

Independent Reporting Mechanism

Action Plan Review:
Ukraine 2023-2025

Open
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Section I: Overview of the 2023–2025 Action Plan

Ukraine's sixth action plan includes commitments addressing the transparency of and participation in restoration processes, harmonization with European Union (EU) legislation, and restoring access to information. Most commitments will be embedded in legislation to ensure their sustainability beyond donor support. Successful implementation will benefit from the consistent support of local and international partners.

Ukraine's sixth action plan contains 10 commitments. Several of these commitments address challenges caused by Russia's full-scale military invasion in February 2022, mainly on transparency and public participation in recovery projects and restoring open data access to open data that was closed due to the full-scale invasion. Ukraine's EU integration process also influenced the action plan, following the granting of EU candidate status in June 2022.¹

Commitment 5 aims to harmonize Ukrainian legislation with EU laws, while other commitments aim for integration with EU legislation and directives, particularly in open data and open science. Commitments on open science, youth policy, and transparency in the extractives sector are carried over from the last action plan. Most commitments are linked with existing legislation and/or include the adoption of relevant regulations, which will provide a solid legislative framework for sustainable implementation.

Ukraine's multi-stakeholder forum, the Coordination Council, was more actively involved in action plan development compared to the previous co-creation cycle. Non-governmental members of the revised council covered a more diverse range of expertise. The co-creation process was organized through online channels and engaged many stakeholders. There were ample opportunities to participate, including through online consultations, thematic meetings, written proposals, and feedback on the draft action plan.

Civil society representatives praised the Cabinet of Ministers' efforts to maintain Ukraine's OGP process despite the ongoing military invasion.² They highlighted Commitments 1 on digital tool for managing reconstruction and 9 on open data as the most valuable, both of which the IRM has assessed as promising in this Action Plan Review because of their high potential in reducing corruption in reconstruction projects and restoring public access to data that is important for

AT A GLANCE

Participating since 2011
Number of commitments: 10

Overview of commitments:

- Commitments with an open government lens: 10 (100%)
- Commitments with substantial potential for results: 3 (30%)
- Promising commitments: 4 (40%)

Policy areas:

Carried over from previous action plans:

- Extractive industries
- Youth participation
- Open data
- Transparency in infrastructure projects
- Open science

Emerging in this action plan:

- Restoration and development
- Transparency and integrity in higher education

Compliance with OGP minimum requirements for co-creation: Yes

anti-corruption work. Commitments 2 on a geo-information system for monitoring and evaluating regional and community development and 6 on a single-source platform for youth-related information and participation are also assessed as promising.

As with previous action plans, international donor organizations and Ukrainian civil society will provide considerable support to the government for the implementation of commitments in this action plan.³ Continuous support from these stakeholders, as well as continued capacity building for governmental and other partners, will be critical for ensuring successful implementation and long-term sustainability of commitment results beyond the action plan cycle.

¹ “Ukraine,” Council of the European Union, <https://www.consilium.europa.eu/en/policies/enlargement/ukraine>.

² Oleksiy Orlovsky (International Renaissance Foundation), interview by IRM researcher, 21 March 2024; Olesya Arkhypska (Transparency International Ukraine & Co-Chair of Coordination Council), interview by IRM researcher, March 2024; Viktor Nestulia (DREAM Project Office), interview by IRM researcher, 26 March 2024; Andrii Gnap (Waste Ukraine Analytics), interview by IRM researcher, March 2024; Oksana Kosenko (United Nations Development Programme), interview by IRM researcher, 2 April 2024.

³ These organizations include the “Transparency and Accountability in Public Administration and Services” (TAPAS) project, succeeded by Digital Transformation Activity (DTA) project funded by USAID and UK Aid/UK Dev and implemented by Eurasia Foundation; the “Dream and Act” project, funded by USAID and implemented by IREX, Eastern Europe Foundation, EU4Digital project, and Open Contracting Partnership (OCP); the “Decentralization Offers Better Results and Efficiency” (DOBRE) project, funded by USAID; as well as EU Anti-Corruption Initiative, United Nations Development Program (UNDP) in Ukraine, International Renaissance Foundation, and German Society for International Cooperation (GIZ).

Section II: Promising Commitments in Ukraine’s 2023-2025 Action Plan

The following review looks at four commitments that the IRM identified as having the potential to realize the most promising results. Promising commitments address a policy area that is important to stakeholders or the national context. They must be verifiable, have a relevant open government lens, and have modest or substantial potential for results. This review also provides an analysis of challenges, opportunities, and recommendations to contribute to the learning and implementation process of this action plan.

Table 1. Promising commitments

Promising Commitments
1. Digital tool for infrastructure and real estate reconstruction: This commitment supports the creation of a digital platform for reconstruction projects, providing transparency on project planning, implementation, and monitoring.
2: Monitoring the development of regions and territorial communities: This commitment envisages establishing a geo-information portal that will integrate development indicators from all Ukrainian regions and territorial communities, allowing data visualization and analysis.
6. Development of the E-Youth digital platform: This commitment will create a unified platform for youth-related projects and activities, providing information resources and possibilities of participation.
9. Ensuring access to public information in the form of open data: This commitment plans to enhance access to open data, restore the data that was closed after the full-scale invasion, and publish new datasets.

Commitment 1: Digital tool for infrastructure and real estate reconstruction

Ministry for Communities, Territories, and Infrastructure Development; Agency for Reconstruction.

For a complete description of the commitment, see Commitment 1 in Ukraine’s 2023–2025 action plan: <https://www.opengovpartnership.org/documents/ukraine-action-plan-2023-2025>.

Context and objectives

Considerable international support has been directed towards Ukraine’s reconstruction and recovery from Russia’s full-scale military invasion, underscoring the importance of transparency in the implementation of recovery projects. In 2022, a coalition of 50 local and international organizations aimed at advancing Ukraine’s Reconstruction Integrity, Sustainability (RISE) proposed creating a system for managing reconstruction projects. On 26 August 2022, the Ministry of Infrastructure (later transformed into the Ministry for Communities, Territories, and Infrastructure Development of Ukraine) signed a memorandum of cooperation with RISE Ukraine on introducing an electronic reconstruction management ecosystem.¹ In November 2022, the Cabinet of Ministers adopted Resolution No. 1286, which sets the pilot of the unified system.² This platform was named the Digital Restoration Ecosystem for Accountable Management (DREAM).³ In 2023, the ministry, along with the Agency for Reconstruction and the Open Contracting Partnership (OCP), established the DREAM project office that is responsible for the system development and implementation, including capacity building for

communities on how to use the system.⁴ The system was developed in the framework of an OCP project with the support of the British government and later the German government through the German Development Cooperation (GIZ) as well as USAID's and UK Dev Digital's Ukraine Digital Transformation Activity implemented by Eurasia Foundation. As with Prozorro and Prozorro.Sale, the management of DREAM's electronic system is being gradually transferred to the government upon its development.⁵

DREAM will integrate the entire cycle of projects, such as the description, justification, planning, budgeting, evaluation, financing, procurement, contracting, implementation, payment for work, and completion. Implementing bodies (local communities, regional and national authorities) can add their projects and upload relevant information and documents. Registered donor organizations can also use the platform to launch open calls for applications, communicate with projects initiators, and monitor implementation while other organizations can register as independent reviewers.⁶ All data is collected and published in accordance with the Open Contracting Data Standard (OCDS).⁷ DREAM is linked with other government registers and systems such as the Registry for Damaged and Destroyed Property, e-Construction, United State Register, Prozorro, spending.gov.ua, ProIFI, OpenBudget, Legal Entities Register, and will later be linked with the geo-information system (GIS), Diia, and other systems to transfer information through a unified channel and automatically retrieve information at the implementation stage.⁸ While the system is primarily designed for reconstruction, the Head of DREAM Project Office indicates it will also cover other public projects that have attracted investment.⁹ The milestones of this commitment include developing by-law regulations which will clarify the functions and components of the platform and responsibilities of the respective bodies as well as testing the platform and training users on how to use it.

Potential for results: Substantial

Stakeholders highlight this commitment as one of the most important of the action plan. Citizens can identify their region or community on the platform and track the implementation, expenditures, and reports of local projects. DREAM will also offer a single window for information on specific projects from other registries and implementing entities in a user-friendly manner, providing an analytics module, easy searching and filtering, and information on risks. Besides providing information on projects, the new module under development will allow citizens to submit project ideas, leave feedback, participate in e-polls, and vote for projects.¹⁰

As of the end of 2023, the World Bank and the Government of Ukraine estimated that Ukraine's reconstruction would require as much as USD 486 billion.¹¹ A 2023 opinion poll revealed that 79% of Ukrainians are concerned about a lack of control over reconstruction resulting in embezzlement or the use of poor-quality materials, and 75% concerned about the resumption of money laundering on large-scale projects. Over 70 percent of respondents considered it essential to control the implementation of works, costs, and information about contractors and responsible persons to prevent corruption.¹² DREAM could address these concerns by enabling closer monitoring of detailed information on the implementation of reconstruction projects.

