

PROACTIVE DISCLOSURE OF PUBLIC INFORMATION ON GEORGIAN PUBLIC INSTITUTIONS WEBSITES



2021

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Main Findings

- Since 2013, the Georgian government has not taken any significant steps to improve the standard of proactive disclosure of information;
- As of September 2021, 13 out of 124 monitored public institutions did not have websites;
- 13 public institutions also did not have a public information section on their website or did not publish any information in this section;
- In 2021, the average compliance rate of proactive accessibility of public information is 56%, which is 1% higher than in 2020 and it is 15% lower compared to the same indicator of 2014;
- In 2021, only 6 public institutions (Parliament of Georgia, Ministry of Internal Affairs, National Statistics Office, Supreme Council of Adjara Autonomous Republic, Financial-Analytical Service, National Center for Education Quality Development) had perfect (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 (31%) and the Ministry of Foreign Affairs of Georgia (36%);
- Following the monitoring by IDFI conducted in 2020, an additional 7 agencies ensured the creation of a public information section on the website and the publishing of certain information.
- Compared to 2020, 6 out of 14 central public institutions have worsened the rate of proactive disclosure of information;
- As compared to 2020, the overall compliance rate in central public institutions has decreased by 4%, in the public institutions of the Autonomous Republic of Adjara - by 19%, and in 1% of government-affiliated and other independent agencies;
- As compared to 2020, the overall compliance rate in subordinate entities and legal entities under public law improved by 4%. Nevertheless, half of them had published less than 50% of the information required to be published proactively on their websites;
- The most problematic issue remains the publication of information related to the management of finances;
- None of the evaluated public institutions had published information in open formats (CSV or XML). 29 public institutions had published specific financial information in the Excel format;
- The archives of proactively published information in the past years were accessible on the websites of only 60 public institutions.

Introduction

Proactive disclosure of public information is one of the most significant commitments taken by Georgia within the framework of the Open Government Partnership (OGP).

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 to be improved 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 provided by 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. It is important to mention that IDFI's multiple research projects revealed that most public institutions were unable to ensure the proper fulfillment of the minimal obligations imposed by the government decree.

The need to improve the standard set by the government of Georgia has become even more apparent in the light of current events when properly informing the public has become one of the most important mechanisms for preventing the spread of the virus. At the same time, against the background of the crisis, the risks of opaque and irrational management of budget funds have increased significantly. Restrictions on the provision of public information under the state of emergency in the country, as well as procurements made without tender procedures due to the current situation, etc., have significantly contributed to the increase in such risks. Taking into account the main challenges in the country as well as international practice, IDFI has developed a list of information that can be proactively published by public institutions during the Covid-19 crisis. Despite the importance of the issue, so far, no changes have been made to the existing standard for proactive disclosure of information. Accordingly, under the present report, no changes have been made to the methodology for the study of proactive access to public information. Accordingly, no changes have been made to the proactive access research survey methodology implemented under this report.

The report assesses the proactive availability of public information in Georgia as of **September 2021** 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 report also includes ratings of proactive transparency of public institutions.

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 NGOs, the Government of Georgia adopted Resolution 219 of August 26, 2013, on "Electronic Request and Proactive Disclosure of Public Information". The decree came into force on September 1, 2013, and public institutions in the field of governance were assessed to create "public information" websites and publish information on the e-government appendix to their e-resources by December 31, 2013.

The Methodology of Assessment of Proactive Disclosure of Information

According to the resolution of the Government of Georgia, the information published quarterly is published within one month after the end of the quarter, and the information published annually is published within three months after the end of the year. Accordingly, during the monitoring period (August-September 2021), the institutions should already have published the following information on their websites:

- **Annual Information** - Full data of 2020
- **Quarterly Information** - Full data of 2020 and the data of I and II quarters of 2021
- **Data that requires an update in case of certain changes** - the newest data

The methodology of assessment is fully based on the list of information that is required to be published proactively by the decree of the Government of Georgia and assesses to what extent the information is published by public institutions and to what extent it meets the obligations outlined in the resolution, both in terms of content and periodicity. 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-clauses 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 provided by 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) **Subparagraphs 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) **Subparagraph 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) **Subparagraphs 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 No. 15 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 N4 of 22 April 2014 of the chairman of the National Intellectual Property Center of Georgia.

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. These agencies were evaluated by the following legal acts according to each paragraph related to the 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 N99 of the Supreme Council of Autonomous Republic of Adjara of March 20, 2014;
- **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 The Government of Georgia Resolution N219 of August 26, 2013, of the Government of Georgia, applies to the Administration of the Government of Georgia, the Ministries, the Office of the State Minister, the State Subsidiary Institution, legal entities of public law operating in the Ministry's field of governance, and the special-purpose body of the executive branch subordinated to the Georgian government.

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

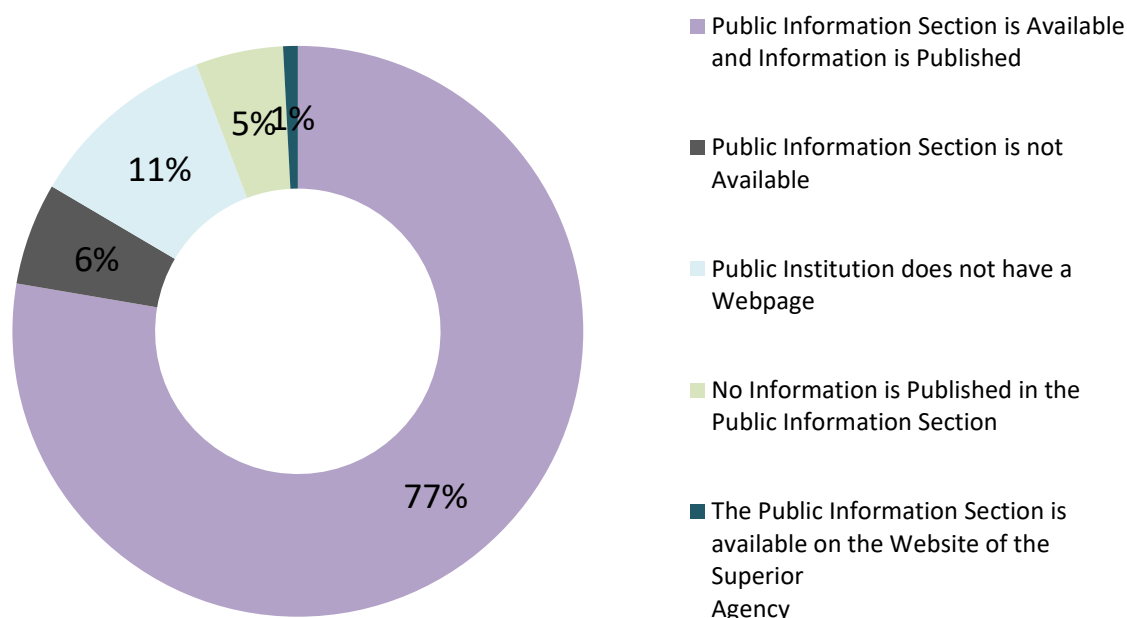
Statistics of Proactive Disclosure of Information

In August and September of 2021, 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:

- **Parliament of Georgia**
- **The Administration of the President of Georgia**
- **Administration of the Government of Georgia**
- **12 – Ministries/Office of the State Minister**
- **83 - LEPL and subordinate institutions under the Ministry**
- **17 – Other independent agencies and agencies accountable to the Government of Georgia**
- **Supreme Council of Autonomous Republic of Adjara**
- **Office of the Government of Autonomous Republic of Adjara**
- **4 – Ministries of the Autonomous Republic of Adjara**

Out of 121 monitored public institutions, 13 agencies did not have websites at all, in 7 cases no public information section was available on the website, and in the cases of 6 agencies, there was no information published on the public information page. One agency 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 the information was proactively published on the website of the remaining 94 public institutions (among these, the rules and standards for proactive disclosure of public information of two agencies was introduced/renewed by an internal legal act from 2021, therefore IDFI refrained from evaluating these agencies until the end of the reporting year).

Website Monitoring Results



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 was not able to create a website within the bounds of the monitoring period.

Among the subordinate agencies, a major part were newly established/reorganized agencies, whose websites were not yet created or public information was not yet made available during the monitoring period. For example, in 2020, LEPL Digital Governance Agency, which is the subordinate body of the Data Exchange Agency and LEPL Smart Logic, was created. The website of the LEPL Digital Governance Agency had not been created during the monitoring process. After the transformation of the Ministry of Corrections and Probation into a special penitentiary service in 2018, the relevant information was no longer published in the Public Information Department and the website again indicates that it is operating in test mode.

There were also cases when the public information department of certain LEPLs was not available during the monitoring process due to technical work or other reasons. For example, the information system of the Education Management Information, as well as the documents placed in the Public Information Department of the Department of Environmental Supervision, could not be accessed during the monitoring process.

Similar problems are also identified with other independent agencies and agencies accountable to the Government of Georgia. For example, in 2019, a deliberative body of the Prime Minister of Georgia, the National Security Council, was established, the website of which has a public information section, although only the means of requesting public information electronically is placed on the mentioned page.

