

PROACTIVE DISCLOSURE OF PUBLIC INFORMATION ON GEORGIAN PUBLIC INSTITUTION WEBSITES

2019



The project is implemented by the Institute for Development of Freedom of Information (IDFI) in the framework of the East-West Management Institute's (EWMI) Advancing CSO Capacities and Engaging Society for Sustainability (ACCESS) project, funded by United States Agency for International Development (USAID).

The report is made possible by the support of the American people through the United States Agency for International Development (USAID).

The content of this report is the sole responsibility of IDFI and does not necessarily reflect the views of USAID, the United States Government, or EWMI.

Authors:

Levan Avalishvili

Giorgi Kldiashvili

Goga Tushurashvili

Date of Publication:

June, 2019

Contents

Key Findings	4
Introduction.....	4
Statistics of Proactive Disclosure of Information.....	5
Central Public Institutions	6
Subordinate Structures of the Ministries	7
Practice of Proactive Publication of Public Information	10
Dynamics of Proactive Disclosure of Information.....	12
Good Practices and Recommendations for Proactive Publication of Public Information	16

Key Findings

- As of May 2019, 15 of the 100 monitored public institutions either had no public information section on their websites or did not have a website at all.
- In 2019, the average rate of compliance to proactive disclosure of public information is 53%, which is 18% less than in 2014.
- In 2019, no public institution demonstrated a 100% compliance with the legal requirements of proactive publication of information.
- Among the central government institutions the highest (98%) compliance was demonstrated by the Ministry of Education, Science, Culture and Sport, while the lowest (39%) by the Administration of the Government.
- Nine of the 13 central public institutions have worsened their proactive disclosure rate since 2014.
- The average compliance rate of Legal Entities of Public Law and sub-agencies is 47%, compared to the 76% average of their parent ministries.
- Approximately 40% of ministry subordinate institutions had less than 30% of proactive information published on their website.
- Information on spending proved to be the least proactively published category of public information.
- No public institution had published information in open data formats (CSV or XML). 31 public institutions had published specific financial information in Excel format.
- Only 48 public institutions offered access to archived information that was proactively published in previous years.

Introduction

Proactive disclosure of public information was one of the most important commitments taken by Georgia within the framework of the Open Government Partnership (OGP). After active consultations, meetings and negotiations with civil society, as well as active support of the Institute for Development of Freedom of Information (IDFI) and other NGOs, the Government of Georgia adopted the [Decree #219](#) on 26 August 2013 on the **Electronic Request and Proactive Disclosure of Public Information**. The decree entered into force on September 1, 2013 and obligated public institutions managed by the government to create public information websites and publish pieces of information listed in the [annex](#) until December 31, 2013.

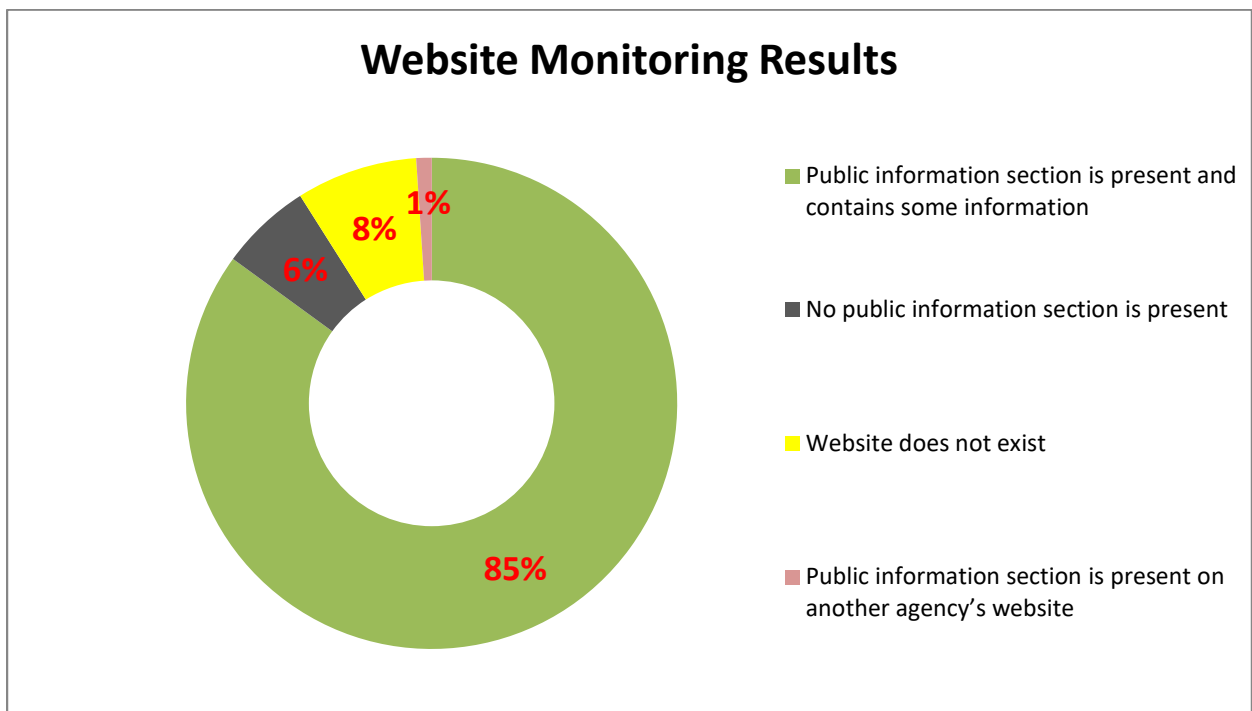
In September 2014, one year following the introduction of the proactive publication standard, IDFI conducted a [monitoring](#) of the websites of public institutions with support from East-West Management Institute's (EWMI) Advancing CSO Capacities and Engaging Society for Sustainability (ACCESS) project, funded by United States Agency for International Development (USAID). As of May 2019, IDFI has updated its monitoring results, which are presented below.