As the government plans to mandate DREAM for all reconstruction projects, the IRM assesses the commitment as having substantial potential for results.¹³ The legal regulations for mandatory use of the platform are expected to be adopted by the parliament in 2024.¹⁴ As of June 2024, over 1050 local governments (up from 315 in March 2024) have already registered and presented their projects.¹⁵

Opportunities, challenges, and recommendations during implementation

As DREAM primarily targets regions and communities, it will be important to ensure local governments have the necessary capacity to utilize the platform for reconstruction. It will also be important to maintain the interest and input of civil society and citizens in monitoring and participation. Training users and supporting the project office could mitigate these risks. Another challenge will be sustaining the platform and project office beyond donor support. This commitment addresses this risk by legally requiring the project implementers to use the platform. Additionally, the government has amended the “Fund for Liquidation of the Consequences of Military Aggression” to fund projects via DREAM.¹⁶ The EU’s Ukraine Facility also provides EUR50 billion for reconstruction in regions.¹⁷ Allocating these funds through DREAM will allow for greater monitoring and participation.

To fully realize the potential of DREAM, the IRM recommends the following:

- Strengthen the participatory module of the platform by incorporating provisions in the by-law regulations on DREAM to ensure that project implementers consider public input and provide feedback to the input as relevant, similar to Dozorro and Italy’s OpenCoesione.¹⁸
- Specify the timelines and roadmap for mandating the use of the platform for publishing information on all reconstruction and investment projects (including those funded by the Liquidation Fund and the EU’s Ukraine Facility).
- Organize ongoing capacity building of regional and local governments, specifically for project design, management, and application of OCDS. The government can cooperate with CSOs on an institutional basis to benefit from their existing support work. For example, the Initiative Center to Support Social Action - Ednannia has shared professional standards for reconstruction experts and supported relevant capacity building activities.¹⁹

Commitment 2: Monitoring the development of regions and territorial communities

Ministry for Communities, Territories, and Infrastructure Development.

For a complete description of the commitment, see Commitment 2 in Ukraine’s 2023–2025 action plan: <https://www.opengovpartnership.org/documents/ukraine-action-plan-2023-2025>.

Context and objectives

This commitment plans to create a unified geo-information system (GIS) for the development of regions and territorial communities. The State Regional Policy, amended in 2022, sets provisions on monitoring this policy through an information and telecommunication system.²⁰ A government regulation in May 2023 sets the GIS procedure,²¹ whereas the technical concept was developed in partnership with the Anti-Corruption Initiative of the EU in Ukraine and the World Bank.²²

The Ministry for Communities, Territories, and Infrastructure Development, along with the Agency for Reconstruction, will develop monitoring procedures, operationalize GIS, and train users in its application. The GIS will have a public interface with information on regions and communities in open data (including socioeconomic development, geospatial, as well as strategic plans’ design and implementation data) that can be used for monitoring and analyzing the implementation of programs by regions and communities as well as how the funds are spent. The system will produce automated reports based on a set of indicators and the information will be visualized in an interactive map.²³

Potential for results: Substantial

According to data from mid-2023, 700 enterprises have relocated within Ukraine, while more than 5.4 million persons have been internally displaced and over 1.4 million housing units have been affected by the war.²⁴ The GIS will allow users to analyze the impact of these changes on social, economic, and other development indicators. It will provide access to various regional data, including data on damages, changes in population, number of legal entities, access to social services, and functional types of territories. Civil society, donor organizations, and citizens will be able to see all data on specific communities or regions in a user-friendly manner, and track implementation of strategic plans in each community or region. It will particularly serve in measuring the indicators of the 2021–2027 State Strategy for Regional Development²⁵ and other local and regional development strategies. The GIS will be interconnected with the DREAM platform; providing information for community needs and monitoring the impact of investments. The raw community GIS data will serve as a basis for prioritization of restoration objects in DREAM.²⁶ Its linkage to other systems and official registers will allow automated data collection, whereas harmonization with European indicators will keep it in line with EU integration policy.²⁷

Prior to this commitment, information on the implementation of local and regional plans was collected in a paper format—hence with limited indicators—which the ministry uses in preparing annual reports.²⁸ The GIS will allow the ministry to collect and publish this information in a digital format for the first time. Greater number of indicators will provide users with more comprehensive data and statistics while the system’s visualization and search functions will enable better accessibility of the data. Since the GIS will significantly improve access to digital information on regional and community development indicators and the implication of open data approach, the IRM has assessed this commitment as having substantial potential results.

Opportunities, challenges, and recommendations during implementation

As in the case of DREAM, the main challenge to implementing this commitment will be the limited capacity of governments at the local level, including lack of human resources, gaps in technical capability, and insufficient comprehension of open data.²⁹ This may impede the collection and digitalization of information for the GIS. Furthermore, implementation of the GIS will rely on international funding, secured for the first year, but will need to be raised for sustained operation beyond the action plan. Building the capacities of communities in data management, digitization, and open data standards by the government, civil society, and international partners will be crucial for successful implementation, along with expert support in the initial stages of launching the platform. The IRM also recommends ensuring that data can be downloaded in bulk for reuse.

Commitment 6: Development of the E-Youth digital platform

Ministry of Youth and Sport

For a complete description of the commitment, see Commitment 6 in Ukraine’s 2023–2025 action plan: <https://www.opengovpartnership.org/documents/ukraine-action-plan-2023-2025>.

Context and objectives

In 2021, the government adopted the Ukraine National Youth Strategy 2030³⁰ and the 2021–2025 ‘Youth of Ukraine’ program.³¹ These documents emphasize the development of digital tools for youth policy and prioritize the participation of youth in public life. The Law of Ukraine about the main principles of youth policy defines the framework of youth policy implementation and lays out the foundations for the formation and activity of various types of youth and

children's organizations, including youth spaces, youth centers, youth councils and advisory bodies, and public associations. The law established the National Youth Council as a consultative and advisory body under the Cabinet of Ministers for interaction and cooperation with central and local authorities in youth policy.³²

This commitment continues the objective of a previous commitment on involving young people in policymaking. The Ministry of Youth and Sport will set up an online platform with comprehensive youth-related information and for collecting feedback from young people for policy making and youth projects. Additionally, the platform will have a tool for voting the National Youth Council members³³ and other youth bodies. The ministry will first collect information on the needs and available resources for young people to integrate all existing resources in the platform and inform the Terms of Reference for its software. They will then pilot the platform, conduct awareness raising, and adopt legislative regulations to institutionalize the platform at the level of state policy. The platform will incorporate a wide range of the ministry's services, such as the management of youth centers, youth exchange programs, competitions for government awards, project grants for youth organizations, and so on in accordance with the needs assessment. The ministry will discuss the functionality of the platform with implementing partners,³⁴ one of whom has proposed that the platform serve as a tool for youth surveys, enabling actors in the field to get information from the platform without duplicating data collection efforts.³⁵

Potential for results: Modest

If successfully implemented, the platform will provide access to a wide range of information and services related to young people in one place, as well as innovative participation opportunities that have not been available to young people before. However, as the platform will facilitate the implementation of existing youth policies and regulations rather than bringing significant changes to these policies, the IRM assesses the potential for results of this commitment as modest.

Currently, Ukraine has several platforms for youth-related information, including for youth workers, youth centers, as well as resources for career and education opportunities, among others.³⁶ These are often difficult to find, especially for young people that are not engaged in any groups or projects. Consequently, stakeholders report a lack of awareness among young people about the opportunities to influence government policies.³⁷ The platform will serve as a unified information resource, covering youth-related news, programs, training courses, organizations, career opportunities, research data, statistical information, and other information in one place. It will also be a useful information source for Ukrainians abroad (including young people who emigrated following Russia's invasion). Furthermore, the platform will collect information from youth organizations and centers who can register and input their information (news, opportunities, project information, et cetera) directly on the platform.