No Information Has Been Published/Updated in the Public Information Section Or Public Information Page was Disconnected During the Monitoring Process

1	Special Penitentiary Service
2	Office of the National Security Council
3	Education Management Information System
4	The State Sub-Agency Department of Environmental Supervision
5	State Agency of Oil and Gas
6	STC Delta

Do Not Have a Public Information Section on the Website

1	Eurasian Transport Corridor Investment Center
2	Levan Mikeladze Diplomatic Training and Research Institute
3	LEPL - Zurab Zhvania School of Public Administration
4	Georgian National Film Center
5	Creative Georgia
6	State Agency for Religious Issues
7	State Language Department

Do Not Have a Website

1	Ministry of Culture & Sports
2	National Agency for Crime Prevention, Execution of Non-custodial Sentences and Probation
3	Vocational Training and Training Center for Convicts
4	Digital Governance Agency
5	Emergency Coordination and Emergency Assistance Center
6	State Employment Promotion Agency
7	Labour Inspection Office

8	Anaklia Deepwater Port Development Agency
9	Market Surveillance Agency
10	Bureau of Cyber Security
11	Military Hospital of the Ministry of Defense
12	Government Special Liaison Agency
13	State Security Agency

As of September 2021, the average rate of proactive availability of information among public institutions that have published public information on their websites (a total of 92 public institutions) in accordance with the resolution was at 56%. Therefore, these agencies only fulfill half 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 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 publication of public information by the central public institutions of Georgia (Parliamentary Office, Government Administration, Ministries) range from 31% to 100%. Among them, the highest (100%) rate was reached by the Parliament of Georgia and the Ministry of Internal Affairs.

The 100% result of the Parliament of Georgia was obtained according to the proactively published list approved for the Parliament of Georgia, where important information related to the functional activities of the Parliament are defined for mandatory publication.

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

Among the central public institutions, the Ministry of Defense of Georgia (97%) and the Ministry of Education, Science, Culture, and Sports of Georgia (93%) also hold the leading positions in terms of proactive publication of information. It is commendable, that these ministries have taken into account the recommendations developed by IDFI as early as 2014 and provided the detailed publication of certain categories of data. For example, in the case of both ministries, information on remuneration and business trip expenses are presented separately, according to the individual expenditure category for each official, instead of the total

data required for publication. 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.

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Among the central public institutions, the Administration of the Government of Georgia (31%), the Ministry of Foreign Affairs (36%), and the Office of the State Minister of Georgia for Reconciliation and Civic Equality (38%) have the lowest rates of proactive disclosure of information.

The lowest rating of the Administration of the Government of Georgia among central public institutions is particularly problematic, e.g. **much of the information on public procurement and finance on the government website has not been updated since 2014**. Therefore, since 2014, the Administration of the Government has not actually fulfilled the obligations set out in the resolution of the Government of Georgia.

The fact of the restriction of access to Georgian government ordinances after the outbreak of the pandemic is of particular note. In particular, after March 19, 2020, the publication of the decrees on the website of the Government of Georgia was stopped. (Only a small number are available on the website of the Legislative Herald). In September 2020, IDFI's request for a government decree was also left unanswered, after which, on December 18, 2020, IDFI appealed to the Tbilisi City Court. Unfortunately, the case is being conducted with significant delays and the trial has not been scheduled yet. The cessation of the publication of the decrees of the Government of Georgia on the website is probably related to their content. Such an approach runs counter to the principles of public administration and accountability.

It is noteworthy that the Administration of the Government is the main coordinating body in the fight against the pandemic and therefore one of the most important sources of information for citizens. In addition, from 2019, the function of the Government of Georgia is to coordinate the membership of Georgia in the Open Government Partnership (OGP) at the national and international levels. These circumstances give the Administration of the Government of Georgia a special responsibility to uphold the principles of accountability and transparency.

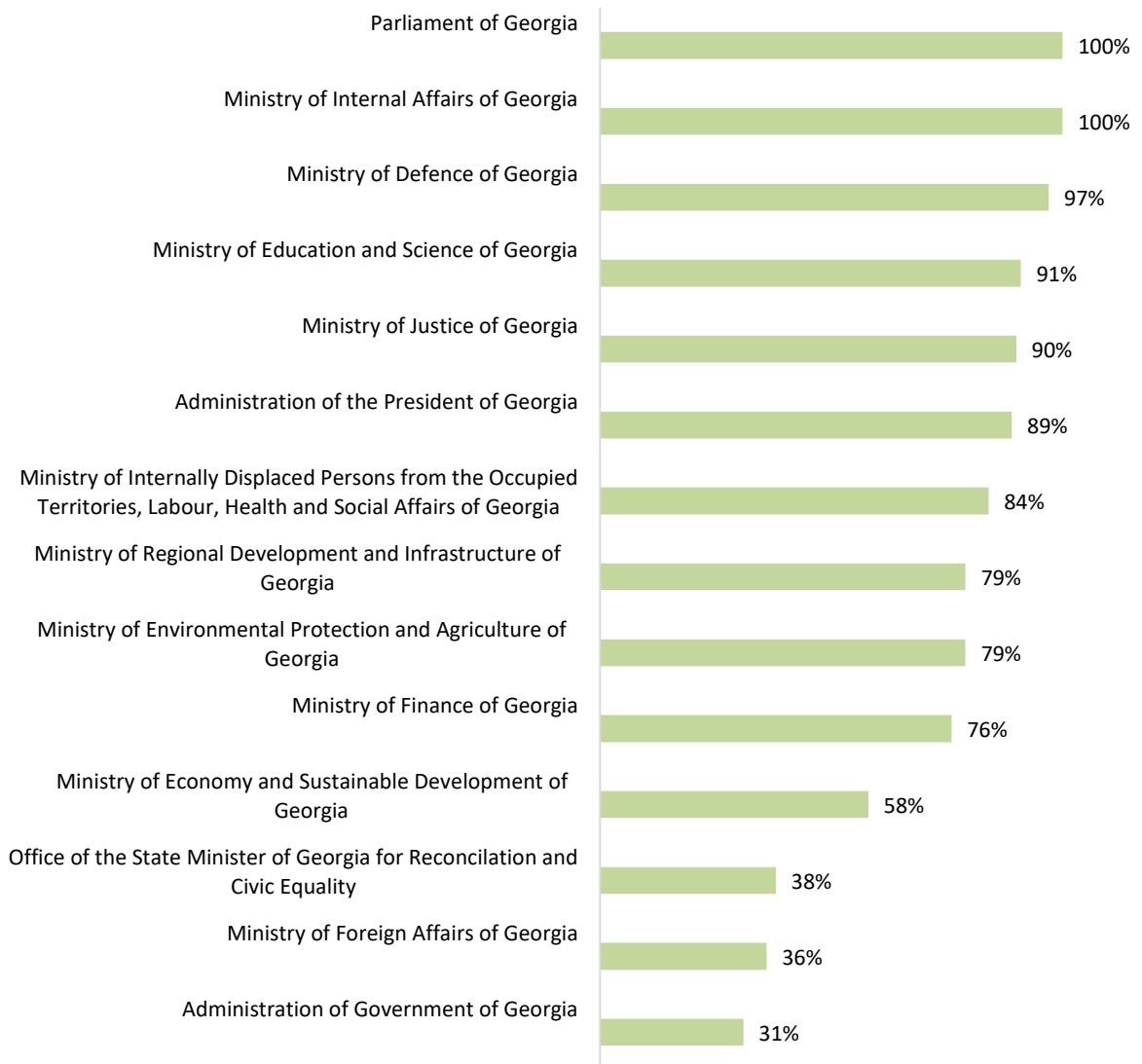
The low rate of proactive transparency of the Ministry of Foreign Affairs is largely due to the fact that most of the financial information is unavailable, with the most recent data published in the second quarter of 2019. In the case of the Office of the State Minister for Reconciliation and Equality, financial information has not been updated since the second quarter of 2020.

The compliance rates for other central public institutions range from 58% to 90%. Given the monitoring period, one of the reasons for the delay in proactive disclosure of information may be force majeure situations created in the work process during the Covid-19 pandemic. However, some agencies had stopped publishing a number of financial and other categories of data prior to 2019 at different times, so the delay in publishing data in the case of these agencies has less to do with pandemic crisis situations. **For example, the Ministry of Economy and Sustainable Development has not published information on vehicles and real estate, fuel costs, vehicle maintenance, telecommunications costs, and grants received on the balance sheet since 2016. The Ministry of Finance has not published information on the privatization and transfer of state property since 2014, and on advertising expenditures after 2019. The Ministry of Health has not updated information on advertising expenditures since 2015.**

The practice of proactive publication of public information of the Administration of the President of Georgia was also assessed within the framework of the monitoring efforts. The guidelines for proactive disclosure of public information by the Administration of the President of Georgia was established by Order No. 692 of September 2, 2013, which is a shortened and significantly modified version of the standard act by the Government of Georgia. The list of the Government of Georgia contains 35 categories of information, and in the case of the President's Administration only - 18. For example, the Administration of the President of Georgia is not obliged 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.

