



Ministry of Foreign Affairs of
The Kingdom of the Netherlands



AZERBAIJAN



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FONDU

STRATEGIC PLAN

2017-2020

The Government and Civil Society Dialogue Platform on Promotion of Open Government

Baku 2017

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ABOUT THE OPEN GOVERNMENT PLATFORM

The Government and Civil Society Dialogue Platform on Promoting Open Government was established in Azerbaijan on 9 September 2016 by NGOs and government agencies in accordance with the National Action Plan for 2016-2018 on Promoting Open Government. Alimammad Nuriyev, President of "Constitution" Research Foundation, was elected Coordinator of the Platform.

➤ **OGP principles and recommendations were assumed as a basis when founding the Platform.**

- **The following state authorities are represented in the Open Government Partnership:**
 1. The Commission on Combating Corruption of the Republic of Azerbaijan
 2. The Anti-Corruption General Directorate with the Prosecutor General of the Republic of Azerbaijan
 3. The Ministry of Justice of the Republic of Azerbaijan
 4. The Ministry of Taxes of the Republic of Azerbaijan
 5. The Ministry of Finance of the Republic of Azerbaijan
 6. National Coordinator of the Open Government Partnership
 7. The Council of State Support to NGOs under the President of the Republic of Azerbaijan

- **The National Assembly (Parliament) of the Republic of Azerbaijan is represented in the Open Government Partnership by:**
 1. Chair of the Committee on Legal Policy and State Building of the National Assembly
 2. Vice-Chair of the Committee on Legal Policy and State Building of the National Assembly

- **The Open Government Platform is represented by the following NGOs:**
 1. "Constitution" Research Fund
 2. Entrepreneurship Development Foundation
 3. Transparency Azerbaijan Public Union
 4. Fund of Struggle against Corruption Public Union
 5. Law and Development Center Public Union
 6. Democracy Learning Public Union
 7. Oil Workers Rights Protection Public Union
 8. Towards a Civil Society Public Union
 9. "Guzaran" Social Studies Public Union
 10. "Journalist Expert Center" Public Union
 11. "Internews Azerbaijan" Public Union
 12. Eurasia Partnership Foundation

13. “Media and Civil Society Public Union
14. Solidarity among Women Public Union
15. “Umid” Support to Social Development Public Union
16. Development of Society and Citizen Relations Public Union
17. Regional Human Rights and Media Center Public Union
18. Information, Analysis and Planning Public Union
19. Society for Protection of Women Rights named after Dilara Aliyeva
20. Human Rights and Defense of Rule of Law Public Union
21. Azerbaijan National Group of the International Society of Human Rights
22. Center for Economic and Social Development Public Union
23. Humanitarian Research Public Union
24. Azerbaijan National NGO Forum
25. International Eurasia Partnership Fund
26. Women’s Association for Rational Development
27. Democratic Elections Center Public Union
28. Journalists Specialized in Military Issues Public Union
29. Reformist Youth Public Union
30. For the Sake of Civil Society Public Union
31. Legal Thought Public Union
32. “Multimedia” Information Systems and Technologies Center
33. Center for Youth Education Public Union
34. “Youth Citizen” Education Union
35. Assistance to Municipal Development Public Union
36. Union of Disabled People Organizations
37. "Clean World" Aid to Women Public Union
38. Democratic Reformist Youth Public Union

The Open Government Platform acts as a consultative mechanism with the civil society for the implementation of open government initiatives in Azerbaijan

- **Membership to the Platform is open.** Civil society organizations, members of the Parliament and government representatives that support this initiative can join the Platform. Membership is voluntary.

The Platform supports a dialogue between the civil society and the government by providing a useful medium for open debate, interaction and cooperation.