Finally, young people will have new opportunities to participate through surveys, online voting, and youth exchange programs. Stakeholders expect the platform to improve the engagement of youth in social, economic, and political life of the country, and in initiatives undertaken by the government and youth organizations. The Council of Europe's recommendation highlights the importance of information and ICT to enable active youth participation in society. This Recommendation calls on states to consolidate and develop existing youth information and counselling services, adapting the forms and channels of youth information to the needs of all young people at local, regional, national, and European levels, as well as fostering the development of innovative ways to use new forms of communication.³⁸

Opportunities, challenges, and recommendations during implementation

The USAID-funded 'Dream and Act' program implemented by IREX will support the needs assessment, while the Eurasia Foundation's "Transparency and Accountability in Public Administration and Services" (TAPAS) project (followed by the "Digital Transformation Activity" (DTA) project) will assist the implementation of the platform.³⁹ Securing state resources will be necessary for the long-term sustainability of the platform. As the human resources of the Ministry of Youth and Sport are limited, the ministry may have to outsource the operationalization of the platform to a contractor.⁴⁰

The platform will need to be promoted among young people for it to become the main source of information and resources for Ukrainian youth, including those abroad. Stakeholders suggest linking it with the "Diia" e-government platform, which is used extensively among Ukrainians and especially young people, for better outreach. In addition, civil society suggest disseminating information among civil society organizations who work on youth-related issues and incorporating information of these organizations on the platform.⁴¹

The IRM recommends the following:

- To enhance youth participation in policymaking, the government could provide information on draft policies and laws in digestible language and invite young people to take part in consultations, allocate space for discussions, and produce media coverage on the role of youth in the country, including engaging young people in content development (e.g., through competitions). Practical examples can be found in the Joint Council on Youth's guidelines on young people's participation.⁴²
- The government could make the platform easily accessible to national minorities and people with visual impairments, therefore narrowing the digital divide and addressing other challenges linked with digitalization.⁴³
- The government and partner organizations could utilize multiple channels for disseminating information about the platform. While the commitment plans outreach activities and media campaigns, the IRM also recommends engaging local stakeholders, local governments, and youth centers in raising awareness about the platform, as well as reaching out via Diia to youth groups that are not typically engaged.

Commitment 9: Ensuring access to public information in the form of open data

Ministry of Digital Transformation

For a complete description of the commitment, see Commitment 9 in Ukraine's 2023–2025 action plan: <https://www.opengovpartnership.org/documents/ukraine-action-plan-2023-2025>.

Context and objectives

Ukraine has made considerable progress in public access to open data. The 2023 Open Data Maturity report classified Ukraine as a 'trendsetter', ranking third behind France and Poland and the most mature country in open data among EU candidate countries.⁴⁴ Amendments to the Law on Access to Information set the definition of "open data" in 2015,⁴⁵ while the Government Resolution No. 835 of 2015 introduced regulations on datasets to be published as open data and the procedure for annual assessments of the state of open data by information providers. The list of open datasets in the resolution have been continuously amended.⁴⁶ Resolution No. 867 in 2016 provided a mechanism of maintaining the Unified State Open Data Web Portal (data.gov.ua) and was amended to set the Open Data Competence Center as an integral component of the portal,⁴⁷ which contains over 75,000 datasets (with 34,000 datasets currently open for public).⁴⁸ The Ministry of Digital Transformation oversees open data initiatives and

each public body (including central, regional and local level executive bodies) must appoint responsible persons for publishing their respective open data.

Following Russia's invasion, the government closed several datasets due to security concerns but without applying a three-part test stipulated by the Law on Access to Information.⁴⁹ Civil society organizations have called on the government to justify its restrictions to access and re-open datasets that are essential for anti-corruption monitoring.⁵⁰ Although some datasets have been re-opened, some important datasets and registries are still not fully accessible in open data format, such as the unified state register of legal entities, the register of damaged property, cadaster data, and tax service datasets.⁵¹ The 2024 OECD monitoring report recommended fully reinstating the asset declaration system and reopening it to the public, with basing exemptions from the previous system on clear justification and prior public discussion.⁵² Though the register of declarations is available in API format for in-country users, there is no possibility of bulk data download. This commitment aims to find a balance between transparency and national security.⁵³

The commitment was designed jointly by the government, civil society, and international partners. It encompasses activities to support the restoration of open data and publication of new datasets. This will include developing a methodology for implementing the three-part test for reopening information and setting dataset structures to ensure compliance with open data format. It also entails opening new datasets in the areas of low-carbon and circular economy,⁵⁴ damages caused by military activities, and post-war reconstruction. Additionally, the Open Data Competence Center and donor projects will conduct trainings to support the implementation of all milestones. Overall, this commitment is in line with the policy of the Ministry of Digital Transformation, which is developing the 2025–2027 Open Data Strategy⁵⁵ and represents positive steps towards harmonization with EU data legislation, including the list of high-value datasets and respective dataset structures.⁵⁶

Potential for results: Substantial

Civil society highlight the importance of re-opening data for addressing corruption, ensuring transparency in the restoration of infrastructure and attracting investments, which are priorities for Ukraine in the context of its EU candidacy and recovery from Russia's military invasion.⁵⁷ Despite Ukraine's achievements in open data, civil society stakeholders mention that government bodies do not always have the capacity or motivation to publish data in open formats, particularly at the local level. Although data holders are required by law to implement a three-part test for closing data, they often do not carry out the test due to lack of awareness of the legal requirement, insufficient knowledge and skills to carry out the test, and, since Russia's invasion, the need to make rapid decisions to close data access on the grounds of national security. The methodology from this commitment could help data holders implement the test in line with the law and publish information that does not require restriction according to the test results. The results of the test will be published on the official website of the data holders, allowing civil society to review justifications provided in case of information restriction.

Currently, the structures of datasets (i.e., description of data formats and content) are left to the discretion of public bodies, who often lack the technical capacity for open data. Thus, the development of specific structures will help standardize datasets across agencies and regional governments and ensure that data is provided in the open format.⁵⁸ These structures will be enforced by the amendments in the government regulations related to datasets. As a result, the number of datasets published in a unified open format is expected to increase.

According to Government Resolution No. 835, all public bodies are required to carry out an annual information audit and publish the results on the open data portal. While the official methodology for the audit has already been piloted in at least ten public bodies and will be enforced once approved by the relevant ministry order,⁵⁹ only a few have conducted such audits,⁶⁰ largely supported by international partners.⁶¹ The audits could facilitate the integration of data from different sources, inform government open data policies, and identify the needs for further legislative and practical changes. In addition, information audits are one of the key indicators of the Digital Transformation Index of Regions.⁶²

The commitment also plans for the adoption of regulations for information providers that will set a legal framework for open data publication, tailored to the functions and scope of data within the given agency. Each agency will name the responsible persons for open data and specific datasets in its internal regulations. This milestone also includes developing action plans on open data at the local level. Local level regulations will contribute to making enforcement and implementation of open data policy in communities. Among other results, this will enable more local governments to adopt the International Open Data Charter, which has already been adopted by 15 local governments in Ukraine.⁶³

The last two milestones will publish new datasets. In the framework of the “Transparency and Accountability in Public Administration and Services” (TAPAS) project and with the support of the Ministry of Digital Transformation, Waste Ukraine Analytics implemented an assessment and recommended opening datasets on low-carbon and circular economy⁶⁴ to support Ukraine’s transitions to a circular and low-carbon economy. Other categories of data for publication relate to damages caused by military actions and post-war reconstruction, such as the register of damaged properties and the register of internally displaced persons, which are maintained by the government but are not published to the public despite legal mandates.⁶⁵ The publication of these data remains sensitive due to national security concerns, but they also contain many corruption risks.⁶⁶ For example, a number of corruption scandals related to procurement contracts for military supplies have emerged, while the Minister of Defense was dismissed in September 2023 over corruption allegations.⁶⁷ The publication of data linked with military damages and reconstruction, provided it does not compromise national security, could improve oversight by media and civil society over the government’s action and reduce corruption risks.

The IRM assesses this commitment as having substantial potential for results because it will strengthen the legal framework and institutional regulations for open data across all public bodies in Ukraine. It also addresses current inconsistencies in open data management and publication and upholding the law through methodological and technical guidance. It also has a potential multiplying effect across the public administration by improving capacities of data holders and promoting internal regulations on open data for each public body.