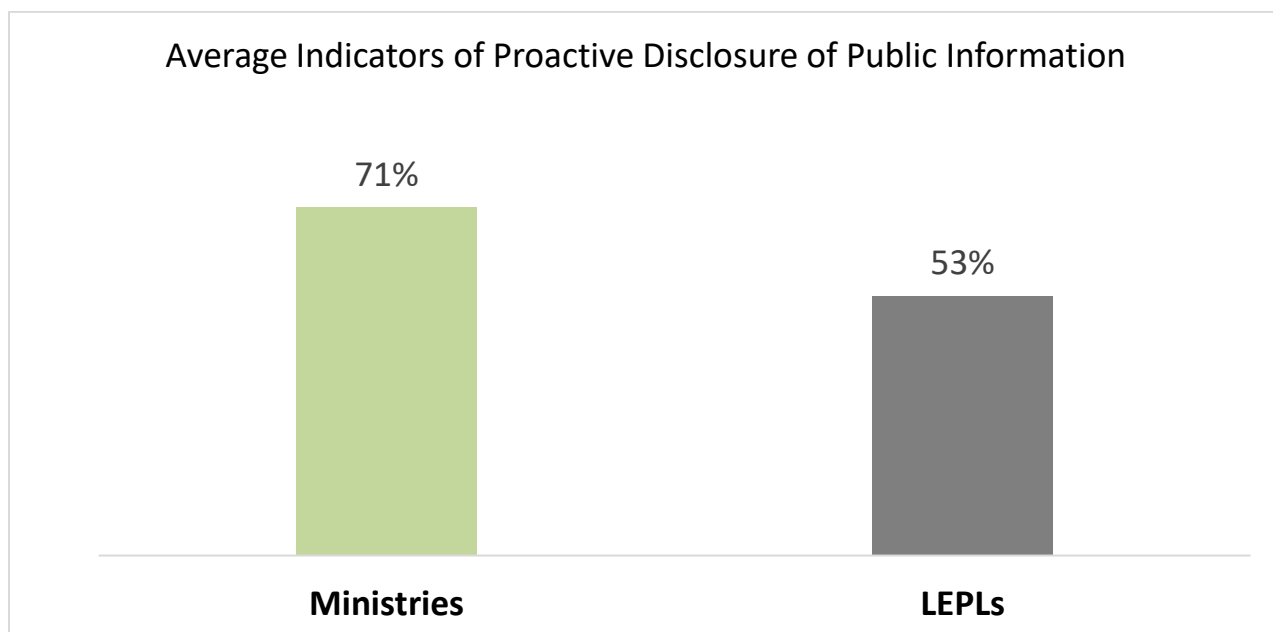
According to IDFI, 89% of the mandatory proactively published information was presented on the website of the Administration of the President of Georgia during the monitoring period.

Assessment of Proactive Disclosure of Public Information



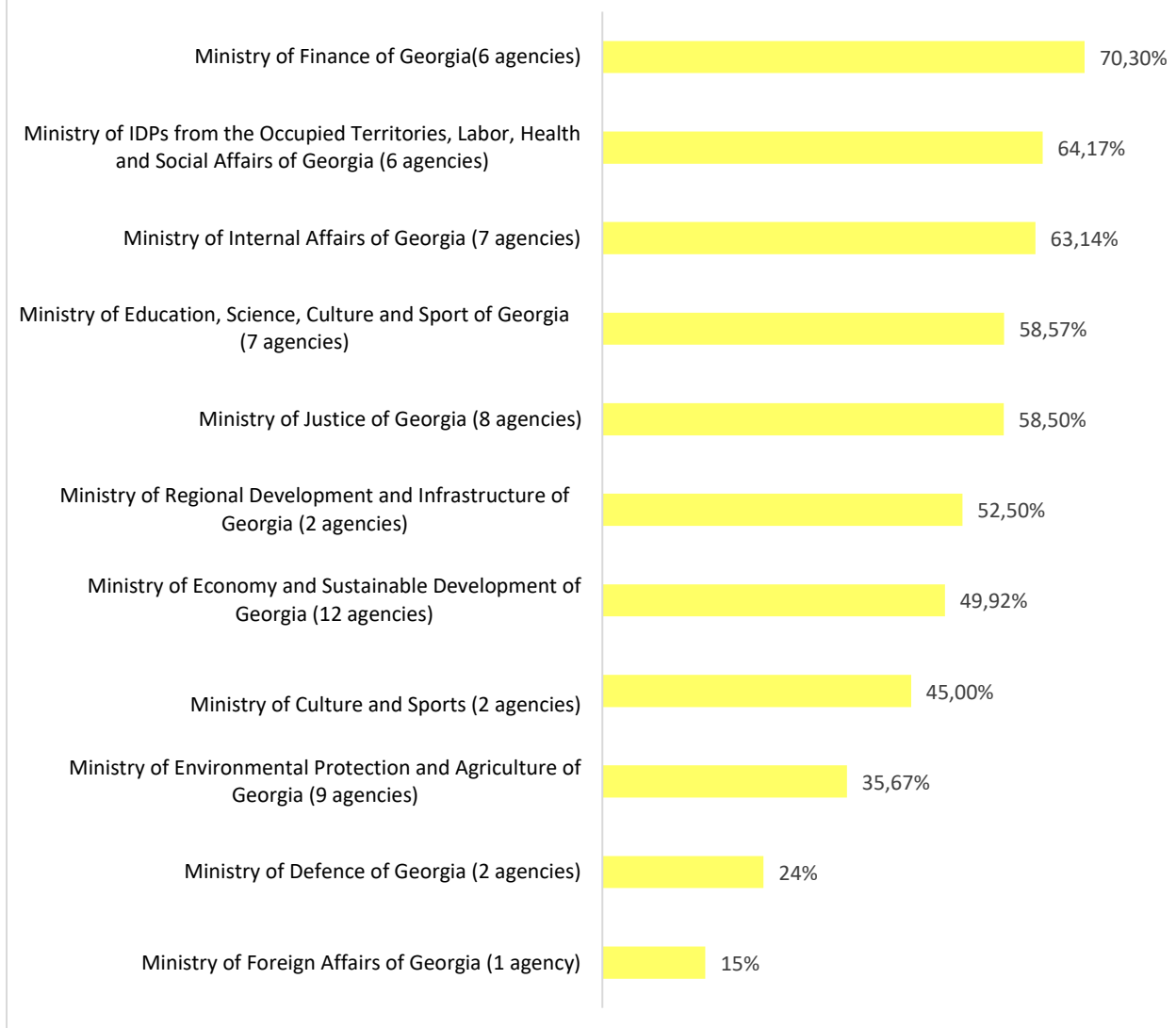
Subordinate Structures of the Ministries

The low average rate of proactive disclosure of information in public institutions (56%) is largely due to the infrequent publication of information by agencies subordinated to ministries. In particular, the average rate of publication of information by legal entities of public law and sub-institutions is 53%, while the average rate of their superior bodies is 71%.



The average rate of proactive publication of public information by the agencies subordinated to the ministries varies between 15% and 70%. The highest average rate is found within the system of the Ministry of Finance (6 agencies in total) - 70.3%, and the lowest in the Ministry of Foreign Affairs (1 agency) - 15%. 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 Publication of Public Information of Agencies Subordinated to Ministries



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

Approximately 50% 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 is not in accordance with the principles of proactive transparency. Among the legal entities that have less than 30% of public information published are agencies of high public importance and revenue, such as:

Innovation and Technology Agency - 29%, National Food Agency - 24%, National Center for Teacher Professional Development - 25%, Municipal Development Fund - 24%, Border Police - 17%, National Agency for Cultural Heritage Protection - 12%, and others.

