

FRINGE SPECIAL

* Wayward free of charge biweekly email journals on intelligence, FOIA and more *

* More information in the colophon at the bottom of this special *

* Editor: Roger Vleugels - roger.vleugels@planet.nl *

* September 7 - 2009 *

Overview of all [©] 90 FOIA countries & territories

>> next year: +4 <<

Page

The A-lists – The 90 FOIA countries and territories

- 3 A1 – The list in alphabetical order
- 6 A2 – The list in chronological order
- 8 A3 – The list continent wise
- 10 A4 – The list of law links
- 13 A5 – The number of requests per year per country
- 15 A6 – The country requests volume ranking
- 16 A7 – The name and shame list

17 The B-list – Countries and territories more or less close to a FOIA

18 The C-list – Countries and territories with no sign of a FOIA

19 Extra-list – Inter-, super- and supranational bodies with/without a FOIA

- 20 Fringe Shop
- 21 Colophon

>> Lists and statistics are ways of lying <<

Copyright - Overview of all 90 FOIA countries & territories[©]

This product is copyrighted[©], but everybody is free to use, copy and publish it under three conditions:

- No changes in the content
- The source has to be mentioned as in the footer, containing at least:
Roger Vleugels - Overview of all 90 FOIAs – September 2009
- Mail me a copy or link of your republication

Working definition of a FOIA

One of the problems by editing this Overview is that there is no good definition of a FOIA. The working definition I use includes: it has to be a law in strict sense, a right of access, with complaint and appeal possibilities. I would like to add more ingredients but there is not yet consensus about that. In list A7, the naming and shaming list, you can get an impression of some of the possible extra ingredients.

National/federal FOIAs only

In this Overview are enlisted only the national/federal FOIAs. This means that not enlisted are the FOIAs of the Canadian provinces, the German bundesländer, the Swiss kantons, the Belgium gewesten, the Australian states, etc.

FOIAs of territories and other not fully independent entities are enlisted if the FOIA differs from the one in the mother country and if there is an own jurisdiction or at least an own litigation. As territory are marked a.o. Scotland, more or less a country; Aruba a full country within the Dutch Kingdom; Hong Kong an administrative region within China, with own jurisprudence and own FOIA and Aland a Finnish Island with own litigation and a FOIA of its own.

Tips very welcome

Do you have suggestions for improvement, corrections or other remarks, please send them in so that I can use them in the next update of this overview.

Thanks

Lots of people contributed to this overview. I want to thank especially members of:

- Article 19
- FOIA Linked In groups: FOIA Specialists and Wob Specialists
- FOIANet
- Freedominfo
- Fringe subscribers
- National Security Archive
- Privacy International
- Wobbing Europe

The A1 list The 90 FOIA countries and territories in alphabetical order

<u>Countries</u>	Year of formal approval or formal adoption of the FOIA	Year in which the FOIA came in power	Year of latest FOIA revision	Name of the FOIA, in English	Name of the FOIA, in native tongue
Albania	1999	1999		Law on right to information for official documents	
Angola		2002	2006	Law on right to information for official documents Access to administrative documents	
Antigua/Barbuda	2004	2004		Access to administrative documents Freedom of information act	
Argentina	2003	2003		Freedom of information act Improvement of the quality of the democracy and ...	
Armenia	2003	2003		Mejora de la calidad de la democracia y de sus instituciones Law on freedom of information	
Australia	1982	1982	2009	Law on freedom of information Freedom of information act	
Austria	1987	1987	2005	Federal law on the duty to furnish information Auskunftspflichtsgesetz	
Azerbaijan	2005	2005		Law on access to information İnformasiyanın əldə eilməsi haqda qanun	
Bangladesh	2008	2009		Right to information ordinance Tottho odhikar ain	
Belgium	1994	1994	2000	Law on the right of access to administrative documents ... Wob: Wet openbaarheid van bestuur	
Belize	1994	1994		Freedom of information act Freedom of information act	
Bosnia & Herzegovina	2001	2002		Freedom of access to information act Freedom of access to information act	
Bulgaria	2000	2000		APIA: Access to public information act ЗДОИ:Закон за достъп до обществена информация	
Canada	1982	1983	2001	Access to information act Access to information act	
Chile	2008	2009		Law of transparency of the public function and access ... Ley de transparencia de la función pública y de acceso ...	
China	2007	2008		Open government information regulations Zhengfu xinxi gongkai tiaoli	
Colombia	1888	1888	1998	Law ordering the publicity of official acts and documents Law ordering the publicity of official acts and documents	
Cook Islands		2009		Official information act Official information act	
Croatia	2003	2003		Act on the right of access to information Act on the right of access to information	
Czech Republic	1999	2000	2006	Law on free access to information Law on free access to information	
Denmark	1970	1970	2000	Access to public administration files act Lov om offentlighed i forvaltningen	
Dominican Republic	2004	2004		Law on access to information Law on access to information	
Ecuador	2004	2004		Organic law on transparency and access to public info Organic law on transparency and access to public info	
Estonia	2000	2001	2009	Public information act Avaliku teabe seadus	
Finland	1951	1951	2009	Act on the openness of government activities Laki viranomaisten toiminnan julkisuudesta	
France	1978	1978	2005	Law on access to administrative documents Loi dela liberté d'accès aux documents administratifs	
Georgia	1999	2000	2001	General administrative code chapter III, freedom of inform. General administrative code chapter III, freedom of inform.	
Germany	2005	2006		Federal act governing access to information Informationfreiheitsgesetz	

