

Comments on the IRM Progress Report 2014-15: Georgia

LEPL Public Service Development Agency (PSDA) with regard to the Table 1: Assessment of Progress by Commitment, commitment 4. Educational Services, noted that “the correct name of the given commitment indicated in OGP AP is Accessibility of the services of the Ministry of Education and Science in Public Service Halls.” The name should be corrected throughout the Report (pg. 3 of the IRM Report).

PSDA also mentioned with regard to the same section that “the decision about the incorporation of this particular commitment into the OGP Action Plan 2014-2015 was made rather belatedly, JUST before the AP was approved by the Government. As a result time to analyze the steps necessary for the accomplishment of this commitment was too limited and thus certain activities were not considered which were in fact required for the actual implementation of this activity. More precisely, as it turned out at a later stage, certain steps were required in order to fully realize this commitment. This included: 1) development of relevant software solution; 2) legislative changes; 3) ensuring the availability of the necessary human resources, as well as the technical and financial resources; 4) raising public awareness on the accessibility of this new service. Thus, the actual accomplishment of the given commitment was postponed extending to the end of 2015” (pg.3).

LEPL Public Service Development Agency changed the content of commitment 6B, in the Table 1, which reads as follows: “**Introduction of e-Governance in Local Governments** - Creation and implementation of the Municipality Management System in local governments will improve management quality and municipal service delivery at the local level” (pg. 4).

LEPL Public Service Hall (PSH) with regard to the Table 2: Summary of Progress by Commitment, commitment 1A. Travel Insurance, noted that “Before the implementation of travel insurance service in the Public Service Hall defined group of customers have been interviewed, who evaluated positively the idea of insurance implementation and in their opinion availability of the service in PSH would simplify the process of service delivery (especially for people from different regions, since insurance companies do not have branches in every city). Moreover, implementation of insurance service in the public sector was first precedent. Hence, implementation of this service in the PSH is the development of public as well as private sector. Therefore, PSH was taking into consideration the following OGP values when it was undertaking this commitment: Citizen Participation and Public accountability” (pg. 6).

The PSH with regard to the same Table, commitment 1B. State Property Registration, noted that “PSH took care of the citizens when it implemented the services of National Agency of State Property in every branch (accept Tbilisi PSH, since service center of the Agency is placed in the building). Citizens are not obliged to go to the other municipalities for the property legalization.

The registration of the legalized property is possible in the same space. Accordingly, implementation of this project underlines increased government accountability” (pg. 6).

The PSH with regard to the same Table, commitment 3. JUST Drive, noted that “JUST Drive means getting prepared document from the car. The customer who has ID card enters the JUST Drive track and stops to the special card reader booth. After pushing the Card on the reader the barrier opens (in case if the ID card and prepared document is found in the program data) and the finished documents will show up to the operators desktop, in the special room. After opening the barrier customer will enter JUST Drive which leads them to the window where the operator hands the document to the customer. This procedure takes average three minutes. Since there is "Passomat" (automatized document management system) in the JUST Drive room which allows to call the passport, and special pipes help the document to get to the room in a minute. Therefore, JUST Drive responds to the OGP values - Technologies and innovation for transparency and accountability” (pg. 6).

PSDA noted that the name of the commitment 4, in the Table 2, is “Accessibility of services of the Ministry of Education and Science in public service halls” and it recommends to change the name of this commitment throughout the report. PSDA changes the term “verification” with “legalization and certification by Apostil” in the second sentence (pg. 6).

LEPL Data Exchange Agency (DEA) with regard to the same Table, commitment 5. Citizen’s Portal – www.mygov.ge, mentioned that “Statements in this paragraph does not correspond to real and objective facts. DEA made several efforts during the last IRM assessments on similar topics, but it seems like there is some misunderstanding from IRM while making statements, namely: “cumbersome registration requirements”. What does “cumbersome” mean and how can we evaluate it? Is not it too subjective without considering objective requirements? Once more we would like to explain how registration is done on my.gov.ge and also necessities and reasons behind that. There are two ways for registration:

1. By using the eID (User must have eID certificate and its reader);
2. Through user name and password (user should go to any Public Service Hall and register).

These two methods are chosen because in order to register on my.gov.ge, it is necessary to identify the user. The identification is necessary to prevent non-identified user from obtaining the information about the personal data of other people and not to violate the Personal Data Protection Law.

Regarding the second statement from the text:

When requesting the information from my.gov.ge, user is informed that:

1. Letter is sent to corresponding institution;

2. Letter is received by the corresponding institution;
3. Letter is received from corresponding institution.

It is not possible to make the process more detailed.

