



International Survey on Governmental Online Transparency

Georgia, Russian Federation, the United States of America and
Republic of Belarus

The research was prepared within the framework of the volunteer project “Pilot International Survey on Governmental Online Openness”.

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Summary

IDFI (Institute for Development of Freedom of Information) was involved in international monitoring of governmental online openness and transparency, initiated by the nongovernmental organisation, Freedom of Information Foundation, based in Russia. Together with Georgian and Russian organisations, civil society members from Belarus and the USA participated in the survey.

The monitoring aimed to determine whether it is possible to create a worldwide measure for the openness of governments.

Average openness rate over all countries and all information categories amounts to **45.1%** (**detailed evaluation scores for each country are available in the [Infometer system](#)**).

The most interesting results of the international monitoring could be considered the exposure of “closed” categories of information (those not represented on government websites in any of the countries surveyed).

- The ability to search for information regarding taxes paid by citizens and organisations. In not a single one of the participant countries was information about the total amount of taxes paid by each individual (civic or legal entity) available on their Internet site. As a rule, the only information available was that regarding the total amount of taxes paid by individuals for a specific period. At the same time, this information is public in a number of countries, including Finland, Norway, Sweden, and Pakistan.
- Number of funding spent by the central executive government body (the ministry) for official events and services for representatives of other organizations negotiating for establishment and support of cooperation with this body
- The ability to search the full text of dissertations written as part of an individual’s undergraduate degree by their name and surname. (Although a number of non-governmental organisations work on this information). Amount of funds spent by the federal executive body (the ministry) on official receptions and the service of representatives of other organisations which take part in negotiations for the purpose of establishing and maintaining cooperation with a particular authority
- The ability to search for information about a legal person (entity) by their participants. The practical availability of such a resource was not evident in a single one of the countries surveyed.

The following categories of information could be described as “rare” (they were represented only in one country):

Only in the USA:

- A majority of decisions made by courts are available, along with the individual contributions of actual participants in the legal process
- The possibility of using the number (address) of a police unit (section) to find out the number of crimes committed in the area assigned to that particular unit over the last fiscal year
- The possibility of using the number (address) of a police unit (section) to find out the number of crimes committed in the area assigned to that particular unit over the previous fiscal year
- Crime map
- A majority of sites of police units in the USA provide crime maps, on which are indicated the scene of the crime (including the street on which it occurred), the time and the type of crime committed

Only in Georgia:

- The ability to search for the real estate objects owned by individuals by name of owner (the full name of legal entities)
- The ability to search for information about the income of a high official by the position and (or) name of the civil servant
- The ability to search for information about the income of high official's spouse by the position and (or) name of the civil servant

Introduction

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The monitoring aimed to determine whether it is possible to create a worldwide measure for the openness of governments.

The research methodology was created by Freedom of Information Foundation, which has been conducting an audit of the websites of Russian governmental organisations since 2004. The survey is based on measures similar to parameters (categories of information which must be published on the websites, in accordance with regulatory requirements and expertise) measured according to a set of criteria (availability, degree of completeness, degree to which it is kept up to date, ease of navigation etc).

In 2010 this organisation launched an automated information system, Infometer, which optimizes the work of experts on evaluating websites by minimizing the possibility for error. The basis of the system is software written by experts at the Foundation with an open code, which you can adapt to any other survey method of web-content analysis, and so localize it for other countries. The survey method and the Infometer system make together an effective instrument for the assessment of the governmental openness, which has proved itself in Russia, and they wished to try it in the framework of a comparative international survey.

Researchers worked out survey parameters which were universally applicable to each partaking country. Before choosing the information categories (whose presence among government resources was subjected to evaluation), they firstly considered their significance for public oversight. In their view, the categories of information listed below illustrate the degree to which a culture of proactively publishing information on the internet has been developed in one government or another.

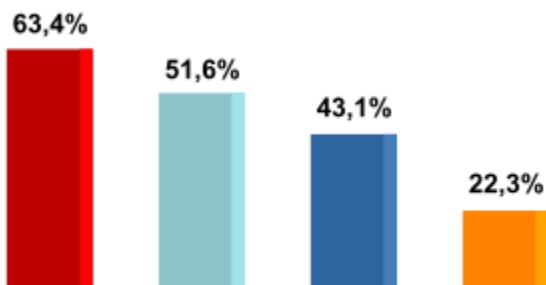
- Information on voting in the highest legislative body
- Information about meetings held by the highest executive body
- The State budget
- State and local procurement
- Legislation
- Court rulings
- Legal entities' founders and participants
- Information about the real estate owners
- Information about taxes paid by individuals and organisations
- Information about the income of civil servants
- Persons hosted by the State head

- Local crime statistics
- Information for voters
- State archives
- Cartographic information
- Individuals' theses

The most important measure was the ability to find the required information on government websites, namely the websites of government agencies or other internet resources, whose contents are monitored by civil servants. The ability to acquire such information on request was not taken into account.

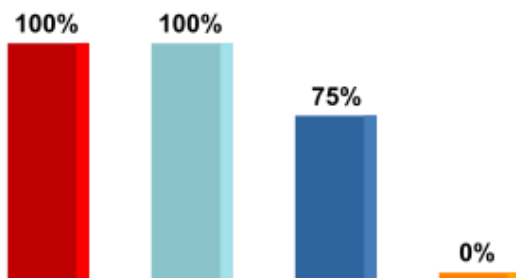
On the charts below, we present summarized data for various aspects of governmental openness in the countries studied.

Overall openness of the countries



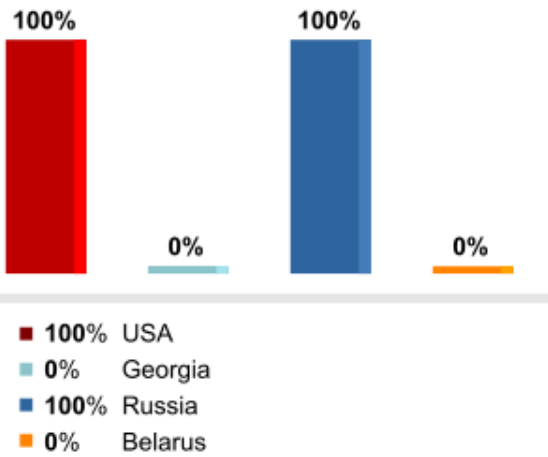
- 63,4% USA
- 51,6% Georgia
- 43,1% Russia
- 22,3% Belarus