- The Platform stated that it is open to and interested in cooperating with all stakeholders. The statement, adopted on 10 December 2016, was circulated in the media and sent to the attention of the Steering Committee Members of the Open Government Partnership¹.
- **The Platform provides a forum for interaction and discussion between the civil society organizations and the government agencies. Decisions are discussed and agreed by both parties.**
- The members of the Open Government Platform enjoy equal rights. Decisions in the Platform are made by a 2/3 majority. The government agencies act as a partner in open government initiatives.
- Since its establishment, the Platform has brought cooperation between the civil society and the government to a higher institutional level. This mechanism provides for elaboration, adoption and implementation of joint decisions.
- The governance rules of the Platform, as defined by its statute, are based on the principles of collective management, equality of members, transparency, accountability, empowerment and responsibility.²

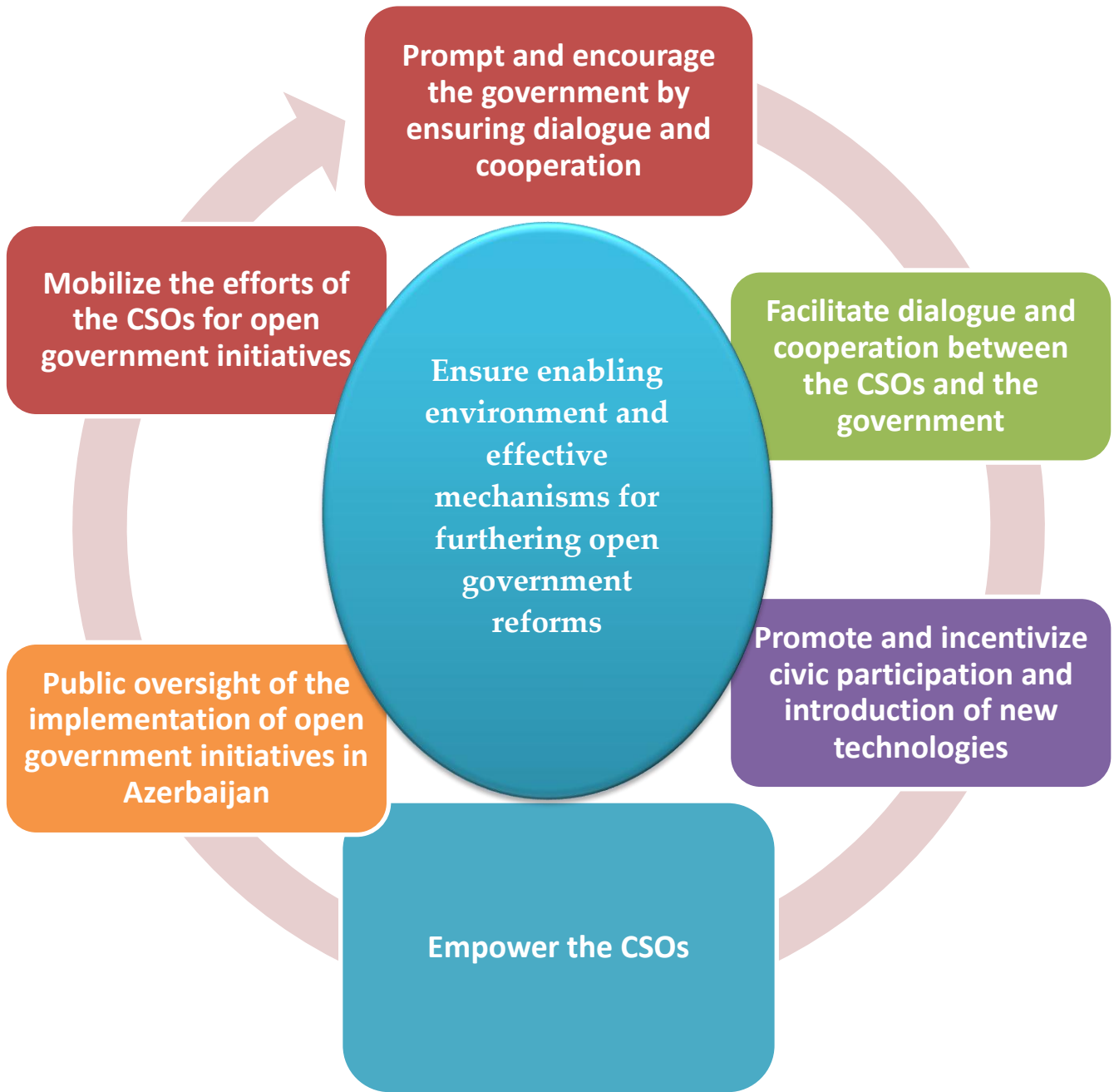
¹ <http://strateg.az/aktual/100217/hokum%C9%99t-v%C9%99t%C9%99ndas-c%C9%99miyy%C9%99ti-dialogu-platformasi.html>