Regarding the third statement: My.gov.ge public awareness campaign is ongoing. It is planned to involve Community Centers and regional libraries in this process. We conducted the trainings in Nukriani, Mukhaestate libraries and Community Centers, employees of which will register the local population on citizen's portal, teach and assist them to use my.gov.ge services. Similar training was conducted for Kakheti, Imereti, Mtskheta and Samegrelo Community Center employees. We make advertisements via public channels and social media, DEA conducts public lectures for general audience. DEA has published a handbook on e-government services, including my.gov.ge and we are in the process of distributing this handbook among population. Public Awareness activities are on high priority of DEA and Ministry of Justice (MoJ) and this process is ongoing systematically.

But one issue to be considered carefully is that take-up of services is not directly linked to awareness raising, there may be plenty of reasons for low usage and we are constantly working on those issues" (pg. 6).

PSDA removed the sentence "in addition to being very cautious about making their personal information available online" from the second sentence of commitment 8, of the Table 2 (pg. 6).

DEA with regard to the same Table, commitment 9. Open Data Portal – data.gov.ge, noted the following: It is Data Exchange Agency's prerogative to determine the format of datasets to be uploaded on data.gov.ge, also provide metadata standards and procedures for uploading. But it is up to the individual state agencies what datasets they want to publish. That is why DEA has no authority, mandate or prerogative to interfere and influence the decision of each agency on dataset publication, the only thing we can do is to set frames and standards which we already have done. Considering the abovementioned, statement in the text is incorrect and does not correspond to real situation and best practice" (pg. 6).

The Administration of the Government of Georgia with regard to the same Table, commitment 12. I-change.ge, noted that "In the eligibility conditions "person with the right to vote" changed to the adult. There is no limitation on verified user. The condition of verified users have been removed and everyone will be able to add the petition" (pg. 6).

LEPL Public Service Development Agency with regard to the same Table, commitment 6A. Development of Community Centers in Georgia, noted that "22 Community Centers (CC) were functioning as of June 30, 2015. Ten additional CCs were opened instead of initially planned six." In the second sentence PSDA changed thirteen CCs with ten and changed the finishing of the

sentence “with additional 12 to be opened by the end of 2015/in early 2016”. PSDA added the following paragraph to the section: “PSDA works closely with different public agencies and CSOs in order to increase the level of public participation through modern infrastructure, available at the CCs. Within the frame of reporting period different events and informational meetings were organized at the CCs. More than 1300 local citizens took part in the abovementioned events. For example: consultations with the local population about new “Code on Local Government”, informational campaign about EU Integration, discussion about municipality development plans, presentation of “Citizen’s portal”, documentary film screenings and discussion, awareness raising campaign about persons with disabilities, etc. Moreover, in September 2015, PSDA has initiated Georgian language courses at the CCs where national minorities reside” (pg.7).

PSDA replaced first sentence of the Commitment 6B of Table 2 with: “To streamline the internal work processes and practices of the local governments and to make them more transparent, efficient and effective, PSDA committed to engage the local government into the unified e-Governance system. To make the CCs services available online, the PSDA committed to develop the CCs’ digital infrastructure. The PSDA selected CCs in 5 municipalities for piloting the Municipality Services Management System and worked closely with local legislatures (Sakrebulo) and executives (Gamgeobas) on the implementation of the e-Governance system.” PSDA also noted that “This commitment responds to the OGP Grand Challenges, namely: Improving Public Services, Increasing Public Integrity and More effectively Managing Public Resources. Although perhaps not directly, this commitment also contributes to fostering public participation through envisaging development of online tools, enabling for instance online voting for the budget priorities of a given local government.”

PSDA changed March 2015 with March 2014 in the Commitment 7 of the Table 2. PSDA also noted that “although the given commitment mainly responds to OGP Grand Challenges (such as Improving Public Services), it also contributes to public participation component, by providing a space at the local level where various local initiative groups and in general local population can gather for relevant purposes, such as participation in various informational and educational events organized locally, accessing free internet and using the resources to achieve relevant objectives, such as developing project proposals for their submission to the local government to receive funding (this was done in Nukriani Library, where the redeveloped library served as a mechanism to enable and incentivize the local librarian to raise funding for the rehabilitation of the area surrounding the library building).” In addition, PSDA highlighted: “that the work of the libraries is not limited to providing free internet and literature. Librarians underwent number of trainings to acquire IT skills, modern library management skills, learned how to use my.gov.ge web-portal, etc. in order to serve later as the trainers for their fellow villagers and teach them how to use computer, create e-mail, social network account, etc. Librarians also shared their

knowledge of my.gov.ge utilization with their colleagues who did not have a possibility to attend the 5 phase of trainings organized as a part of the given commitment.