Voting results in the highest legislative body

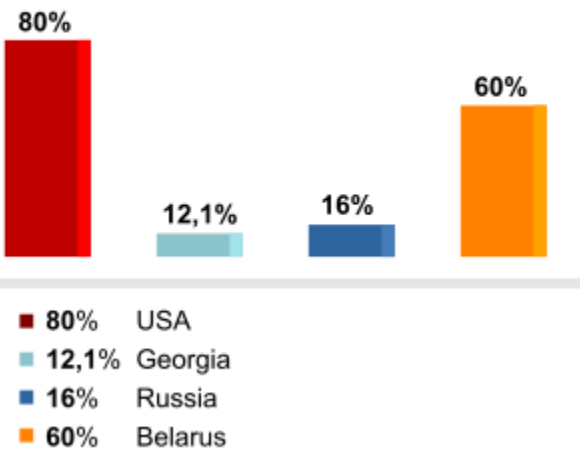


- 100% USA
- 100% Georgia
- 75% Russia
- 0% Belarus

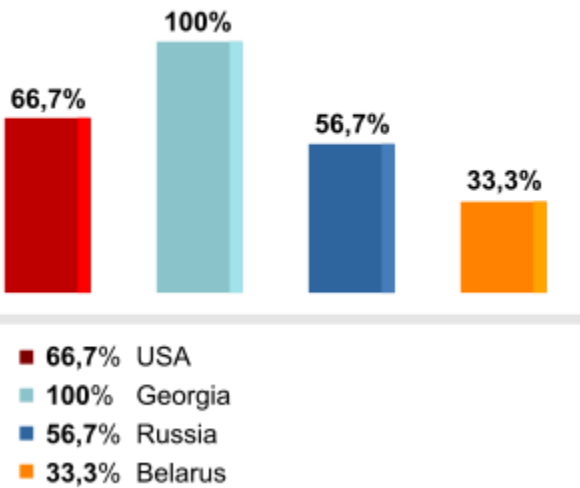
Meetings held by the highest executive body



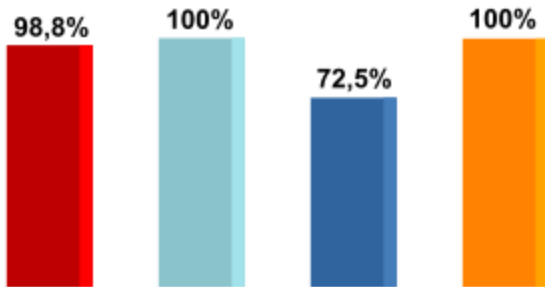
The State budget



State and local procurement

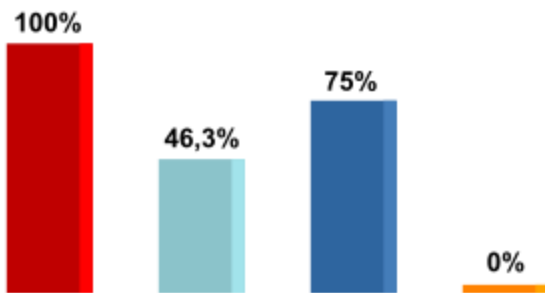


Legislation



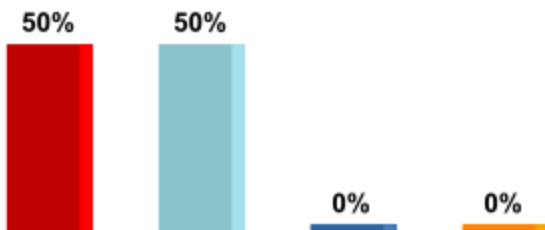
- 98,8% USA
- 100% Georgia
- 72,5% Russia
- 100% Belarus

Court rulings



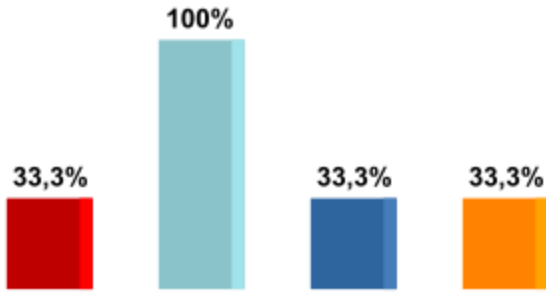
- 100% USA
- 46,3% Georgia
- 75% Russia
- 0% Belarus

Legal entities' founders and participants



- 50% USA
- 50% Georgia
- 0% Russia
- 0% Belarus

Real estate owners



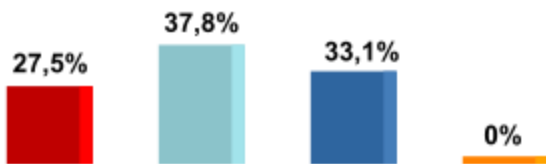
- 33,3% USA
- 100% Georgia
- 33,3% Russia
- 33,3% Belarus

Taxes paid by individuals and organisations



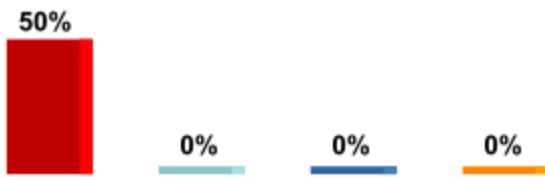
- 0% USA
- 0% Georgia
- 0% Russia
- 0% Belarus

Income of civil servants



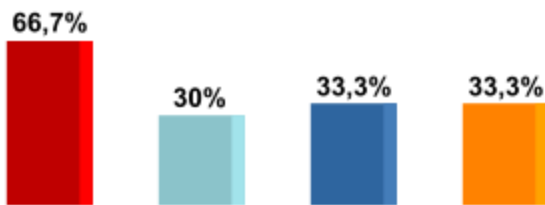
- 27,5% USA
- 37,8% Georgia
- 33,1% Russia
- 0% Belarus

Persons hosted by the State head



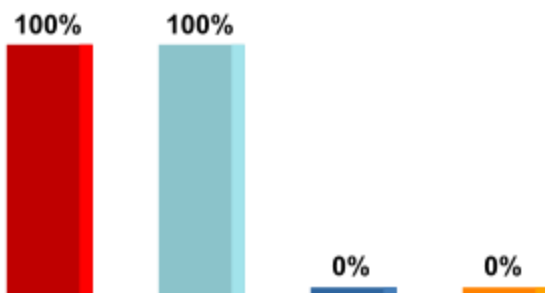
- 50% USA
- 0% Georgia
- 0% Russia
- 0% Belarus

Local crime statistics



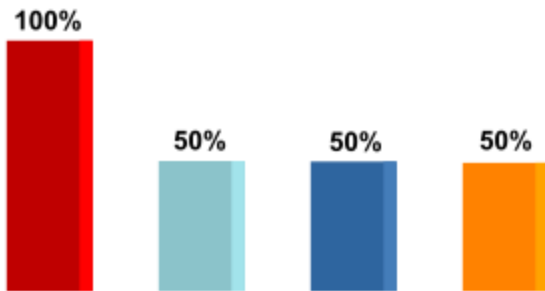
- 66,7% USA
- 30% Georgia
- 33,3% Russia
- 33,3% Belarus