² http://ogp.org.az/az/wp-content/uploads/2017/03/Platformanin_Esasnamesi_Son_variant-2.pdf

MISSION OF THE OPEN GOVERNMENT PLATFORM

The Open Government Platform promotes the implementation of open government initiatives in Azerbaijan, advocates for transparency, accountability and broad participation of civil society in the activity of the state authorities, mobilizes the efforts of civil society for the application of new technologies in these areas. The Platform works to support the implementation of open government initiatives by facilitating open dialogue with the government, to establish mechanisms and environment for empowering civil society in Azerbaijan.

MISSION OF THE PLATFORM



VALUES AND PRINCIPLES OF THE OPEN GOVERNMENT PLATFORM

Values of the Platform

- **Openness**
- **Teamwork**
- **Collaboration and dialogue**
- **Accuracy**
- **Mutual respect**
- **Innovation**

Principles of the Platform

- **Transparency**
- **Impartiality**
- **Professionalism**
- **Responsibility**
- **Accountability**
- **Results orientation**

VISION OF THE OPEN GOVERNMENT PLATFORM



Bring about a change to the implementation of reforms in Azerbaijan that emanate from the Open Government Partnership.

Ensure realistic progress and results in implementing of open government principles and standards, developing and building capacity of civil society, facilitating of broader citizen participation, introducing of effective innovations.

Return Azerbaijan's membership to active status in the Open Government Partnership.

Results of Strategic Analysis - Summary

Azerbaijan was one of the first countries to join the Open Government Partnership in 2011. The main purpose of joining the OGP was to increase transparency, improve open government performance, exchange international experience and build best practice in the given area. Following the membership, Azerbaijan developed a National Action Plan for 2012-2015 on Promoting Open Government Initiative, and stated its commitment to the principles of improving transparency, accountability, public participation and introducing new social technologies within the framework of this action plan.

The next National Action Plan for 2016-2018 on Promoting Open Government was approved by the decree of the President of Azerbaijan Ilham Aliyev on 27 April 2016. The Plan encapsulates 58 measures in 11 directions, and municipalities and local executive authorities are considered key actors for implementing 25 measures. According to Article 5 of the presidential decree on the approval of the plan, it is recommended that civil society organizations should be involved in implementing and evaluating these measures.

The new plan has a great potential. The implementation of this plan will help ensure relevance of the reform programme, and open up new opportunities for engaging citizens and civil society. Particularly, it will allow making progress in transparency, access to information, disclosure of income (property) of public officials, and civic participation in governance.

Successful implementation of this Plan will depend largely on the active involvement of civil society. It is crucial for civil society to put reforms on the top of the agenda, make independent appraisal of relevant government agencies, and support to build public confidence, which is essential to the OGP initiatives.

Azerbaijan's membership of the Open Government Partnership was reviewed by the OGP Steering Committee at its Ministerial-level meeting in Cape Town, South Africa on 4 May 2016. Of 22 members of the Steering Committee, 16 voted in favour, 3 opposed and 3 abstained from the resolution that downgraded Azerbaijan's membership from active to inactive status.

