

Independent Reporting Mechanism

Armenia Co-Creation Brief 2024

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Introduction

This brief from the OGP's Independent Reporting Mechanism (IRM) serves to support the co-creation process and design of Armenia's sixth action plan and to strengthen the quality, ambition and feasibility of commitments. It provides an overview of the opportunities and challenges for open government in the country's context and presents recommendations. These recommendations are suggestions, and this brief does not constitute an evaluation of a particular action plan. Its purpose is to inform the planning process for co-creation based on collective and country-specific IRM findings. This brief is intended to be used as a resource as government and civil society determine the next action plan's trajectory and content. National OGP stakeholders will determine the extent of incorporation of this brief's recommendations.

The co-creation brief draws on the results of the research in [prior IRM reports for Armenia](#) and draws recommendations from the data and conclusions of those reports. The brief also draws on other sources such as [OGP National Handbook](#) and [OGP Participation and Co-creation Standards](#), to ensure that recommendations provided are up-to-date in light of developments since previous IRM reports were written, and to enrich the recommendations by drawing on comparative international experience in the design and implementation of OGP action plan commitments as well as other context-relevant practice in open government. The co-creation brief has been reviewed by IRM senior staff for consistency, accuracy, and with a view to maximizing the context-relevance and actionability of the recommendations. Where appropriate, the briefs are reviewed by external reviewers or members of the IRM International Experts Panel (IEP).

The IRM drafted this co-creation brief in May 2024.

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Table of Contents

Section I: Action Plan Co-Creation Process	2
Section II: Action Plan Design	3

Section I: Action Plan Co-Creation Process

The IRM noted several improvements in the co-creation process for Armenia's [fifth action plan](#) (2022-2024). The government was more proactive in its public outreach, while international partners supported the government and civil society organizations (CSOs) to expand the scope of consultations and awareness raising. The government and civil society should build on and extend these improvements for the co-creation of the sixth action plan, while ensuring the process meets the minimum requirements in OGP's [Participation and Co-creation Standards](#).

The IRM recommends the following steps:

- **Standard 1:** Publish the basic rules for stakeholder participation in the co-creation and implementation of the action plan and institutionalize the OGP process through a formal multi-stakeholder forum (MSF).
- **Standard 3:** Provide more background information before the co-creation process to stakeholders that are unfamiliar with OGP.
- **Standard 3:** Provide stakeholders with detailed information before each co-creation meeting, including the topics for discussion.
- **Standard 4:** Respond to all stakeholders that submit proposals, including for proposals not shortlisted for commitments.
- **Standards 2 and 5:** Ensure transparent and participatory monitoring of the action plan's implementation.

RECOMMENDATIONS

Recommendation 1: Publish the basic rules for stakeholder participation in the co-creation and implementation of the action plan and institutionalize the OGP process through a formal multi-stakeholder forum (MSF).

For the fifth action plan, the informal working group format provided flexibility but also some uncertainty about the possibilities of participation, particularly for CSOs that were not previously engaged in OGP. There was [limited public information](#) on the rules and procedures for participating in the OGP process and the information on the working group's composition [is not up to date](#). For the sixth action plan, the government should publish on the OGP webpage the basic rules for stakeholder participation in the OGP process, including the mandate, composition, and structure of the working group. Armenia could also explore establishing a formal MSF for OGP. For example, the [Republic of Moldova](#) and [Ukraine](#) have MSFs for OGP that are mandated through government regulations that set out rules of procedure and requirements toward their members.

Recommendation 2: Provide more background information before the co-creation process to stakeholders that are unfamiliar with OGP.

During the fifth action plan, the government collected proposals for commitments electronically by email and via a [form](#) on the OGP website. While this practice is sufficient for stakeholders who are already familiar with OGP, new stakeholders may need more background information on OGP generally and Armenia's OGP process specifically, so that their proposals can be taken on during the co-creation discussions. In advance of the next action plan, the government (with support from CSOs and international partners) could prepare a targeted campaign, [as recommended by the Armavir Development Center](#). This campaign could cover the scope of OGP action plans, a summary of Armenia's OGP priorities so far, information about upcoming meetings with clearly defined participation criteria, and

the criteria for selecting commitments. Extra time may be necessary to raise awareness among groups who are unfamiliar with OGP regarding the possibility of submitting suggestions. In addition, additional efforts beyond emailing may be necessary to reach new CSOs, policy experts, and other target groups.

Recommendation 3: Provide stakeholders with detailed information before co-creation meeting, including the topics for discussion.

For the fifth action plan, the government posted information about individual co-creation meetings on the [OGP-Armenia Facebook page](#) after the meetings convened. For more focused discussions, the government could provide this information to stakeholders in advance of each meeting, including the list of proposals. Stakeholders should be given enough time to organize logistics, such as obtaining security passes for meetings held in government buildings or registering for meetings over Zoom. The government could also invite contributors whose proposals were not included in the shortlist.

Recommendation 4: Respond to all stakeholders that submit proposals, regardless of the inclusion of their suggestions in the shortlist of commitments.