Statistics of Proactive Disclosure of Information

In May 2019, IDFI conducted a detailed monitoring of proactive disclosure of public information on the websites of 100 public institution in Georgia.

- **Parliament of Georgia**
- **Administration of the President**
- **Administration of the Government**
- **11 - Ministries / State Minister's Offices**
- **86 - Sub-Ministry LEPLs and institutions**

Out of 100 public institutions, 8 institutions did not have their own website at all, and 6 did not have public information section on the website. One agency did not have its own website, but its public information section was displayed on the website of its supervising institution. The remaining 85 public institutions had public information sections and proactively published information.



Among the agencies that did not have a website and/or public information section, all were LEPLs under the Ministries. Among these agencies were educational institutions, as well as newly founded structures, whose websites were not created and the public information section did exist for the monitoring period.

Website does not exist	
1	Translation Bureau of international contracts of Georgia
2	Anaklia Deepwater Port Development Agency
3	Emergency Coordination and Urgent Assistance Center
4	Akhlagori Childcare Institution
5	Environmental Supervision Department
6	Oil and Gas State Agency
7	Penitentiary and Probation Systems Service Training Center
8	Military Hospital of the Ministry of Defense

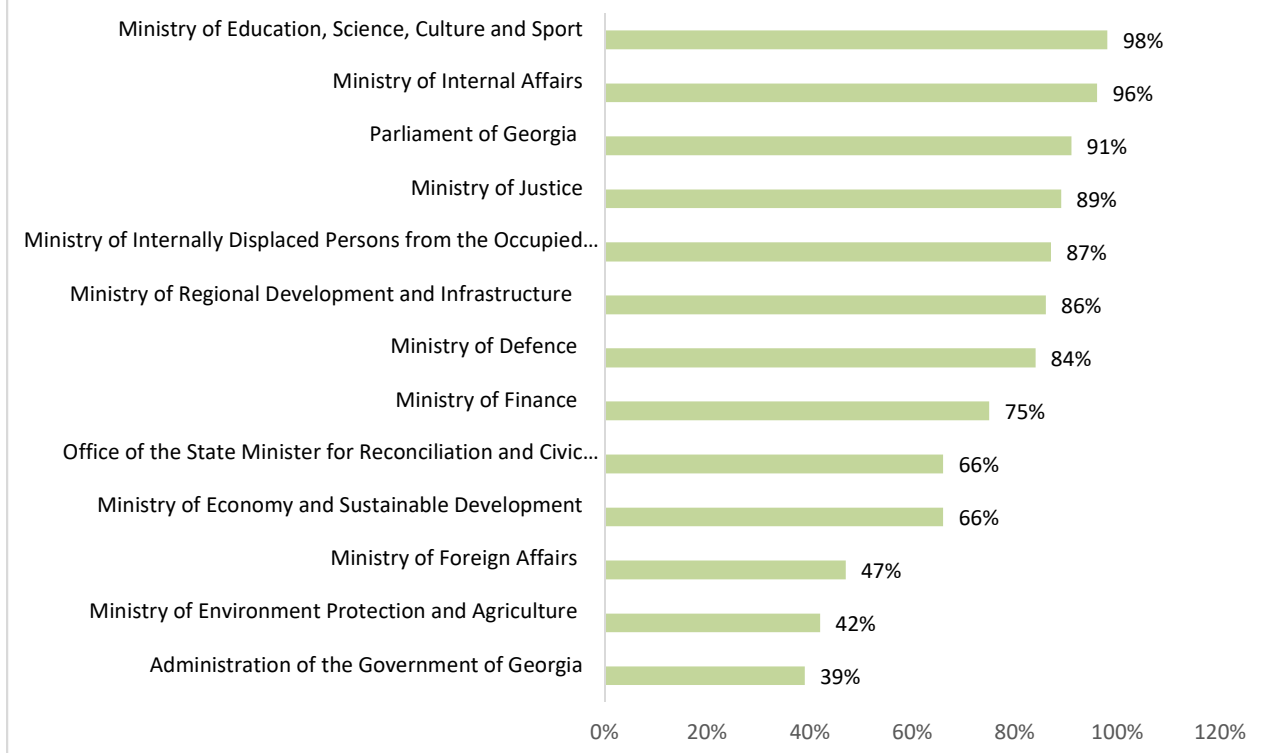
No public information section is present	
1	Accounting, reporting and audit supervision service
2	Eurasian Transport Corridor Investment Center
3	Drug Agency
4	Zurab Zhvania School of Public Administration
5	Georgian National Film Center
6	Creative Georgia

As of May 2019, the average number of proactive availability of information of public institutions that have published public information (total of 85 public institutions), constitutes 53%. Consequently, these agencies perform only half of the obligations to proactively publish information provided by law.

