Access to Open Data in Georgia

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Introduction

Public sector information is the single largest source of information. The European Commission has calculated the overall direct and indirect economic gains from using this information commercially to be around 140bn Euros. Information such as digital maps, meteorological, legal, traffic, financial, or economic data can be used by private entrepreneurs to build a wide range of useful and profitable business models on. Often, this information is generated by the public sector, but then lays dormant within government archives, inaccessible to those who would have use for it. Making this information systematically widely available benefits the development of a service society, where entrepreneurs can use, repackage, integrate this information in their weather forecast services, route planners, location-based entertainment services, or financial forecasts. Government can even create additional revenue streams from contractual partnerships, for example by preparing geodata in a way so that it can be smoothly integrated into a company's commercial application (by providing tailor-made APIs). The EU Directive 2003/98/EG of 2003 on the re-use of public sector information established a set of minimum conditions to enable the (commercial) re-use of public information within the EU Member States. It is intended to facilitate special contractual relations between public sector information providers and private sector users. Recent revisions to the Directive included new bodies in the scope of application of the Directive (e.g. libraries, museums, archives).[1]

Similar efforts take place in other regions of the world. This economic aspect of transparency has been taken on for example by the Open Government Partnership Initiative (OGP), which starts from the assumption that transparency drives economic growth, well-being and prosperity through efficient use of resources, citizen engagement and inclusive development. Showing quantitative evidence of this assumption will provide a key success factor in governments' dedication to the transparency goal. One line of OGP action consequently consists of showing how open data can be harnessed to foster better governance and provide better services. For developing countries in particular, this can provide a substantial boost to development through greater efficiency in the use of resources, such as more accountable public spending, better urban governance and better sanitation and education, among other topics.

The task of creating an Open Data system goes beyond the mere provision of public sector information. It is a next step and requires additional efforts of compiling and providing especially raw data that businesses and citizens can use to further process. Data interfaces, applications, visualizations are important to develop in order to allow the users to draw on the information and further process it in whichever way is necessary for their purposes.

The concept of open data holds a special place in open government and modern models of e-governance. One of the most important products of the open data concept is an open data portal through which publication of information held by the public service in an open, processable and accessible forms is ensured, allowing citizens, business community, media representatives, non-governmental and governmental organizations to continuously utilize the information, create applications and electronic services using the data and gain other types of benefits. Remarkable examples of implementation of this

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[1] Dr. Thomas Hart, Information Society Policy Consultant, East and Southeast Asia - https://idfi.ge/en/access-to-government-information-53

concept are open data portals of the United States federal government – www.data.gov, the United Kingdom – www.data.gov.uk and the unified platform for EU member states – www.open-data.europa.eu. With the same goals in mind, as part of the Open Government Partnership (OGP) Action Plan approved by the Government of Georgia in 2015, the Data Exchange Agency (DEA), a legal entity under the Ministry of Justice of Georgia, has created an open data portal www.data.gov.ge.

On 1 September 2015, the Institute for Development of Freedom of Information (IDFI) launched an *Open Data: Source for Changes and Innovations* project with the financial support from the Good Governance Initiative (GGI) in Georgia project of the United States Agency for International Development (USAID), within the framework of which the following study – *Access to Open Data in Georgia* – has been prepared.

Monitoring of open data published to www.data.gov.ge

Georgian public institutions currently hold large amounts of open data that they have gathered in the process of exercising their authority or use in their operations. For a state institution, open data is data that is presented in a structured, electronic format, publication of which is permitted and does not require much effort. It is noteworthy that not all published information can be labeled as open data, as open data implies that the data must be raw and primary, published in a table format (e.g. CSV, Open XML) or accessible through electronic services (application programming interface – API). It is also of critical importance that the published data be updated with a pre-determined frequency and that it reflect the most recent condition.

Currently, there is no universal and single agreed-upon policy document or international agreement that would regulate the process of providing access to open data. To monitor publication of information to the open data portal in Georgia, therefore, IDFI developed a special methodology, based on the open data accessibility standards elaborated by non-governmental organizations and think tanks as well as some of the leading governments. Building on the above-mentioned documents, IDFI has developed 11 principles of open and accessible data to guide our assessment methodology.

1. **Completeness.** Published data should be as complete as possible and should fully reflect the issue at hand. All published data should be public, except for personal data. Metadata that define and determine the data should be included in the formulation and demonstrate how the generated data has been processed. Due consideration of this principle will enable users to comprehend the content of the data in a comprehensive and detailed manner.
2. **Primary.** Open data should be the first-hand and primary source. This includes proof of authenticity of data and details on how the data were collected. This allows users to verify that the data have been collected through an appropriate method.
3. **Timeliness**. Published open data should be made accessible to the public in a timely manner. When possible, official data should be published immediately after being gathered and processed. Information is a perishable product and, therefore, a priority should be assigned to the data, time for the effective use of which is limited. Only data published in a timely manner and updated in real time can be fully beneficial to the public.

4. **Simplified physical and electronic access.** Open data held by the public service should be accessible to the fullest extent possible. Accessibility means that any information should be easily accessible physically as well as digitally. Barriers to physical access include requirements such as having to visit an appropriate institution or to go through special procedures (e.g. filling out of various forms). Barriers to electronic access include availability of data in limited formats and to concrete systems, requiring browser-oriented technologies (e.g. Flash, JavaScript, cookies and Java applets). Thus, user interface should be developed in a way to allow user access to a specific dataset as well as an option to fully download the data (also known as bulk access). Data should also be accessible through an application program interface (API).