CSOs praised the government's explanations behind shortlisting the commitments for the fifth action plan as more detailed compared to previous action plans. However, only stakeholders whose suggestions were shortlisted were invited to the events, while other stakeholders who provided suggestions did not receive a response. Even when these responses [were published on the OGP website](#), some stakeholders were not informed. For the sixth action plan, the government could communicate individually with each stakeholder who submitted proposals, including those that are not shortlisted. The government could inform stakeholders on the status of their proposals before finalizing the action plan by sending them the link to the responses on the government's OGP website.

Recommendation 5: Ensure transparent and participatory monitoring of the action plan's implementation.

Information on the working group's meetings during the implementation period are published on the [OGP-Armenia Facebook page](#). While this practice is sufficient to reach stakeholders who are already engaged in OGP, Armenia could improve how it provides this information to the public. The government and CSOs who are co-implementers could ensure a transparent approach to implementation, including timely documentation of the progress of the commitments on the OGP repository. To ensure full compliance with the minimum requirements under [OGP's Co-creation and Participation Standards](#), the OGP repository should be updated at least twice each year with information and evidence on the status of the commitments (standard 2).

Section II: Action Plan Design

AREAS OF OPPORTUNITY FOR COMMITMENTS

Armenia's past two action plans (2018-2020 and 2022-2024) have included commitments incorporating legislative changes, which has improved the ambition compared to earlier plans. Several key policy areas from recent action plans remain priorities for the government, civil society, and international partners. The sixth action plan could build on past reforms around anti-corruption, beneficial ownership (verification of data), and participatory budgeting. Armenia could also pursue ambitious commitments in civic participation in decision-making, judicial

transparency, and access to justice. The government and civil society could also jointly select new or ongoing reforms to be pursued as [Open Gov Challenges](#), such as anti-corruption, civic space, and justice reform.

AREA 1. Anti-corruption

Anti-corruption reform has been a major priority of the government since 2018. Armenia's score in the Transparency International (TI)'s Corruption Perception Index [saw a slight increase in 2023](#) compared to 2022. However, TI Armenia [noted](#) that manifestations of corruption persist, such as the abuse of administrative resources during elections, irresponsible conduct by high-ranking officials, unjustified and/or single-source procurement, and the awarding of public contracts by persons close to government officials.

In October 2023, the government [adopted](#) its anti-corruption strategy and action plan for 2023-2026. Armenia could use its sixth OGP action plan to pursue the objectives in this strategy, such as improving the proceedings conducted by the Corruption Prevention Commission (CPC), i.e. broadening the range of declarants, expanding the scope of integrity checks, and enhancing the oversight mechanisms for the financing of political parties. Armenia could improve the transparency of its integrity bodies (like the CPC) by publishing statistics on internal investigations and their outcomes and putting the contact information of integrity officers and ethics commission members on government bodies' official websites. In line with [recommendations](#) from the Group of States Against Corruption (GRECO), Armenia could establish a permanent ethics committee in the parliament with clear enforcement powers and commit to transparent enforcement of the [Model Rules for Conduct of Public Servants](#), adopted in 2022. Armenia could also develop monitoring mechanisms for the gifts register and the e-procurement platform (both commitments in the fifth action plan). For example, the government could link the data in the e-procurement platform, gift register, and public officials' declarations, and provide options for the public to provide feedback (such as reporting inaccurate information or possible violations). Lastly, Armenia could continue pursuing commitments that address the recommendations in the Organisation for Economic Co-operation and Development (OECD)'s [Istanbul Anti-Corruption Action Plan](#).

Useful resources

- OGP: [Actions to Tackle Corruption](#);
- OECD: [Recommendations on Public Integrity](#);
- Partners that can provide technical support: [TI Armenia](#), [Open Contracting Partnership](#).

AREA 2. Ultimate beneficial ownership (UBO) verification

Armenia launched a [beneficial ownership register](#) in 2020, initially focusing on extractive-industry companies. In 2023, Armenia [expanded](#) the scope of the register to all legal entities operating across the economy. The European Union's recent, [sixth Anti-Money-Laundering Directive](#) has provided provisions for access to beneficial ownership information based on demonstrating legitimate interest.

For the sixth action plan, Armenia could develop mechanisms to verify the accuracy of ultimate beneficial ownership (UBO) information. Verification of UBOs is important to uncover cases where public officials' may be unlawfully involved in business activities. Verification mechanisms could include automatic checks against risk-indicators, feedback from banks, and

cross-checks with other registries. Having [adopted](#) the Beneficial Ownership Data Standard (BODS), Armenia could link unique identifiers for UBO data to the data presented on other state-run databases, such as officials' asset declarations. Also, as a member of [OGP's Beneficial Ownership Leadership Group](#), Armenia could engage civil society to report inaccuracies, enabling their role as watchdogs and users of the data.

