



## **Recommendations of Transparency International Georgia regarding the Open Parliament Georgia Action Plan 2017-2018**

Transparency International Georgia (TI Georgia) has submitted its recommendations regarding the Open Parliament Georgia Action Plan 2017-2018 to the Permanent Parliamentary Council on Open and Transparent Governance.

The recommendations deal with the following main issues:

- **Strengthening parliamentary control** – Improving the procedure of discussion of reports related to freedom of information;
- **Increasing the transparency of parliamentary activities** – Indicating the number of and reasons for absences of MPs on the website of the Parliament, uploading shorthand records and protocols, creating video archives, etc;
- **Increasing the transparency of the Parliament’s expenses** – Uploading information about the goals of MPs’ official trips, allowances, and sources of funding to the website of the Parliament;
- **Ensuring that citizens are informed of parliamentary and legislative activities** – Improving the content of explanatory notes, introducing an information bulletin service, etc.

### **Information about the Permanent Parliamentary Council on Open and Transparent Governance**

The Parliament of Georgia [set up](#) the **Permanent Parliamentary Council on Open and Transparent Governance** by a decree of the Chairman of the Parliament on January 16, 2017. The Permanent Parliamentary Council on Open and Transparent Governance is assisted by a consultative group composed of representatives of international and non-governmental organizations. The objectives of the consultative group are to prepare recommendations and proposals for the Parliamentary Council, to contribute to the effective exercise of its powers, and to monitor the fulfillment of commitments provided for in the Open Parliament Georgia Action Plan.



TI Georgia was also a member of the consultative group in the Parliament of the eighth convocation, during which it proposed commitments to be included in the Open Parliament Georgia Action Plan 2015-2016. TI Georgia prepared [two reports](#) on the state of fulfillment of commitments envisaged by the Action Plan.

The Parliament of the ninth convocation has started to work on the Action Plan 2017-2018. Below we present our organization's opinions and recommendations about commitments, which include two commitments provided for in the previous action plan that were left unfulfilled and seven new commitments.

The proposed recommendations are going to help the Parliament improve openness and transparency and to contribute to informing citizens on legislative activities.

### **Commitment No. 1**

**The Parliament's should strengthen its control on ensuring the openness of information. The Rules of Procedure of the Parliament should define the procedure of discussion of the reports related to the issuance of public information and introduce effective mechanisms of response.** PMs should discuss reports related to freedom of information, which are submitted by public institutions in December every year, at committee hearings and plenary sessions. It is recommended to create and activate effective mechanisms of response.

### **Overview**

The Parliament receives annual reports from public institutions regarding such aspects of freedom of information as issuance of public information, grounds for refusing to issue public information, closing of sessions by collegial public institutions and the grounds for closing the sessions, processing of personal information, and violations of norms of the General Administrative Code by civil servants. However, the **law does not lay out a concrete procedure of discussion of reports submitted by such institutions by the Parliament**, due to which submission of reports has only a **formal** character. It is important to ensure that the procedure of discussion of reports related to issuance of public information and effective mechanisms of response are laid out in the Rules of Procedure of the Parliament.

### **Commitment No. 2**

Information on absences of MPs from plenary sessions and committee hearings **for a permissible reason** should be posted on the website of the Parliament, indicating a **relevant reason** provided for in the Rules of Procedure of the Parliament.



## Overview

The website of the Parliament contains information on absences from plenary sessions and committee hearings without a permissible reason. As this aspect of MPs' participation in parliamentary activities has become the object of public discussions on many occasions, it is important to ensure that interested persons are able to familiarize themselves with the data on absences **for a permissible reason** (indicating relevant reasons) on the Parliament's website.<sup>1</sup>

### Commitment No. 3

**Shorthand records** of committee hearings should be published on the website of the Parliament within one working day of the hearings. Together with information on committee hearings, we recommend posting video recordings and **protocols** of committee hearings on the Parliament's website.

## Overview

Shorthand records of committee hearings, which contain important information about the legislative process, are not published on the website of the Parliament. Publication of protocols of committee hearings on the website is also problematic. The existing practice makes it clear that they are published late or they haven't been published at all after a certain date.

### Commitment No. 4

The Parliament should create **video and audio archives** of plenary sessions and committee hearings, which should be divided according to topics.

