

**Georgia: Civil Society Parallel Assessment of Compliance with Sustainable Development Goal Indicator 16.10.2**

**September 2017**

Contents

[Executive Summary 2](#_Toc495920905)

[Main Observations 2](#_Toc495920906)

[Recommendations 3](#_Toc495920907)

[Introduction and Methodology 4](#_Toc495920908)

[Overall Analysis 5](#_Toc495920909)

[Specific Analysis 9](#_Toc495920910)

[Proactive Disclosure 9](#_Toc495920911)

[Institutional Measures 12](#_Toc495920912)

[(a) Overall Framework for Implementation 13](#_Toc495920913)

[(b) Implementation by Individual Public Authorities 13](#_Toc495920914)

[Responding to Requests 15](#_Toc495920915)

[Analysis of Ten Public Entities of Georgia – Proactive Disclosure, Institutional Measures, and Requests for Information 1](#_Toc495920916)

[Appendix 1: Proactive Disclosure 1](#_Toc495920917)

[Appendix 2: Institutional Measures 39](#_Toc495920918)

[Appendix 3: Processing of Requests 44](#_Toc495920919)

[Appendix 4: FOIAnet Methodology 57](#_Toc495920920)

# Executive Summary

Monitoring results of the extent to which public institutions implement freedom of information legislation in Georgia demonstrated that public institutions do, overall, follow the requirements of Georgian legislation. They respond to freedom of information (FOI) requests, run public information web-pages on their official web-sites and implement certain institutional measures, such as appointing FOI officers and publishing annual reports on the implementation of right to information (RTI) legislation.

However, the monitoring also identified considerable gaps regarding responses to FOI requests, implementation of certain institutional measures and proactive disclosure of information.

Public institutions lack a comprehensive understanding of their legal obligation to respond to FOI requests and, in certain cases, ignore them altogether, in this way failing to fulfil their responsibilities. Responding to FOI request in a timely manner is also a problem. A number of public institutions still fail to inform applicants when they need to use the 10 day period to prepare a response to a FOI request.

IDFI found that the practice of training FOI officers on the topics of freedom of information is rare and very much an exception. Moreover, none of the evaluated public institutions had developed guidelines for receiving and responding to FOI requests. When preparing their annual reports on the implementation of FOI legislation, institutions also fail to include information on the time taken to respond to each request, as well as descriptions of their content.

Another problem identified as a result of monitoring is the fact that public institutions do not fully publish information that is required to be proactively disclosed online by Georgian legislation. Information left undisclosed in this way most often includes quarterly data on planned and actual budgets, and planned public discussions. Most public institutions also have not integrated an online module for requesting information on their websites; and some of them have not published the contact information of the civil servant responsible for responding to FOI requests on their websites.

Finally, even though the Georgian legislation does not require public institutions to publish databases, IDFI finds it regrettable that none of the institutions decided to go further than the requirements of the law and proactively publish databases online which are already ready-made and available at public institutions. Thus publishing them online would not require any additional time and commitment.

## Main Observations

**Freedom of Information (FOI) requests**

* Three of the evaluated institutions, Ministry of Internal Affairs, Ministry of Economy and Sustainable Development, and the Administration of the Government of Georgia, failed to respond to the FOI requests sent by IDFI. Based on IDFI’s practice, these Ministries generally have a poor performance in terms of access to information.
* Only two institutions, Ministry of Infrastructure and Regional Development, and United Water Supply Company, notified IDFI that they would need to use the 10 day period in order to respond to our FOI requests.
* The Ministry of Justice provided a full response to our requests with considerable delay, without any prior notification on the need for using the 10 day period for gathering information.
* The Georgian National Energy and Water Supply Regulatory Commission was the only institution that responded to our FOI requests fully and in a timely manner. The institution informed us about their need to use the 10 day period to gather information and provided a response within this period.
* Access to draft laws at early stages of development proved rather difficult, since the Georgian legislation does not obligate public institutions to disclose laws under development at any stage prior to their initiation to the Parliament. Upon request, public institutions responded that such draft laws constituted documents of internal usage and could be made public only after their initiation to the Parliament.

**Proactive disclosure**

* The Ministry of Environment and Nature Protection was the only institution publishing information on scheduled public discussions. However, information on budget and public procurement was not up to-date.
* The Ministry of Regional Development and Infrastructure distinguished itself by adding a public information request module to its. Visitors are able to send FOI requests to the Ministry directly from its website.

**Institutional measures**

* The Georgian National Energy and Water Supply Regulatory Commission was the institution that provided freedom of information trainings for its staff. The training was held on June 13-14, 2017.
* The Georgian National Energy and Water Supply Regulatory Commission distinguished itself by including a description of each FOI request received in 2016 in its annual report.
* All evaluated institutions, except the United Water Supply Company, published annual reports on access to information.
* None of the annual reports on access to information contained information on the time taken to respond to FOI requests.
* None of the evaluated institutions have developed guidelines for receiving and responding to FOI requests.
* The United Water Supply Company was the only institution which did not have any institutional measures for implementing the right to information (RTI) legislation. It has not appointed an information officer, does not prepare annual reports on the statistics of received requests, has not adopted any regulation on access to information, and has developed neither an RTI implementation plan nor guidelines for receiving and responding to FOI requests.

## Recommendations

Based on the observations made as a result of the evaluation, IDFI urges public institutions to consider the following recommendations:

* All public institutions must respect the requirements of the law and respond to FOI requests in a timely manner. The practice of ignoring FOI requests is unacceptable.
* Public institutions must notify applicants in cases when they need 10 day period for gathering requested information and providing them with responses.
* It is crucial for public entities to disclose information on the draft laws under development before their initiation to the Parliament of Georgia.
* Public institutions should include more detailed information in their annual Freedom of Information Reports, indicating not only statistics on received requests and measures taken, but also descriptions of the content of each request and the time taken to respond to each of them.
* Public institutions must make their FOI registries available online.
* Integrating web-page for requesting public information on web-sites of public institutions simplifies the process of submitting FOI requests, thus public institutions should develop such web-pages. This will enable visitors to request information directly from web-sites of public institutions.
* Public institutions should provide their FOI officers with relevant trainings on freedom of expression and freedom of information.
* It is highly important for public entities to develop guidelines for receiving and responding to FOI requests, the guidelines should describe the process in simple non legal terms and should be available to anyone interested.

# Introduction and Methodology

Sustainable Development Goal Indicator 16.10.2 stipulates that states should adopt and implement constitutional, statutory and/or policy guarantees for public access to information. This document provides an evaluation of the extent and quality to which ten selected public institutions in Georgia implement legal and policy guarantees of freedom of information. The methodology used for the evaluation focuses on the second part of the Indicator alone, namely, implementation of guarantees. The report is prepared by the Institute for Development of Freedom of Information (IDFI) based on the methodology developed by the Freedom of Information Advocates Network (FOIAnet).[[1]](#footnote-1) The rating and evaluation of existing right to information (RTI) laws is available at - [www.RTI-Rating.org](http://www.RTI-Rating.org).

IDFI selected 10 public institutions for the evaluation and tried to cover central public institutions, ministries as well as regulatory and special service bodies:

1. Ministry of Internal Affairs (MIA)

2. Ministry of Economy and Sustainable Development (MoESD)

3. Government Administration (GA)

4. Ministry of Justice (MoJ)

5. Ministry of Environment and Nature Protection (MoENP)

6. Ministry of Labor, Health and Social Affairs (MoLHSA)

7. Ministry of Regional Development and Infrastructure (MoRDI)

8. President’s Administration (PA)

9. Georgian National Energy and Water Supply Regulatory Commission (Commission)

10. United Water Supply Company (State LLC) (Company)

The selected institutions were then assessed by their performance across three areas of implementation, namely:

(i) Proactive Disclosure - the extent to which they proactively disclose key information;

(ii) Institutional Measures - the institutional measures they have put in place to implement RTI legislation; and

(iii) Responding to Requests - the manner in which they respond to freedom to information (FOI) requests.

*Proactive Disclosure* refers to the extent to which vital institutional information is made publicly available regardless of whether or not there has been a request for it.

*Institutional Measures* refers to the formal measures public authorities have taken to implement the access to information legislation. There are two elements to this, namely central measures and measures taken by individual authorities.

The third section – *Responding to Requests* – involves a more action-oriented research. Specifically, it involves submitting FOI requests to each institution, which are then assessed for how quickly they respond to requests, whether responses otherwise comply with the Law, and the completeness of the information provided.

# Overall Analysis

Table 1 provides an overview of the overall performance of each of the 10 public institutions that were evaluated as part of this exercise. It provides a short synopsis of how the institution performed on each of the three main evaluation criteria.