Information for voters



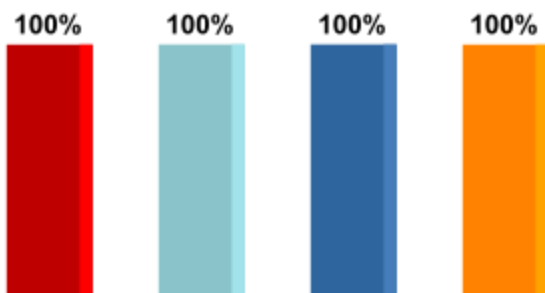
- 100% USA
- 100% Georgia
- 0% Russia
- 0% Belarus

State archives



- 100% USA
- 50% Georgia
- 50% Russia
- 50% Belarus

Cartographic information



- 100% USA
- 100% Georgia
- 100% Russia
- 100% Belarus

Individuals' theses

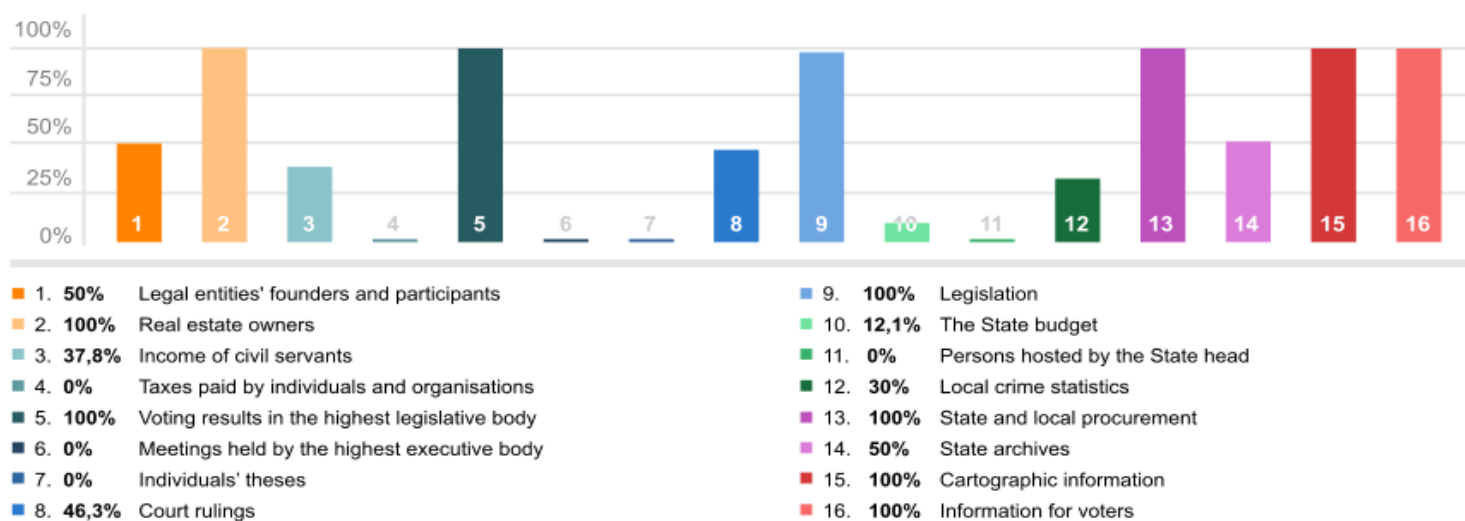


- 0% USA
- 0% Georgia
- 0% Russia
- 0% Belarus

Georgia

Organisation: [Institute for Development of Freedom of Information](#)

Indicators on parameters



Summary of the country results

Information placed often and soundly:

- Information on realty objects and their owners
- Information on governmental employees' incomes
- Information on voting in the top legislative body
- Information for voters

Information absent or placed seldom and poor:

- Information on taxes paid by a specific individual
- Dissertation theses' texts
- Court decision texts
- Shorthand records of the top executive body meetings
- Crime statistical data location by location

Interesting examples of governmental information disclosure:

1) The “Unified Electronic System of Procurement” website provides, among other, original texts of state procurement contracts (however, only in PDF format).

2) The <http://napr.gov.ge/?m=229> webpage is an interesting and useful resource allowing to find information on all legal entities of Georgia. Another page of the same portal, <http://napr.gov.ge/?m=123>, allows to find information on realty objects.

3) Information on high officials' incomes are also placed at a single specified resource, declaration.gov.ge. Officials provide very detailed data on their annual incomes, information on bank accounts, realty, contracts, gifts, cash, business (if any), and chattels such as jewels, vehicles, and other property costing more than USD 6,200).

Full report of the country results

Analyst of the organization: Teona Turashvili

The standards of e-democracy are gradually implemented in Georgia. In 2014 Georgia held the 56th place out of 193 countries with the Index of E-governance in the ranking of development of electronic governance, prepared by UN, and thus, has substantially improved the 2012 data (72th place).

One of the main positive changes in terms of accessibility of public data through internet was observed when the Government of Georgia issued a decree regarding proactive disclosure of public information last year. Specifically, on September 1, 2013, the [26th August №219 Decree](#) of the Government of Georgia “about electronic request for and proactive disclosure of public information” entered into force. According to the mentioned decree, **before December 31, 2013**, the administrative bodies of the government were obliged to create a public information page and publish the 2013 public information in the [list](#) attached to the decree on their websites. This list obliged the target institutions to make particular types of information (for instance, information about the state procurements and privatization of state property implemented by the public institution, funding and expenses of the public institution, crucial legal acts, etc.) accessible through their websites.

It is worth mentioning that previously public institutions were not required by law even to develop their official websites, nothing to say about their obligation to release particular public information about their expenditures on their official website. Therefore, establishment and effective use of official website by public institutions for disseminating main figures about their activities was regarded as their good will and illustration of their aspiration for transparency and accountability.

In order to assess the level of openness of governmental data and analyze current situation, within the framework of the international monitoring, existence and availability of particular public data was checked. In particular, main parameters intended to assess the level of accessibility of the following public information in Georgia:

- Information about the founders of the legal entities;
- Owners of real property information;
- Information on the income, property obligations of the heads of the executive agencies;
- Information on tax payments of individuals and organizations, tax arrears;
- Information on voting in the top legislative body;
- Meetings of the top executive body;
- Accessibility of dissertations;
- Accessibility of judicial acts;
- Accessibility of legislative acts;
- Accessibility of municipal acts;
- Information on State Budget Execution;
- Information on persons hosted by the head of State;
- Availability of crime statistics;
- Information on state and municipal procurements;
- Existence of outlines of the holdings of main governmental archives;
- Existence of state map;
- Information on election results and other related data.

Apart from this, almost all parameters were evaluated based on these main criteria: “complete”, “topical”, “accessible”, “hypertext”.

