

# Transparency in State Universities in Georgia

INSTITUTE FOR DEVELOPMENT OF  
FREEDOM OF INFORMATION



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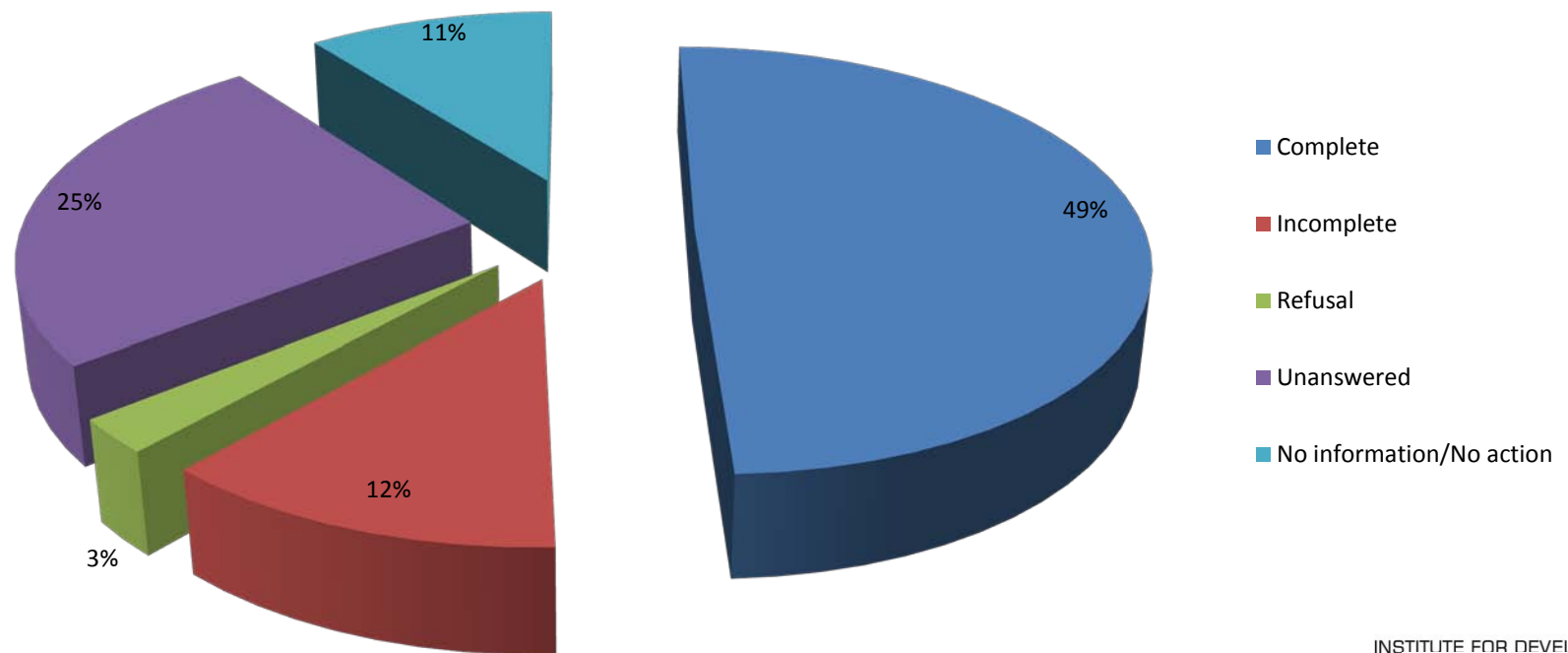
*Prepared for 13th talk of the Works-in-Progress Series  
of the Spring 2013 Season  
Organized by CRRC, American Councils and ARISC*

