



STRATEGY

For Enforcement of Freedom of Information in Armenia (2014 –2018)

The Strategy is prepared and will be implemented by the Freedom of Information Centre of Armenia (FOICA).

The Aim

- ❖ **The FOICA's strategy is developed for:**
 - Transparency of governance;
 - Reduction and elimination of corruption;
 - Civil society participation.

Objectives:

- Public education and awareness;
- Training of civil society groups and representatives of state and public bodies;
- Development of good mechanisms for providing information in state and public bodies;
- Establishment of the Freedom of Information and Data protection Ombudsman (Commissioner);
- Protection of the right to information;
- Effective judicial control over enforcement of the right to information;
- Importing regional and international experiences and best practices into Armenia;
- Development of e-governance in Armenia;
- Fostering Open Government Partnership (OGP) objectives in Armenia.

Main Strands

- ✓ Legal counseling, Advocacy and Strategic Litigation
- ✓ Trainings
- ✓ Public Campaign
- ✓ Legislation reforms
- ✓ Improvement of mechanisms for proactive publication of information by the central and local government bodies
- ✓ E-Government Reforms

- ✓ Monitoring of Implementation of the FOI legislation
- ✓ Assistance for effective investment of Open Government Partnership global initiative objectives in Armenia.

Activities

I. “Legal counseling, Advocacy and Strategic Litigation”

- In 2014-2018 in the strand “*Legal counseling, Advocacy and Strategic Litigation*” the FOICA is planning to initiate at least 20 strategic court cases against state bodies, self governmental bodies and bodies of public importance. In the past information requests were often left unanswered (mute refusals) by information holders, and court cases were mainly initiated because of these mute refusals. In recent years the number of mute refusals decreased, but it should be noted, that this is not a qualitative indicator of the responses, because the mute refusals were replaced by incomplete and unjustified responses, unjustified refusals. Thus, the planned 20 strategic court cases will be initiated to solve the problem of unjustified responses, unjustified refusals with the help of court practice and court precedents.
- The FOICA will continue providing legal consultations and assistance on FOI issues to the citizens, media representatives and officials on application and implementation of the FOI legislation. For this purpose in all Marzes (regions) 10 lawyers will provide legal aid. The lawyers will give free legal counselling to citizens and do also legal representation in courts. The advocates will be selected from the lawyers participated in the trainings held by the FOICA.

II. “Trainings”

- In 2014-2018 in the direction “*Trainings*” the FOICA is planning to continue regular trainings of public officials, civil servants and community servants. In November 2010 the Freedom of Information Center of Armenia established a Non-formal Educational Center for providing continuous training for public officials and civil servants. The educational center became a sustainable source for providing regular training for officials in the FOI field. The selected public officials/institutions gain knowledge on how to comply with the FOI law, including electronic access to Information. In collaboration with the RA Ministry of Territorial Administration and with the RA Council of Civil Service, the FOICA have provided trainings on FOI right to hundreds of civil and community servants.
- The FOICA is also planning to cooperate with the universities (faculties of Journalism), with mass-media, partner NGOs to provide trainings on FOI right to students, journalists and NGO staff.
- The two day training sessions will be held for the following beneficiaries:
 - NGO representatives, Media managers and journalists (30 trainings)
 - Civil servants of state and public bodies in Yerevan (32 trainings)
 - Civil servants of state and public bodies in regions (40 trainings)
 - Community servants of all regions (20 trainings)

- Judges (5 trainings)
- Lawyers/advocates, (10 trainings)
- Prosecutors, (5 trainings)
- Employees of some private corporations with special public service functions (10 trainings)

III. “Public Campaign”

In this strand the following activities are foreseen:

- In 2014-2018 the FOICA is planning to continue the publication of the “You have the right to know” Bulletin which is the only Armenian periodical specialized in freedom of information.
- The FOICA will continue using its website www.foi.am for providing knowledge and information about the FOI right, as well, information about the court practice of FOI and implementation of the FOI legislation.
- The FOICA is planning to hold 5 Golden Key FOI Annual Award Ceremonies from 2014-2018, which is a substantial part of public campaign. This event is held annually on September 28 – the International Right to Know Day. The aim of the event is to assess the openness and transparency of the government and to criticize closed and secret work style.
- 6 press conferences are included in the strategy which will take place at least twice a year. Based on needs vital issues of public interest, accumulated during implementation of other strands of the strategy, will be presented at those press conferences.
- For raising public awareness on right to information the following publications are planned: a Guidebook on Freedom of information, a poster and a calendar. Each of these publications will be printed in 5000 copies.
- Electronic media will be used for publicizing the freedom of information by shooting and broadcasting of 6 social advertisements (3 on radio and 3 on TV). In addition 4 TV talk shows will be produced and an electronic newsletter will be published.
- FOICA’s advocacy and public awareness impact is enforced through a package of dissemination tools created at the NGO. Main online resources supported FOICA operations include the official website at www.foi.am; the interactive portal launched to facilitate and systemize the process of requesting information at www.givemeinfo.am; as well as the Facebook page of the NGO.

