



**THE CABINET OF MINISTERS OF UKRAINE
ORDINANCE**

1176-p as of 26 November 2014
Kyiv

**On Approval of the Action Plan for Implementation
of the Open Government Partnership Initiative in 2014-2015**

1. Adopt the Action Plan for Implementation of the Open Government Partnership Initiative in 2014-2015 that is attached hereto.
2. Ministries and other central executive bodies, regional and Kyiv city state administrations and other state bodies shall ensure implementation of the action plan adopted by the present Ordinance.
3. Regional state administrations and Kyiv city state administration shall within one month from the date of the enactment of the present Ordinance approve the action plans for implementation of the Open Government Partnership Initiative in 2014-2015 and to engage the representatives of civil society institutions to the process of its development.
4. The Ministry of Foreign Affairs shall ensure interaction with the Steering Committee of the Open Government Partnership Initiative and inform the public abroad on the progress of its implementation in Ukraine.
5. The State Committee for Television and Radio Broadcasting together with the Coordination Council for implementation of the Open Government Partnership Initiative in Ukraine shall develop and submit to the Cabinet of Ministers of Ukraine by 15 December 2014 the draft action plan for informational support for the implementation of the Open Government Partnership Initiative in Ukraine.

Prime Minister of Ukraine

A. Yatsenyuk



Action Plan
for Implementation of the Open Government Partnership Initiative in 2014-2015

I. Background

The Revolution of Dignity (November 2013 – February 2014) demonstrated the strengthened role of the civil society in state-building.

Increase of political activism of citizens and civil society institutions demonstrates their intention to have legitimate mechanisms of protection of their rights and freedoms, influence on activities of public authorities, prosecution of the officials who abused their powers for enrichment rather than for meeting public needs.

Nowadays Ukraine faces a threat of loss of its sovereignty and territorial integrity, which is complicated by the economic crisis. At this stage, the most important aims are to unite the efforts of the Cabinet of Ministers of Ukraine and the civil society, to ensure their equal dialogue and mutual responsibility for development of the state.

Therefore, it is necessary to immediately implement the principles of open government, responsibility of the government to the society, accountability to citizens and citizen's control over the government.

These commitments were undertaken by Ukraine when it joined the process of implementation of the international Open Government Partnership Initiative.

Having consulted with the civil society, the Cabinet of Ministers of Ukraine takes up the commitment to ensure proper implementation of the Open Government Partnership Initiative in 2014-2015 in the following areas:

- fostering civil society institutions' activities, promoting their participation in the processes of development and implementation of public policy;
- ensuring access to public information;
- preventing and combating corruption;
- improving quality of administrative and social services;
- implementing e-government tools and developing e-democracy.

These commitments will be carried out in close cooperation between the executive bodies and civil society institutions. Information on their progress will be available to citizens on the official website of the Open Government Partnership Initiative in Ukraine and the governmental website "Civil Society and the Government".

II. Achievements of Ukraine in implementing the Open Government Partnership Initiative

The Open Government Partnership Initiative is implemented in Ukraine since 2012. The action plan for implementation of the Initiative in 2012-2013 contributed to the achievement of openness and transparency of public policy.

Thus, for instance, the legal framework for the activities of civil society institutions including NGOs and charities was updated.

Pursuant to the Law of Ukraine “On Access to Public Information” executive bodies provided conditions for facilitation of citizen’s access to the information in their possession. In addition, Ukraine received a status of a state-candidate of Extractive Industries Transparency Initiative.

A number of pieces of legislation that improved the principles of prevention and combating corruption were adopted.

An important step was the adoption of the Law of Ukraine “On Administrative Services” that stipulated the establishment of centers of administrative services in the regions.

The Cabinet of Ministers of Ukraine approved the Strategy of Information Society in Ukraine. Some regions started to provide the administrative services electronically.

According to Ukrainian civic experts, the implementation progress of initial action plan for implementation of the Open Government Partnership Initiative is at the level of 60 percent.