Moreover, libraries serve as Community Engagement Spaces —where residents can come together with local businesses, NGOs, or government officials in order to address community needs or to organize various informational or awareness raising events. It should be noted, that during the reporting period different events and informational meetings were organized at the libraries. For example: Informational campaign about the role of EU and NATO, awareness raising campaign about women’s rights, discussion of youth engagement in local politics and monitoring of local budget. It is important that up to 25 people took part in each of these events. Furthermore, young residents of Nukriani village organize meetings on a regular basis in the library meeting room, where they discuss the community needs, as well as the ongoing problems of the village and plan their future activities in order to address these challenges. Among the initiatives of these group of young people was the renovation of the library garden. As a result of their proposal to the local government, 30,000 GEL was invested and Nukriani library garden was rehabilitated.

Other than free Wi-Fi, libraries offer 6 public computers which can be used by library users. Based on the obtained statistics, before modernization, libraries had 20-30 users per month. Nowadays, the number of users varies from 400 to 500 every month.

Users of the libraries are mainly young people, however elders also actively use the resources of renovated libraries” (pg. 8).

LEPL National Archive of Georgia with regard to the same Table, commitment 22. Digital Preservation System: E-Archive, noted that “the formulation of the aim of the commitment is very general and do not fully describe the goal. More clear formulation could be: “This commitment aims to create automate system of ingest, appraise and long-term preservation of electronically born documents in authentic manner.” The LEPL National Archive of Georgia also mentioned that “The draft general concept on the e-Archive system was developed based on cooperation with DEA and other stakeholders. The formulation is much clear in Georgian version of the report.” With regard to the evaluation of the commitment the agency noted that “the sources of acquisition of National Archives can be any person or organization which will produce any document of national importance. Thus, e-Archiving system includes modules to ingest and disseminate archival holdings for any appropriate customers as well. Therefore one of the main goals of e-Archiving definitely is to approve accessibility to archival holdings for each researcher” (pg. 8).

LEPL National Archive of Georgia with regard to the same Table, commitment 23. Increased Openness Accessibility of National Archives, noted that “National Archive of Georgia has already

developed all necessary technical infrastructure in reading halls. Therefore archived data is already available for free, which is a great achievement influencing on each researcher” (pg. 8).

As a general comment **National Archive of Georgia** noted that “Ongoing government activities often are connected with formerly fulfilled and finished projects. All documents concerning to such activities are kept in national archives. Therefore, accessibility to such documents is vital for accountability of the government.”

LEPL ‘112’ with regard to the same Table, commitment 26. Alternate Channels to 112, noted that “The “sms and video call service only for people with hearing and speech impairments” was created according to the recommendations made during design thinking workshop where hearing impaired people participated. The idea of SMS/Video service was initiated by beneficiaries themselves.” The agency also mentioned that “the scope of 112 commitment covers the area of receiving, processing and transferring information regarding the emergency situations to adjacent agencies (Fire/Rescue, Medical, Police). 112 does not imply the entire process of emergency service execution. Even though training process of police officers does not fully fall under the scope of 112 responsibilities, we shall notify the relevant agency regarding the mentioned recommendations” (pg. 9).

The Ministry of Internal Affairs of Georgia (MIA) with regard to the same Table, commitment 27. Interactive Statistics and Crime Mapping, note that “Using new technologies of statistics the MIA managed to fulfill the disclosure commitment substantially, at program level; full implementation failed due to the problem with the procurement of GPS trackers. Hence, 70-75% of the commitment is fulfilled.

With respect to the NGOs and "citizens" will it should be noted that the MIA explained and specified several times during the meetings that prior to launching interactive crime statistics and Crime Mapping interested parties could find information (statistics, researches and various presentations) on the MIA web-page (Unlike Map features the presentation data do not include only information on the streets and settled areas).

In the researches and presentations data on crime type, time, gender, geographic area, investigative unit and other details are provided. As for the methodology - this issue was also discussed in the media and detailed information on new methodology and its comparison to the old version is provided on the MIA web-page” (pg. 9).

The Ministry of Justice of Georgia (MoJ) with regard to the same Table, commitment 10. Freedom of Information Act Draft, noted that “the whole process was led by the MoJ, in the framework of the Anti-Corruption Council of Georgia. The thematic working groups were composed with the members of the Council. The main partner from the civil society was the Open Society Georgia Foundation (OSGF), represented by experts hired from the Constitutional Court

of Georgia, the EMC, IDFI, and OSGF in order to work with the MoJ staff represented by experts from Analytical and Legal Drafting Departments¹” (pg. 9).