The official website www.foi.am:

The website was designed back in 2006. The resource includes 1) regularly updated overview of FOICA’s operations; 2) publications, research and project information from Armenia and internationally, supporting the public awareness and education priorities of the NGO; 3) litigation experience related to FOI cases; 4) online version of the “You have the Right to Know” magazine on FOI legislation, news and issues.

Givemeinfo.am

In 2011 FOICA has designed and launched an innovative online tool aiming at increasing and outsourcing the public oversight over governance transparency in Armenia, in particular over the exercise of the FOI legislation. The new Givemeinfo Portal allows to each and every citizen who applied to the state bodies, to input his/her FOI request and the official response to it into the portal and to create FOI statistics of public administration through an interactive web tool. As a result a comprehensive statistics on the FOI situation in Armenia is reflected on the Portal including the most open and the most closed state institutions are drawn up automatically by the system.

The Facebook Page

With the growing influence and spread of social networks in Armenia, FOICA has established its presence on the Facebook. The page enables an active exposure to the most active online audience in Armenia and attracts new constituencies for its causes.

IV. "Legislation reforms"

- In 2014-2018 in the direction of "*Legislation reforms*" the FOICA is planning to initiate reform in a number of legislative acts related to the condition of providing information. Particularly, in some state bodies there is a mandatory legislative demand to pay a fee for receiving information. In most cases, the requirement to pay (the nature the asked information, the amount of payment) are contrary to presumption of publicity. Thus, to solve this legislative problem and to ensure the peoples' constitutional right to freedom of information, the FOICA is going to initiate legislative reforms.

V. "Establishment of an Oversight Body (Data Protection and FOI Commissioner)"

The reasons for establishing an Information Commission include the goals of promoting the right of access as well as hearing appeals against violations of the right. The first reason, the promotion of the right, should not be underestimated. Introducing a modern access to information regime often requires many procedural and cultural changes within the administration, the introduction of new systems for managing and archiving information, support in transferring data into electronic format, and restructuring of internal decision-making procedures. All this requires provision guidance and technical assistance to public bodies and training of public officials. The creation of an Information Commission can serve to protect the right of access to information by reducing the potential bottle-necks in the application of the law and the appeals process that can, over time, reduce confidence in the right of access to information.

In this direction two alternative solutions are taken into consideration:

- Incorporate the FOI Ombudsman into the general Ombudsman's function
- To establish a special FOI Ombudsman office with distinct functions.

After discussions of the experts at the work meeting the recommendations and conclusions will be presented at a roundtable for all interested parties. At least one foreign expert will be invited to the roundtable. The outcomes of the roundtable will be passed to the Legislation Task Force that will draft the appropriate amendments to the legislation on Ombudsman.

FOICA will also initiate appropriate legislative changes to regulate the issue.

VI. "Improvement of mechanisms for proactive publication of information by the central and local government bodies"

- In 2014- 2018 FOICA plans to place more 200 information billboards in the most crowded places of 50 targeted communities of Armenia to help local government administrations proactively publish information to be widely available for the community people.
- FOICA will consult state bodies on how to improve the content of their official web sites to proactively publicize public oriented information.

VII. "E-Government Reforms"

The FOICA implements a number of activities aimed at establishing new electronic government mechanisms in the government system. In 2011 the Freedom of Information Center has fully modernized the official websites of the Armenian Ministry of Territorial Administration and the 10 regional administrations. In addition to this, computers were provided to municipalities and regional administrations. The FOICA is also supporting the Government to effectively use "Mulberry" electronic documentation sharing system in the governance system. For this purpose a series of training sessions and working discussions are planned to be organized in 2014-2018 to improve understanding and knowledge among public officials on E-Governance.

