Open Georgia: How Open Data Can Be Used As An Anti-Corruption Tool

Eric B. Jackson

Nearly a quarter-century after the dissolution of the Soviet Union, corruption continues to impede democratization in post-Soviet nations. However, the digital age has produced the concept of e-government, and along with it, innovative ICT solutions for accountability and transparency. One such solution is civil society publishing open data for citizen and journalist access. The role of civil society in relation to open data is often overlooked, and an assessment of its implementation is warranted. This paper will critically analyze the open data portal, OpenData.ge, as a case study from the Republic of Georgia. In the context of freedom of information, OpenData.ge is a strategic asset for Georgian civil society by diminishing the asymmetrical information advantage of the Georgian public sector. As a result, corrupt activities that would otherwise be hidden have came to light. The scope of this paper will focus on the stakeholders, architecture, and effectiveness of OpenData.ge as an anti-corruption tool.

1. Introduction

"Open Government" has become a prominent concept in the Republic of Georgia since joining the Open Government Partnership (OGP) in 2011. A multilateral initiative, the OGP brings Georgian civil society and government representatives together to implement transparency and accountability reform in the public sector. One focus has been ensuring access to government information, or the freedom of information (FOI), is readily available for all segments of society. To enhance this process, Georgian civil society has turned to information communication technologies (ICTs) to digitally archive FOI responses, or *open data,* of Georgian public institutions. The result isOpenData.ge: a web portal capable of curbing corruption in Georgia by mitigating the asymmetrical balance of power between the information-holding public sector and society at large.

In 2010, a Tbilisi-based non-governmental organization (NGO), the Institute for Development of Freedom of Information (IDFI) launched OpenData.ge, the first online public information database in Georgian history. For the past five years, IDFI has been the primary contributor and maintainer of OpenData.ge by sending freedom of information (FOI) requests to central and municipal Georgian institutions. The responses of these institutions are then transcribed and uploaded into digital format for reuse and oversight by third party actors: civil society, media, citizens, etc. In essence, the portal operates as a catalog of open data containing salaries, bonuses, remuneration, procurements, asset disclosure and more from over 308 Georgian public institutions. Additionally, OpenData.geis a resource for important FOI cases and open data statistics for the majority of central and local public institutions.

Financially, the Open Society Foundation and the Open Society Georgia Foundation provide funding for OpenData.ge. On the technical side, members of IDFI are the primary scanners, uploaders, and sharers of public information on OpenData.ge. In February of 2014, three other Georgian NGOs, Transparency International Georgia, Georgian Young Lawyers Association, and Green Alternative agreed to integrate their own FOI requests and responses with OpenData.ge. Collaboration between these NGOs has furthered the reach and scope of OpenData.ge as an anti-corruption tool; with more resources devoted towards publishing open data, the more likelihood of exposing public sector impropriety.

1.1 Framework of OpenData.ge

To analyze the process of OpenData.ge one must begin with the sponsor of the open data portal, IDFI. For example, if IDFI wants to investigate the amount of bonuses received by officials from the Ministry of Internal Affairs (MoIA), an FOI request would be electronically sent to the MoIA specifying the requested information. Based on Georgian FOI legislation, the MoIA would have ten days to completely disclose the bonuses and salary supplements for all of its officials [12]. After the MoIA's response (or non-response) is received by IDFI it is digitized and uploaded into PDF format, while the FOI request is converted into a Docx file.