# Project “Public Information Database”

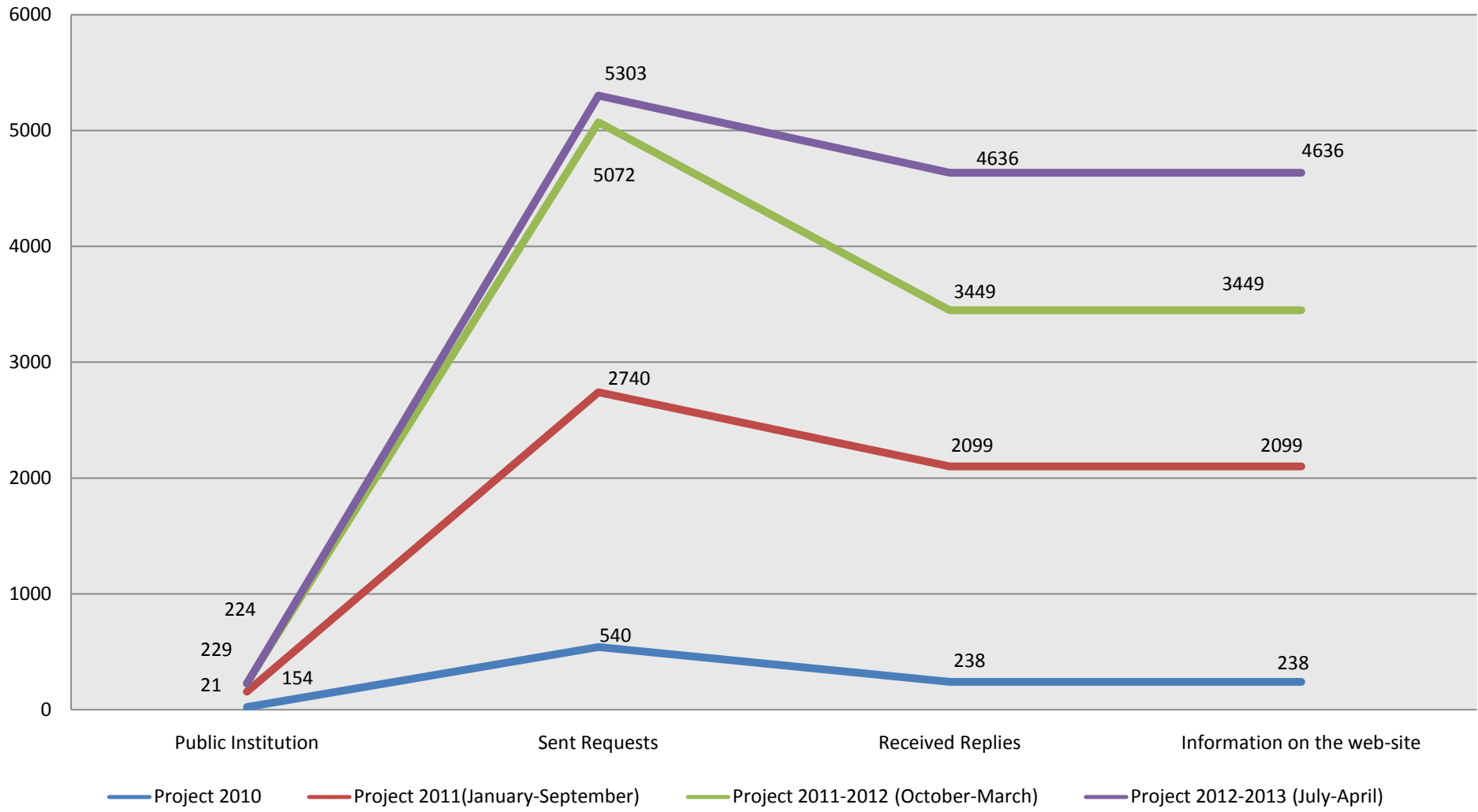
- Implementation of the idea started in 2010 with the pilot project “Public information on-line database – Public information registry” (October 2010 – February 2011)
- The project was continued two times:
  - March 2011 – April 2012
  - July 2012 – Present