Monitoring revealed that information regarding founders, stockholders and other participants involved in the legal entities established under the state laws, main details (owners, location address) about real estate; total annual income of Central Executive Officials (CEOs) and their spouses, as well as the list of their vehicles and real estate was completely published in internet. Precisely, in case of the former, the website - <http://napr.gov.ge/?m=229> – enables users to find any data regarding legal entities. However, the main limitation of this data set is the fact that only parts of the information (primarily, ID of the legal entity, name, ID and address of applicant) is published in open format (HTML). As a result, it is not possible to search name of the legal entity by the full name of its founders, stockholders and other participants, since this information is present in PDF format (proprietary format).

Even though data on real estate is integrated in the same e-resource as one of its sections (<http://napr.gov.ge/?m=123>), all the information regarding each real estate object is published in HTML format. Therefore, any interested person is allowed to process and search the given information.

Besides, the abovementioned data on high officials became accessible since the establishment of the website declaration.gov.ge, managed by the Civil Service Bureau of Georgia. According to the Georgian law, each official completes the Declaration in the following circumstances: a) Within two months following his/her appointment to the position; c) Each year while serving in the position, an official must complete the Declaration within a week from the date of completion of each previous Declaration; d) Candidates for Parliament membership, within a week following their registration as a

candidate. Filled-out assets declarations are uploaded on the mentioned unified e-resource. These documents are submitted by President of Georgia, Prime Minister of Georgia, Members of Parliament, Ministers, Judges, Prosecutors, Head of Departments, Governors, Mayors and other high ranking senior officials. Information about their annual income, bank accounts, real estate, contracts, gifts, cash, entrepreneurship activity (if any), movable property (including cars, jewellery, other belongings valued at more than 10 000 GEL/USD 6 200) should be indicated.

Apart from this, high completeness of the revealed data was detected with regard to the results of voting in the Parliament of Georgia, procurements for goods and services planned by particular governmental agencies. It should be noted that data set on voting results in the legislative body is the only exception providing an API (Application Programming Interface) enabling any third party automated processing.

As for web-site “Unified Electronic System of Procurement”, all the required information about state procurements is available on this e-resource; however, the only drawback is that original contracts are published in PDF format.

On the contrary, there are other aspects where Georgia was scored by 0 point, since information implied under these parameters could not be found. Firstly, there is no unified resource where full texts of master and doctoral thesis are available. Besides, people cannot find out the exact amount of taxes paid by separate citizens and organizations during the past two years. Even though each taxpayer has its own online account on the website of the Revenue Service (<http://rs.ge/en/1340>) and can get information about his/her taxes, this data is not public. Also, Georgia showed the least results in terms of availability of information regarding representational expenses and the number of performed crimes for specific police unit. Also, people and most importantly, journalists do not have access to shorthand notes of the Government meetings. Finally, there is not any interactive map indicating places, dates and types of each crime.

Even though in case of the remaining parameters, partial information was available on the official websites of the respective public institutions, given data were either incomplete or covering particular territories of the country. Consequently, parameters on availability of judicial acts for criminal proceedings were still assessed by 0 point. Similarly, comprehensive information about persons (full name and position of the visitor, reception date, duration and location) hosted by the State cannot be obtained. There is a section devoted to meetings and visits on the web-site of the President of Georgia. However, all required information mentioned above could not be found in the news published under this section. American example can be taken as a good practice for Georgia in this direction. In particular, the [official website](#) of the White House provides records of White House visitors on an ongoing basis online. The data set includes information about name of visitor, number of days, number of guests, location of meeting, meeting room, type of meeting and so forth.

In case of outlines of the holdings of National Archives of Georgia, only three (name of particular holding, chronological span of holding, number of cases) out of seven types of required information were provided by its official website.

Besides, judicial government of Georgia established a [website](#), containing judicial acts for administrative, civil and criminal proceedings. As representatives of this project claimed, currently it is still test version, since some court decisions are not accessible for general public (with the exception of those having ID and password of the system, including targets of court decisions). Apart from this, the Supreme Court of Georgia has its [own portal](#), where all decision of this institution can be found. In future, it is planned to integrate these two websites and make a unified portal incorporating comprehensive and thorough judicial acts.

Among the websites containing the information implied under the parameters of the monitoring, section for the results of the voting in the Parliament of Georgia integrated in its official e-resource can be highlighted. As it was mentioned above, it provides an API enabling developers and any interested people to freely tie and connect their program to the data available in this section of the web-site of the legislative body of Georgia. Consequently, changes made to the main database will be automatically reflected by the application of API consumers.

At the same time, advent of the web-site dedicated to state procurements had significant impact on prevention of corruption and improvement of the competition between companies.

In contrast to such positive developments, Georgia has challenges with regard to publication of comprehensive information about taxes and tax arrears of physical and legal entities. It is of equal importance to make information about representational expenses accessible for everyone. Finally, crime statistics sometimes display and show performance of law enforcement agencies, as a result such kind of data always draws attention from civil society. Nevertheless, the criminal statistical data published by the Ministry of Internal Affairs of Georgia in 2012 was not presented according to the types of criminal acts. With regard to the detailed data as of the last two years, this information was published only on June 20, 2014. Nowadays, these figures are inserted as a document to the news on the web-site of the Ministry of Internal Affairs of Georgia, instead of uploading in a special section devoted to such information on the official web-site of the Ministry. As a result, search for this information can be quite challenging for users.

Obtaining information about allocation of governmental budget in different areas (for instance, defense, healthcare and other priorities) was also difficult since these figures were published in PDF document and required careful observation of the comprehensive data in order to search the desired information.

Based on the results of the monitoring, several **general observations** can be made:

- The level of openness and provision of public information by governmental agencies is gradually increasing. However, in order to comply with international standards in this direction Georgia still needs to take substantial and tangible steps leading to fundamental reform of e-democratic standards in public sector;
- According to this monitoring, Georgia has main challenges in terms of accessibility of data on shorthand notes of governmental meetings, taxation policy and representational expenses as well as, to some extent, criminal statistics and judicial acts. This fact should be taken into consideration by CSO representatives, since they have just started working on the draft law of freedom of information;
- Nowadays, there are only several cases when governmental data is accessible in open and structured formats. This fact impedes the level of openness and accessibility of the given public information.