The Committee indicated the following concerns that had triggered the move:

1. Delay in submitting a new national action plan
2. Lack of consultation mechanism with civil society
3. Restrictions on the activity of civil society organizations

The government of Azerbaijan will have a period of one year to address these concerns. Under the new status, Azerbaijan is ineligible to vote in OGP elections, however it is able to attend OGP events as an observer.

In line with the Policy on Upholding the Values and Principles of the Open Government Partnership, the government of Azerbaijan should take measures to meet the requirements and standards laid down in the OGP resolution. The OGP Criteria and Standards Subcommittee will oversee Azerbaijan's compliance with the OGP recommendations, and make its decision to the full Steering Committee accordingly.

The following measures were undertaken with a view to implement recommendations:

1. Presentation of Azerbaijan's new National Action Plan

The National Action Plan for 2016-2018 on Promoting Open Government was adopted following extensive discussions with the stakeholders, including with the civil society. The proposals put forth by the civil society were taken into account. Given the OGP practices, the Plan was developed in a new format and structure.

2. Establishing a consultation mechanism with civil society

An Open Government Platform was established with the purpose of facilitating cooperation and consultation with the civil society for the implementation of open government initiatives in Azerbaijan.

Pursuant to the National Action Plan for 2016-2018 on Promoting Open Government, the CSO representatives and government agencies came together to establish a Government and Civil Society Dialogue Platform on Promoting Open Government on 9 September 2016. The format and structure, representation in the Platform fully conforms to the OGP principles.

3. Ensuring an enabling environment for the activity of civil society

A working group, composed of the representatives from the Office of President, the NGO Council, the Ministry of Justice and Coordinator of Open Government Platform Alimammad Nuriyev, was set up with a view to analyze the legislation that regulates NGO activities, the rules regarding receiving and using grants, and the rules on obtaining the right to provide grants by foreign donors in the Republic of Azerbaijan. The State Oil Fund's representative also partook in these consultations. As a result of the discussions, the experts of the Open Government Platform prepared and presented their proposals. Based on these proposals, the Cabinet of Ministers made changes to the Rules on Registration of Grants on 11 January 2017, and the Rules on obtaining the right to provide grants in the territory of the Republic of Azerbaijan by foreign donors on 24 January 2017 respectively. These amendments eliminate a number of requirements that likely create artificial barriers and pose bureaucratic obstacles to the registration of grant contracts, simplify the registration procedure, and significantly reduce the number of required documents. A notarial translation for several documents is no longer required, and the changes make it possible to register grant contracts as a service contract.

Meantime, the procedure for providing grants by foreign donors was significantly simplified. The number of required documents was reduced. The period of checking grant registration package was reduced by 2 times. At present, the rules specify the grounds for refusal to provide an opinion on the financial and economic expediency of the grant agreement.

The grant agreements signed with foreign donors prior to the amendments to the NGO legislation in 2014 were registered.

The practical challenges encountered by NGOs were resolved, fiscal sanctions were frozen, seized property and documents returned. One criminal case was dropped. With a few exceptions, excessive physical check of NGO representatives at border crossing points was abolished.

Assessment of the Open Government Partnership

The OGP delegation held discussions on the membership status of Azerbaijan and a state of implementing its obligations during the two-day visit on 21-22 May 2017.

The representatives of the Government and Civil Society Dialogue Platform on Promoting Open Government met with the members of the OGP delegation during their visit to Azerbaijan.

