
Commitment fulfillment	<p>In April 2016, the Parliament uploaded Orders of the Chairperson of the Parliament related to security protocols and admittance rules onto the parliamentary webpage. Notably, the documents were uploaded without any summaries, thus requiring ordinary citizens to navigate largely technical and legal documents to receive information on admittance to the Parliament building.</p>			
Summary	<p>While the information on attendance has been added, it is essential that the Parliament either create summaries for the uploaded documents, or simply present the information on admittance onto a more visible portion of the parliamentary webpage.</p>			

1.5 Obligation to Develop Justifications for Changes to the Agenda

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X		
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Impose obligation to develop justifications for changes to the agenda during committee meetings	2015	2015	Not Completed, Delayed	Delayed
Commitment Background	<p>Agendas of official meetings are posted on the parliamentary website in the online calendar. However, additional issues are sometimes added during the committee meetings without any justification. This hinders the engagement of the civil society members in the discussion process. To avoid such cases, TI Georgia recommended that any changes made during the committee meetings should be justified and receive the majority votes of committee members.</p>			
Commitment fulfillment	<p>The necessary changes to the Rules of Procedure of the Parliament were drafted by TI Georgia and presented to the Permanent Council. The changes, however, have not been discussed and adopted by the Parliament.</p>			
Summary	<p>It is recommended that the Parliament review the proposed changes to the Rules of Procedure and adopt the changes.</p>			

1.6. Raising Public Education and Awareness on Activities, Role and Mission of the Parliament of Georgia; Strengthening Institutional Image and Role of the Parliament of Georgia

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Establish a Parliamentary Openness Week	09/2015	12/2016	Completed	On time
Engage students in parliamentary work	06/2015	12/2016	Completed	On time
Program for visitors (tours with a guide)	01/2015	12/2016	Completed	On time
Educational programs, etc.	09/2015	12/2016	Completed	On time
Commitment Background	This commitment draws from Communication Strategy of the Parliament, which aims at establishing a Parliamentary Openness Week, organizing regular issue-based meetings, presentations, and seminars, involving parliamentary committees and students from state and private higher education institutions of Georgia. The objective is to upgrade and diversify programs for; to develop educational programs, including a lecture course on parliamentarism; to institutionalize simulated youth parliament, organize innovative competitions and other activities to promote citizen engagement and bilateral dialogue with target groups and citizens.			
Commitment fulfillment	<p>There are no specific indicators spelled out for the milestones for this commitment, hence there is no objective way of measuring the fulfillment of milestone 2, 3 and 4. Moreover, prior to the adoption of the Action Plan, the Parliament had already been conducting group tours for visitors and information and schedules for such visits were available on the parliamentary webpage. Due to the lack of indicators, these milestones are technically considered as complete, since the Parliament has continuously engaged students, visitors and provided educational tours.</p> <p>The Parliamentary Openness Week was first held at the Georgian Parliament on September 14-15, within the scopes of the Global Legislative Openness Week (GLOW). It has, however, not been held in 2016.</p>			
Summary	<p>While the Parliament continues to hold educational tours for students and visitors, it is essential that the indicators for similar commitments be spelled out with more detail, as to make their assessment possible by objective criteria.</p> <p>It is also desirable that respective staff from the Parliament systematically conduct lectures and presentations on parliamentary work in public schools, universities and other venues where such information would be desirable for boosting civic education.</p>			

2.1. Easing Access to the Parliamentary Information for Persons with Disabilities

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	X
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Develop concept and budget	09/2015	09/2016	Completed	Completed
Commitment Background	<p>The goal of the commitment is to facilitate access to parliamentary information for persons with disabilities by either setting up a new website or tweaking the existing Parliament website with additional modules. Notably, the initial idea put forward by the Institute for Development of Freedom of Information was to include a commitment on implementing these changes into the OP Action Plan, but the Parliament argued for a concept and a budget. Nonetheless, the representatives of the Parliament of Georgia agreed that in the long run, they will ease access to parliamentary information for persons with disabilities, possibly by integrating the commitment to implement the changes in the second OP Action Plan.</p>			
Commitment fulfillment	<p>On March 5-6, 2016, the Georgian Parliament's Permanent Council on Open and Transparent Governance adopted the Concept Paper, prepared by the Institute for Development of Freedom of Information, for this commitment. A budget has also been drafted.</p>			
Summary	<p>It is recommended that the Parliament take a step further and implement the principles and vision of the concept note.</p>			