# Statistics of “Public Information Database”

**October 2010 - March 2013  
(except March 2011 and April - June 2012)**



# Comparative Analysis of Projects www.opendata.ge 2010-2013



# Target State Universities

- N(N)LE Ivane Javakhishvili Tbilisi State University
- N(N)LE Georgian Technical University
- N(N)LE Ilia State University
- N(N)LE Sokhumi State University
- N(N)LE Tbilisi State Medical University
- N(N)LE Gori State Teaching University
- N(N)LE I. Gogebashvili Telavi State University
- N(N)LE Sh. Meskhia Zugdidi State University
- N(N)LE Akaki Tsereteli State University (Kutaisi)
- LEPL Shota Rustaveli State University (Batumi)

# Change of Legal Status of State Universities

- By 17.06.2011 – all state universities were Legal Entities of Public Law (LEPL)
- Since 17.06.2011 – 9 out of 10 target universities changed legal status into Non-commercial Non-profit Legal Entity (N(N)NL)
- In total more than half of LEPLs changed into N(N)LE

# Implications of changed legal status – what does it affect?

- Legal Entity of Public Law – LEPL
  - Operates independently but ***under state control***.
    - Appointment of the head of LEPL
    - Procurement, selling or pawning of property
    - Borrowing or guaranteeing money
    - Defining remuneration list and salary fund
    - Defining monetary incentives (bonuses)
    - Defining limits of fuel and communication expenses
    - List of positions and number of freelance employees in institutions of general education, within state funding

# Implications of changed legal status – what does it affect?

- Non-commercial, Non-profit Legal Entity –  
N(N)LE
  - Simplified purchase of literature
  - Simplified purchase of other objects in agreement with board of regents
  - Independence in defining internal structure
  - Independence in defining remuneration list and salary fund
  - Endowment fund for management of property



# Income of N(N)LEs

- Tuition fees (state grants, students, other sources)
- Special transfers from the state budget
- Private grants, donations, will
- Competitive state scientific grants
- Tenders (Tbilisi State Medical University)
- Other income, including from economical activities

# Transparency of LEPLs & N(N)LEs

- LEPLs
  - Are subject to release of public information
- N(N)Les
  - Are subject to release of public information within the scope of state financing
  - Other details are given in the statutes of universities

# Transparency of N(N)LEs

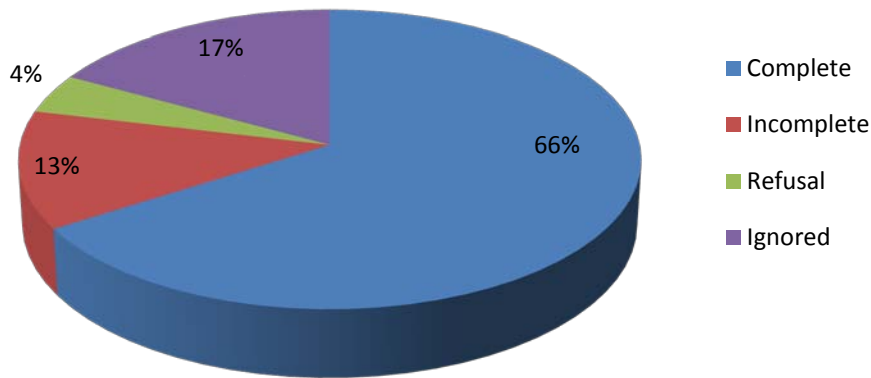
- Explicitly recognize to fall under FOI regulations stated in the General Administrative Code of Georgia
  - Tbilisi State University
  - Tbilisi State Technical University
- Public availability of decisions of the university, reports and orders of the rector and head of the administration;
  - Ilia State University
  - Sokhumi State University
  - Tbilisi State Medical University
  - Gori State Teaching University
  - Telavi State University
  - Zugdidi State University
  - Kutaisi State University
- Teaching and scientific-research activities and the level of professional development of the personnel
  - Ilia State University
  - Sokhumi State University
  - Tbilisi State Medical University
  - Gori State Teaching University
  - Telavi State University
  - Zugdidi State University

