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Project: “Good Governance for Local Development in South Caucasus”  
PN: 19.2204.6-002.00  
Mission: Baseline assessment of personal data protection and data security (PDPS) at local level in Armenia

## 1. Introduction

The “Good Governance for Local Development in South Caucasus” (GGLD) Programme aims at strengthening the capacities of public institutions in the South Caucasus to the effect that they are better able to provide citizen-oriented services. The programme advises partner institutions at national, regional (sub-national) and local levels in Armenia, Azerbaijan and Georgia on designing and implementing national reform processes, improving framework conditions and developing standards and guidelines. It supports the capacity development of key actors for citizen-oriented service delivery, primarily at local level. To promote citizen participation in local development processes, the Programme advises on the introduction of participation and complaint mechanisms and supports respective awareness raising for citizens. The Programme also supports the elaboration and implementation of strategies and instruments for regional development and local economic development. As a part of the German Caucasus Initiative, the project promotes professional exchange of knowledge and experiences between the countries of the South Caucasus.

The Programme is implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ). In Armenia it is co-financed by the Swiss Agency for Development and Cooperation (SDC) and carried out in close cooperation with the Ministry of Territorial Administration and Infrastructure (MTAI) as the main political partner.

One result area of the Programme is advising the local authorities on modernising their administrative procedures and instruments for service provision, with a strong focus on personal data protection and data security (PDPS). Hence, there is a need to assess to what extent the national and European standards on PDPS are implemented at local level.

## 2. Context of the assignment

The existing territorial and administrative division as well as limited decentralisation in Armenia are considerable impediments to effective and efficient service provision at local level. The overall goal of the ongoing Territorial and Administrative Reform of Armenia (TARA) is to create conducive framework conditions for local self-government and to build viable structures at local level that would enable local governments to become functional and responsive units. As a result of TARA, the number of municipalities in Armenia decreased by almost half. Due to enlargement processes, 465 municipalities were merged into 52 consolidated municipalities, thus joining their capacities, resources, and opening up opportunities for local economic development, inflow of investments, and effective citizen participation.

The improvement of public service delivery at local level is one of the main objectives of the reform. It is also one of the main objectives of the Public Administration Reform, looking at the issue of service provision from different angles, including introduction of e-tools in service delivery.

Modernization of all operational processes at local level has been a high priority of the Armenian government, which has resulted into the creation of the Municipal Management Information System (MMIS). MMIS is a unified data management and information system, which consists of numerous management and administration subsystems, registers, information resources, e-services components, and internal and external communication tools. MMIS also provides the operation of the official websites of the municipalities and offers various digital participation mechanisms.

Modernisation of administrative procedures and instruments at local level has resulted in establishment of numerous Citizen Offices (CO) in municipalities of Armenia. CO is a unit of the municipal administration, which delivers high quality services to citizens with the principle of a one-stop-shop at the same time serving as a municipal data management centre.

GGLD supports the development, upgrade and expansion of MMIS and COs in Armenian municipalities.

All the introduced modern systems and (e-) tools for the operation of local self-government bodies (LSG) and general service delivery for citizens collect, process, transfer, exchange and save personal data of citizens.

The Government Programme of Armenia envisages that measures must be taken to further develop personal data protection in Armenia, and all the introduced infrastructures must correspond to the requirements of personal data protection. Strict implementation of PDPS becomes more sensitive especially when operations and service delivery at local level are digitalized with use of different IT tools, which collect and process huge volume of personal data.

In general, there is a need to analyse how the municipalities deal with PDPS overall, whether they have sufficient knowledge on national and European standards for processing personal data, what the entry points are for collecting and processing personal data within the municipality, who has access to those personal data, what are the mechanisms for ensuring protection of the right of citizens to private and family life, what mechanisms there are for informing the citizens on their rights and duties with respect to PDPS etc.

To diagnose and analyse the existing situation, the programme is now seeking services of a consulting firm or NGO, consortium of consulting firms/NGOs or consortium of local experts (*hereafter Contractor*) with profound and extensive knowledge of the Armenian local governance sector and European standards on PDPS.

The results of the assignment would allow to understand and identify the existing gaps, issues and challenges, the needs for improving and streamlining the PDPS in municipalities, as well as to propose corresponding measures for the necessary changes, based on national legislation and European standards/best practices applicable in Armenia.

### 3. Purpose

The purpose of the assignment is to develop an assessment approach for the PDPS at local level and based on the approach conduct full assessment in 3 selected enlarged municipalities and 1 additional municipality looking only at 1 sector service.

### 4. Mode of Delivery

The Contractor is expected to develop an assessment approach and conduct a baseline assessment of the PDPS in 3 selected enlarged municipalities and 1 additional municipality looking only at 1 sector service with special focus on the following:

- ➔ Overall entry points of personal data processing at local level in 3 enlarged municipalities;
- ➔ Administrative services provided through MMIS and Citizen Offices in 3 enlarged municipalities;
- ➔ Online kindergarten registration system in 1 municipality.

