

TWINNING PROJECT FICHE

1 Basic Information

- 1.1 Programme: Framework Programme in Support of EU-Georgia's Agreements (top-up)
1.2 Twinning Number: GE/21
1.3 Title: Support to Strengthening of e-Governance in Georgia II
1.4 Sector: Other
1.5 Beneficiary Country: Data Exchange Agency, Ministry of Justice

2 Objectives

2.1 Overall Objective(s):

To support the development of democracy and economic growth in Georgia through governmental use of Information and Communication Technologies (ICT) tools.

2.2 Project Purpose:

Strengthen the institutional and human resource capacities of the Data Exchange Agency (DEA) with necessary skills and knowledge in e-government and information security training, consultancy, benchmarking and promotion in line with the European Union standards.

2.3 Contribution to National Development Plan/Cooperation Agreement/Association Agreement/Action Plan

This action supports the implementation of the provisions of the Government of Georgia's (GoG) draft national strategy on information society: "A Digital Georgia: e-Georgia strategy and action plan 2014-2018", which is expected to be adopted in early 2015. The DEA is a key actor in the strategy, tasked with inter alia, development of e-services, ensuring data-exchange infrastructure and raising awareness among the population.

The action is also fully in line with the provisions of the EU-Georgia Association Agreement, of which Chapter 8 specifically addresses "Cooperation in the field of information society". Under this chapter, article 325 (a) stipulates that cooperation will cover: *"exchange of information and best practice on the implementation of national information society initiatives including inter alia those aiming at promoting broadband access, improving network security and developing public online services."*

3 Description

3.1. Background and justification

During the last decade, ICT development in public services has quickly become a cornerstone of all public sector reform processes in Georgia. As a result, state agencies enjoy tremendous support from private business initiatives and international donors in deploying e-services, allowing Georgia to become one of the most dynamically developing ICT governance environments in Eastern Europe.

Georgia's progress in e-government reforms in recent years is reflected in its advances in international rankings and benchmarks:

- The 2014 UN E-Government Survey classified Georgia 72nd out of 193 countries, scoring higher than Turkey, Azerbaijan, Armenia, Ukraine and others in the region. Reflecting its quick progress, Georgia scored 12 points higher than the last survey in 2012;
- In the World Economic Forum's Networked Readiness Index 2013, Georgia became the only country out of 142 which improved its ranking by 23 points over the duration of one year (in 2013), moving from rank 88 to 65 based on the Global Information Technology Report;
- In October 2013, Georgia was nominated by the UK Cabinet for the Bright Spots award for its achievements in government transparency and accountability.

The Data Exchange Agency (DEA) has played a key role in this. Established in 2009, its aim is to support electronic data exchange through coordination of the activities of individual ministries, to act as a Georgian governmental gateway, and to focus on information and cyber security policies¹.

Since its inception, the DEA has set the foundations for ICT and e-Governance in Georgia. Some of the most notable achievements include:

- Establishment of the Georgian Government Gateway (G3) as a secure platform for G2G communications;
- Passing of a law on registers, mandating interoperability requirements for all government registers. A Register of Registers was established;
- Founding of a Computer Emergency Response Team (CERT.gov.ge) to deal with cyber security, and was integrated into international CERT networks;
- Establishment of critical infrastructures and information security policies;
- Launching of mygov.ge as a central e-government portal offering G2C, G2B and in some cases G2G services;
- Development of the e-government strategy for the country, entitled "A Digital Georgia: e-Georgia strategy and action plan 2014-2018".

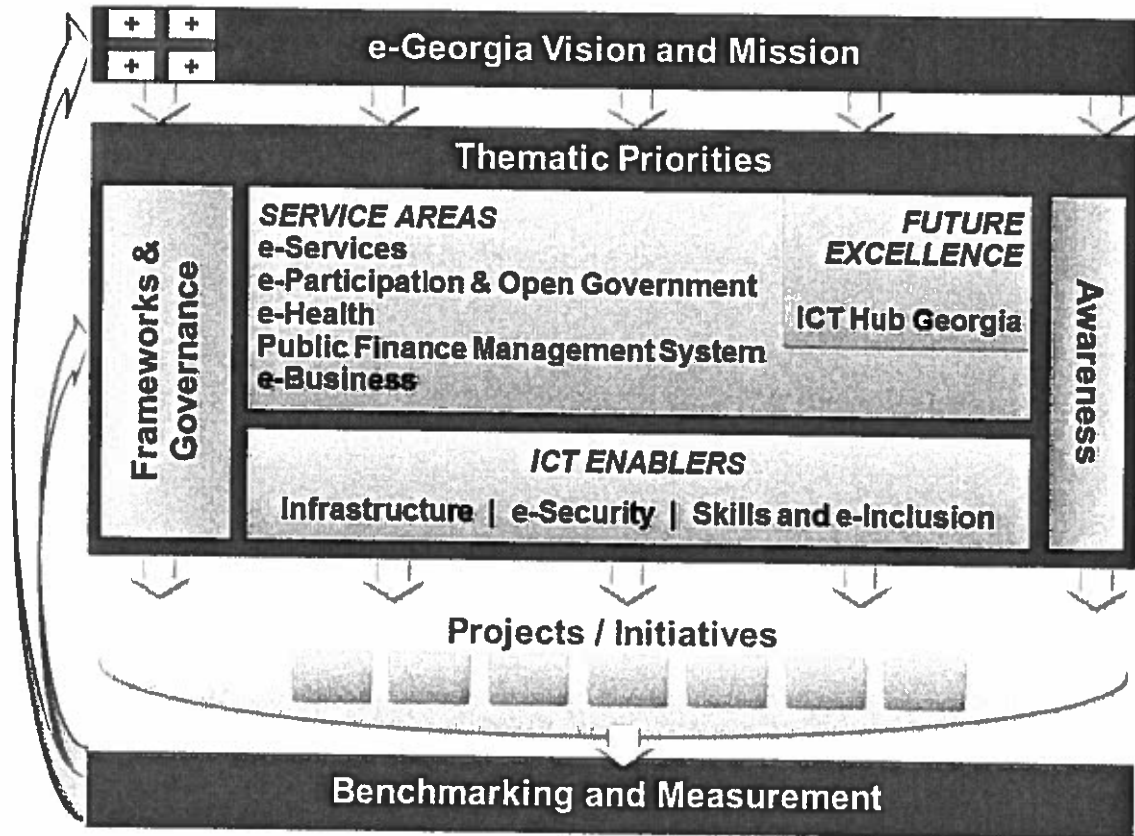
As significant as these achievements are, substantial challenges still face e-government implementation in Georgia. Legislatively, while key new laws have been introduced, the level of e-government legislation still remains below European standards, with sub normative acts, sub laws, and regulatory frameworks still to be defined and implemented. Structurally, the increasing number of services provided electronically requires further development of the interoperability framework aligned to the European Interoperability Framework. In addition, it has become clear that now that harmonising rules for ICT systems of individual government bodies have been defined, there is also a need to support those bodies in the development of these systems.

These challenges and measures needed to address them are reflected in "*A Digital Georgia: e-Georgia strategy and action plan 2014-2018*"². Developed with the assistance of a Twinning project, and with substantial public consultations, the e-Georgia strategy is expected to be formally adopted in early 2015.

¹ The DEA officially started operations on January 1, 2010. The law and charter of Data exchange Agency is attached (See, Annex I).

² <http://www.dea.gov.ge/uploads/eGeorgia%20Strategy.pdf>

The strategy sets out an ambitious expansion of e-government services in Georgia, with the main goal of establishing a "more efficient and effective public sector offering integrated, secure, and high quality e-Services." It is organised by 11 thematic priorities grouped into Service Areas, Future Excellence, ICT Enablers and Horizontal Measures. More detail is provided in the diagram below:



DEA plays a major role in the strategy's roll-out, acting as the main coordinator in 9 of the 11 thematic areas (e-Health and Public Finance Management are coordinated by their respective Ministries).

In order to successfully meet these new challenges, DEA will need to substantially increase its capacities in key areas. Specifically:

- DEA will need expertise to establish and align legal and enabling frameworks (such as interoperability and governance) with European Standards (including the European Interoperability Standards);
- The expanded scope of the service areas will require DEA to manage over twice as many projects as currently, and to deal with a growing staff, which has already increased from 25 in 2010 to 46 in 2014. This requires a rethinking of the set-up and functioning of the agency;
- Effective roll-out of new services to stakeholders will require stakeholder training capacities, which DEA does not currently have;
- Innovating and expanding specific e-government services (e-Georgia's *ICT Hub Georgia*) require consulting and development capacities also not currently present in DEA;
- Finally, DEA will need to address the issue of outreach to ensure take-up of new services – this includes both to the general public, which has been slow to embrace new services, as

well as government stakeholders which have not started introducing e-services in their sectors.

3.2 Linked activities

There have been a significant number of information society initiatives in Georgia in recent years.