# Transparency of N(N)LEs (cont.)

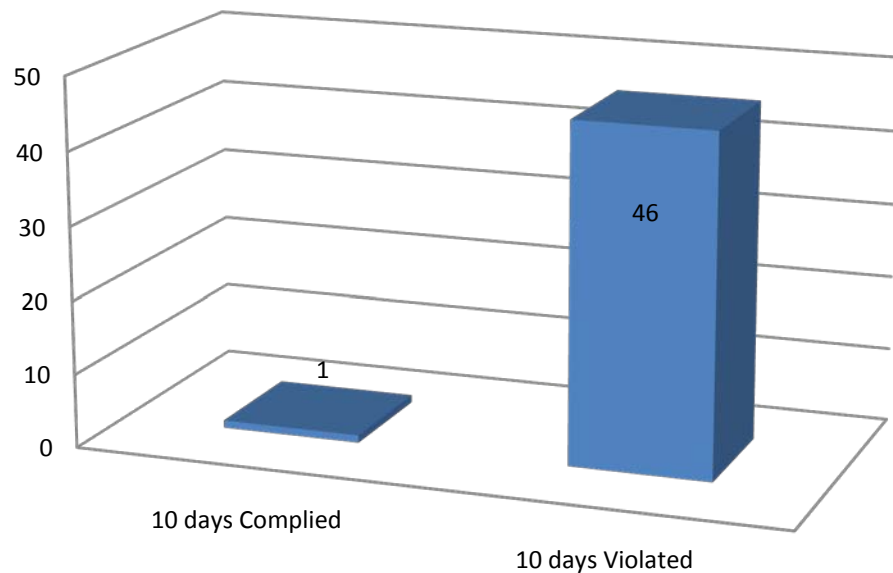
- Personal Data Protection of Students according to General Administrative Code of Georgia
  - Tbilisi State Medical University
  - Gori State Teaching University
  - Telavi State University
- Explicit Information about financial, economic and other activities of the University available *for students*
  - Gori State Teaching University
  - Telavi State University
  - Kutaisi State University
- Obligation to make reports of financial-economic activities and submit for approval to the organ of state control
  - Telavi State University
  - Zugdidi State University
  - Kutaisi State University
  - Gori State Teaching University

# Tbilisi State University

**Tbilisi State University**  
**Categories of Received Replies 2010-2013**  
[www.opendata.ge](http://www.opendata.ge)



**Tbilisi State University**  
**Compliance with 10 days period 2010-2013**  
[www.opendata.ge](http://www.opendata.ge)



# Refusal to Release Public Information

[www.opendata.ge](http://www.opendata.ge)

წერილით მოთხოვნილ პირველ და მეორე საკითხთან დაკავშირებით, რომლითაც ითხოვთ ა(ა)იპ - ივანე ჯავახიშვილის სახელობის თბილისის სახელმწიფო უნივერსიტეტის ხელმძღვანელისა და მისი მოადგილეებზე (ცალ-ცალკე) და თანამშრომლებზე (საერთო ოდენობა) დარიცხული პრემიების ოდენობის თაობაზე ინფორმაციას და საშტატო ნუსხას თანამდებობრივი სარგოს მითითებით, გაცნობებთ შემდეგს:

საქართველოს კონსტიტუციის 41-ე მუხლის მე-2 პუნქტის თანახმად, ოფიციალურ ჩანაწერებში არსებული ინფორმაცია, რომელიც დაკავშირებულია ადამიანის ჯანმრთელობასთან, მის ფინანსებთან, ან სხვა კერძო საკითხებთან, არ უნდა იყოს ხელმისაწვდომი თვით ამ ადამიანის თანხმობის გარეშე, გარდა კანონით დადგენილი შემთხვევებისა, როდესაც ეს აუცილებელია სახელმწიფო უშიშროების, ან საზოგადოებრივი უსაფრთხოების უზრუნველსაყოფად, ჯანმრთელობის, სხვათა უფლებებისა და თავისუფლებების დასაცავად.