At the working level meeting held in Washington 28 February 2017, the OGP Steering Committee highly assessed the consultations held by the government of Azerbaijan in the process of working out the National Action Plan for 2016-2018, the setting up of a multilateral OGP Forum and application of a one stop shop approach to the procedure of registering grants to address the concerns of the Criteria and Standards Subcommittee. However, it was stated that the issues of concern raised in the initial letter of the Subcommittee still remain unresolved. It was also stated that the challenges still exist in the overall environment the civil society organizations operate despite some progress. Pursuant to the Policy on Upholding the Values and Principles of the Open Government Partnership, its Steering Committee decided to extend Azerbaijan's inactive status for another year. Based on the decision, the OGP Criteria and Standards Subcommittee will prepare an annual plan of renewed recommendations on the unresolved issues related to the activity of civil society in Azerbaijan by 15 September 2017. A 12-month extended inactivity period will take effect upon the development and communication of these requirements to the parties concerned. The draft of the renewed requirements will be elaborated in consultation with the government of Azerbaijan, indigenous civil society and international experts. The Criteria and Standards Subcommittee will submit a final assessment report at the end stage.

Glance at Azerbaijan's participation prospects in the Open Government Partnership

Constructive approach taken by the Open Government Partnership to Azerbaijan's membership and its continued dialogue and negotiation with the government of Azerbaijan are worthwhile to note. The OGP approach to Azerbaijan will allow:

- making the agenda of open government reforms high priority in Azerbaijan;
- opening up new opportunities for dialogue and co-operation between the government and civil society;
- realizing new initiatives geared to ensure an enabling environment for civil society and strengthen its capacity;
- garnering essential international support and facilitating exchange of experience for the successful implementation of open government reforms in Azerbaijan;
- offering incentives to undertake reforms;
- enhancing accountability of the government of Azerbaijan.

Meantime, commitment of the government of Azerbaijan to the open government reform agenda, constructive cooperation and dialogue with the Open Government Partnership, launch of the next round of discussions give hope to involvement of civil society in these processes.

On the other hand, approval of the strategic roadmaps on 12 economic sectors in Azerbaijan, adoption of the action plan dated 2 July 2017 on the implementation of the presidential decree No 2199 of 13 July 2016 “on the additional measures to improve business environment in the Republic of Azerbaijan and its position in international ratings,” launch of negotiations between the Republic of Azerbaijan and the European Union on a new Strategic Partnership Agreement, start of ASAN service index to measure quality of public service delivery, and ongoing development of electronic services lay the foundation for open government reforms too. All these factors are to be regarded as positive trends having direct and indirect impact on the agenda of the open government reforms.