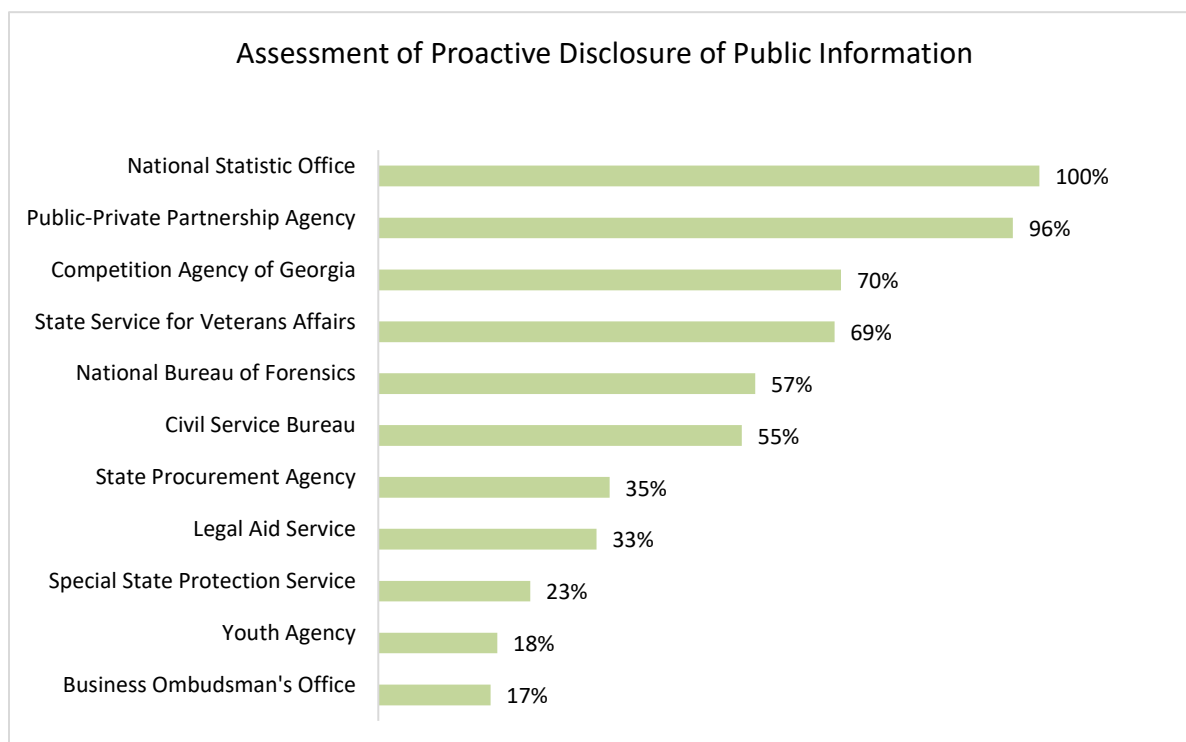
Agencies Accountable to the Government of Georgia and Other Independent Agencies

In the framework of the monitoring efforts, IDFI additionally observed the websites of 17 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 the resolution of the government of Georgia, therefore no significant methodological changes have been made to the assessment. The rules and standards for proactive disclosure of public information in two agencies, the State Inspector's Office and the National Center for Intellectual Property, have been introduced/renewed by an internal legal act in 2021 and proactive disclosure of information has begun in accordance with these decrees. IDFI refrained from evaluating these agencies until 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%) and the Public Private Partnership Agency (96%). It is noteworthy that the National Statistics Office has additionally provided detailed publications of some categories of data. 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, which reflects the grant, purpose, term of the agreement, the value of the agreement, and detailed information about the amount of the grant utilized throughout the reporting year.

The figures for the rest of the agencies range from 17% to 70%. Among the lowest ratings were the Office of the Business Ombudsman (17%) and the Youth Agency (18%). These agencies have published only the general information related to the activities of the agency and the availability of public information.

In the case of other agencies, access to financial information is limited to a significant degree. For example, the Special State Protection Service, the State Procurement Agency, and the Legal Aid Service have not published any financial information of this type.

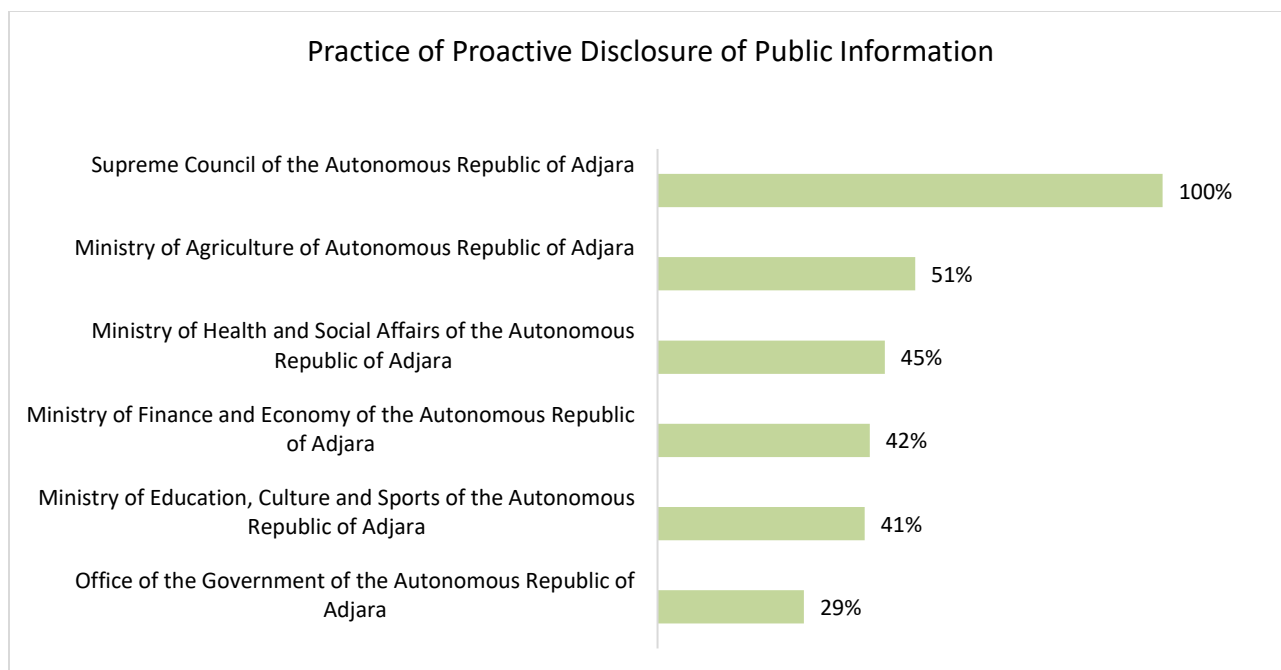


Public Institutions of the Autonomous Republic of Adjara

As part of the 2021 monitoring, IDFI additionally monitored the websites of 6 public institutions of the Autonomous Republic of Adjara (Supreme Council of the Autonomous Republic of Adjara, Government Office, and 4 Ministries).

According to the results of the monitoring, among the 6 assessed agencies, the highest rate of proactive disclosure of information was found in the Supreme Council of the Autonomous Republic of Adjara - **100%**. The Supreme Council of the Autonomous Republic of Adjara was evaluated according to the proactively published list approved by them on March 20, 2014, which requires the publication of 28 different categories of information. The mentioned list is a modified version of the resolution of the Government of Georgia due to the specifics of the activities of the Supreme Council. However, in most cases, the standard set by the Georgian government is maintained.

The information provided by the Office of the Government of the Autonomous Republic of Adjara and the Ministries is proactively published on the Unified Portal of the Government of Autonomous Republic of Adjara, where a separate public information section has been established for each agency. For these agencies, the list of proactively published information is defined by the Resolution N23 of the Government of the Autonomous Republic of Adjara 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 Agriculture of the Autonomous Republic of Adjara had the highest rate among them – 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:

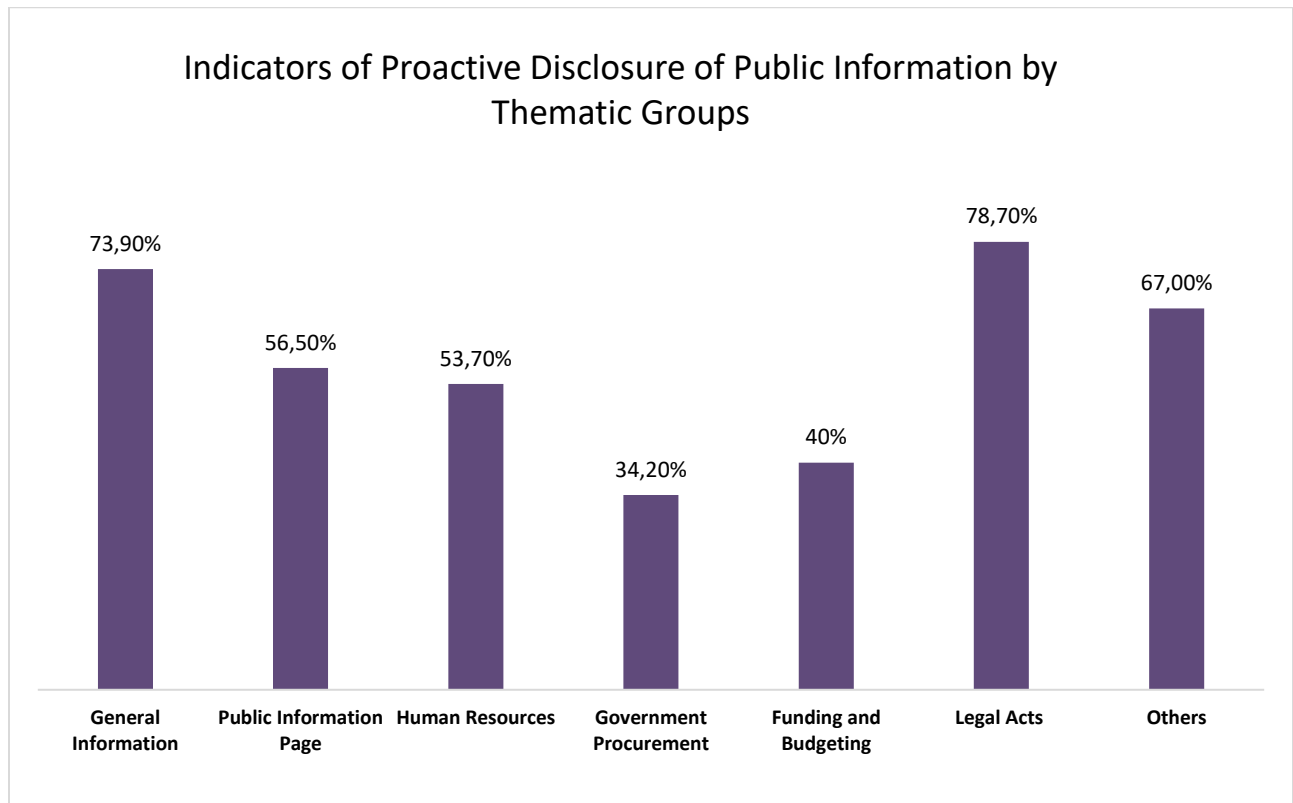
- 1) General information about the administrative body (6 sub-paragraphs);
- 2) Public Information page (5 sub-paragraphs);
- 3) Information on the staffing of the administrative body (3 sub-paragraphs);
- 4) Information on public procurement and privatization of state property carried out by the administrative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