5. **Processable.** One of the most important principles of open data is that users have a possibility to conduct their own analysis and not have to rely on the government analysis. Processability is one of the key principles, as with an increase in data volumes most interesting, informative and innovative government data applications will require computer-based search, sorting and conversion into other formats.

6. **Open format.** Data should be available in a format that would not allocate exclusive management rights to anyone. Data published under official ownership format can have some limitations. Such limitations can restrict how the data is used or disseminated, or how it can be used in the future.

7. **Non-discrimination.** This principle implies how to define who will have access to data and how the data can be used without barriers. Such barriers may include registration or membership requirements. Barriers can also arise if only limited applications can have access to data.

8. **License-free**. Procedures defining service fees, authority allocation terms, limitations on distribution and etc. are forms of barriers to using public information. Maximum openness includes marking of public information as open for any use.

9. **Permanence.** Access to open data should be stable for an unlimited time. Permanent web addresses and links allow a user distribute information citing the source. Permanent addresses are especially beneficial in regards to official government websites and electronic resources.

10. **Confidentiality and safety.** Errors in open data should be collected and corrected. Protection of open data increases public trust, engagement and confidentiality and protects national security. Open government should not mean being vulnerable.

11. **Source and credibility**. Transmission and processing of information through information systems and open computer networks require that they be protected from unsanctioned access. The published content, therefore, should be digitally signed or include a notice on date of publication/creation, authenticity and integrity.

Pursuing these principles, the project research team evaluated all 117 open data items published on www.data.gov.ge, uncovering the following results: **78.8% of data published on the website complies with these principles.** Let us examine compliance of the provided open data with each principle**.**

1. **Completeness.** 46.1% of the published data fully satisfies the first principle, and 44.5% – satisfies partially. Only 9.4% of the published data violates the first principle, in which cases the data are not complete.

2. **Primary.** 85.5% of all published data (117) fully conforms with the second principle (100%), while 14.5% does not satisfy the principle at all.

3. **Timeliness.** In terms of timeliness, 54.7% of published open data does not adhere to the third principle, 37.6% meets it only partially, while 7.7% fully complies with the principle.

4. **Simplified physical and electronic access** – all 117 open data items fully (100%) satisfy the fourth principle.

5. **Processable format.** None of the 117 open data items published to the portal satisfy the fifth principle. The main problem is that the data are available in just one format. Furthermore, in some cases the data are recorded in a way that they cannot be used for applications without an intervention from a developer and without amendments to the document.

6. **Open format**. All 117 open data entries published to the website fully (100%) satisfy the sixth principle.

7. **Non-discrimination.** All 117 open data items published to the website fully (100%) satisfy the seventh principle.

8. **License-free.** All 117 open data items published to the website fully (100%) satisfy the eighth principle.

9. **Permanence.** None of the 117 open data items published to the website adhere to the ninth principle. For example, websites of organizations responsible for the data are not provided anywhere, information on amendments and updates to the data are not available, etc. Our definition of the ninth principle details a solution to this problem.

10. **Confidentiality and safety**. All 117 open data items published to the website fully (100%) satisfy the tenth principle.

11. **Source and credibility**. None of the 117 open data items take into account the eleventh principle. The problem arises in identification of the source of data due to absence of a digital signature. Our definition of the eleventh principle details a solution to this problem.

Considering these findings, we can assert that more intensive work in regards to open data publication and its compliance with international standards on the portal is needed. This is particularly important for ensuring that the portal can provide developers, commercial organizations and experts working in the field with the data needed in the planning of business and research projects, as well as for creation of special applications. The open data portal should allow citizens, business community and other stakeholders not only to see the data provided by the state but also to use it to create innovative applications, business projects and electronic services.

Datasets maintained by public institutions

One of the main goals of the *Open Data: Source for Changes and Innovations* project implemented by IDFI is to identify databases and registers maintained by public institutions publishing of which to the open data portal should be deemed appropriate. It was also among the interests of IDFI to determine how proactive access to public institutions' databases and registers is ensured in Georgia.

For the purposes of presented research, IDFI sent freedom of information (FOI) requests to 106 public institutions (Parliament of Georgia, Administration of the Government of Georgia, 19 ministries and offices of state ministers, 63 Legal Entities of Public Law (LEPL) and sub-agencies under the supervision of ministries, 22 independent LEPLs, regulatory commissions and etc.) for the following public information:

1) **Full inventory of databases and registers maintained by the institution, along with their descriptions;**
2) **List of databases and registers published to the website of the institution.**

As part of the project, IDFI also monitored websites of 40 selected public institutions in order to determine whether the provided information on databases and registers proactively published by them was accurate and matched with the actual data accessible through their websites.

Databases identified through public information requests

Throughout the research period, IDFI sent FOI requests for inventories of their databases and registers to 106 public institutions. 93 institutions responded and 13 did not react to the FOI requests. The responses received from 93 institutions clearly indicate that perception of what constitutes a database or a register varies significantly from an institution to an institution. 15 public institutions notified IDFI that at the moment of the request the institution did not maintain any databases or registers, while 6 institutions explained that they were in process of upgrading their databases and registers, however they did not specify which databases or registers they maintained. 72 public institutions provided inventories of some databases and registers they maintained.

It is noteworthy that from the 13 public institutions that did not provide IDFI FOI with requested information on their databases and registers, **9 are the sub-agencies of the Ministry of Justice**. This is especially surprising taking into account that one of the agencies of the ministry – LEPL Data Exchange Agency (DEA) coordinates the efforts of development of databases and registers of Georgian public institutions and is responsible for development of www.data.gov.ge.