2.2. Proactive Disclosure of Annual Reports and Findings of the Parliamentary Committees

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X		
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Make necessary changes to the Rules of Procedure of the Parliament of Georgia	2015	2015	Not Completed	Delayed
Timely publish annual reports of the committees on the parliamentary website	2015	2015	In Progress	Delayed
Timely publish the key and mandatory findings by the committees on the parliamentary website	2015	2015	In Progress	Delayed
Commitment Background	<p>The Georgian legislation and Order #123/3/ "About the Form of the Electronic Request of Information and Proactive Disclosure of Public Information" of the Chairperson of the Parliament stipulate that reports, findings and statements of the Parliament are public documents.</p> <p>Conclusions and statements created by individual Parliamentary committees are available and easy accessible on the official parliamentary webpage. However, yearly reports by parliamentary committees are either not published or published late on the web-page.</p> <p>Information on legislative activities, including supporting documents to draft laws, is available on the parliamentary webpage, however it is incomplete. For example, Parliamentary committee conclusions are not timely available on the parliamentary webpage. Moreover, findings of the compulsory committees are not available on the parliamentary webpage.</p>			
Commitment fulfillment	<p>The necessary changes to the Rules of Procedure have not been made. Instead, the Chairperson of the Parliament issued an Order on September 15 that stipulated for the proactive disclosure of findings by the committees.</p>			
Summary	<p>It is recommended that the Parliament adopt the necessary changes and publish all respective documents in due time on the parliamentary webpage.</p>			

2.3. Developing and Approving Legislative Framework for Consultations during the Legislative Drafting

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Develop concept of regulatory framework for consultations in line with international standards	09/2015	12/2015	Completed	Completed, with delay
Adoption of the regulatory framework for consultations by the Parliament of Georgia	01/2016	12/2016	Not Completed	Delayed

2.3. Developing and Approving Legislative Framework for Consultations during the Legislative Drafting

Commitment Background	<p>This commitment was proposed by the Georgian Young Lawyers' Association (GYLA) who argued that the Parliament of Georgia needs to develop a uniform regulatory framework for consultations in order to ensure a comprehensive regulatory mechanism and actively engage citizens. Moreover, according to GYLA, there are no rules and regulations for many fundamental issues that are critical in making consultations meaningful and effective.</p> <p>Notably, even though the Parliament had approved this as a commitment for the OP Action Plan, there has been significant opposition towards it during the implementation phase. Members of the Parliament, as well as staff from the legal department of the Parliament, have continuously stressed during meetings that this commitment would duplicate the work already done by the committees. There has also been disagreement over the structural and organizational matters.</p> <p>The GYLA insisted that consultations done by the committees are generally of an ad-hoc nature, and coincide largely with the wide discretionary powers of decision-makers in government and parliament. The GYLA recommended strengthening of the consultation council existing at Committees of the Parliament, increasing citizen involvement in legislative process by writing comments on the draft law, reducing the numbers of speed procedure of the legislative acts and so on. These ideas were presented in the draft project to the Amendments of the Procedure of the Parliament.</p> <p>During working meetings, GYLA suggested several revised versions of the draft project concerning consultation procedure based on the comments of the Members of the Parliament and a working group. However, the final version of the draft project agreed among the Members of the working group was also criticized by some members of the Parliament. According to GYLA, all of the proposed versions of the consultation procedure were criticized by the members of the Parliament and there was an impression that members of the parliament were not motivated to implement this obligation.</p>
Commitment fulfillment	<p>The concept paper for this commitment was prepared by the Georgian Young Lawyers' Association and approved at the meeting of the Permanent Council on Open Governance and Transparency on March 5th of 2016.</p>
Summary	<p>While the concept has been approved, the necessary changes have not been adopted by the Parliament.</p>

2.4. Posting the Changes and Edits Made to Initial Draft Legislation on the Website of Parliament of Georgia in a Visible and Timely Manner