Key among these is the EU funded Twinning Project “**Promoting the Strengthening of e-Governance in Georgia**”, which dealt with building capacity of DEA staff and contributed strongly to the development of the e-Georgia strategy and action plan. It also supported the GoG in the process of integrating Georgia into Europe’s landscape of Interoperability, Open Government Data, e-Government solutions and e-Governance models as well as e-Archive, NSDI and upcoming eIDAS implications for Georgian legislation. The project ended activities in summer 2014.

The EU funded **EU-Georgia E-Governance Facility** supported the GoG in the developing a Registry of Registers, capacity building of CERT.gov.ge staff, implementation of a general training programme on e-governance for civil servants, and in producing high quality GNSS measurements linked to the European Terrestrial Reference System 1989-ETRS 89. Activities under the project ended in November 2014.

Various projects have supported establishment of dedicated electronic services for branches of government. Some examples include:

- the EU funded **Deployment of e-ID Card Service Infrastructure** project supported the Public Service Development Agency in introducing digital identities with electronic signatures for citizens. Activities ended in October 2014;
- Completed in 2010, the USAID supported **Integrated Criminal Case Management System of Georgia (GICCMS)** project helped develop and implement a common database for use by the Ministry Of Justice, Prosecutor’s Office, Ministry of Internal Affairs, Ministry of Finance and other enforcement bodies;
- The World Bank has supported the development of an electronic, online procurement system as well as an **Electronic Public Finance Management System** including E-treasury and E-Budget modules;
- Financed by the Swedish International Development Agency (SIDA) and the World Bank, the “**Capacity Building and Improved Client Services at NAPR of Georgia**” project, a Continuously Operating Reference Stations (CORS) system is being established allowing access to high quality GNSS-measurement co-ordinates or combined GNSS/total station measurements. The equipment is being installed;
- The first phase of the **Trade Facilitation System Development** project is funded by USAID, and aims to expedite and simplify information flows between trade bodies and government. It brings together all trade related stakeholders into one central system of information sharing and processing by the Single Window Trade Portal. The project will end in 2014.

Significant work has been put into strengthening municipalities in regards to local governance, which also feed into the coordinating activities of DEA:

- The GIZ supported “**Assessment of the local self-governments’ capacity for introducing the E-Governance System**” was implemented by the Public Service Development Agency in coordination with the Ministry for Regional Development,

identified concrete services to be provided to citizens/business companies through E-Government services. The project was finalised in March 2011;

- The “Introduction of e-Governance System Model for Capacity Building in Local Governance” project is implemented by the Public Service Development Agency with support from the EU. Project partners are the pilot municipalities, the National Agency of Public Registry, Georgian National Archive, and the Social Service Agency. The project aims to increase the quality of public services at the local level and to optimize the governance system within Georgian Local Governments. The project was finished in March 2013.

3.3. Results

Based on the gap analysis, the following mandatory results have been identified for this twinning project:

1. Georgia's E-government and information society legal and regulatory framework verified and updated to meet EU standards;
2. Organisational and institutional framework of DEA revised in light of expanded tasks outlined in e-Georgia strategy;
3. Training capacities of DEA reinforced through establishment of knowledge base, introduction of evaluation and quality assurance training methods, and development of training materials.
4. Capacity of DEA to design, develop and deliver customised consulting and benchmarking services to government partners strengthened;
5. DEA's public outreach and targeted marketing capacities improved.

3.4 Activities:

The activities listed below and the proposed means and activities for achieving the results are indicative and can be revised in the framework of the preparation of the contract between the twinned institutions.

Component 0: General Activities

A.0.1 Kick-off Workshop

Method: The first month of the project will be used to allow the installation in Georgia of the Resident Twinning Adviser (RTA). The RTA will have to be installed in his/her office at the DEA. S/he will be introduced to the BC stakeholders of the project and to his/her counterparts and staff. He/she will also hire Assistants (RTA Administrative and Language Assistants) through an appropriate selection procedure.

A one-day kick-off conference will be organised in the first month aiming at launching and presenting the project to the stakeholders, the media and the public at large. In order to guarantee large public information about the project, stakeholders, media and the public will be informed about the start and content of the project by start of month 2.

Benchmark: Kick-off conference organised; Stakeholders, media and general public informed of the launch, aims and content of the project

Resources: RTA, PL translation, interpretation, rent of premises.

A.0.2 Final Closing Conference

Method: Within the last two months of the project, a closing conference will be organised at which the results of the project will be presented. The state of play in the areas of the project's interventions will be discussed with the beneficiary (DEA), the Georgian Government, the private sector, civil society organisations and other donors. The conference will be concluded with some recommendations for possible follow-up and lessons learnt for similar projects.

Benchmarks: Closing Conference organised; recommendations and lessons learnt formulated and discussed stakeholders; media and public informed about the results of the project at its end.

Resources: RTA, PL, translation, interpretation, rent of premises.

Component 1: Georgia's E-government and information society legal and regulatory framework verified and updated to meet EU standards;

This component assesses Georgian e-Government laws, the legal and regulatory framework and compares Georgian legislation with EU directives and regulations. It also provides a generic template for legislative screening of a target country/system which afterwards serves as an adjusted/customized basis for future services in component 4.

A1.1 Assessment of the existing Georgian E-Government and Information Society laws with EU directives and regulations

Method: EU Experts will assist in analysing and evaluating existing e-government and information society laws and identify fields for further improvements of Georgian legislation.

Benchmarks: Assessment report for e-government laws provided including proposed priorities, scoreboards developed, STE mission report delivered.

Resources: RTA, STE, translation.

A1.2 Screening of Georgian legal and regulatory framework, relevant for DEA scope of work, in comparison to EU directives and regulations

Method: EU Experts will assist in identifying relevant EU legal and regulatory frameworks that should be introduced in Georgia.

Benchmarks: Comparison report for list of legal and regulatory framework parts provided and priorities agreed, scoreboards developed, STE mission report delivered.

Resources: RTA, STE, translation.

A1.3 Trainings on approximation of Georgian legislation with EU Acquis in the field of e-government and information society legislation.

Method: EU Experts will carry out seminars for DEA legal experts on how relevant EU legislation has been transposed in EUMS, highlighting different approaches.

Benchmarks: Training materials together with the detailed list of legislation prepared and provided; Seminar/training carried out. STE mission report delivered.

Resources: RTA, STE, translation, venue.

A1.4 Study visit to EUMS to experience e-government and information society legislation implementation

Method: Four DEA specialists to undertake a study visit to the EU MS relevant authorities regarding e-government and information society legal framework implemented process.

Benchmarks: Study visit performed. Report and recommendations prepared.

Resources: RTA, MSA, Study visit costs (flight tickets, per diems)

Component 2: Organisational and institutional framework of DEA revised in light of expanded tasks outlined in e-Georgia strategy;

Component 2 defines vision and mission statements of DEA with regard to expanded tasks outlined in e-Georgia strategy, identifies service areas, provides an organisational and regulatory frame for operation, develops a sustainable business plan and detailed operationalization plans, as well as capacity building in organisational and administrative skills through support from EU MS Experts and study visits, as well as international collaboration.

A2.1 Update of vision and mission statements of DEA with regard to expanded tasks outlined in e-Georgia strategy

Method: EU MS Experts will assess the situation and prepare proposals and recommendations on a revised vision and mission statement for DEA aligned with the principles defined in the European Interoperability Framework.

Benchmarks: Vision and mission document developed and provided, including identified service areas. STE mission report delivered.

Resources: RTA, STE, translation, interpretation, venue.

A2.2 Mid-term review of e-Georgia Strategy

Method: Assist in review of e-Georgia Strategy in light of Association Agreement and recent developments, hold public consultation process

Benchmarks: e-Georgia Strategy updated. STE mission report delivered.

Resources: RTA, STE, translation, interpretation, venue.

A2.3 Development of regulatory framework for DEA with focus on expanded tasks outlined in e-Georgia strategy.

Method: EU MS Experts will assess Georgian legislation, identify European and international best practice examples and prepare proposals, and discuss with DEA and other authorities on a regulatory framework for DEA. This will set the grounds for collaboration (i) with other public as well as with private and civil sector actors in Georgia and/or to offer services within this function and (ii) with

countries in the region to leverage the knowledge potential of the DEA across national borders. After discussions and review, the Experts will finalise the draft documents.

Benchmarks: Regulatory frame document including Charter and/or Constitution; Memorandums of Understanding (MoUs) / Collaboration Agreements developed; contract templates for Experts drafted. STE mission report delivered.

Resources: RTA, STE, translation, venue.

A2.4 Development of a DEA Sustainability business plan

Method: EU MS Experts and Georgian counterparts will elaborate and agree on a sustainable business plan as well as required operational plans and procedures.

Benchmarks: Sustainable business plan provided (including operational plans and procedures). STE mission report delivered.

Resources: RTA, STE, translation, venue.