The following 13 public institutions did not respond to requests for public information on databases and registers submitted by IDFI within the scope of this research:

- *Agency for Development of State Services*
- *Legislative Herald of Georgia*
- *House of Justice*
- *National Archive of Georgia*
- *National Agency for Public Registry*
- *Training Center of Justice of Georgia*
- *Notary Chamber of Georgia*
- *Smart Logic*
- *Center for Crime Prevention*
- *Prosecutor's Office of Georgia*
- *LEPL 112*
- *Georgian Chamber of Commerce and Industry*
- *Georgia's Innovation and Technology Agency*

As has already been mentioned, as part of this study, IDFI sent FOI requests about inventories of databases and registers to public institutions (except for military and law enforcement agencies) maintained by them. Public institutions, therefore, should have provided at least information on the

register of FOI requests and institution's responses to these requests, as well as information on databases and registers that must be published proactively according to the appropriate Government of Georgia resolution, as well as information on databases and registers that are used internally by the institution, maintenance of which is legally required at all public institutions.

Despite this, IDFI was notified by a number of institutions that they did not keep any databases or registers. Their reasoning in these cases may have been an assumption that institutions were requested to provide information only about those databases and registers that they found suitable for publication to the open data portal.

In regards to the military and law enforcement agencies, IDFI requested inventories of only **public** databases and registers from them. From the institutions operating in these sectors, **Ministry of Defence, Investigation Service of Ministry of Finance, Special State Protection Service** and the **Department of Security Police** notified IDFI that they did not produce or maintain any public databases or registers.

The following institutions did not produce or maintain databases and registers (public databases and registers, in case of military and law enforcement agencies) requested by the IDFI as part of this project:

- **Ministry of Agriculture**
- **Ministry of Labor, Health and Social Affairs**
- **Office of State Minister of Georgia for Diaspora Issues**
- **Office of State Minister of Georgia for Reconciliation and Civic Equality**
- **National Agency for Cultural Heritage Preservation**
- **Competition Agency**
- **Digital Broadcasting Agency**
- **Laboratory of the Ministry of Agriculture**
- **State Agency for Religious Issues**
- **State Hydrographic Service of Georgia**
- **National Agency for Standards and Metrology**
- **Ministry of Defence**
- **Investigation Service of Ministry of Finance**
- **Special State Protection Service**
- **Security Police**

In case of 6 public institutions, their provided documents indicate that these institutions produce some type of databases and registers, however they did not specify what kind of databases or registers these are. The following public institutions provided information that they had some type of databases and/or registers but did not specify what those were:

- **Ministry of Economy and Sustainable Development**
- **Office of State Minister of Georgia for European and Euro-Atlantic Integration**
- **Social Service Agency**
- **National Center for Disease Control and Public Health**
- **Academy of the Ministry of Finance**
- **Border Police**

As has been mentioned in the beginning, 72 public institutions provided inventories of databases or registers with various types of information that were kept at these institutions. These databases and registers include **standard** (for example, database of information to be published proactively, database of personal data of employees, database of building access permits issued, database of personal data of insured employees and their family members, register of calls received via hotline, other types of databases and registers for internal use), as well as **nonstandard** databases and registers, that are specific to the activities of the respective institution.

One of the goals of this study was to identify these nonstandard databases and registers produced by public institutions. Out of all databases and registers provided by the 72 public institutions information on 284 are of this nature. IDFI has selected 147 datasets that it believes are suitable for publication to the open data portal.

Databases and registers that can be and are suitable for publication to the open data portal are listed in **Annex 1**.

IDFI believes that public institutions should ensure, to the highest extent possible, that the databases and registers available to them are provided in such a format that their publication to the open data portal is possible. This can be achieved, on the one hand, with separation of personal and other classified data from the databases and registers, and in cases where such separation is not technically feasible, through maintaining, with as much detail as possible, statistical datasets on specific issues.

Databases and registers on websites of public institutions

On 26 August 2013 Government of Georgia (GoG) passed a resolution *On Requesting of Public Information Electronically and Proactive Disclosure of Such Information*, tasking administrative agencies working within the GoG scope with publication of information defined by respective annexes to their electronic resources. By making proactive disclosure of public information mandatory by law, the GoG agreed with an opinion, that access to public information encourages increase of transparency and accountability of administrative agencies, boosts authority of citizens and implementation of effective services.

As part of the project, IDFI studied how proactive access to databases and registers of Georgian public institutions is ensured. For the purposes of this study, IDFI sent FOI requests on databases and registers published on their websites to 106 public institutions. Along with sending requests for public information, IDFI conducted monitoring of websites of select 40 public institutions and studied databases and registers proactively published to their electronic resources.

