

PROACTIVE DISCLOSURE OF PUBLIC INFORMATION ON GEORGIAN PUBLIC INSTITUTION WEBSITES

2022



Table of Contents

Main Findings	Error! Bookmark not defined.
Introduction	Error! Bookmark not defined.
The Methodology of Assessment of Proactive Disclosure of Information	Error! Bookmark not defined.
Statistics of Proactive Disclosure of Information	Error! Bookmark not defined.
Central Public Institutions	Error! Bookmark not defined.
Subordinate Structures of the Ministries	Error! Bookmark not defined.
Agencies Accountable to the Government of Georgia and Other Independent Agencies	Error! Bookmark not defined.
Public Institutions of the Autonomous Republic of Adjara	Error! Bookmark not defined.
The Practice of Proactive Disclosure of Public Information	Error! Bookmark not defined.
Format and Archive of Proactively Published Information	Error! Bookmark not defined.
Dynamics of Proactive Disclosure of Information	Error! Bookmark not defined.
Good Practices and Recommendations for Proactive Disclosure of Public Information	Error! Bookmark not defined.

Authors:

Goga Tushurashvili

Ketevan Topuria

Date of Publication:

January, 2023



This material has been financed by the Swedish International Development Cooperation Agency, Sida. Responsibility for the content rests entirely with the creator. Sida does not necessarily share the expressed views and interpretations.

Main Findings

- Since 2013, the Georgian government has not taken any significant steps to improve the standards of proactive disclosure of information.
- As of December 2022, 13 out of 128 monitored public institutions did not have websites; among these was the Ministry of Culture and Sport.
- 17 public institutions did not have a public information section on their website or did not publish any information in this section;
- In 2022, the average compliance rate of proactive accessibility of public information is 60%, 4% higher than in 2021 and it 11% lower compared to the same indicator from 2014;
- In 2022, only three public institutions (Financial-Analytical Service, National Statistics Service, and the National Center for Educational Quality Enhancement) had fully (100%) published information in compliance with the requirements of the relevant legal act;
- Among central public institutions, the lowest compliance was demonstrated by the Administration of the Government (34%), the Ministry of Foreign Affairs (35%), and the Office of the State Minister of Georgia for Reconciliation and Civic Equality (30%).
- **The majority of the information related to public procurement and finances available on the website of the Government comprises only the information as of the year 2014. Therefore, since 2014, the Administration of the Government has not actually fulfilled the obligations defined by the decree of the Government of Georgia.**
- Among central public institutions, the Ministry of Internal Affairs (97%) and the Ministry of Defense (96%) have the highest assessment rating of the implementation of the government's decree;
- Compared to 2021, among the 14 central public institutions, 7 had a lower indicator for proactive disclosure of information;
- Compared to 2021, the indicator for proactive disclosure of information in the LEPLs subordinate to the ministries improved by 3%. Nevertheless, 43% of them had published less than 50% of the information subject to mandatory disclosure on their website;

- The publication of the information related to the management of finances remains the most problematic topic in this regard;
- None of the evaluated public institutions published information in the form of open data (e.g., CSV or XML). 38 public institutions published specific financial information in the Excel format;
- An archive of proactively published information of previous years was available on the websites of only 61 public institutions.

Introduction

Proactive disclosure of public information is one of the most significant commitments Georgia took within the framework of the Open Government Partnership (OGP). The goal of the commitment is to guarantee proactive accountability and transparency of public institutions.

With resolution N219 of the Government of Georgia of August 26, 2013, at the initial stage, a certain standard of proactive transparency was established in the country, which needed improvement in the future. Specifically, this resolution includes a list¹ of minimum information pertaining to the activities and finances of administrative bodies that should be available to any interested person, although this minimal effort did not guarantee a high standard of proactive transparency. Since 2013, despite numerous recommendations from IDFI, the Georgian government has not taken significant steps for improvement. For years, the IDFI initiative that aims to improve the existing standard of proactive disclosure of information and implement the second wave of reform has remained unanswered by the Georgian authorities. The government also did not respond to IDFI's initiative to approve a new list of information subject to proactive disclosure by public institutions during the COVID-19 crisis. IDFI developed the mentioned list while taking into account international practice and the challenges in the country, and presented it to the Georgian authorities in the form of a recommendation.

Moreover, in past years, IDFI's research projects made it clear that most public institutions were unable to ensure the proper fulfillment of the minimal obligations imposed by the government decree.

As mentioned, despite multiple efforts by IDFI, to this date no significant changes have been made to the existing standard for proactive disclosure of information. Therefore, within the scope of the following

¹ After a long period of consultations, meetings, and negotiations with the civil society, with the active support of the Institute for Development of Freedom of Information (IDFI) and other non-governmental organizations, on August 26, 2013, the Government of Georgia adopted Resolution No. 219 "On the request and proactive publication of public information in electronic form". The decree entered into force on September 1, 2013, and public institutions within the sphere of government administration were instructed to create "public information" websites and publish the information stipulated in the appendix to the government decree on their electronic resources by December 31, 2013.

report, no changes have been made to the methodology uses to assess the state of proactive disclosure of information.

The report assesses the proactive access of public information in Georgia as of **November-December 2022** and outlines the main trends and tendencies of proactive access to information compared to previous years. The report also includes proactive transparency ratings of public institutions.

The Methodology of Assessment of Proactive Disclosure of Information

According to the decree of the Government of Georgia, the information published quarterly is to be published within one month after the end of the quarter, and the information published annually is to be published within three months after the end of the year. Accordingly, during the monitoring period (November-December 2022), the institutions should already have published the following information on their websites:

- **Annual information** - Complete data from 2021
- **Quarterly information** - Complete data from 2021 and the data of I, II, and III quarters of 2022
- **Data that is required to be updated in case of certain changes** – The latest data

The assessment methodology is fully based **on the list of information that is required to be published proactively by the decree of the Government of Georgia and evaluates the extent to which the information is published by public institutions and how fully it meets the obligations outlined in the resolution, both in terms of content and frequency.** The maximum score for the proactive publication of public information is 100 points (100%). According to each sub-paragraph of the decree of the Government of Georgia, the maximum ratings are the following:

Evaluation Methodology According to the Sub-paragraphs of the List Defined by the Government Decree													
1		2		3		4		5		6		7	
N	Points	N	Points	N	Points	N	Points	N	Points	N	Points	N	Points
1.1	3	2.1	3	3.1	3	4.1	3	5.1	3	6.1	3	7.1	2
1.2	3	2.2	3	3.2	3	4.2	3	5.2	3	6.2	2	7.2	2
1.3	3	2.3	3	3.3	3	4.3	3	5.3	3				
1.4	3	2.4	3			4.4	3	5.4	3				

1.5	3	2.5	3	5.5	3
1.6	3			5.6	3
				5.7	3
				5.8	3
				5.9	3
				5.10	3
				5.11	3
				5.12	
				5.13	4

As seen in the evaluation table, in the case of 30 out of 35 sub-paragraphs contained in the decree of the Government of Georgia, the maximum grade of each is 3 points, and 5 sub-grades are evaluated with a different maximum number of points. The following sub-items were selected based on the following circumstances:

- 1) **Sub-paragraphs 5.12 and 5.13 (total 4 points)** - Sub-paragraph 5.13, which includes legal acts on funds allocated to the administrative body from the funds provided by the Budget Code, fully includes the information provided in subparagraph 5.12 (sub-paragraph 5.12 provides information on general funds). Accordingly, the points mentioned by the Institute are evaluated jointly. During the evaluation, the Institute considers it a priority to publish legal acts on the allocation of these funds.
- 2) **Sub-paragraph 6.2 - (2 points)** - This sub-paragraph considers the publication of individual administrative-legal acts that, according to the assessment of the administrative body, are of public interest. Since the assessor cannot determine which individual legal act is considered by a particular administrative body as a concern for the public interest, the information posted under this sub-paragraph is evaluated with only a maximum of 2 points.
- 3) **Sub-paragraphs 7.1 and 7.2 (2 points each)** - These sub-paragraphs define the proactive publication of information on services, fees, tariffs, and charges of public institutions. Since most institutions do not offer any kind of service to customers and therefore do not set any fees, tariffs, and charges (except for fees related to the disclosure of information about which it is mandatory to place information on the public information page), the institute is assessing disclosure of this information with a maximum of 2 points.

According to the resolution of the Government of Georgia, its scope² does not apply to several other public institutions independent and accountable to the Government of Georgia. These agencies were assessed³ based on legal acts adopted by them, which in most cases are identical to the standard established by the Government of Georgia.

- **National Statistics Office of Georgia** - Order N199 of 9 November 2018 of the Executive Director of the National Statistics Office of Georgia;
- **Competition Agency of Georgia** - Order N15 of the Chairman of the Bureau of Competition of November 20, 2014;
- **Special State Protection Service** - Order N25040 of the Head of the Special State Protection Service of July 21, 2015;
- **National Intellectual Property Center of Georgia** - Order N2 of 22 March 2021 of the chairman of the National Intellectual Property Center of Georgia.
- **Personal Data Protection Service** – Decree N7 of 16 March 2022 of the Head of the Service

In addition to the agencies within the system of government of Georgia, the report also evaluates the Parliament of Georgia, the Administration of the President, the Supreme Council of the Autonomous Republic of Adjara, the Office of the Government of the Autonomous Republic of Adjara and the Ministries within the monitoring framework. These agencies were evaluated by the following legal acts according to each paragraph related to proactive disclosure of public information.

- **Parliament of Georgia** - Order N132 of the Chairman of the Parliament of Georgia of December 31, 2013;
- **Administration of the President of Georgia** - Decree of the President of Georgia N692 of September 2, 2013;
- **Supreme Council of the Autonomous Republic of Adjara** - Resolution N54-II of the Supreme Council of Autonomous Republic of Adjara of June 16, 2022;
- **Government Office and Ministries of the Autonomous Republic of Adjara** - Resolution N23 of the Government of Autonomous Republic of Adjara of October 10, 2013.