A2.5 Conduct Study Visit to MS for DEA representatives to examine institutional and regulatory best practices

Method: Four specialists will undertake a study visit to similar institutions of the EU. They will discuss the MS experience in the sector as well as relevant draft documents.

Benchmarks: Study visit performed; report provided.

Resources: RTA, MSA, Study visit costs (flight tickets, per diems).

A2.6 Establishment of international collaboration and networking mechanisms

Identify partners and cooperation modalities in e-government and information society.

Method: EU MS Experts will support the DEA in identifying relevant fields of collaboration with countries in the region as well as responsible institutions. EU MS Experts will provide support through networking and in the preparation of collaboration agreements as needed. In order to identify and strengthen partnership opportunities, participation of 3 BC experts in high-level annual international conferences in e-government and/or related field within EU will be supported.

Benchmarks: Support for establishing international collaborations with countries in the region provided.

Resources: RTA, STE, BC experts, Conference costs (flight tickets, per diems), translation, interpretation

Component 3: Training capacities of DEA reinforced through establishment of knowledge base, introduction of evaluation and quality assurance training methods, and development of training materials.

Component 3 focuses on the capacity building of DEA to ensure that all necessary skills, competences, training materials, organisational and technical support to run the training services are established. The component covers needs assessment as well as training the (DEA) trainers (capacities of staff) and the conceptualisation of support tools to manage knowledge assets, the administration and quality assurance of service offers as well as the pool of internal and external

Experts. With component 3, DEA and its staff will be equipped with the competencies and capacities to run the training services that will be determined in components 1 and 2, and offered to customers in component 4.

A3.1 Training needs assessment of DEA staff

Method: EU MS Experts will assess the capacity and skills of DEA staff to be developed in relation to e-Georgia and outputs of component 1.

Benchmarks: List of training and consultancy competencies and skills agreed with the DEA, and mapping with existing standard courses and customised training offers documented. Needs assessment performed. STE mission report delivered.

Resources: RTA, STE, translation.

A3.2 Training of Trainers and Consultants

Method: EU Experts will develop necessary training materials and knowledge assets, including pedagogical features and best practice cases. The experts will carry out number of seminars and workshops on relevant and agreed contents to train DEA staff and consultants. During training cycle DEA staff will have opportunity to conduct pilot trainings along with the MS experts.

Benchmarks: Relevant training material and knowledge assets developed; training carried out; DEA staff trained and capable to deliver different training modules; STE mission report delivered

Resources: RTA, STE, venues, training materials

A3.3 Improvement of evaluation and quality assurance training methods

Method: EU Experts will develop guidelines and support material for evaluating and assuring the quality of training and consulting services. Both will involve discussions with DEA Experts as well as workshops/seminars for training DEA staff in evaluation and quality assurance techniques.

Benchmarks: evaluation and quality assurance measures for the training and consultation offers developed and agreed; training materials for available; training performed. STE mission report delivered.

Resources: RTA, STE, training materials, translation.

A3.4 Conduct study visit to MS for representatives of DEA to experience training and consultancy activities

Method: Along the activities of this component, four specialists in the DEA will undertake a study visit to similar institutions in the EU MSs. They will discuss MS experience in regards to capacity building in training and consulting services delivery.

Benchmarks: Study tour performed; report and recommendations prepared and submitted.

Resources: RTA, MSA, Study Visit costs (flight tickets, per diems).

A3.5 Development of a concept for the body of knowledge

Method: MS Experts will assist in analysing requirements and developing a concept for an easily searchable and usable body of knowledge – i.e. generic (of component 3) as well as customised (of component 4) training and consulting materials. This may also include online training (e.g. video-clips, online courses, etc.) for the self-learning of trainers and consultants.

Benchmarks: Concept for body of knowledge developed; supporting material and knowledge assets elaborated and provided. STE mission report delivered

Resources: RTA, STE, venue, support materials and e-learning courses

A3.6 Building up a pool of Experts

Method: MS Experts will assist in analysing the requirements and developing a concept for the pool of Experts in close collaboration with DEA. EU Experts will support the DEA in identifying relevant Experts with the particular knowledge and skills profiles needed.

Benchmarks: Pool of Experts identified and provided; concept for the pool of Experts designed and provided.

Resources: RTA, STE,

A3.7 Support DEA in identifying the best suitable technical infrastructure and solutions for knowledge base, pool of Experts and Educational Management System

Method: A requirement analysis for the Educational Management System will be undertaken and peer-to-peer discussions and evaluation of state-of-the art tools most suitable for the technical infrastructures will take place. While the implementation of the solution for the body of knowledge, the pool of Experts and the Educational Management System is performed by DEA, EU MS Experts will provide support as needed.

Benchmarks: Requirements document for the Educational Management System defined; analysis report of best suitable tools and solutions for the technical infrastructure of DEA available. STE mission report delivered.

Resources: RTA, STE, translation.

Component 4: Capacity of DEA to design, develop and deliver customised consulting and benchmarking services to government partners strengthened.

Component 4 operationalises and deploys the DEA capacities and knowledge assets developed in component 3 in order to design, develop and deliver customised services to individual customers. This will be in the form of specific training, consultancy (including legal), research, benchmarking or other services, and might include courses, offers, supports, training packages, studies, etc., as required by particular customers. Component 4 is thus the direct interface between DEA and its customers to fulfil the latter's needs.

A4.1 Training in customer engagement and needs analysis

Method: EU Experts will coach DEA staff in customer engagement, undertaking a customer needs analysis, developing customisable engagement tools and techniques, and preparing a specific offer for the customer.

Benchmarks: Training conducted; methods and techniques are in place; STE mission report provided;

Resources: RTA, STE, venue, interpretation, translation, training materials

A4.2 Design and development of the service packages

Method: EU Experts will train and coach DEA staff in service design and development, drawing on the DEA staff capacities, knowledge assets and access to external Experts developed in component 3.

Benchmarks: Training course performed. Service packages developed. STE mission report delivered

Resources: RTA, STE, venue, training materials

A4.3 Piloting the delivery of the customer service packages

Method: EU Experts will monitor and support DEA staff in delivering selected customer service packages, to both test the efficacy of the service package and the ability of DEA staff to deliver them thereby providing live training.

Benchmarks: Customer service packages piloted and monitored; STE monitoring reports and recommendations provided

Resources: RTA, STE, translation.

A4.4 Conduct Evaluation and quality control of the service packages

Method: EU Experts will train and coach DEA staff in evaluating and quality controlling customer service packages both during and after delivery. Results of this evaluation and quality control process will be entered into the knowledge base developed in component 3, as well all relevant service materials and documentation used.

Benchmarks: Training course delivered, final service package materials archived. STE mission report

Resources: RTA, STE, venue, training materials and tools, translation.

Component 5: DEA's public outreach and targeted marketing capacities improved.

This component deals with the establishment of a communication and marketing strategy to reach out to potential customers, supports awareness raising as well helps to establish a Customer Relationship Management (CRM) system. A visible conference/event is also proposed which is open to the broad public.

A5.1. Develop awareness raising and marketing strategy

Method: Communication specialists from EU MS jointly with the BA will draft an awareness raising and marketing strategy (including action plan, roadmap). Special materials and workshops will be provided for the DEA staff to get used to sufficient communication tools.

Benchmarks: Awareness raising and marketing strategy developed; best practice and sample of marketing materials provided; training provided. STE mission report delivered

Resources: RTA, STE, translation, venue.

A5.2. Support DEA in conduction of awareness raising and marketing activities

Method: In alignment with the strategy defined in A5.1, EU Experts will support the development and implementation of relevant campaigns

Benchmarks: Awareness raising and marketing materials developed, awareness raising campaign conducted; STE mission report with recommendations.

Resources: RTA, STE, translation, interpretation, conference costs.

A5.3. Training in raising awareness and marketing of the DEA services performed

Method: EU experts will provide seminars/workshops on effective awareness and marketing activities.

Benchmarks: Training performed; training material provided and available. STE mission report delivered,

Resources: RTA, STE, translation, venue.

A5.4. Conduct study visit to MS to improve experience in raising awareness and marketing activities

Method: Study tour for relevant DEA staff to a EUMS with similar experiences in outreach activities

Benchmarks: Study tour performed; report and recommendations prepared and submitted.

Resources: RTA, MSA, study visit costs (flight tickets , per diems).

A5.5 Identify and design an efficient Customer Relationships Management (CRM)

Method: EU MS Experts will provide international best practices and propose a summary of necessary functions to be included in efficient CRM tool(s).

Benchmarks: CRM tools evaluated and described; proposal for necessary functions prepared. STE mission report delivered

Resources: RTA, STE, translation.

3.5 Means/Input from the MS Partner Administration

3.5.1 Profile and tasks of the Project Leader (PL)

The Project Leader will direct, co-ordinate and control the overall thrust of the Project. S/he will lead the activities of the Project, ensure the achievement of the results, be responsible for the implementation of the activities, and with the support of the RTA produce progress reports.