The Ministry of Justice of Georgia (MoJ) with regard to the same Table, commitment 11. Georgia’s OGP Forum, specified that “the forum has been one of the best examples and a success stories not only in Georgia but within the OGP member countries as well. The Forum is the first mechanism that enabled **government, NGOs and international organizations to co-create** one of the most important action plans of the government. Furthermore, the Forum mandate has never been fragmental as it is a permanent dialogue mechanism. Therefore, impact of the Forum has already been transformative for Georgia” (pg. 9).

LEPL Civil Service Bureau (CSB) with regard to the same Table, commitment 14. Asset Declaration Monitoring System, specified that “MIA’s Anti-Corruption Department will be one of the agencies responsible for investigation of criminal offenses related to asset declarations” (pg. 10).

LEPL Training Center, CEC with regard to the same Table, commitment 18. Public Awareness of the Electoral Process, noted that “since the implementing agencies of the commitment 18 are the CEC and the LEPL Center of Electoral Systems Development, Training Center of the Reforms and Trainings (hereafter “Training Center”) should be added as an implementing agency to the report.” It also highlighted that “the citizen awareness raising campaigns and projects implemented to involve citizens in the election processes by the CEC and the Training Center included not only youth but also the following target groups:

1. Generally all voters;
2. Women;
3. People with disabilities;
4. Ethnic Minorities;
5. Internally displaced people;
6. Representatives of political parties and civil sector - non-governmental organizations.

The above mentioned information is enshrined in the monitoring reports sent to the Open Government Georgia secretariat. It should be mentioned that the projects of the NGOs that were financed in the framework of grant competition organized by the Training Center covered all the above mentioned target groups.”

“The CEC and the Training Center in partnership with the Ministry of Education and Science implemented study course in the public schools “Elections and Young Voters” that was positively evaluated by beneficiaries and involved parties.²

¹ For additional information please see the relevant chapter below.

² See the detailed information on the links below.

The PSDA in the Clustered Comments of the Report, Cluster 1: Public Services, 4. Making Educational Services Available at PSH, replaced paragraph with :“Documents issued by the Ministry of Education and Science of Georgia (MoES) and its respective bodies, as well as documents issued by educational institutions within their competencies will become subject to legalization and certification by Apostil by the PSDA and accessible within the premises of PSH” (pg.25). The PSDA added DEA to the supporting institutions. The PSDA modified the end date of Commitment 8 - Implementing digital signature and online authentication systems to December 2015 (pg.26).

The PSH commented to the *Commitment Overview, 1A OGP value relevance – unclear*: “Travel insurance service implementation in PSH is in accordance with the OGP principle of accountability (see above comment). Electronic travel insurances are issued in the PSH first time in Georgia. Application for travel insurance is filled in program, the policy is generated in the same program and is printed by the operator in the special printing machine for forms. Insurance companies fill the insurance policy forms and hand it to the customer. Hence, this project is also in accordance to the OGP principle - technology and innovation for transparency and accountability” (pg. 26).

The PSH noted with regard to the same Overview table, 1B value relevance – unclear, that “this commitment is in accordance to the OGP principle accountability (see above comment).” And to the third commitment, value relevance –unclear “this commitment in accordance to the OGP principle - technology and innovation for transparency and accountability (see above comment).” (pg. 26)

The PSDA replaced first sentence of first paragraph of fourth commitment with: “This is a new commitment making educational services, such as the legalization and certification by Apostil of the documents issued by the MoES and its respective bodies, as well as documents issued by educational institutions within their competencies available at PSH. This is a new commitment making educational services, such as the verification of school certificates and diplomas, available at PSH” (pg. 27).

The DEA in the Cluster 2: Open Data, 9. Developing an Open Data Portal – Data.gov.ge, noted that “old data.gov.ge portal, which had only navigation function was not functioning since September 2014; hence, the statement about data.gov.ge in the report is unclear. Instead of it

[http://electionreforms.ge/index.php?page=news&id=884.](http://electionreforms.ge/index.php?page=news&id=884)
[http://electionreforms.ge/index.php?page=news&id=907.](http://electionreforms.ge/index.php?page=news&id=907)
[http://electionreforms.ge/index.php?page=news&id=899.](http://electionreforms.ge/index.php?page=news&id=899)
[http://electionreforms.ge/index.php?page=news&id=897.](http://electionreforms.ge/index.php?page=news&id=897)
[http://electionreforms.ge/index.php?page=news&id=895.](http://electionreforms.ge/index.php?page=news&id=895)
[http://electionreforms.ge/index.php?page=news&id=890.](http://electionreforms.ge/index.php?page=news&id=890)

DEA developed new data.gov.ge portal with various features and functions (other than only navigation) and which was launched since 2014 in real environment” (pg. 31).