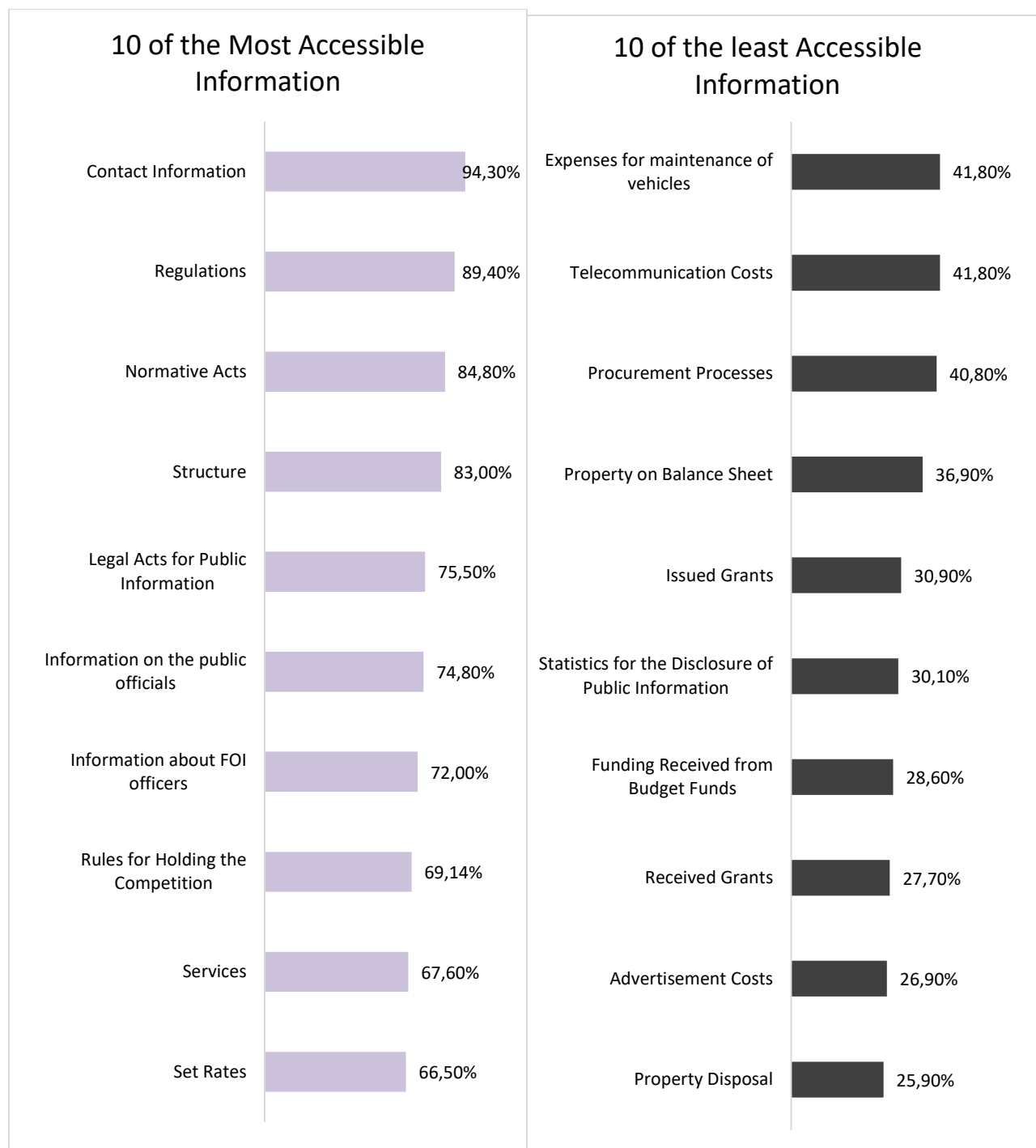
According to the monitoring results, the most problematic issue among public institutions is the publication of information related to the disposal of administrative funds. For instance, the overall rate of proactive disclosure of information regarding procurements and privatization of property is at 34,2% and funding and costs – 40%. In these groups, according to separate points, the most problematic was publishing information regarding the properties privatized by the public institutions (25.9%). A low rate of proactive disclosure of information was also observed in case of the advertisement costs - 26.9%, grants received – 27.7%, financing received from budget funds - 28.6%, grants issued – 30.9%, and real estate on the balance sheet- 36.9%.

Among the 10 most problematic categories of information for public institutions, in addition to financial data, was also statistical data regarding public information requests. (30.1%).

Public institutions publish the most proactively the information within the category of legal acts and general information, for the most part, 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 (94.3%), rules and regulations (89.4%), normative acts (84.8%), and agency structure (83%).





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 archive.

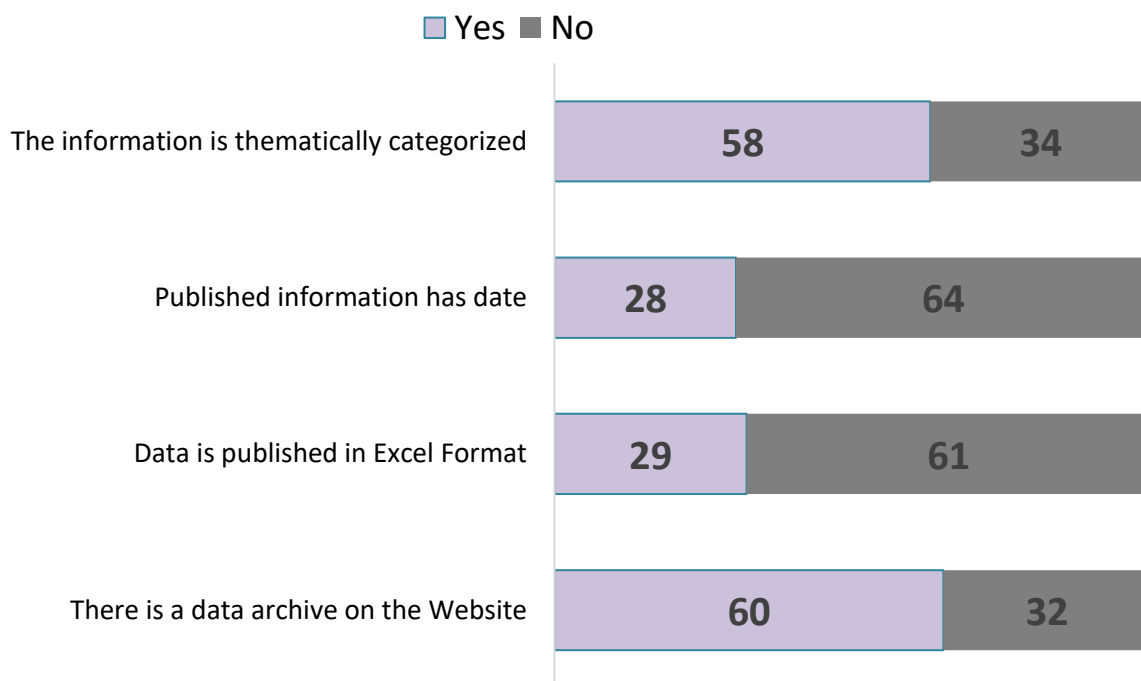
According to the resolution of the Government of Georgia, institutions are obliged to publish on the page of public information only the points enumerated in Part 2 of the list of proactively published information, which is directly related to the availability of public information. As for other types of information, the resolution allows the 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, 58 out of 92 public institutions had fully published data in the public information page thematically.

Public institutions are obliged to indicate the date of publication of information published on the website. Only 28 of the studied institutions had fulfilled this obligation.