The PL will be expected to devote a minimum of 3 days per month to the project in his home administration. In addition, he will coordinate, from the Member State side, the Project Steering Committee (PSC), which will meet in Georgia every three months.

Profile:

- At least 5 years' experience, preferably either in the field of e-governance/ICT strategy/policy, or related fields, in the formulation, implementation, monitoring and drafting of legal and regulatory documents, as well as in the area of information security issues with good understanding of other subjects, and, during that period, he/she must be in an active senior management position in the Member State institution for at least 3 years.
- Have experience in the field of project management, institutional and organisational issues of e-government applications in line with European requirements.
- Excellent command of English.

Tasks:

- Overall coordination, guidance and monitoring of the project.
- Preparation of project progress reports with the support of the RTA
- Timely achievement of project results
- Co-chairing of project steering committee meetings.
- Provision of legal and technical advice and analysis whenever needed.

3.5.2 Profile and tasks of the RTA

One Resident Twinning Adviser (RTA) over a period of 18 months, as well as medium/short term Experts, will implement the above-listed components. The RTA will be responsible for the day-to-day management and implementation of the project. S/he will be responsible for co-ordinating all project activities and inputs and for liaising with the RTA Counterpart. The RTA has the responsibility to guide the work of the team and provide support in elaboration, implementation, auditing and peer-evaluation of DEA institutional performance.

The RTA is expected to fill the following profile:

- Organisational background (preferably), minimum 7 years of experience in the field of e-governance and ICT policy/strategy development and implementation.
- Sound comparative knowledge of relevant EU legislative and institutional requirements related to the various components of this project.
- Wide knowledge of related good practice/Acquis Communautaire and demonstrated experience in the adoption of directives on ICT/e-governance/information security into national legislation.
- Solid knowledge of ICT/e-governance legislation, e-governance interoperability framework principles and procedures.
- Must be a current employee of the MS Administration.

- Previous experience in project management would be an asset.
- Experience in working on similar projects in transition countries would be an asset.
- Good training, public speaking, diplomatic and written communication skills.
- Excellent computer literacy (Word, Excel, Power Point).
- Excellent command of spoken and written English.
- Fluency in Georgian would be an asset.

Tasks:

- Overall supervision of the project implementation and coordination of all activities, as well as management of the project administration.
- Coordination of the activities of the team members in line with the agreed work programmes to enable timely completion of project outputs.
- Provide technical input to the project whenever needed and provision of advice in his/her fields of expertise.
- Liaise with MS and BC Project Leaders and daily contacts with the BC RTA counterpart.
- Co-preparation of project progress reports with Project Leader.
- Liaison with EU Project Manager.
- Liaison with other relevant projects and Georgian institutions.

3.5.3 Profile and tasks of the medium/ short-term Experts

Tasks of medium and short term Experts (STEs)

Terms of Reference for short-term adviser(s) will be elaborated by the Project Leader/RTA at the work plan preparation stage.

The exact number of STEs per activity should be agreed during the contract negotiation process.

Profile of short-term expertise

There should be a pool of short term Experts to ensure smooth implementation of the project during the overall implementation period. STEs should be identified by the Project Leader/RTA and have to be agreed with the Beneficiary administration in the course of designing and delivery of the project.

The STEs shall have:

- a university degree in a relevant subject;
- a minimum of five years experience in their respective field;
- an excellent command of written and spoken English;
- Georgian language knowledge would be an asset;
- experience in Phare/ENP-East countries or in other international projects relating to quality infrastructure development/management would be an advantage.
- Must be current employee of a MS Administration.

In order to achieve result No 1, STEs should have:

- specific knowledge and experience in ICT/e-governance policy/strategy development issues;
- specific knowledge and experience in setting up and running CoEs including legal, organisational and technical aspects;

- practical skills in developing business and operationalization plans and procedures;
- good writing and presentation skills and be familiar with various approaches in implementation CoEs in EU Member States.

In order to achieve result No 2, STEs involved should have:

- legal background, knowledge and experience in formulation, development, analysis and evaluation of e-government, ICT and information security laws, concepts and policies;
- knowledge of *acquis communautaire* in the electronic communications/ ICT/e-government field;
- experience in drafting respective legal frameworks, concrete laws;
- practical skills in legislation approximation process;
- experience in performing impact assessments;
- good writing and presentation skills and familiarity with various approaches in the implementation of the EU legislation.

In order to achieve the result No 3, Depending of specific tasks STEs should have:

- training and facilitation skills;
- specific knowledge in design/implementation of training and consulting services;
- experience in coaching/mentoring and capacity building;
- experience in the development of training material;
- specific knowledge and experience in knowledge and quality management.

In order to achieve result No 4, STEs should have:

- training and facilitation skills;
- specific knowledge in the design/implementation of training and consulting services;
- experience in coaching/mentoring and capacity building;
- experience in the development of training material;
- specific knowledge and experience in knowledge and quality management;
- practical skills in project management, networking and stakeholder involvement.

In order to achieve result No 5, STEs should have

- good communication skills and should have experience with communication tools;
- training and facilitation skills;
- experience in training of public servants in communicating;
- experience in public awareness methods;
- specific knowledge and experience with Customer Relationship Management;

In addition to their missions in Georgia, the short-term Experts are expected to contribute actively to elaborating the programmes of the foreseen study visits and internships.

The Project Leader/RTA are free to propose additional STEs, based upon the needs of the project and in agreement with the beneficiary. Each STE will be expected to meet the above mentioned requirements.

4 Institutional Framework:

In terms of institutional set-up, the project beneficiary (the Data Exchange Agency) was established by Law of Georgia “On the Creation of the Legal Entity of Public Law (LEPL) – Data Exchange Agency” on July 17 2009 and started its operation on January 1, 2010 under the governance of the Ministry of Justice of Georgia.

The Law empowers the Agency to:

- a) develop IT (systems) and state policy on e-governance;
- b) ensure information security, including implementation of awareness raising activities in the public, as well as the civil sector;
- c) perform monitoring of the functioning of the integrated government network;
- d) establish the integrated data exchange system and ensure access to information resources;
- e) facilitate the development of IT (systems);
- f) develop the standards necessary for the development of IT (systems);
- g) perform the monitoring of matters related to the security of the officer issuing the electronic signature certificate;
- h) support the development of innovative technologies;
- i) perform audits of IT (systems) in order to identify the risks of information security;
- j) establish relations with local, international and foreign organisations, public institutions and subjects of private law that operate in the field of IT (systems);
- k) take part in local, regional and international programs in the IT (system) field;
- l) develop drafts of the legislative acts that govern the IT (systems) field;
- m) exercise other powers envisaged by the legislation of Georgia aimed at the support of the development of IT (systems).

The Agency exercises its powers through its structural units:

- n) Data Exchange Infrastructure Division.
- o) Information Security and Policy Division.
- p) Legal Division.
- q) Financial Division.
- r) Administrative Division.

The organizational structure of DEA and its divisions is presented in Annex 4.

The project beneficiary has all necessary legal authority for successful project implementation to achieve the project purpose. The other stakeholders, such as the Ministries, public agencies, NGOs and private organisations from the sector as well as universities, will be involved in the project activities and events, especially in wide discussion of draft legal/regulatory documents.

5 Detailed budget (indicative)

The beneficiary will provide in kind contribution in the form foreseen in the twinning manual.

The maximum total budget available of the action is € 1.30 million.

6 Implementation Arrangements

6.1. Implementing Agency

The European Union Delegation in Tbilisi will be responsible for tendering, contracting, payments and financial reporting, and will work in close cooperation with the beneficiary.

The person in charge of this project is:

Mr Mikolaj Bekasiak

Project Manager

Delegation of the European Union to Georgia

38 Nino Chkheidze Street, 0102 Tbilisi, Georgia

tel/fax: +995 32 2943763/ +995 32 2943768

Email: mikolaj-swietopelek.bekasiak@eeas.europa.eu

The PAO will support the TWG Project implementation process together with the EU Delegation. The person in charge of this project is:

Mr Roman Kakulia

Head of EU Assistance Coordination Department/Program Administration Office in Georgia

Office of the State Minister of Georgia on European and Euro-Atlantic Integration

7 Ingorokva Street, 0134 Tbilisi, Georgia

Office tel./fax: +995 32 2 93 38 98 / +995 32 2 93 14 02

E-mail: pao@eu-nato.gov.ge

6.2 Main counterpart in the Beneficiary Country:

Project leader:

Mr. Irakli Gvenetadze, Chairman

LEPL Data Exchange Agency of Ministry of Justice of Georgia

2 Snt. Nikoloz/Nino Chkheidze str., Tbilisi 0102, Georgia

Tel.: (+ 995 32) 143983; (+ 995 32) 143981;

Email: igvnenetadze@dea.gov.ge

RTA counterpart:

Ms. Nata Goderdzishvili

Head of Legal Division

LEPL Data Exchange Agency of Ministry of Justice of Georgia

2 Snt. Nikoloz/Nino Chkheidze str., Tbilisi 0102, Georgia

Tel.: (+ 995 32) 143983; (+ 995 32) 143981;

Email: ngoderdzishvili@dea.gov.ge

6.3. Contracts:

The project will be implemented through one twinning contract.