###### Table 1: Overall Analysis of Implementation

|  |  |  |  |
| --- | --- | --- | --- |
| **Public Institution** | **Proactive Disclosure** | **Institutional Measures** | **Requests for Information** |
| *1) Ministry of Internal Affairs* | **N/A.** IDFI was not able conduct comprehensive evaluation of proactive disclosure of information by MIA, since the web-page of public information on the web-site of the Ministry was under construction during the monitoring period. Some of the information available on other web-pages of the official web-site were published in full or partially.  | **Partial**. The ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. IDFI could not find any information suggesting that the Ministry has conducted trainings on freedom of information for its staff. Even though we sent a FOI request to the Ministry on the topic, the institution did not provide us with a response. | **Fail.** The Ministry has not responded to the FOI request as of October 4th 2017. This constitutes a violation of existing legislation and is qualified as mute refusal.  |
| *2) Ministry of Economy and Sustainable Development* | **Partial.** Overall, the Ministry showed satisfactory performance regarding proactive disclosure of information. Information on functions and powers of the Ministry as well as its budget is published partially. The institution has not published information on the mechanisms and procedures for consultation and public participation. | **Partial**. The Ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. IDFI could not find any information suggesting that the Ministry has conducted trainings on freedom of information for its staff. Even though we sent a FOI request to the Ministry on the topic, the institution did not provide us with a response. | **Fail.** The Ministry has not responded to the FOI request as of October 4th 2017. This constitutes a violation of existing legislation and is qualified as mute refusal.  |
| *3) Ministry of Justice* | **Partial to Full.** The entity performed high in proactive disclosure of RTI data, but showed a relatively low level of transparency of budget and procurement information, since the data published on the web-site was not up to-date.  | **Partial**. The Ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests.The Ministry has not conducted trainings on freedom of information for its staff.  | **Satisfactory to excellent.** Ministry of Justice performed well in terms of responding to our FOI requests. However, it did not inform us on the need of applying the 10 day period for gathering information and disclosed information with considerable delay.  |
| *4) Ministry of Environment and Nature Protection* | **Partial to Full.** The Ministry showed higher standards of proactive disclosure compared to other evaluated institutions. The Ministry was the only entity publishing information on scheduled public discussion. Ministry performed well in disclosure of RTI information on its web-site. However, information published on budget and public procurement was not up to-date.  | **Partial**. The Ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any training to its staff on freedom of information in the last years. To the question whether the Ministry has developed guidelines on responding to FOI requests, the entity referred to existing legal acts, which cannot be considered to be guidelines. | **Excellent.** The Ministry showed particularly high performance in providing response to our FOI request. The response was timely and contained complete information on all requests. The Ministry was the only entity that contacted IDFI, and showed readiness to provide any additional information in case of necessity.  |
| *5) Ministry of Labor, Health and Social Affairs* | **Partial.** The Ministry performed poorly regarding the proactive publication of information. Most problematic was the failure of the Ministry to publish information on the contact details of its FOI officer.  | **Partial**. The Ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any training to its staff on freedom of information and has not developed any guidelines on responding to FOI requests. | **Satisfactory** **to excellent**. Although the Ministry provided us with requested information, itfailed to follow the timeframes set by Georgian legislation.  |
| *6) Ministry of Regional Development and Infrastructure* | **Partial to Full.** The Ministry followed almost all requirements of Georgian legislation regarding proactive publication of public information and distinguished itself by having a web-page for requesting public information. Nevertheless the Ministry web-site did not include information on services offered and instead directed visitors to homepages of different LEPLs of the Ministry providing relevant services. Visitors were not directed to the exact link with the information.  | **Partial**. The Ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any training to its staff on freedom of information and has not developed any guidelines on responding to FOI requests. | **Pass.** The Ministry provided us with written refusal on three out of six requests. Responses on the remaining three requests were complete and delivered in a timely manner.  |
| *7) Government Administration* | **Partial.** Government Administration showed low performance in proactive disclosure of information, namely, on public procurement as well as on the processes of filing a FOI request. No recent information was available on the website regarding public procurement and budget. No information was published on how to make an RTI request. Laws governing the topic were published partially. | **Partial**. The entity has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. IDFI could not find any information suggesting that the entity has conducted trainings on freedom of information for its staff. Even though we sent a FOI request to the Government Administration on the topic, it did not provide us with a response. | **Fail.** The entity has not responded to FOI request as of October 4th 2017. This constitutes a violation of existing legislation and is qualified as mute refusal. |
| *8) President of Georgia*  | **Partial.** Website of the entity had major gaps of publishing information on actual budget as well as informing visitors on the fees related to FOI requests. | **Partial**. The entity has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests. | **Satisfactory** **to excellent**. Administration of the President of Georgia provided complete response on all requests included in the FOI letter. However, the entity did not inform us on the need of applying the 10 day period for gathering information.  |
| *9) Georgian National Energy and Water Supply Regulatory Commission* | **Partial to Full.** The Commission performed particularly well in publishing information on RTI requests, however, it failed in the field of public procurement and did not publish detailed information on its plans and strategies.  | **Partial to full**. The Commission has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority was the only one among the evaluated entities who provided trainings for its staff on freedom of information. The Commission stated having adopted a decree N7 on Electronic Request and Proactive Publication of Public Information. However, this cannot be seen as a guideline. | **Excellent.** The Commission showed excellent performance in responding to FOI requests. The entity informed us on the need of using the 10 day period for gathering information and provided response in a timely manner.  |
| *10) United Water Supply Company (State LLC)* | **None to partial.** Company did not have a webpage for public information, therefore, no RTI information was published online. Highly limited information was published on planned projects as well as public procurement.  | **No.** The Company does not have any institutional measures for implementing RTI legislation. According to the Company, its Legal Department performs functions of an Information Officer, in other words, the position of an Information Officer is not created. It has not appointed an Information Officer and does not publish annual reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests.  | **Satisfactory** **to excellent.** The Company provided complete response on all requests included in the FOI letter. However, it did not inform us on the need of applying the 10 day period and provided information with considerable delay.  |

# Specific Analysis

## Proactive Disclosure

‘Proactive disclosure’ refers to the extent to which a public authority automatically and pre-emptively discloses information to the public. This circumvents the need for members of the public to make requests for this information, which emphasises and reinforces the idea that the public has a right to access information held by public authorities.

General Administrative Code of Georgia obligates public institutions to proactively disclose information. However, the law does not contain a list of information to be published proactively. Public institutions are given discretion to determine what type of information should be published on their websites on a regular basis. However, they are obligated to adopt a legal act that would determine information that should be published proactively. All of the evaluated entities have adopted/are bound by a peace of secondary legislation listing information to be published proactively, except the United Water Supply Company (State LLC).

The Georgian legislation includes a wide definition of public institutions and stresses that private legal entities constitute public institutions if they fulfill public functions or are financed from state budget. The United Water Supply Company of Georgia provides water supply and sanitation services to urban-type settlements throughout the country. It is a state-owned limited liability entity with 100% of its shares owned by the state. Therefore, based on Georgian legislation, it can be argued that the Company is a public institution and is bound by the requirements of the law.

This section looks at the extent to which the selected 10 public institutions proactively disclose key institutional, organisational and operational information, as well as information about the right to information. In line with the FOIAnet methodology, the report focused on disclosure of the following types of information:

* Information regarding the organisation itself
* Operational details
* Links to relevant legislation
* Information on service delivery
* Budget details
* Public procurement and contracts
* Registers
* Information regarding access to information generally
* Guidance on how to make access to information requests
* Costs of publications
* Lists of previously fulfilled access to information requests

Table 2 provides a summary of the proactive disclosure performance of each public institution. Detailed results can be found in Appendix A.

###### Table 2: Overall Results for Proactive Disclosure

|  |  |  |  |
| --- | --- | --- | --- |
|  **Institution** | **Availability of institutional, organisational, operational and contact information (None/Partial/Full)** | **Availability of information about the Right to Information (None/Partial/Full)** | **Overall Assessment** |
| *1) Ministry of Internal Affairs* | N/AIDFI was not able to conduct comprehensive monitoring of Public Information web-page as it was under reconstruction during the monitoring period.  | N/AIDFI was not able to conduct comprehensive monitoring of Public Information web-page as it was under reconstruction during the monitoring period.  | N/AIDFI was not able to conduct comprehensive monitoring of Public Information web-page as it was under reconstruction during the monitoring period.   |
| *2) Ministry of Economy and Sustainable Development* | Partial - No information on the mechanisms and procedures for consultation and public participation were published.Most of other information was published in full.  | Full- No information on the time taken to respond to FOI requests (is not a requirement by Georgia legislation). All other data was published in full.  | Partial to FullOverall the Ministry showed good performance regarding proactive disclosure of information. The entity has not published on its web-site only that data which is not obligatory by Georgian legislation.  |
| *3) Ministry of Justice* | None to partial- Information on the budget and state procurement was not up-to date. No description of services; visitors are instead directed to the web-pages of special agencies. No information on public participation or registries.  |  Full- No information on the time taken to respond to FOI requests (is not a requirement by Georgia legislation). All other data was published in full.  | Partial to FullPerformance of the Ministry is satisfactory. The entity performed high in proactive disclosure of RTI data. Although it showed relatively low level of transparency with institutional, organisational, operational and contact information. |
| *4) Ministry of Environment and Nature Protection* |  Partial to Full- Information on projected budget as well as procurement was not up to date. Nevertheless, the Ministry distinguished itself from the rest of the evaluated entities, as it was the only one publishing information on public participation and planned public discussions. The latter can partially be explained by the requirements of Aarhus Convention as well as the Law of Georgia on Environmental Impact Assessment.  |  Full- No information on the time taken to respond to FOI requests (is not a requirement by Georgia legislation). All other data was published in full.  | Partial to FullThe Ministry showed higher standards of proactive disclosure in comparison with the other entities monitored. Ministry of Environment and Nature Protection was the only entity publishing information on scheduled public discussion. Ministry performed well in disclosure of RTI information on its web-site.  |
| *5) Ministry of Labor, Health and Social Affairs* | Partial to Full - No description of services. Instead, visitors are directed to homepages of different LEPLs providing relevant services.  | Partial- No recent information on the contact details of a FOI officer. No separate section on how to make a FOI request. - No information on time taken to respond to FOI requests.  | Partial- Most problematic was the failure of the Ministry to publish information on the contact details of its FOI officer. - No explanation of services provided also proved to be highly problematic.  |
| *6) Ministry of Regional Development and Infrastructure* |  Partial to Full - No description of services. Instead, the Ministry web-site directed visitors to homepages of different service providers. Ministry fully followed all other requirements of legislation, published up to-date data.  |  Partial to Full- The Ministry distinguished itself with the web-page for requesting public information.  | Partial to Full- Ministry followed almost all requirements of Georgian legislation regarding proactive publication of public information and distinguished itself with the web-page for requesting public information. |
| *7) Government Administration* |  Partial - Although the entity stood out in terms of describing its services, major gap of the web-site was not up-to date information on planned and conducted public procurements.  |  Partial - Entity failed to publish information on how to make an RTI request.  | Partial- Government Administration showed low performance in publishing information on public procurement as well as on the processes of filing a FOI request.  |
| *8) President of Georgia*  |  Partial - Entity did not publish information on actual budget. No information on plans or strategies. | Partial - The failure of President Administration to publish information on the cost of filing FOI requests proved to be most problematic.  | Partial - Web-site of the entity had major gaps of publishing information on actual budget as well as informing visitors on the fees related to FOI requests. |
| *9) Georgian National Energy and Water Supply Regulatory Commission* |  Partial to Full- Missing information on plans and strategies of the Commission. Only brief information on the strategic goals was available. No up to-date information on public procurement.  | (Almost) Full - Annual report on the status of implementation of the RTI law includes information on the content of each FOI application and measures taken. Commission was the only entity including detailed information on the content of each FOI request in its annual reports. In addition, the Commission distinguished itself with informing the visitors of its web-page about the fact that it provides applicants with public information free of charge.  |  Partial to Full- The Commission performed particularly well in publishing information on RTI requests, however, the entity failed in the fields of public procurement and did not publish detailed information on its plans and strategies.  |
| *10) United Water Supply Company (State LLC)* |  Partial- Information on planned projects only includes data on start and end dates of the projects. No detailed information on public procurements.  | None- Company failed to publish any information on RTI.  | Partial to None- Company did not have a web-page of public Information, thus no information on RTI was published on the web-page. Highly limited information was published on planned projects as well as public procurement.  |

## Institutional Measures

This section looks at institutional measures aimed at implementing RTI regulations in Georgia enshrined in Chapter 3 of the General Administrative Code.