² Decree N219 of August 26, 2013 of the Government of Georgia, applies to the Administration of the Government of Georgia, the ministries, the offices of state ministers, the state subsidiary institutions, legal entities of public law operating in a ministry's field of governance, and the special-purpose bodies of the executive branch subordinated to the Georgian government.

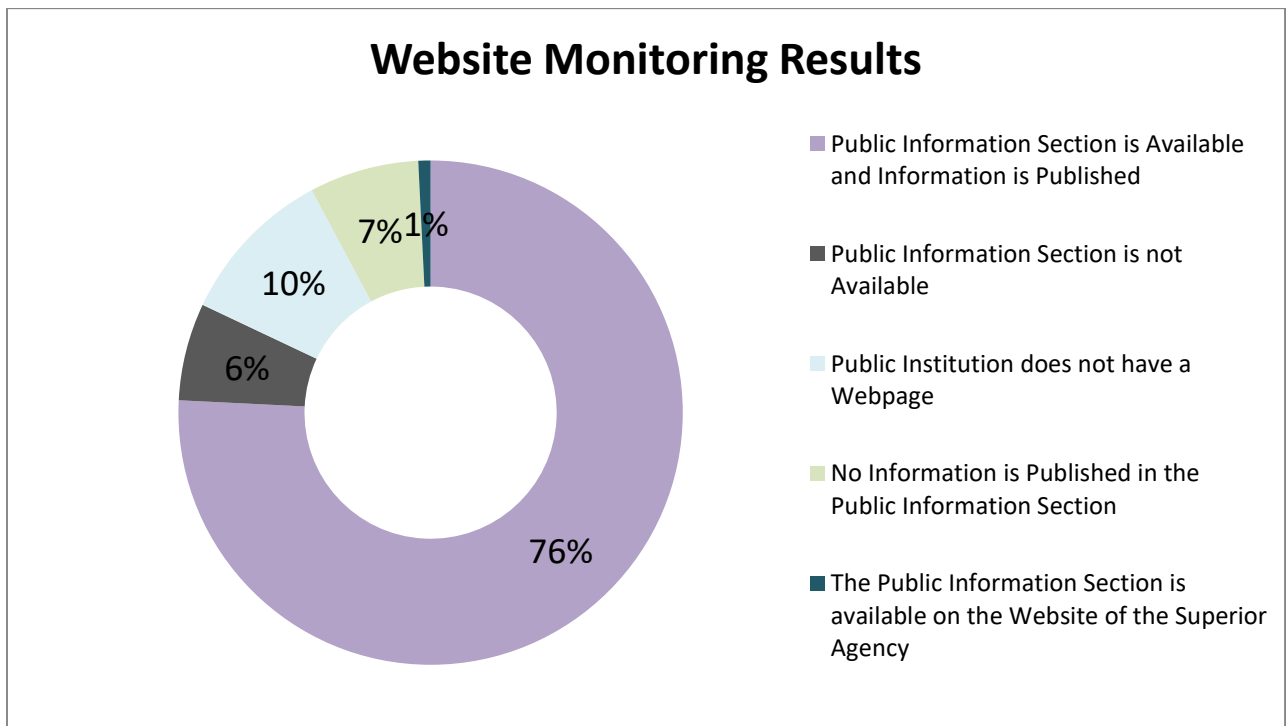
³ The agencies accountable to the Government of Georgia, for which legal acts related to proactive disclosure were not available, were evaluated in accordance with the list defined by the decree of the Government of Georgia.

Statistics of Proactive Disclosure of Information

In November-December of 2022, IDFI studied the practice of proactive publication of public information in 123 public institutions and for this purpose conducted detailed monitoring of the websites of the following agencies:

- **The Parliament of Georgia**
- **The Administration of the President of Georgia**
- **The Administration of the Government of Georgia**
- **12 - Ministries/Offices of State Ministers**
- **88 - LEPLs and subordinate institutions under a ministry**
- **19 - Other independent agencies and agencies accountable to the Government of Georgia**
- **Supreme Council of Autonomous Republic of Ajara**
- **Office of the Government of Autonomous Republic of Ajara**
- **4 – Ministries of the Autonomous Republic of Ajara**

Out of 128 monitored public institutions, 13 agencies did not have websites at all, in 8 cases no public information section was available on the website, and in the cases of 9 agencies, there was no information published on the public information page. One institution (Healthcare Service of the MIA) did not have its website, but a public information section was included in the electronic resources section of its superior agency. The public information section was created and information was proactively published on the websites of the remaining 97 public institutions (among these, the rules and standards for proactive disclosure of public information of three agencies was introduced/renewed by an internal legal act from 2022, therefore IDFI refrained from evaluating these agencies before the end of the reporting year).



Among the agencies that did not have a website, did not have a public information section on the website, or did not publish information in the public information section, the majority were the legal entities of public law subordinated to the ministries. **The only ministry in this list was the Ministry of Culture and Sports, which was separated from the Ministry of Education and Science in March 2021 and has not created a website even 20 months after the split had taken place.**

Among the agencies subordinated to ministries are some that were created during the current year and had not yet created a website where public information would be published during the monitoring period. For example, **LEPL Resort Development Agency** and **LEPL Spatial and Intercity Development Agency** were established in 2022.

However, in the case of a majority of such agencies, over a year had passed since their establishment. Therefore, it would have been possible to facilitate proactive transparency had there been the will to do so. For instance, in 2018, after the transformation of the Ministry of Corrections and Probation into the Special Penitentiary Service subordinated to the Ministry of Justice, the relevant information was no longer being published, and the website still contains a notice that it is working in test mode.

There were also cases when the public information departments of certain LEPLs were not available during the monitoring process due to technical work or other reasons. For example, it was not possible to review the documents contained in the public information sections of the State Sub-Agency Department of Environmental Supervision as well as the Agency of Wildlife.

No Information was Published/Updated in the Public Information Section or the Public Information Page was not Accessible During the Monitoring Process
Special Penitentiary Service
The National Security Council's Office
Market Surveillance Agency
Department of Environmental Supervision
Agency of Wildlife
National Agency for Sustainable Land Management and Land Use Monitoring
State Agency of Oil and Gas
STC Delta

Do not Have a Public Information Section on the Website	
1	Eurasian Transport Corridor Investment Center
2	Georgia's Innovation and Technology Agency
3	Levan Mikeladze Diplomatic Training and Research Institute
4	Zurab Zhvania School of Public Administration
5	Georgian National Film Centre
6	Creative Georgia
7	State Agency of Religious Issues
8	State Language Department
9	Military Hospital of the Ministry of Defense

Do Not Have a Website
Ministry of Culture and Sports of Georgia
National Agency for Crime Prevention, Execution of Non-custodial Sentences and Probation
Vocational Training and Training Center for Convicts
Information Technology Agency
Emergency Coordination and Emergency Assistance Center
State Employment Promotion Agency
Labour Inspection Office
Anaklia Deepwater Port Development Agency
Resorts Development Agency
Bureau of Cyber Security
Spatial and Urban Development Agency
Government Special Liaison Agency
State Security Agency

As of December 2022, the average rate of proactive accessibility of information among public institutions that have published public information on their websites (a total of 95 public institutions) in accordance with the resolution was at 60%. Therefore, these agencies do not fulfill a significant share of the obligations imposed on them by law.

In order to fully study the current state of proactive accessibility of information, it is important to analyze the results of the monitoring according to the types of public institutions and categories of published information.

Central Public Institutions

According to the monitoring results, the rates of proactive disclosure of public information by central public institutions of Georgia (Office of the Parliamentary Administration of the Government, the ministries) range from 30% to 97%. Among them, the highest (97%) rate was reached by the Ministry of Internal Affairs.

In the case of the Ministry of Internal Affairs of Georgia, the information published proactively on the website fully meets the requirements established by the resolution of the Government of Georgia. However, the published financial information is mostly limited to the data that would be in accordance with the minimum requirements of the resolution, while detailed information is not disclosed. For example, a copy of the decree N2333 of the Government of Georgia dated December 24, 2021, according to which 5 million GEL was allocated to the Ministry from the government's reserve fund for the purpose of issuing monetary awards is not available on the Ministry's website. In addition, information about procurements published on the website of the Ministry does not cover simplified procurements. Obtaining information related to aforementioned topics from the Ministry by submitting a request for public information was also difficult.

The Ministry of Internal Affairs is one of the rare exceptions that publishes documents on the page of public information in both the Georgian and [English](#) languages.

Among central public institutions, the Ministry of Defense of Georgia (96%), the Ministry of Education, Science, Culture, and Sport of Georgia (93%), and the Office of the Parliament (93%) also hold leading positions in terms of proactive publication of information. The fact that these ministries have taken into account the recommendations developed by IDFI as early as 2014 and ensured the detailed publication of certain categories of data is commendable. For example, in the case of both ministries, information on remuneration and business trip expenses is presented separately, according to the individual expenditure category for each official, instead of merely the sum data as required. The information published about the car fleet contains additional details such as year of production of the car, date of purchase, balance sheet value, and residual value. However, various financial data was not updated by the mentioned ministries during the monitoring period. For example, the Ministry of Defense did not publish information on advertising expenses incurred in the 2nd and 3rd quarters of 2022 on its website. Information about grants received and issued in 2021 was not presented on the website of the Ministry of Education and Science.

The 93% result of the Parliament of Georgia was derived according to the list for proactive disclosure as approved for the Parliament of Georgia, which contains important information related to the functional activities of the Parliament for mandatory publication. Within the framework of the monitoring, various statistical information was not updated on the website of the Parliament. For example, 2021 statistics of postponed plenary and committee meetings, statistics on the number of international visits made by members of the Parliament within the framework of parliamentary delegations/fellowship groups of the Parliament of Georgia, etc.

Among central public institutions, the Administration of the Government of Georgia (30%), the Ministry of Foreign Affairs (35%), and the Office of the State Minister of Georgia for Reconciliation and Civic Equality (34%) have the lowest rates of proactive disclosure of information.