The guidelines of proactive publication of public information do not limit public institutions in terms of the format of published data. Given the international good 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 CSV or XML format was not observed, which would have contributed to the further development of DATA.GOV.GE, the open data portal of Georgia. PDF files are mainly used to publish both financial and other information from the studied institutions. However, only 29 public institutions had published some financial information in the Excel format.

The rules of storing/archiving data on the data websites are not regulated by the legal acts regulating the proactive publication of information. Consequently, after the publication of the 2019 data by the public institution, it is not restricted to take down the information published proactively on the website in 2019 or any previous year. Data from previous years were preserved on the websites of 60 of the public institutions monitored. In other cases, only the updated data for a specific period was kept online.

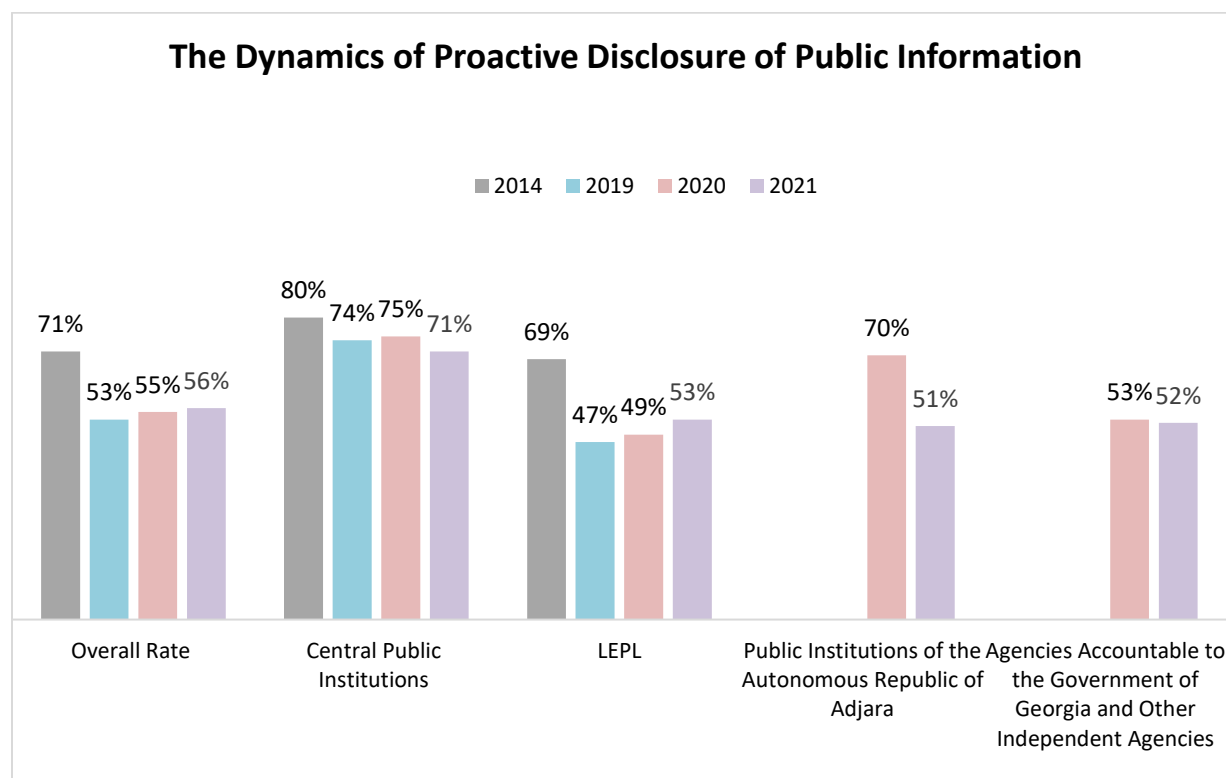
Other Issues related to Proactive Disclosure of Information



Dynamics of Proactive Disclosure of Information

IDFI also conducted the monitoring of the proactive disclosure of public information in 2014, 2019, and 2020. This year, monitoring was conducted using a similar methodology. This provides for an opportunity for comparative analysis. According to the results of the study, in 2021, the proactive availability of public information in public institutions improved by only 1% compared to the previous year. The increase in the overall rate of access to information in public institutions compared to the previous year was significantly facilitated by the 4% improvement in the overall rate among the agencies subordinated to the Ministries. In the case of all other groups, the rate of proactive access to information has deteriorated somewhat compared to the previous year. For example, the overall rate in central public institutions decreased by 4%, in public institutions of the Autonomous Republic of Adjara - by 19%, and by 1% in government-affiliated and other independent agencies. The share of agencies under the ministries among the research objects is 67%, therefore the improvement of their overall indicator by 4%, against the background of the deterioration of the indicators of all other groups, ensured that the overall indicator remained at the level of the previous year.

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 accountability. For example, according to the 2014 monitoring results, about a year after the entry into force of the government decree, the overall rate of public institutions was 71%, which is 15% higher than the corresponding figure for 2021.

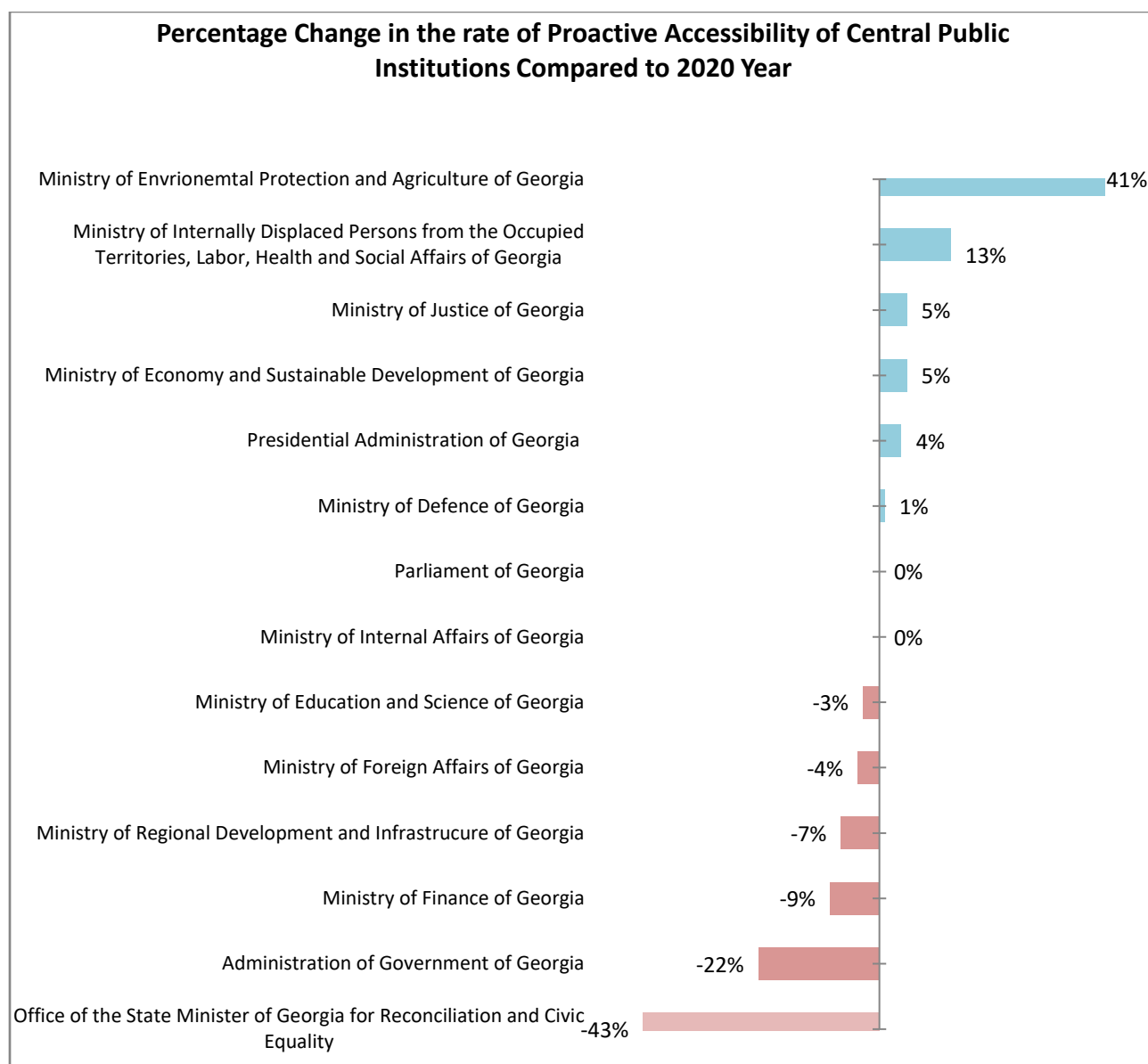


Note: In 2014 and 2019, public institutions of the Adjara Autonomous Republic and LEPLs accountable to the government were not monitored.

Among the central public institutions of Georgia, the Ministry of Environment and Agriculture (+41%) and the Ministry of Health (+14%) were the ones that improved the proactive availability of information the most as compared to 2020. In 2020, the proactive access to information rate of the Ministry of Environment and Agriculture was at only 38%, and it ranked last among central public institutions. In 2021, its rate increased to 79%.