## Overview

Live video transmission of plenary sessions and committee hearings is carried out through the website of the Parliament. But it is problematic to find the recordings of earlier discussions, because they are deleted after transmission. This hinders the civil society from having full access to the information related to the parliamentary activities. It is also important to create archives, which should be divided according to topics (according to committees and dates). See the example of the British Parliament:

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<sup>1</sup> According to Paragraph 10 of Article 133 of the Rules of Procedure of the Parliament, the permissible reasons for MPs' non-attendance at plenary and committee sessions are **illness, family conditions, and official trip**. Non-attendance for political reasons is also permissible. In the Parliament of the eighth convocation, there were **5,913** absences **for permissible reasons**. Of these, **855** absences were due to an official trip, **417** – due to an illness, **541** – due to political reasons, and **4,100** – due to family conditions.



129 Events found:



**Start Time:** Thursday 9 February 2017 2.00pm **End Time:** 3.17pm  
**Pension Schemes Bill [Lords] Committee**



14:00:09 Further to consider the Bill

PLAY ITEM



**Start Time:** Thursday 9 February 2017 2.00pm **End Time:** 4.57pm  
**Local Government Finance Bill Committee**



14:00:06 Further to consider the Bill

PLAY ITEM



**Start Time:** Thursday 9 February 2017 1.30pm **End Time:** 4.28pm  
**Westminster Hall**

## Commitment No. 5

Information about the goals/schedules of **official trips** and allowances of each MP, including **allowances** co-funded by the Parliament and other organizations, should be posted on the website of the Parliament.

### Overview

The information about official trips on the Parliament's website only provides a general description. In view of the best practice, we recommend publishing concrete and full information, including relevant expenses incurred and the goal of the trips. See the example of the British Parliament:



## Assembly Member Allowances Search Results

Results: Page 1 of 194 from 1932 results

Change Text Size:  

| No. | Member Name          | Allowance Type                   | Expenditure Type         | Amount  |                              |
|-----|----------------------|----------------------------------|--------------------------|---------|------------------------------|
| 1   | Altaf Hussain        | Office Costs Allowance           | Mobile Telephone         | £54.08  | <a href="#">View Details</a> |
| 2   | Lesley Griffiths     | Additional Costs Allowance       | Second Home Rental       | £725.00 | <a href="#">View Details</a> |
| 3   | Andrew RT Davies     | Office Costs Allowance           | Office Rent              | £650.00 | <a href="#">View Details</a> |
| 4   | Ann Jones            | Office Costs Allowance           | Office Equipment - Lease | £758.87 | <a href="#">View Details</a> |
| 5   | Ann Jones            | UK Travel                        | Rail Travel - Regular    | £59.85  | <a href="#">View Details</a> |
| 6   | Janet Haworth        | Office Costs Allowance           | Waste Collection         | £24.00  | <a href="#">View Details</a> |
| 7   | Mark Isherwood       | Office Costs Allowance           | Mobile Telephone         | £30.07  | <a href="#">View Details</a> |
| 8   | Janet Finch-Saunders | Additional Costs Allowance       | Second Home Rental       | £850.00 | <a href="#">View Details</a> |
| 9   | Hefin David          | Cardiff Overnight Stay Allowance | Cardiff Hotel Costs      | £67.50  | <a href="#">View Details</a> |
| 10  | Lynne Neagle         | Office Costs Allowance           | Office Telephone         | £113.69 | <a href="#">View Details</a> |

1 2 3 4 5 6 7 8 9 10 » Last

Page Total: £3,333.06  
Search Total over 1932 claims: £379,418.35

### Commitment No. 6

MPs and representatives of the Parliamentary Staff should regularly **give lectures and hold presentations about parliamentary activities** in public schools, universities, and other institutions. The information tours and excursions should be organized not only on the basis of requests of educational institutions but also on the initiative of the Parliament, especially for representatives of socially vulnerable strata of the population.

#### Overview

The Parliament organizes group excursions for visitors, information and schedules of which are available on the Parliament's website. Most of the excursions are organized on the basis of requests of schools and universities. For example, in the first quarter of 2015, the number of visitors both in Tbilisi and Kutaisi amounted to an average of 500 people. However, as going to the Parliament for an information tour is related to certain expenses, the tours are not available for students living in all regions. MPs don't routinely give public lectures or hold meetings with the aim of enhancing the level of civic education.