### (a) Overall Framework for Implementation

To-date, there is no nodal agency in Georgia that would oversee the implementation of RTI legislation. The Public Defender of Georgia has the mandate to oversee the protection of human rights and freedoms in the territory of Georgia. For this purpose, the Public Defender monitors state and local self-government authorities, public institutions and officials and determines to what extent they protect and respect the rights and freedoms recognized by the State for every person. Nevertheless, the powers of the Public Defender are limited and can only issue recommendations to those entities that violate RTI legislation. Recommendations are not mandatory. Public entities are only bound to respond to a recommendation of the Public Defender and inform him/her on the measures taken (whether the recommendation is taken into consideration or turned down). Therefore, the Public Defender does not constitute a strong leverage for protecting right to information.

Access to information in Georgia is regulated by the Constitution of Georgia and the General Administrative Code. A stand-alone legal act on access to information does not exist. For several years now, Georgia has been planning to adopt a new Law on Access to Information, which would also enshrine the creation of an Information Commissioner’s Office. Despite various public statements highlighting that the law would be presented to the Parliament in the nearest future, no such document has been initiated either to the Government or the Parliament to this day. The Government of Georgia has undertaken an obligation to adopt a stand-alone Law on Access to Information under the following international as well as domestic mechanisms:

- EU-Georgia Association Agreement and its 2016 Implementation Action Plan.[[2]](#footnote-2)

- National Human Rights Strategy of 2014-2016.[[3]](#footnote-3)

- [National Anti-Corruption Strategy and Action Plan 2015-2016](https://matsne.gov.ge/en/document/view/2818704).[[4]](#footnote-4)

- [Open Government Partnership National Action Plans of 2015-2016 and 2016-2017](https://www.opengovpartnership.org/country/georgia/action-plan).[[5]](#footnote-5)

###  (b) Implementation by Individual Public Authorities

Table 5 provides an overview of whether individual public institutions have taken measures to effectively implement access to information regulations enshrined in Georgian legislation. Specifically, each institution was evaluated on the basis of whether it: (a) had an access to information coordinator (information officer) responsible for implementing the Act; (b) published annual reports on what it has done to implement the Act; (c) has policies or detailed plans in place for implementing the Act, including a requesting protocol; and (d) provides training to its staff. The full results of the assessment can be found in Appendix 2.

###### Table 5: Overall Results for Institutional Measures by Individual Public Authorities

|  |  |
| --- | --- |
| **Institution** | **Implementation by Individual Public Institutions****(Full/Partial/ No)** |
| 1) Ministry of Internal Affairs | **Partial**. The ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests.  |
| 2) Ministry of Economy and Sustainable Development | **Partial**. The ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information. The Ministry has not developed any guidelines on responding to FOI requests. |
| 3) Ministry of Justice | **Partial**. The ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests. |
| 4) Ministry of Environment and Nature Protection | **Partial**. The ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information in the last years. To the question whether the Ministry has developed guidelines on responding to FOI requests the entity referred to existing legal acts, which cannot be considered to be a guideline. |
| 5) Ministry of Labor, Health and Social Affairs | **Partial**. The ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests. |
| 6) Ministry of Regional Development and Infrastructure | **Partial**. The ministry has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests. |
| 7) Government Administration | **Partial**. The entity has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests. |
| 8) President of Georgia  | **Partial**. The entity has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests. |
| 9) Georgian National Energy and Water Supply Regulatory Commission | **Partial to full**. The Commission has appointed an Information Officer and annually publishes reports on the statistics of FOI requests. The authority was the only one among the evaluated entities who provided trainings for its staff on freedom of information. As a response to our FOI request, the entity noted that it has adopted a decree N7 on Electronic Request and Proactive Publication of Public Information. However, this cannot be considered to be a guideline. |
| 10) United Water Supply Company (State LLC) | **No.** The Company does not have any institutional measures for implementing RTI legislation. According to the Company Legal Department performs functions of an Information Officer, nevertheless position of an Information Officer is not created in the company. It has not appointed an Information Officer and does not publish annual reports on the statistics of FOI requests. The authority has not provided any trainings for its staff on freedom of information and has not developed any guidelines on responding to FOI requests.  |

## Responding to Requests

This part of the methodology relied on the provisions of Chapter 3 of the General Administrative Code of Georgia. The main criteria focused on whether entities responded to FOI requests in a timely manner, and to what extent responses were complete.

Based on Article 40 of the General Administrative Code of Georgia, entities are obligated to meet the following timeframes:

**- Release public information immediately, which, based on case law, constitutes time until the end of the next day after receiving a FOI request.**

**- Release public information no later than ten working days if responding to a request for public information requires:**

(a) Acquisition of information from its subdivision that operates in another area, or from another public agency, or processing of such information;

(b) Acquisition and processing of separate and large documents that are not interrelated; or

(c) Consultation with its subdivision that operates in another area, or with another public agency.

**- If release of public information requires the period of 10 days, the public agency shall immediately inform the applicant upon his request.**

Three different grades have been allocated to public authorities evaluated, namely:

1. **Excellent** - Entity has provided complete response immediately or within 10 days and informed IDFI on the need for using 10 days to prepare a response.
2. **Satisfactory** - the authority provided complete response within 10 days and did not inform IDFI on the need for using 10 days to prepare a response.
3. **Pass** - the authority provided incomplete response.
4. **Fail** - the authority did not successfully meet the criteria.

Table 6 shows the overall results of the testing exercise for each public authority. Further details are provided in Appendix 3.

###### Table 6: Overall Results for Requests for Information

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Institution** | **Notification on 10 days extension** | **Response provided within ten days**  | **Information provided? (Yes/No)** | **Overall Grade – Excellent / Pass / Fail** |
| **1) Ministry of Internal Affairs (6 questions)** |
| Ministry of Internal Affairs *#1* | **No** | **No** | **No** | **Fail** |
| Ministry of Internal Affairs *#2* | **No** | **No** | **No** | **Fail** |
| Ministry of Internal Affairs *#3* | **No** | **No** | **No** | **Fail** |
| Ministry of Internal Affairs *#4* | **No** | **No** | **No** | **Fail** |
| Ministry of Internal Affairs *#5* | **No** | **No** | **No** | **Fail** |
| Ministry of Internal Affairs *#6* | **No** | **No** | **No** | **Fail** |
| **2) Ministry of Economy and Sustainable Development (6 questions)** |
| Ministry of Economy and Sustainable Development #1 | **No** | **No** | **No** | **Fail** |
| Ministry of Economy and Sustainable Development #2 | **No** | **No** | **No** | **Fail** |
| Ministry of Economy and Sustainable Development #3 | **No** | **No** | **No** | **Fail** |
| Ministry of Economy and Sustainable Development #4 | **No** | **No** | **No** | **Fail** |
| Ministry of Economy and Sustainable Development #5 | **No** | **No** | **No** | **Fail** |
| Ministry of Economy and Sustainable Development #6 | **No** | **No** | **No** | **Fail** |
| **3) Ministry of Justice (6 questions)** |
| Ministry of Justice #1 | **No** | **No** | **Yes** | **Excellent** |
| Ministry of Justice #2 | **No** | **No** | **Yes** | **Excellent** |
| Ministry of Justice #3 | **No** | **No** | **Yes** | **Excellent** |
| Ministry of Justice #4 | **No** | **No** | **Yes** | **Information not held** |
| Ministry of Justice #5 | **No** | **No** | **Yes** | **Pass** |
| Ministry of Justice #6 | **No** | **No** | **Yes** | **Excellent** |
| **4) Ministry of Environment and Nature Protection (6 questions)** |
| Ministry of Environment and Nature Protection #1 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Ministry of Environment and Nature Protection #2 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Ministry of Environment and Nature Protection #3 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Ministry of Environment and Nature Protection #4 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Ministry of Environment and Nature Protection #5 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Ministry of Environment and Nature Protection #6 | **Yes** | **Yes** | **Yes** | **Excellent** |
| **5) Ministry of Labor, Health and Social Affairs (6 questions)** |
| Ministry of Labor, Health and Social Affairs #1 | **No** | **Yes** | **Information not held** | **Information not held** |
| Ministry of Labor, Health and Social Affairs #2 | **No** | **Yes** | **Yes** | **Satisfactory** |
| Ministry of Labor, Health and Social Affairs #3 | **No** | **Yes** | **Yes** | **Satisfactory** |
| Ministry of Labor, Health and Social Affairs #4 | **No** | **Yes** | **Information not held** | **Information not held** |
| Ministry of Labor, Health and Social Affairs #5 | **No** | **Yes** | **Yes** | **Satisfactory** |
| Ministry of Labor, Health and Social Affairs #6 | **No** | **Yes** | **Yes** | **Satisfactory** |
| **6) Ministry of Regional Development and Infrastructure (6 questions)** |
| Ministry of Regional Development and Infrastructure #1 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Ministry of Regional Development and Infrastructure #2 | **Yes** | **Yes** | **No** | **Fail** |
| Ministry of Regional Development and Infrastructure #3 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Ministry of Regional Development and Infrastructure #4 | **Yes** | **Yes** | **No** | **Fail** |
| Ministry of Regional Development and Infrastructure #5 | **Yes** | **Yes** | **No** | **Fail** |
| Ministry of Regional Development and Infrastructure #6 | **Yes** | **Yes** | **Yes** | **Excellent** |
| **7) Government Administration (6 questions)** |
| Government Administration #1 | **No** | **No** | **No** | **Fail** |
| Government Administration #2 | **No** | **No** | **No** | **Fail** |
| Government Administration #3 | **No** | **No** | **No** | **Fail** |
| Government Administration #4 | **No** | **No** | **No** | **Fail** |
| Government Administration #5 | **No** | **No** | **No** | **Fail** |
| Government Administration #6 | **No** | **No** | **No** | **Fail** |
| **8) President of Georgia (6 questions)** |
| President of Georgia #1 | **No** | **Yes** | **Yes** | **Satisfactory** |
| President of Georgia #2 | **No** | **Yes** | **Yes** | **Satisfactory** |
| President of Georgia #3 | **No** | **Yes** | **Yes** | **Satisfactory** |
| President of Georgia #4 | **No** | **Yes** | **Yes** | **Satisfactory** |
| President of Georgia #5 | **No** | **Yes** | **Yes** | **Satisfactory** |
| President of Georgia #6 | **No** | **Yes** | **Yes** | **Satisfactory** |
| **9) Georgian National Energy and Water Supply Regulatory Commission (3 questions)** |
| Georgian National Energy and Water Supply Regulatory Commission #1 | **Yes** | **Yes** | **Information not held** | **Information not held** |
| Georgian National Energy and Water Supply Regulatory Commission #2 | **Yes** | **Yes** | **Yes** | **Excellent** |
| Georgian National Energy and Water Supply Regulatory Commission #3 | **Yes** | **Yes** | **Yes** | **Excellent** |
| **10) United Water Supply Company (State LLC) (3 questions)** |
| United Water Supply Company #1 | **No** | **No** | **Yes** | **Excellent** |
| United Water Supply Company #2 | **No** | **No** | **Yes** | **Excellent** |
| United Water Supply Company #3 | **No** | **No** | **Yes** | **Excellent** |