The lowest assessment result belonging to the Administration of the Government of Georgia among central public institutions is particularly problematic. Despite launching the new website in 2022, the Government has not taken any significant steps in terms of improving the publication of information. For instance, **much of the information on public procurement and finances on the government website has not been updated since 2014. Therefore, since 2014, the Administration of the Government has not been fulfilling the obligations set out in the decree of the Government of Georgia.**

The restriction of access to the decrees of the Government of Georgia since 2020 is also of particular note. In 2020, a request from IDFI for a government decree was also left unanswered, following which IDFI appealed to the Tbilisi City Court. Unfortunately, the case is being conducted with significant delays and a trial has still not been scheduled. The cessation of the publication of the decrees of the Government of Georgia on the website is likely related to their content. Such an approach runs counter to the principles of public administration and accountability.

It should be noted that since 2019, the Administration of the Government of Georgia was assigned the function of coordinating Georgia’s membership in the Open Government Partnership (OGP) at the national and international levels. This fact gives the Administration of the Government an especially important responsibility to uphold the principles of transparency and accountability.



The screenshot shows the website of the Administration of the Government of Georgia. The header includes the national emblem and the text 'საქართველოს მთავრობა'. Below the header is a navigation menu with icons for 'პრემიერ-მინისტრი', 'საქართველოს მთავრობა', 'სიახლეები', 'ადმინისტრაცია', 'პრესცენტრი', 'საჯარო ინფორმაცია', and 'საქართველოს შესახებ'. The main content area is titled 'საქართველოს მთავრობის განკარგულებაში განკარგულებები' and features a year selector from 2020 to 2006. Two search results are visible for the year 2020: 'საქართველოს მთავრობის განკარგულება N1896' dated 28 სექ 2020 and 'საქართველოს მთავრობის განკარგულება N1633' dated 24 აგვ 2020. No results are shown for 2021 or 2022.

The publication of decrees has stopped on the website of the Government of Georgia since 2020

The low rate of proactive transparency of the Ministry of Foreign Affairs and the Office of the State Minister of Georgia for Reconciliation and Civic Equality is largely due to the fact that most of the financial information for 2021-2022 is unavailable.

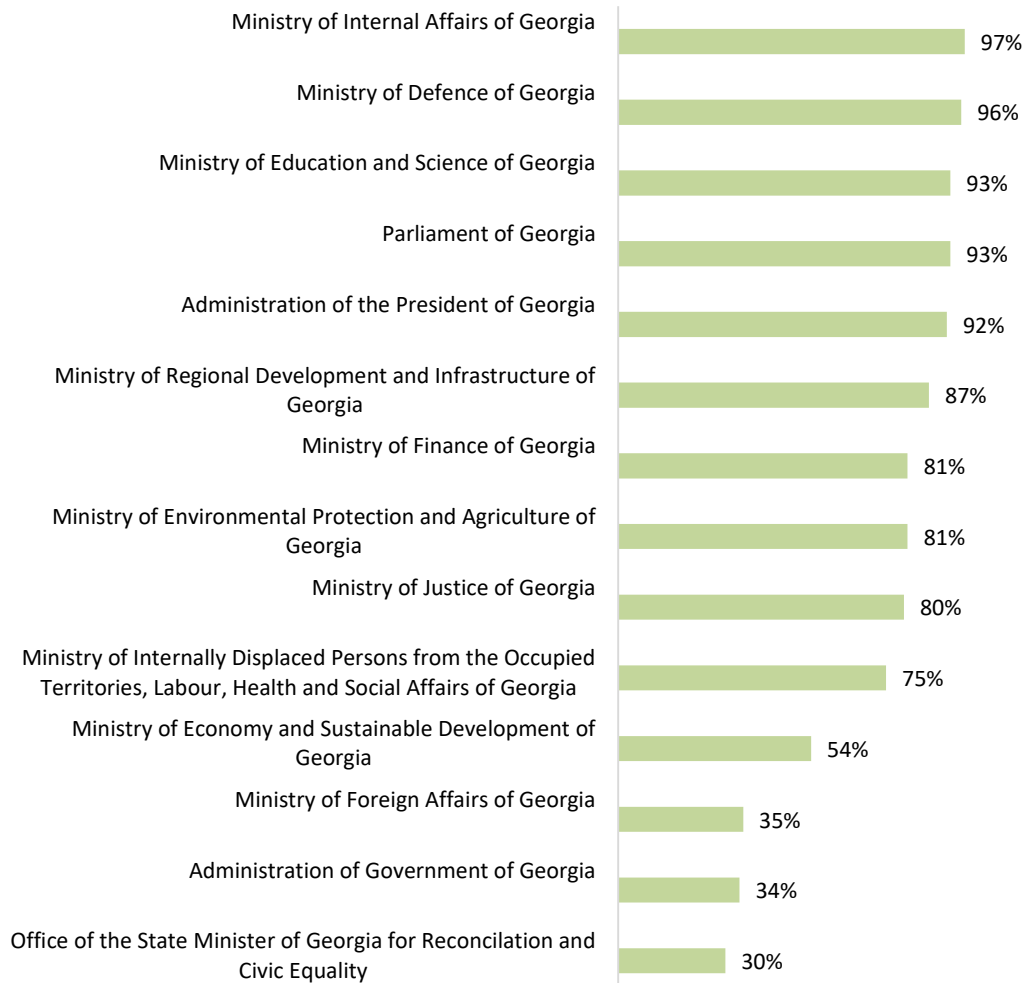
The compliance rates for other central public institutions range from 54% to 92%. Some agencies have stopped publishing a number of financial and other categories of data, which is negatively reflected in the assessment results.

For example, the Ministry of Economy and Sustainable Development has not published information on vehicles and real estate on the balance sheet, fuel costs, vehicle maintenance, telecommunications costs, and grants received since 2016. The Ministry of Finance has not published information on the privatization and transfer of state property since 2014, the Ministry of Healthcare has not updated information on advertising expenditures since 2015, the Ministry of Environmental Protection and Agriculture has not published information on expenditures on vehicle maintenance or grants received and real estate on the balance sheet since 2019.

The practice of proactive disclosure of public information by the Administration of the President of Georgia was also assessed within the framework of the monitoring effort. The guidelines for proactive disclosure of public information by the Administration of the President of Georgia was established by decree No. 692 of September 2, 2013, which is a shortened and significantly modified version of the standard act issued by the Government of Georgia. The list of the Government of Georgia contains 35 categories of information, while in the case of the Administration of the President the number is only 18. For example, the Administration of the President is not obligated to publish information such as an annual report of the Administration, legal acts related to disclosure of public information, vacancies and selection process results, advertising costs, etc.

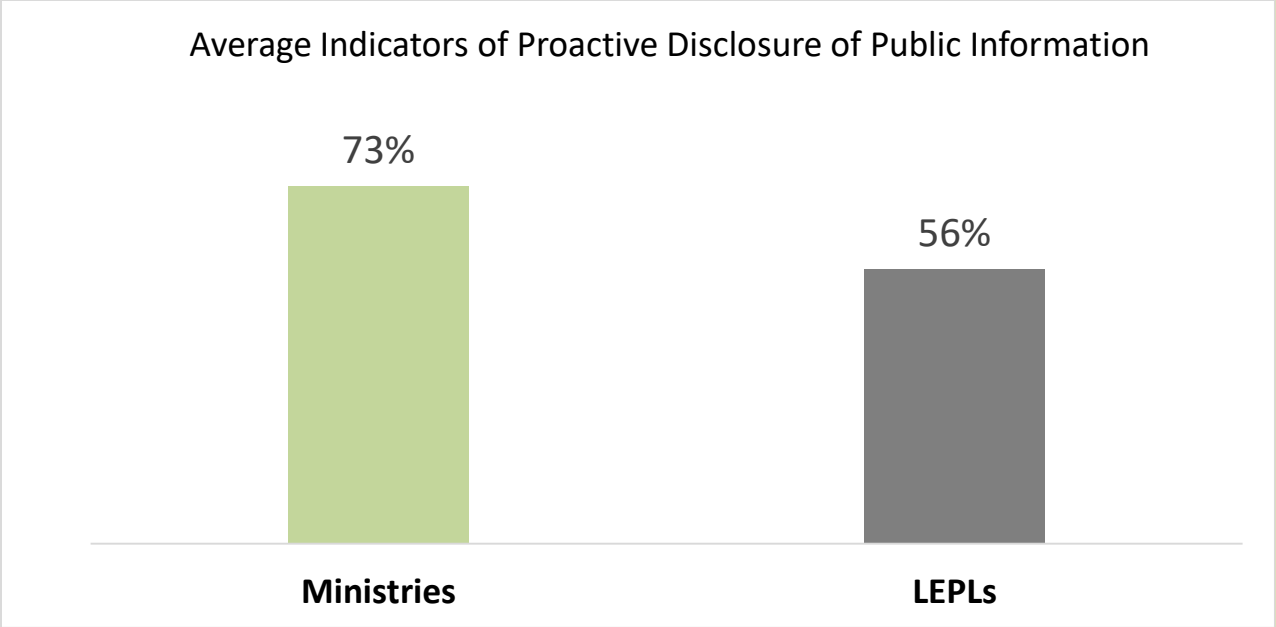
According to the assessment by IDFI, 92% of the information subject to mandatory proactive disclosure was presented on the website of the Administration of the President of Georgia during the monitoring period.