Subsequently, both are attached with a summary outlining the "properties" of the FOI request and response. In more detail, the FOI response is classified as "complete," "partial," "refusal," "no reply," or if the MoIA needed more to time to respond, "request for time extension." The date of submission and response time of the public institution is also included in the summary. Summaries are then posted on OpenData.ge- and in certain cases publicized - for observation and reuse by the final stakeholders of the open data process: constituents and the media.
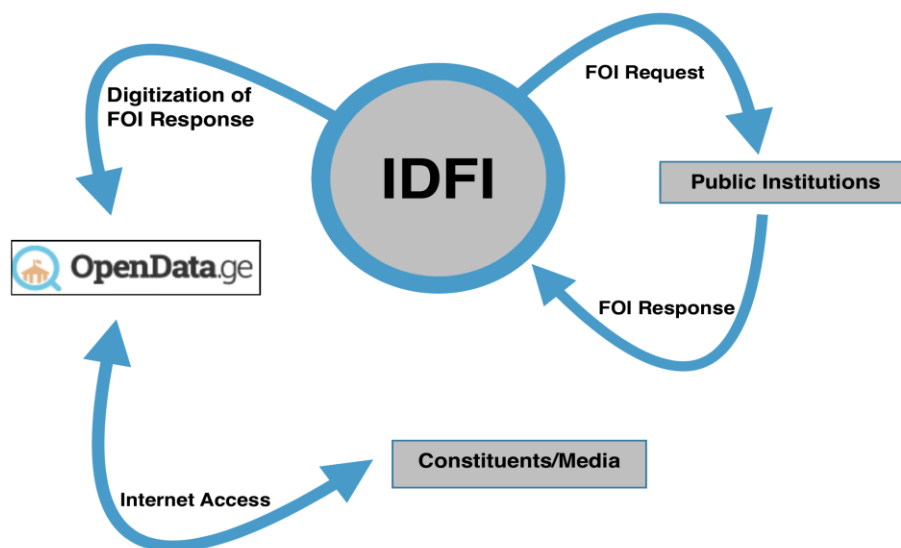
The Process of OpenData.ge

OpenData.geempowers constituents by monitoring the dispersal of tax-payer dollars for misappropriation, informing citizens on the latest open data available, and lastly, encouraging citizen participation by posting instructions on how to submit a FOI request to a public institution. As Georgia develops pluralism, OpenData.ge represents the interests of citizens who want a transparent and accountable government. For the Georgian media, OpenData.ge is a treasure-trove of valuable information that can be visualized through infographics and news stories. Instead of the traditional reporting of statements by politicians and advocacy groups, OpenData.ge's quantitative evidence is already in a format conducive for investigative reporting [11].

1.2 The Public Sector, Civil Society, and Georgian Freedom of Information Legislation

Crucial to the viability of OpenData.ge is cooperation between the Georgian public sector and civil society throughout the FOI process. On the one hand, without the government consistently responding to FOI requests, the portal would be deprived of its content. On the other, without civil society's active engagement there would not be momentum for making public information available online. Therefore, the structure of Georgia FOI legislation shapes the ability of civil society to ascertain open data from government bodies.

Georgian FOI laws were considered quite progressive when outlined in the administrative code of Georgia 1999 [9]. Now they are out of date with technological trends. In response, there has been significant momentum for improving the current freedom of information regime. In May of 2012, Georgian CSOs and the OGP advocated for proactive disclosure from Georgian governmental authorities, meaning the responsibility of disclosing public information lies in the hands of public institutions via websites. Their efforts produced additional amendments to the administrative code mandating proactive disclosure from the central government through electronic channels [9].

While this is a step forward for FOI modernization in Georgia, the practical implementation of proactive disclosure has been inconsistent among ministries [9]. But if more governmental bodies start consistently releasing basic open data through their own websites, (like salaries, gender statistics, procurements, etc.) civil society resources can be diverted towards other advocacy activities. Until this occurs, OpenData.ge will continue fill the information void. Although proactive disclosure hasn't been adopted by all Georgian public institutions, and certain ministries like the MoIA and the Ministry of Culture and Monument Protection have gained notoriety for ignoring FOI requests, the Georgian Young Lawyers Association concludes in its most recent study that Georgian civil society enjoys a significant level of FOI coordination with Georgian public institutions [3].

2. Theoretical Implications of OpenData.ge and Corruption

The fundamental premise of FOI is decreasing the information asymmetry of public sector information-holders and society at large [2]. Scholars Colin Darch and Peter Underwood describe "information asymmetry" as "information known to some, but not all of the participants in a particular enterprise" (i.e. society) [2]. In the traditional corruption model of principal-agent (government-society), information asymmetry generally favors the principal because of their monopolistic control over decision-making and information gathering resources [2].

This notion is even more relevant now in the digital age where governments have unprecedented means for accumulating and accessing information without the knowledge of constituents. Thus, the information balance-of-power firmly resides with the public sector. Combatting this imbalance is a difficult task for civil society even in liberal democracies, much less factoring in Georgia's totalitarian past.