Opportunities, challenges, and recommendations during implementation

The commitment was largely supported by the TAPAS project, funded by USAID and UK Aid. It is succeeded by a five-year Digital Transformation Activity project worth 150 million USD, which will support Ukraine’s digital transformation.⁶⁸ International partners such as the OSCE,⁶⁹ the E-Governance for Accountability and Participation (EGAP),⁷⁰ and the EU for Digital program⁷¹ also support open data initiatives, trainings, and information audits.⁷² However, limited human and technical resources within the government, particularly at the local level, as well as high staff turnover could undermine the capacity building. Other challenges also include lack of understanding and prioritization of open data—exacerbated by other urgent priorities related to

Russia's invasion and reconstruction, limited budget allocation, and heavy reliance on donor support.⁷³

In view of the challenges and considering the recommendations of stakeholders, the IRM recommends the following steps for effective implementation:

- The Ministry of Digital Transformation, civil society, and international partners could continue awareness raising and capacity building at local and regional levels through trainings, exchange events, and sharing success stories.
- The Ministry of Digital Transformation could provide on-job technical support to data holders and persons responsible of managing open data at public bodies. In particular, the ministry can prioritize publishing data of international aid spending, register of seized assets, inflow and spending of foreign funds resulted from sanctioned and seized Russian assets, and other data based on consultation with civil society.

Other commitments

Other commitments that the IRM did not identify as promising commitments are discussed below. This review provides recommendations to contribute to the learning and implementation of these commitments.

Some commitments carry forward objectives of unfinished commitments from the fifth action plan (2021–2022) but without significant changes. **Commitment 4** mainly covers activities from the National Open Science Plan developed during the fifth action plan.⁷⁴ It aims to improve access to scientific research data and texts, allow users to check texts for plagiarism, provide access to dissertation texts in one place, and establish open peer review for scientific works funded by state and local budgets. It also aims to improve exchanges among scientists, reduce corruption in awarding academic degrees, and improve the collection of information in the field of science. Finally, according to the Ministry of Education and Science of Ukraine, the commitment aims to introduce transparent methods for evaluating the activities of scientific institutions and the scientific activities of institutions of higher education in order to direct additional budget funds to those institutions that demonstrate the best results in their field of research. The IRM assesses this commitment as having modest potential for results, as it entails positive changes to transparency in the field of science, building on the previous commitment.

Similarly, **Commitment 8** continues the objective of establishing an Extractive Industries Transparency Initiative (EITI) National Secretariat, EITI multistakeholder group (MSG), and an online EITI platform. Following the introduction of martial law in February 2022, the government restricted access to the EITI platform, while the deadline for submitting extractive companies' reports was extended to up to three months after the end of martial law.⁷⁵ Despite this, 178 companies provided their reports for 2022.⁷⁶ The current commitment will expand the functions of the EITI platform and improve its analytical features. It will also enable electronic data exchange with the State Tax Service and the State Service of Geology and Subsoil, as well as integration with registries and information and communication systems of other central executive authorities. In addition, the commitment entails training local stakeholders on using the platform. The commitment could help resolve procedural, financial, and technical issues in the implementation of government responsibilities to EITI.⁷⁷ The IRM recommends engaging regional stakeholders through local MSGs once the martial law is over.

Other commitments have limited scope or lack binding changes. **Commitment 3** envisages developing public participation mechanisms for the restoration and development of regions and communities damaged during Russia's full-scale invasion. It includes preparing recommendations for public participation in developing, implementing, and monitoring recovery

and development plans. It also includes developing regional restoration programs and organizing educational events for national and local authorities, citizens, civil society, and businesses. The commitment does not entail binding or institutional changes in the participatory practices of local governments, while public consultations are already included in the methodologies for regional development strategies and recovery programs.⁷⁸ Therefore, the IRM assesses it as having modest potential for results.

Commitment 5 envisages adopting a national program for adapting Ukraine’s laws to EU legislation and an action plan for this document. Stakeholders consider this commitment important in the context of Ukraine’s candidacy for EU membership. It involves public participation in developing the national program but does not explain what these participation mechanisms will entail in practice. The IRM recommends clarifying the methods for engaging the public in developing the strategic document and action plan.

Commitment 7 will develop “gold standard” recommendations for reducing corruption in higher education institutions, to be approved by the Ministry of Education and Science. The recommendations are expected to cover areas such as administration, education process, student engagement, whistleblowing mechanisms and protection, transparency in the placement of student dormitories, and other concerns to be identified during stakeholder consultations.⁷⁹ The uptake of these recommendations might improve the transparency and integrity of universities and, in the long term, improve the quality of higher education. However, the recommendations are not binding, as universities have a large degree of autonomy in their management. Thus, the IRM assesses the commitment’s potential for results as modest. A representative of the United Nations Development Programme, who supports the commitment, envisions possible activities to promote the uptake of the recommendations. These activities may include transparency ratings for universities, training student councils on participation, as well as organizing awareness raising and promotional events for all stakeholders.⁸⁰

Commitment 10 aims to establish a unified electronic geo-information system for subsoil use, per the amendments to the Subsoil Code of Ukraine, which entered into force in 2023.⁸¹ The goals of the system are to manage information in the field of geological exploration and use of subsoil and ensure electronic communication and data exchange between subsoil users, state authorities, and local self-government bodies. The system will be open to the public. The IRM assesses it as having modest potential for results in increasing the transparency on subsoil use.

¹ “The Ministry for Restoration and the RISE Ukraine Coalition presented the communication platform of the digital ecosystem for reconstruction management DREAM,” RISE Ukraine, <https://www.rise.org.ua/blog/the-ministry-for-restoration-and-the-rise-coalition-presented-the-communication-platform-of-the-digital-ecosystem-for-reconstruction-management-dream>.

² “On implementing a pilot project to create, implement, and operate a unified digital integrated information and analytical system for managing the reconstruction of real estate, construction, and infrastructure projects,” Parliament of Ukraine, 2022, <https://zakon.rada.gov.ua/laws/show/1286-2022-%D0%BF#Text>.

³ “Digital Restoration Ecosystem for Accountable Management,” Government of Ukraine, <https://dream.gov.ua>.

⁴ “DREAM Project Office to be set up within Ministry for Communities, Territories, and Infrastructure Development,” Ministry for Communities, Territories, and Infrastructure Development of Ukraine, 4 July 2023, <https://www.kmu.gov.ua/en/news/pry-ministerstvi-infrastruktury-stvoruijetsia-proektnyi-ofis-dream>.

⁵ According to the note from the Ministry of Infrastructure of Ukraine received in the pre-publication period (9 May 2024), the basic functionality of the first phase of the DREAM ecosystem was accepted on the balance sheet of the Ministry of Infrastructure, while the modernized functionality of the DREAM ecosystem will also be transferred to the Ministry of Infrastructure in the future.

⁶ Viktor Nestulia (DREAM Project Office), correspondence with IRM researcher, 1 May 2024.

⁷ “Ukraine Action Plan 2023–2025,” Open Government Partnership, 12 December 2023, <https://www.opengovpartnership.org/documents/ukraine-action-plan-2023-2025>.

⁸ “The Ministry for Restoration and the RISE Ukraine Coalition presented the communication platform of the digital ecosystem for reconstruction management DREAM,” RISE Ukraine. Information provided to the IRM by Head of DREAM Project Office during the pre-publication review of this report.

⁹ Viktor Nestulia (DREAM Project Office), interview by IRM researcher, 26 March 2024.

¹⁰ “Electronic Democracy Module (eDem) in the DREAM ecosystem,” DREAM Ukraine, <https://dream.gov.ua/special/eDem>.

¹¹ “Government and World Bank present RDNA3: Ukraine’s reconstruction needs already amount to nearly USD 486 billion,” Communications Department of the Secretariat of the Cabinet of Ministers of Ukraine, 15 February 2024, <https://www.kmu.gov.ua/en/news/uriad-i-svitovyi-bank-predstavlyl-rdna3-potreby-na-vidbudovu-ukrainy-skladaiut-vzhe-maizhe-486-miliardiv-dolariv>.

¹² “Ukrainians want a fight against evil: The evil at hand today is corruption,” Transparency International Ukraine, 7 December 2023, <https://ti-ukraine.org/en/blogs/ukrainians-want-a-fight-against-evil-the-evil-at-hand-today-is-corruption>.

¹³ Nestulia, interview; Vitalii Protsenko (Ministry of Development of Communities, Territories, and Infrastructure of Ukraine), interview by IRM researcher, 17 April 2024.

¹⁴ Nestulia, interview.

¹⁵ Information provided to the IRM by Head of DREAM Project Office during the pre-publication review of this report.

¹⁶ “Procedure for the use of resources from the Fund for the Elimination of the Consequences of Russia’s Armed Aggression has been simplified,” Ministry for Communities, Territories, and Infrastructure Development of Ukraine, 24 January 2024, <https://www.kmu.gov.ua/en/news/sproshcheno-poriadok-vykorystannia-koshtiv-fondu-likvidatsii-naslidkiv-zbroinoi-ahresii-rosii>.

¹⁷ “Ukraine Facility,” Government of Ukraine, <https://www.ukrainefacility.me.gov.ua/en>.