Assessment of Proactive Disclosure of Public Information



Subordinate Structures of the Ministries

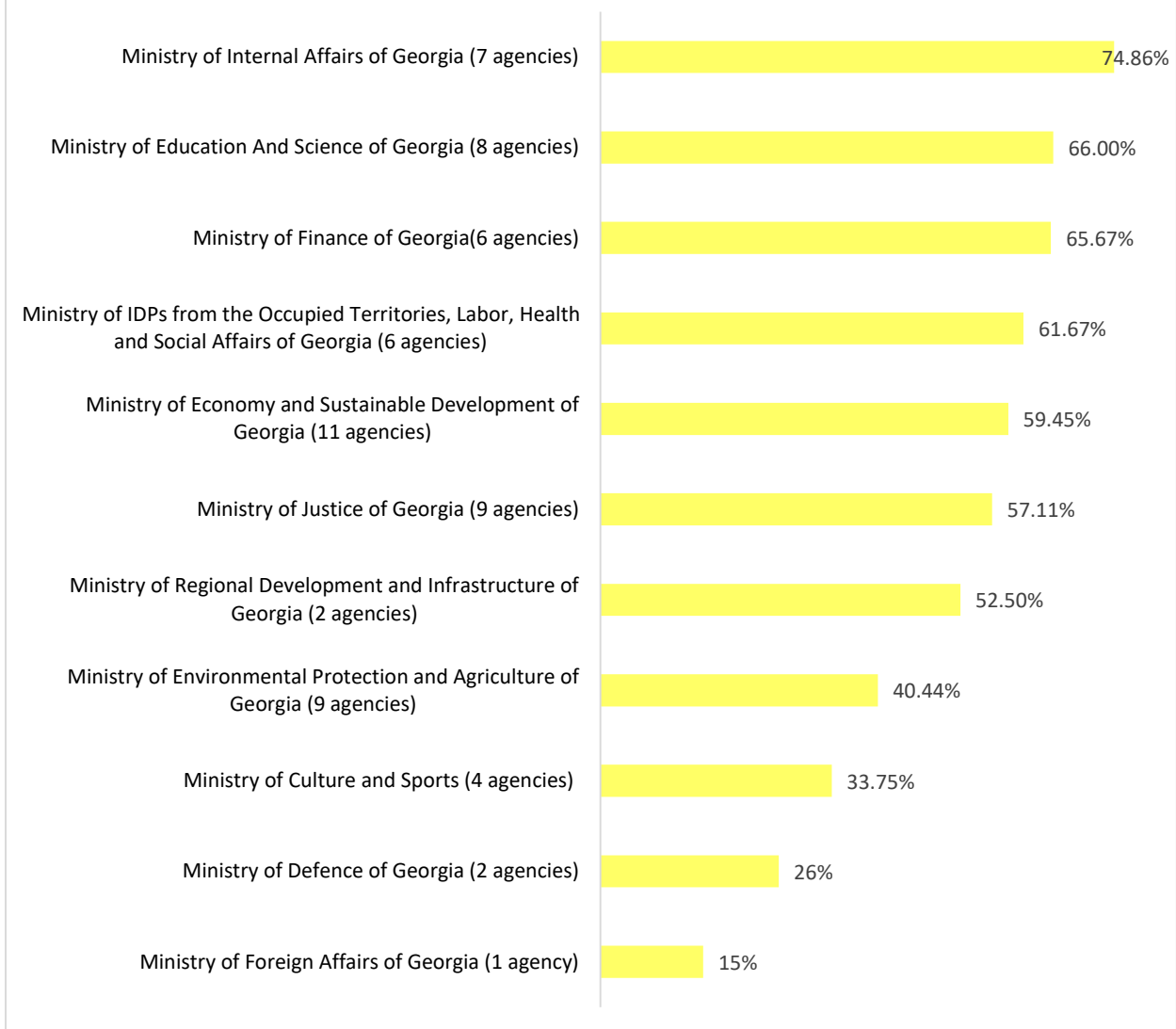
The low average rate of proactive disclosure of information in public institutions (60%) is largely due to the infrequent publication of information by entities subordinated to the ministries. In particular, the average rate of publication of information by legal entities of public law and sub-institutions is 56%, while the average rate of their superior bodies is 73%.



The average rate of proactive disclosure of public information by agencies subordinated to the ministries varies between 15% and 75%. The highest average rate is found within the system of the Ministry of Internal Affairs (7 agencies in total) - 74.86%, and the lowest in the Ministry of Foreign Affairs (1 agency) - 15%. The information published proactively by the subordinate agencies of the Ministry of Internal Affairs, similar to the Ministry itself, mostly serves to meet the minimum requirements established by the decree of the Government of Georgia, and the users are not offered a high standard of proactive transparency, meaning the publication of detailed information.

The average rate of proactive disclosure of public information by LEPLs under the Ministry of Foreign Affairs is calculated only based on one LEPL, Information Center on NATO and the European Union, since other agencies did not have a website during the monitoring period.

Average Indicators of Proactive Disclosure of Public Information of Agencies Subordinated to Ministries



Among the agencies subordinated to the Ministries, as in the last year, only two—LEPL Financial Analytical Service and LEPL National Center for Education Quality Development—received a 100% rating in proactive disclosure of public information.

43% of the agencies subordinated to ministries had published less than 50% of the required data. For the most part, legal entities of public law only published general information about the agency on their website, which fails to uphold the principles of proactive transparency. Among the legal entities that have less than 50% of public information published are agencies of high public importance and revenue, such as:

The Revenue Service – 42%, Social Protection Agency – 40%, Municipal Development Fund – 24%, the Investigation Service of the Ministry of Finance – 31%, National Agency for Cultural Preservation at 7%, and others.

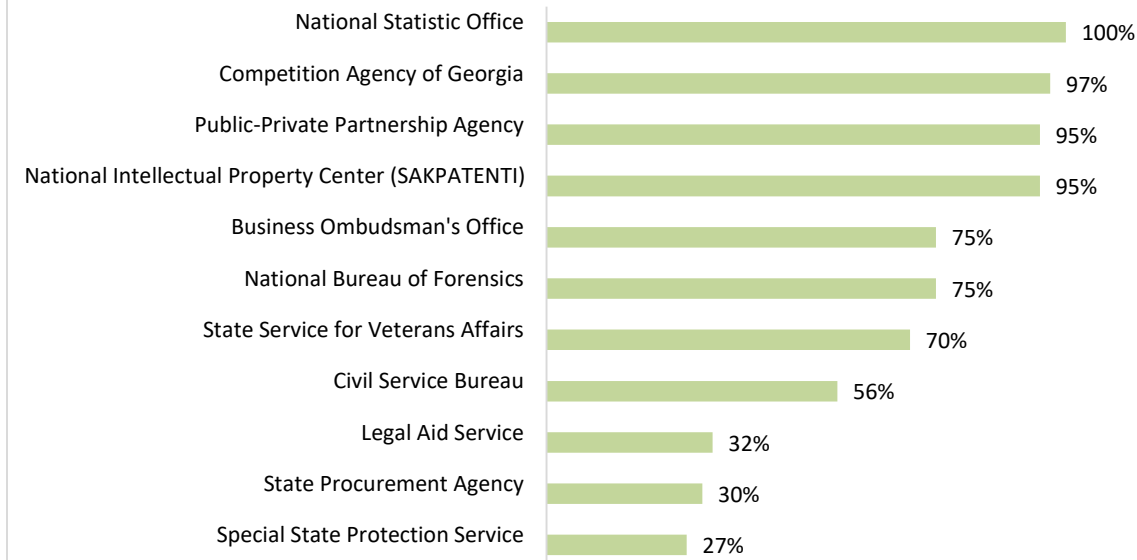
Agencies Accountable to the Government of Georgia and Other Independent Agencies

Within the monitoring framework, IDFI additionally observed the websites of 18 other agencies accountable to the Government of Georgia, of which only 13 had some information published in their public information sections. The standards for proactive disclosure for these agencies are largely identical to those laid out in the decree of the government of Georgia, and therefore no significant methodological changes have been made to the assessment process. Two agencies, the Personal Data Protection Service and the Special Investigation Service, were established in 2021. IDFI therefore refrained from evaluating these agencies before the end of the reporting year.

According to the monitoring results, among the remaining 11 agencies, the highest rates of compliance were found in the National Statistics Office (100%), National Competition Agency (97%), the Public Private Partnership Agency (95%), and the National Intellectual Property Center (95%). It should be noted that the National Statistics Office has additionally published some categories of data in more detail. For example, for the real estate listed on their balance sheets, the agency published the real estate name, area, initial value, and current value. Additionally, in the case of received grants, a register of grant agreements was published, reflecting the grant, purpose, term of the agreement, the value of the agreement, and detailed information about the amount of the grant utilized across the reporting year.

The figures for the rest of the agencies range from 27% to 75%. Among the lowest assessment results were the Special State Protection Service (27%), State Procurement Agency (30%), and the Legal Aid Service (32%). These agencies have published only the general information related to the activities of the agency, while the availability of financial information is rather limited.

Assessment of Proactive Disclosure of Public Information



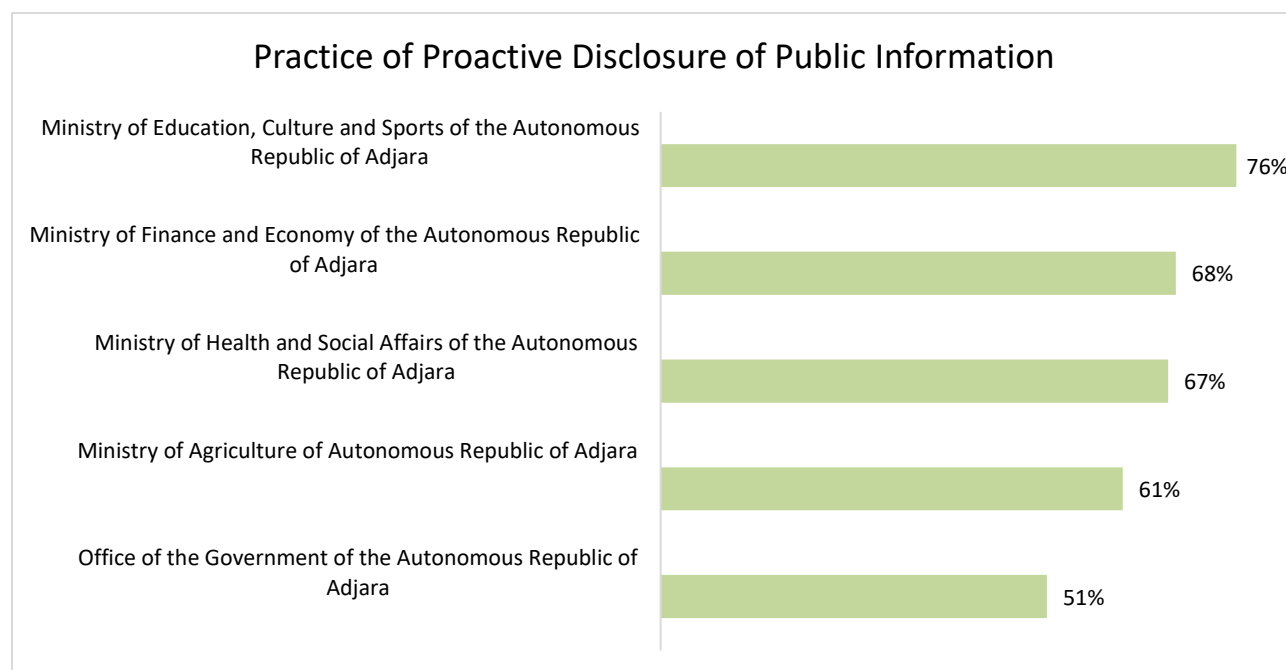
Public Institutions of the Autonomous Republic of Ajara

As part of the 2022 monitoring, IDFI additionally reviewed the websites of 6 public institutions of the Autonomous Republic of Ajara (Supreme Council of the Autonomous Republic of Ajara, Office of the Government, and 4 Ministries).