# Analysis of Ten Public Entities of Georgia – Proactive Disclosure, Institutional Measures, and Requests for Information

## Appendix 1: Proactive Disclosure

|  |
| --- |
| **1. Ministry of Internal Affairs**<http://www.justice.gov.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.1.
 | Are functions of the ministry/authority and its powers published? | Full | <http://www.police.ge/en/ministry/about-the-ministry>  |
| **Organisational** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44.
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.5.
 | Is Information on personnel, names and contacts of public officials published? | FullInformation is given for the Minister and Deputy Minister.  | <http://police.ge/en/ministry/the-minister-and-his-deputies/giorgi-mghebrishvili>  |
| **Operational** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.4.
 | Are any authority strategies, plans or policies published? | PartialMIA developments strategy for 2013 and 2014 is published. No recent documents.  | <http://police.ge/en/ministry/mission>  |
| **Legislation** | 1. Law of Georgia on Normative Acts, art. 6.
2. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).
3. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.2.
 | Are the laws governing the institutions’ operations published? | Full  | <http://police.ge/ge/useful-information/the-legal-framework>  |
| **Service Delivery** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 7.1.
 | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Web-page of public information out of order.  | Web-page of public information out of order. |
| **Budget** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5.1 – 5.13.
3. The Budget Code of Georgia, art. 4 (1.b).
 | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | Web-page of public information out of order.  | Web-page of public information out of order. |
| **Public Procurement and Contracts** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 4.1 – 4.4.
3. Law of Georgia on Public Procurement art. 2 (c).
 | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | Web-page of public information out of order. | Web-page of public information out of order. |
| **Registers** | General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | Web-page of public information out of order. | Web-page of public information out of order. |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | Web-page of public information out of order. | Web-page of public information out of order. |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | 1. General Administrative Code of Georgia, art. 49.
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4.
 | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Web-page of public information out of order. | Web-page of public information out of order. |
| **How to make an RTI request** | 1. General Administrative Code of Georgia, art. 37, art. 40, art. 42(d).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3.
 | Is information on how to make an RTI request published, including contact details?  | Web-page of public information out of order. | Web-page of public information out of order. |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3(3) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | Web-page of public information out of order. | Web-page of public information out of order. |
| **List of information requested** | 1. General Administrative Code of Georgia, art. 49.
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4.
 | Is information related to RTI requests which were granted published? | Web-page of public information out of order. | Web-page of public information out of order. |

|  |
| --- |
| **2. Ministry of Economy and Sustainable Development of Georgia**<http://www.economy.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.1.  | Are functions of the ministry/authority and its powers published? | Partial no separate section on the powers and functions of the ministry. The information is given in the statute of the ministry.  | <http://www.economy.ge/?page=debuleba>  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.5. | Is Information on personnel, names and contacts of public officials published? | FullInformation is given for the Minister and Deputy Minister only.  | <http://www.economy.ge/?page=giorgi-gakharia> <http://www.economy.ge/?page=deputy-ministers>  |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.4. | Are any authority strategies, plans or policies published? | Full | <http://www.economy.ge/?page=ecopolitic&s=45>  |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.2.  | Are the laws governing the institutions’ operations published? | Full  | <http://www.economy.ge/?page=debuleba> <http://www.economy.ge/?page=ecoleg>  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 7.1. | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Full  | <http://www.economy.ge/?page=services&s=32>  |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5.1 – 5.13. (4) The Budget Code of Georgia, art. 4 (1.b). | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | PartialInformation on the projected budget, actual income and expenditure is published in full. Nevertheless no audit reports are available.  | <http://www.economy.ge/?page=economy&s=50>  |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 4.1 – 4.4.(3) Law of Georgia on Public Procurement art. 2 (c).  | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | FullUp to date Information on procurement plans and conducted purchases are available.  Detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts is available on spa.gov.ge.  | <http://www.economy.ge/?page=economy&s=49>  |
| **Registers** | (1) General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |  |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Partial No information on the time taken to respond  | <http://www.economy.ge/?page=economy&s=51>  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3.  | Is information on how to make an RTI request published, including contact details?  | Full | <http://www.economy.ge/?page=sajaro-informacia>  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3(3) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | Full | <http://www.economy.ge/uploads/sajaro_informacia/aslis_gadagebis_mosakrebeli.pdf>  |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://www.economy.ge/?page=economy&s=51>  |

|  |
| --- |
| **3.** Ministry of Justice <http://www.justice.gov.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.1.  | Are functions of the ministry/authority and its powers published? | Full | <http://www.justice.gov.ge/Ministry/Index/390>  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.5. | Is Information on personnel, names and contacts of public officials published? | Full | [http://www.justice.gov.ge/Page/index/?code=04AF1050-69B7-49E6-BD74-47D635E4281B#](http://www.justice.gov.ge/Page/index/?code=04AF1050-69B7-49E6-BD74-47D635E4281B)  |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.4. | Are any authority strategies, plans or policies published? | Full | <http://www.justice.gov.ge/AboutUs/Council/242> (eng)<http://www.justice.gov.ge/AboutUs/Council/242> (geo)<http://www.justice.gov.ge/Ministry/Index/491>  |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.2.  | Are the laws governing the institutions’ operations published? | Full  | <http://www.justice.gov.ge/Ministry/Index/395> <http://www.justice.gov.ge/Ministry/Index/391>  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 7.1. | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Partial (links provided direct visitors to homepages different LEPLs of the Ministry providing relevant services. Visitors are not directed to the exact link with the information).  | <http://www.justice.gov.ge/Ministry/Index/410>  |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5.1 – 5.13. (3) The Budget Code of Georgia, art. 4 (1.b). | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | Partial (information is provided for 2013-2015 years, no recent data).  | <http://www.justice.gov.ge/budget> <http://www.justice.gov.ge/Project/Detail?projectId=37&categoryId=3>  |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 4.1 – 4.4.(3) Law of Georgia on Public Procurement art. 2 (c).  | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | Partial (no new information, plan of 2016 procurements)All other information is also published on spa.gov.ge.  | <http://www.justice.gov.ge/Ministry/Index/469>  |
| **Registers** | (1) General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |  |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Partial (no information on time taken to respond)Information is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://www.justice.gov.ge/Ministry/Index/395>  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3.  | Is information on how to make an RTI request published, including contact details?  | Full | <http://www.justice.gov.ge/Ministry/Index/395>  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3(3) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | Full | <http://www.justice.gov.ge/Ministry/Index/395> |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://www.justice.gov.ge/Ministry/Index/395> |