62 out of 106 public institutions provided information on databases and registers published to their websites. 25 public institutions explained to IDFI that they did not have any databases or registers on their websites. Public institutions that have fallen under this category include those that do not have any databases or registers and, therefore, could not have had databases and registers published to their websites. The following public institutions, according to the information provided by them, possess certain databases but have not published them online as these databases are for internal use only:

- **Ministry of Culture and Monument Protection**
- **Ministry of Justice**
- **State Treasury**
- **Maritime Transport Agency**
- **National Probation Agency**
- **Health-care Service of the Ministry of Internal Affairs**
- **State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking**
- **Financial Monitoring Service**
- **Georgian National Communications Commission**
- **Office of the Business Ombudsman**

19 public institutions did not respond to this question. Apart from above-mentioned 13 public institutions that did not respond to IDFI's FOI requests, following 6 institutions did not answer to the part of the request concerning databases and registers published to their websites:

- **Ministry of Internal Affairs**
- **Ministry of Economy and Sustainable Development**
- **Ministry of Education and Science**
- **Social Service Agency**
- **National Center for Disease Control and Public Health**
- **State Agency of Oil and Gas**

As has been already mentioned, along with requesting information on databases and registers published online by public institutions, IDFI monitored the websites of 40 public institutions within the scope of this study. At the time of the start of monitoring, these public institutions had to have at least published to their websites data defined as mandatory by respective legal acts on proactive disclosure.

As part of the monitoring, IDFI studied nonstandard databases and registers connected to the specific activities of the institutions published online and publication of which on the open data portal is desirable. Within the monitoring of the websites of the 40 public institutions, IDFI identified 131 various nonstandard databases that were published in a raw format or through an API.

Most of the above-mentioned databases are published to the websites of LEPLs under ministries or independent LEPLs. Among them particularly noteworthy is the **National Statistics Office of Georgia**, which due to the specific nature of its work, processes and publishes various statistical data to its website.

Information provided by the above-mentioned 40 public institutions on the databases and registers published to their websites and the results of the monitoring by IDFI of these websites in most cases differ significantly from each other. Particularly noteworthy are monitoring results for those institutions that responded to the requests of IDFI by saying that they did not publish any databases or registers to their websites.

For example, the **Ministry of Labor, Health and Social Affairs of Georgia** explained to IDFI, that they did not publish any databases or registers on their website, however as a result of monitoring, it was determined that the website of ministry published a register of associations.

One of the primary goals of monitoring of websites of public institutions was to identify databases and registers on which information was not provided in a response to IDFI's FOI requests. It is, therefore, important that the results of monitoring be presented to the institutions that did not respond to IDFI's FOI requests sent out within the scope of this project. For example, in case of Social Service Agency, which did not provide information on the databases and registers under its administration, monitoring of its website has revealed that the Agency publishes various statistical data. These databases include statistical information on: pensions, compensation, academic stipends, household subsidies, targeted social assistance, subsistence allowance, the beneficiaries of the state program for improvement of demographic situation, health insurance and other social programs and payments transferred to them.

National Agency for Public Registry, which did not respond to the IDFI's FOI request, has the property and business registers published to its website.

As it has already been mentioned, as part of the monitoring of the websites of public institutions, IDFI also studied various electronic services (application, electronic modules of statistics, electronic registers). For example, **Revenue Service** offers a so-called business map, which presents statistical data on taxpayers for geographic areas. The **Parliament of Georgia** offers a map of majoritarian Members of Parliament, **Ministry of Energy** – a map of villages without electricity, **Agency for Protected Areas** – a map of protected areas, **Ministry of Internal Affairs** – a map with statistical data on domestic violence and a map with locations of police offices.

In case of the **National Tourism Administration,** based on the their databases there is an electronic statistics portal, where statistical data and databases for issues of relevance to tourists, such as information on restaurants, museums and other facilities, are aggregated.

For full information, on databases and registers identified as a result of the monitoring and publication of which are recommended to the open data portal, please refer to **Annex 1**.

Unified State Registry of Information

In June 2011, the Law of Georgia on Unified State Registry of Information was enacted. The goal of this law was to create a Unified State Registry for all public registers, databases, service and information systems, as well as development of main principles for creation, usage and amendments to public registers, databases, services and information systems, standardization of rules of production for them and defining general direction of state information policy in regards to registers, databases, services and informational systems.

The law defines the terminology necessary for the development of unified standards and defining state information policy. For example, according to the definitions provided by the law:

Database is a systemically or methodically organized collection of products and/or other data and material that are individually accessible electronically or in another way. It does not comprise a computer program used for creation and retrieval of electronically accessible data.

Register, according to the Law of Georgia on Unified State Registry of Information, is defined as "a formal or informal record of things, names, actions or other information". Therefore, a register is a qualitative entity of known facts, measurable units and indicators, further separation of which makes it unhelpful for the business processes.

The Law of Georgia on Unified State Registry of Information also defines an obligation to register significant amendments, expansion, combination, suspension, destruction, archiving and transfer of registers, databases, services or informational systems. According to the law, a public institution has to send a written notification to the LEPL **Data Exchange Agency** (DEA) on creation of a database or a register no later than 30 days after the event, and in case of destruction at least 30 days prior to the event. According to the law, DEA has an authority to recommend that the institution refrain from creating or destructing a certain database. Thus, the law defines not only an obligation to catalogue a database or a register, but also determines specific procedures for their development, amendment or suspension.

It must be emphasized, that according to the law, subjects of the Registry are all administrative bodies, therefore all state or local self-governance bodies or institutions, legal entities of public law (except for political and religious unions), also any other person, that enforces legal authority in accordance with the Georgian legislation. Also subjects of the register are medical and authorized educational institutions that create, amend, erase or destroy databases. Therefore, the law applies to almost all public institutions and if the law is fully implemented, the Unified State Registry of Information should have full information on all activities in regards to databases, registers and other services of public institutions.