Central Public Institutions

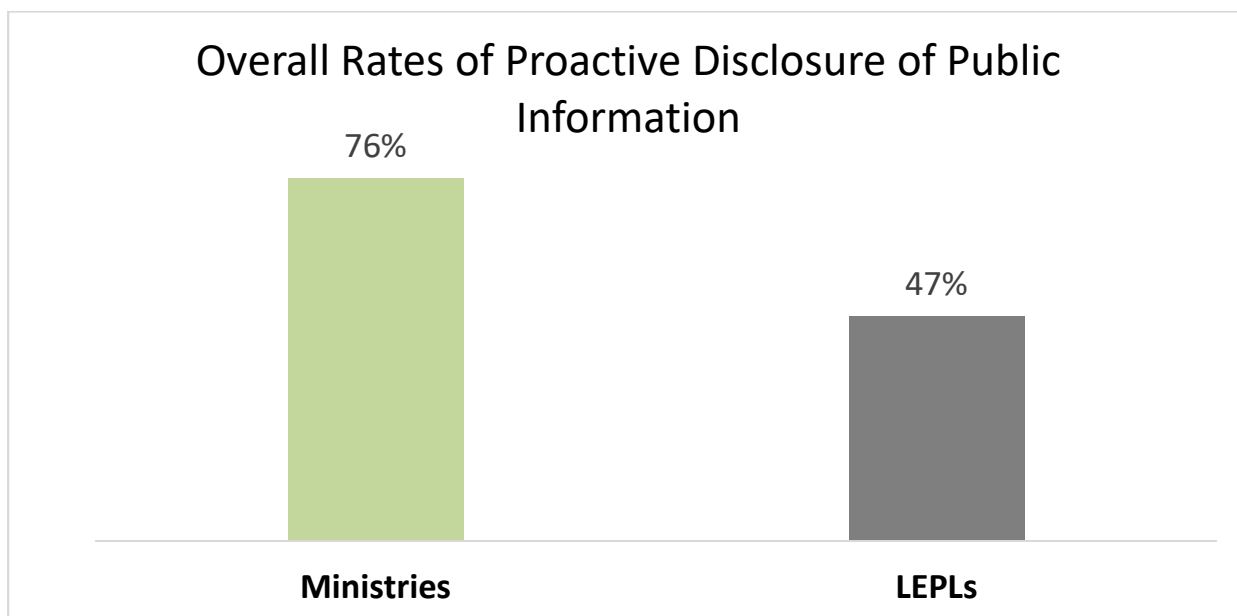
The highest (98%) assessment among central public institutions was received by the Ministry of Education, Science, Culture and Sports, followed by (96%) the Ministry of Internal Affairs. The lowest indicator among central public institutions (39%) was received by the Administration of the Government of Georgia (AoG). The Administration has not published any information on procurement and finances since 2014. AoG has clarified that the website was under construction, in order to restore the proactive disclosure of information over the years.

Online Proactive Disclosure of Public Information by Ministries

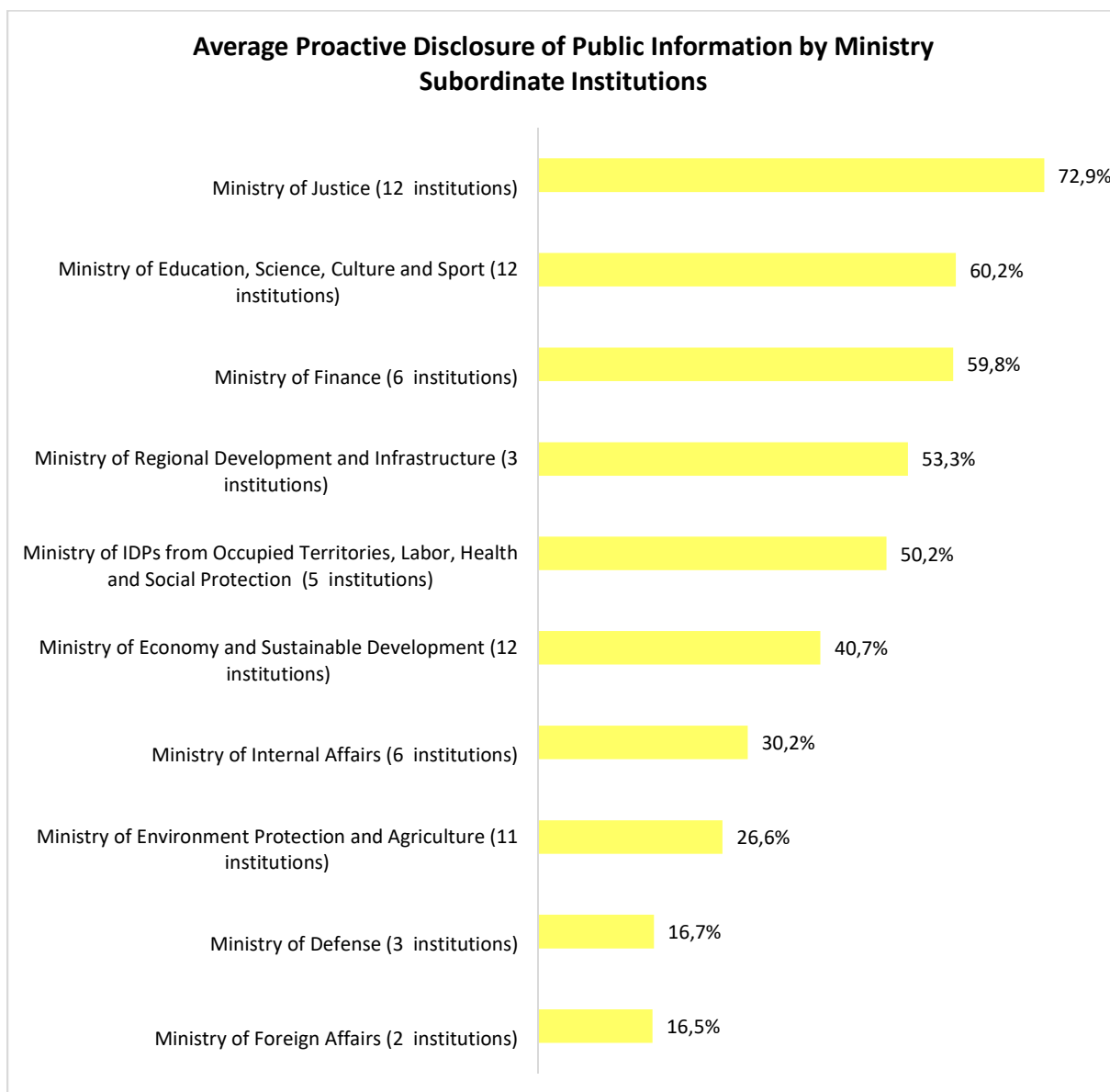


Subordinate Structures of the Ministries

The low average rate of proactive publication (53%) of information in public institutions is largely due to the fact that institutions under the Ministries publish less information. In particular, sub-LEPLs and institutions account for 47%, while their superior ministries are 76%.