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	X
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Develop concept and budget	09/2015	09/2016	Partially completed	In progress
Commitment Background	<p>There is no system in place within the Parliament of Georgia that updates initial drafts in a visible manner and makes them publicly available on the parliamentary website in real time. While the Parliamentary webpage provides all draft laws, there is no way to see what changes were made between different versions of draft laws. This makes it difficult for actors to actively engage in the legislative drafting process.</p>			
Commitment fulfillment	<p>The concept paper for this commitment was prepared by the Georgian Young Lawyers' Association and approved on March 5, 2016. The representative of the parliamentary IT department has stated that it would be possible to integrate such a system during the next OP Action Plan.</p>			
Summary	<p>The Permanent Council, along with the Consultative Group, should begin work on drafting a budget based on the approved concept paper.</p>			

2.5 Updating the List of Public Information to be Proactively Published by the Parliament of Georgia

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X		
Potential Impact	None	Minor	Moderate	Transformative
			X	
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Proactive disclosure of statistics about MPs' inquiries on the parliamentary website	09/2015	End Dates have been left out (for unknown reasons) for this particular milestone. Thus, we will assume the latest possible date of implementation as the deadline (12/2016).	Not Completed	
Proactive disclosure of MPs' questions and submitted responses on the parliamentary website	09/2015	End Dates have been left out (for unknown reasons) for this particular milestone. Thus, we will assume the latest possible date of implementation as the deadline (12/2016).	Completed	
Development and proactive disclosure of annual reports of the Parliamentary delegations and Friendship Groups on the parliamentary website	09/2015	09/2016	Completed	On time

2.5 Updating the List of Public Information to be Proactively Published by the Parliament of Georgia

Commitment Background	<p>One of the forms of exercising parliamentary control is an MP's right to submit an inquiry to a body accountable to Parliament, including the Government of Georgia, members of the Government of Georgia, Head of an Executive Body of a territorial unit at any level, and obtain and evaluate their responses. Following this inquiry, each body or public official is obligated to provide a written response within 15 days after the receipt of such an inquiry.</p> <p>Order #123/3/ "About the Form of the Electronic Request of Information and Proactive Disclosure of Public Information" of the Chairperson of the Parliament regulates the publishing of parliamentary information on the parliamentary webpage and rules of request through the electronic forms. Notably the list does not include statistics on deputy questions (information on amount of questions sent and answers received). The statistical information on the amount of inquiries are not available on the parliamentary webpage.</p> <p>Moreover, complete information, including reports and activities of the Parliamentary delegations and Friendship Groups, are also unavailable on the parliamentary webpage. The activities of these groups relate to foreign policy development, and the unavailability of information on their activities is one of the reasons of low civic awareness in this particular field of operations of the Georgian Parliament.</p>
Commitment fulfillment	<p>On March 5th of 2015, at the meeting of the Permanent Council in Borjomi, the head of the Parliament's IT department stated that the implementation of the commitment would require a major structural and technical revamp of the existing parliamentary webpage. Nevertheless, the Parliament pledged that this commitment was deliverable on time. The list of deputy questions answers are available the parliamentary webpage. The Chairperson of the Parliament issued an Order on September 15 that stipulated for the proactive disclosure of deputy questions and annual reports of Parliamentary delegations. The Order, however, included anything on providing statistical breakdown of the inquiries and answers.</p>
Summary	<p>The Chairperson of the Parliament should timely issue a Decree amending the list of information to be proactively disclosed. The Parliament's IT Department should find a timely solution to the technological barriers and upload all relevant information in a user-friendly, open data format.</p>

2.6. Improving the Content of Explanatory Notes

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X		
Potential Impact	None	Minor	Moderate	Transformative
			X	
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Conduct public consultations to develop the uniform standards	09/2015	03/2016	Completed	On time
Adoption of instructions by the Bureau of the Parliament on the improving of content of explanatory note and establishing uniform standards	03/2016	06/2016	Not Completed	Delayed
Commitment Background	<p>The Rules on Procedure of the Parliament sets out the rules for defining the content of explanatory notes, which should accompany all initiated legislation. This is to ensure that the general public and other stakeholders are able to understand the rationale for making the legislation.</p> <p>These rules, however, do not duly reflect the purpose, main amendments and aims of the draft laws. TI Georgia suggested the commitment to develop a new standard, which would be based on best international practice and be able to provide further clarification of a piece of legislation.</p>			
Commitment fulfillment	<p>TI Georgia and the legal department of the Parliament worked together on an analysis of international practice of explanatory notes. The analysis included input from other state legislatures, as well as recommendations from other NGOs involved in the Permanent Council on Open Governance and Transparency. According to TI Georgia's suggestions, explanatory notes should include chapters on introduction, purpose, comparative analysis, compliance with other legislation, financial justification and impact on other fields.</p>			
Summary	<p>It is recommended that the Parliament analyze the findings of TI Georgia's and the Parliament's research department's study of best practices and express political will to settle for an ambitious reform for the explanatory notes.</p>			

