



## Identity of the Officials against whom the investigation has been launched for the violations found in the asset declarations should be made public

The Civil Service Bureau published monitoring results of asset declarations of officials on December 29, 2017, which was implemented in Georgia for the first time and is important mechanism for prevention of corruption. According to the report, the Civil Service Bureau examined completeness and correctness of the asset declarations of 287 officials during 2017, out of which 224 declarations (78%) were assessed negatively and the information about the violations revealed from monitoring asset declarations of the 7 officials was sent to the Chief Prosecutor's Office of Georgia for response.

Although the published report by the Civil Service Bureau presents a list of officials, whose declarations have been assessed negatively, the report does not include detailed information about the types of violations found in each official □ case. Besides

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the report does not indicate the identity of the seven officials, information on which was sent to the Chief Prosecutor [redacted] Office due to the violations revealed from monitoring the declarations.

In January 2018, we applied to the Civil Service Bureau and Chief Prosecutor [redacted] Office of Georgia to receive the above mentioned public information. The Civil Service Bureau provided us with the information on violations found in the asset declarations in case of the requested officials (members of the Parliament, the Minister and the Deputy Ministers, heads of LEPLs, Judges, Prosecutors). However, the Civil Service Bureau refused to make the names of officials sent to the Chief Prosecutor [redacted] Office public on the grounds, that [redacted] of their identity may hinder ongoing proceedings in the Prosecutor [redacted] Office of Georgia. The Chief Prosecutor [redacted] Office did not answer to our request within the time determined by law, which is considered as a refusal to provide information according to the General Administrative Code of Georgia.

By hiding identity of those officials, against which investigation has been launched due to the violations revealed through the monitoring of the asset declarations, the Civil Service Bureau and the Chief Prosecutor [redacted] Office of Georgia violates requirements of issuing public information established by General Administrative Code of Georgia. Under the Article 44 of the General Administrative Code of Georgia, protected information about officials in public institutes does not belong to personal data and is public information. Besides, presented argumentation by the Civil Service Bureau ( [redacted] hinder ongoing proceeding in the Prosecutor [redacted] Office A [redacted] has no grounds for refusal to issue public information under Georgian legislation. Due to all above mentioned, refusal from the Civil Service Bureau and the Chief Prosecutor [redacted] Office of Georgia to issue the requested information is not in compliance with Georgian legislation.

GYLA considers that, by taking into account high public interest towards this issue, the Civil Service Bureau should ensure increase of transparency of monitoring system of asset declarations and annually proactively publish the following information:

- Identity of those officials, whose asset declarations are subject to monitoring during the year;
- Detailed information on the violations revealed in the asset declarations of each

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official;

-Identity of those officials, about whom information revealed as a result of monitoring, has been sent to the relevant offices (for instance, the Chief Prosecutor [ ] Office) for further response;

Georgian Young Lawyers [ ] Association will file a complaint in the court against the Civil Service Bureau and Prosecutor [ ] office of Georgia in order to get this public information.