The average number of proactive publication of public information of agencies under ministries ranges from 16% to 73%. The highest average percentage - 72,9% was shown by the institutions under the Ministry of Justice system (12), and the lowest - 16.5% by the institutions under the Ministry of Foreign Affairs (total 2).



Approximately 40% of the subordinated institutions have published less than 30% of proactive information. LEPLs mostly publish general information about the institution, which does not respond to the principles of proactive transparency. The following public institutions of high public interest fall below 30% mark on proactive disclosure of information: National Food Agency- 28%, Emergency Call Center 112 – 27%, Investigation Service of the Ministry of Finance- 25%, Service Agency of the Ministry of Internal Affairs - 21%, Municipal Development Fund - 19%, National Agency for Cultural Heritage Preservation - 13% and others.

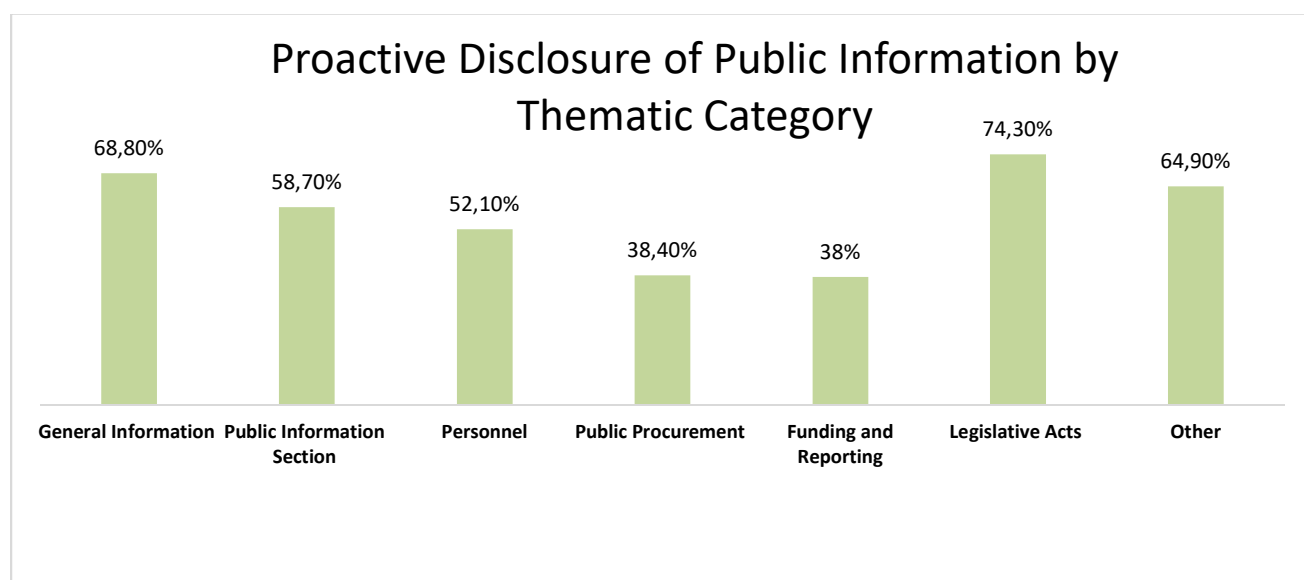
Practice of Proactive Publication of Public Information

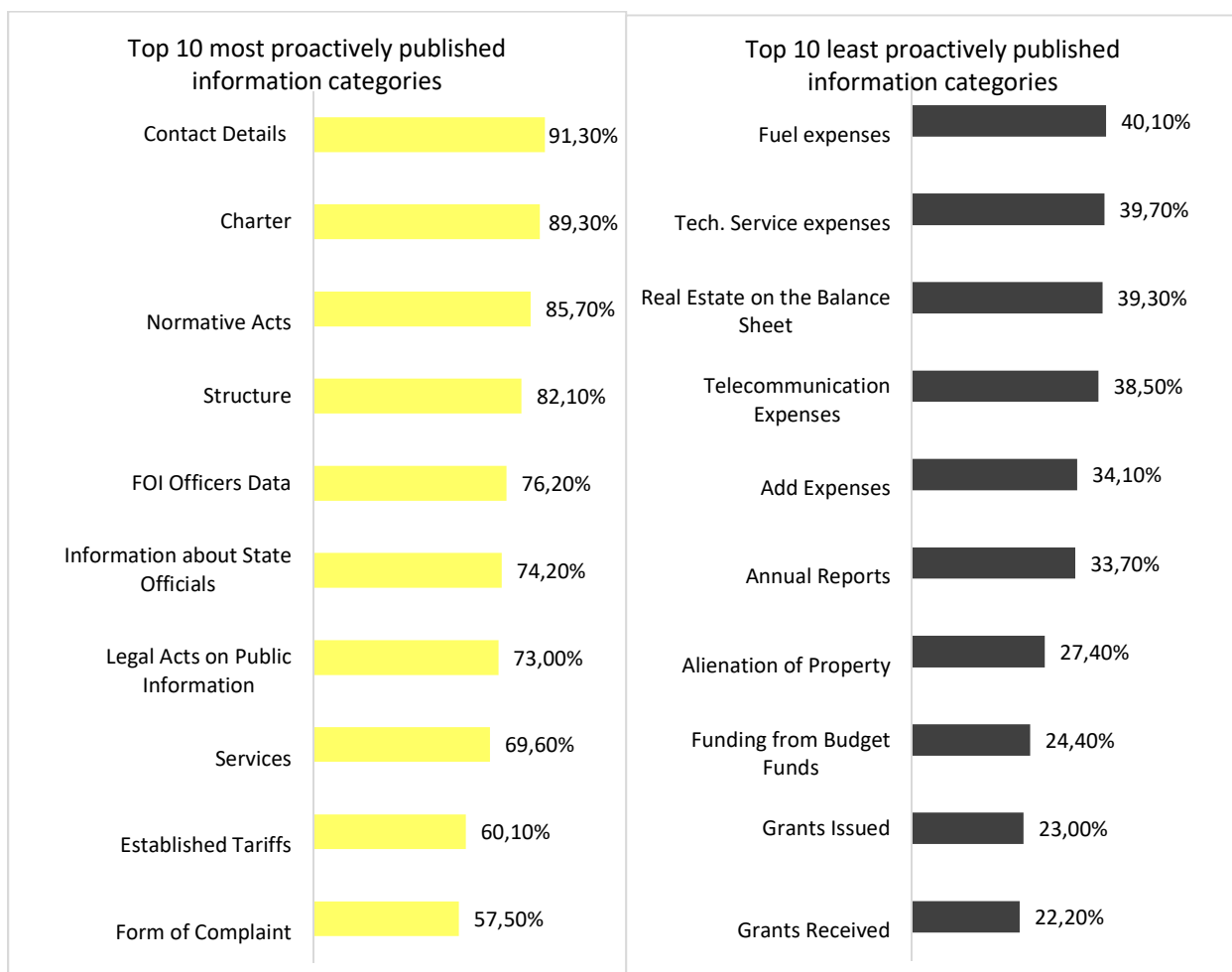
The most problematic issue for public institutions was publishing information related to state budget usage/expenses, with an average of only 38% of information being published in this category, as well as 38.4% being published under public procurement and property privatization category. Proactive publication of information on received (22.2%) and issued (23%) grants was the most problematic.