|  |
| --- |
| **4. Ministry of Environment and Natural Resources Protection of Georgia**<http://www.moe.gov.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.1.  | Are functions of the ministry/authority and its powers published? | Full | <http://www.moe.gov.ge/ka/about/>  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.5. | Is Information on personnel, names and contacts of public officials published? | Full | <http://www.moe.gov.ge/ka/about/minister/> <http://www.moe.gov.ge/ka/about/deputy-ministers/>  |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.4. | Are any authority strategies, plans or policies published? | Full | <http://www.moe.gov.ge/ka/%E1%83%A1%E1%83%90%E1%83%96%E1%83%9D%E1%83%92%E1%83%90%E1%83%93%E1%83%9D%E1%83%94%E1%83%91%E1%83%90%E1%83%A1%E1%83%97%E1%83%90%E1%83%9C-%E1%83%A3%E1%83%A0%E1%83%97%E1%83%98%E1%83%94%E1%83%A0%E1%83%97%E1%83%9D%E1%83%91%E1%83%90/strategiuli-dokumentebi/gegmebi>  |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.2.  | Are the laws governing the institutions’ operations published? | Full  | <http://www.moe.gov.ge/ka/%E1%83%99%E1%83%90%E1%83%9C%E1%83%9D%E1%83%9C%E1%83%9B%E1%83%93%E1%83%94%E1%83%91%E1%83%9A%E1%83%9D%E1%83%91%E1%83%90/kanonebi/>  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 7.1. | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Full | <http://www.moe.gov.ge/ka/servisebi/>  |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5.1 – 5.13. (3) The Budget Code of Georgia, art. 4 (1.b). | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | Partial Not up to date, last information was published in January 2016, whereas according to legislation information should be updated on quarterly basis.  | <http://www.moe.gov.ge/ka/sajaro-informacia/informacia-administraciuli-organos-dafinansebisa-da-xarjtagricxvis-shesaxeb/biujetis-shesrulebis-shesaxerb-informacia/> <http://www.moe.gov.ge/ka/sajaro-informacia/informacia-administraciuli-organos-dafinansebisa-da-xarjtagricxvis-shesaxeb/administraciuli-organos-damtkicebuli-da-dazustebuli-biujetebi/><http://www.moe.gov.ge/ka/sajaro-informacia/informacia-administraciuli-organos-dafinansebisa-da-xarjtagricxvis-shesaxeb/informacia-gacemuli-grantebis-shesaxeb/><http://www.moe.gov.ge/ka/sajaro-informacia/informacia-administraciuli-organos-dafinansebisa-da-xarjtagricxvis-shesaxeb/sabiujeto-kodeqsit-gatvaliscinebuli-fondebidan-gamoyofili-tanxebis-shesaxeb/>  |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 4.1 – 4.4.(3) Law of Georgia on Public Procurement art. 2 (c).  | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | Partial. Information is published for 2016 only. No recent data is available. All other information is also published on spa.gov.ge.  | <http://www.moe.gov.ge/ka/sajaro-informacia/informacia-saqartvelos-garemosa-da-bunebrivi-resursebis-dacvis-saministros-mier-ganxorcielebuli-saxelmwifo-shesyidebi/saxelmwifo-shesyidvebis-wliuri-gegma/> <http://www.moe.gov.ge/ka/sajaro-informacia/informacia-saqartvelos-garemosa-da-bunebrivi-resursebis-dacvis-saministros-mier-ganxorcielebuli-saxelmwifo-shesyidebi/administraciuli-organos-mier-saxelmwifo-shesyidvebis-sgesaxeb-informacia/>  |
| **Registers** | (1) General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |  |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. Exception from the above mentioned is MoENP. According to the Environmental Assessment Code of Georgia public participation in the decision-making process in relation with effects on the environment in obligatory.The obligation is also foreseen by the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters - Aarhus Convention (signed and ratified by Georgia). | Is information about the mechanisms and procedures for consultation and public participation published? | Partial Information on planned public discussion are published well in advance, with all relevant documents enclosed and contact information for submitting comments indicated.  | <http://www.moe.gov.ge/ka/%E1%83%A1%E1%83%90%E1%83%AF%E1%83%90%E1%83%A0%E1%83%9D-%E1%83%92%E1%83%90%E1%83%9C%E1%83%AE%E1%83%98%E1%83%9A%E1%83%95%E1%83%94%E1%83%91%E1%83%98>  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Partial (no information on time taken to respond)Information is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://moe.gov.ge/res/images/file-manager/sajaro-informacia/2016-wlis-IV-kvartali/xelmisawvdomobisuzrunvelyofa.pdf>  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3.  | Is information on how to make an RTI request published, including contact details?  | Full | [Contact details](http://www.moe.gov.ge/ka/sajaro-informacia/2.%20%E1%83%A1%E1%83%90%E1%83%AF%E1%83%90%E1%83%A0%E1%83%9D%20%E1%83%98%E1%83%9C%E1%83%A4%E1%83%9D%E1%83%A0%E1%83%9B%E1%83%90%E1%83%AA%E1%83%98%E1%83%98%E1%83%A1%20%E1%83%92%E1%83%95%E1%83%94%E1%83%A0%E1%83%93%E1%83%98/2.1.%20%E1%83%A1%E1%83%90%E1%83%AF%E1%83%90%E1%83%A0%E1%83%9D%20%E1%83%98%E1%83%9C%E1%83%A4%E1%83%9D%E1%83%A0%E1%83%9B%E1%83%90%E1%83%AA%E1%83%98%E1%83%98%E1%83%A1%20%E1%83%AE%E1%83%94%E1%83%9A%E1%83%9B%E1%83%98%E1%83%A1%E1%83%90%E1%83%AC%E1%83%95%E1%83%93%E1%83%9D%E1%83%9B%E1%83%9D%E1%83%91%E1%83%98%E1%83%A1%20%E1%83%A3%E1%83%96%E1%83%A0%E1%83%A3%E1%83%9C%E1%83%95%E1%83%94%E1%83%9A%E1%83%A7%E1%83%9D%E1%83%A4%E1%83%90%E1%83%96%E1%83%94%20%E1%83%9E%E1%83%90%E1%83%A1%E1%83%A3%E1%83%AE%E1%83%98%E1%83%A1%E1%83%9B%E1%83%92%E1%83%94%E1%83%91%E1%83%94%E1%83%9A%E1%83%98%20%E1%83%9E%E1%83%98%E1%83%A0%E1%83%98%E1%83%A1%20%28%E1%83%9E%E1%83%98%E1%83%A0%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%29%20%E1%83%A1%E1%83%90%E1%83%AE%E1%83%94%E1%83%9A%E1%83%98%2C%20%E1%83%92%E1%83%95%E1%83%90%E1%83%A0%E1%83%98%2C%20%E1%83%97%E1%83%90%E1%83%9C%E1%83%90%E1%83%9B%E1%83%93%E1%83%94%E1%83%91%E1%83%9D%E1%83%91%E1%83%90%2C%20%E1%83%A1%E1%83%90%E1%83%9B%E1%83%A1%E1%83%90%E1%83%AE%E1%83%A3%E1%83%A0%E1%83%98%E1%83%A1%20%E1%83%94%E1%83%9A%E1%83%94%E1%83%A5%E1%83%A2%E1%83%A0%E1%83%9D%E1%83%9C%E1%83%A3%E1%83%9A%E1%83%98%20%E1%83%A4%E1%83%9D%E1%83%A1%E1%83%A2%E1%83%90%2C%20%E1%83%A1%E1%83%90%E1%83%9B%E1%83%A1%E1%83%90%E1%83%AE%E1%83%A3%E1%83%A0%E1%83%98%E1%83%A1%20%E1%83%A2%E1%83%94%E1%83%9A%E1%83%94%E1%83%A4%E1%83%9D%E1%83%9C%E1%83%98%E1%83%A1%E1%83%90%20%E1%83%93%E1%83%90%20%E1%83%A4%E1%83%90%E1%83%A5%E1%83%A1%E1%83%98%E1%83%A1%20%E1%83%9C%E1%83%9D%E1%83%9B%E1%83%A0%E1%83%94%E1%83%91%E1%83%98/)<http://www.moe.gov.ge/ka/sajaro-informaciis-motxovna/> <http://www.moe.gov.ge/ka/sajaro-informacia/>  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3(3) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | Full | <http://www.moe.gov.ge/ka/sajaro-informacia/>  |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://moe.gov.ge/res/images/file-manager/sajaro-informacia/2016-wlis-IV-kvartali/xelmisawvdomobisuzrunvelyofa.pdf>  |

|  |
| --- |
| **5. Ministry of Labor, Health and Social Affairs**<http://www.moh.gov.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.1.  | Are functions of the ministry/authority and its powers published? | Full | <http://www.moh.gov.ge/ka/publicinformation/list/79/?year=2017>  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.5. | Is Information on personnel, names and contacts of public officials published? | FullInformation is published for the Minster and Deputy Minister only.  | <http://www.moh.gov.ge/ka/ministry/> <http://www.moh.gov.ge/ka/450/>  |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.4. | Are any authority strategies, plans or policies published? | Full | <http://www.moh.gov.ge/ka/publicinformation/list/82/?year=2017>  |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.2.  | Are the laws governing the institutions’ operations published? | Full  | <http://www.moh.gov.ge/ka/publicinformation/list/80/?year=2017>  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 7.1. | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Partial (links provided direct visitors to homepages different LEPLs of the Ministry providing relevant services. Visitors are not directed to the exact link with the information).  | <http://www.moh.gov.ge/ka/466/>  |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5.1 – 5.13. (3) The Budget Code of Georgia, art. 4 (1.b). | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | Partial No audit reports published. | <http://www.moh.gov.ge/ka/464/>  |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 4.1 – 4.4.(3) Law of Georgia on Public Procurement art. 2 (c).  | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | FullUp to-date information on planned and conducted public procurements. Information on public procurement processes, criteria, copies of contracts, and reports on completion of contracts are published on spa.gov.ge.  | <http://www.moh.gov.ge/ka/463/>  |
| **Registers** | (1) General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |  |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Partial (no information on time taken to respond)Information is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://www.moh.gov.ge/ka/461/>  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3.  | Is information on how to make an RTI request published, including contact details?  | PartialNo recent information on the contact details on a FOI officer. No separate section on how to make a FOI request. Information is given in the section of legislation, where relevant legal acts are published.  | <http://www.moh.gov.ge/ka/461/>  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3(3) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | Full | <http://www.moh.gov.ge/ka/publicinformation/list/119/?year=2013>  |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://www.moh.gov.ge/ka/461/> |

|  |
| --- |
| **6. Ministry of Regional Development and Infrastructure**<http://www.mrdi.gov.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.1.  | Are functions of the ministry/authority and its powers published? | Full | [Functions and powers of the ministry.](http://www.mrdi.gov.ge/ge/page/%E1%83%A1%E1%83%90%E1%83%9B%E1%83%98%E1%83%9C%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%9D%E1%83%A1-%E1%83%A1%E1%83%90%E1%83%A5%E1%83%9B%E1%83%98%E1%83%90%E1%83%9C%E1%83%9D%E1%83%91%E1%83%98%E1%83%A1-%E1%83%A1%E1%83%A4%E1%83%94%E1%83%A0%E1%83%9D-%E1%83%93%E1%83%90-%E1%83%90%E1%83%9B%E1%83%9D%E1%83%AA%E1%83%90%E1%83%9C%E1%83%94%E1%83%91%E1%83%98)  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.5. | Is Information on personnel, names and contacts of public officials published? | Full Information is published for the Minster and Deputy Minister only.  | [Information on the Minister](http://www.mrdi.gov.ge/ge/persons/%E1%83%9B%E1%83%98%E1%83%9C%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%98)[Information on the First Deputy Minister](http://www.mrdi.gov.ge/ge/persons/%E1%83%9B%E1%83%98%E1%83%9C%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%98%E1%83%A1-%E1%83%9E%E1%83%98%E1%83%A0%E1%83%95%E1%83%94%E1%83%9A%E1%83%98-%E1%83%9B%E1%83%9D%E1%83%90%E1%83%93%E1%83%92%E1%83%98%E1%83%9A%E1%83%94)[Information on the Deputy Minister](http://www.mrdi.gov.ge/ge/persons/%E1%83%9B%E1%83%98%E1%83%9C%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%98%E1%83%A1-%E1%83%9B%E1%83%9D%E1%83%90%E1%83%93%E1%83%92%E1%83%98%E1%83%9A%E1%83%94) |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.4. | Are any authority strategies, plans or policies published? | Full | [Strategies and Plans of the Ministry for 2014-2021](http://www.mrdi.gov.ge/ge/news/%E1%83%A1%E1%83%90%E1%83%A5%E1%83%90%E1%83%A0%E1%83%97%E1%83%95%E1%83%94%E1%83%9A%E1%83%9D%E1%83%A1-%E1%83%A0%E1%83%94%E1%83%92%E1%83%98%E1%83%9D%E1%83%9C%E1%83%94%E1%83%91%E1%83%98%E1%83%A1-%E1%83%92%E1%83%90%E1%83%9C%E1%83%95%E1%83%98%E1%83%97%E1%83%90%E1%83%A0%E1%83%94%E1%83%91%E1%83%98%E1%83%A1-%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%90%E1%83%A2%E1%83%94%E1%83%92%E1%83%98%E1%83%94%E1%83%91%E1%83%98-2014-2021-%E1%83%AC%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%97%E1%83%95%E1%83%98%E1%83%A1) |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.2.  | Are the laws governing the institutions’ operations published? | Full  | [Laws governing the institutions operations](http://www.mrdi.gov.ge/ge/page/%E1%83%99%E1%83%90%E1%83%9C%E1%83%9D%E1%83%9C%E1%83%9B%E1%83%93%E1%83%94%E1%83%91%E1%83%9A%E1%83%9D%E1%83%91%E1%83%90)  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 7.1. | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Partial Links provided direct visitors to homepages different LEPLs of the Ministry providing relevant services. Visitors are not directed to the exact link with the information.  | http://www.mrdi.gov.ge/ge |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5.1 – 5.13. (3) The Budget Code of Georgia, art. 4 (1.b). | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | FullFull up to-date information on projected and actual budget including the second quarter of 2017. | [Information about the projected budget, actual income and expenditure.](http://www.mrdi.gov.ge/ge/page/%E1%83%91%E1%83%98%E1%83%A3%E1%83%AF%E1%83%94%E1%83%A2%E1%83%98-0) |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 4.1 – 4.4.(3) Law of Georgia on Public Procurement art. 2 (c).  | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | FullInformation on public procurement processes, criteria, copies of contracts, and reports on completion of contracts are published on spa.gov.ge. Information on public procurement processes, criteria, copies of contracts, and reports on completion of contracts are published on spa.gov.ge. | [Information on planed and conducted public procurement.](http://www.mrdi.gov.ge/ge/page/%E1%83%A1%E1%83%90%E1%83%AE%E1%83%9A%E1%83%94%E1%83%9B%E1%83%AC%E1%83%98%E1%83%A4%E1%83%9D-%E1%83%A8%E1%83%94%E1%83%A1%E1%83%A7%E1%83%98%E1%83%93%E1%83%95%E1%83%94%E1%83%91%E1%83%98) |
| **Registers** | General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |  |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Partial (no information on time taken to respond)Information is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | [Report on the first two quarters of 2017](http://www.mrdi.gov.ge/sites/default/files/sajaro_inpormacia_me-2_kvartali_0.pdf)[Annual Report of 2016](http://www.mrdi.gov.ge/sites/default/files/saministros_2016_clis_angarishi_saministroshi_zogadi_administraciuli_kodeksis_49-e_muxlit_gatvaliscinebuli_inpormaciis_tavisuplebis_mdgomareobis_shesaxeb.pdf)  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3.  | Is information on how to make an RTI request published, including contact details?  | Full  | <http://www.mrdi.gov.ge/ge/public-info>  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3(3) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | Full | <http://www.supremecourt.ge/files/upload-file/pdf/tarifebi.pdf>  |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4. | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | [Report on the first two quarters of 2017](http://www.mrdi.gov.ge/sites/default/files/sajaro_inpormacia_me-2_kvartali_0.pdf)[Annual Report of 2016](http://www.mrdi.gov.ge/sites/default/files/saministros_2016_clis_angarishi_saministroshi_zogadi_administraciuli_kodeksis_49-e_muxlit_gatvaliscinebuli_inpormaciis_tavisuplebis_mdgomareobis_shesaxeb.pdf)  |