An independent evaluation commissioned by the Steering Committee of the Open Government Partnership Initiative showed some progress towards the development of open governance. However, some recommendations were provided on the following issues:

- intensification of public involvement in the planning and implementation of activities under the Initiative;
- further improvement of the legislation on the access to public information;
- facilitation of the access to the information concerning income, expenses and financial obligations of civil servants;
- provision of administrative services of state agencies through the newly established administrative services centers;
- introduction of a system of data exchange between public registers, etc.

These recommendations were taken into account during the development of the new Action Plan for Implementation of the Open Government Partnership Initiative.

III. Development and discussion of new tasks of the Cabinet of Ministers of Ukraine within the framework of the Open Government Partnership Initiative

The Government has taken steps to engage the representatives of civil society institutions to the development of new commitments of Ukraine in the framework of implementation of the Open Government Partnership Initiative.

Thus, a working group was set up for drafting of the Action Plan for Implementation of the Initiative in 2014-2015 in the Secretariat of the Cabinet of Ministers of Ukraine. The working group consists of the representatives of leading civil society organizations and government authorities.

The working group analyzed the experience of implementation of the Initiative in the previous years and proposals of executive bodies and NGO experts on the priorities of its further implementation that were developed in early 2014.

The draft action plan prepared by the working group met the essential tasks of the Open Government Partnership Initiative and provided clear deadlines and performance indicators.

In May 2014 the draft action plan was presented for public discussion on the Internet. In addition, between 3-6 June 2014 UNDP Ukraine provided support for carrying out a number of public events with the aim to discuss the draft document with representatives of civil society from Western (Lviv), Southern (Kherson) and Eastern (Dnipropetrovsk) regions of Ukraine.

All the proposed implementation areas of the Initiative were supported by more than 80 percent of participants of discussion on the Internet. The greatest support was given to measures on preventing and combating corruption (90 percent) and on improving the quality of administrative and social services (85 percent).

On 16 June 2014 the final roundtable discussion “Open Government Partnership: what plan does Ukraine need?” was conducted. It featured the participation of the Minister of the Cabinet of Ministers, the representatives of civil society organizations from the Central and Northern regions of Ukraine, international organizations, officials of the executive branch. The participants identified the measures to implement the respective action plan.

Following the discussion, the draft action plan was finalized by the working group of the Secretariat of the Cabinet of Ministers, with the representatives of civil society stakeholders being engaged into the process.

The information on development of the draft action plan for implementation of the Open Government Partnership Initiative in 2014-2015, methods and conditions of its public discussion was published on the government web-site “Civil Society and the Government”.

IV. Measures for operationalization of the Action Plan for Implementation
of the Open Government Partnership Initiative in 2014-2015

Action	Terms of completion	Responsible implementing agency	Partners	Expected results
Fostering activities of civil society institutions, their engagement in development and implementation of state policies				
1. Preparing and submitting to the Cabinet of Ministers of Ukraine proposals on amending the Cabinet of Ministers resolutions that govern the procedure of interaction with civil society institutions as regards public consultations, establishment and operation of public councils under executive authorities, facilitation of public expert evaluations of executive authorities' activities	December 2014	Ministry of Justice	UNDP Ukraine, civil society institutions and international organisations (by consent)	a relevant resolution adopted by the Cabinet of Ministers of Ukraine
2. Developing and submitting to the Cabinet of Ministers of Ukraine in due course the draft laws on amending the Law of Ukraine on Charitable Activities and Charities and the Budget Code of Ukraine in order to allow charitable organisations to receive financial support for performing state policy tasks and providing social services	March 2015	Ministry of Finance Ministry of Social Policy Ministry of Culture Ministry of Justice	Ukrainian Centre for Independent Political Research, other civil society institutions and international organisations (by consent)	a relevant draft law endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption
3. Settling the issue of granting public associations the non-profit organisation/institution status by means of entering a public association in the Register of Non-profit Institutions and Organisations	April 2015	State Registration Service Ministry of Justice Ministry of Finance State Fiscal Service	Ukrainian Centre for Independent Political Research, UNDP Ukraine, other civil society institutions and international organisations (by	relevant draft laws endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption

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<p>on the “one-stop shop” basis, with setting document processing deadlines, defining grounds for denial of such a status, and envisaging free on-line access to the Register, in particular through the development and submission to the Cabinet of Ministers of Ukraine in due course of a draft Law of Ukraine on Amending the Law of Ukraine on Public Associations and the Law on State Registration of Legal Entities and Individual Entrepreneurs, and other legislative acts as required.</p>			consent)	
<p>4. Developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft law on public participation in state policy making and implementation as well as in addressing local-level issues</p>	<p>May 2015</p>	<p>Ministry of Justice Ministry of Regional Development, Construction and Housing and Public Utilities (Minregion) State Agency for Electronic Governance Administration of State Service of Special Communication and Information Protection</p>	<p>—“—</p>	<p>a relevant draft law endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption</p>
Ensuring access to public information				
<p>5. Ensuring citizens’ unhindered access to public information by means of:</p>				
<p>preparing and submitting to the Cabinet of Ministers of Ukraine in due course a draft</p>	<p>January 2015</p>	<p>State Archive Service Ministry of Justice</p>	<p>civil society institutions and international organisations (by</p>	<p>a relevant resolution adopted by the Cabinet of Ministers of</p>

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resolution on approval of the procedure for recording, storing and using documents and other physical information media containing official information collected during operational investigation and counterintelligence activities, in the field of national defence		Ministry of Internal Affairs Ministry of Defence Security Service of Ukraine (by consent) Administration of State Service of Special Communication and Information Protection State Committee for Television and Radio Broadcasting Ministry of Finance Ministry of Economic Development and Trade Foreign Intelligence Service (by consent)	consent)	Ukraine
ensuring citizens' free access to urban planning documentation and geo-information data (including in electronic form)	December 2014	Minregion Ministry of Ecology and Natural Resources Ministry of Defence Ministry of Agricultural Policy and Food State Agency for Land Resources State Forest Resources Agency oblast state administrations, Kyiv city state administration	East Ukrainian Centre for Civic Initiatives, other civil society institutions and international organisations (by consent)	practices of using the "For internal use only" classification revised concerning urban planning documentation, particularly general urban development plans; general urban development plans published according to the Law of Ukraine on Regulation of Urban Planning Activities; central executive authorities' regulatory legal acts, particularly lists of data constituting restricted information, brought into conformity with the Law of

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				Ukraine on Access to Public Information, the Law of Ukraine on Amending Some Legislative Acts of Ukraine in Connection with the Adoption of the Law of Ukraine on Information and the Law of Ukraine on Access to Public Information to ensure citizens' access to geo-information data created at the state budget expense, particularly large-scale maps and plans
developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft law regulating the procedure and conditions of access to archives of the USSR internal affairs bodies and secret services in 1917-1991	December 2014	Ukrainian Institute of National Memory Ministry of Culture State Archive Service Ministry of Justice	Centre for Liberation Movement Studies, other civil society institutions and international organisations (by consent)	a relevant draft law endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption
6. Developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft law on amending some legislative acts of Ukraine on access to information in the form of open data and reuse of information	December 2015	State Committee for Television and Radio Broadcasting Ministry of Justice Minregion State Statistics Service Administration of State Service of Special Communication and Information Protection State Agency for Electronic Governance	UNDP Ukraine, International Renaissance Foundation, other civil society institutions and international organisations (by consent)	—“—

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7. Developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft law on exercising state supervision over enjoyment of the right to access to public information	—“—	State Committee for Television and Radio Broadcasting Ministry of Justice Verkhovna Rada Commissioner for Human Rights (by consent)	International Renaissance Foundation, civil society institutions and international organisations (by consent)	—“—
8. Taking measures concerning the acquisition by Ukraine of the status of compliance with the Extractive Industries Transparency Initiative standards	December 2015	Ministry of Energy and Coal Industry Ministry of Economic Development and Trade Ministry of Finance Ministry of Ecology and Natural Resources	International Renaissance Foundation, DiXi Group NGO, Kyiv International Energy Club (Q-Club), Analytical Centre for Regional Cooperation NGO, Publish What You Pay international initiative, other civil society institutions and international organisations (by consent)	national legal framework brought into conformity with the EITI standard; a report in Ukrainian and in a foreign language prepared according to the above-mentioned standard
Preventing and combating corruption				
9. Preparing and submitting to the Cabinet of Ministers of Ukraine in due course a draft Model Regulation on a Monitoring Committee of Infrastructure Projects, which would envisage the procedures for establishment of supervisory boards for the implementation of infrastructure projects of	December 2014	Ministry of Infrastructure Minregion Ministry of Finance	Transparency International Ukraine, other civil society institutions and international organisations (by consent)	a relevant resolution adopted by the Cabinet of Ministers of Ukraine