The rules and standards for proactive disclosure of public information of the Supreme Council of the A/R of Ajara were updated in 2022 with an internal legal act. Specifically, according to the decree No. 54-II of June 16, 2022 of the Supreme Council, the existing standard was significantly improved and important information related to functional activities was added to the list of information subject to mandatory publication. Within the framework of the current monitoring, in accordance with the requirements of said decree, the proactive publication of information began. However, with regard to individual points, the agency is obligated to begin publishing information after the end of the reporting year, and IDFI therefore refrained from evaluating the mentioned agencies.

The information provided by the Office of the Government of the Autonomous Republic of Ajara and by the ministries is proactively published on the Unified Portal of the Government of Adjara A/R, where a separate public information section has been created for each agency. For these agencies, the list of information to be published proactively is defined by decree N23 of the Government of the Autonomous Republic of Ajara of October 10, 2013, that is identical to the list defined by the Government of Georgia. According to the

results of the research, the Ministry of Education, Culture, and Sports of the Autonomous Republic of Ajara had the highest rating at 76%, while the Office of the Government had the lowest – 51%.



The Practice of Proactive Disclosure of Public Information

According to the resolution of the Government of Georgia, the public information listed in 35 sub-paragraphs is divided into 7 groups according to their topics:

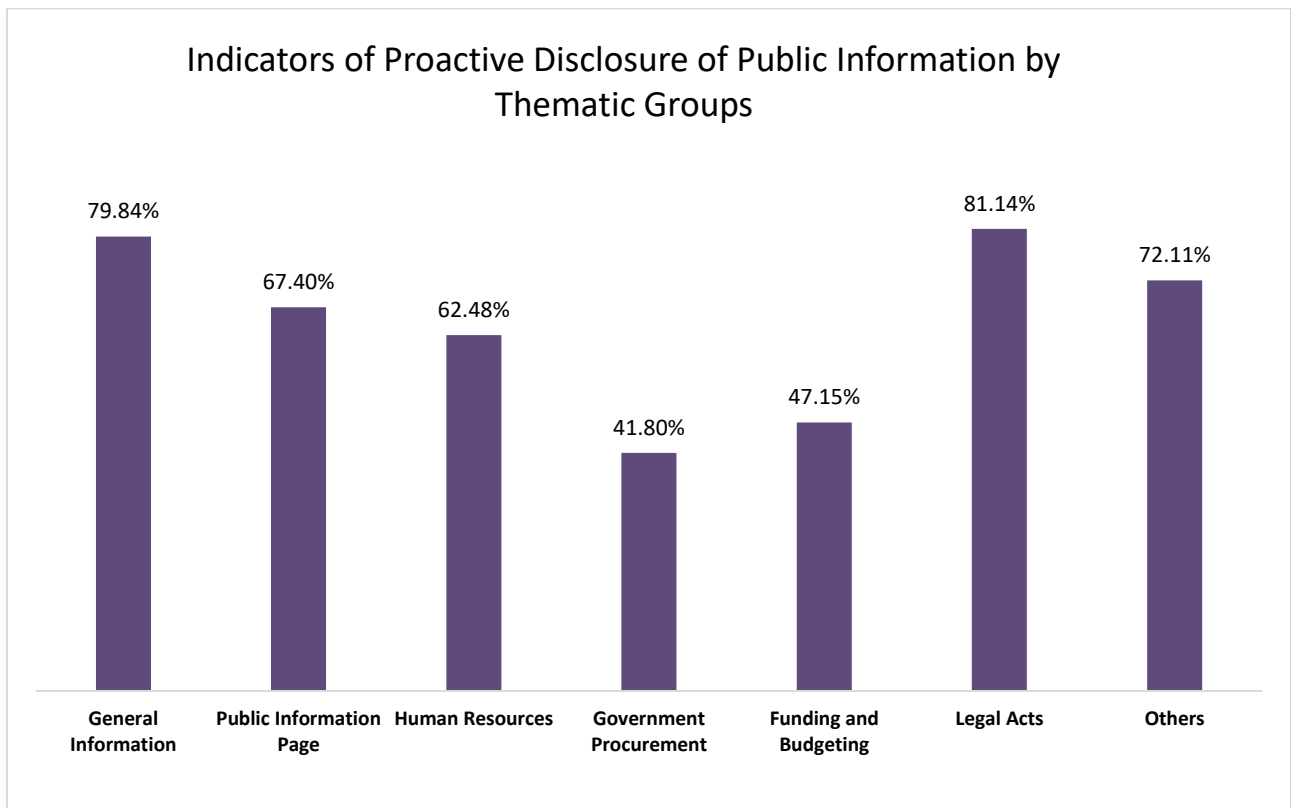
- 1) General information about the administrative body (6 sub-paragraphs);
- 2) Public Information page (5 sub-paragraphs);
- 3) Information on the staffing of the administrative body (3 sub-paragraphs);
- 4) Information on public procurement and privatization of state property carried out by the administrative body (4 sub-paragraphs);
- 5) Information on the financing and budgeting of the administrative body (13 sub-paragraphs)
- 6) Legal acts (2 sub-paragraphs);
- 7) Other public information (2 sub-paragraphs).

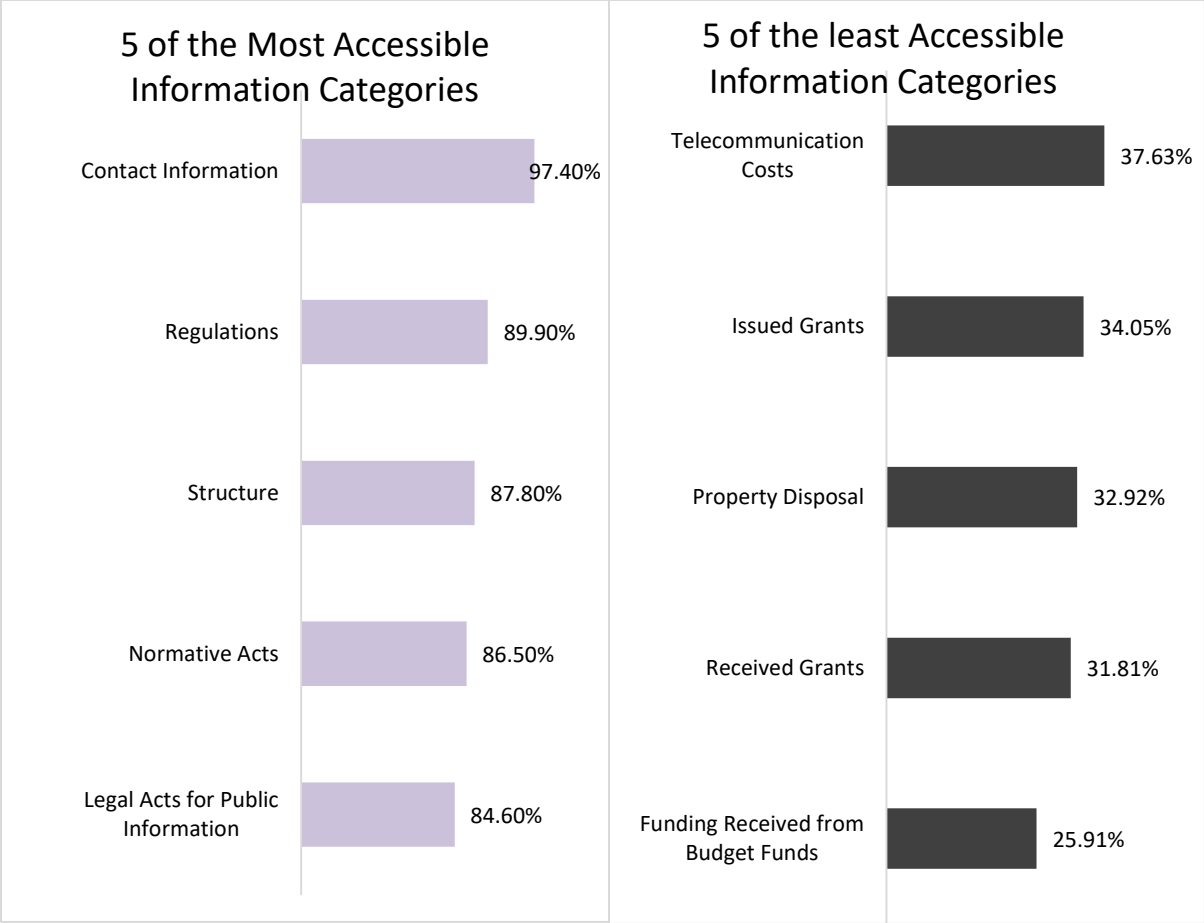
According to the monitoring results, the most problematic issue among public institutions is the publication of information related to the disposal of administrative funds. For instance, the overall rate of proactive disclosure of information regarding procurements and privatization of property is at 41.8%, and funding

and expenses – 41.15%. In these groups, according to separate points, the most problematic was publishing information regarding the properties privatized by the public institutions (25.91%). A low rate of proactive disclosure of information was also observed in case of grants received – 31.81%, privatization of state property - 32.92%, grants issued – 34.05%, and advertising expenses – 37.63%.