|  |
| --- |
| **7. Government of Georgia**<http://gov.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.1.
 | Are functions of the ministry/authority and its powers published? | PartialNo separate section on the powers and functions of the entity. The information is given in the statute of the entity published on the web-page.  | <http://gov.ge/index.php?lang_id=GEO&sec_id=48> <http://gov.ge/index.php?lang_id=GEO&sec_id=179&info_id=36003>  |
| **Organisational** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44.
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.5.
 | Is Information on personnel, names and contacts of public officials published? | FullInformation is given on high ranking public official only. | <http://gov.ge/index.php?lang_id=ENG&sec_id=124>  |
| **Operational** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.4.
 | Are any authority strategies, plans or policies published? | Full | <http://gov.ge/index.php?lang_id=GEO&sec_id=68> <http://gov.ge/index.php?lang_id=GEO&sec_id=428>  |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 1.2.  | Are the laws governing the institutions’ operations published? | Full  | <http://gov.ge/index.php?lang_id=GEO&sec_id=329> <http://gov.ge/index.php?lang_id=GEO&sec_id=41>  |
| **Service Delivery** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 7.1.
 | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | FullInformation on referring to the Prime-Minister or applying for a request to receive public information is provided in the Services tab of the web-page. Government administration does not offer other services.  | <http://gov.ge/index.php?lang_id=GEO&sec_id=358>  |
| **Budget** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5.1 – 5.13.
3. The Budget Code of Georgia, art. 4 (1.b).
 | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | Partial Information is provided for 2013-2014 years, no recent data or audit reports.  | <http://gov.ge/index.php?lang_id=GEO&sec_id=338><http://gov.ge/index.php?lang_id=GEO&sec_id=339>  |
| **Public Procurement and Contracts** | 1. General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 4.1 – 4.4.
3. Law of Georgia on Public Procurement art. 2 (c).
 | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | Partial Information is provided for 2013-2014 years, no recent data. All other information is also published on spa.gov.ge.  | <http://gov.ge/index.php?lang_id=GEO&sec_id=321><http://gov.ge/index.php?lang_id=GEO&sec_id=322>  |
| **Registers** | General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |  |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | 1. General Administrative Code of Georgia, art. 49.
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4.
 | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Partial No information on time taken to respond).Information is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://gov.ge/index.php?lang_id=GEO&sec_id=356&info_id=61271%20><http://gov.ge/index.php?lang_id=GEO&sec_id=447>  |
| **How to make an RTI request** | 1. General Administrative Code of Georgia, art. 37, art. 40, art. 42(d).
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3.
 | Is information on how to make an RTI request published, including contact details?  | PartialNo information on how to make an RTI request. Laws governing the topic are published partially.  | <http://gov.ge/index.php?lang_id=GEO&sec_id=354&info_id=46682><http://gov.ge/index.php?lang_id=GEO&sec_id=379> <http://gov.ge/index.php?lang_id=GEO&sec_id=355>  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.1 - 2.3(3) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | Full | <http://gov.ge/index.php?lang_id=GEO&sec_id=359>  |
| **List of information requested** | 1. General Administrative Code of Georgia, art. 49.
2. Decree N219 of the Government of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 2.4.
 | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://gov.ge/index.php?lang_id=GEO&sec_id=356&info_id=61271%20><http://gov.ge/index.php?lang_id=GEO&sec_id=447>  |

|  |
| --- |
| **8. President of Georgia**<https://www.president.gov.ge/en-US>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c). (2) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(a).  | Are functions of the ministry/authority and its powers published? | Full | <https://www.president.gov.ge/en-US/prezidenti/prezidentis-uflebamosileba.aspx>  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44. (2) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(c). | Is Information on personnel, names and contacts of public officials published? | Full Information is published for the high ranking officials of President Administration.  | <https://www.president.gov.ge/en-US/prezidenti/biografia.aspx> <https://www.president.gov.ge/en-US/administracia/saqartvelos-prezidentis-administraciis-ufrosi.aspx><https://www.president.gov.ge/en-US/administracia/saqartvelos-prezidentis-administraciis-tanamdebobi.aspx><https://www.president.gov.ge/ka-GE/administracia/saqartvelos-prezidentis-mrchevlebi.aspx>  |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(b). | Are any authority strategies, plans or policies published? | None |   |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(b) | Are the laws governing the institutions’ operations published? | Full  | <https://www.president.gov.ge/ka-GE/sajaro-informacia/samartlebrivi-aqtebi.aspx>  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).  | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | None (N/A) |  |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G). (2) The Budget Code of Georgia, art. 4 (1.b). | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | Partial No audit reports published. No information on actual income and expenditure.  | <https://www.president.gov.ge/ka-GE/sajaro-informacia/administraciis-biujeti/%E2%80%8Badministraciis-cliuri-biujeti.aspx>  |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(i), 5(j). (3) Law of Georgia on Public Procurement art. 2 (c).  | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | FullInformation on public procurement processes, criteria, copies of contracts, and reports on completion of contracts are published on spa.gov.ge.  | <https://www.president.gov.ge/ka-GE/sajaro-informacia/skhva-sajaro-informacia/sakhelmcifo-shesyidvebis-cliuri-gegma.aspx> <https://www.president.gov.ge/ka-GE/sajaro-informacia/skhva-sajaro-informacia/sakhelmcifo-shesyidvebis-cliuri-gegmit-gankhorciel.aspx> |
| **Registers** | General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis/registers held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |   |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(f). | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | Partial No information on time taken to respond.Information is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <https://www.president.gov.ge/ka-GE/sajaro-informacia/skhva-sajaro-informacia/saqartvelos-zogadi-administraciuli-kodeqsis-37-e-d.aspx>  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(f).  | Is information on how to make an RTI request published, including contact details?  | Full  | <https://www.president.gov.ge/sajaro-informacia/sajaro-informaciis-motkhovna.aspx> [Contact Information of FOI Officers](https://www.president.gov.ge/ka-GE/sajaro-informacia/skhva-sajaro-informacia/%E1%83%90%E1%83%93%E1%83%9B%E1%83%98%E1%83%9C%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%90%E1%83%AA%E1%83%98%E1%83%90%E1%83%A8%E1%83%98-%E1%83%A1%E1%83%90%E1%83%AF%E1%83%90%E1%83%A0%E1%83%9D-%E1%83%98%E1%83%9C%E1%83%A4%E1%83%9D%E1%83%A0%E1%83%9B%E1%83%90%E1%83%AA%E1%83%98%E1%83%98%E1%83%A1-%E1%83%AE%E1%83%94%E1%83%9A%E1%83%9B%E1%83%98%E1%83%A1%E1%83%90%E1%83%AC%E1%83%95%E1%83%93%E1%83%9D%E1%83%9B%E1%83%9D%E1%83%91%E1%83%98.aspx)  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Law of Georgia on the Fees for Copying Public Information, art. 6.  | Is information about the costs/fees for paying for photocopies of information? | None |   |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N692 of the President of Georgia on Electronic Request and Proactive Publication of Public Information, annex, section 5(f). | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <https://www.president.gov.ge/ka-GE/sajaro-informacia/skhva-sajaro-informacia/saqartvelos-zogadi-administraciuli-kodeqsis-37-e-d.aspx>  |