VIII. "Monitoring"

Several monitoring projects will be implemented during the period covered by the strategy.

- Besides the monitoring, included in the other directions of the FOICA's activities, in 2014-2018 in the direction of "***Monitoring***" the FOICA is planning to carry out a constant monitoring of the implementation practice of FOI legislation in the state agencies and local self-government bodies by sending over 250 information requests to state agencies and local self-government bodies annually. For this a new technology tool www.givemeinfo.am will be used to track accurately the sent requests and their outcomes.

- The FOICA is also planning to conduct an annual analysis on implementation practice of FOI legislation, as well as a comprehensive analysis.
- For effective implementation of monitoring projects the FOICA plans to design a comprehensive **software tool**, which will help to analyse the data collected during the last 12 years of FOICA operations/monitorings. FOICA will have a comprehensive tool to navigate in the data available at the NGO and to deliver packaged information products to journalists, NGOs and the Government. The analyzed data will allow design of infograms and charts which will help to visualize the complicated set of data and to publicize the results of FOI work. An initial agreement is achieved with [CivilNet TV](#) Channel on using the FOI infograms and analyzed data in their news programs. The new tool will also allow FOICA to issue annual transparency index of government bodies.
- FOICA team will also design a **Transparency Rating Index** to evaluate openness and transparency level of national and local administration bodies of Armenia. The index will be based on various indicators, such as whether the institution maintains a web site which is regularly updated and contains information envisioned by the FOI Law, is there an information officer in the institution, in what time frames does the institution answer the FOI requests, does the institution publishes annual reports on activities, does the institution publish annual report on the received FOI requests, on refusals and grounds to them, does the institution proceeds electronic requests, etc. All data accumulated based on the indicators will be input into the developed software and will be analyzed and systemized. The software will visualize the results by institution and by indicators, include the responses of the institutions on the access to information requests, and statistics on the responses to the requests. The **transparency index** will allow the FOICA team to make annual evaluation of openness of the Armenian central and local institutions.

IX. The FOICA's activities in Open Government Partnership global initiative

- In 2014-2018 the FOICA is planning to actively participate in the implementation of the OGP Armenian action plan. In 2011, when the Republic of Armenia became a member of OGP, the FOICA has been actively involved in the Open Government Partnership global initiative. Under 27 January, 2012 50-U decision of the Prime Minister of the Republic of Armenia about "Creating a workgroup in order to elaborate the Action Plan for Armenia's participation in the OGP", the FOICA was included in the working group. Taking into consideration the importance of the Action Plan and the necessity of actions ensuring its further implementation, the FOICA has developed more than 20 suggestions, in order to include them in the Armenia's Action Plan. The most part of FOICA's suggestions have been included in the Country Action Plan 2012-2014.
- The country action plan of Armenia adopted in spring 2012 will come to an end in 2014 and Armenian Government has to submit a report on implementation of its commitments adopted in the Action Plan, while several activities still remain uncompleted. There is an urgent need to gather civil society and the Government and coordinate the Armenia's implementation report to be submitted in upcoming OGP global meeting in 2014. Thus, to foster Armenia's membership in OGP, to ensure

efficient implementation of the country Action Plan and to provide an independent assessment of the implementation process, the FOICA suggests implementing the following activities:

- ***Monitoring of the implementation of the Country Action Plan*** to provide an objective and independent assessment of the implementation process (civil society insight) which will consult civil society, as well as government, private sector and other stakeholders, after the first year of OGP implementation to assess government performance relative to the commitments in its action plan;
- ***Organization of the 2nd and 3rd Open Government Partnership Conferences*** in cooperation with the RA Government in November, 2013, and in April 2014 in Yerevan. The main objectives of the events are to summarize implementation practice of the 1st action plan, to sum up the lessons learned and future challenges; as well as to foster development of the new Action Plan of Armenia for 2013-2017 by ensuring civil society engagement in the development process;
- ***Increase of public oversight and participation in OGP*** - To implement wide public campaign activities in order to advertize the Armenia's OGP commitments by which all stakeholders can track progress and OGP's impact within our country. Another objective of these activities will be engaging the public in the monitoring process of implementation;
- ***Tender Analyzes***- The transparent Procurement system is another key component of the OGP commitments of Armenia. The team plans to analyze 30 tender packages to be announced in 2013-2017 by the Armenian Government and widely publicize them.