¹⁸ “OpenCoesione,” Open Coesione, <https://opencoesione.gov.it/it>.

¹⁹ Iryna Bieliaieva (Initiative Center to Support Social Action - Ednannia), interview by IRM researcher, 3 April 2024.

²⁰ “Law of Ukraine on the basics of state regional policy,” Parliament of Ukraine, amended 1 January 2024, <https://zakon.rada.gov.ua/laws/show/156-19#n528>.

²¹ “Cabinet of Ministers Resolution No. 522 on the approval of the procedure for the operation of the unified geo-information system for monitoring and evaluating the development of regions and territorial communities,” Parliament of Ukraine, 23 May 2023, <https://zakon.rada.gov.ua/laws/show/522-2023-%D0%BF#Text>.

²² “Digital recovery tools: how the GIS will contribute to regional development,” Ministry for Communities, Territories, and Infrastructure Development of Ukraine, 28 July 2023, <https://www.kmu.gov.ua/news/tsyfrovi-instrumenty-vidnovlennia-iak-heoinformatsiina-systema-spryiatyme-rehionalnomu-rozvytku>.

²³ “Geographic Information System for Regional Development (GIS): test version presented,” DREAM Ukraine, 14 March 2024, <https://dream.gov.ua/news/article-34>.

²⁴ Oleksandra Azarkhina, “Community-led restoration approach: State-level goals,” Ukraine Recovery Conference, 21–22 June 2023, https://assets-global.website-files.com/621f88db25fbf24758792dd8/64b8fc68c257909611bb15e0_Role_of_the_regions_in_Ukraine's_recovery.pdf.

²⁵ “Cabinet of Ministers Resolution No. 695 on the approval of the State Strategy of Regional Development for 2021–2027,” Parliament of Ukraine, 5 August 2020, <https://zakon.rada.gov.ua/laws/show/695-2020-%D0%BF#Text>.

²⁶ Protsenko, interview.

²⁷ “The government approved the rules of operation of the Geo-Information System of Regional Development,” Ministry for Communities, Territories, and Infrastructure Development of Ukraine, 23 May 2023, <https://www.kmu.gov.ua/news/uriad-zatverdyy-pravyla-roboty-heoinformatsiinoi-systemy-rehionalnoho-rozvytku>.

²⁸ Protsenko, interview; “Report on monitoring the implementation of the State Regional Development Strategy for 2021–2027 and its action plan for 2021–2023 in the years 2021–2022,” Ministry of Communities, Territories, and Infrastructure Development, <https://mtu.gov.ua/files/%D0%97%D0%92%D0%86%D0%A2.pdf>.

²⁹ Inna Sklyar (Association of Ukrainian Cities), interview by IRM researcher, 27 March 2024.

³⁰ “Decree of the President of Ukraine about the National Youth Strategy 2030,” Parliament of Ukraine, 3 December 2021, <https://zakon.rada.gov.ua/laws/show/94/2021#Text>.

³¹ “Cabinet of Ministers Resolution No. 579 on the approval of the state targeted social program ‘Youth of Ukraine’ for 2021–2025 and amendments to some acts of the Cabinet of Ministers of Ukraine,” Parliament of Ukraine, 2 June 2021, <https://zakon.rada.gov.ua/laws/show/579-2021-%D0%BF#Text>.

³² “Law of Ukraine about the main principles of youth policy,” Parliament of Ukraine, amended 13 December 2022, <https://zakon.rada.gov.ua/laws/show/1414-20/ed20230331#Text>.

³³ “Cabinet of Ministers Resolution No. 1011 on the approval of the procedure for the formation and activity of the National Council on Youth Affairs and amendments to some acts of the Cabinet of Ministers of Ukraine,” Parliament of Ukraine, 10 September 2022, <https://zakon.rada.gov.ua/laws/show/1011-2022-%D0%BF/ed20210427#n10>.

- ³⁴ Vitalii Lavrov (Ministry of Youth and Sport), interview by IRM researcher, 10 April 2024.
- ³⁵ Maryna Popatenko (IREX), interview by IRM researcher, 19 March 2024.
- ³⁶ Popatenko, interview.
- ³⁷ Popatenko, interview; Bieliaieva, interview; Lavrov, interview.
- ³⁸ "Recommendation CM/Rec(2010)8 of the Committee of Ministers to member states on youth information (Adopted by the Committee of Ministers on 16 June 2010 at the 1088th meeting of the Ministers' Deputies)," Council of Europe, 16 June 2010, https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cecd8.
- ³⁹ "Ukraine Action Plan 2023–2025," Government of Ukraine.
- ⁴⁰ Lavrov, interview.
- ⁴¹ Iryna Bieliaieva (Initiative Center to Support Social Action - Ednannia), interview by IRM researcher, 25 March 2024.
- ⁴² Joint Council on Youth, "Youth Participation 2.0: The Joint Council on Youth (CMJ) guidelines on young people's participation," European Youth Centre, 2 October 2023, <https://rm.coe.int/cmj-2023-34-guidelines-on-youth-participation-final/1680ad3ca0>.
- ⁴³ "Transferring traditional participation to digital realms," SALTO: Participation and Information, <https://participationpool.eu/resource/transferring-traditional-participation-to-digital-realms>.
- ⁴⁴ "2023 Open Data Maturity Report," EU Data, 2023, https://data.europa.eu/sites/default/files/odm2023_report.pdf.
- ⁴⁵ "Law of Ukraine No. 319-VIII on amendments to some laws of Ukraine regarding access to public information in the form of open data," Parliament of Ukraine, 4 September 2015, <https://zakon.rada.gov.ua/laws/show/319-19#n27>
- ⁴⁶ "Cabinet of Ministers Resolution No. 835 on the approval of the regulation on data sets to be made public in the form of open data," Parliament of Ukraine, amended 6 February 2024), <https://zakon.rada.gov.ua/laws/show/835-2015-%D0%BF#Text>.
- ⁴⁷ "Cabinet of Ministers Resolution No. 867 on some issues of publishing public information in the form of open data," Parliament of Ukraine, amended 18 November 2022, <https://zakon.rada.gov.ua/laws/show/867-2016-%D0%BF#n9>
- ⁴⁸ Analytics, <https://data.gov.ua/stats2/common>; the number of current open datasets provided by the government during the pre-publication review
- ⁴⁹ Yanina Liubyva (Ministry of Digital Transformation), interview by IRM researcher, 9 April 2024.
- ⁵⁰ "Open statement of the RISE Ukraine Coalition on ensuring the availability of open data," RISE Ukraine, 10 January 2023, <https://www.rise.org.ua/statements-and-appeals-en/open-statement-of-the-rise-ukraine-coalition-on-ensuring-the-availability-of-open-data>.
- ⁵¹ "We urge you to restore open data," RISE Ukraine, 17 August 2023, <https://www.rise.org.ua/statements-and-appeals-ua/zaklikaiemo-reanimuvati-vidkriti-dani>.
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- ⁵³ Nadiia Konashchuk (TAPAS/DTA Project), interview by IRM researcher, 25 March 2024; Olesya Arkhypska (Transparency International Ukraine & Co-Chair of Coordination Council), interview by IRM researcher, March 2024; Andrii Gnap (Waste Ukraine Analytics), interview by IRM researcher, March 2024; Liubyva, interview.
- ⁵⁴ The circular economy is a model of production and consumption which involves sharing, leasing, reusing, repairing, refurbishing, and recycling existing materials and products as long as possible. See "Circular economy definition, importance, and benefits," European Parliament, 1 December 2015, <https://www.europarl.europa.eu/topics/en/article/20151201STO05603/circular-economy-definition-importance-and-benefits#:~:text=The%20circular%20economy%20is%20a,cycle%20of%20products%20is%20extended>.
- ⁵⁵ "The Ministry of Digitization presented a vision for the development of open data in Ukraine," Ministry of Digital Transformation of Ukraine, 8 March 2024, <https://www.kmu.gov.ua/news/mintsyfry-prezentuvala-viziiu-rozvytku-vidkrytykh-danykh-v-ukraini>.
- ⁵⁶ Liubyva, interview.
- ⁵⁷ Arkhypska, interview; Gnap, interview; Sklyar, interview; "Ukraine Action Plan 2023–2025," Government of Ukraine.
- ⁵⁸ Liubyva, interview.
- ⁵⁹ Liubyva, interview.
- ⁶⁰ The search results on open.gov.ua showed 23 datasets of information audits, mostly by regional governments. See: [https://data.gov.ua/dataset?q=%20Результати+інформаційного+аудиту"&sort=metadata_modified+desc&page=1](https://data.gov.ua/dataset?q=%20Результати+інформаційного+аудиту).
- ⁶¹ Konashchuk, interview.
- ⁶² "Ukraine's index of digital transformation study reveals regional results," EU4Digital, 17 April 2023, <https://eufordigital.eu/ukraines-index-of-digital-transformation-study-reveals-regional-results>.
- ⁶³ Liubyva, interview.