Before OpenData.ge there was no regulation or analysis of FOI requests in Georgia. This bred an environment ripe for bureaucratic exploitation. Now with OpenData.ge five years into its implementation, the asymmetrical information gap between Georgian society and government has decreased rapidly. In 2010, IDFI uploaded just 238 FOI responses from 21 public institutions onto OpenData.ge [6]. However, each project cycle has seen drastic improvement: the first half of 2011 recorded 2,099 uploaded responses from 154 public institutions, while the second half was 3,449 uploaded responses from 175 public institutions [6]. During the 2012-2013 project cycle, 4,450 responses were uploaded from 224 public institutions [6].For the 2013-2014 project cycle, 3528 responses were uploaded from 308 public institutions [9]. Quantitatively, it is apparent that OpenData has increased the information-holding capacity of civil society, and in effect, Georgian society.

3. Corruption in the Republic of Georgia

The current Prime Minister,IrakliGaribashvili, has voiced his government's commitment to rooting out corruption and continuing Euro-Atlantic integration into the E.U. and NATO [1]. At face value, these claims are corroborated by quantitative evidence. Transparency International's 2014 survey ranked Georgia 50th overall for corruption, a 74-place improvement since 2003 [15]. Although this is a dramatic improvement, corruption is still present in Georgia in different ways. To analyze these forms, this paper will apply scholar RasmaKarklins three-level typology on post-Soviet corruption: "low level administrative corruption", "self-serving asset stripping", and "state capture by corrupt networks" [7].

The first level, "low level administrative corruption," like bribery and extortion, has virtually been eradicated in Georgia. One percent of Georgians interviewed in a 2010 Caucasus Barometer survey transacted a bribe with a public official [13]. In contrast, the highest form of corruption, "state capture by corrupt networks" occurred immediately after Georgian independence in 1991. The infiltration of organized crime during that period has been reversed, which leads to the last element of Karklin's typology that is relevant in Georgia, "self serving asset stripping." This centers on illegally profiteering from various sources: privatization, public procurement, public resources and nepotism. More specifically, Transparency International notes that in Georgia there is opaque licensing, contracting, and privatization procedures that enable "insider deals" between the private and public sector [16].

4. Effectiveness asan Anti-Corruption Tool

OpenData.ge is tailored to combat "self serving asset stripping" by facilitating the "naming and shaming" of public institutions involved in corruption or noncompliance with the FOI process. The hope is that the "naming and shaming" will garner negative publicity and force the government to act to preserve legitimacy and reputation [8]. While OpenData.ge does not promote press releases, research articles, or reports, Georgian civil society has the expertise to contextualize public information into a

digestible format for citizens. In particular, IDFI promotes its analytical blog devoted to publicizing the findings of uploaded open data. Using ICT tools like blogs and social media to "name and shame" corrupt actors is an innovative way of keeping the public informed and applying pressure on government actors who may be committing "self serving asset stripping."

A notable example of OpenData.ge's performance as an anti-corruption tool against was the "naming and shaming" of government officials who received extravagant bonuses. After OpenData.ge was launched in 2010, IDFI began to request government salaries and as a result, a small number of government agencies responded. The responses showed that a typical bonus for parliamentarians, deputy ministers, and bureaucrats, was greater than the salary itself, or twenty times greater than the average Georgian pension [10]. After publishing the bonuses on OpenData.ge, public interest on the issue began to grow.

As the director of IDFI, Giorgi Kldiashivili, explained in an interview with GovLab, the initial outrage of the public was directed only at the ministries that provided open data on their extravagant bonuses; not the ones that didn't reply [10]. Through the educational outreach of Georgian civil society it was emphasized that the ministries who did not provide open data on salaries and bonuses were also hiding something, and public scrutiny should be focused on them even more than the ones that did reply. The end result of making bonus and salary information available on OpenData.ge, along with the "naming and shaming" of public sector actors implicated in the bonuses led to legislative changes. Salaries were raised in compensation, but the amount was far less than the previous bonuses [10].

While anecdotal successes like the one above are important, the sustainability of OpenData.ge ultimately relies on bridging the "digital divide." It is a simple concept: without Internet access, there is no other way for a Georgian citizen to digitally access OpenData.ge. For a country of diverse mountainous topography, this is a challenge. According to the World Bank, only 43 out of 100 Georgian citizens have access to the Internet [14]. Another study produced by IDFI in 2013 observed that Internet accessibility is concentrated in the capital city of Tbilisi, where nearly a quarter of the population lives [5]. This disproportionately affects citizens who live in rural areas of Georgia and as a result, they are isolated from participation and engagement in the FOI process. In order for OpenData.ge to expand its participatory net, Internet accessibility in Georgia will have to improve over the coming years.