The DEA with regard to the second recommendations in Moving Forward Section mentioned that “the information about the time of the open data publication is given in metadata section of open data. Besides, each resource (file) has metadata, where the date of publishing each resource is provided.” On the fourth recommendation DEA noted that “Open source implies the openness of data.gov.ge portal code. As for the dataset codes, they are open and any user can use any dataset and even develop the software based on it. Hence, this statement is unclear in the Report” (pg. 33).

The PSDA with regard to the Cluster 4: Local Government Capacity, 6A. Development of Community Centers in Georgia, second paragraph, mentioned that “Obviously this statement is excerpted from the original wording of the AP. Otherwise, the number of CCs should be changed accordingly to reflect the status as of June 30, 2015 as noted above.” The same comment applies to the numbers of CCs throughout the report (pg. 39).

The PSDA in the same Cluster, section “What Happened?” Changed the number of CCs and noted that “PSDA is planning to open 12 more by the end of 2015/in early 2016”, “these numbers were accurate as of the reporting period covered by the given report, i.e. June 30, 2015. Currently the number of functioning CCs has increased to 27 with 7 more to be opened by early 2016.” (pg. 40).

In the same section **the PSDA** also noted that “In order to improve the concept of CCs, by incorporation existing needs and local demands, the CCs remain within the ownership of the PSDA. Due to the fact that new services are constantly being identified and added to the existing ones, it is recommended to leave the CCs under PSDA management till the perfection of their concept” (pg. 41).

The PSDA replaced first part of 6.B. Introduction of e-Governance in Local Self-Governments with: “to streamline the internal work processes and practices of the local governments and to make them more transparent, efficient and effective, the PSDA committed to engage the local government into the unified e-Governance system. To make the CC services available online, PSDA committed to develop the CCs’ digital infrastructure. The PSDA selected CCs in 5 municipalities for piloting the Municipality Services Management System and has worked closely with local legislatures (Sakrebulo) and executives (Gamgeobas) on the implementation. The plan is to make the 10 service processes falling under the competencies of local government available through the new electronic system. The 10 most demanded services of CCs available within this system.” The CCs were replaced with: “municipality administration buildings” in the last sentence. The following sentence was removed: “The next step is to test the new digital

databases and to link them to mygov.ge, which PSDA is expecting to do in the fall of 2015” (pg. 41).

The PSDA mentioned in the section “Did it Metter?” that “on May 29 Manglisi Community Center hosted the meeting with the local population within the frames of Civil Development Agency (CiDA) project “Fostering Regional and Local Development in Georgia”. Attendants discussed 2015-2017 action plan of Tetritskato Municipality development strategy. Participants had an opportunity to get familiar with the strategic goals and objectives and afterwards, discuss expediency of these objectives as well as suggest new priorities and ideas for community development.³” It also noted that “the introduction of e-Governance by deploying the Municipal Management System in municipalities will make the internal work processes of the local governments increasingly transparent, as majority of these processes will be made in an electronic fashion minimizing the risks of corruption, thus making them less opaque. Moreover, the online web-portal developed as part of this initiative, as mentioned above, will enable the local population to provide online feedback and indicate the budget priorities of the given municipality by means of online voting system. As for the libraries, the extent to which they can be seen as means to improve accountability and participation is articulated in the above comment inserted in Table 2: Summary of Progress by Commitment. Also, as in case of CCs, the libraries with CC concept integrated in them have a potential to create interface between the government and the people and enable public participation through provision of open spaces and access to digital tools.” With regard to the second paragraph the PSDA noted that “The sole concern for questioning the purpose of the various events conducted in the CCs is the fact that PSDA as a Government Agency aims to avoid any events which can somehow advocate any religious beliefs or political views among the local population. This is the only reason for inquiring about the nature of the event thus serving the ultimate purpose to maintain complete neutrality of the Community Center addressing the actual educational or informational needs of the Local Population. Even in case of USAID centers there are relevant established procedures that the potential users must follow”⁴ (pg. 42).

The CSB with regard to Cluster 5: Digital Public Service Management Systems, section “What Happened?” 21: Develop Electronic Human Resources Management System for Civil Service,

³ Detailed information about events conducted at the CCs is available at the official web page of CCs www.centre.gov.ge.

⁴ Excerpt from USAID’s procedures for scheduling events and these are identical to those applied in Community Centers: “Any user who intends to initiate a meeting under this policy shall apply to the CCE coordinator at least 1 business day in advance of the proposed time of the activity or meeting.

Users applying for use of the CCE facilities under this policy must provide the following information to the CCE coordinator: proposed time and date of meeting, duration, estimated number of persons in attendance, topic(s) of the event/meeting, as well as any special equipment needs.”