The information that gets published the most proactively by public institutions falls within the category of legal acts and general information, since these, instead of a quarterly update, are subject to publication only if changes are made in them.

For example, the highest rates can be found in the categories of contact information (97.4%), rules and regulations (89.9%), agency structure (86.5%) and normative acts (88.8%).





Format and Archive of Proactively Published Information

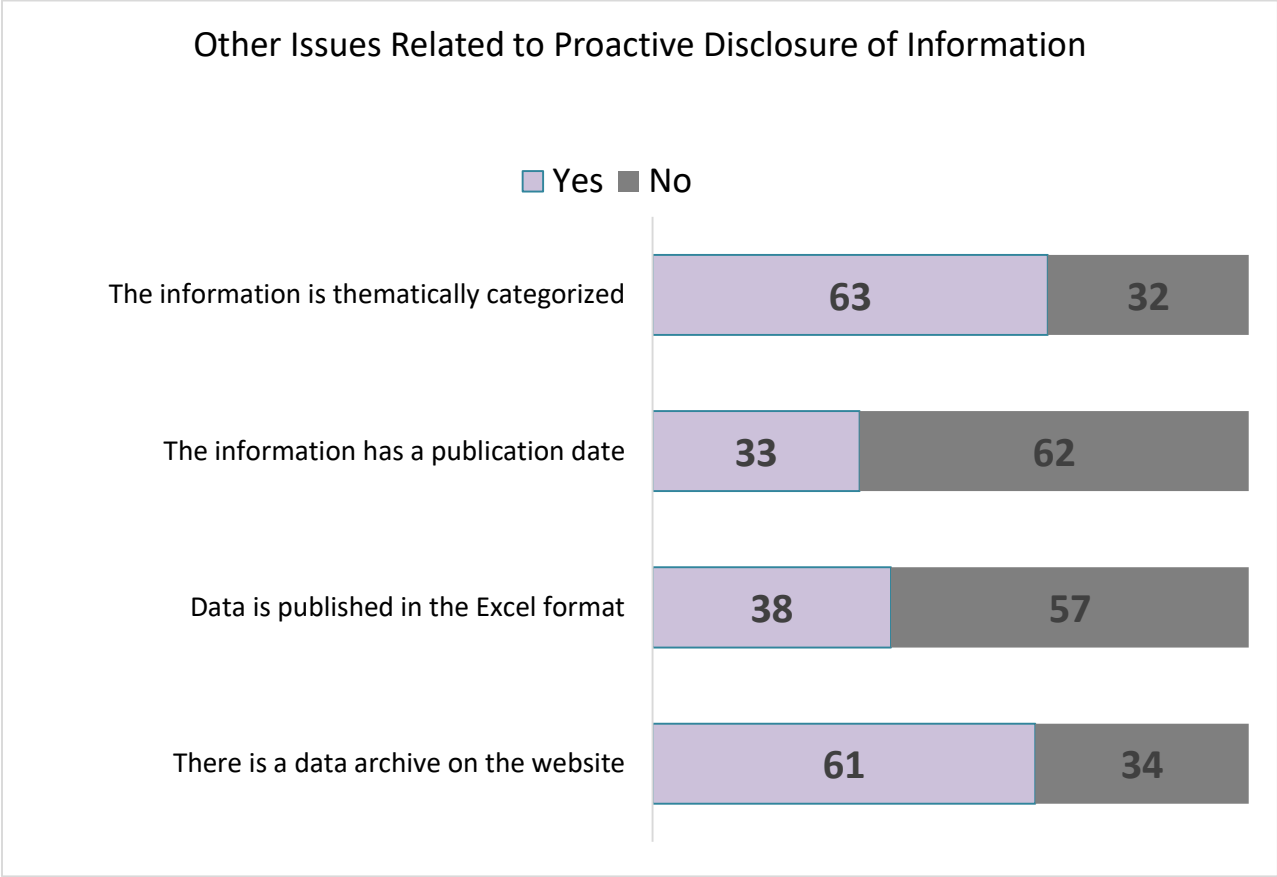
As part of the monitoring, IDFI also examined issues of the proactive disclosure of information related to the thematic placement of information, the date of placement, the format of the published documentation, and the archiving process.

According to the decree of the Government of Georgia, institutions are obligated to publish on their websites only the points enumerated in paragraph 2 of the list of information to be published proactive that relates directly to the availability of public information. As for other types of information, the decree allows an institution to distribute data on the website at its discretion, which makes it difficult for an interested party to find information on a particular issue. According to the monitoring results, 63 out of 92 public institutions had fully published data in the public information page in a thematic breakdown.

Public institutions are obligated to indicate the date of publication of information published on the website. Only 33 of the studied institutions had fulfilled this obligation.

The guidelines for proactive disclosure of public information do not limit public institutions in terms of the format of published data. Given international best practice, it is especially important to publish information in an open format. During the monitoring period of Georgian public institutions, the practice of publishing open data in the CSV or XML formats, which would have contributed to the further development of DATA.GOV.GE, the open data portal of Georgia, was not observed. PDF files are mainly used to publish both financial and other information from the studied institutions. Only 29 public institutions had published certain financial information in the Excel format.

The rules for storing/archiving data on the websites are not regulated by the legal acts regulating the proactive disclosure of information. Consequently, after the publication of the 2021 data by a public institution, it is not required to take down the information published proactively on the website in 2020 or any of the previous years. Data from previous years was preserved on the websites of 61 of the public institutions monitored. In other cases, only the updated data for a specific period was kept on the websites.

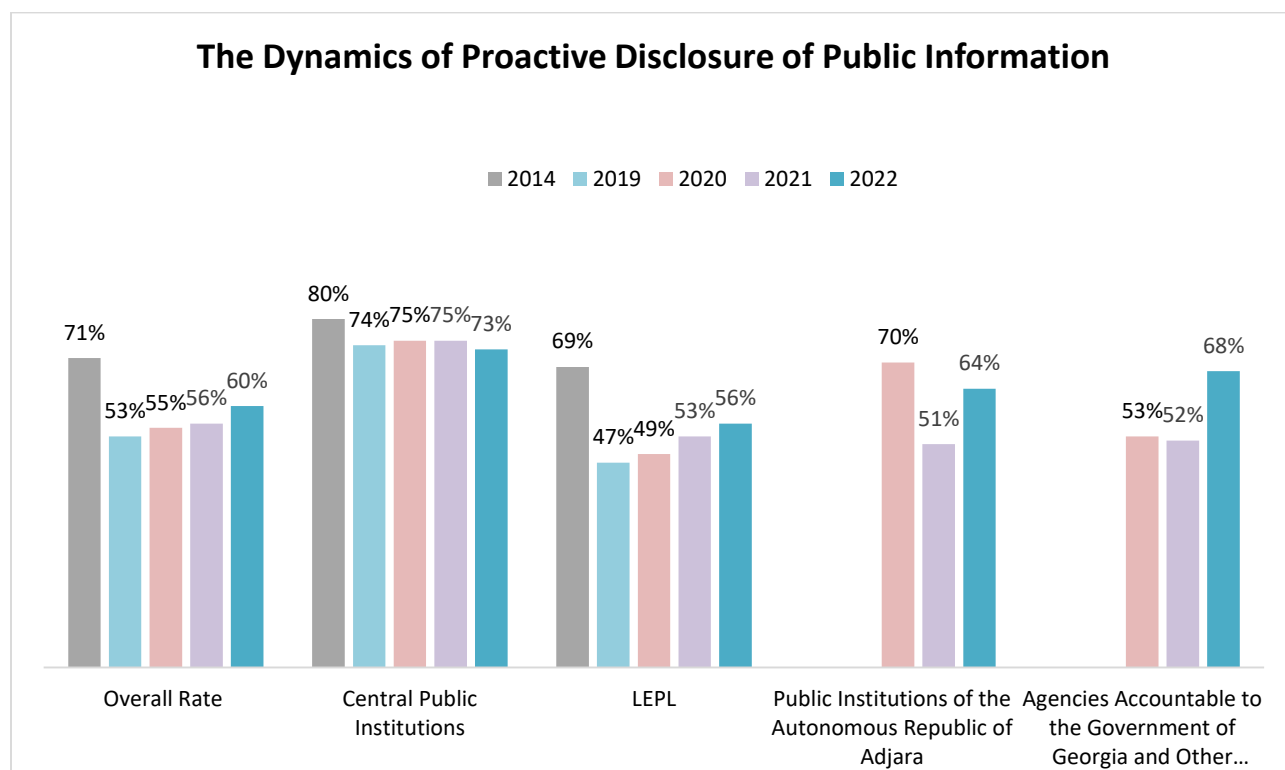


Dynamics of Proactive Disclosure of Information

IDFI conducted a monitoring of the state of proactive disclosure of public information in 2014, 2019, 2020, as well as 2021. During the current year, the monitoring was conducted with the same methodology, which gives us an opportunity to compare and analyze results across the years. According to the results of the study, compared to the previous year, the proactive accessibility of public information improved by 4%. The overall indicator for central public institutions, however, decreased by 2%.