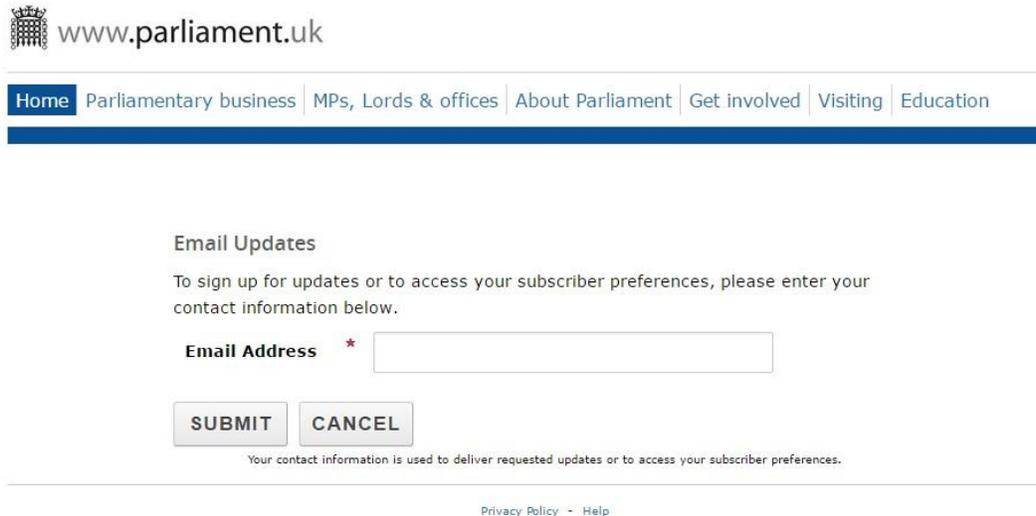
### Commitment No. 7



The Parliament should introduce an **information bulletin service** to make it possible to send emails/text messages about novelties, laws, and updated norms from the legislative body.

## Overview

At present, interested persons cannot subscribe to and receive information on ongoing activities or novelties from the Parliament. See the example of the British Parliament:



The screenshot shows the website [www.parliament.uk](http://www.parliament.uk). The navigation menu includes: Home, Parliamentary business, MPs, Lords & offices, About Parliament, Get involved, Visiting, and Education. The main content area is titled "Email Updates" and contains the following text: "To sign up for updates or to access your subscriber preferences, please enter your contact information below." Below this text is a form with a label "Email Address" followed by a red asterisk and an empty text input field. Underneath the input field are two buttons: "SUBMIT" and "CANCEL". At the bottom of the form, there is a small line of text: "Your contact information is used to deliver requested updates or to access your subscriber preferences." At the very bottom of the page, there are links for "Privacy Policy" and "Help".

## Commitment No. 8

The Parliament should **improve the content of explanatory notes** and make relevant changes to the legislation.

## Overview

The Action Plan 2015-2016 included our initiative on improving the content of the explanatory notes in the form of a commitment. TI Georgia and the Legal Department of the Parliament jointly analyzed the international practice with regard to explanatory notes. In the working process, they focused on the recommendations of organizations that were members of the consultative group. According to the proposal of TI Georgia, explanatory notes should include more extensive and detailed information about the goal and reason for the adoption of draft laws, a comparative analysis, financial substantiation, and expected effects on various areas.



## Commitment No. 9

The Parliament should regulate the issue of making changes to the agenda of committee hearings, which may be only done by submitting relevant rationale.

### Overview

In view of the existing practice, it is important to ensure that interested persons are informed about the issues to be discussed in the Parliament, the relevant information about which is published on the website of the Parliament. However, there are cases when changes to the agenda, including addition of important issues, are made without planning, which deprives interested persons of an opportunity to observe or be involved in this process. During our observation, there were cases when issues were added without rationale. To avoid this, it is necessary to make relevant changes to the Rules of Procedure<sup>2</sup> of the Parliament which will establish that issues may only be added to the agenda on the basis of relevant rationale. This will create an additional safeguard and an opportunity for interested persons to evaluate the rationale submitted by the relevant committee.

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<sup>2</sup> According to Paragraph 9 of Article 49 of the Rules of Procedure of the Parliament, the Committee Chairman determines the agenda of the committee hearing by his/her own initiative or by the request of a committee member (members). The decision on removing an issue from the agenda or putting a new one on it is made by the majority of votes of the acting members of committee.