In response to the request of information about bonuses of the head of Tbilisi State University and his/her deputies (separately) and staff (total sum) & remuneration list:

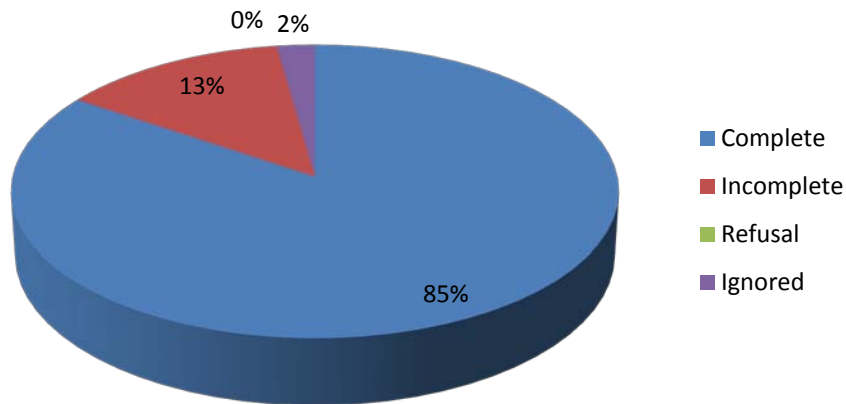
Information kept in official documentations, including information related to health, finances and other private issues, should not become available without consent of these individuals.

***This regulation does not apply to public officials.***

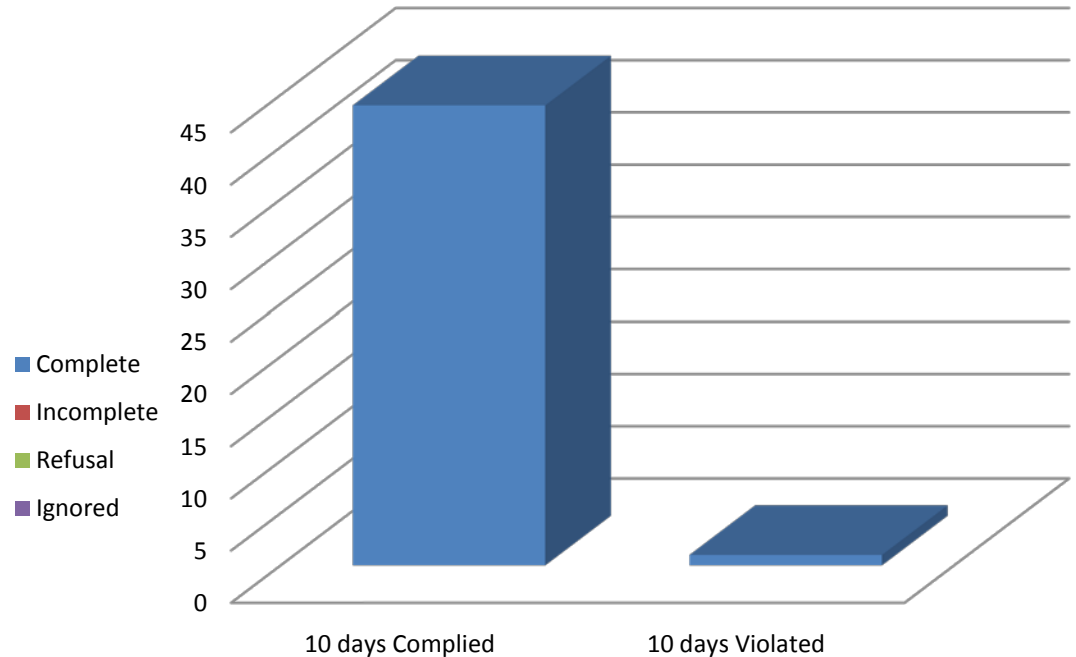
***The remuneration list can be given without indication of personal data.***