3.1 Posting Documents on the Website of the Parliament of Georgia in an Editable Format

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	X
Potential Impact	None	Minor	Moderate	Transformative
			X	
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Make amendment to the Rules of Procedure	10/2015	10/2015	Not completed, delayed	Delayed
Publish legislative documents on the parliamentary website in editable formats (e.g. HTML / MS Word)	10/2015	07/2016	Not completed, delayed	Delayed
Commitment Background	<p>The official Parliamentary website provides initiated legislation, voting records, resolutions, declarations and statements, and most of these documents are either in scanned format or in a pdf format. There is also a section of plenary hearing attendance records. These documents are not provided in open formats.</p> <p>The documents provided in scanned PDFs format are easily readable for the eye but are not practical for other purposes, such as data parsing. Such practice complicates the practical use of published documents, especially for data parsing, in order to show the parsed information on third-party website: parsing PDFs hinders the accuracy of the information one tries to get out of them.</p> <p>According to this commitment, the Parliament will be obliged to upload all documentation on the parliamentary webpage in editable formats. The Parliament has also agreed to impose the same format requirements on all incoming documents.</p>			
Commitment fulfillment	No changes have been made to the Rules of Procedure on requiring all documents to be submitted in editable format. Neither has there been a change in the parliament's practice of uploading the documents.			
Summary	It is recommended that the Parliament adopt all necessary changes and commit to publishing information in an editable format.			

3.2 Implementing New Technologies and Innovative Approaches; Increasing Level of Involvement of Youth, Ethnic Minorities and Other Stakeholders in Parliamentary Work; Strengthening Bilateral Communication with Citizens

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	X
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Create the parliamentary e-news module	09/2015	12/2015	Not completed, delayed	Delayed
Add additional interactive modules/ functions to the existing parliamentary webportal	09/2015	12/2016	Not completed	On time
Create informative / educational virtual tour of the Parliament of Georgia;	01/2016	09/2016	Not completed, delayed	Delayed
Develop mobile applications for web-services of the Parliament of Georgia.	09/2015	09/2016	Not completed, delayed	Delayed
Draft proposal for parliamentary web-site restructuring	09/2015	12/2016	In progress	On time

3.2 Implementing New Technologies and Innovative Approaches; Increasing Level of Involvement of Youth, Ethnic Minorities and Other Stakeholders in Parliamentary Work; Strengthening Bilateral Communication with Citizens

Commitment Background	<p>The Communication Strategy of the Parliament of Georgia sets forth the main objectives and communication principles of the PR and Information Department of the Office of the Parliament of Georgia. The activities listed in the document will help to a) increase the awareness of activities, role, and mission of parliament; b) ensure active involvement of stakeholders in parliamentary work and programs; c) establish a favorable environment for improving bilateral dialogue through the implementation of new technologies and innovative approaches.</p> <p>An integral part of the communication strategy is social media, which includes additional activities designed to make information about the parliamentary work more accessible, diversified, and captivating.</p> <p>To actively engage citizens in parliamentary work, particularly in legislative drafting process and to provide them with necessary information in a timely, regular and professional manner, the Parliament of Georgia plans to develop various communication channels and implement new technologies and innovative approaches. In particular, to achieve open, transparent, bilateral, and interactive communication, it plans to create parliamentary e-news module to spread news automatically to web-page subscribers in line with agreed frequency; add additional interactive modules/functions to the existing parliamentary web-portal; create informative/educational virtual tour of the Parliament of Georgia; develop mobile applications for web-services of the Parliament of Georgia; draft proposal for parliamentary website restructuring. These initiatives will help to promote activities of the Parliament of Georgia, establish effective bilateral dialogue, foster citizen engagement and improve interaction with different stakeholders.</p>
Commitment fulfillment	<p>None of the milestones for this commitment have been fulfilled, apart from the drafting of the proposal for website restructuring, which is currently in progress.</p>
Summary	<p>It is recommended that the Parliament devise and present to the Permanent Council a clear timetable for adopting structural changes to its website, as to avoid any further delays.</p>