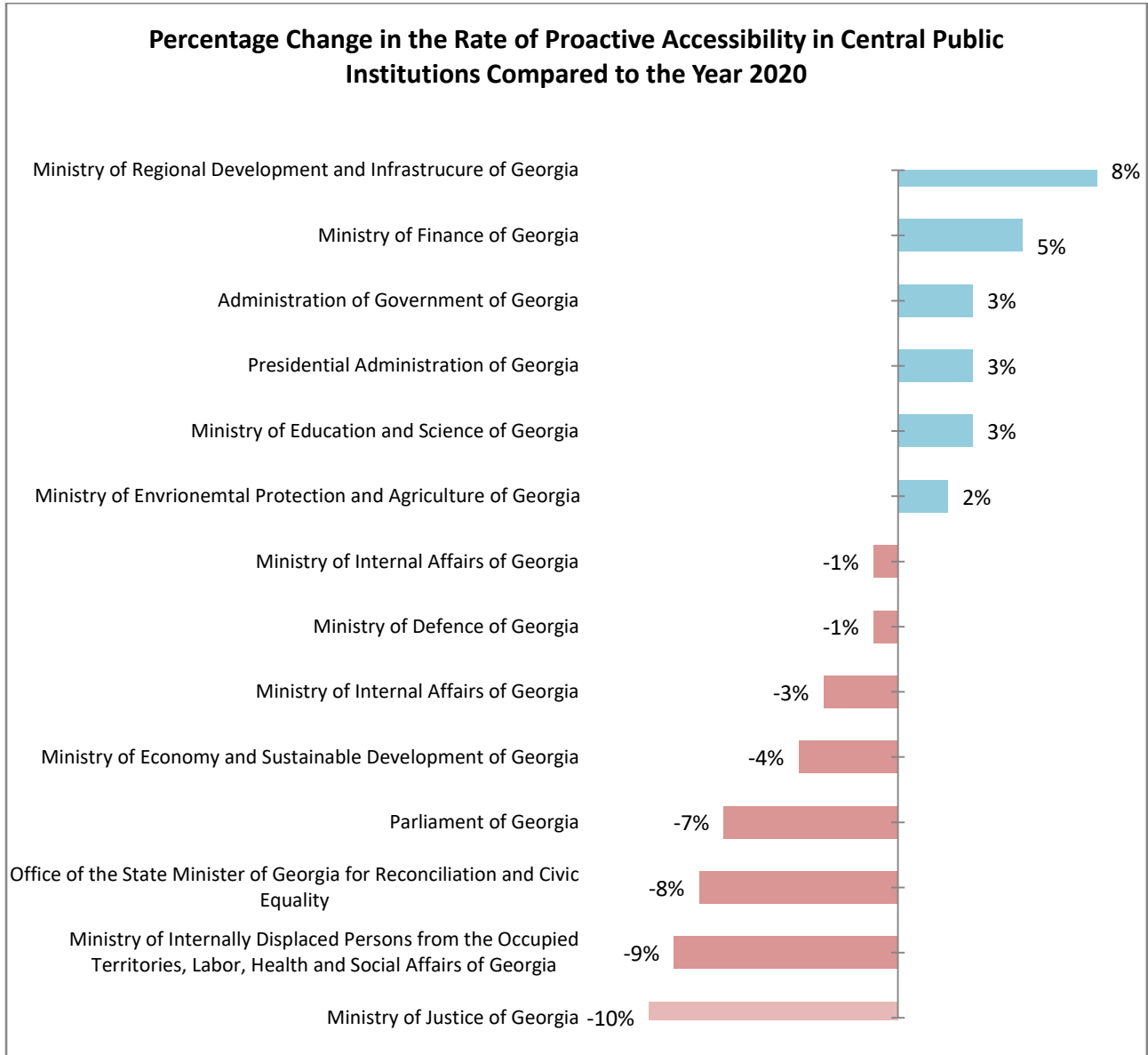
Compared to the previous year, aside from central public institutions, the overall indicator for all other groups of public institutions that were the subjects of monitoring improved to some extent. In the case of agencies subordinated to the ministries – by 3%, among the institutions of the Autonomous Republic of Ajara – by 13%, and in the case of other independent agencies or agencies accountable to the Government – by 16%.

It should be highlighted that at the initial stage of establishing the standard of proactive disclosure of information, public institutions fulfilled their responsibilities with a much higher degree of accountability. For example, according to the 2014 monitoring results, about a year after the entry into force of the government decree, the overall result in public institutions was 71%, which is 15% higher than the corresponding figure for 2021.



Note: No monitoring of the public institutions and LEPLs accountable to the government of the Autonomous Republic of Ajara was conducted in 2014 and 2019.

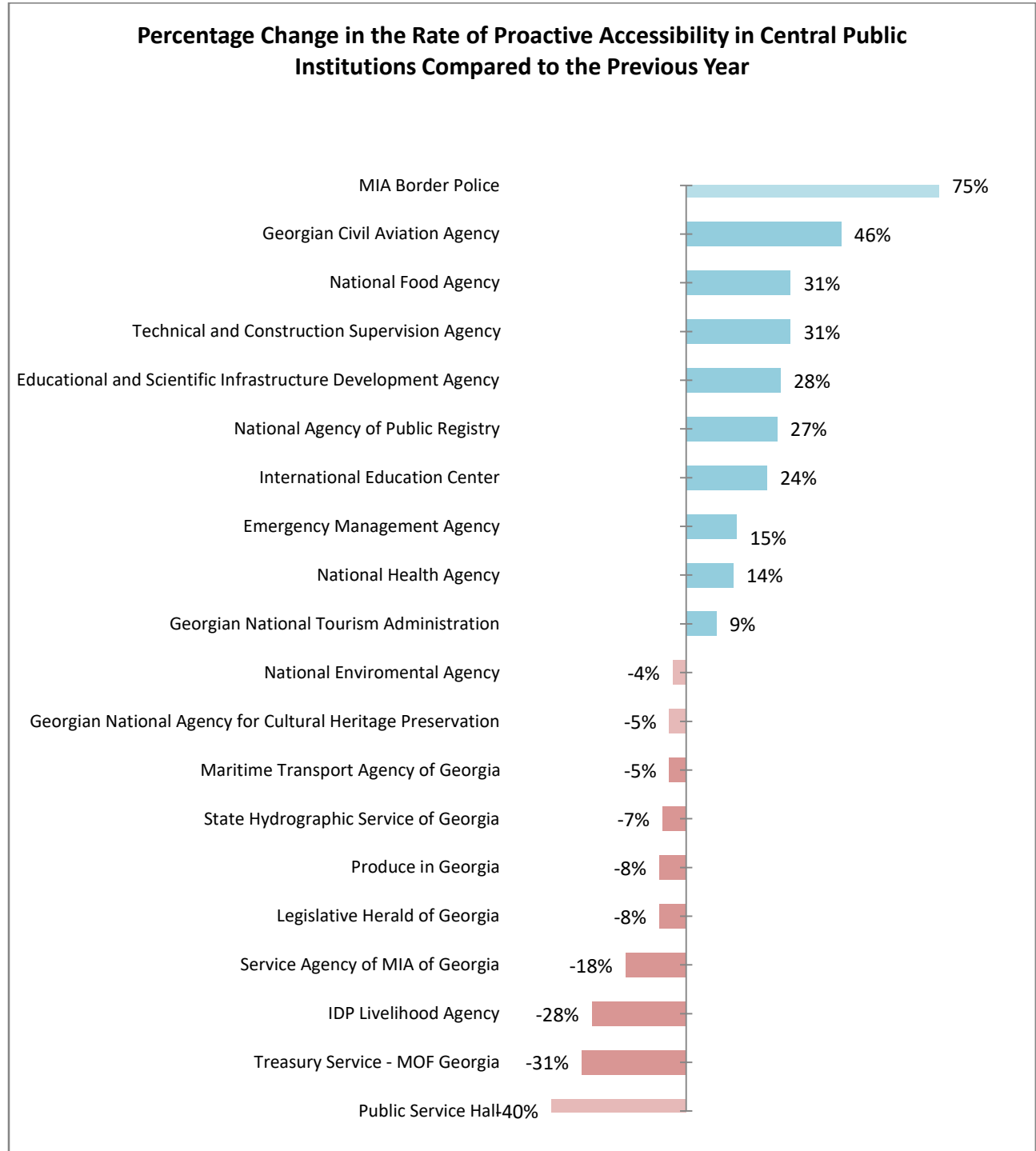
Among the central public institutions of Georgia, as compared to 2021, the Ministry of Regional Development and Infrastructure (+8%) and the Ministry of Finance (+5%) showed the largest improvements in the indicator of proactive access to information. On the other hand, the Ministry of Justice (-10%) and the Ministry of Health (-9%) showed the largest drops in the assessment results.



In 2022, among the 61 entities subordinated to the ministries (which were evaluated both in 2021 and 2022), compared to the previous year, 36 had an improved result, 5 received an identical score, and 20 showed a deterioration of assessment results.

Among the agencies subordinated to the ministries, the indicator of proactive access to information improved the most in the Border Police of the Ministry of Internal Affairs (+75%) and the LEPL Civil Aviation Agency (+46%).

In terms of a deterioration in the state of proactive disclosure of public information, LEPL Public Service Hall (-40%) and the Treasury Service (-31%) stood out in particular. In the case of the Public Service Hall, financial information for 2021-2022 was published on the website, but was not able to be opened/downloaded by the users, which was likely related to a technical error.



In terms of analyzing the dynamics of proactive disclosure of information, it is particularly important to highlight agencies that failed to offer the minimum standard of proactive transparency to interested parties during previous monitoring periods but have subsequently taken effective steps to address these issues.

For example, the National Intellectual Property Center, which as of 2020 did not have a public information section on its website, adopted a new proactive disclosure policy in 2021, and in 2022 its proactive disclosure rate was estimated at 95%.

The Public Private Partnership Agency did not have its own website within the monitoring period of 2020, while for the monitoring period of 2021-2022, a public information section was created on the new website and the rate of proactive disclosure of information was at 95-96%.

LEPL Digital Governance Agency did not have its own website within the monitoring period of 2021, but had created a public information section on the new website, although the rate of proactive disclosure of information was at 44%.