Useful resources:

- OGP: [Policy Progress Report: Beneficial Ownership Transparency](#);
- Open Ownership: [Policy briefing: Verification of Beneficial Ownership Data](#);
- Extractive Industries Transparency Initiative (EITI): [Legal approaches to beneficial ownership transparency in EITI countries](#);
- Ukraine ([2021-2022 action plan](#)) is working on this policy area;
- Partners that can provide technical support: [Publish What You Pay](#), [Extractive Industries Transparency Initiative](#), [Financial Action Task Force](#), and [Open Ownership](#).

AREA 3. Civic participation in decision-making

In 2023, Freedom House [noted](#) that CSOs in Armenia remained active and influential, collaborating with the government on democratic reforms. However, the 2023 CSO Monitoring Report [found](#) that a lack of effective participation mechanisms in the early stages of policy-making has led to the adoption of restrictive draft laws regarding access to information, freedom of expression, and digital rights. There are no detailed procedures for organizing discussions and collecting public feedback beyond the publication of legislative drafts on [e-draft.am](#). Moreover, the provision on mandatory consultation does not extend to draft legislation initiated by the National Assembly.

Armenia is developing a participatory governance unit within the Prime Minister's Office (PPO), per the [Public Administration Reform Strategy](#) and [related action plan](#). In the sixth action plan, the PPO could strengthen the legal framework of public participation in decision-making processes. The PPO could improve the use of [e-draft.am](#), such as requiring executive bodies to publish later versions of draft laws and the outcomes of in-person consultations. The PPO could also add a "legislative train" tracking component to [e-draft.am](#), similar to the [European Parliament's tracking of the EU Commission's legislative priorities](#). Finally, the government and CSOs could develop more mechanisms to engage the public outside the capital and underrepresented groups (i.e., through face-to-face consultations).

Useful resources:

- OGP: [Democratic Freedoms Learning Network](#);
- [OECD's guide to public engagement for better policies and services](#);
- Examples of mechanisms for civil society engagement: [Mexico](#), [Scotland](#), [Sweden](#)
- Partners that can provide technical support: [International Center for Not-for-Profit Law \(ICNL\)](#), [CIVICUS](#), and [OECD](#).

AREA 4. Open justice and access to justice

The Ministry of Justice (MoJ) adopted a [Strategy on Legal and Judicial Reforms](#) for 2022-2026, which includes implementing an e-justice system (a commitment in the fifth action plan). For the sixth action plan, the MoJ and the Supreme Judicial Council (SJC) could implement the measures of the strategy expected for 2024-2026, such as introducing a unified e-justice platform, creating a digital archive of the State Register of Legal Entities, and

introducing a unified electronic management system of the National Archives. In addition, the World Bank Group [recommends](#) making the algorithm for the random case allocation publicly available and logging the input parameters (e.g. list of eligible judges, type of case, etc.).

Armenia could also lower barriers to justice mechanisms for citizens. For example, the World Bank Group [recommends](#) reviewing current court fees to ensure affordability, reviewing current admission criteria to appeal to the Court of Cassation, and enhancing the quality of legal aid services to address rising demand.

Useful resources:

- World Bank Group: [Supporting Judicial Reforms in Armenia: A Look Forward](#);
- UN Office on Drugs and Crime: [Resource Guide on Strengthening Judicial Integrity and Capacity](#);
- OGP: [Justice Policy Series, Part II: Open Justice](#);
- Partners that can provide technical support: [Global Judicial Integrity Network](#), [Pathfinders](#), [Armenian Young Lawyers Association](#).

AREA 5. Participation in national and local budgeting processes

Armenia [scored](#) below the global average in the International Budget Partnership (IBP)'s 2021 Open Budget Survey in public participation in the budgeting process. The fifth action plan aimed to establish a platform with links to the draft budgets of state administration bodies where citizens can provide ideas during the draft period. For the sixth action plan, the Ministry of Finance (MoF) could support public administration bodies to consult citizens on their priorities in budget documents, including offline discussions on specific budget themes. The MoF could also pursue IBP's recommendations to develop and pilot mechanisms for citizens to monitor budget implementation, and actively engage vulnerable and underrepresented communities, directly or through CSOs representing them. Lastly, the Armenian Center for Socio-Economic Studies (ACSES), in cooperation with the MoF, produced Armenia's [first Citizens' Budget in 2024](#). The MoF could commit to institutionalizing the publication of the Citizens' Budget annually.

Participatory budgeting in communities (also a commitment in the fifth action plan) has shown positive results and the government has [allocated additional funds](#) to encourage communities to use participatory budgeting. In the sixth action plan, Armenia could support the adoption of the Ministry of Territorial Administration and Infrastructure's [guidelines](#) by local communities and standardize participatory budgeting across communities. Additional activities could include publishing simplified budget information and utilizing diverse channels and tools for raising awareness and encouraging participation.

Useful resources:

- Global Initiative for Fiscal Transparency: [High-Level Principles on Fiscal Transparency, Participation and Accountability](#);
- People Powered: [Participatory budgeting scoping toolkit](#);
- OGP: [Open Gov Guide: Fiscal Openness](#);
- Partners that can provide technical support: [International Budget Partnership](#), [Armavir Development Center](#), [Armenian Center for Socio-Economic Studies](#), and [OECD](#).