



Presentation of the Report Freedom of Information in Georgia 2011

International Anti-Corruption Day is observed annually on December 9. Georgian Young Lawyers' Association traditionally marked the day by holding a presentation of the monitoring report Freedom of Information in Georgia - 2011 in frames of the human rights series.

The report was prepared by GYLA's monitoring group that conducted the research in 40 administrative agencies in Georgia, covering analysis of practice in the office of the parliament, correspondence offices of ministries, Government Chancellery, President's Administration, the judicial system, the CEC, the National Bank, independent commissions, offices of self-governing cities and city hall administrations.

The report focuses on fulfillment of FOI obligations envisaged by the Constitution of Georgia, international law and Chapter 3 of the General Administrative Code of Georgia.

The monitoring addressed the following key issues

- Compliance of administration agencies with procedures pertinent to providing access to public information based on applications;
- Administrative agencies' fulfillment of the obligation to submit December 10 reports to the parliament and the president;
- Administrative agencies' fulfillment of obligation to maintain public information registry;
- Practice of examining administrative complaints filed with administrative agencies over the failure to provide access to public information;
- Key strands in judicial practice in FOI disputes.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



This report is the first attempt of a complex monitoring of compliance with FOI standards by administrative agencies. It has revealed the following problems:

- Some of the monitoring targets fail to provide access to information within the timeframe prescribed by law;
- Some of the monitoring targets fail to comply fully or at all with the obligation to submit December 10 reports to the parliament and the president. There are no mechanisms for providing feedback;
- Poor practices of maintaining public information registry by some of the monitoring targets;
- Most of the administrative agencies pose artificial obstacles to monitoring of spending public finances and property by qualifying public information as personal information. Regrettably, the illegal practice is further reinforced by court's decisions.

The report also contains recommendations for eliminating the deficiencies.

The research has been funded by the Open Society Institute under the auspices of the project Promotion of Transparency and Accountability in Georgia.