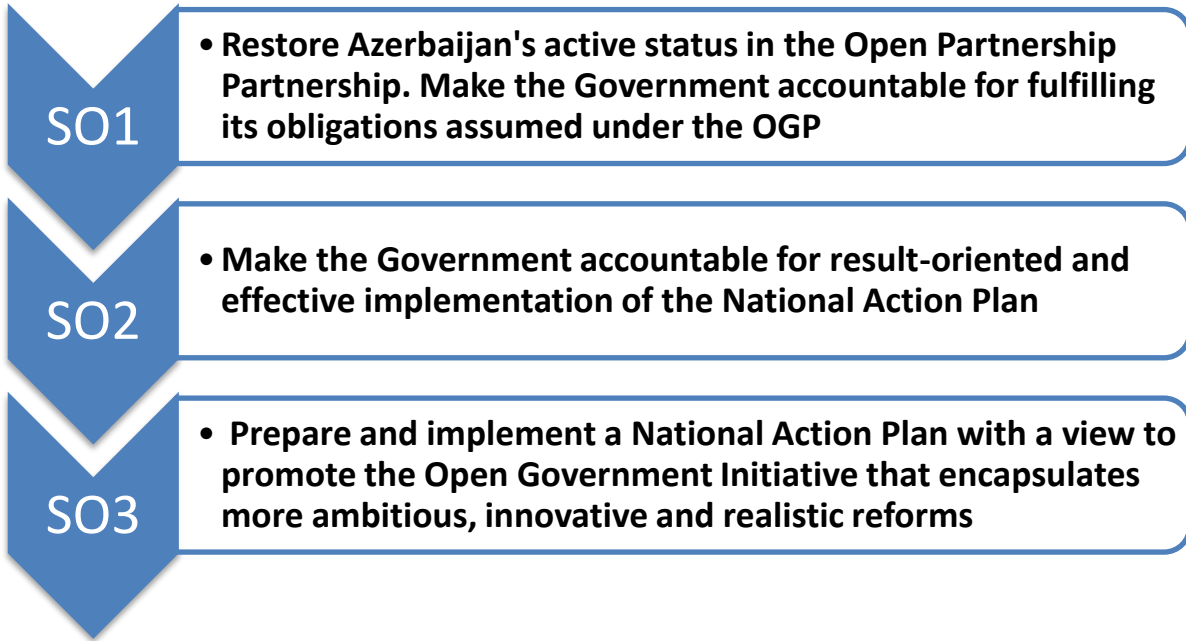
SWOT Analysis

	Strengths	Weaknesses
Internal factors	<ul style="list-style-type: none"> - The Platform structure provides for effective cooperation, partnership, dialogue and discussion with the government. - The government representatives in the Platform are empowered - Representation of the National Assembly opens up opportunities for cooperation between the Platform and the legislature - The Platform embraces the entire spectrum of Azerbaijan's civil society - The Platform is represented by leading NGOs that are at the forefront of the sector - Many Platform members enjoy strong links internationally - The Platform members maintain the team spirit and share common values - The Platform has the capacity to devise and implement large-scale projects of its member/s - The Platform cooperates and partners with the government agents of reform 	<ul style="list-style-type: none"> - Existing procedures complicate access of civil society to foreign donors - The Platform's capacity of raising funds is quite weak - The material and technical resources of the Platform are very poor - The Platform's inability to form its workforce - The Platform's international relations are underdeveloped - The Platform's official documents remain undeveloped (communication strategy, code of ethics, rules for avoiding conflict of interests, etc.) - The Platform's capacity to develop public relations is not fully utilized - The knowledge and potential of the Platform members are not fully utilized - Failure to meet special training needs of the Platform members - Ineffective use of opportunities to cooperate with the National Assembly - Several local organizations attempt to cast a shadow at the Platform's activities

	Opportunities	Threats
External factors	<ul style="list-style-type: none"> - The Government of Azerbaijan is willing to undertake the open government reforms and cooperate with civil society organizations in this direction - The Azerbaijani government maintains constructive dialogue, discussion and cooperation with the Open Government Partnership - The Open Government Partnership strives for restoration of Azerbaijan's active status - The Open Government Partnership is interested in cooperating with the Open Government Platform, and the partnership was already established between the two. - Azerbaijan's civil society supports restoration of Azerbaijan's active status in the Open Government Partnership - Active support of the international community - Adoption of the Strategic Roadmaps for development of 12 sectors of the national economy in Azerbaijan. The targets identified in these Strategic Roadmaps serve as a catalyst for incentivizing the open government reforms. 	<ul style="list-style-type: none"> - Declining interest in undertaking "open government" reforms by the government of Azerbaijan can lead to the neglect of the reform agenda as a whole. - A number of international and local organizations waged a campaign to suspend Azerbaijan's membership in the Open Government Partnership. Azerbaijan's withdrawal from the EITI can recur - Efforts to imitate open government reforms can overshadow genuine work undertaken so far - Employing fragmentary rather than comprehensive approach to open government reforms - The international community can show reluctance to open government reforms undertaken in Azerbaijan - It may take a long time to establish open government ideas and values in the Azerbaijani society.

STRATEGIC GOALS AND OBJECTIVES:

1. ENSURE COMPLIANCE WITH OPEN GOVERNMENT REFORM AGENDA



2. ENHANCE ROLE AND IMPACT OF CIVIL SOCIETY ORGANIZATIONS IN THE OPEN GOVERNMENT REFORMS



3. STRENGTHEN CAPACITY OF THE OPEN GOVERNMENT PLATFORM