Low results were shown in following information categories as well: funding from budget funds – 24.4%, disposal of property - 27.4%, advertising expenses - 34.1%, telecommunication expenses - 38.5%, real estate held by public institutions - 39.3%, maintenance costs- 39.7%, fuel expenses - 40.1%.

Apart from the financial data, among the 10 problematic information was annual reports that rate 33.7. As of May 2019, the majority of public institutions did not publish their annual reports about the actions carried out by the institutions in 2018.

Public institutions proactively publish the general information related to contact details (91.3%), charters/statements (89.3%), normative acts (85.7%), structure of the institution (82.1%), etc.





Format and Archive of Proactively Published Information

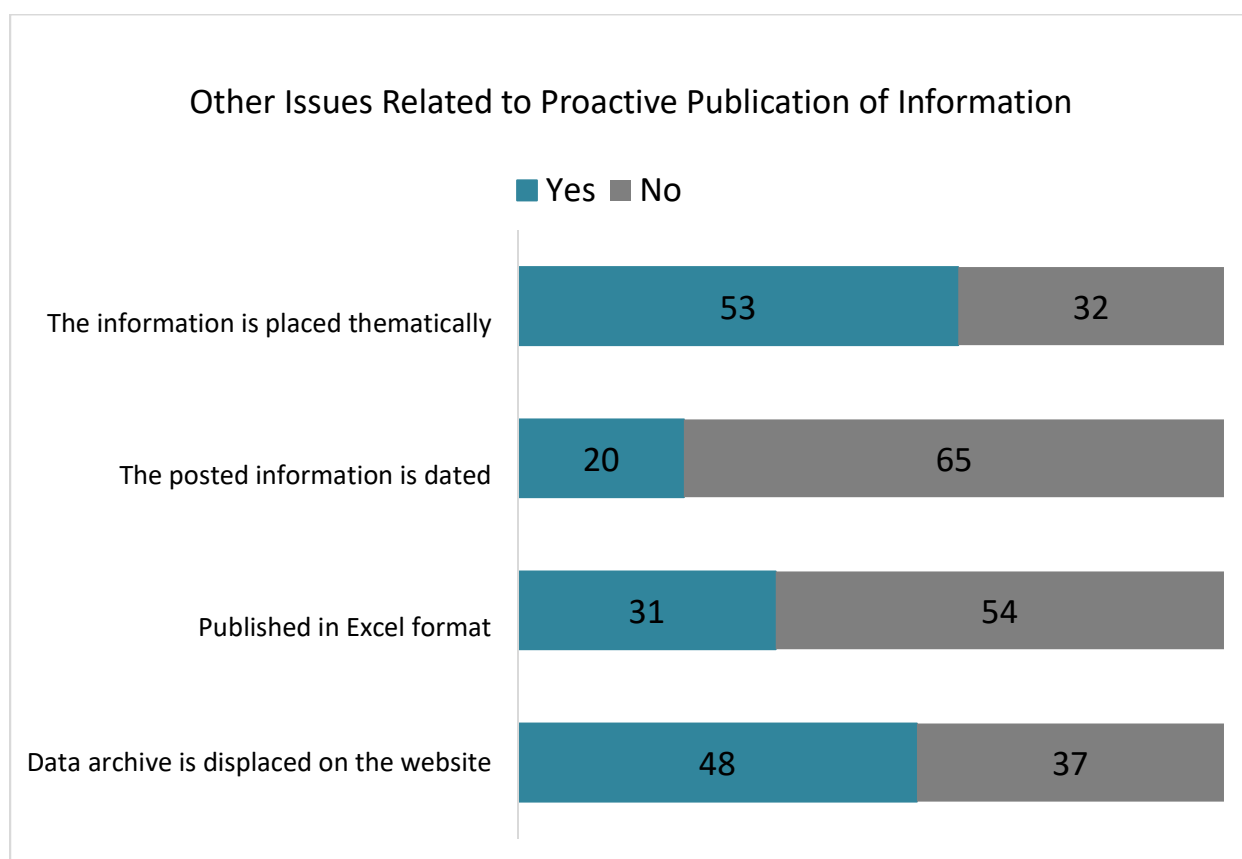
Within the scope of monitoring, IDFI has also studied issues related to proactive publication of information related to the categorization of published information, its dating, the format of published documents and archives. The government decree on proactive publication of information extends the obligation to use the special section on the official website to only part of the information.