To find out how effectively the 2011 law is implemented and, in general, how the concept development for Unified State Registry is proceeding, IDFI sent a written request for public information to DEA. Specifically, we asked for the following public information:

1. Inventory of databases and registers registered in the Unified State Registry of Information, their purpose and description;
2. Copies of incoming notifications in accordance with paragraph 1 of Article 4 of the Law of Georgia on Unified State Registry of Information;
3. Copies of incoming notices based on paragraph 1 of Article 7 of the Law of Georgia on Unified State Registry of Information;
4. Copies of recommendations issued by DEA based on Article 9 of Law of Georgia on Unified Registry for Public Information.

According to the information provided by DEA, **by August 2015, the Unified State Registry of Information contained 345 registers maintained by 52 public institutions**. According to DEA, the largest amount of registers were registered by Tbilisi City Hall – 78, National Agency for Civic Registry – 38, Notary Chamber – 27, National Tourism Agency – 21, National Food Agency – 13 and National Bank of Georgia – 11.

It is also noteworthy, that according to the information provided to IDFI, 126 out of 345 registers were registered in 2012, while 219 were registered in 2011. Thus, it can be concluded that since 2012 no

creation of new or updates to existing registers have been reflected in the Unified State Registry of Information. It must also be pointed out that most of the administrative bodies of Georgia have not registered their own data and information activities in the Unified State Registry of Information.

Within the project, together with Data Exchange Agency IDFI sent FOI requests to inquire about the datasets registered in the Unified State Registry for Information to 106 public institutions. 13 of these institutions responded to IDFI with information on registers they had registered in the Unified State Registry for Information between 2011-2012. Other institutions explained that they had not registered any data in the Unified State Registry or left IDFI's FOI requests unanswered.

Out of 106 public institutions that were asked about their communication with DEA regarding notification of creation and suspension of databases and registers, obligation defined by the Georgian legislation, only **Financial Monitoring Service** responded that between 2012-2015, notifications had been sent using the Unified State Registry of Information portal but no copies of these notifications were provided. Other public institutions either explained that no such notifications were sent or did not respond to IDFI's FOI request.

Documents received from the public institutions regarding production of databases and registers clearly demonstrate that there are some significant problems in this regard at public institutions of Georgia. On the one hand, the problems related to databases and registers in public institutions are rooted in the understanding of the essence and meaning of the concepts (for example, 13 public institutions informed IDFI that they had no databases or registers, raising questions concerning their understanding of these concepts). On the other hand, questions regarding compliance with the Georgian legislation are also raised. (For example, according to the Unified State Registry of Information, the Office of State Minister of Georgia for Diaspora Issues created two databases in 2012. Currently, as the institution explained, they do not produce any databases or registers, therefore, according to the Georgian legislation, Data Exchange Agency must have been notified by this institution regarding suspension or destruction of the created databases between 2012-2015, which according to their own information has not taken place.)

According to the information provided by LEPL Data Exchange Agency, there are large amounts of interesting datasets registered in the Unified State Registry of Information, availability of which through the open data portal (www.data.gov.de) would further advance engagement of citizens, researchers and developers in its development. It must be emphasized, that after our FOI requests for dataset registration in the Unified State Registry of Information, several administrative bodies registered new registers in the system in 2015. This is a welcome step and indicates that an adequate mechanism for prevention of any shortcomings in regards to registration of registers and databases needs to be created, so that the procedure is not dependent on an individual's will but the legal obligation to do so is clearly regulated and understood by all institutions.

Conclusion

IDFI's research has revealed that the open data (117 databases) currently available through the open data portal does not match with the actual open data resources available at the public institutions. This observation is further supported by the fact that IDFI was able to select 162 datasets from the information that the 72 public institutions provided regarding the databases and registers under their administration, that to date are not, but should be, published to the open data portal.

The low rate of publication of open data resources to www.data.gov.ge, since its creation to this date, indicates that a mechanism should be implemented which would oblige public institutions to publish open data resources maintained by them to the portal. Another reasoning for creation of such a mechanism can be found in the responses of some public institutions to the FOI requests for databases and registers published by them to the open data portal, in which they stated that under the Georgian legislation they do not have such an obligation. It must be noted that creation of such regulations has recently become an international best practice. For instance, in the legislative acts on freedom of information of Ukraine, Croatia, Pakistan, India and other countries, the issues of open data portals and publication of open data to them are discussed separately.

Unlike Ukraine, Georgian legislation does not define any responsibility in case the obligation to proactively disclose public information is not duly followed by a public institution, resulting into lack of compliance. It must be also noted, that the **Georgian legislation does not include a requirement on publishing open data in an appropriate, processable format**. It is a positive step, that the Government of Georgia, within the Open Government Partnership (OGP) Action Plan, created an open data portal (www.data.gov.ge). However, as this study demonstrates, the web portal unfortunately does not provide all the available public information. **This is partially a result of the current legislation not requiring disclosure of data in open formats.** As the case of Ukraine shows, it is important that at the initial stage, an appropriate normative act regulating issues concerning open data is developed and sanctions for violation of the respective legal obligations are put in place. It is also important that a state body that will be tasked with monitoring of obligation to publish open data and the accuracy of the data be determined. When noncompliance is identified, this state body should be able to impose sanctions on the violator.

It must be emphasized that under the OGP Action Plan, Georgia has undertaken a commitment to introduce a new law on Freedom of Information. The initial draft was developed in 2014 by a special working group (Ministry of Justice, Open Society Georgia Foundation, experts and IDFI). **The draft Law envisions to provide a definition for the term 'open data', create an open data portal, introduce an obligation to proactively disclose public information and establish an Office of the Freedom of Information Commissioner as a supervising body.** Therefore, adoption of this law would significantly improve current standards and strengthen access to open data in Georgia.