⁶⁴ “A study of the role of open data in the transition to a circular and low-carbon economy has been published,” Diia Open Data, 22 February 2024, <https://diia.data.gov.ua/news/opublikovano-doslidzennya-roliv-vidkritix-danix-u-perexodi-do-cirkulyarnoyi-ta-nizkovuglecevoyi-ekonomiki>.

⁶⁵ “Appeal of the RISE Ukraine Coalition to the Ministry of Reconstruction regarding the opening of the Register of Damaged and Destroyed Property,” RISE Ukraine, 27 October 2023, <https://www.rise.org.ua/statements-and-appeals-uas/zvernennya-koalitsiyi-rise-ukraine-do-ministerstva-vidnovlennya-shchodo-vidkrittya-reiestru-poshkodzhenogo-ta-znishchenogo-mayna>; “Cabinet of Ministers Resolution No. 624 on some issues of ensuring the functioning of the State Register of property damaged and destroyed as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine,” Parliament of Ukraine, 13 June 2023, <https://zakon.rada.gov.ua/laws/show/624-2023-%D0%BF#n25>.

⁶⁶ “How open data helps Ukrainians during the war,” Diia Open Data, <https://diia.data.gov.ua/info-center/yak-vidkriti-dani-dopomagayut-ukrayincyam-pid-chas-vijni>; Nadiia Babynska-Virna (Open Up Ukraine), interview by IRM researcher, 22 March 2024.

⁶⁷ “Ukrainians understand corruption can kill: Kyiv takes on an old enemy,” The Guardian, 19 September 2024, <https://www.theguardian.com/world/2023/sep/19/corruption-kyiv-takes-on-an-old-foe-wartime>; “Ukraine says it uncovers mass fraud in weapons procurement,” Reuters, 28 January 2024, <https://www.reuters.com/world/europe/ukraine-uncovers-mass-fraud-weapons-procurement-security-service-2024-01-27>; “Investigative Stories from Ukraine: Defense Ministry at center of procurement scandal once again,” The Kyiv Independent, 30 August 2023, <https://kyivindependent.com/investigative-stories-from-ukraine-defense-ministry-at-center-of-procurement-scandal-once-again/>.

⁶⁸ “Ukraine Digital Transformation Activity 2023 – 2028,” Eurasia Foundation, <https://www.eurasia.org/project/digital-transformation-activity-en/>.

⁶⁹ “OSCE supports open data policies in Ukraine through specialized training,” 1 March 2024, Organization for Security and Co-operation in Europe, <https://www.osce.org/occea/563658>.

⁷⁰ The E-Governance for Accountability and Participation Program (EGAP) is implemented by the East Europe Foundation and the Innovabridge Foundation in partnership with the Ministry of Digital Transformation, <https://eef.org.ua/en/program/programa-egap/>.

⁷¹ EU4Digital, Ukraine, <https://eufordigital.eu/countries/ukraine/>.

⁷² Yanina Liubyva, interview.

⁷³ Gnap, interview; Sklyar, interview; Liubyva, interview; Babynska-Virna, interview; Konashchuk, interview.

⁷⁴ Grygorii Mozolevych (Ministry of Education and Science), interview by IRM researcher, 26 March 2024.

⁷⁵ “Ukraine Results Report 2021–2022,” Open Government Partnership, 29 November 2023, <https://www.opengovpartnership.org/documents/ukraine-results-report-2021-2022>.

⁷⁶ Oleksiy Orlovsky (International Renaissance Foundation), interview by IRM researcher, 21 March 2024.

⁷⁷ Orlovsky, interview.

⁷⁸ “Procedure for the development, approval, implementation, monitoring, and evaluation of the implementation of strategies for the development of territorial communities,” Ministry for Communities, Territories, and Infrastructure Development of Ukraine, 21 December 2022, https://mtu.gov.ua/files/Наказ_Мінрегіону_від_21.12.2022_№_265_методичні_рекомендації_розробки_стратегій_тергромад_.pdf; “In Ukraine, the methodology for developing a comprehensive recovery program for communities was presented,” Parliament of Ukraine, 16 November 2023, https://www.rada.gov.ua/news/news_kom/243725.html.

⁷⁹ Oksana Kosenko (United Nations Development Programme), interview by IRM researcher, 2 April 2024.

⁸⁰ Kosenko, interview.

⁸¹ “Law of Ukraine No. 2805-IX on amendments to some legislative acts of Ukraine regarding the improvement of legislation in the field of subsoil use,” Parliament of Ukraine, 1 December 2022, <https://zakon.rada.gov.ua/laws/show/2805-20#Text>.

Section III. Methodology and IRM Indicators

The purpose of this review is not an evaluation. It is intended as a quick, independent, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. The IRM highlights commitments that have the highest potential for results, a high priority for country stakeholders, a priority in the national open government context, or a combination of these factors.

The three IRM products provided during a national action plan cycle include:

- **Co-Creation Brief:** A concise brief that highlights lessons from previous IRM reports to support a country's OGP process, action plan design, and overall learning.
- **Action Plan Review:** A technical review of the characteristics of the action plan and the strengths and challenges IRM identifies to inform a stronger implementation process.
- **Results Report:** An overall implementation assessment that focuses on policy-level results and how changes happen. It also checks compliance with OGP rules and informs accountability and longer-term learning.

In the Action Plan Review, the IRM follows a filtering and clustering process to identify promising reforms or commitments:

Step 1: Determine what is reviewable based on the verifiability of the commitment as written in the action plan.

Step 2: Determine if the commitment has an open government lens. Is it relevant to OGP values?

Step 3: Review commitments that are verifiable and have an open government lens to identify if certain commitments need to be clustered. Commitments that have a common policy objective or contribute to the same reform or policy issue should be clustered. The potential for results of clustered commitments should be reviewed as a whole. IRM staff follow these steps to cluster commitments:

- a. Determine overarching themes. If the action plan is not already grouped by themes, IRM staff may use OGP's thematic tagging as reference.
- b. Review commitment objectives to identify commitments that address the same policy issue or contribute to the same broader policy or government reform.
- c. Organize commitments into clusters as needed. Commitments may already be organized in the action plan under specific policy or government reforms.

Step 4: Assess the potential for results of the clustered or standalone commitment.

Filtering is an internal process. Data for individual commitments is available in Annex 1. In addition, during the internal review process of this product, the IRM verifies the accuracy of findings and collects further input through peer review, OGP Support Unit feedback as needed, interviews and validation with country stakeholders, an external expert review, and oversight by IRM's International Experts Panel (IEP).

As described earlier, IRM relies on **three key indicators** for this review:

I. Verifiability

- **Yes, specific enough to review:** As written in the action plan, the stated objectives and proposed actions are sufficiently clear and include objectively verifiable activities to assess implementation.

- **No, not specific enough to review:** As written in the action plan, the stated objectives and proposed actions lack clarity and do not include explicitly verifiable activities to assess implementation.
- Commitments that are not verifiable will be considered not reviewable, and further assessment will not be carried out.

II. Open government lens

This indicator determines if the commitment relates to the open government values of transparency, civic participation, or public accountability as defined by the Open Government Declaration and the OGP Articles of Governance by responding to the following guiding questions. Based on a close reading of the commitment text, the IRM first determines whether the commitment has an open government lens:

- **Yes/No:** Does the commitment set out to make a policy area, institution, or decision-making process more transparent, participatory, or accountable to the public?

The IRM uses the OGP values as defined in the Articles of Governance. In addition, the following questions for each OGP value may be used as a reference to identify the specific open government lens in commitment analysis:

- **Transparency:** Will the government disclose more information, improve the legal or institutional frameworks to guarantee the right to information, improve the quality of the information disclosed to the public, or improve the transparency of government decision-making processes or institutions?
- **Civic Participation:** Will the government create or improve opportunities, processes, or mechanisms for the public to inform or influence decisions? Will the government create, enable, or improve participatory mechanisms for minorities or underrepresented groups? Will the government enable a legal environment to guarantee freedoms of assembly, association, and peaceful protest?
- **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable legal, policy, or institutional frameworks to foster accountability of public officials?