According to monitoring results, 53 of the 85 public institutions published information by thematic categories. Public institutions are obligated to indicate the date of publication of public information on their websites. This abovementioned obligation was met only by 20 institutions.

Procedure for publication of public information do not restrict public institutions in relation to the format of publication. Following the international good practice, in this regard, is especially important

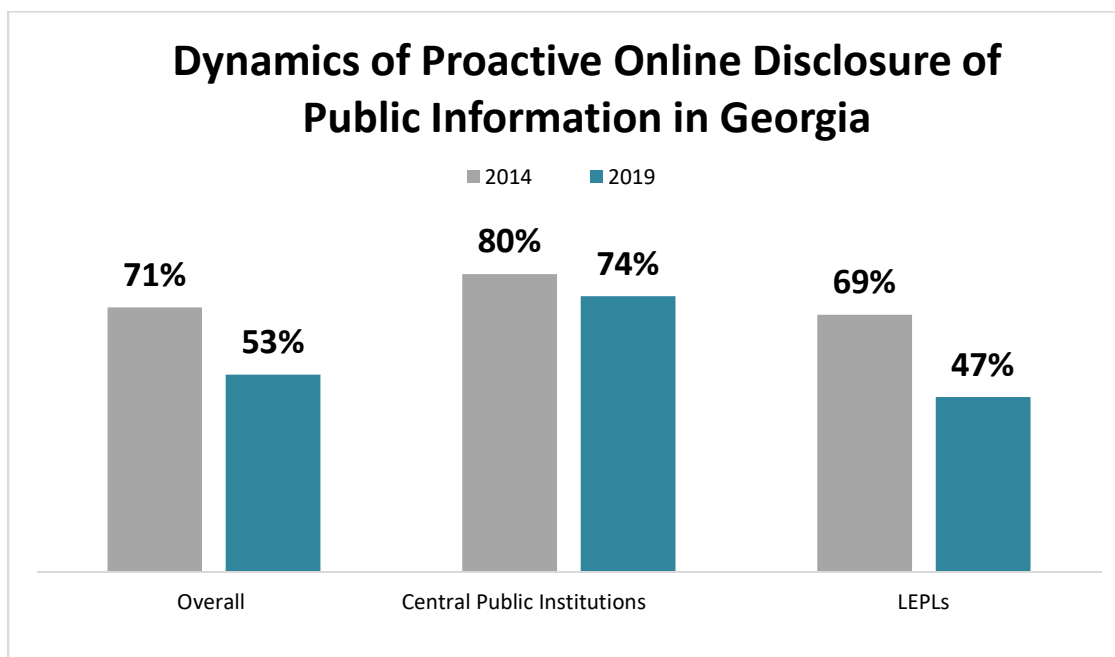
to publish public information in open data format. Georgian public institution did not have publication of data in CSV or XML formats.

PDF files are mainly used for publication of financial and other information. Only 31 public institutions had published some financial information in Excel format. The rules for proactive publication of information are not regulated by the rules of storage / archiving on the data website. Meaning that public institutions are not restricted from deleting information that they had published in previous years. Data from past years have been stored on 48 websites of monitored public institutions. In all other cases, website presented only information published during the current year and the monitoring period.



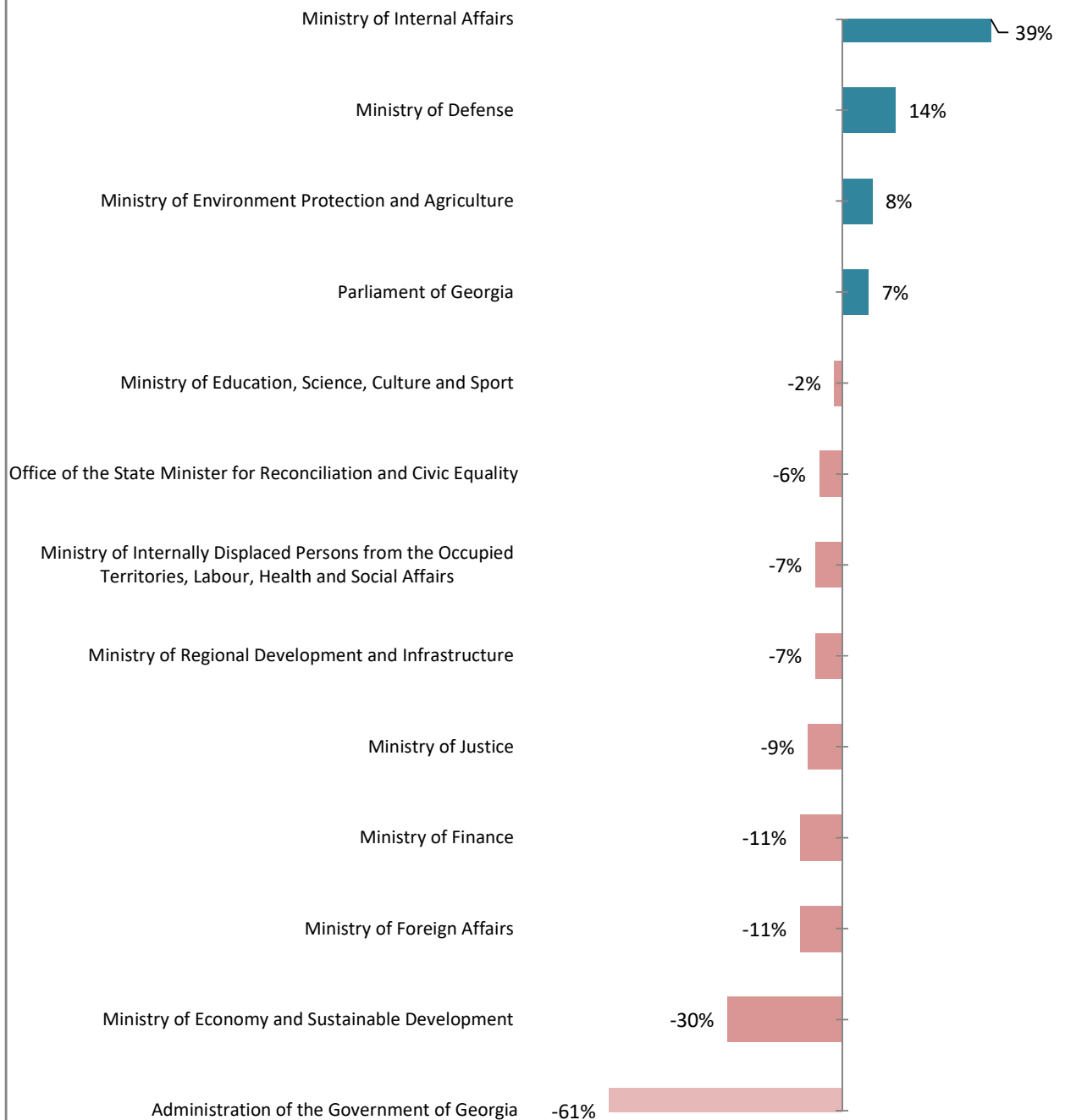
Dynamics of Proactive Disclosure of Information