The responses to identical requests regarding the databases and registers from various public institutions clearly demonstrate that various bodies have significantly divergent perceptions about the concepts of databases and registers. This is further confirmed when identical collection of data is recognized by some of the institutions as a database or registry under their administration, and not by others. This problem became even clearer when a large number of public institutions told IDFI that they did not publish or administer any databases or registries, however, monitoring of their websites revealed otherwise.

Practical implementation of the Law of Georgia on Unified State Registry of Information remains an important challenge. This is confirmed by the fact that since 2012, public institutions have not following the procedures defined by the law. Specifically, databases and registers administered by public institutions have not been registered in the Unified State Registry, and notifications regarding creation or destruction of databases have not been sent to the Data Exchange Agency. Appropriate registration of registries and databases were conducted by some of the public institutions in 2015 after receipt of IDFI's requests on this issue.

Furthermore, surveys and various working meetings conducted by IDFI have revealed a trend of low public awareness about the open data portal, demonstrating the need for increased government and public efforts.

Recommendations

IDFI recommends that a number of steps be taken to address the challenges of access to public information discussed in this study:

➢ Government of Georgia should ensure adoption of a policy document that would establish common standards for open data management and mandatory disclosure for all public institutions;

➢ Government of Georgia and the Ministry of Justice should expedite submission of a new draft Law on Freedom of Information to the Parliament of Georgia, in which issues of open data publication and accessibility will be taken into account;

➢ LEPL Data Exchange Agency should develop a manual and a training program to provide guidance for the representatives of public institutions in clearly determining definitions for databases and registries, better perform their obligations stipulated by the law on the Unified State Registry of Information, and to improve practices for disclosure, updating and management of the open data published to www.data.gov.ge;

➢ Government of Georgia and LELP Data Exchange Agency should plan an awareness-raising campaign to promote the open data portal and its potential benefits;

➢ Open data made available through www.data.gov.ge should be published in CSV, XML, Excel formats, to allow developers to create applications and APIs, and to gain other benefits;

➢ Public institutions should shape and manage databases and registries at their disposal in a way that their publication to the open data portal is possible;

➢ Public institutions should separate personal or any other classified data from the databases and registries at their disposal, and ensure availability of the databases and registries in an open format. In cases where such separation is technically infeasible, they should maintain detailed statistical data for them;

➢ Public institutions should create electronic modules for public opinion polling, allowing any interested person to express their opinion regarding the work of the institution and depending on the specifics of the institution's activities, regarding openness and accessibility of their data. Such proactive communication strategy should be implemented at all public institutions;

➢ All public institutions, to the highest extent possible, should ensure publication of the databases and registries identified in Annex 1 and Annex 2 of this report to the open data portal www.data.gov.ge.

Annex 1

Databases/registers maintained by public institutions that are suitable for publication to the open data portal		
The system of the Ministry of Finance		
#	**Database/register**	**Owner**
1	Database of external and domestic debt	Central Office
2	Database of monetary grants/targeted funding to be received by the ministries and agencies	Central Office
3	Register of dispute resolutions	Central Office
4	Register of objects of intellectual property	Revenue Service
5	Register of national commodity nomenclature for foreign economic activity	Revenue Service
6	Register of storage facilities	Revenue Service
7	Register of golden list entities	Revenue Service
8	Register of taxpayers	Revenue Service
9	Register of charitable organizations	Revenue Service
10	Register of taxpayers with the status of micro/small business	Revenue Service
11	Register of fixed rate taxpayers	Revenue Service
12	Unified electronic register of entities with tax benefits as determined by international agreements	Revenue Service
13	Register of VAT taxpayers	Revenue Service
14	Register of cash registers	Revenue Service
15	Electronic register of property under state ownership	Service Agency
16	Electronic register of property transferred to the agency for disposal	Service Agency
17	Journal for registration of rigorous record collection documents	Service Agency
18	Register of entities with the status of virtual zone entity	Financial Analytical Service
19	Database of state, autonomous and self-government budget revenues and expenditures	Treasury Service
20	Database of revenues and expenditures of LEPLs and N(N)LEs	Treasury Service
21	Register of loans issued from the state budget	Treasury Service
22	Register of debt arrears	Treasury Service
The system of the Ministry of Internal Affairs		
#	**Database/register**	**Owner**
23	Ministry database of lost and found object of various categories	Central Office
24	Ministry database of records of conflicts at various educational institutions	Central Office
25	Database of citizens of Georgia or other countries deported (or awaiting deportation) to Georgia	Central Office
The system of the Ministry of Regional Development and Infrastructure		
#	**Database/register**	**Owner**

#	Database/register	Owner
26	Database of motorways, bridges and tunnels	Roads Department
27	Database on traffic intensity on motorways	Roads Department
28	Database of spatial data on international and state roads	Roads Department
29	Database of international unevenness coefficient	Roads Department
30	Database of activities to be conducted for liquidation and prevention of results of natural disasters	Roads Department
31	Register of rehabilitation, periodic repairs, reinforcements and construction activities	Roads Department