6.4. Project Steering Committee:

A Project Steering Committee (PSC) will be established for the control and supervision of the project activities and the mandatory results. The Steering Committee will meet at regular intervals and will submit by the end of the meeting (as recorded in the minutes of meeting) an approval/not approval of the project reports. Official minutes of PSC meetings will be kept in English and distributed to all parties within 15 days after each PSC meeting.

In addition, monthly progress monitoring meetings should be held. In the presence of the RTA, RTA counterpart, PAO and EU Delegation representative, the meetings will monitor progress

and solve any emerging operational problems on a monthly base. As an outcome of each meeting, it is recommended to record proceedings of the meetings in one-page minutes.

7 Implementation schedule (indicative)

7.1. Launching of the call for proposals (January 2015)

7.2. Start of the project activities (September 2015)

7.3. Project completion (April 2016)

7.4. Duration of the execution period (number of months) 21 months with an implementation period of 18 months (presence of the RTA in Georgia)

8 Sustainability:

Sustainability will be based on ensuring that all necessary resources for the DEA to continue and thrive are in place, including finance, relevant organisational, governance and legal structures, political backing, suitable partnerships, and not least staffing. Also of utmost importance will be the ability of the DEA to continue to cultivate and meet the market needs for its service offers, both within Georgia and its near neighbourhood as well as in the wider international context. Sustainability also requires understanding and responding to the competition it might face from other organisations with similar goals.

The outputs produced by this project (in areas such as legal and regulatory, documents, standards, training materials, etc.) will be published on the DEA web site for public access. The training of both trainers and consultants approach will be widely applied: DEA Experts benefitting from training supplied by EU Experts will be responsible for the subsequent training of their colleagues.

In addition, sustainability will be ensured through:

- Established and functioning legal/regulatory framework and monitoring mechanism.
- Interoperable institutions producing better services that will increase the demand and quality services requirements.
- Trained, knowledgeable and motivated personnel who will ensure the enhanced functionality of the institution.
- Implemented actions of the Communication Plan enhancing awareness and society knowledge on information society benefits and issues.
- Continuous Georgian Government support to e-services implementation.
- The development of follow-up institutional building assistance to consolidate and magnify the Twinning results through TAIEX, SIGMA instruments, or further bilateral projects with the initial or other MS.

9 Cross cutting issues

9.1. Equal Opportunity

The principles of the equal opportunity will be insured during the project implementation period. The principle of equal opportunity shall apply both to the DEA staff involved in the project and other counterparts of the project; as well as reflected in all training materials and customised services provided by DEA.

9.2. Environment

N/A

10 Conditionality and sequencing

This Twinning Project Fiche has been drafted with high involvement of the Georgian Beneficiary Administration. The DEA insures to provide input to all project activates stated in the Fiche in order to achieve all mandatory results of the project. They include such as:

- Strong commitment and support of DEA management to the Project implementation
- Assign relevant skilled staff at all levels, as component leaders and experts
- Ensuring participation of the relevant DEA staff members in project events
- Ensuring coordination between departments and other stakeholders of the project
- Ensuring access to important information, regulation, legislation, all supporting documentation relevant to the Project
- Provide the office room for the RTA and the project team for the entire duration of the Project to perform their work

Abbreviations

AP – Action Plan
BC – Beneficiary Country
CERT - Computer Emergency Response Team
CORS- Continuously Operating Reference Stations
CSB- Civil Service Bureau
DEA- Data Exchange Agency
EC- European Commission
ENP - European Neighbourhood Policy
EPI - Economic Prosperity Initiative
ETRS 89- The European Terrestrial Reference System 1989
EU MS - European Union Member State
GNSS - Global Navigation Satellite System (today GPS + GLONASS)
GoG- Government of Georgia
GTZ- Deutsche Gesellschaft für Technische Zusammenarbeit-The German Agency for Technical Cooperation
ICT- Information and Communication Technologies
IT –Information Technologies
ITRF-Terrestrial Reference Frame
ITU –International Telecommunication Union
MoF –Ministry of Finance
MS-European Union Member State
MSA-European Union Member State Administration
NAPR- National Agency for Public Registry
OECD-Organisation for Economic Co-operation and Development
OGP – Open Government Partnership
PAO-Program Administration Office
PCA –Partnership and Co-operation Agreement
PL – Project Leader
PSC - Project Steering Committee
RTA – Residential Twinning Adviser
SIDA- Swedish International Development Agency
STE – Short-Term Expert
UNDP- United Nations Development Programme
UN-United Nations
USAID- United States Agency for International Development
WB- World Bank

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Law of Georgia on Creation of the DEA, Regulation of DEA
4. Detailed organisational structure of the DEA

ANNEX 1: LOGICAL FRAMEWORK FOR TWINNING PROJECT SUPPORT TO STRENGTHENING OF E-GOVERNANCE IN GEORGIA II

<p>SUPPORT TO STRENGTHENING OF E-GOVERNANCE IN GEORGIA II</p>	<p>Programme name and number</p>	<p>Framework Programme in Support of EU-Georgia's Agreements (top-up)</p>
<p>Date Exchange Agency of the Ministry of Justice of Georgia</p>	<p>Contracting period expires:</p>	<p>Disbursement period expires:</p>
<p>Overall objective</p>	<p>Objectively verifiable indicators</p>	<p>Sources of Verification</p>
<p>Based on best EU practice, the overall objective of this project is to support the development of democracy and economic growth in Georgia through government use of ICT tools</p>	<ul style="list-style-type: none"> • Reduction in operational cost of Ministries on implementation of e-government systems. • Number of e-services integrated in Single Window Portal: Baseline: 52 e-services (2013 Annual report)). • Rank of Georgia in: <ul style="list-style-type: none"> - e-Government (UN) Baseline: 56 (2014 Report)¹ - Networked Readiness index (INCEAD Forum) Baseline: 60 (2014 Report)² - ICT Development Index Baseline: 78 (2013 Report)³ 	<ul style="list-style-type: none"> • Reports of ministries responsible for e-services; • DEA annual report; • e-Georgia strategy and action plan 2014-2018 • ITU IDI Report; • UN e-Government Survey Report; • The Global IT Report (INCEAD World Economic Forum).
<p>Total Budget: 1,300,000</p>		

¹ United Nations E-Government Survey 2014 - <http://unpan1.un.org/intracdo/groups/public/documents/un/unpan038851.pdf>

² The Networked Readiness Index 2014, http://www3.ictforum.org/docs/GITR/2014/GITR_OverallRanking_2014.pdf

³ Measuring the Information Society – The ICT Development Index, ITU Geneva 2010 (www.itu.int)

Project purposes	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>Strengthen the institutional and human resource capacities of the Data Exchange Agency (DEA) with necessary skills and knowledge in e-government and information security training, consultancy, benchmarking and promotion in line with the European Union standards.</p>	<p>Number of legal and regulatory documents drafted and approved (policies, standards and other regulations)- min 3 Number of re-engineered procedures implemented in e-government systems- min 3 Evaluation and quality assurance measures for the training and consultancy offers developed; Trainings provided according the list of training and consultancy competencies and skills defined in e-Georgia strategy; Number of DEA's training and consultancy service agreements to government partners – min 5.</p>	<ul style="list-style-type: none"> • Official gazette • Government e-Services • Citizens Portal – my.gov.ge • Training materials; • DEA Annual Report • Report of peer assessors • Project Reports • Government Integrated Network Annual Quality Assessment Report • e-Georgia strategy and action plan 2014-2018 • training and consultancy service agreements to government partners; • Training and consultancy service agreements 	<ul style="list-style-type: none"> • Government commitment on adoption of EU acquis continues. • Government commitment on further support in implementation of e-Government actions • Delays in case of legislation preparation and modification delays. • Failure in international practice implementation on e-governance Policy • Availability of local staff

Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p><u>Project component 1</u> Georgia's E-government and information society legal and regulatory framework verified and updated to meet EU standards</p>	<ul style="list-style-type: none"> • Assessment report for e-Government laws provided • Comparison report for Georgian legal and regulatory framework with EU frameworks provided and priorities agreed • Trainings on approximation of Georgian legislation with EU Acquis in the field of e-government and information society legislation provided; • Presentation materials prepared and provided. Detailed proposals for list of legislation and priorities agreed and provided. Seminar carried out; • Study visit performed. Report and documents provided • Generic template of relevant e-government & information society legislation provided 	<ul style="list-style-type: none"> • Official Gazette • Official DEA and other authorities sites • Project Reports • DEA official website • Agencies official Reports • International Reports • Mission Reports • Certificates • Training materials • Training Agenda • Surveys • Analytical Reports 	<ul style="list-style-type: none"> • Data Exchange Agency commitment to make e-Georgia legal and regulatory frameworks compatible with EU Acquis • Availability of human resources in the beginning and, especially, by the end of the project, • Availability of sufficient budgetary resources for co-financing of
<p><u>Project component 2</u></p>	<ul style="list-style-type: none"> • Vision and mission document for the DEA provided 		