### 5. Tasks

The following tasks will be required to fulfil:

#### Task 1: Development of an assessment approach of the PDPS at local level

##### 1.1. Development of the assessment approach

The approach to be developed is expected to cover at least the following 5 Sections:

- I. Mapping and analysis of all entry points in the operation of LSGs where processing of personal data takes place:
  - ➔ Dimension within LSG and with regional and state administration, as well as private entities (from data collecting to data processing, data sharing and exchange between the providers and municipalities and other public administration entities (ministry, marzpetaran etc.); and
  - ➔ Dimension with citizens: pro-active publication of information containing personal data to citizens, disclosure of information containing personal data upon application, personal data policies, notifications on using cookies in the websites etc.;
- II. Mapping and assessment of the policy framework on PDPS in municipalities with focus on IT and modern digital technologies, incl.:
  - ➔ Legal framework of processing personal data by local authorities, rights and liabilities for both data processors and personal data subjects, laws and regulations framing the applicable rules on PDPS in general;

- Specialized state structures in the sphere of protection of personal (Personal Data Protection Agency), incl. activities, manuals, statistics for the PDPS at local level;
- III. Assessment of the compliance of municipal actions with PDPS related to services:
  - Provided through Citizen Offices and MMIS;
  - Online kindergarten registration system;
- IV. Assessment of the knowledge of the municipal staff with respect to national and European standards on PDPS to judge on training needs, key capacity development measures to be adopted;
  - In terms of training needs, suggestions should be provided for content of an E-Learning course which could be integrated in MTAI digital learning platform;
- V. Assessment of the existing mechanisms in municipalities to inform citizens on their rights and duties in case of processing their personal data.

For each of the 5 Sections, the Assessment should provide a structured framework to present:

- Identified concrete strengths and weaknesses in personal data management at local level;
- Recommendations on improving the PDPS at local level.

## 1.2. Presentation, discussion and revision of the approach with the Programme and MTAI

Once the assessment approach has been defined, the consultants will:

- Present and discuss the approach together with the programme and MTAI;
- Revise the draft approach based on the feedback from the programme and MTAI.

### **Task 2: Assessment of PDPS at local level as per the agreed assessment approach in selected enlarged municipalities**

2.1. Development of a precise work plan for the assessment of PDPS in 3 selected enlarged municipalities and additional 1 municipality looking only at 1 sector service. The project and MTAI shall select municipalities to conduct the assessments.

2.2. Conduct the on-site assessments in selected municipalities based on the assessment approach defined under Task 1.

### **Task 3: Reporting**

3.1. Prepare draft assessment reports on PDPS in 3 selected enlarged municipalities and additional 1 municipality looking only at 1 sector service. The reports should entail all the

components of the assessment approach (see Task 1) and recommendations for the improvement of PDPS at local level based on the assessment results.

3.2. Present and discuss the draft report with the Programme and MTAI and other stakeholders during a workshop on this topic, with the participation of key local and international stakeholders.

3.3. Finalise the assessment reports based on the gathered feedback and submit these reports to the Programme.

## 6. Deliverables

The following deliverables (in Armenian) are expected to be provided during the assignment:

### Task 1:

1. Draft assessment approach,
2. Final assessment approach.

### Task 2:

1. Work plan for the assessment of PDPS at local level in selected enlarged municipalities.

### Task 3:

1. Draft report of the assessment of PDPS in 3 selected enlarged municipalities and additional 1 municipality looking only at 1 sector service, including recommendations,
2. Final report of the assessment of PDPS in 3 selected enlarged municipalities and additional 1 municipality looking only at 1 sector service, including recommendations.

## 7. Schedule and Level of Efforts

The assignment is planned to commence **in July 2020 and finish by the end of October 2020**. The exact commencement date and schedule of activities/work plan will be agreed at a later stage.

The assignment requires the services of **a local consulting firm or NGO, consortium of local firms or NGOs, or consortium of local experts represented by a Private Entrepreneur**, with the level of efforts of **up to 45 expert days**.

Tasks	Expert days (up to)	Tentative timing of tasks	Deliverables
Task 1	7	July 10, 2020	1. Draft assessment approach
		July 15, 2020	2. Final assessment approach
Task 2	2	July 20, 2020	Work plan for the assessment of PDPS at local level.

Task 3	36	October 20, 2020	1. Draft report of the assessment of PDPS at local level, including recommendations.
		October 30, 2020	2. Final report of the assessment of PDPS at local level, including recommendations.
<b>Total</b>	<b>45</b>		

- GIZ will support the Contractor with provision of transportation for travelling to municipalities, accommodation and other logistics. Travel costs (transportation, overnight stay) will be covered by GIZ. Additional per diems will not be paid.
- Workshop, /conference venues and related costs are organized and financed directly by GIZ.
- With each payment stipulated in the Contract the Contractor should provide reports indicating precisely the actual working days spent, activities and deliverables. Payments will be made based on the submitted reports. Those reports are to be provided in English (these are the reports needed for payments, not the assessment reports).

## 8. Reporting

- The Contractor is obliged to perform the assignment based on these ToRs while ensuring close contact with GIZ throughout the implementation of the assignment.
- The Contractor shall provide all the results directly and in the first turn to GIZ for discussion and further action.
- The Contractor will directly report to the programme on the progress and completion of the tasks.

## 9. Requirement for the consultancy profile

- At least 10 years of experience in personal data protection and security, as well as freedom of information (local and European standards);
- At least 5 years of experience in reforms of e-governance, public/ sectoral eservice delivery (specialization in local level would be an asset), (relevant information should be attached),
- Successful projects of similar nature (relevant studies and papers should be attached).

Suggested experts should possess:

- University Degree in Law, Public Administration, Political Science, Information Technologies or comparable academic background;
- Expert level competencies in the area of local self-government and local democracy;
- Strong analytical and writing skills and proven experience in producing policy papers and other materials;
- Good command of written and spoken English is an advantage.

**The Technical Proposal must entail:**

- Description of the company's profile and experience;
- Description of methodological approach to undergo the assessments;
- Information on successful projects of similar nature (relevant studies and papers should be attached);
- Description of the method of implementation, incl. clear description of the roles of the proposed individual experts and specialists;
- Description of proposed work schedule;
- CVs of involved experts.