



CAPACITY-BUILDING OF THE GEORGIAN LEADERSHIP COMMUNITY FOR IMPROVED DECISION-MAKING AND NEGOTIATION SKILLS

ACCESS TO PUBLIC INFORMATION – RIGHTS AND OBLIGATIONS (API/PA)

SYLLABUS

Developed by Dr. Hans Jelf

Course Description and Objectives:

The aim of the course is to give the fellows an introduction to the right to public information in Sweden and EU and to provide for discussions about and reflection on the right to public information in a Georgian context.

The methodology is a combination of presentations/lectures (theory), exercises (reflection, discussions), and application of knowledge on cases and examples (problems/situations). The fellows will receive reading assignments before the course.

Learning Outcomes

By the end of the course fellows should be able to:

- Understand why and how access to public information is fundamental in a democratic society
- Understand the rights to information and the obligations to impart information in Swedish and European Law
- Understand public servants' obligations to impart information in Georgia
- Understand under what circumstances public servants can disclose different forms of information about wrongdoings ('whistleblowing')

Course Requirements

- Attendance of all classes is mandatory.
- Completion of all the required readings *before* the class for which they are assigned.
- Completion of small assignments.

Required Books and Materials

- Regulation (EC) No 1049/2001 Of The European Parliament And Of The Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, 6 pp.: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32001R1049:EN:HTML>

- Georgian Law on Freedom of Information, Chapter 3 from The General Administrative Code of Georgia as of 2004, 6 pp.:
http://www.irisprojects.umd.edu/georgia/Laws/English/code_admin_general.pdf
- The Right of Access to Official Documents in Sweden, Ministry of Justice, Stockholm, 1996, 10 pp.

Occasionally, we may assign other readings in addition to those listed in this syllabus.

Course Evaluation and Procedures

1. Completion of individual assignments (90%).
2. Instructor assessment of individual attendance (10%).

Course Schedule

Lesson 1, 10 - 12 (2 hours)

Lesson 2, 14 – 16 (2 hours)

- Introduction to the right to information
- Historical overview of the access to documents in Sweden
- How the law of transparency works in Sweden
- The secrecy act
- Who can have access to public documents and how does it work in practice?
- Ethical aspects and the limits on the right to information
- The EU-regulation
- The role of transparency and open information in a modern public administration
- Obligations and rights for public servants to impart information
- The Georgian legislation and examples from the Georgian public administration
- Discussion of the individual assignment