Recommendations:

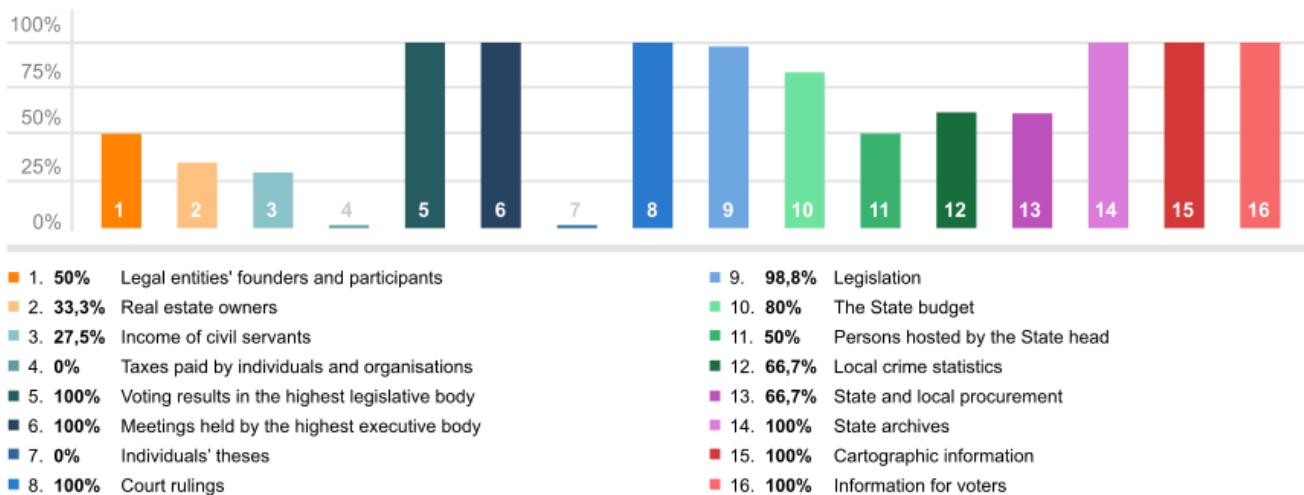
- In order to increase the degree of openness of public information in Georgia, government has to develop several data sets. In particular, criminal statistics should be updated timely and given figures should be present according to the types of crimes. Additionally, establishment of crime map will ensure higher levels of transparency in this direction;
- Apart from this, it is necessary to make all types of court decisions available for general public and the given data should be published in open format;
- As for tax information, the Georgian Government should study international practice in this regard and develop international standards locally;
- People should have more detailed description of archival documents and materials preserved in each archival funds throughout the country;
- The list of proactively released information should be broadened and make it as detailed as possible. In particular, it is of vital importance to secure provision of particular information for each public officials and ministries. Such approach will secure higher level of transparency and accountability of governmental agencies through disseminating thorough information about their expenses;
- The governmental agencies should not only develop new e-services but also should devote proper attention to advancement and improvement of the existing e-services and applications. Most importantly, for the purposes of re-usability of the governmental e-resources and data sets, they should be available in various open and structured formats that allow automated processing. Both formats (machine-readable and human-readable) should be present. Most importantly, public data

should not be available only in the forms of scanned images. Instead, it should be provided in easily-processed formats, such as CSV, JSON or XML.

The United States of America

Organisation: [National Security Archive at George Washington University](#)

Indicators on parameters



Summary of the country results

Information placed often and soundly:

- [Texts of legislation acts](#)
- [Results of voting](#) (roll-call and other) in the top legislative body of the state
- [Court decisions](#)
- There is a convenient resource for archive documents searching (<http://www.archives.gov/research/guide-fed-records/index-numeric/> and <http://www.archives.gov/research/alic/tools/record-group-clusters.html>). They provide detailed information on archive funds, periods, topics, and so on. Archives and archive guidebooks in the US are now being digitized.

Information absent or placed seldom and poor:

- Not all the information on governmental employees' incomes, real property, and vehicles owned by them is posted online (however, the expert from the US sees no

special problem in this since publication of such information is not very common for the American informational culture).

- There is no functionality for searching information on taxes paid by a specific individual or legal entity.
- Legal entities' founders and participants

Interesting examples of governmental information disclosure:

1) In the US, police units' websites usually contain such a convenient and useful tool as a crime map showing what criminal actions take place, and where. Examples: <http://www.crimemapping.com/map/fl/daytonabeach> and <http://crimemap.dc.gov/CrimeMapSearch.aspx>

2) The Supreme Court of the US practices [publishing audio records](#) of the hearings

Full report of the country results

Expert of the organization: Lauren Harper

The international monitoring survey for the US revealed that there are some areas the US ranks very high on, and others that could stand for some improvement.

There are various acts and initiatives that stipulate what records and what information the federal government must provide online. These include the Freedom of Information Act's E-FOIA amendments of 1996, and the Electronic Records Management Initiative.

Except where explicitly noted, all of the information that was found, and links that were posted, are from websites operated and maintained by the US federal government. It should be noted, however, that in some instances information was obtained from local government websites, including information about crime maps and obtaining polling information.

One of the areas that it was difficult to find information on was the area of financial disclosure forms, or asset declarations. The Ethics in Government Act of 1978 mandates high level employees in the federal government, including political appointees above a certain pay grade ([including secretaries of federal agencies](#)), must fill out these forms annually, the details of which can be found [here](#). These forms also cover the appointee's spouse and dependents, and are to be made available for six years. However, in order to access these reports, one must fill out a request form with the knowledge that the information cannot be used for commercial or other purposes, and they are not easily found online unless someone who has requested the form has posted it somewhere after receiving it. The Obama administration has made it easier for people to request this information by making one website where someone can go to request this information across the federal government (<http://www.whitehouse.gov/public-forms/oge278>), but it would be more transparent if this information was provided proactively and electronically. It is difficult to suggest how to do so given privacy concerns, but it remains that the White House should not rely on the

request system for this information, as it could find a way to withhold personal information from these documents and post them to the internet.

Another parameter for which there was no information was a government-run site that would allow you to search for private corporations. I believe, however, there is also no need to build and maintain a government site that allows you to search for private corporations, as this is a function already filled by the private sector, and would be timely, expensive, and redundant for the government to do as well.

While tax information is generally [available](#) online, the information is not easily searchable. The same goes for visitors received by the President.

The National Archives and Records Administration (NARA) does overall a good job of making public records available and informing the public where to locate both hard and soft copies of its records, but there are larger concerns about NARA's funding and its ability to fulfill its mission, especially with the increasing amount of electronic records, absent increased resources.

The US does an exemplary job of posting: [federal court proceedings](#), whether it be criminal, civil, or administrative; information from this and previous years' [congressional record](#); and electronically posting [federal regulations](#). Land data and crime maps are also well documented and easy to locate.