<p>Organizational and institutional framework of DEA revised in light of expanded tasks outlined in e-Georgia strategy</p>	<ul style="list-style-type: none"> including identified service areas. E-Georgia Strategy updated. Regulatory frame document including Charter, Memorandums of Understanding (MoUs) / Collaboration Agreements agreed; contract templates for experts drafted; sustainable business plan provided (including operationalization plans and procedures) Study visit performed. Report and documents provided Support for establishing international collaborations with countries in the region provided 	<p>eGeorgia strategy activities;</p> <p>Delays in translation of the relevant harmonised technical and information security standards and their adoption as Georgian standards,</p> <p>Missing co-operation among the Georgian public institutions and other stakeholders,</p> <p>Overlapping in coordination responsibilities in e-Government applications implementation</p> <p>Availability of widely communicated and approved e-Georgia strategy and Roadmap for e-Government by the end of the project.</p>
<p><u>Project component 3</u> Training capacities of DEA reinforced through establishment of knowledge base, introduction of evaluation and quality assurance training methods, and development of training materials</p>	<ul style="list-style-type: none"> List of training and consultancy competencies and skills agreed with DEA and mapping with existing standard courses and customised training offers documented Relevant training material and knowledge assets developed; Training carried out; Evaluation and quality assurance measures for the training and consultation offers developed and agreed; Training materials for evaluation and quality assurance available. Training performed. Study tour performed; Report and recommendations prepared and submitted Concept for body of knowledge developed. Support material and knowledge assets for capacity building elaborated and provided. Pool of experts identified and provided; Concept for the pool of experts designed and provided; Requirements document for the Educational Management System defined. 	
<p><u>Project component 4</u> Capacity of DEA to design, develop and deliver customised consulting and benchmarking services to government partners strengthened</p>	<ul style="list-style-type: none"> Training course in customer engagement; method of customer needs analysis; customisable engagement tools and techniques; and method how to prepare an offer and close a contract. Training course in customised service design and development performed, drawing on the DEA staff capacities, knowledge assets and access to external experts developed in Component 3, in order to meet specific customer needs. Pilots of the delivery of customer service packages are monitored and supported by EU experts. Training course in customised service package evaluation and quality controlling; final service package materials archived in the knowledge base. 	

<p>Project component 5 DEA's public outreach and targeted marketing capacities improved.</p>	<ul style="list-style-type: none"> • Awareness raising and marketing strategy developed; Best practice and sample of marketing materials provided. Training provided. • Awareness raising materials, including website. Support to run an annual Conference (Possible within GITI Conference and/or international conference in Georgia) provided. • Training performed, training material available. • Study tour performed; Report and recommendations prepared and submitted • CRM tools evaluated and described, proposal for necessary functions given.

Activities	Indicative Means (Resources)	Assumption
<p>Component 1: Georgia's E-government and information society legal and regulatory framework verified and updated to meet EU standards</p>		
<p>A1.1. Assessment of Georgian E-Government and Information Society laws with EU directives, regulations</p>	<p>RTA, 30d STE, translation</p>	<p>DEA identified the gaps in legislation that are hampering the e-Government implementation;</p>
<p>A1.2. Screening of Georgian legal and regulatory framework, relevant for DEA scope of work, in comparison to EU directives and regulations</p>	<p>RTA, 30d STE, translation</p>	<p>Draft Laws and other legal acts on e-Government and information society are available in English</p>
<p>A1.3. Trainings on approximation of Georgian legislation with EU Acquis in the field of e-government and information society legislation</p>	<p>RTA, 40d STE, translation, venue, material</p>	
<p>A1.4. Study visit to EUMS to experience e-government and information society legislation implementation</p>	<p>4 flights, 20 per diems</p>	
<p>Component 2: Organisational and institutional framework of DEA revised in light of expanded tasks outlined in e-Georgia strategy</p>		
<p>A2.1. Update of vision and mission statements of DEA with regard to expanded tasks outlined in e-Georgia strategy</p>	<p>RTA, 25d STE, translation, venue</p>	<p>Availability of local staff</p>
<p>A2.2 Mid-term review of the e-Georgia Strategy</p>	<p>RTA, 25d STE, translation, venue</p>	<p>Draft papers locally developed are available in English</p>
<p>A2.3 Development of regulatory framework for DEA with focus on expanded tasks outlined in e-Georgia strategy</p>	<p>RTA, 30d STE, translation</p>	
<p>A2.4 Development of a DEA Sustainability business plan</p>	<p>RTA, 40d STE, translation, venue</p>	
<p>A2.5 Conduct study Visit to MS for DEA representatives to examine institutional and regulatory best practices</p>	<p>4 flights, 20 per diems</p>	
<p>A2.6 Establishment of international collaboration and networking mechanisms</p>	<p>RTA, 30d STE, flights, translation, interpretation, materials</p>	

<p>Component 3: Training capacities of DEA reinforced through establishment of knowledge base, introduction of evaluation and quality assurance training methods, and development of training materials</p>			
<p>A3.1 Training needs assessment of DEA staff</p>		<p>RTA, 25d STE, translation</p>	<p>Availability of local staff</p>
<p>A3.2. Train the Trainers and Consultants</p>		<p>RTA, 40d STE, Venues, training materials, standard courses lump sum, lump sum (including e.g. license fees) for support material and e-learning courses</p>	
<p>A3.3. Improvement of evaluation and quality assurance training methods</p>		<p>RTA, 30d STE, training materials, translation, venues, lump sum (including e.g. license fees) for support material and e-learning courses</p>	
<p>A3.4. Study visit to MS for representatives of DEA to experience training and consultancy activities</p>		<p>4 flights, 20 per diems</p>	
<p>A3.5 Developing a concept for the body of knowledge</p>		<p>RTA, 30d STE, venue, lump sum (including e.g. license fees) for support material and e-learning courses</p>	
<p>A3.6 Building up a pool of experts</p>		<p>RTA, 20d STE, venue</p>	
<p>A3.7. Support DEA in identifying the best suitable technical infrastructure and solutions for knowledge base, pool of experts and Educational Management System</p>		<p>RTA, 20d STE, translation</p>	
<p>Component 4: Capacity of DEA to design, develop and deliver customised consulting and benchmarking services to government partners strengthened</p>			
<p>A4.1. Training in customer engagement and needs analysis</p>		<p>RTA, 20d STE, venue, training materials and tools</p>	<p>Availability of local staff;</p>
<p>A4.2. Designing and developing the service package</p>		<p>RTA, 30d STE, venue, training materials and tools</p>	<p>Draft papers locally developed are available in English.</p>
<p>A4.3 Piloting the delivery of customer service packages</p>		<p>RTA, 20d STE, venue, training materials and tools, translation</p>	
<p>A4.4 Evaluation and quality control of the service package</p>		<p>RTA, 20d STE, venue, training materials and tools, translation</p>	
<p>Component 5: DEA's public outreach and targeted marketing capacities strengthened</p>			
<p>A5.1. Develop awareness raising and marketing strategy</p>		<p>RTA, 20d STE, translation, venue, material</p>	<p>Availability of local staff</p>
<p>A5.2. Support DEA in conduction of awareness raising and marketing activities</p>		<p>RTA, 25d STE, translation, venue, interpretation, marketing materials</p>	<p>Draft papers locally developed are available in English.</p>
<p>A5.3. Training in raising awareness and marketing of the DEA services performed</p>		<p>RTA, 25d STE, translation, venue, materials</p>	
<p>A5.4. Study visit to MS to improve experience in raising awareness and marketing activities</p>		<p>3 flights, 15 per diems</p>	
<p>A5.5 Identify and design an efficient Customer Relationships Management (CRM)</p>		<p>RTA, 20d STE</p>	

Annex 3.

Law of Georgia

On Creation of the Legal Entity of Public Law (LEPL) – Data Exchange Agency

Chapter 1

General Provisions

Article 1. Purpose of the Law

The purpose of this Law is the establishment of the LEPL – Data Exchange Agency (hereinafter “Agency”) under the Ministry of Justice (MOJ) of Georgia, and the determination of main principles of its functioning, organizational-legal setup, powers and main functional directions.

Article 2. Legal basis of the Agency Functioning

The legal basis for the functioning of the Agency is the Constitution of Georgia, the present Law, legislation of Georgia and the Regulations of the Agency approved by the Minister of Justice of Georgia (hereinafter “Minister”).