Among the central public institutions, the 2020 figure deteriorated the most in the following: Office of the State Minister of Georgia for Reconciliation and Civic Equality (-43%) and the Administration of the Government of Georgia (-22%).

The deterioration in the Office of the State Minister for Reconciliation and Civic Equality is attributed to the fact that financial information has not been updated since the second quarter of 2020, while in the case of the Administration of the Government, access to public information statistics and staffing has been limited this year.



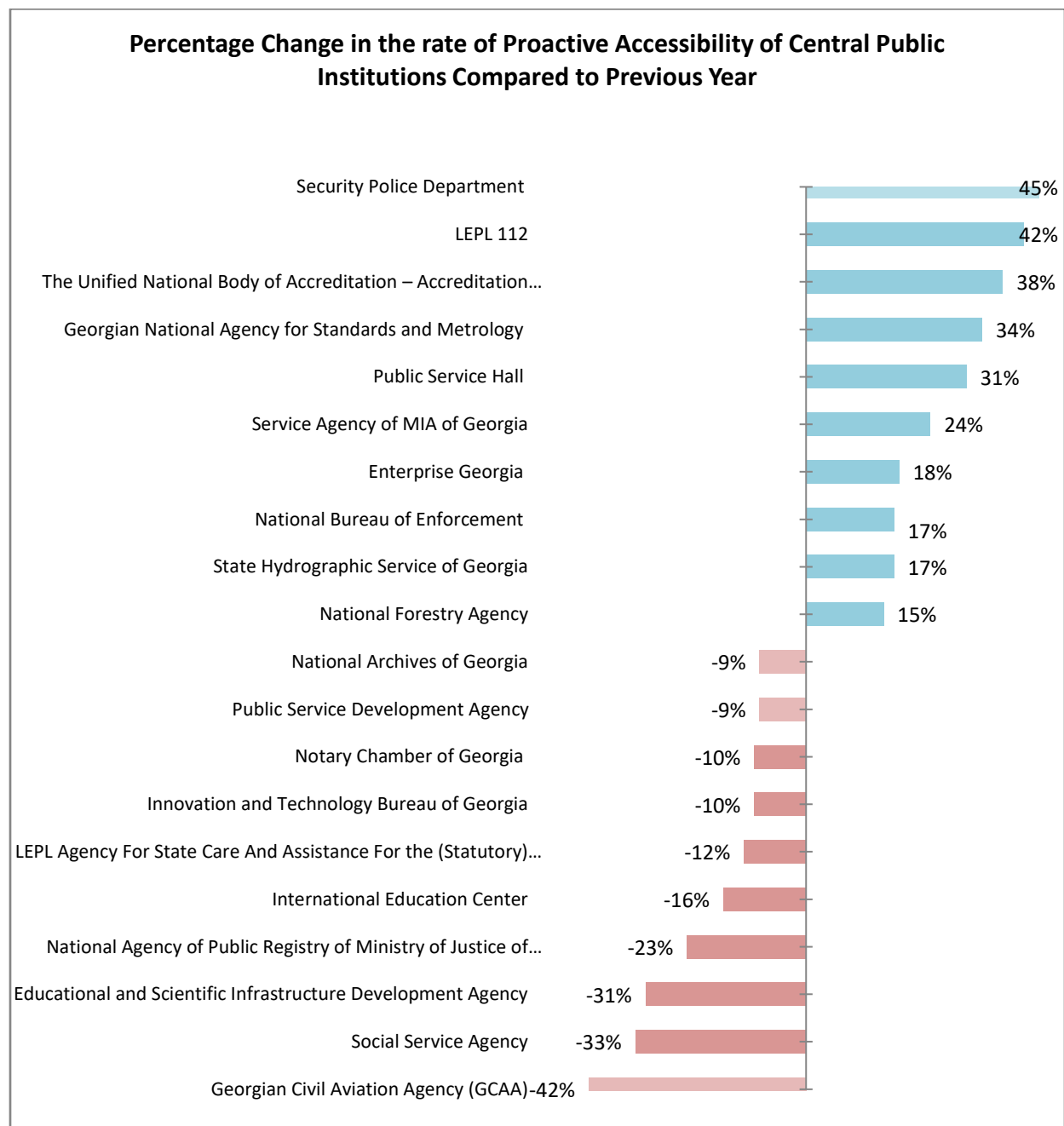
In 2021, out of 62 agencies subordinated to the ministries, 29 improved the figure compared to the previous year, 9 agencies received the same rating, and 26 showed a deteriorating rate.

The Security Police Department and LEPL 112 improved the rate of proactive access to information by 45% and 44%, respectively: the largest improvements among the agencies subordinated to ministries. Among the 10 agencies subordinated to the ministries that improved their proactive disclosure rate the most in 2020, 3 are subordinated to the Ministry of Internal Affairs, 4 to the Ministry of Economy and Sustainable Development, 2 to the Ministry of Justice, and 1 to the Ministry of Environment Protection and Agriculture.

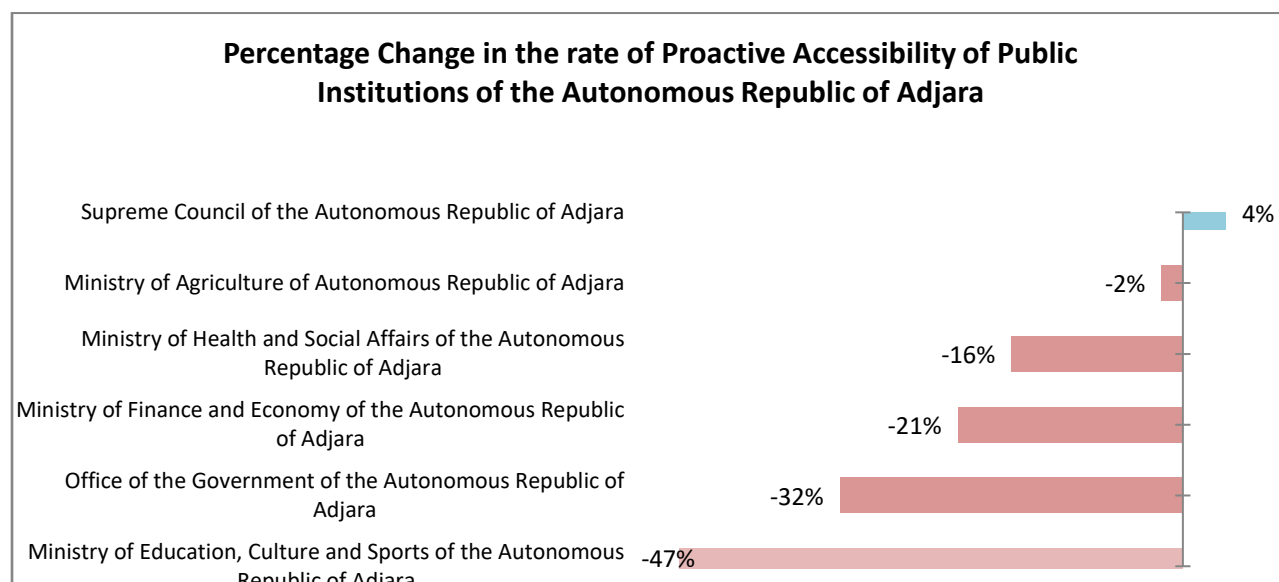
The Civil Aviation Agency (-42%) stands out in terms of worsening proactive disclosure figures. The significant deterioration in the agency's performance is likely to be related to the creation of a new agency website, where important updated information could not be posted at the time of monitoring. Additionally,

the rate of information disclosure deteriorated significantly in the Social Service Agency (-37%) and the Educational and Scientific Infrastructure Development Agency (-31%).

Among the 10 agencies subordinated to the ministries that demonstrated a decreased rate of proactive disclosure of the information the most in 2020, 3 were subordinate to the Ministry of Economy and Sustainable Development, 2 to the Ministry of Justice, 2 to the Ministry of Health, and 2 to the Ministry of Education and Science.



Among the public institutions of the Autonomous Republic of Adjara, the only agency that improved the information disclosure rate compared to the previous year, by 4%, thus reaching the maximum result of 100%, was the Supreme Council of the Autonomous Republic of Adjara. In the case of the government and ministries of Adjara, the deterioration rate ranges from -2% to -47%. Among them, the rate of the Ministry of Education, Culture and Sports of Adjara deteriorated by -47%, while the rate of the Government of Adjara worsened by -32%.



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 stakeholders during the previous monitoring period in 2020 and have taken effective steps to address these issues. A total of 7 agencies were identified during the monitoring effort that, as of May 2020, did not have their own website and/or did not have a public information department, but as of 2021, had already been provided proactive access to certain information. Out of the mentioned 7 agencies, 4 belong to the category of agencies accountable to the Government of Georgia and other independent agencies.