Source: <http://www.cce.ge/DesktopDefault.aspx?alias=CCE&lang=en&tabid=4596>, Official website of Civic Engagement Centers.

noted that “the data was changed after the interview and currently it is as follows: new module has already been implemented in 16 Ministries while 3 Ministries are still in the process of implementing it” (pg. 45).

LEPL Financial-Analytical Service of the Ministry of Finance of Georgia in the same section, 25. Increase Efficiency and Transparency of Public Management System, replaced the word “internal” with “governmental”. It was also mentioned that the abbreviations HRMS and DMS does not require “e”. In the second paragraph it mentioned that “e-Treasury and e-Budget systems integration was carried out earlier, in 2012. At the beginning of 2015, the integration of autonomous republics and self-government entities financial processes, also, the LEPL’s and own funds in the public finance management system (PFMS), created new requirements for the system, which led to the development/functional expansion of the system and implementation of the various components/ reports” (pg. 46).

The Financial-Analytical Service in the section “Did it Matter” noted that “although PFMS represents the governmental used system, the data generated within the system is used widely for transparency, for example, the data published on the Ministry (MoF) of Finance’s website.” It was also mentioned that “Electronic auction system is designed to support the purpose of the state-owned and foreclosed property sale process to be transparent and accessible to all interested citizens. In addition, e-Auction system development have to stimulate and to help citizens to sell their property / goods through this system. 437 auctions have been carried out only this year, where the citizens sold their property/goods” (pg. 46).

The Archive of MIA with regard to Cluster 6: Transparency of Archives, 24. Create and Publish Electronic Catalogues of MIA Archives, noted that “the MIA Archive houses the archives of three Soviet bodies: the Committee for State Security, the Central Committee of the Communist Party, and the Ministry of Internal Affairs of the Georgian SSR (Last component is not mentioned in the report)” (pg. 47).

With regard to the section “What Happened?” first paragraph on the commitment 24, **the Archive** noted that “according to the report, within the framework of OGP commitments, the commitment of the archive was to make catalogues of Security Archive and Party Archive, but this information is inaccurate. According to the commitments, the Archive was obliged to make a searching catalogue of the Security Committee. However, the Archive with its own initiative fulfilled the plan excessively, and digitalized the documents that are preserved in the Security Archive, as well as the Party Archive ahead of time. Full accomplishment of that component may become a new commitment of OGP in 2016 and 2017.” With regard to the second paragraph it was mentioned that “problem concerning the Archive repository may become a hindering factor only for further development of e-catalogues, and not for fulfilment of OGP commitments (as it was abovementioned, 100 percent of OGP commitments are fulfilled). However, it is accurate

that donors' involvement in building a repository is advisable." In the third paragraph it was noted that "within the framework of the commitments, making information accessible to the public has not direct connection to the protection of personal information. However, that issue will be raised simultaneously with further development of searching system". In addition, "the method of determination of the publication of only 90 percent of catalogues is unclear. Presumably, information of June 2015 was used in the report. At present the commitments are fulfilled" (pg. 49).

The MoJ with regard to the Standalone Commitments, 10. Freedom of Information Act Draft, Commitment Overview Table, Potential Impact – Minor, noted that "The draft law broadens the list of "legal entities" responsible for providing access to public information in a way that wide range of private law companies will be covered by the scope of the new law. Hence, this means that subjects of the scope will be largely increased. Additionally, the draft offers solutions for current problems in terms of ambiguous definitions and provisions. It is expected that clear provisions will regulate the practice, both at administrative and judicial level. Furthermore, the terms of access to information (both procedural part and time limits) are refined in such a way that the applicant will receive the response to the request without delay. Finally, the draft offers establishment of supervisory body (the Commissioner) with oversight functions over access to information rules in the county. The potential impact of the Commissioner institute is high, as it is expected that the power of Commissioner to issue financial fines in case of breaching the relevant FOI articles will meaningfully change the current situation" (pg. 55).

The MoJ with regard to the first paragraph of section "What Happened" mentioned that "the whole process was led by the MoJ, in the framework of the Anti-Corruption Council of Georgia. The thematic working groups were composed with the members of the Council. The main partner from the civil society was the Open Society Georgia Foundation (OSGF), represented by experts hired from the Constitutional Court of Georgia, the EMC, IDFI, and OSGF in order to work with the MoJ staff represented by experts from Analytical and Legal Drafting Departments." In addition, "the information with regard to the creation of WG by OSGF is incorrect. OSGF has not created any group, it hired experts for already existing working groups established in the framework of the Anti-Corruption Council of Georgia." With regard to the research of international practice it is noted that "21 countries and three model FOI Acts was studied" and first FOI draft was developed "in summer (August) 2014" (pg. 55).