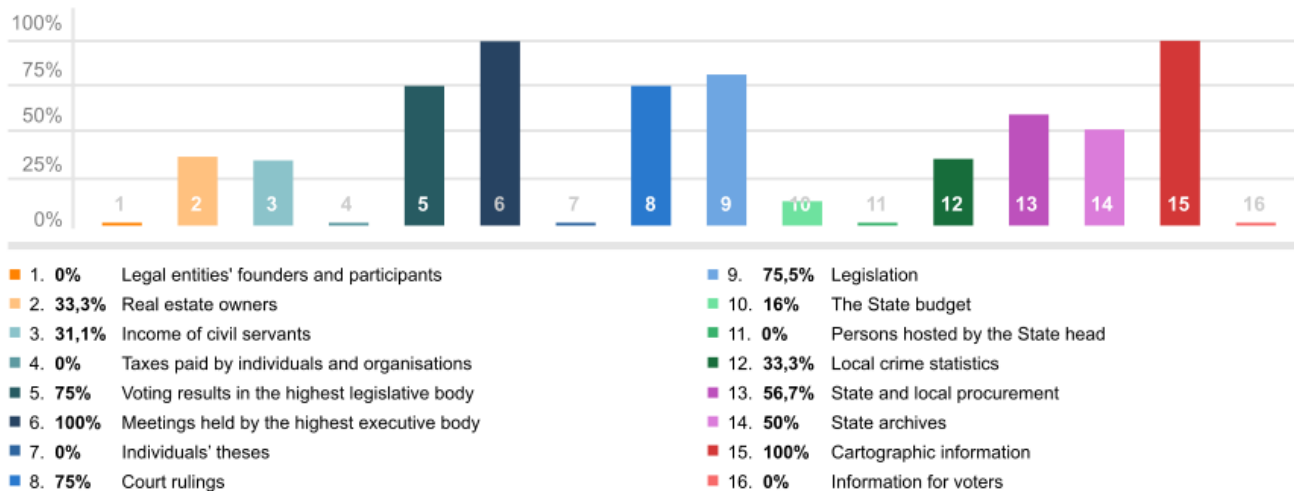
There were no problems that I would identify as major, though there were issues that should be addressed, like ensuring that all federal departments post required information in a consistent fashion, and do so in a timely manner, so that it's easiest to serve the public.

Overall the US does a good job posting governmental information online. The US clearly prioritizes ensuring that the laws of the land are available online, and that important departmental documents are posted in electronic format. It's clear, however, that some departments put more of an emphasis on making information available electronically. The courts do an excellent job, from what I could find, and, generally speaking, the largest departments (cabinet level departments) do a good job of allocating resources to make sure that important information is available online (government accountability offices also do a good job). However, this is not the case for all agencies, some of whose websites are clearly outdated. While I do not think it is generally a reflection of a willful intent to not be transparent, it would be ideal if there were enforced, government-wide standards for posting information, like regulations, on agency websites, and in what format these documents were done. Ensuring that posted documents, especially PDFs, are searchable, is also key.

The Russian Federation

Organisation: [Freedom of Information Foundation](#)

Indicators on parameters



Information placed often and soundly:

- Information on governmental employees' incomes and properties;
- information on voting in the top legislative body;
- legislative acts;
- information on national budget expenditures.

Information absent or placed seldom and poor:

- texts of decisions made at voting stations;
- information on tax amounts paid by a specific person;
- possibility of searching for realty objects' owners;
- dissertation theses texts;
- information on persons hosted by the state head;
- crime statistical data location by location (possibility to search for statistical data by a police unit number or address);
- texts of contracts for state procurement.

Interesting examples of governmental information disclosure:

1) The [full map of the Russian Federation](#) showing all realty objects. Possibility for searching by cadastre numbers, addresses, or by exact coordinates, much facilitates usage of the resource.

2) Detailed [information](#) on the State Duma activities is placed at its official website. It provides access to roll-call voting results, statistical data on meeting attendance by deputies, and to information on approval or rejection of bills. Illustrative statistics is also available.

3) The state [procurement portal](#) places detailed information on orders and procurements performed by state structures. The resource is important both for potential contractors that can find information on all competition at a single web portal, and for public control and transparency of the state procurement system. However, the portal does not place original texts of state procurement contracts; such a measure could increase procurement transparency without damage for commercial or other secrets.

4) Detailed information on incomes, expenditures, properties, and liabilities provided by the Russian Government members for the last fiscal year (January 1 - December 31, 2013) are available as a [downloadable file](#).

Full report of the country results

Completed monitoring of the Russian Federation's government bodies allows us to draw several important observations.

There is obvious divergence between various government bodies' informational openness. Since monitoring parameters were explicitly grouped by topical categories, it appears that some parameter groups are represented quite well (for instance, the "anti-corruption" set of parameters regarding officials' incomes and properties) while other parameter sets are evaluated by quite low scores (for instance, the record of real estate objects and their owners).

The federal form of each state has an effect on its freedom of information ratings.

Since the Russian Federation has many regions (85 of them including Crimea and Sevastopol) its informational field is rather fragmented, and topical information is often provided through regional (not federal unified) e-resources so that search becomes much more complicated.

Lack of uniformity in the presentation of information. This problem partially results from the previously mentioned fragmentation of the information field, since in each region there is a specific procedure for data processing so that the same information can be presented in quite different forms (including images), in different sections of the website (sometimes contradicting any logic from a user's point of view), or not be available at all.

Third-sector participation in the presentation of governmental information.

The monitoring has revealed some interesting non-governmental resources maintained by non-profit organisations, which fill some gaps in governmental informational openness. For instance, there is no crime map available on the website of the Ministry for Internal Affairs: however, the RosPravosudie non-political project does maintain such a [map](#).

Also, it can be quite difficult to find a court decision on the court's website, but the ["судебныерешения.рф"](#) e-resource can be helpful.

However, this monitoring cycle has not taken such resources into account since they are not governmental.

Moreover, creation of parallel governmental resources dedicated to topics already covered by civil activists seems to be not very efficient; cooperation between government bodies and civil activists may be more fruitful.

In general, I can consider monitoring results for the Russian Federation as positive since there are not many parameters for which no information has been found. I believe that such monitoring should be held annually or semiannually and cover more countries. If 20-50 countries will be covered there could be a sound claim for a cross-national research similar to [that made by Ronald Inglehart](#) though not so wide and complex.