Article 3. Definition of the Terms

For the purposes of the present Law, the terms used herein have the following meanings:

- a) Information technologies (IT) (systems) – management, support or development of IT (systems) carried out through unified use of computer, software and communication technologies;
- b) Electronic (digital) governance – carrying out public administration through the use of informational and communication technologies;
- c) Information security – protection of information and IT (systems) from unauthorized use and access, as well as from destruction and modification;
- d) Security of IT (systems) – ensuring the safety and smooth functioning of computer, software and communication technologies. Security does not apply to the information that is utilized or generated by these technologies;
- e) Integrated data exchange system – special-purpose infrastructure that ensures standard independent interface among the databases and IT (systems) within a protected platform (technology). Its main function is the linking of the databases and IT (systems) within the public sector, as well as ensuring authorized external (civil society sector) access to these information resources;

- f) Electronic document – electronic document as set forth in the Law of Georgia on Electronic Signature and Electronic document;
- g) Electronic signature – electronic signature as set forth in the Law of Georgia on Electronic Signature and Electronic Document;
- h) Integrated Governmental Network – integrated government network as set forth in the relevant decree of the GoG;
- i) IT (systems) audit – verification of the security and efficiency of systems set up within the IT (systems);

Chapter 2

Main provisions

Article 4. Legal Status of the Agency

The Agency is a LEPL established under the present Law that operates under the Ministry of Justice of Georgia.

Article 5. Agency Scope of Activities, Subject of Activities and Purpose

1. The scope of activities of the Agency is the elaboration of relevant standards for the support and coordination of the development of IT (systems) and the implementation of a unified state policy.
2. The subject of activities of the Agency is the establishment of an integrated system based on the principle of e-governance, development of IT (systems) and information security policy and the support of their implementation;
3. The objective of the Agency is the establishment of new types of services, determination of standards of data storage and supply, establishment of an integrated system of electronic documents exchange and the increase of the efficiency of governance through the use of IT (systems).

Article 6. Powers of the Agency

The powers of the Agency are as follows:

- a) Develop IT (systems) and state policy on e-governance;
- b) Ensure information security, including implementation of awareness raising activities in public, as well as the civil sector;
- c) Perform monitoring of the functioning of the integrated government network;

- d) Establish the integrated data exchange system and ensure access to information resources;
- e) Facilitate the development of IT (systems);
- f) Develop the standards necessary for the development of IT (systems);
- g) Perform the monitoring of the matters related to the security of the officer issuing the electronic signature certificate;
- h) Support development of innovative technologies;
- l) perform audit of IT (systems) in order to identify the risks of information security;
- j) Establish relations with local, international and foreign organizations, public institutions and subjects of private law that operate in the field of IT (systems);
- k) Take part in local, regional and international programs in the IT (system) field;
- l) Develop drafts of the legislative acts that govern the IT (systems) field;
- m) Exercise other powers envisaged by the Legislation of Georgia aimed at the support of the development of IT (systems).

Article 7. Management and Representation of the Agency

1. The Agency is headed by the Chairman, who is appointed and dismissed by the Minister.

2. The Chairman of the Agency:

- a) represents the Agency;
- b) takes decision (issues a legislative act) on the issues assigned under the Agency competence;
- c) appoints and dismisses Agency employees;
- d) disposes the funds and property of the Agency pursuant to the rule established by Georgian legislation;
- e) exercises other powers set forth in the Regulations of the Agency;

3. The head of the Agency has deputies that are appointed and dismissed by the Chairman.

4. The number of and the powers of the deputies of the Agency are set forth in the Agency regulations.

Article 8. Agency Structure

1. The Agency exercises its powers through the structural units.

2. The structure of the Agency and the competencies of its structural units shall be set forth in the Agency regulations.

Article 9. Property of the Agency

1. To realize its goals and functions, the Agency has the assets the rule of establishing of which shall be prescribed by the legislation of Georgia.

2. The property of the Agency is comprised of basic assets, as well as other material valuables and financial resources that are recorded on the independent balance sheet of the Agency.

Article 10. Funding of the Agency

1. The following represent the sources of funding of the Agency:

- a) targeted funds allocated from the State budget of Georgia;
- b) fees for the services established by the Agency;
- c) targeted credits and grants;
- d) revenues received from the works performed under contract;
- e) revenues received in the form of gifts and donations and contributions;
- f) other revenues permissible under the Legislation of Georgia.

2. The funds and revenues envisaged under the Paragraph 1 of the present Article are fully used for the realization of the goals of the Agency and the implementation of its functions.

Article 11. State Control over the Agency

The MoJ of Georgia performs state control over the Agency.

Article 12. Rule of Termination of Activities and the Liquidation of the Agency

The termination of the functioning of the Agency and liquidation thereof shall be performed pursuant to the rule established by the Legislation of Georgia.

Chapter 3
Transitional and Final Provisions

Article 13. Transitional provisions

1. By January 1, 2010 the Minister of Justice of Georgia shall:

- a) approve the regulations of the LEPL – Data Exchange Agency;
- b) appoint the chairman of the LEPL – Data Exchange Agency.

2. By January 1, 2010 the Ministry of Economic Development of Georgia, under the rule established by Georgian legislation, shall ensure the transferring of the property to the LEPL-Data Exchange Agency necessary for the functioning thereof.

Article 14. Effective Date of the Law

1. The present Law shall become effective upon publication, with the exception of Articles 1-12.

2. Articles 1-12 of the Present law shall become effective from 1 January 2010.

M. Saakashvili,
President of Georgia

Regulation of LEPL Data Exchange Agency under the Ministry of Justice of Georgia

Chapter I. General Provisions

Article 1. Scope of the Regulation

The present Regulation defines goals, functions, subject of activity, management organization, structure and competence, forms and scopes of state control and grounds of financial activity of LEPL Data Exchange Agency .

Article 2. Data Exchange Agency

1. The Agency is a legal entity of public law under the Ministry of Justice of Georgia (hereinafter Ministry), established in accordance with the Georgian Law on “Establishment of LEPL -Data Exchange Agency “.

2. Full name of the Agency is “Legal entity of public law under the Ministry of Justice of Georgia - Data Exchange Agency “. Agency is authorized to use shortened name of the Agency :”Data Exchange Agency”. “Ministry of Justice of Georgia” shall be written on the stamp of the Agency and its structural units, letterheads, employee service certificates and official documents ;

3. The legal basis for the functioning of the Agency is the Constitution of Georgia ,international agreement of Georgia, other legislative and sub-legislative normative acts and the present regulation.

4. The Agency reports to the Ministry of Justice of Georgia within the scope and rules established by the Law of Georgia “On establishment of the Legal Entity of Public Law –Data Exchange Agency”, Law of Georgia on Legal Entity of Public Law” and the present Regulation

5. In order to achieve the goals and objectives defined by the legislation of Georgia and the present Regulation, the Agency as a legal entity of public law , acquires rights and obligations, concludes deals, establishes relationship with the third party on its behalf and is authorized to stand before the court as a plaintiff or/and respondent.

6. Agency has its independent balance, bank accounts ,logo and a stamp with National Emblem on it and other requisites characteristic of legal entity of public law.

7. Legal address of the Agency is: 30,Rustaveli avenue, Tbilisi, 0146 Georgia.

Chapter II. Aims and Functions of the Agency

Article 3. Objectives of the Agency

a)Elaboration of relevant standards for the support and coordination of the development of IT (systems)and implementation of a integrated state policy.

b) Establishment of integrated system based on the principle of e-government , development of IT(systems) and information security policy and the support of their implementation.

c) Establishment of new types of services, determination of standards of data storage and supply, establishment of an integrated system of electronic documents exchange and the increase of the efficiency of governance through the use of IT (systems) .

d) Development and improvement of legislation regulating the field assigned under the competence of the Agency.

Article 4 . Functions of the Agency

Functions of the Agency:

- a) Develop IT (systems) and state policy on e-governance;
- b) Insure information security, including implementation of awareness activities in public as well as civil sector;
- c) Perform the monitoring of the functioning of the integrated governmental network;
- d) Establish integrated data exchange system and ensure access to information resources;
- e) Support the development of IT (systems) ;
- f) Develop the standards necessary for the development of IT (systems) ;
- g) Perform the monitor security issues of the officer issuing the electronic signature certificate;
- h) Support the development of innovative technologies;
- i) Perform audit of IT (systems) in order to identify information security risks;
- j) Establish relations with local, international and foreign organizations, public institutions and entities under private law that operate in the field of IT (systems);
- k) Participate in local, regional and international programs in the IT (systems) field;
- l) Develop draft legislative acts regulating the IT (system) field ;
- m) Exercise other powers envisaged by the legislation of Georgia aimed at the development of IT (systems).
- n) Establish CERT (Computer Emergency Response Team) Georgia ,corresponding regulation and coordinate its activities;
- o) Prepare recommendations to improve normative acts operating in the field assigned under the Agency competence and exercise control over the implementation of the legislation in these fields ;
- p) Exercise other powers envisaged by the legislation of Georgia

Chapter III. Agency Structure and Management

Article 5. Management of the Agency

1. The Agency is headed by the Chairman (hereinafter –Chairman) who is appointed and dismissed by the Minister (hereinafter – Minister)
2. During the absence of the Chairman or in case s/he is not able to perform his/her duties, one of the Head of structural Unit, nominated by the Chairman will be an Acting Chairman based on the Order of the Minister.