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national and regional levels				
10. Developing, with the involvement of members of the public, anti-corruption regional programmes	March 2015	oblast state administrations, Kyiv city state administration Ministry of Justice	all-Ukrainian NGO "All-Ukrainian Special Board to Combat Corruption and Organised Crime", other civil society institutions and international organisations (by consent)	programmes approved by oblast city councils and Kyiv city council
11. Developing, with the involvement of members of the public, methodological recommendations on identification of corruption risks in judicial officials' work and of ways to counteract them	—“—	Ministry of Justice	Transparency International Ukraine, International Renaissance Foundation, all-Ukrainian NGO "All-Ukrainian Special Board to Combat Corruption and Organised Crime", other civil society institutions and international organisations (by consent)	methodological recommendations on identification of corruption risks in judicial officials' work approved by the Ministry of Justice
12. Creating a unified web-portal of civil servants' declarations of income, property and expenditures for their public-domain disclosure	December 2015	National Agency for Prevention of Corruption State Fiscal Service National Agency for Civil Service Ministry of Justice Administration of State Service of Special Communication and Information Protection State Agency for Electronic Governance	Transparency International Ukraine, International Renaissance Foundation, other civil society institutions and international organisations (by consent)	web-portal created

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Improving quality of administrative and social services provision				
13. Developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft Law of Ukraine on the Administrative Procedure	December 2014	Ministry of Justice	Centre for Political and Legal Reforms, other civil society institutions and international organisations (by consent)	a relevant draft law endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption
14. Developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft law on streamlining of relations concerning payment for administrative services	June 2015	Ministry of Economic Development and Trade Ministry of Justice Minregion Ministry of Finance	—“—	a relevant draft law endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption
15. Implementing a pilot version of a Unified State Portal of Administrative Services to ensure requesting entities' access to information on administrative services and on entities providing them	October 2015	Ministry of Economic Development and Trade Ministry of Finance State Agency for Electronic Governance	civil society institutions and international organisations (by consent)	pilot version of a Unified State Portal of Administrative Services implemented (given necessary funding)
16. Developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft law on decentralisation of powers concerning the provision of administrative services, most important to citizens, including to ensure their provision through administrative service provision centres, namely: registration of residence (stay), execution of identity documents, including for leaving abroad state registration of legal entities and individual entrepreneurs, real estate rights and their encumbrances, citizens'	during 2014—2015	Minregion Ministry of Justice Ministry of Internal Affairs Ministry of Agricultural Policy and Food Ministry of Economic Development and Trade State Registration Service State Migration Service State Agency for Land Resources	—“—	the powers in question delegated to local self-governance bodies and local executive authorities

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associations, and civil status state registration of land plots, entry and issuance of data from the State Land Cadastre registration of vehicles, execution of driver's licences				
17. Developing and submitting to the Cabinet of Ministers of Ukraine in due course a draft Law of Ukraine on Amending the Law of Ukraine on Social Services (new wording) to ensure equal treatment in the provision of social services to members of different social groups	December 2014	Ministry of Social Policy	Coalition of HIV Service Organisations all-Ukrainian charitable foundation, Caritas Ukraine international charitable foundation, other civil society institutions and international organisations (by consent)	a relevant draft law endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption

Implementing e-governance technologies and developing e-democracy

18. Developing and submitting to the Cabinet of Ministers of Ukraine in due course the draft laws of Ukraine of top priority for bringing the national legal framework into conformity with the European legislation: On Amending Some Legislative Acts (to envisage the possible certification with a requesting entity's own digital signature of validity of a package of electronic copies of scanned documents required to obtain an administrative service, and to establish a requesting entity's liability for submission of invalid documents and data) On Amending the Law of Ukraine on the Electronic Digital Signature (to improve the procedure of state regulation in the field of	—“—	Ministry of Justice State Agency for Electronic Governance Minregion Ministry of Economic Development and Trade Administration of State Service of Special Communication and Information Protection National Commission for State Regulation of Communications and Informatisation State Archive Service	civil society institutions and international organisations (by consent)	relevant draft laws endorsed by the Cabinet of Ministers of Ukraine, submitted to the Verkhovna Rada of Ukraine, and followed up until adoption
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Action	Terms of completion	Responsible implementing agency	Partners	Expected results
<p>electronic digital signature services, supervise compliance with the electronic digital signature legislation, reform the legislation on the use of public key infrastructure and provision of electronic trust services considering the European Union experience)</p> <p>On Amending the Law of Ukraine on Citizens' Appeals</p> <p>On Amending the Law of Ukraine on Protection of Personal Data</p>				
19. Establishing the Assessment of Electronic Readiness of Ukraine interactive system, and conducting the assessment	December 2014	State Agency for Electronic Governance Minregion	Derzhinformresurs National Centre for e-Governance, OSCE Project Coordinator in Ukraine, e-Governance Cities Association of Local Self-Governance Bodies, other civil society institutions and international organisations (by consent)	Assessment of Electronic Readiness of Ukraine interactive system established, assessment conducted
20. Preparing and submitting to the Cabinet of Ministers of Ukraine in due course proposals on the development of a procedure for disclosure of open governmental data on the Internet	May 2015	State Agency for Electronic Governance Minregion State Committee for Television and Radio Broadcasting State Archive Service	Derzhinformresurs National Centre for e-Governance, UNDP Ukraine, International Renaissance Foundation, other civil society institutions and international organisations (by consent)	the issue of disclosure of open governmental data on the Internet settled
21. Designing the Roadmap for Development of Electronic Democracy	June 2015	State Agency for Electronic Governance Minregion Ministry of Justice	Derzhinformresurs National Centre for e-Governance, Transparency International Ukraine, International	proposals developed for identifying the ways of realising the potential of e-democracy instruments as

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			Renaissance Foundation, UNDP Ukraine, e-Governance Cities Association of Local Self-Governance Bodies, Podillia Agency for Regional Development NGO, other civil society institutions and international organisations (by consent)	means to ensure the possibility of citizens' impact upon state decision-making and supervision over authorities
22. Partner implementation of pilot initiatives related to provision of budget information in an open and accessible form on the national, oblast and local levels	December 2015	Ministry of Finance Minregion	Derzhinformresurs National Centre for e-Governance, East Europe Foundation, Delegation of the European Commission to Ukraine, other civil society institutions and international organisations, local self-governance bodies (by consent)	"How much does the State cost?" web-portal created; Open City platform implemented in 15 administrative-territorial units; at least 5 pilot initiatives implemented for public awareness-raising on budgeting and creating user-friendly budget information
23. Preparing and submitting to the Cabinet of Ministers of Ukraine in due course a draft resolution on the approval of the Procedure for Processing of Citizens' Electronic Appeals	June 2015	State Agency for Electronic Governance Minregion Ministry of Justice Administration of State Service of Special Communication and Information Protection State Archive Service	UNDP Ukraine, other civil society institutions and international organisations (by consent)	a relevant resolution adopted by the Cabinet of Ministers of Ukraine
24. Conducting a national awareness-raising campaign "Public Libraries as Bridges to e-	2014—2015	Ministry of Culture Minregion	Derzhinformresurs National Centre for e-Governance,	e-Governance Basics distance training course developed;

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Governance”			Bibliomist Programme, Ukrainian Library Association, other civil society institutions and international organisations (by consent)	training provided to members of district and settlement councils