III. Potential for results

The IRM adjusted this indicator—formerly known as the “potential impact” indicator—to take into account the feedback from the IRM Refresh consultation process with the OGP community. With the new results-oriented strategic focus of IRM products, the IRM modified this indicator to lay out the expected results and potential that would be verified in the IRM Results Report after implementation. Given the purpose of this Action Plan Review, the assessment of potential for results is only an early indication of the possibility the commitment has to yield meaningful results based on its articulation in the action plan in contrast with the state of play in the respective policy area.

The scale of the indicator is defined as:

- **Unclear:** The commitment is aimed at continuing ongoing practices in line with existing legislation, requirements, or policies without indication of the added value or enhanced open government approach in contrast with existing practice.
- **Modest:** A positive but standalone initiative or change to processes, practices, or policies. The commitment does not generate binding or institutionalized changes across government or institutions that govern a policy area. Examples are tools (e.g., websites) or data release, training, or pilot projects.

- **Substantial:** A possible game changer for practices, policies, or institutions that govern a policy area, public sector, or the relationship between citizens and state. The commitment generates binding and institutionalized changes across government.

This review was prepared by the IRM in collaboration with Tatevik Margaryan and was reviewed by external expert Thomas Kalinowski. The IRM methodology, quality of IRM products, and review process are overseen by IRM’s IEP. For more information, see the IRM Overview section of the OGP website.¹

¹ “IRM Overview,” Open Government Partnership, <https://www.opengovpartnership.org/irm-guidance-overview>.

Annex 1. Commitment by Commitment Data¹

<p>Commitment 1: Digital tool for infrastructure and real estate reconstruction</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Substantial
<p>Commitment 2: Monitoring the development of regions and territorial communities</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Substantial
<p>Commitment 3: Public participation in the restoration of regions</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest
<p>Commitment 4: Transparency of scientific research information</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest
<p>Commitment 5: Harmonization of the European integration legislation</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest
<p>Commitment 6: Development of the E-Youth digital platform</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest
<p>Commitment 7: Transparency and integrity of employees of higher education institutions (Gold Standard)</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest
<p>Commitment 8: Institutionalization of the Extractive Industries Transparency Initiative</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest

Commitment 9: Publishing open datasets

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial

Commitment 10: Ensuring transparency in the system of subsoil use

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

¹ **Editorial note:** Commitments’ short titles may have been edited for brevity. For the complete text of commitments, please see “Ukraine Action Plan 2023–2025,” Government of Ukraine, 12 December 2023, <https://www.opengovpartnership.org/documents/ukraine-action-plan-2023-2025>.

Annex 2: Action Plan Co-Creation

OGP member countries are encouraged to aim for the full ambition of the OGP Participation and Co-Creation Standards that came into force on 1 January 2022.¹ The IRM assesses all countries that submitted action plans from 2022 onward under the updated standards. Table 2 outlines the extent to which the countries' participation and co-creation practices meet the minimum requirements that apply during development of the action plan.

OGP instituted a 24-month grace period to ensure a fair and transparent transition to the updated standards. Action plans co-created and submitted by 31 December 2023 fall within the grace period. The IRM will assess countries' alignment with the standards and their minimum requirements.² However, countries will only be found to be acting contrary to process if they do not meet the minimum requirements for action plans co-created in 2024 and onwards.

Please note that, according to the OGP National Handbook, countries implementing four-year action plans must undertake a refresh process at the two-year mark. Countries are expected to meet minimum requirements 3.1 and 4.1 during the refresh process.³ IRM assessment of the refresh process will be included in the Results Report.

Table 2. Compliance with minimum requirements

Minimum requirement	Met during co-creation?	Met during implementation ?
1.1 Space for dialogue: Ukraine's multistakeholder forum, the Coordination Council, includes seven representatives each from government and civil society. The State Secretary of the Cabinet of Ministers serves as ex-officio co-chair alongside an elected civil society representative. The current council was formed in May 2021 during the previous action plan cycle. ⁴ The council had three online meetings during the co-creation process in August 2022, December 2022, and May 2023, ⁵ as well as a hybrid event to present the new action plan in December 2023. ⁶ The regulations of the council were approved by the Cabinet of Ministers in 2012 ⁷ and its work provisions ⁸ are available on the government's OGP webpage.	Yes	<i>To be assessed in the Results Report</i>
2.1 OGP website: The Cabinet of Ministers maintains an OGP section on its website ⁹ which is freely accessible. The website provides information on OGP, documentation on the Coordination Council, past OGP action plans and implementation reports, as well as news about OGP events. The website is regularly updated and contains the latest action plan and implementation reports. ¹⁰	Yes	<i>To be assessed in the Results Report</i>
2.2 Repository: The government OGP webpage provides quarterly implementation reports for current and previous action plan commitments. The reports include links to relevant websites and references to adopted legal acts. ¹¹	Yes	<i>To be assessed in the Results Report</i>
3.1 Advanced notice: The co-creation timeline was published on 23 December 2022. ¹² The collection of proposals started in January 2023 through a call for	Yes	Not applicable

proposals via Google form ¹³ and thematic discussions in February 2023. ¹⁴		
3.2 Outreach: In January 2023, the Cabinet of Ministers published a call for proposals; inviting citizens and organizations to suggest commitments for the action plan via a Google form. ¹⁵ Several online meetings were held during the co-creation process. These included youth discussions, ¹⁶ thematic discussions, ¹⁷ an OGP session with the participation of the business community, ¹⁸ and a webinar for civil society organizations (recording of which is accessible online). ¹⁹ An OGP session for the private sector also took place during a conference on Ukraine restoration. ²⁰ In addition, there was a possibility for participation and inputs during the "We Believe in Victory! We Plan for the Future!" meeting organized as part of the Open Gov Week in May 2022 ²¹ as well as May 2023. ²² News of the events are available on the government's OGP webpage ³ and OGP Ukraine Facebook page. ²³	Yes	Not applicable
3.3 Feedback mechanism: In January 2023, the Cabinet of Ministers published a call for proposals, inviting citizens and organizations to suggest commitments for the new action plan via a Google form. ²⁴ The call was open until February 28, providing sufficient time for stakeholders to give input. Several thematic discussions were organized in February 2023, with prior notification to participate (through a registration form. ²⁵ After the Coordination Council prepared and approved the draft action plan, it presented the draft for a 15-day public consultation. ²⁶	Yes	Not applicable
4.1 Reasoned response: The Cabinet of Ministers published a table of proposals along with the feedback on their incorporation. ²⁷ This table included all proposals collected through the co-creation process (whether sent in writing or provided verbally during consultations). Stakeholders also received feedback during the discussions, where government officials responded directly to their proposals. ²⁸	Yes	Not applicable
5.1 Open implementation: The IRM will assess whether meetings were held with civil society stakeholders to present implementation results and enable civil society to provide comments in the Results Report.	Not applicable	<i>To be assessed in the Results Report</i>

In contrast to the previous action plan where the Coordination Council effectively did not function,²⁹ it was active in decision making and regularly met during the sixth action plan's development process. The current composition represents broader sectors of society and was more active in the process.³⁰ The non-government members had diverse areas of expertise, from anti-corruption, youth, human rights, infrastructure transparency, and community associations,³¹ which allowed for an equal dialogue and ownership among involved stakeholders.

The Secretariat of the Cabinet of Ministers utilized various channels and methods to reach stakeholders and discuss the proposals with relevant government representatives, despite the challenges and shifting priorities due to Russia's invasion. The online format allowed for

participation of stakeholders in the regions as well as those who left the country for security reasons. Meanwhile, thematic discussions with interested stakeholders helped refine the proposed commitments.

At the same time, stakeholders noted that there is limited awareness of OGP among the larger community of organizations and regional actors.³² In this regard, there is a need to develop easily understandable information regarding the role and possibilities of OGP action plans in Ukraine and disseminate them through channels beyond government websites and social media, particularly at the regional and community levels. The “U-Change” game, which presents the principles, approaches, and processes of OGP to stakeholders, could help popularize OGP.³³

Ukraine’s OGP webpage provides sufficient information on the co-creation and implementation of action plans. While there is no option for the public to comment or provide input on the website, this is possible on the OGP Ukraine Facebook page. The Cabinet of Ministers could make the website more user-friendly with easier navigation and feedback possibilities. This website could contain a repository of documentation related to all of Ukraine’s past and current commitments. This could improve public awareness and engagement and provide a sustainable platform for collecting and storing relevant information.

¹ “2021 OGP Participation and Co-Creation Standards,” Open Government Partnership, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards>.

² “IRM Guidelines for the Assessment of Minimum Requirements,” Open Government Partnership, <https://www.opengovpartnership.org/documents/irm-guidelines-for-the-assessment-of-minimum-requirements>.