Article 6. Chairman of the Agency

1. Chairman of the Agency :
 - a) represents the Agency and acts on its behalf;
 - b) administers and manages activities of the Agency;
 - c) is in charge of implementation of the Constitution of Georgia and other legislative and sub-legislative acts in the field assigned under the competence of the Agency.

- d) exercise control over the structural units of the Agency and methodological guidance;
- e) concludes agreements on behalf of the Agency, in compliance with rules established by the legislation ;
- f) appoints and dismisses Agency employees, takes motivational and disciplinary measures towards them ;
- g) In compliance with the request of the General Inspection Office of MoJ, submitted after service inspection, Chairman is obliged to take disciplinary measures against the person violating disciplinary norms;
- h) issues individual administrative-legislative acts-Orders within her/his competence ;
- i) is authorized to conclude agreements with specialists in order to perform activities under the competence of the Agency;
- j) approves the by-law of the Agency and job descriptions;
- k) approves service cards for the employees of the Agency ;
- l) In agreement with the Minister , defines and approves staff list , employees' salaries and salary fund ;
- m) approves standard samples and code marking of the Agency ;
- n) approves the rules of internship ,appoints and dismisses interns ;
- o) delegates duties among the employees, gives them instructions and tasks, controls the performance of employees;
- p) supervises employees' performance and their decisions and activities in the Agency;
- q) is in charge preparation of relevant legislative proposals in order to eradicate defects in the legislative acts in the field assigned under the competence of the Agency ;
- r) mediates on the issues of allocating funds and material valuables, necessary for realization of aims and objectives of the Agency;
- s) disposes Agency funds and material valuables ,necessary for realization of aims and objectives of the Agency;
- t) reports to the Minister on the activities of the Agency;
- u) performs other administrative functions;
- v) exercises other powers set forth by this Regulation and the legislation ;

Article 7. Agency Structure

1. the Agency exercises its powers through the structural units .
2. The Agency has following structural units:
 - a) Data Exchange Infrastructure Division;
 - b) Information Security and Policy Division;
 - c) Legal Division;
 - d) Financial Division;
 - e) Administrative Division;

Article 8. Management of structural unit of the Agency

1. Structural units of the Agency has a Head, who in agreement with the Minister is appointed and dismissed by Chairman of the Agency.

2. In case the Head of the structural unit is unable to perform he/his duties, one of the employees of that unit will be an Acting Head which is agreed with the Minister and approved by the Order of the Chairman.

3. Agency employees are appointed and dismissed by the Chairman of the Agency.

4. Ruled of the activities of structural units of the Agency is defined by the Regulations of each structural units, approved by the Chairman, and the jobs descriptions approved the Chairman regulate the issues of personnel management ;

Article 9. Powers of structural Units

1. Data Exchange Infrastructure Division:

- a) Ensure the formation of data exchange infrastructure and its stable operation;
- b) ensured the application of data exchange infrastructure and its availability for all interested parties in compliance with the conditions envisaged by the law;
- c) ensures the establishment of new type of electronic services;
- d) provides information support necessary for infrastructure application ;
- e) prepares proposals and recommendations for the purpose of development of electronic services;
- f) performs infrastructure monitoring for its stability and safety purposes and provides recommendations for its improvement;

2. Division of Information Security and Policy

- a) ensures the formation of information safety policy and supports the mechanisms of its implementation ;
- b) ensured the formation of operation management system of the Agency ;
- c) elaborates drafts through the application of data exchange system for the purpose of introduction of new type of electronic service and provides its initiation ;
- d) sets up CERT and coordinates its activities;
- e) establishes contacts with local and international partners;
- f) prepares recommendations for the development of information-communication and innovative technologies;
- g) prepares recommendation and elaborates mechanisms for introduction and implementation of information security policy ;
- h) coordinates the operation of and introduction of necessary mechanisms and standards in public and business ;
- i) develops and implements the policy to raise the public awareness level in the field of information and cyber security ;
- j) prepares proposals for the purpose of professional education development in the field of information-communication technologies;
- k) performs monitoring of integrated governmental network operation;

l) performs monitoring of the security issues related with the issuer of digital signature certificate ;

3. Legal Division:

a) provides legal support to the Agency ;

b) participates in the preparation of administrative-legal acts and other documentations to be issued by the Agency, gives her/his approval on them and ensures their conformity with other normative acts ;

c) prepares legal conclusions on issues related with the Agency activities

d) represents the Agency in legal agencies;

e) informs the public on implementation of activities of the Agency;

f) discloses facts of disciplinary violations and law breaking, takes preventive and prophylactic measures and conducts official inspection on these violation facts.

g) analyses the works performed by the employees within the competence of the Agency;

h) checks the activities of structural units of the Agency on the basis of Chairman's Order ;

i) analyses and responds to incoming complaints and applications ;

j) prepares and submits official inspection report to the Chairman;

k) analyses international legal base and experience , regulating the field assigned under the competence of the Agency ; provides the Chairman with recommendations on preparation of legal acts in this field;

l) prepares draft legal acts, regulating the field assigned under the competence of the Agency ;

m) prepares recommendations for improvement of normative acts that are effective in the field assigned under the competence of the Agency and within her/his competence exercises control over the implementation of the legislation in these fields;

n) coordinated cooperation with international organizations ;

o) performs other duties envisaged by this Regulation and other legislative and sub legislative acts;

4. Financial Division:

a) manages and does accounting in the Agency;

b) does financial and accounting analysis ,prepares balances;

c) develops the budget and draft cost list of the Agency;

d) conducts inventory of fixed assets, monetary funds and financial-material valuable within the system ;

e) draws up quarterly and annual financial and statistical reports and submits them to the Ministry and Treasury;

f) ensures material technical provision of the Agency;

g) organizes state procurement for the Agency;

h) ensures rational spending of allocate funds;

- i) develops annual plan for state procurement and defines the purchasing rule based on annual value of each object to be purchased;
- j) Organizes the announcement of tender ,prepares tender documentations, ensures the conclusion of agreements with suppliers and controls the implementation of an agreement;
- k) performs other duties envisaged by this Regulation and other legislative and sub-legislative acts;

5.Administrative Division:

- a) maintains records of the staff members, perform monitoring and analysis;
- b) prepares drafts Orders on designation, movement, dismissal ,motivation of employees and disciplinary measures to be taken against them.
- c) is in charge of preparing personal folders of employees;
- d) is in charge of organizing issues related with conducting trainings, retraining and ,qualification exams for employees, ensures the creation of staff supply;
- e) ensures the preparation of job descriptions of employees and determination of evaluation criteria for performed work; ;
- f) registers and systematizes individual administrative acts issued by the Chairman;
- g) registers and issues service cards to the employees;
- h) performs civil defense and mobilization activities within the framework of the Agency;
- i) develops the bylaw of the Agency and controls its implementation and labor discipline;
- j) ensures that case management in central office is in compliance with unified rules of operations management;
- k) checks and controls the implementation of corresponding legal acts, other tasks and administrative acts
- l) maintains records of completed documentation of case management, processes and prepares documents for archiving;
- m) ensures the availability of public information;
- n) performs other duties envisaged by this Regulation and other legislative and sub-legislative acts;

Chapter IV. Property and Funds of the Agency

Article 10. Property of the Agency

1. Agency has the assets received in compliance with the legislation of Georgia .
- 2.The property of the Agency is comprised of basic assets, as well as other valuables and financial resources.

Article 11.Agency funds

The following represent the sources of funding the Agency:

- a) Targeted funds allocated from the State budget of Georgia;
- b) Revenue received from services rendered by the Agency ;
- c) Targeted credits and grants;

- d) Revenues received from State orders;
- e) Other revenues allowed by the legislation of Georgia

Chapter V. State Control

1. The Agency is subject to State control ,which implies the supervision over the legitimacy, reasonability, efficiency of activities performed by the Agency and control over the financial-economic activities.

2. Ministry exercises state control over the Agency .

3. Agency is shall perform following actions only based on agreement with the Ministry

a) Purchase ,alienate and putting a pledge on the real estate;

b) Taking a loan;

c) trusteeship;

d) Defining of staff list and salary funds;

e) Defining limits for funds allocable to material motivation of employees and also for fuel and communication expenses and fuel ;

f) other decisions related with the property of the Agency if they go beyond the regular previous activities ;

4. Approval of the Ministry of Finance is necessary to perform activities under Subsections "b" and "c" of Section 3 of this Article .

Chapter VI. Transitional Provisions

Article 13. Restructuring and Liquidation of the Agency

Restructuring or/and liquidation of the Agency shall be performed in compliance with the rules established by the legislation of Georgia .

Article 14. Final Provisions

Revocation of this Regulation, making changes and amend is performed according to the rule established by the legislation , by the Order of the Minister.

Annex 4. Detailed Organizational Structure