The first round of monitoring was done by IDFI in 2014. In 2019, the same methodology was applied, which allows for a comparative analysis of 2014 and 2019. According to research results, after 5 years of monitoring in 2014, availability of public information in state institutions has decreased by 18%.

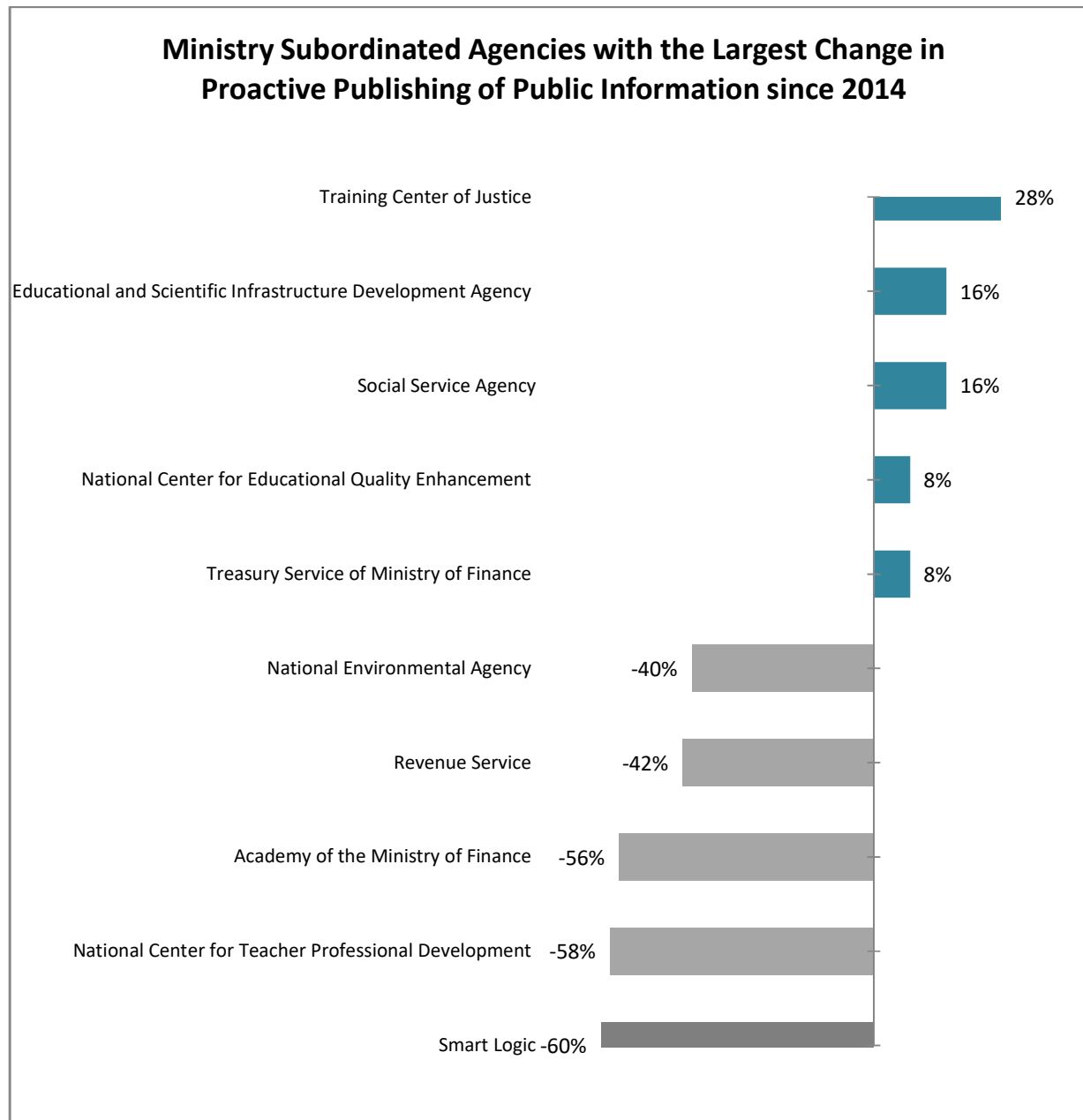


In 2019, most of the 13 central public institutions of Georgia have more or less worsened the proactive publication of information compared to 2014.

Change in Online Proactive Availability of Public Information on Central Public Institution Websites since 2014



In terms of proactive publication of information, significant negative trends in 2019 are also in Ministries' subordinate institutions. Out of institutions monitored in 2019, 55 were those institutions that were also monitored by IDFI 2014. 40 of these 55 institutions had worsened their results in 2019.