The MoJ with regard to the sixth part of novelties, mentioned in the same section, noted that "the information is not correct. The issuance of readily available information has never been allowed in 10 working days under the legislation. 10 days for granting information concerns the information which is not located in the agency receiving the request, or needs some consultations and elaboration from another agency. The draft law refines the grounds of exceptional cases when the general rule of immediate issuance of information can be extended to 10 days. It offers

different timelines depending on the content of information. The draft law differentiates information which must be realized immediately, in 48 hours, in 3 days and maximum time is 10 days” (pg. 56).

In the section “Did it Metter?” with regard to the MoJ’s commitment to draft and submit the FOI ***the MoJ*** noted that “this is ordinary procedure and comes from the balance of powers so that executive branch can never interfere with legislative authority. MOJ can only initiate law and submit it to the parliament. MoJ cannot be committed to adopt the law.” It was also mentioned that the meaning of the sentence “the text of the commitment does not imply accountability mechanisms, although the draft does in that it envisages the creation of the oversight body and sanctions” was unclear. In addition, “the Government has been working on the draft from that time and the international experts have submitted their comments in 2015, therefore, draft was not yet finalized by the MoJ. Additionally, at initial stage the working plan was agreed in the framework of Anti-Corruption Council of Georgia. According to the agreed plan, drafting group has to elaborate act, which should be sent to the MoJ and after finalizing the text, it shall be presented to the working groups created under the ACC. Therefore, the government neither had an obligation to publish its feedback before finalizing, nor the readiness to give the feedback before refining the draft according to the comments of international experts. The MoJ will follow the agreed working plan and will discuss the draft law within the framework of the ACC in the first half of 2016” (pg. 56).

In the section “Moving Forward” ***the MoJ*** noted that “it is not clear who are meant by stakeholders who raised the need for discussions” (pg. 56).

The MoJ with regard to the Standalone Commitments, 11. Georgia’s OGP Forum, Commitment Overview Table, Potential Impact – Minor, noted that “forum has been one of the best examples and a success story not only in Georgia but within the OGP member countries as well. Despite the fact that, generally, civil society is consulted during the law-drafting or policy documents elaboration process, the Open Government Georgia’s Forum is the first mechanism that enabled **government, NGOs and international organizations to co-create** one of the most important action plans of the government. Furthermore, the Forum mandate has never been fragmental as it is a permanent dialogue mechanism that (1) creates the NAP, (2) monitors the progress and (3) assesses the results. Therefore, the impact of the Forum has already been transformative for Georgia.” The same was mentioned in the first paragraph of the section “Did it Metter” (pg. 58-59).

The CSB with regard to the Standalone Commitments, 14. Public Official’s Asset Declarations Monitoring System in the section “What Happened?” noted that “The data was changed after the interview and currently it is as follows: new module has already been implemented in 16 Ministries while 3 Ministries are still in the process of implementing it.” (pg. 64)

In the section “Did it Matter” ***the CSB*** mentioned that “The implementation of online asset declarations monitoring system faces difficulties regarding the necessity of developing the relevant software system, lack of specific capacity and different complexities, which are not related to high costs only” (pg. 65).

The MIA with regard to the Standalone Commitments, 16. Special Needs Accessibly to Ministry of Interior’s webpage, in the section “What Happened?” noted that “voice.police.ge was prepared together with the members of "Blind Union". Moreover, MIA plans to improve adapted webpage. According to the IRM recommendation the MIA plans to interview the users of the webpage. On the "Online Consultations" it should be mentioned that the results of monitoring show that the majority of chat users are satisfied with the service and the number of users who refer to the service is high. Improvement of citizens' informational support mechanism is also planned” (pg. 66).

The Supreme Court of Georgia with regard to the Standalone Commitments, 17. Proactive Publication of Surveillance Data, in the section “Did it Matter” noted that “The Supreme Court of Georgia started proactive publication of the statistics on hearing the motions of covert operative investigative activities on the official website. The statistics is operated according to the OGP action plan 2014-2015. With the help of current website, interested customers, by the graph – “statistics” displayed on the main page, can easily have access to statistical information and to relevant documents about covert surveillance mechanisms, including secret wiretapping” (pg. 69)/