# Ilia State University

Ilia State University  
Categories of Received Replies 2010-2013  
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Ilia State University  
Compliance with 10 days period 2010-2013  
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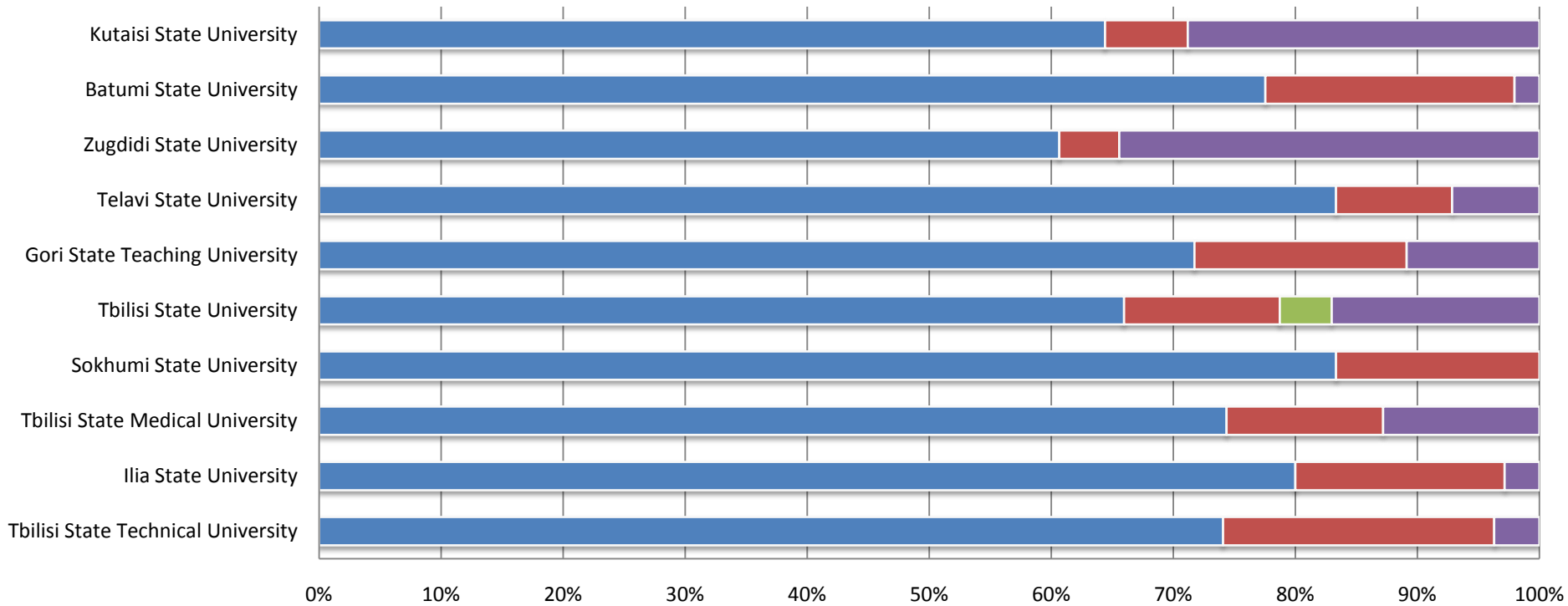
# Audit Report of Ilia State University

- Economical activities of the University cause loss – income from economical activities (Hotels, Typography, Theater, Book Shop) has decreased by 40%
- Excess expenditures on tenders – 817 600 GEL
- The increased functions of the University have weakened effectiveness of internal control
- Owned buildings increased by 91% over the last three years – a lot of which are neglected