³ See Section 2.3 in: “OGP National Handbook 2022,” Open Government Partnership, <https://www.opengovpartnership.org/documents/ogp-national-handbook-rules-and-guidance-for-participants-2022>.

⁴ “Coordination Council,” Government of Ukraine, <https://www.kmu.gov.ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad/pro-iniciativu>.

⁵ “Minutes of Meetings,” Government of Ukraine, <https://www.kmu.gov.ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad/pro-iniciativu/protokoly-zasidan>.

⁶ “A new action plan for the implementation of the Open Government Partnership initiative was presented,” Government of Ukraine, 14 December 2023, <https://www.kmu.gov.ua/news/prezentovano-novyi-plan-dii-iz-vprovadzhenia-initsiatyvy-partnerstvo-vidkryty-urad>.

⁷ “Regulations on the Coordinating Council on the Implementation of the Open Government Partnership initiative in Ukraine,” Government of Ukraine, 2018, <https://www.kmu.gov.ua/storage/app/sites/1/17-civik-2018/partnerstvo-pro-kr.pdf>.

⁸ “Regulations on the Coordinating Council on the Implementation of the Open Government Partnership initiative in Ukraine,” Government of Ukraine.

⁹ “Open Government Partnership,” Government of Ukraine, <https://www.kmu.gov.ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad>.

¹⁰ “Plan, Reports,” Government of Ukraine, <https://www.kmu.gov.ua/gromadskosti/gromadyanske-suspilstvo-i-vlada/partnerstvo-vidkritij-uryad/plani-zviti>.

¹¹ “Plan, Reports,” Government of Ukraine.

¹² “Schedule for the preparation of the action plan for the implementation of the Open Government Partnership initiative,” Government of Ukraine, 23 December 2022, <https://www.kmu.gov.ua/news/hrafik-pidhotovky-planu-dii-iz-vprovadzhenia-initsiatyvy-partnerstvo-vidkryty-urad>.

¹³ “We are collecting proposals for the action plan for the implementation of the Open Government Partnership initiative in 2023–2024,” Government of Ukraine, 4 January 2023, <https://www.kmu.gov.ua/news/zbyraimo-propozytzii-do-planu-dii-iz-vprovadzhenia-initsiatyvy-partnerstvo-vidkryty-urad-u-2023-2024-rokakh>.

¹⁴ “We invite you to a discussion in the framework of the preparation of a new action plan for the implementation of the Open Government Partnership initiative,” Government of Ukraine, 3 February 2023, <https://www.kmu.gov.ua/news/zaproshuiemo-do-obhovorennia-v-ramkakh-pidhotovky-novoho-planu-dii-iz-vprovadzhenia-initsiatyvy-partnerstvo-vidkryty-urad>; “We invite you to discussions as part of the preparation of a new action plan for the implementation of the Open Government Partnership initiative,” Government of Ukraine, 8

February 2023, <https://www.kmu.gov.ua/news/zaproshuiemo-do-obhovoren-v-ramkakh-pidhotovky-novoho-planu-dii-iz-vprovadzhenia-initsiatyvy-partnerstvo-vidkryty-uradi>.

¹⁵ “We are collecting proposals for the action plan for the implementation of the Open Government Partnership Initiative in 2023–2024,” Government of Ukraine.

¹⁶ “Young people are involved in shaping the open governance agenda,” Government of Ukraine, 2 February 2023, <https://www.kmu.gov.ua/news/molod-doluchaietsia-do-formuvannia-poriadku-dennoho-vidkrytoho-uraduvannia>; “The youth offered ideas for a new action plan,” Government of Ukraine, 3 March 2023, <https://www.kmu.gov.ua/news/molod-zaproponovala-idei-do-novoho-planu-dii>.

¹⁷ “We invite you to a discussion in the framework of the preparation of a new action plan for the implementation of the Open Government Partnership initiative,” Government of Ukraine; “We invite you to discussions as part of the preparation of a new action plan for the implementation of the Open Government Partnership initiative,” Government of Ukraine.

¹⁸ “Business representatives familiarized themselves with the Open Government Partnership initiative,” Government of Ukraine, 15 February 2023, <https://www.kmu.gov.ua/news/predstavnyky-biznesu-oznaiomylys-z-initsiatyvoiu-partnerstvo-vidkryty-uradi>.

¹⁹ “Civil society representatives had the opportunity to learn more about the Open Government Partnership initiative,” Government of Ukraine, 9 May 2023, <https://www.kmu.gov.ua/news/predstavnyky-hromadianskoho-suspilstva-maly-mozhlyvist-bilshe-diznatysia-pro-initsiatyvu-partnerstvo-vidkryty-uradi>; Initiative Center to Support Social Action - Ednannia, “Open Government Partnership Webinar: Let's act and change together,” Facebook, 8 May 2023, <https://www.facebook.com/isar.ednannia/videos/156553113834977>.

²⁰ “Business representatives familiarized themselves with the Open Government Partnership initiative,” Government of Ukraine.

²¹ “We believe in victory, we plan for the future of Ukraine,” Open Government Partnership, 18 October 2022, <https://www.opengovpartnership.org/stories/we-believe-in-victory-we-plan-for-the-future-of-ukraine>; OGP Ukraine, “We believe in victory, we plan for the future!” Facebook, 19 May 2022, <https://www.facebook.com/ogpUkraine/posts/pfbid02iAKv7eP3PQq6LhtZhTiYxkXm74BmfKDUiFXRFTxS527pVLbTG6ch66kFfx4Pi83ql>.

²² “Public events of Open Government Week 2023,” Government of Ukraine, 5 May 2023, <https://www.kmu.gov.ua/news/publicni-zakhody-tyzhnia-vidkrytoho-uradi-2023?v=6458a81df0481>.

²³ “OGP Ukraine,” Facebook, <https://www.facebook.com/ogpUkraine>.

²⁴ “We are collecting proposals for the action plan for the implementation of the Open Government Partnership initiative in 2023–2024,” Government of Ukraine.

²⁵ “We invite you to a discussion in the framework of the preparation of a new action plan for the implementation of the Open Government Partnership Initiative,” Government of Ukraine; “We invite you to discussions as part of the preparation of a new action plan for the implementation of the Open Government Partnership initiative,” Government of Ukraine.

²⁶ “We invite you to discuss the draft order of the Cabinet of Ministers on approval of the action plan for the implementation of the Open Government Partnership initiative in 2023–2024,” Government of Ukraine, 7 August 2023, <https://www.kmu.gov.ua/news/zaproshuiemo-do-obhovorennia-proektu-rozporiadzhennia-kabinetu-ministriv-pro-zatverdzhennia-planu-dii-iz-vprovadzhenia-initsiatyvy-partnerstvo-vidkryty-uradi-u-2023-2024-rokakh>.

²⁷ “Report on incorporation of the proposals received as a result of the consultations as part of the preparation of the action plan of the Open Government Partnership initiative for 2023–2025,” Government of Ukraine, https://www.kmu.gov.ua/storage/app/sites/1/17-civik-2018/partnerstvo/zvit-ogp-2023-2025_propos.pdf.

²⁸ Nataliia Oksha (Secretariat of the Cabinet of Ministers of Ukraine), interview by IRM researcher, 5 March 2024.

²⁹ “Ukraine Action Plan Review 2021–2022,” Open Government Partnership, November 2021, <https://www.opengovpartnership.org/documents/ukraine-action-plan-review-2021-2022>.

³⁰ Olesya Arkhypska (Transparency International Ukraine & Co-Chair of Coordination Council), interview by IRM researcher, March 2024; Oleksiy Orlovsky (International Renaissance Foundation), interview by IRM researcher, 21 March 2024.

³¹ “Composition of the Coordinating Council on the implementation of the Open Government Partnership initiative in Ukraine,” Government of Ukraine, 2018, <https://www.kmu.gov.ua/storage/app/sites/1/17-civik-2018/partnerstvo/kr5-20230703.pdf>.

³² Nadiia Babynska-Virna (Open Up Ukraine), interview by IRM researcher, 22 March 2024; Andrii Gnap (Waste Ukraine Analytics), interview by IRM researcher, March 2024; Oksana Kosenko (United Nations Development Programme), interview by IRM researcher, 2 April 2024.

³³ The “OGP_UCHANGE” toolkit was developed by the non-governmental organization Civil Society Development Forum in collaboration with the Department of Information and Public Relations of the Secretariat of the Cabinet of Ministers of Ukraine. The development took place as part of the “OGP_UCHANGE: New Standard for Responsible Partnership,” which was supported by the European Union and Open Government Partnership Europe under the “EU

for Integrity" program. Further information is available at: "Civil Society Development Forum," Open Government Partnership, <https://www.ogp.csd.org.ua>.