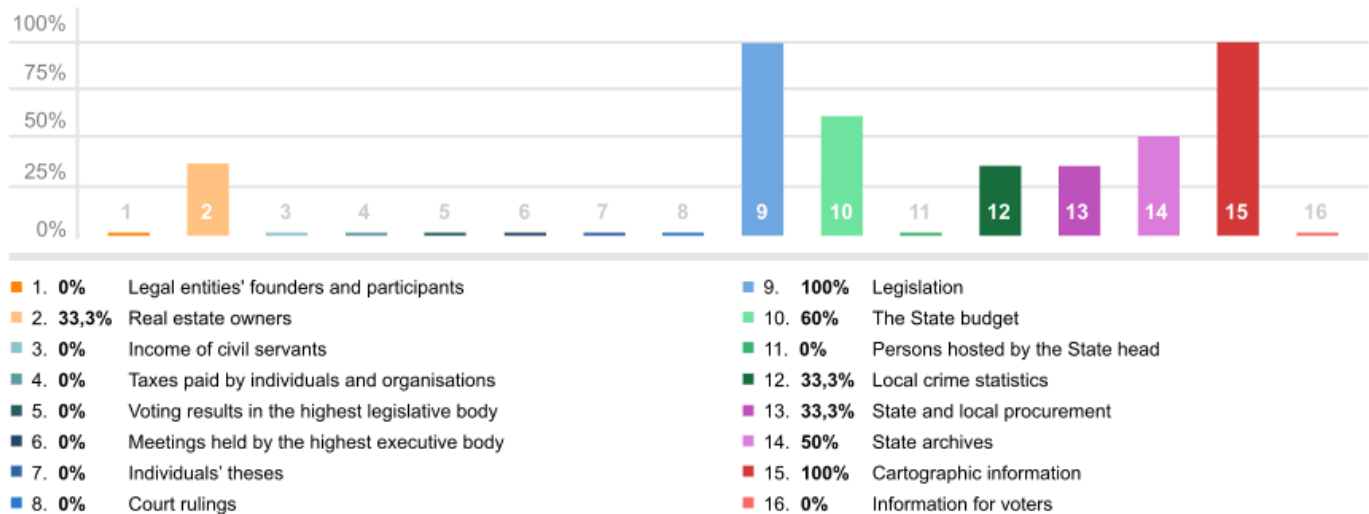
Proposals

- 1) To develop tools for searching information on governmental employees' incomes. Data should be searchable by employee full name and position.
- 2) To develop tools for searching information on tax amounts paid by a specific citizen.
- 3) To develop tools for searching the database of dissertation theses by author's full name.
- 4) To develop a unified resource publishing acts issued by municipal bodies.
- 5) To specify information on the State Head's activities in more details by means of publishing information on the persons hosted by the State Head in 2013-2014.
- 6) To publish detailed statistical data on criminal actions, searchable by police unit number (address).
- 7) To launch a service allowing one to learn his (her) election voting station upon entering residence address.
- 8) To itemize online guidebooks on funds of the Central State Archive.
- 9) To develop tools for allowing to find a realty object owner by the object address or cadastre number, or a realty object by its owner's name.

Republic of Belarus

Organisation: [«Lawtrend» Legal Transformation Center](#)

Indicators on parameters



Summary of the country results

Information placed often and soundly:

- Access to texts of legislative acts
- Some information on state procurements
- Cadastre map

Information absent or placed seldom and poor:

- Information on legal entities' participants
- Information on realty objects' owners
- Information on officials' incomes and properties
- Information on voting results in the legislative body
- Shorthand records of the government meetings
- Dissertation theses' texts
- Texts of court decision for all types of proceedings
- Texts of settled contracts for state procurements, etc.

Interesting examples of governmental information disclosure:

1. **Cadastral map of Belarus.** In the mid-April 2014, the National Cadastre Agency launched the test version of the public cadastral map of Belarus (<http://map.nca.by>) providing information of the State Land Cadastre registers and lists.

2. **Information on persons hosted by the head of state during the current year.** On the new version of the Presidential official web portal, the special subsection, Meetings, is introduced (http://president.gov.by/en/news_en/findTags/193/), publishing detailed information on guests hosted by the President.

Full report of the country results

Expert of the organization: **Andrey Sushko**

Summary

In the beginning of June 2014, the **Lawtrend Legal Transformation Center** monitored the presence of specific categories of socially significant information on websites of government bodies and governmental organizations. The monitoring has revealed a poor degree of openness in terms of information categories and informational systems. This can be explained by the absence of relevant obligations in the national legislation, and sometimes by policies which actively encourage the commercial usage of socially significant information.

Parameters represented most comprehensively

Total amount of taxes paid. Information on total amount of taxes paid by individuals and organizations is provided at the [website of the Ministry for Finances](#) within monthly and annual reports on budget execution. The documents published contain information on amounts paid for various categories of taxes. The data published is not organized by source (individuals, organizations) or by region.

Legislative acts. The National Register of Legal Acts of the Belarus Republic (henceforth referred to as the *National Register*) has existed since January 1, 1999. It was created according to Presidential Decree #369 of Jul 20, 1998, [On the National Register of Legal Acts of the Belarus Republic](#). The e-version of the National Register is available through the [National Legal Web Portal of the Belarus Republic](#). All publicly accessible normative legal acts are published in PDF format. There is also the *Etalon* e-database, which, for a fee, grants access to legislative acts in their current state (with all actual amendments) and provides extended possibilities for database searching.

State procurements. State procurement plans, procedures, and results can be tracked on the [official website](#). However, there are some flaws in its functioning: for instance, it is impossible to search for texts of procurement contracts by the name of the government body. Also, start and end dates for documentation submission (for potential vendors and contractors) are often not defined clearly.

Parameters presented most poorly

Information on the Register of entrepreneurs and organizations. In Belarus, there is a [Unified State Register of Legal Entities and Individual Entrepreneurs](#). Its web portal allows one only to find the names of legal entities for free. It is possible to obtain a detailed extract from the Register (including information on founders, legal address, and other registration data), but only for a charge, and upon receipt of a written or online request. To learn more about the procedure for access to Register information, see http://minjust.by/ru/site_menu/edin_gos_register/inf_iz_egr

Information from the real estate ownership register. The Unified State Register of Realty, Rights to and Transactions allows one to obtain detailed information about real estate objects in Belarus. One can learn free of charge whether there is a record in the Register regarding a specific object. To get online access to the record itself (via the <http://gzk.nca.by/> website), subscription (for a charge) is needed.

Information on officials' incomes and properties. Belarusian legislation does not require the publication of such information.

Information on parliamentary voting results. There is no normative provision regarding electoral vote results. In practice, they are published by the mass media in exclusive cases. Article 96 of The Regulations of the House of Representatives of the Belarus Republic National Assembly states: "<...> Following a decision by the House of Representatives, electoral vote results can be published in the mass media".

Shorthand records of Government meetings. The Council of Ministries of the Belarus Republic does not publish such information.

Research theses' texts. The Higher Attestation Commission published at its [website](#) only thesis [synopses](#), not full texts.

Crime map. Although the Ministry for Internal Affairs publishes quite detailed statistical data on crime acts and law offences' types and numbers (subdivided by districts), no governmental or non-governmental entity has implemented a project for crime mapping up to now. At the Ministry website, data are published in a format that is not electronically processable.

Most illustrative examples of information availability

A) Best practices

Cadastre map of Belarus. In mid-April 2014, the National Cadastre Agency launched a website to test the [Public Cadastre Map of Belarus](#), showing information from registers and lists of the State Land Cadastre.

Information on persons hosted by the head of state during the current year. On the new version of the Presidential official web portal, the special subsection, [Meetings](#), is introduced, publishing detailed information on guests hosted by the President.

B) Negative examples

Information on parliamentary voting results. There is no normative provision requiring electoral vote results. In practice, they are published by the mass media only in exclusive cases. The Regulations of the House of Representatives of the Belarus Republic National Assembly, Article 96

states: "<...> Upon decision by the House of Representatives, electoral vote results can be published in mass media".