4.1 Establishing Permanent Parliamentary Council on Open and Transparent Governance

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	
Potential Impact	None	Minor	Moderate	Transformative
				X
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Develop Concept	09/2015	10/2015	Completed	On time
Make amendment to Rules of Procedure	09/2015	10/2015	Completed	On time
Establish council	11/2015	12/2015	Completed	On time
Commitment Background	<p>The Institute for Development of Freedom of Information (IDFI) suggested the commitment to establish the Permanent Parliamentary Council on Open and Transparent Governance, which would be tasked with the development and implementation of the Open Parliament Action Plans.</p> <p>The Council was envisaged as a successor to the Inter-Factional Group and staffed with the MPs and members of the Consultative Council. Unlike the Inter-Faction Group, the Council is formed by the Decree of the Chairperson of the Parliament and has a permanent working status. Structurally, the Council is co-chaired by two Chairs: MP and a civil society representative.</p> <p>Notably, the Consultative Council has been an active contributor at providing not only opinions and recommendations, but draft versions of amendments and other technical assistance to the Permanent Council. The division of such labor was largely (but not entirely) based on the initial author of a commitment taking the lead on formulating the text for a draft amendment as required by the commitment. For example, TI Georgia had the lead on writing the draft amendments for the commitment on explanatory notes and presenting it to the Council and respective Parliamentary staff for further revisions and opinions.</p>			
Commitment fulfillment	<p>On December 30th, 2015, in accordance with the #195/3 Order of the Chairperson of the Parliament of Georgia, the Permanent Parliamentary Council on Open and Transparent Governance was established. Thus all indicators for this particular commitment were fulfilled in time.</p>			
Summary	<p>Since its establishment in December 30, 2015, the Permanent Council has held four meetings that addressed the fulfillment of the OP Action Plan, with the participation of the Consultative Group. While these meetings have generally been productive in terms of deliberation on the fulfillment of commitments, the adoption of the necessary changes has not been planned in due time. It is recommended that in the next OP Action Plan, the Parliament should devise strict timetables for adoption of all necessary concept notes and amendments.</p>			

4.2. Conducting Annual Meeting of the Parliament of Georgia and Civil Society Organizations (CSOs)

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
	X	X	X	
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Organize annual meeting of the Parliament of Georgia and the Civil Society Organizations.	12/2012	Annual	Completed	On Time
Commitment Background	<p>Annual meetings between the Parliament of Georgia and Civil Society Organizations were established in 2012. This tradition is an important platform for dialogue between parliament and CSOs, as it addresses the issues of accountability, transparency, and public involvement. In addition, it also focuses on open government principles and established international practices. In December of 2013, a memorandum between the Parliament of Georgia and CSOs further emphasized the necessity of these annual meetings, maintaining that it strongly adheres to the principles of the Open Government Partnership.</p>			
Commitment fulfillment	<p>This is an ongoing commitment, which seeks to further emphasize the importance of holding annual meetings between the Parliament and Civil Society Organizations. The meeting was held on the 12th of December 2016.</p>			
Summary	<p>It is recommended that the new convocation of the Parliament continue the practice of annual meetings between the Parliament and Civil Society Organizations.</p>			

4.3. Developing and Approving the State Concept of CSO Development

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
		X	X	
Potential Impact	None	Minor	Moderate	Transformative
		X		
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Develop Concept	09/2015	12/2015	Completed	On time
Review of Concept by the Parliament	01/2016	06/2016	Delayed	Delayed
Commitment Background	Article 1 of the Memorandum signed between the Parliament of Georgia and CSOs in December, 2013, calls on the parliament, CSOs, and other stakeholders, to develop the "State Concept of CSO Development." Notably, the initial draft of the concept was already developed with active involvement of CSO Initiative Group. The working group prepared the white paper in June 2014 and held public discussions with local civic activists, members of local governments, and NGOs/ CSOs in 7 cities of Georgia.			
Commitment fulfillment	The Concept Paper for this commitment was prepared and presented by the Civil Society Institute and adopted by the Permanent Council. However, the Parliament has not reviewed, nor adopted, the concept paper.			
Summary	It is recommended that the Permanent Council present the concept paper to the Parliament for review and approval.			