5. Conclusion

For Georgia, the path towards democracy and anti-corruption initiatives can be furthered by open data being at the forefront of reform. Progress should continue for public institutions moving towards proactive disclosure of open data online. Once proactive disclosure occurs on a consistent basis, the need for OpenData.ge will diminish, but in the meantime, OpenData.ge is a highly valuable ICT asset for monitoring corruption in the public sector. Currently, the project cycle for OpenData.ge expires in 2015. This is a monumental date since the project year of 2013-2014 showed a 27% reduction in public sector actors responding to FOI requests, including a 26% increase in FOI requests ignored [4]. After the 2012 parliamentary elections, the political willpower of reform-minded bureaucrats and parliamentarians has waned. This is an unfortunate development, but it highlights the long-term relationship that must be maintained between the public sector and stakeholders of OpenData.ge.

Without continual cultivation, the quality and quantity of public information will suffer, and as a result, the opportunity to engage in corrupt activities without being caught will only increase.

Bibliography:

[1] BENDAVID, N., Georgian Prime Minister IrakliGaribashvili Says His Country Still
    Committed to Europe, in: The Wall Street Journal, (2014)

[2] DARCH, P., UNDERWOOD., P. J., in: Freedom of Information and the Developing
    World: The Citizen, the State and Models of Openness. (2009)

[3] GEORGIAN YOUNG LAWYERS' ASSOCIATION., Meeting the Obligation to Disclose
    Public Information by Public Entities, in: Studies/Analyses, URL:https://idfi.ge/en/study-
    disclosure-of-public-information-by-gyla (As of 7/4/2015)

[4] INSTITUTE FOR DEVELOPMENT OF FREEDOM OF INFORMATION., Access to
    Information in Georgia 2014, in: Studies/Analyses, URL:
    https://idfi.ge/en/open_data_report_2014. (As of 9/3/2015)

[5] INSTITUTE FOR DEVELOPMENT OF FREEDOM OF INFORMATION., Statistics of
    Internet Users in Georgia, in: News, URL:http://idfi.ge/en/statistics-of-internet-users-in-georgia-
    2013 (As of 7/4/2015)

[6] JANGHAVA, C., TUSHURASHVILI, G., Access To Public Information In Georgia, in:
    Informational Bulletin Number Five, URL:
    http://www.osgf.ge/files/2013/publikaciebi%202013/En-2013_report_opendata.pdf
    (As of 9/3/2015)

[7] KARKLINS, R., Typology of Post-Communist Corruption, in: Problems of Post-
    Communism. Vol. 49 (2002).

[8] KATZENSTEIN, S., Reverse-Rhetorical Entrapment: Naming and Shaming as a Two Way Street,
    in: Vanderbilt Journal of Transnational Law. Vol 46 (2013)

[9] KLDIASHVILI, G., Georgia Adopts Standards About Proactive Disclosure, in:
    What's New, URL: http://www.freedominfo.org/2012/06/georgia-adopts-standards-about-
    proactive-disclosure/ (As of 9/3/2015)

[10] KLDIASHVILI, G., How Cast: Giorgi Kldiashivili on Collecting Data to Hold
    Government Accountable in Georgia, in: GovLab Academy, URL:
    https://www.youtube.com/watch?v=Q5xPfNlKtBc (As of 7/4/2015)

[11] MILLER, J., Georgia Activists Close Ranks Online to Open Government Data, in:
Voices, URL:http://www.opensocietyfoundations.org/voices/georgia-activists-close-ranks-online-open-government-data(As of 9/3/2015)

[12] OPENDATA.GE., Make A Request, in: Make A Request, URL:
http://OpenData.ge/en/make-a-request. (As of 9/3/2015)

[13] SHEN, C., WILLIAMSON, J. B., Corruption, Democracy, Economic Freedom, and
State Strength: A Cross-national Analysis, in: International Journal of Comparative Sociology.
Vol. 46 (2005).

[14] THE WORLD BANK, Internet Users Per 100 People, in: Data, URL:
http://data.worldbank.org/indicator/IT.NET.USER.P2(As of 9/3/2015)

[15] TRANSPARENCY INTERNATIONAL., Corruption Perceptions Index 2014, in:
Research, URL: http://www.transparency.org/cpi2014/results. (As of 9/3/2015)

[16] TRANSPARENCY INTERNATIONAL., Georgia, in: Corruption by
Country/Territory, URL:http://www.transparency.org/country#GEO(As of 9/3/2015)