Information about voting stations and texts of decisions made following elections in the majority of voting stations. The legislation of the Belarus Republic does not obligate the government to provide any services for searching a relevant voting station by a voter's personal data at the Central Election Commission's official website, or indeed on other informational resource. In practice, there is no such a service.

In Belarus, there is no online access to texts of local election commissions' decisions since the legislation does not require to publish them online for permanent public access. In accordance with the Election Code norms, copies of local election commissions' protocols on vote counting are made available (in hard copy) for public access during an election period in voting stations' rooms.

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State information online placement in Belarus: general conclusions

Having analyzed the results of the monitoring conducted in mid-2013, the Lawtrend Center for Legal Transformation revealed that national governmental bodies' official websites do not fully meet either the requirements of national legislation regarding online access to government bodies' information, or common technical requirements for the contents and functioning of official websites. Republican executive government bodies' official websites serve as a one-way channel for restricted information, rather than an efficient tool enabling access to information held by government bodies. It becomes still more difficult to use information provided by the state due to complications in information searching and processing.

The monitoring allows us to draw a number of conclusions:

There is only a narrow list of information categories mandatory for coverage on official websites in Belarus. It does not include most categories of information and services studied within the context of our investigation. Thus, government bodies do not aspire to place socially significant information online, unless it is actually stipulated in the legislation.

In Belarus, there are a number of state informational systems available for online access; however, access to most of the databases (registers, lists) studied, including access to the state legislation e-database, is provided only for a fee, and thus cannot be called 'open'. Such an approach to publication of socially significant information decreases general governmental openness.

Proposals

Based on priorities of the implementation of governmental transparency and of the widest access to state sector information, according to the public interest, we propose the following:

A) to extend the list of normative requirements to government bodies concerning the availability of socially significant information online;

B) to revise the practice of commercial usage of state informational systems containing socially significant public information.

I am not surprised by the monitoring results for Belarus. Since our legislation defines quite a narrow list of requirements to government bodies' websites and most categories evaluated are not provided by it, the low rating is quite predictable.

Within the study, we have noticed an interesting trend: if there were free access to a number of registers, lists, and legislative information, the openness rate could be rather higher. I believe this is an issue to be addressed among others when discussing online informational openness.

To this end, I would like to encourage anyone who can be upset by the low informational rating of Belarus. The discussion on online openness of our state is at the very initial stage, and such studies should be considered not as adverse criticism but as a piece of advice revealing problem zones and gaps. In my opinion, comparison with countries that have already managed to achieve more in this field can help to reveal growing-points.

ATTACHMENT

Basic normative legal acts regulating online access to information in the country:

The Constitution of the Belarus Republic, Article 34, provides citizens with the right to obtain, to store, and to disseminate full, reliable, and actual information on activities of government bodies and of public associations as well as on political, economical, cultural, and international life, and on state of the environment. Article 7 of the Constitution states the specific obligation to make citizens familiar with government bodies' acts as a means of accountability for the rule of law.

The Law "*On Normative Legal Acts of the Belarus Republic*" introduces the principle of transparency (though does not define its components and scope) regarding activities of:

- lawmaking bodies and their officials (Article 8);
- the House of Representatives of the Belarus Republic's National Assembly (while the House's Regulations, Article 131 fixes principles of transparency and openness for working on draft laws).

The term "public information" is defined by the Law "On Information, Informatization and Information Protection" #455-3 from Nov 10, 2008 (referred to here onwards as the *Law*), which also lists categories of information to which access may not be restricted.

The obligation of republican state governance bodies, local executive and regulatory bodies, other government bodies and governmental organizations, and of economic societies to place information on their activities either at websites of their own or of their supervisory bodies/organizations has been written into law for the first time by the Decree of the President of Republic of Belarus "On the measures for Improvement of the Use of the National Segment of the Internet" #60 from Feb 1, 2010 (referred further as Decree #60).

According to Paragraph 1.4. of this law, an official website should contain: general information on a government body; information on work with citizens' and legal entities' applications; on holding administrative procedures regarding citizens, legal entities, and individual entrepreneurs and on goods (works, services) provided by a governmental organization. Access to these information

categories should be free; governmental bodies and organizations should not charge for access to the information in question.

In April 2010, following Decree #60, the Regulation "On the procedure of the operation of web sites of state bodies and organizations" (approved by the Resolution of the Council of Ministers of the Republic of Belarus # 645 from April 29, 2010, referred further as Resolution # 645) was approved. Resolution # 645 defines goals for launching an official website, the procedure for its functioning, and defines in more detail what categories of information must be made available at the official websites.

In early January 2014, a number of significant amendments and extensions were introduced to the Law. On the one hand, they are aimed to regulate information provision to citizens more thoroughly and have for the very first time obliged governmental bodies and organizations to place information on their activities at official websites; on the other hand, they have defined restrictions of the public right to information access.

Conclusions

The most interesting results of our international monitoring could be considered the exposure of "closed" categories of information (those not represented on government websites in any of the countries surveyed).

- The ability to search for information regarding taxes paid by citizens and organisations. In not a single one of the participant countries was information about the total amount of taxes paid by each individual (civic or legal entity) available on their Internet site. As a rule, the only information available was that regarding the total amount of taxes paid by individuals for a specific period. At the same time, this information is public in a number of countries, including Finland, Norway, Sweden, and Pakistan.
- Number of funding spent by the central executive government body (the ministry) for official events and services for representatives of other organizations negotiating for establishment and support of cooperation with this body
- The ability to search the full text of dissertations written as part of an individual's undergraduate degree by their name and surname. (Although a number of non-governmental organisations work on this information). Amount of funds spent by the federal executive body (the ministry) on official receptions and the service of representatives of other organisations which take part in negotiations for the purpose of establishing and maintaining cooperation with a particular authority
- The ability to search for information about a legal person (entity) by their participants. The practical availability of such a resource was not evident in a single one of the countries surveyed.

The following categories of information could be described as "rare" (they were represented only in one country):

Only in the USA:

- A majority of decisions made by courts are available, along with the individual contributions of actual participants in the legal process
- The possibility of using the number (address) of a police unit (section) to find out the number of crimes committed in the area assigned to that particular unit over the last fiscal year
- The possibility of using the number (address) of a police unit (section) to find out the number of crimes committed in the area assigned to that particular unit over the previous fiscal year
- Crime map
- A majority of sites of police units in the USA provide crime maps, on which are indicated the scene of the crime (including the street on which it occurred), the time and the type of crime committed

Only in Georgia:

- The ability to search for the real estate objects owned by individuals by name of owner (the full name of legal entities)
- The ability to search for information about the income of a civil servant by the position and (or) name of the civil servant
- The ability to search for information about the income of a civil servant's spouse by the position and (or) name of the civil servant