For example, the Public-Private Partnership Agency did not have its own website during the 2020 monitoring effort, and by the 2021 monitoring period, its new website had a public information section and its proactive disclosure rate was estimated at 96%. The Office of the State Inspector and the National Center for Intellectual Property, which as of 2020 did not have a public information section on its website, adopted a new resolution on proactive disclosure of information and began publishing information.

Agencies that Began Proactive Disclosure of Public Information After the 2020 Monitoring by IDFI		
Public Institution	Status of 2020	Results for 2021
Public-Private Partnership Agency	Did not Have a Website	96%
Internally Displaced Persons, Ecomigrants and Livelihood Agency	Did not Have a Website	55%
Youth Agency	Did not Have a Website	18%
Service for Accounting, Reporting and Auditing Supervision	Did not Have a Public Information Section on the Website	60%
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
State Inspector's Service of Georgia	Did not Have a Public Information Section on the Website	New regulations were adopted and Proactive Disclosure of Public Information is in process
Emergency Coordination and Urgent Assistance Center	No information has been Published/Updated in the Public Information section	78%

Good Practices and Recommendations for Proactive Disclosure of Public Information

The monitoring results of September 2021 demonstrate that most agencies still fail to provide high standards of public information and consistent publication.

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 attitude 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.

As a result, IDFI's initiatives, such as improving the current standard of proactive disclosure of information and implementing the second wave of the reform; posting information in the open data format and committing to posting data on the open data portal - data.gov.ge; Bringing the list of information proactively published by public institutions during the Covid-19 crisis in compliance with the challenges of the pandemic, and more, remain without a proper response from the Georgian authorities.

Nevertheless, in the light of the challenges posed with regard to the proactive disclosure of public information, the steps taken by certain agencies with the purpose of improving proactive transparency in

2021 should be evaluated positively. For example, the Office of the State Inspector and the National Center for Intellectual Property have adopted a new decree on proactive disclosure of information and started publishing relevant public information on the website. Additionally, within the framework of the current monitoring, an additional 5 public institutions have been identified that, after the monitoring conducted by IDFI in 2020, ensured the creation of a public information section on the website and the publication of certain information.

In the case of specific agencies, we encounter cases of detailed breakdowns of certain categories of information. For example, on the websites of the Ministry of Defense and 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, the 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 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
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In addition to the proactive disclosure of public information, it is vital that administrative authorities provide access to other types of information that are important to the public. For instance, against the background of the crisis situation that arose due to the COVID-19 pandemic, it is crucial to ensure the maximum transparency of information related to the public expenditures during the crisis.

For instance, some agencies have published important information about the progress of the fight against the pandemic on their website. However, the form and content of its publication often do not meet the requirements of a high standard of transparency. For example, the Government of Georgia created a special website StopCov.ge that provides the public with interactive information on the progress of the pandemic, general statistics, action plans developed within the pandemic, instructions for receiving social assistance, and more. Relatively detailed statistics on the course of the pandemic are available on the websites of the Ministry of Health and the National Center for Disease Control and Public Health. However, the combination of these data does not provide maximum transparency in the fight against the pandemic, vaccinations or other related processes, which would significantly contribute to informed decision-making among the population. For instance, the lack of access to statistics of high public interest such as detailed statistics on virus deaths among vaccinated individuals, statistics on virus deaths by age group, detailed list of pandemic purchases, and more, is particularly problematic.

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 mandatory proactively published information, including defining flexible commitments in crises. Additionally:

- Public institutions should provide access to any public information of public interest based on the specifics of their activities. 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 (August-September of 2021 Monitoring Results)		
N	Public Institution	Result
1	Parliament of Georgia	100%
2	National Statistics Office of Georgia	100%
3	National Center for Educational Quality Enhancement	100%
4	Ministry of Internal Affairs of Georgia	100%
5	Financial Analytical Service	100%
6	The Supreme Council of the Autonomous Republic of Adjara	100%
7	Ministry of Defense of Georgia	97%
8	Public-Private Partnership Agency	96%
9	National Center for Disease Control and Public Health	95%
10	Treasury Service	95%
11	The Academy of the Ministry of Finance	92%
12	Agency for Regulation of Medical and Pharmaceutical Activities	90%
13	MIA Academy	90%
14	Ministry of Education and Science of Georgia	89%
15	Ministry of Justice of Georgia	88%
16	Presidential Administration of Georgia	87%
17	Security Police Department	85%
18	National Bureau of Enforcement	85%
19	LEPL 112	84%
20	Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia	82%
21	Georgian National Tourism Administration	80%
22	Roads Department of Georgia	80%
23	State Hydrographic Service of Georgia	79%
24	Ministry of Environment and Natural Resources Protection of Georgia	79%
25	Ministry of Regional Development and Infrastructure of Georgia	79%
26	National Assessment & Examinations Center	78%
27	Georgian National Center for Olympic Reserve Training	78%
28	Legislative Herald of Georgia	78%
29	Notary Chamber of Georgia	78%
30	Emergency Management Service	76%
31	Ministry of Finance of Georgia	74%
32	Shota Rustaveli National Scientific Foundation of Georgia	74%
33	Ministry of Internal Affairs Service Agency	71%
34	National Health Agency	71%
35	Environmental Information and Education Centre	70%
36	Competition Agency of Georgia	69%
37	Veterans' Cases State Department	67%
38	Public Service Hall	66%
39	LEPL Technical and Construction Supervision Agency	61%
40	The Unified National Body of Accreditation – Accreditation Center	60%
41	Service for Accounting, Reporting and Auditing Supervision	58%

42	Ministry of Economy and Sustainable Development of Georgia	57%
43	National Bureau of Forensics	55%
44	Internally Displaced Persons, Ecomigrants and Livelihood Agency	55%
45	National Wine Agency of Georgia	55%
46	National Agency of State Property	55%
47	Civil Service Bureau	54%
48	Land Transport Agency	54%
49	Georgian National Agency for Standards and Metrology	52%
50	Ministry of Agriculture of Adjara Autonomous Republic	51%
51	National Archives of Georgia	50%
52	International Education Center	47%
53	Educational and Scientific Infrastructure Development Agency	45%
54	Ministry of Health and Social Affairs of Adjara Autonomous Republic	45%
55	Revenue Service of Georgia	44%
56	Enterprise Georgia	43%
57	Ministry of Finance and Economy of Adjara Autonomous Republic	42%
58	Ministry of Education, Culture and Sports of the Autonomous Republic of Adjara	41%
59	Office of Resource Officers of Educational Institutions	40%
60	National Agency of Public Registry of Ministry of Justice of Georgia	40%
61	National Forestry Agency	39%
62	Social Service Agency	38%
63	The State Ministry for Reconciliation and Civic Equality	38%
64	Ministry of Foreign Affairs of Georgia	36%
65	Agency of Protected Areas	35%
66	Training Center of Justice of Georgia	35%
67	Public Service Development Agency	35%
68	State Procurement Agency	35%
69	National Environment Agency	33%
70	Investigation Service of Ministry of Finance of Georgia	33%
71	Maritime Transport Agency of Georgia	33%
72	Legal Aid Service	33%
73	LEPL Agency For State Care and Assistance For the (Statutory) Victims of Human trafficking	32%
74	Chancellery of the Government of Georgia	31%
75	Innovation and Technology Bureau of Georgia	29%
76	Office of the Government of the Autonomous Republic of Adjara	29%
77	National Agency for Minerals	28%
78	National Defense Academy (NDA)	28%
79	National Center for Teacher's Professional Development	25%
80	Municipal Development Fund of Georgia	24%
81	LEPL Agency Of Nuclear and Radiation Safety	24%
82	LEPL National Food Agency	24%
83	Special State Protection Service	23%
84	State Agricultural Laboratory	20%
85	Scientific-Research Center on Agriculture	19%

86	LEPL General Giorgi Kvinitadze Cadets Military Lyceum	19%
87	Youth Agency	18%
88	MIA Border Police of Georgia	17%
89	Office of the Business Ombudsman of Georgia	17%
90	Information Center on NATO and EU	15%
91	Georgian Civil Aviation Agency (GCAA)	13%
92	National Agency for Cultural Heritage Preservation Georgia	12%
93	Healthcare Service of the MIA	7%

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

1	Special Penitentiary Service
2	Office of the National Security Council
3	Education Management Information System
4	Education Management Information System
5	State Agency of Oil and Gas
6	STC Delta

Do not Have a Public Information Section on the Website

1	Eurasian Transport Corridor Investment Center
2	Levan Mikeladze Diplomatic Training and Research Institute
3	LEPL - Zurab Zhvania School of Public Administration
4	Georgian National Film Center
5	Creative Georgia
6	State Agency for Religious Issues
7	State Language Department

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	Digital Governance Agency
5	Emergency Coordination and Emergency Assistance Center
6	State Employment Promotion Agency

7	Labour Inspection Service
8	Anaklia Deepwater Port Development Agency
9	Market Surveillance Agency
10	Bureau of Cyber Security
11	Military Hospital of the Ministry of Defense
12	Government Special Liaison Agency
13	State Security Agency