# Comparison of Received Public Information: 2010-2013

www.opendata.ge



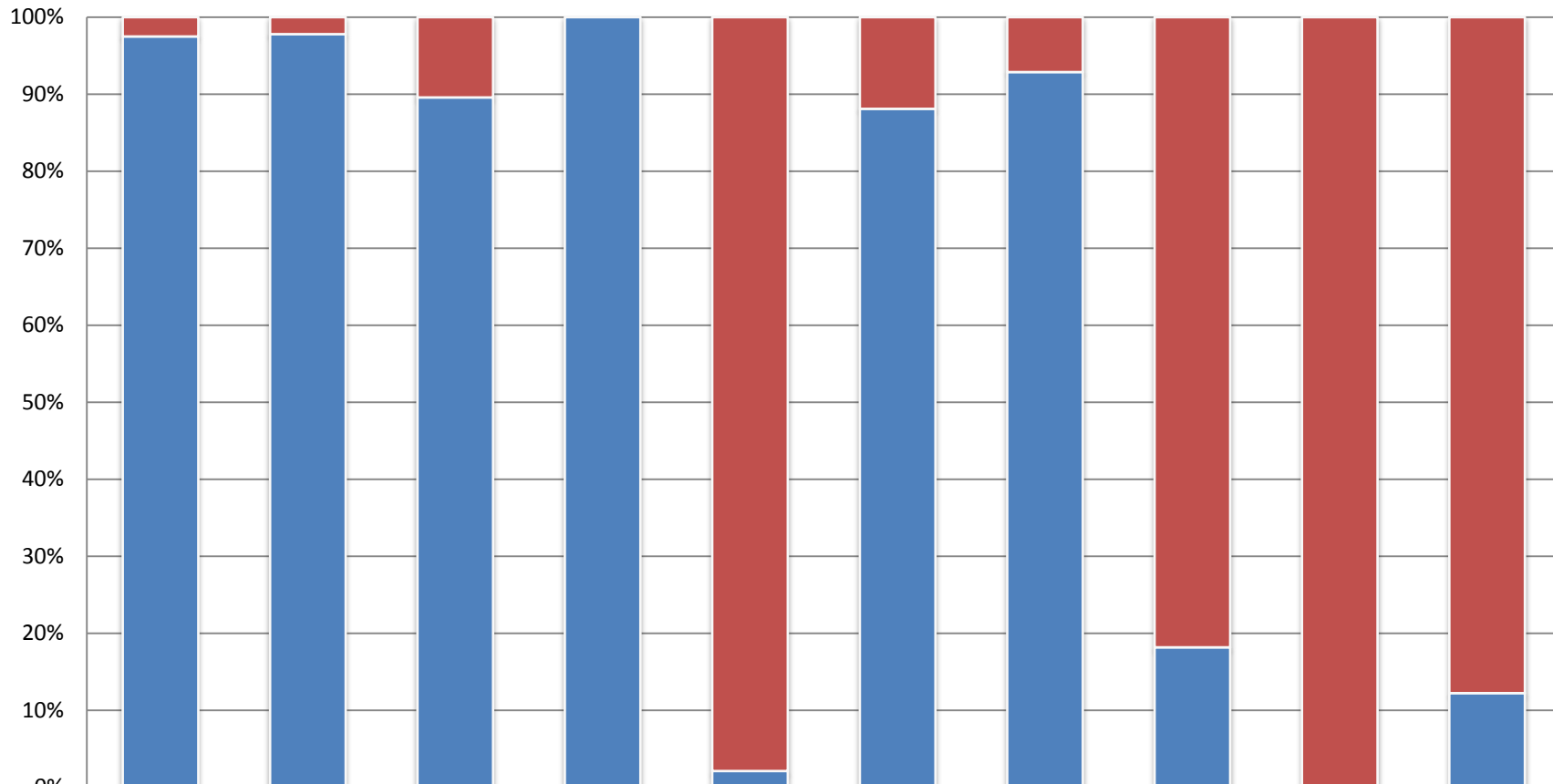
	Tbilisi State Technical University	Ilia State University	Tbilisi State Medical University	Sokhumi State University	Tbilisi State University	Gori State Teaching University	Telavi State University	Zugdidi State University	Batumi State University	Kutaisi State University
Complete	20	28	29	30	31	33	35	37	38	38
Incomplete	6	6	5	6	6	8	4	3	10	4
Refusal	0	0	0	0	2	0	0	0	0	0
Ignored	1	1	5	0	8	5	3	21	1	17

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# Compliance with 10 days period: 2010-2013

www.opendata.ge



	Tbilisi State Technical University	Ilia State University	Tbilisi State Medical University	Sokhumi State University	Tbilisi State University	Gori State Teaching University	Telavi State University	Zugdidi State University	Batumi State University	Kutaisi State University
■ 10 days Violated	1	1	5	0	46	5	3	36	41	43
■ 10 days Complied	39	44	43	43	1	37	39	8	0	6

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