4.4. Developing Code of Ethics for Members of the Parliament of Georgia

OGP Principles	Access to Information	Accountability	Citizen Engagement	Technologies and Innovation
		X		
Potential Impact	None	Minor	Moderate	Transformative
			X	
Milestones to Fulfill the Commitment	Start Date:	End Date:	Completion Status	Timing
Establish a working group to develop the Code of Ethics of the Parliament of Georgia	2015	2015	Completed	On time
Develop the Code of Ethics of the Parliament of Georgia	2015	2015	Completed, with delay	Delayed
Conduct public discussions on the Code of Ethics of the Parliament of Georgia	2015	2016	Completed	On time
Adopt the Code of Ethics of the Parliament of Georgia	2016	09/2016	Not Completed	Delayed

4.4. Developing Code of Ethics for Members of the Parliament of Georgia

Commitment Background	<p>The Parliament adopted a non-binding code of conduct in 2004, which is not in use today. Since then, the Parliament has not had an effective mechanism for reacting to MPs violations of ethic codes and citizens cannot submit their complaints with regard to particular cases.</p> <p>The National Democratic Institute (NDI) spearheaded the commitment to draft a new binding code of conduct for MPs. The draft concept for the code was prepared by NDI and circulated to the Permanent Council in February 2016. A refined version of the draft was presented at the meeting of the Permanent Council in March 2016, and following recommendations and input from members of the Council, was furthermore presented and discussed in April 2016.</p> <p>The April draft presented two possible structure and content for the code of ethics. The first envisaged the establishment of an ethics sub-committee, which would have the power to impose disciplinary and financial sanctions on MPs in case of a breach of the code of ethics. The second version proposed the establishment of a permanent ethics office that would have a board of directors composed of six non-partisan individuals elected by the Parliament through majority vote. The ethics office would notify the Procedural Issues and Rules Committee of any breach of the code of conduct and recommend the appropriate sanctions.</p>
Commitment fulfillment	<p>In May 2016, NDI organized a meeting with the members of the Permanent Council, NGOs, as well as invited staff from the Office of Congressional Ethics, to discuss the code of conduct's content and structure in detail. To the surprise of the Consultative Group, the Chairperson of the Permanent Council suggested that the next Parliament should define possible sanctions and the structure of the monitoring body. The code of conduct was thus approved by the Permanent Council as a document of fundamental principles and expectations governing the behavior of MPs. However, there still has been no Order of the Chairperson of the Parliament to adopt the provisions of the document.</p>
Summary	<p>It is recommended that the next convocation of the Parliament timely adopt the document and define the specifics, including possible sanctions and oversight mechanisms, of the code of ethics.</p>

Recommendations:

It is important for significant steps to be made in terms of openness, transparency and citizen engagement in the formulation of the Open Parliament 2017-2018 Action Plan. Moreover, the unfulfilled commitments from the previous Action Plan should be reintroduced into the new Plan. To achieve a significant result, it is vital to properly identify the issues with the formulation of the previous Action Plan. It is important for the new Action Plan to include the following commitments:

- Access to legislative activity should increase, including strengthening access of interested persons to information on the website in an open-data format. Moreover, it is recommended for any amendments made to the draft law after the three stages of discussion be reflected in the explanatory memorandum. Moreover, the Parliament should make available on its webpage the statistics of deputy questions.
- The engagement of the civil society into the legislative discussions should be supported and strengthened. This can be achieved by several means, including creation of working groups by committees, making access to the parliamentary building easier for citizens, responding to citizen electronic comments on draft laws, etc.
- Information on parliamentary activities available to the public should be increased. Information should be timely available. The Parliament should actively use its webpage to achieve this, as well as making use of social networks and other means of communication. It is important, apart from parliamentary committee and faction activity, that information on the activities of individual MPs be available to the public.