The system of the Ministry Economy and Sustainable Development		
#	**Database/register**	**Owner**
32	Informational database for tourists (restaurants, embassies, museums, galleries, shopping malls, theatres, transport, entertainment, tour companies, wineries and other destinations)	National Tourism Administration
33	Register of bus stops	Land Transport Agency
34	Register of producers of carriers for regular international transfer vehicles	Land Transport Agency
35	Register of carriers with long term and short term ECMT licenses	Land Transport Agency
36	Georgian national register for ships	Maritime Transport Agency
37	Georgian national register for civil aircrafts	Civil Aviation Agency
38	Georgian national register for airfields	Civil Aviation Agency
39	Register of fuel and maintenance firms for civil aircrafts	Civil Aviation Agency
40	Register of accredited persons	Accreditation Center

The system of the Ministry of Foreign Affairs		
#	**Database/Register**	**Owner**
41	Database of accredited diplomatic missions of foreign countries and international organizations in Georgia	Central Office
42	Database of diplomatic and consular representatives of Georgia to foreign countries	Central Office
43	Register of international agreements of Georgia	Central Office

The system of the Ministry of Education and Science		
#	**Database/Register**	**Owner**
44	Statistical databases of national entry exams	National Assessment and Examination Center
45	Statistical database of master's level entry exams	National Assessment and Examination Center
46	Statistical database of secondary school graduation exams	National Assessment and Examination Center
47	Statistical database of student grant competitions	National Assessment and Examination Center
48	Statistical database of national school olympiads	National Assessment and Examination Center
49	Register of defunct secondary education institutions	National Center for Education Quality Enhancement

#	Database/Register	Owner
50	Register of foreign language educational programs	National Center for Education Quality Enhancement
51	Register of non-authorized institutions	National Center for Education Quality Enhancement
52	Register of higher education institutions	National Center for Education Quality Enhancement
53	Register of certified teachers	National Center for Teacher Professional Development
54	Database of violations at educational institutions	Office of Resource Officers

The system of the Ministry of Environmental and Natural Resources Protection

#	Database/Register	Owner
55	Database of environmental projects	Central Office
56	Register of international multilateral agreements	Central Office
57	Register of living genetically modified organisms (GMO)	Central Office
58	Registers of norms for retrieval of water from surface water sources and for limits of permissible discharge of polluting substances	Central Office
59	Register of mines and other deposits of minerals	National Environmental Agency
60	Departmental and license register for mining	National Environmental Agency
61	Hydrological database	National Environmental Agency
62	Meteorological database	National Environmental Agency
63	Database of environmental quality	National Environmental Agency
64	Statistical database of visitors to protected areas	Agency of Protected Areas
65	Database of forest resources	Agency of Protected Areas
66	Database of environmental organizations	Environmental Information and Education Center
67	Database of permits for environmental impact	Environmental Information and Education Center

The system of the Ministry of Agriculture

#	Database/Register	Owner
68	Database of veterinarian treatments and medications registered in Georgia	National Food Agency
69	Database of enterprises inspected by the agency	National Food Agency
70	Register of importing firms of pesticides and agrochemical substances	National Food Agency
71	Register of distribution locations for pesticides and agrochemical substances	National Food Agency
72	List of unreliable states due to the risk of spreading dangerous infections, epidemics and pandemics	National Food Agency

#	Database/Register	Owner
73	Database of food producers of the European Union	National Food Agency
74	Database of products requiring permits	National Food Agency
75	Database of products permitted for export to Russian Federation	National Food Agency
76	Database of wine companies and wineries	National Wine Agency
77	Statistical database of wine exported from Georgia	National Wine Agency
78	Register of cooperatives with agricultural status	Agricultural Cooperative Development Agency

The system of the Ministry of Labor, Health and Social Affairs

#	Database/Register	Owner
79	Database of registers of medications	State Regulation Agency for Medical Activities
80	Statistical database of program for registration and analysis of domestic violence victims	State Fund for Protection and Assistance of (statutory) Victims of Human Trafficking
81	Statistical database of health-care programs	Social Service Agency
82	Statistical database of state expenditure (pension, compensation, subsidy and etc.)	Social Service Agency
83	Statistical database of social programs	Social Service Agency

The system of the Ministry of Energy

#	Database/Register	Owner
84	Database of planned hydro-electric power stations to be built in Georgia	Central Office
85	Database of investment projects in the energy sector	Central Office
86	Database of investment companies in the energy sector of Georgia	Central Office
87	Database on gasification and meters	Central Office
88	Database of hydro and thermal energy stations	Central Office
89	Database of energy production, supply to customers, export and import	Central Office
90	Database of supply and consumption of natural gas	Central Office
91	Database of villages without electricity	Central Office

The system of the Ministry of Culture and Monument Protection

#	Database/Register	Owner
92	Register of immobile monuments of cultural heritage	Central Office
93	Register of mobile monuments of cultural heritage	Central Office
94	Register of non-material monuments of cultural heritage	Central Office
95	Register of museums of Georgia	Central Office

The system of the Ministry of Sport and Youth Affairs

#	Database/Register	Owner
96	Database of sports locations in Georgia	Central Office
97	Database of sports statistics	Central Office
98	Databases of projects financed through grant competitions	Children and Youth Development Foundation

The system of the Ministry of Justice

#	Database/Register	Owner
99	Database of debtors	National Bureau of Enforcement
100	Register of private enforcers	National Bureau of Enforcement
101	Register of enforcement cases	National Bureau of Enforcement

The system of the Ministry of Internally Displaced Persons From Occupied Territories, Accommodation and Refugees

#	Database/Register	Owner
102	Database of internally displaced persons	Central Office
103	Database of repatriates	Central Office
104	Database of refugees	Central Office
105	Database of eco-migrant families	Central Office
106	Database of declarations of real estate on the Occupied Territories	Central Office