The Supreme Court of Georgia in the section “Moving Forward” noted that “within the course of third wave of the Judicial Reform, amendments are proposed by the Ministry of Justice of Georgia to the Parliament and is scheduled to be submitted to the spring session (February) to proceed with the examination. According to the amendments, automated electronic case management system will be introduced in the common courts, which will give the Court an opportunity to share the ideas of expert and to meet with the requirements of the stakeholders - the improvement of statistics, namely: to produce the statistics by geographical area and group data according to the categories of crime.” In addition, “The Supreme Court, according to the Georgian law “On Personal Data Protection” requirements, is taking part in a work of the Commission on Destruction of Information/Personal Data obtained through Covert Investigative Actions. Moreover, the Prosecutor's Office and the Court provide information to the commission, on destruction of Information/Personal Data obtained through Covert Investigative Actions, immediately after the destruction of materials and termination or completion of covert investigative actions, if it has no value to the investigation, as well as in urgent cases, when the abovementioned investigative activities are carried out without court order and materials obtained from such actions has lost its value. The Commission after the processing of received information annually publishes statistical information about the destruction of materials

obtained through covert investigative actions and operative and investigative actions according to the number of cases, classification, grounds and other data. Therefore, the authority of the Commission is to publish such data. The Supreme Court, as a member of the Commission, is considering the possibility to display on the website, in the graph “statistics” the Commission's annual document - reflecting above mentioned annual data. Also, we note that the Supreme Court display on its website the information on the statistical data relating to destruction of those material, which are received from covert investigative activities. These data are related to the number of records, which has lost its importance for the investigation” (pg. 69).

The Training Centre of CEC with regard to the Standalone Commitments, 18. Public Awareness of the Electoral Process in the section “What Happened?” mentioned that “The number of participants of Electoral Development School was 617⁵ (pg. 70).

The Training Centre in the section “Moving Forward” noted that “The CEC and the Training Center in partnership with NGOs implemented various informational-study project to support ethnic minorities, including ethnic minorities living in Kvemo Kartli and Samtskhe-Javavakheti region, to support their integration to the social and political life.

The MoJ with regard to the term “billionaire” mentioned in the third paragraph of VI. Country Context noted that “the term does not bear any sense or importance for the aim of this report. The wording has to be deleted.” With regard to the reforms mentioned in the fourth paragraph the MoJ found it important to underline the complexity of the reforms which is not covered in this part, namely “since the new government came into power in 2012, the number of institutional reforms have been carried out in different areas, such as: Judiciary, Prosecution Service, Criminal justice, Penitentiary system, System of Corrections, Media independence, healthcare, labor standards, Procurement etc.” The MoJ refers to the evaluation of the Amnesty Law as “controversial” and states that “How this statement is supported? There was no controversy in the law on amnesty as far as such laws are of general practice in different countries. This paragraph has to be deleted.” The same was mentioned on the statement which describes arrest of former high-ranking officials. Hence, the MoJ deems it necessary to delete the paragraph (pg. 80).

The **MoJ** with regard to the electoral system mentioned in the third paragraph of VI. Country Context noted that in 2016 the electoral system reform was carried out and as a result the proportionate and majoritarian voting system was regulated⁶ (pg. 80)

⁵ <http://www.cesko.ge/ge/mediisatvis-4-ge/pres-relizebi-13-ge/saarchevno-ganvitarebis-skola-2015-is-saswavlo-kursis-mesame-etapi-dasrulda.page>.

<http://www.cesko.ge/ge/mediisatvis-4-ge/pres-relizebi-13-ge/saarchevno-administraciis-2015-wlis-saqmianobebis-shemadjamebeli-gancxadeba333.page>.

⁶ Election Code of Georgia: <https://matsne.gov.ge/en/document/view/1557168>.

In the eleventh paragraph of the same section the MoJ refers to the restrictions to the citizen's political activity and states that "the time of the restrictions should be specified, because it was revoked in 2012, but introduced in 2011." The MoJ also notes that the information on the unsuccessfulness of MIA's deprivation of direct access to telecom operators' networks is not correct interpretation of the facts since "the Personal Data Protection Inspector has a significant role according to these legislative amendments" (pg. 81-82).

The MoJ found the sentence on the cases of whistleblowing also incorrect in the 12th paragraph of the same section, since "there are a number of cases whistleblowing in the Ministry of Justice, Ministry of Defense, Ministry of Finance, Prosecution Service, and State Security Service." Paragraph 14 speaks about compensation of whistleblowers and in this regard the MoJ suggests that "Compensation is foreseen by the civil procedure code of Georgia." The MoJ found the information on the whistleblowers rights to inform media and CSOs outdated, since the amendment was introduced in 2015. With regard to the paragraph 15 the MoJ specifies that "Powers of the State in deeming certain information as a state secret and in protecting state secrets are divided among several state bodies."⁷ The MoJ considers the sentence on the State Security Service's weak external power is not legally supported and is more theoretical, hence it should be deleted (pg. 82).

In the second paragraph of VII. General Recommendations with regard to the lchange.gov.ge it should be mentioned that "Public awareness-raising campaign is planned to take place shortly after technical launch of the portal" (pg. 84).

⁷ Please refer to article 4 of the law - <https://matsne.gov.ge/en/document/view/2750311>.