



GYLA held presentation of the research on proactive disclosure of public information

On December 19, 2013 GYLA held presentation of the research “Proactive disclosure of public information” providing information about current trends in Georgia, as well as the international practice.

The research examines individually activities implemented in terms of guaranteeing proactive disclosure of public information, request of information in an electronic form and its disclosure by the Chancellery of the Georgian Government, all the state Ministries, offices of the state Ministers and randomly selected 18 legal entities of public law under their subordination within the period of September 1, 2013- December 10, 2013. Furthermore, the document also describes the conditions of public agencies’ web-resources and examples from the international practice.

Although the obligation of proactive disclosure was fully enacted since January 1, 2014 we consider important the trends that were revealed by the research and that might have significant impact on proactive dissemination of public information.

GYLA’s research revealed that:

- None from the observed public agencies have provided public information for proactive publication comprehensively, therefore we can presume that by January 1, 2014 public agencies will not be able to ensure implementation of their obligations adequately;

- From the observed 38 public agencies only 23 possess public information web-page, which in certain cases either do not possess public information for pro-active dissemination or possess incomprehensively.
- From the monitored 38 public agencies only 15 have adopted the relevant legal act with internal regulations concerning retrieval of public information in an electronic form and its pro-active publication.
- The legal acts of the monitored public agencies are not similar and they fail to regulate the issue in details, therefore there is high probability of introducing different practice.
- Considering the foreign practice it was revealed that establishment of the common practice is the guarantee for creation of the effective system and it can be attained through elaboration of common standards of pro-active disclosure of public information. As it follows from the applied practice in Georgia, different acts adopted by public agencies are not effective for accomplishment of the goal.
- In view of the international experience, the priority of the mixed model of proactive disclosure of public information has been determined. The model envisages publication of the information on the web-page of the public agency and on the independent common portal as well.

GYLA opines that for establishing the effective system of pro-active publication of public information the new legal mechanism needs to be elaborated, which will promote establishment of common standards for proactive disclosure of public information.

Moreover, along with public information web-pages of public agencies, it is necessary to have the centralized portal for pro-active publication of information, which will enable interested parties to retrieve public information with the help of online resources.