The system of the Ministry of Corrections

#	Database/Register	Owner
107	Database of inmates and convicts with Hepatitis C	Central Office

Other public institutions

#	Database/Register	Owner
108	Database of external trade (export-import)	National Statistics Office
109	Database of foreign direct investments	
110	Database of selective research into agricultural products	
111	Database of 2002 general population census	
112	Database of 2004 agricultural census	
113	Database of 2014 general population and agricultural census	
114	Database of integrated study of households	
115	Database of labor data	
116	Database of higher educational institutions	
117	Database of study on activities of theatres	
118	Database of study on activities of museums	
119	Database of study on tourism at local households	
120	Database of study on foreign visitors	
121	Database of study on business statistics	
122	Database of price statistics	

123	PC Axis – computer database of national statistics office	
124	Register of consumer and industry price index	
125	Register of current demographic studies	
126	Database of recommendations of public defender	Office of the Public Defender
127	Database of trademarks	National Intellectual Property Center
128	Database of geographical indications	
129	Database of names of place of origin	
130	Database of designs	
131	Database of inventions	
132	Database of useful models	
133	Database of new species of plants and animals	
134	Register of radio frequency allocation	Georgian National Communications Commission
135	Register of licenses	
136	Register of authorized persons	
137	Register of ratio-electric devices	
138	Register of complaints	Central Election Commission
139	Voters list	
140	Register of invited public attorneys	Legal Aid Service
141	Register of a black list	State Procurement Agency
142	Register of a white list	
143	Register of warned suppliers	
144	Database of laws	Parliament of Georgia
145	Database of voting records at plenary sessions	
146	Database of voting records on adopted laws	
147	Register of reference and bibliographic electronic publications	National Parliamentary Library of Georgia
148	Register of digital libraries	
149	Register of catalogues of national newspapers	
150	Register of book catalogue	
151	Register of analytical bibliography of periodic publications	

152	Register of a catalogue of national dissertations and theses, microforms, CDs, cartographic publications, musical notes, posters, engravings and paper publications	
153	Database of persons with electoral administration certification	Center for Electoral Systems Development, Reforms and Trainings
154	Database of proposals submitted by non-governmental organizations as part of grant competitions	
155	Database of developed textbooks and other study materials	
156	Register of employers and their vacancies on hr.gov.ge	Civil Service Bureau
157	Register of public officials on Declaration.gov.ge	
158	Register of vacancies for internships on Stajireba.gov.ge according to quotas defined by public institutions	
159	Database of Bureau services with fees	National Forensics Bureau
160	Database of statistics of drug test records	
161	Database of statistics on suspicious and above limit deals	Financial Monitoring Service
162	Register of persons conducting monitoring	

Notice:

Public institutions should ensure separation of personal and other classified data from the databases and registers presented in Annex 1 and ensure their availability to the public in an open data format, and in the cases where such separation is not technically feasible, they should keep detailed statistical database on specific issues.

Annex 2

	Data IDFI survey participants wish to have access to through the open data portal	
N	**Database/Register**	**Likely owner**
1	Database of judicial statistics	Supreme Court of Georgia
2	Database of Public Broadcaster programs portraying political and social events	Public Broadcaster
3	Database of persons with disabilities	Social Service Agency
4	Database of locations of traffic accidents on roads	Ministry of Internal Affairs
5	Database of information about accommodation of internally displaced people	Ministry of Internally Displaced Persons from Occupied Territories, Accommodation and Refugees
6	Database of owners of car licence plates and mobile phone numbers	Ministry of Internal Affairs
7	Information about market shares	National Statistics Office
8	Database of records of recreational zones and parks	Ministry of Environmental and Natural Resources Protection
9	Database of projects financed in Tbilisi	Tbilisi City Hall
10	Cybersecurity database	Data Exchange Agency/ Ministry of Defence/Ministry of Internal Affairs
11	Database of information about environmental protection	Ministry of Environmental and Natural Resources Protection
12	Database of authorized educational institutions	Ministry of Education and Science
13	Database of pre-school educational institutions	Ministry of Education and Science
14	Statistics on crime according to category of the crime and region	Ministry of Internal Affairs
15	Data on location and records of objects with environmental impact	Ministry of Environmental and Natural Resources Protection
16	Statistics on exams and teachers	Ministry of Education and Science
17	Database of organizations involved in social projects	Social Service Agency
18	Database of real estate sales – on the level of micro-urban migration	Ministry of Finance, Ministry of Economy and Sustainable Development
19	Database of sectoral analysis of businesses	Ministry of Economy and Sustainable Development/National

		Statistics Office
20	Database of firms, storage locations and distribution companies	National Statistics Office
21	Database of obstacles to domestic tourism development	National Tourism Administration
22	Database of statistics of violations of rights of customer of financial organizations	National Bank
23	Statistics on research activities	Academic institutions
24	Detailed database of freight turnover	National Statistics Office
25	Database of persons displaced from Abkhazia	Ministry of Internally Displaced Persons From Occupied Territories, Accommodation and Refugees
26	Database of number of recreational zones and parks, and their progress and regress according to years	Ministry of Environmental and Natural Resources Protection
27	Database of number of cars that clear customs annually	Ministry of Internal Affairs
28	Databases of businesses and investors	National Statistics Office/Ministry of Economy and Sustainable Development/Ministry of Finance
29	Application for recreational zones and parks	Ministry of Environmental and Natural Resources Protection