|  |
| --- |
| **9. Georgian National Energy and Water Supply Regulatory Commission (The Commission)**<http://www.gnerc.org/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c). (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.a). | Are functions of the ministry/authority and its powers published? | Full | <http://gnerc.org/en/about/komisia> <http://gnerc.org/en/about/struqtura-da-funqtsiebi>  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44. (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.c). | Is Information on personnel, names and contacts of public officials published? | FullInformation is published for the chairman and the members of the Commission.  | <http://gnerc.org/en/about/chairman> <http://gnerc.org/en/about/komisiis-tsevrebi>  |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).  | Are any authority strategies, plans or policies published? | PartialOnly brief information on the strategic goals of the Commission, no strategic documents and/or action plans.  | http://gnerc.org/en/about/komisia |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (3) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.b) | Are the laws governing the institutions’ operations published? | Full  | <http://gnerc.org/ge/legal/komisiis-saqmianobastan-dakavshirebuli-samartlebrivi-aqtebi?perform=1&word=&docnumber=&year=0&month=0&day=0&doctype=-1&theme=-1&receiver=-1> <http://gnerc.org/en/about/debuleba>  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).  | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Full | <http://gnerc.org/ge/for-user> <http://gnerc.org/ge/ganatskhadebis-tipuri-formebi>  |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G). (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.f) | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | Full | <http://gnerc.org/ge/public-information/reports/tsliuri-angarishi>  |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Law of Georgia on Public Procurement art. 2 (c). (3) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.d). | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | PartialNo information on 2017.Information on public procurement processes, criteria, copies of contracts, and reports on completion of contracts are published on spa.gov.ge.  | <http://gnerc.org/ge/public-information/tenderebi/sheskidvebi>  |
| **Registers** | General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis/registers held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |   |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.b). | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | PartialNo information on time taken to respond.Information is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL).Annual report on the status of implementation of the RTI law includes information on the content of each FOI application and measures taken.  | <http://gnerc.org/ge/public-information/sadjaro-informatsis-gacema>  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.b).  | Is information on how to make an RTI request published, including contact details?  | Full  | <http://gnerc.org/ge/public-information/sadjaro-informatsis-gacema>  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d). (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.b).  | Is information about the costs/fees for paying for photocopies of information? | FullCommission provides applicants with information free of charge.  | <http://gnerc.org/en/public-information/sadjaro-informatsia>  |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.b).  | Is information related to RTI requests which were granted published? | Full Information is included in the annual Access to Public Information Report.The report is also published on the official web-page of Legislative Herald of Georgia (MoJ LEPL). | <http://gnerc.org/ge/public-information/sadjaro-informatsis-gacema>  |

|  |
| --- |
| **10. United Water Supply Company**<http://water.gov.ge/>  |
| **Availability of institutional, organisational, operative and contact information** |
| **Type of information** | Section of the law which requires disclosure | Indicator |  Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **Institutional** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42 (b), art. 42 (c).  | Are functions of the ministry/authority and its powers published? | Full | <http://water.gov.ge/page/full/3>  |
| **Organisational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art.42 (d), art.44.  | Is Information on personnel, names and contacts of public officials published? | FullInformation is published for Director and Deputy Directors.  | <http://water.gov.ge/page/full/4> <http://water.gov.ge/page/full/5>  |
| **Operational** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).  | Are any authority strategies, plans or policies published? | PartialInformation on planned projects is available on the web-page.  | <http://water.gov.ge/page/full/53>  |
| **Legislation** | (1) Law of Georgia on Normative Acts, art. 6. (2) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).  | Are the laws governing the institutions’ operations published? | Full  | <http://water.gov.ge/public/images/page/pdf/86.pdf> <http://water.gov.ge/public/images/page/pdf/87.pdf>  |
| **Service Delivery** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2).  | Are the descriptions of services offered, including forms required to be filled out and deadlines for application published? | Full | <http://water.gov.ge/page/full/34> <http://water.gov.ge/page/full/35>  |
| **Budget** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2), art. 42(G).  | Is information about the projected budget, actual income and expenditure, and/or audit reports published? | None |  |
| **Public Procurement and Contracts** | (1) General Administrative Code of Georgia, art. 2 (1.l), art. 28(2). (2) Law of Georgia on Public Procurement art. 2 (c).  | Is detailed information on public procurement processes, criteria, outcomes of tenders, copies of contracts, and reports on completion of contracts published? | PartialInformation on public procurement processes, criteria, copies of contracts, and reports on completion of contracts are published on spa.gov.ge.  | <http://water.gov.ge/page/full/65><http://water.gov.ge/page/full/47>   |
| **Registers** | General Administrative Code of Georgia, art.28(2), art. 2 (1.l), art. 42(h), art. 42(I).Although the General Administrative Code of Georgia stipulates that information on data basis/registers held by public institutions is public information, legislation does not include any obligation of publishing them online. Thus public institutions have no obligation to make them available online. | Are any registers mandated by law for the Agency to create available online? | None |   |
| **Participation** | Georgian legislation enshrines mechanisms of public participation at the level of local self-government and Parliament, e.g. petitions, local advisory councils, publishing draft laws and receiving comments. Holding public consultations are also obligatory in cases of amending Constitutions. However no such obligation is foreseen in other cases. | Is information about the mechanisms and procedures for consultation and public participation published? | None |  |
| ***Availability of information about the Right to Information*** |
| Type of information | Section of law that requires disclosure | Indicator | Published (Full/ Partial/ None) | Data Source (website or location of information) |
| **RTI information** | (1) General Administrative Code of Georgia, art. 49.  | Is an annual report on the status of implementation of the RTI law published including number of requests granted, refused and time taken to respond? | None |  |
| **How to make an RTI request** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d).  | Is information on how to make an RTI request published, including contact details?  | None |  |
| **Costs for publications** | (1) General Administrative Code of Georgia, art. 37, art. 40, art. 42(d).  | Is information about the costs/fees for paying for photocopies of information? | None |  |
| **List of information requested** | (1) General Administrative Code of Georgia, art. 49. (2) Decree N7 of the Commission on Electronic Request and Proactive Publication of Public Information, art 1 (a.b).  | Is information related to RTI requests which were granted published? | None |  |

## Appendix 2: Institutional Measures

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Organisation | 1. Has the authority appointed an Information Officer who is responsible for RTI implementation?(If yes comment on how the mandate functions) | 2. Does the authority have an RTI implementation plan? (If yes, comment on the extent to which such a plan has been operationalised) | 3.      Has the authority developed/ issued guidelines for receiving and responding to information requests? (If yes, comment on their usage) | 4. Does the authority prepare and public annual reports, including statistics on requests? (If yes probe for the availability of the latest report and the period it relates to, otherwise the any hindrances to that effect). | 5. Has the authority provided RTI training to its information officers? (If yes, comment on when the most recent training programme was conducted). |
| 1) Ministry of Internal Affairs | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information.  | No information found | No information foundNo information found. Ministry left the question on the topic included in the FOI request without a reply.  | YesAnnual Access to Information Report for 2016 is available.Although the Public Information web-page on the official web-site of the ministry is under construction, the report can be found on the web-site of Legislative herald of Georgia.[[6]](#footnote-6)  | NoMinistry has provided dozens of trainings for public official, among them on the topics of service provision and communication. Nevertheless no RTI training was organized for FOI officers.  |
| 2) Ministry of Economy and Sustainable Development | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No information found | No information found | YesAnnual Access to Information Report for 2016 as well as information on FOI requests received and actions taken in the second quarter of 2017 is available on the website of the entity and is published on the web-site of Legislative herald of Georgia.[[7]](#footnote-7)  | No information found |
| 3) Ministry of Justice | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No Having an RTI implementation plan is not applicable to Georgia. Georgian legislation does not oblige entities to develop such implementation plans. It is not clear what should the content and purpose of the document be. | No | YesAnnual Access to Information Report for 2016 is available on the website of the entity and is published on the web-site of Legislative herald of Georgia.[[8]](#footnote-8) | No |
| 4) Ministry of Environment and Nature Protection | Yes Information Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No Having an RTI implementation plan is not applicable to Georgia. Georgian legislation does not oblige entities to develop such implementation plans. It is not clear what should the content and purpose of the document be. | No | YesAnnual Access to Information Report for 2016 is available on the website of the entity and is published on the web-site of Legislative herald of Georgia.[[9]](#footnote-9) | No |
| 5) Ministry of Labor, Health and Social Affairs | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No Having an RTI implementation plan is not applicable to Georgia. Georgian legislation does not oblige entities to develop such implementation plans. It is not clear what should the content and purpose of the document be. | No | YesAnnual Access to Information Report for 2016 is available on the website of the entity and is published on the web-site of Legislative herald of Georgia.[[10]](#footnote-10) | No |
| 6) Ministry of Regional Development and Infrastructure | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No Having an RTI implementation plan is not applicable to Georgia. Georgian legislation does not oblige entities to develop such implementation plans. It is not clear what should the content and purpose of the document be. | No | YesAnnual Access to Information Report for 2016 is available on the website of the entity and is published on the web-site of Legislative herald of Georgia.[[11]](#footnote-11) | No |
| 7) Government Administration | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No information found | No information found | YesAnnual Access to Information Report for 2016 is available on the website of the entity and is published on the web-site of Legislative herald of Georgia.[[12]](#footnote-12) | No information found |
| 8) President of Georgia  | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No Having an RTI implementation plan is not applicable to Georgia. Georgian legislation does not oblige entities to develop such implementation plans. It is not clear what should the content and purpose of the document be. | No | YesAnnual Access to Information Report for 2016 as well as information on FOI requests received and actions taken in the second quarter of 2017 is available on the website of the entity and is published on the web-site of Legislative herald of Georgia.[[13]](#footnote-13) | No |
| 9) Georgian National Energy and Water Supply Regulatory Commission | YesInformation Officer is responsible for providing timely response on FOI requests received by the entity as well as on proactive disclosure of public information. | No Having an RTI implementation plan is not applicable to Georgia. Georgian legislation does not oblige entities to develop such implementation plans. It is not clear what should the content and purpose of the document be. | NoAs a response to the FOI request the entity noted that commission has adopted a decree N7 on Electronic Request and Proactive Publication of Public Information. Nevertheless the said can not be seen as a guideline.  | YesAnnual Access to Information Report for 2016 is available on the website of the commission and is published on the web-site of Legislative herald of Georgia.[[14]](#footnote-14) | YesFour day training was conducted In June 2016 on the subject of Freedom of Information legislation and practice in Georgia (two days) and Personal Data Protection (two days). |
| 10) United Water Supply Company (State LLC) | NoAccording to the United Water Supply Company Legal Department performs the functions of an Information Officer. The Company has not appointed an Information Officer. | No Having an RTI implementation plan is not applicable to Georgia. Georgian legislation does not oblige entities to develop such implementation plans. It is not clear what should the content and purpose of the document be. | NoAccording to the United Water Supply Company no such guidelines have been developed. | No | No According to the United Water Supply Company no such trainings have been provided.  |