Good Practices and Recommendations for Proactive Publication of Public Information

The results of the monitoring of proactive publication of information by public institutions have clearly demonstrated that most of them cannot provide public information with high standards. On average only 53% of public information is published proactively, indicating that public institutions often do not publish the minimum information that will satisfy the requirements of the relevant resolution.

In 2018, one of the recommendations for the Open Government Georgia 2018-2020 action plan was about improving the existing standard of proactive publication and the implementation of the second wave of reform. In particular, IDFI recommended to expand the list of proactively published information, publication of information in open data format and the obligation of posting open data in the data.gov.ge portal.

In addition, it is important to ensure maximum financial transparency of administrative bodies and access to other important information for the public. In particular, public institutions must place all financial and other public documents on their website where public interest exists.

In order to improve the quality of proactive publication of public information in public institutions, it is desirable that public institutions take into account the main recommendations that could not be taken in 2018 under the Open Government Partnership (OGP):

- Public institutions should not be limited to publishing the minimum information provided by the relevant resolution and publishing information according to each paragraph (e.g. indicating names and surnames of the officials);
- To improve the existing standard of proactive publishing of information, a list of proactively published information should be expanded. Among them, it is necessary to publish all the information that was requested by 3 and more applicants during the year;
- Public institutions should establish the publication of public information in the form of open data format and their open data portal on data.gov.ge.

Rating of Proactive Disclosure of Public Information (Monitoring Results of 2019)		
N	Public Institution	Result
1	Ministry of Education, Science, Culture and Sport of Georgia	98%
2	Finance and Analytical Service	98%
3	Ministry of Internal Affairs	96%
4	Treasury Service	95%
5	National Center of Disease Control and Public Health	94%
6	National Agency of Public Registry	93%
7	Parliament of Georgia	91%
8	Data Exchange Agency	90%
9	Ministry of Justice	89%
10	National Center for Educational Quality Enhancement	88%
11	Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs	87%
12	Ministry of Regional Development and Infrastructure	86%
13	Social Service Agency	84%
14	Ministry of Defense	84%
15	Child and Youth Development Fund	84%
16	Roads Department of Georgia	83%
17	National Bureau of Enforcement	83%
18	National Archive of Georgia	81%
19	National Probation Agency	80%
20	Notary Chamber of Georgia	79%
21	Education and Science Infrastructure Development Agency	76%
22	Ministry of Finance	75%
23	Legislative Herald of Georgia	74%
24	Education Management Information System	72%
25	Shota Rustaveli national scientific foundation of Georgia	72%
26	Public Service Development Agency	71%
27	Training Center Of Justice Of Georgia	70%
28	Olympic Center	69%
29	National Education and Exams Center	68%
30	Service Agency of Ministry of Finance	67%
31	Ministry of Economy and Sustainable Development	66%
32	State Ministry for Reconciliation and Civic Equality of Georgia	66%
33	Public Service Hall	65%
34	International Education Center	64%
35	Center for Crime Prevention and Innovative Programs Center	62%
36	Land Transport Agency	60%
37	Vano Khukhunaishvili Center for Effective Governance System and Territorial Arrangement Reform	58%
38	State Hydrographic Service of Georgia	56%
39	Security Policy Department	54%
40	National Wine Agency of Georgia	53%
41	National Agency of State Property	53%

42	National Aviation Agency	53%
43	National Agency of Earth Sciences	51%
44	Police Academy	51%
45	Agency of Protected Areas	48%
46	Ministry of Foreign Affairs	47%
47	National Tourism Administration	44%
48	National Center for Children and Youth	43%
49	Environmental Information and Education Center	43%
50	Ministry of Environment Protection and Agriculture of Georgia	42%
51	Office of Resource Officers of Educational Institutions	41%
52	Revenue Service	40%
53	Maritime Transport Agency	40%
54	Administration of the Government of Georgia	39%
55	State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking	37%
56	Academy of the Ministry of Finance	34%
57	State Regulation Agency for Medical Activities	33%
58	National Center for Teacher Professional Development	32%
59	Livelihood Agency	31%
60	Technical and Construction Supervision Agency	31%
61	Innovation and Technology Agency	30%
62	National Food Agency	28%
63	Smart Logic	27%
64	112	27%
65	Investigation Service of the Ministry of Finance	25%
66	Accreditation Center	25%
67	Enterprise Georgia	25%
68	National Forestry Agency	22%
69	Service Agency	21%
70	Border Police	21%
71	Diplomatic Training Center	20%
72	National Environmental Agency	20%
73	Georgian National Agency For Standards And Metrology	20%
74	Municipal Development Fund of Georgia	19%
75	Scientific-Research Center of Agriculture	19%
76	Cyber Security Bureau	19%
77	National Defense Academy(NDA)	18%
78	Agency Of Nuclear and Radiation Safety	17%
79	Agricultural Cooperatives Development Agency	16%
80	Laboratory of Ministry of Agriculture	16%
81	Information Center on NATO and EU	13%
82	National Agency for Cultural Heritage Preservation	13%
83	Delta	12%
84	National Nursery	11%
85	Healthcare Service of MIA	7%
No Public Information Section on the Website		

1	Service for Accounting, Reporting and Auditing Supervision
2	Eurasian Transport Corridor Investment Center
3	Medical Agency
4	Zurab Zhvania School on Public Administration
5	Georgian National Film Center
6	Creative Georgia
No Website	
1	Translation Bureau of International Contracts of Georgia
2	Anaklia Deepwater Port Development Agency
3	Emergency Coordination and Urgent Assistance Center
4	Akhalgori Childcare Institution
5	Environmental Supervision Department
6	Oil and Gas State Agency
7	Penitentiary and Probation Systems Service Training Center
8	Military Hospital of the Ministry of Defense