Agencies that Began Proactive Disclosure of Public Information after the 2020 Monitoring by IDFI			
Public Institution	Status of 2020	Results/Status for 2021	Results 2022
Public-Private Partnership Agency	Did not Have a Website	96%	95%
National Center for Intellectual Property	Did not Have a Public Information Section on the Website	New regulations were adopted and Proactive Disclosure of Public Information is in process	95%
Emergency Coordination and Urgent Assistance Center	No information has been Published/Updated in the Public Information section	78%	93%
Service for Accounting, Reporting and Auditing Supervision	Did not Have a Public Information Section on the Website	60%	63%
Digital Governance Agency	-	Did not Have a Website	44%
Internally Displaced Persons, Ecomigrants and Livelihood Agency	Did not Have a Website	55%	27%
Youth Agency	Did not Have a Website	18%	22%

Good Practices and Recommendations for Proactive Disclosure of Public Information

The monitoring results as of December 2022 demonstrate that most agencies still fail to provide a high standard of disclosure of public information and in a consistent manner.

It should be noted that public institutions fulfilled their obligations with a much higher degree of responsibility when the standard of proactive disclosure of information was first established. For example, according to the monitoring results in 2014, the overall rating of proactive disclosure in public institutions was at 71%, which is 11% higher than the result from 2021.

The attitude of public institutions towards the completely novel, proactive standard of transparency of state agencies introduced in Georgia in 2013 significantly hampers the prospects for further development of the reform. Of particular note in this regard is the approach of the Administration of the Government of Georgia, the main coordinating body of the Open Government Partnership (OGP), which since 2014 has not actually fulfilled the obligations set out in the government decree.

Nevertheless, in the light of the challenges faced with regard to proactive disclosure of public information, the steps taken by certain agencies with the purpose of improving proactive transparency in 2022 should be evaluated positively. For example, the Supreme Council of Ajara approved a significantly improved decree on proactive disclosure of information and began publishing corresponding public information on its website. In addition, during the current monitoring period, IDFI identified 7 public institutions that created a section for public information on their websites and published information there following the 2020 IDFI monitoring.

In the case of certain agencies, we encounter cases of detailed breakdowns of certain categories of data. For example, the website of the National Statistic Service presents detailed information on the real estate on its balance sheet and its grants. On the website of the Ministry of Education and Science, information on remuneration and business trip expenses is published with the names of the officials listed separately, while information pertaining to other employees is provided in summary form. Additionally, information on the vehicles on the balance sheet is presented with an indication of the vehicle model, production year, date of purchase, price, and residual value.

IDFI considers it a good practice is to publish the most detailed possible information on the following points:

Information to be published in accordance with the governmental decree	Recommendation
General statistics on statements in accordance with Articles 37 and 40 of the General Administrative Code.	A register of letters requesting public information, indicating the date of the request, the sender, the addressee, the content, and the outcome of the discussion.☒
Information on the disposal of state property and transfer of use☒	With reference to the recipient of the property, the list of the transferred property and its balance value.
Advertising costs.	Indicating the location, type, and fee of advertisement.
Information on salaries, allowances, and bonuses.	Indicating information on salaries, allowances, and bonuses of officials separately, and of other employees in total.☒
Information on business trip expenses for official and working visits☒	Indicating the name and surname, date of a business trip, purpose, country, and relevant expenses (hotel, travel, daily, etc.) separately for officials. On other employees only in total form.☒
List of cars on the balance sheet with reference to the model.	Indicating the vehicle model, year of manufacture, date of purchase, price, and residual value.
Fuel consumption costs.	Separately for the cars of officials and in bulk for other employees.
Expenses for maintenance of vehicles.	Separately for the cars of officials and in bulk for other employees.☒
Expenses for telephone conversations.	Expenditures of public figures (in bulk) and expenditures of other employees (in bulk).
Received and issued grants.	Indicating the recipient /issuer of each grant, its amount, and purpose☒

In order to improve the quality of proactive disclosure of information, public institutions should take into account IDFI's core recommendations for improving the list of information subject to mandatory proactive publication. Additionally:

- Public institutions should provide access to any public information of public interest based. Moreover, it should be required to publish any information that was requested by at least 3 or more individuals within a year;
- Public institutions should not limit themselves to the minimum standard set by the government decree and should publish information in detailed form (for example: by indicating the names and surnames of officials to whom the data is related);
- The practice of publishing public information in an open data format and placing it on the data portal on data.gov.ge should be introduced.

Rankings of Proactive Disclosure of Public Information (December of 2022 Monitoring Results)

N	Public Institution	Result %
1	LEPL Financial – Analytical Service	100
2	National Center For Educational Quality Enhancement	100
3	Geostat - National Statistics Office of Georgia	100
4	Georgian National Competition Agency	97
5	LEPL Technical and Construction Supervision Agency	97
6	Ministry of Internal Affairs of Georgia	97
7	Ministry Of Defence Of Georgia	96
8	Public-Private Partnership Agency	95
9	LEPL Academy of Ministry of Finance	95
10	National Intellectual Property Center of Georgia – Sakpatenti	95
11	Parliament of Georgia	93
12	Ministry of Education And Science of Georgia	93
13	Agency for Regulation of Medical and Pharmaceutical Activities	93
14	National Center for Disease Control and Public Health	93
15	MIA - Emergency Management Service	93
16	National Bureau of Enforcement	92
17	Security Police Department	92
18	LEPL 112	92
19	MIA Border Police of Georgia	92
20	Presidential Administration of Georgia	92
21	Georgian National Tourism Administration	91
22	MIA - Academy	90
23	Ministry of Regional Development and Infrastructure of Georgia	87
24	National Health Agency	85
25	Roads Department of Georgia	84
26	Ministry of Environment and Natural Resources Protection of Georgia	81
27	Ministry of Finance of Georgia	81
28	Ministry of Justice of Georgia	80
29	National Assessment & Examinations Center	80
30	Notary Chamber of Georgia	80
31	Environmental Information and Education Centre	79
32	Shota Rustaveli National Scientific Foundation of Georgia	76
33	Ministry of Education, Culture and Sports of the Autonomous Republic of Adjara	76
34	Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia	75
35	National Bureau of Forensics	75
36	Office of the Business Ombudsman of Georgia	75
37	Georgian National Center for Olympic Reserve Training	75

38	Educational and Scientific Infrastructure Development Agency	73
39	State Hydrographic Service of Georgia	73
40	International Education Center	71
41	Veterans' Cases State Department	70
42	Legislative Herald of Georgia	70
43	The Unified National Body of Accreditation – Accreditation Center	68
44	Ministry of Finance and Economy of Adjara Autonomous Republic	68
45	Education Management Information System	67
46	National Agency of Public Registry of Ministry of Justice of Georgia	67
47	Ministry of Health and Social Affairs of Adjara Autonomous Republic	67
48	Land Transport Agency	64
49	Treasury Service	63
50	Service for Accounting, Reporting and Auditing Supervision	63
51	National Agency of State Property	61
52	Ministry of Agriculture of Adjara Autonomous Republic	61
53	Georgian Civil Aviation Agency (GCAA)	59
54	Georgian National Agency for Standards and Metrology	57
55	Civil Service Bureau	56
56	Ministry of Internal Affairs Service Agency	56
57	LEPL National Food Agency	55
58	Ministry of Economy and Sustainable Development of Georgia	54
59	National Wine Agency of Georgia	54
60	National Archives of Georgia	52
61	Office of the Government of the Autonomous Republic of Adjara	51
62	Digital Governance Agency	44
63	Revenue Service of Georgia	42
64	Training Center of Justice of Georgia	42
65	Agency of Protected Areas	41
66	Social Service Agency	40
67	National Forestry Agency	40
68	Public Service Development Agency	40
69	Office of Resource Officers of Educational Institutions	38
70	Ministry of Foreign Affairs of Georgia	35
71	Enterprise Georgia	35
72	Chancellery of the Government of Georgia	34
73	Legal Aid Service	32
74	LEPL Agency For State Care and Assistance For the (Statutory) Victims of Human trafficking	32
75	Investigation Service of Ministry of Finance of Georgia	31
76	Georgian National Museum	31
77	The State Ministry for Reconciliation and Civic Equality	30
78	State Procurement Agency	30
79	National Environment Agency	30
80	National Defense Academy (NDA)	29

81	Maritime Transport Agency of Georgia	28
82	Special State Protection Service	27
83	Internally Displaced Persons, Ecomigrants and Livelihood Agency	27
84	Public Service Hall	27
85	National Center for Teacher's Professional Development	23
86	LEPL General Giorgi Kvinitadze Cadets Military Lyceum	23
87	Youth Agency	22
88	LEPL Agency Of Nuclear and Radiation Safety	22
89	State Agricultural Laboratory	22
90	Municipal Development Fund of Georgia	21
91	Scientific-Research Center on Agriculture	21
92	National Agency of Mineral Resources	21
93	Information Center on NATO and EU	15
94	MIA - Healthcare Service	9
95	National Agency for Cultural Heritage Preservation Georgia	7

No Information Has Been Published/Updated in the Public Information Section or the Public Information Page Was Disconnected during the Monitoring Process

1	Special Penitentiary Service
2	Office of the National Security Council
3	Market Surveillance Agency
4	Department of Environmental Supervision
5	National Environmental Agency
6	National Agency for Sustainable Land Management and Land Use Monitoring
7	State Agency of Oil and Gas
8	STC Delta

Do Not Have a Public Information Section on the Website

1	Eurasian Transport Corridor Investment Center
2	Georgia's Innovation and Technology Agency
3	Levan Mikeladze Diplomatic Training and Research Institute
4	LEPL - Zurab Zhvania School of Public Administration
5	Georgian National Film Center
6	Creative Georgia

7	State Agency for Religious Issues
8	State Language Department
9	LEPL - Defence Ministry Military Hospital

Do Not Have a Website	
1	Ministry of Culture and Sports of Georgia
2	National Agency for Crime Prevention, Execution of Non-custodial Sentences and Probation
3	Vocational Training and Training Center for Convicts
4	Information Technology Agency
5	Emergency Coordination and Emergency Assistance Center
6	State Employment Promotion Agency
7	Labour Inspection Service
8	Anaklia Deepwater Port Development Agency
9	Resorts Development Agency
10	Bureau of Cyber Security
11	Spatial and Urban Development Agency
12	Government Special Liaison Agency
13	State Security Agency