## Appendix 3: Processing of Requests

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|   | **Number of Requests (added)** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| **1) Ministry of Internal Affairs** | **6** |  |  |  |  |  |  |  |  |  |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |   |  August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A | According to the FOI officer of the Ministry the delay to respond to the FOI request was due to the fact that relevant data was being gathered from different departments (phone communication). Ministry has not provided us with information as of September, 22nd (20 working days from the date of receiving FOI request). |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   |  August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |  |  August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  |  August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 5: Copies of those draft laws which are being prepared by the entity but are not yet initiated to the Parliament of Georgia.  |  |  August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |  |  August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| **2) Ministry of Economy and Sustainable Development** | **6** |   |   |   |   |   |   |   |   |   |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |  |  August 24, 2017 | Post |  August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A | According to the representative of the Ministry delay to respond to the FOI request was due to the fact that they were waiting for relevant data from several departments (phone communication). Ministry has not provided us with information as of September, 22nd. |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |  |  August 24, 2017 | Post |  August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |  |  August 24, 2017 | Post |  August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  |  August 24, 2017 | Post |  August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 5: Copies of those draft laws which are being prepared by the entity but are not yet initiated to the Parliament of Georgia.  |  |  August 24, 2017 | Post |  August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |  |  August 24, 2017 | Post |  August 25, 2017 | Yes | N/A | Mute Refusal | N/A | N/A |
| **3) Ministry of Justice** | **6** |   |   |   |   |   |   |   |   |   |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |   | August 24, 2017 | Post | August 25, 2017 | Yes | September 29, 2017 | Information received | Post | Free |  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 25, 2017 | Yes | September 29, 2017 | Information received | Post | Free |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |   | August 24, 2017 | Post | August 25, 2017 | Yes | September 29, 2017 | Information received | Post | Free |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | September 29, 2017 | Information not held | Post | Free |
| Question 5: Copies of those draft laws which are being prepared by the entity but are not yet initiated to the Parliament of Georgia.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | September 29, 2017 | Partial accessThe Ministry provided us with the list of draft laws, indicating brief description of each draft, nevertheless the entity refused to disclose copies of the draft laws.  | Post | Free |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | September 29, 2017 | Information received | Post | Free |
| **4) Ministry of Environment and Nature Protection** | **6** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |   | August 24, 2017 | Post | August 25, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension. | Information received  | Cloud-based computer file transfer service | N/A |  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 25, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension. | Information received | Cloud-based computer file transfer service | N/A |   |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |   | August 24, 2017 | Post | August 25, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension. | Information received | Cloud-based computer file transfer service | N/A |  |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension. | Information received | Cloud-based computer file transfer service | N/A |  |
| Question 5: Copies of those draft laws which are being prepared by the entity but are not yet initiated to the Parliament of Georgia.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension. | Information received | Cloud-based computer file transfer service | N/A |  |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension. | Information received | Cloud-based computer file transfer service | N/A |  |
| **5) Ministry of Labor, Health and Social Affairs** | **6** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 11, 2017 | Information not held | e-mail | N/A |  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 11, 2017 | Information received | e-mail | N/A |  |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 11, 2017  | Information received | e-mail | N/A |  |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 11, 2017 | Information not held | e-mail | N/A | Minister of Labor, Health and Social Affairs has no advisors.  |
| Question 5: Copies of those draft laws which are being prepared by the entity but are not yet initiated to the Parliament of Georgia.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 11, 2017 | Information received | e-mail | N/A |  |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 11, 2017 | Information received | e-mail | N/A |  |
| **6) Ministry of Regional Development and Infrastructure** | **6** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension.  | Information received | e-mail | N/A |  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension.  | Written refusal | e-mail | N/A | Ministry argued that internal audit check reports are not public information. No legal justification.  |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension.  | Information received | e-mail | N/A |  |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension.  | Written refusal | e-mail | N/A | Ministry stressed that information includes personal data.  |
| Question 5: Copies of those draft laws which are being prepared by the entity but are not yet initiated to the Parliament of Georgia.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension.  | Written refusal | e-mail | N/A | Ministry stressed that since the draft laws have not yet been initiated to the Parliament they do not constitute public information.  |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 8, 2017August 29th, 2017 informed on ten days extension.  | Information received | e-mail | N/A |  |
| **7) Government Administration** | **6** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |   | August 24, 2017 | Post | August 25, 2017 | Yes | N/A |  Mute refusal | N/A | N/A | Representative of Government Administration confirmed that the entity has received information, nevertheless they did not provide IDFI with any information on the causes of the delay (phone conversation).  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute refusal | N/A | N/A |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |   | August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute refusal | N/A | N/A |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute refusal | N/A | N/A |
| Question 5: Copies of those draft laws which are being prepared by the entity but are not yet initiated to the Parliament of Georgia.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute refusal | N/A | N/A |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |  | August 24, 2017 | Post | August 25, 2017 | Yes | N/A | Mute refusal | N/A | N/A |
| **8) President of Georgia** | **6** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017 |  Information received | Post | N/A |  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017 | Information received | Post | N/A |  |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017 | Information received | Post | N/A |  |
| Question 4: CVs of Minister Advisors indicating their names and surnames.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017 | Information received | Post | N/A |  |
| Question 6: Correspondence with the Ministry of Finance on amending the budget of entity in 2017.  |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017 | Information received | Post | N/A |  |
| **9) Georgian National Energy and Water Supply Regulatory Commission** | **3** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017August 30th, 2017 informed on ten days extension. | Information not held | Post | N/A |  The Commission has not conducted urgent procurements in 2016-2017.  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017August 30th, 2017 informed on ten days extension. | Information received | Post | N/A |   |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |  | August 24, 2017 | Post | August 29, 2017 | Yes | September 6, 2017August 30th, 2017 informed on ten days extension. | Information received | Post | N/A |  |
| **10) United Water Supply Company** | **3** | **Date Request Submitted** | **How Request was Filed** | **Date Receipt Received** | **Submitted (Y/N)** | **Date, if any, of response** | **Result** | **How information provided** | **Fee charged, if any** | **Comments** |
| Question 1: Copies of correspondence (written agreement) with upper administrative body or state supervision service on conducting urgent procurements in 2016 -2017. |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 28, 2017 | Information received | Post | Free |  |
| Question 2: Audit check reports of 2016-2017 (including internal, external, state and non-state audit checks). |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 28, 2017 | Information received | Post | Free |  |
| Question 3: List of court litigation cases in 2016-2017 where the entity was represented as a plaintiff, respondent or a third party, indicating the subject of dispute, date of trail commencement and date of rendering the final decision.  |   | August 24, 2017 | Post | August 29, 2017 | Yes | September 28, 2017 | Information received | Post | Free |  |

## Appendix 4: FOIAnet Methodology

The Result will be one of the following (explanations below):

1. Oral Refusal
2. Written Refusal
3. Transferred
4. Referred
5. Mute Refusal
6. Information received
7. Partial Access
8. Incomplete Answer
9. Information Not Held

From among these, (6) is a legitimate result, (2), (3), (4), (7) and (9) might be legitimate results and (1), (5) and (8) are never legitimate. Whether the response was timely (i.e. in accordance with the time limits set out in the law) and any fee charged was appropriate (again, in accordance with the limits in the law) should be recorded in the comments.

**Oral Refusal**

This is when an official from the authority informs you orally (spoken word or telephone) that they refuse to provide the information. If any reasons are given orally for not accepting the request, these should be recorded under comments.

**Written Refusal**

This is when a refusal to provide the information is given in any written form (e.g. letter, e-mail or fax). The grounds given for refusing should be recorded under comments.

**Transferred**

This is when the authority transfers the request to another authority. Whether the authority informs you about this or not, and any reasons given, should be recorded under comments.

**Referred**

This is when the authority informs you that you should lodge the request with another authority (as opposed to transferring it itself).

**Mute Refusal**

This is where the authority simply fails to respond at all to a request or where answers are provided which are so vague that they cannot be classified in any other category listed here. A mute refusal is deemed to apply when the period in the access to information law for responding to requests has expired.

**Information Received**

This is when access is granted and information which responds to the request and which is relatively complete is provided.

**Partial Access**

This is where only part of the information is provided and part of the information is refused, based on an exception. In this case, information may be blacked-out or “severed” or you are provided with only some of the relevant documents. In this case, any reasons for refusing part of the information should be recorded in the comments.

**Incomplete Answer**

Information is provided but it is incomplete, irrelevant or in some other way unsatisfactory. This is different from Partial Access inasmuch as the authority appears to be treating this as a complete response (even though it is not) and it has not indicated that it is refusing information.

**Information Not Held**

This is where the authority responds claiming that it does not hold the information. Whether this seems to be credible or not should be recorded in the comments.

1. The methodology is available in English, French and Spanish at: <http://foiadvocates.net/?page_id=11036>. [↑](#footnote-ref-1)
2. Appendix 1, Art. 70.10, available at: <https://matsne.gov.ge/en/document/view/3222307>. [↑](#footnote-ref-2)
3. Objective 9.3, available at: <http://www.coe.int/t/commissioner/source/NAP/Georgia-National-Action-Plan-on-Human-Rights.pdf>. [↑](#footnote-ref-3)
4. Appendix 1, objective 3.1, available at: <https://matsne.gov.ge/en/document/view/2818704>. [↑](#footnote-ref-4)
5. Commitments 6 and 10, Available at: <https://www.opengovpartnership.org/countries/georgia/action-plan> [↑](#footnote-ref-5)
6. <https://matsne.gov.ge/ka/document/view/3458643> [↑](#footnote-ref-6)
7. <http://www.economy.ge/?page=economy&s=51> [↑](#footnote-ref-7)
8. <http://www.justice.gov.ge/Ministry/Index/395> [↑](#footnote-ref-8)
9. <http://moe.gov.ge/res/images/file-manager/sajaro-informacia/2016-wlis-IV-kvartali/xelmisawvdomobisuzrunvelyofa.pdf> [↑](#footnote-ref-9)
10. <http://www.moh.gov.ge/ka/publicinformation/list/89/?year=2016> [↑](#footnote-ref-10)
11. <http://www.mrdi.gov.ge/sites/default/files/saministros_2016_clis_angarishi_saministroshi_zogadi_administraciuli_kodeksis_49-e_muxlit_gatvaliscinebuli_inpormaciis_tavisuplebis_mdgomareobis_shesaxeb.pdf> [↑](#footnote-ref-11)
12. <http://gov.ge/index.php?lang_id=GEO&sec_id=447&info_id=58717> [↑](#footnote-ref-12)
13. <https://www.president.gov.ge/ka-GE/sajaro-informacia/skhva-sajaro-informacia/saqartvelos-zogadi-administraciuli-kodeqsis-37-e-d.aspx> [↑](#footnote-ref-13)
14. <http://gnerc.org/ge/public-information/sadjaro-informatsis-gacema> [↑](#footnote-ref-14)