Greece	1986	1986	1999	Code of administrative procedure Code of administrative procedure
Guatemala	2008	2009		Law for free access to public information Law for free access to public information
Honduras		2006		Transparency and Access to Public Information Law Ley de Transparencia y Acceso a la Información Pública
Hungary	1992	1992	2005	Act on the protection of pers. data and public access ... Évi törvény a személyes adatok védelméről és közérdekű ...
Iceland	1996	1997	2003	Information act Upplýsingalög
India	2005	2005		RTI: Right to information act RTI: Right to information act
Ireland	1997	1998	2005	Freedom of information act Freedom of information act
Israel	1998	1999	2009	Freedom of Information Law ח"התשנ"ח המידע חופש חוק
Italy	1990	1990	2005	Law on administrative procedure and the right of access ... Legge in materia de procedimento amministrativo e di ...
Jamaica	2002	2004	2004	Access to information act Access to information act
Japan	1999	2001	2003	Law concerning access to information Law concerning access to information
Jordan	2007	2007		Access to information law Access to information law
Kazakhstan		1993		FOIA FOIA
Kosovo	2003	2003		Law on access to official documents Law on access to official documents
Kyrgyzstan		2007		Access to information law Access to information law
Latvia	1998	1998	2006	Law on freedom of information Law on freedom of information
Liechtenstein	1999	2000		Information act Informationsgesetz
Lithuania	2000	2000	2005	Law on the provision of information to the public Law on the provision of information to the public
Macedonia	2006	2006	2008	Law on free access to information of public character Zakon za sloboden pristap do informacii od javen karakter
Mexico	2002	2003	2006	Fed. transparency and access to publ. govt. information law Ley fed. de transparencia y acceso a la información public...
Moldova	2000	2000	2003	Law on access to information Legea privind accesul la informatie
Montenegro	2005	2005		Law on free access to information Law on free access to information
Nepal		2007		Bill on right to information Bill on right to information
Netherlands	1978	1980	2009	Wob: Act on public access to government information Wob: Wet openbaarheid van bestuur
New Zealand	1982	1983	2003	Official information act Official information act
Nicaragua		2007		Law on Access to Public Information Ley de Acceso a la Información Pública
Norway	1970	1970	2006	Freedom of information law Offentlighetsloven
Pakistan	2002	2002		Freedom of information ordinance Freedom of information ordinance
Panama	2001	2002		Law on transparency in public administration Law on transparency in public administration
Peru	2002	2003		Law of transparency and access to public information Law of transparency and access to public information
Poland	2001	2002		Law on access to public information Law on access to public information
Portugal	1993	1993	1999	Law on access to administrative documents Law on access to administrative documents
Romania	2001	2001	2007	Law on free access to public Information Legea privind liberul acces la informatiile de interes public

Serbia	2004	2004	2007	Law on free access to information of public importance Zakon o slobodnom pristupu informacijama od javnog ...
Slovak Republic	2000	2001	2008	Act on free access to information Zakon o slobodnom pristupe k informaciam
Slovenia	2003	2003	2005	Access to public information act Zakon o dostopu do informacij javnega značaja
South Africa	2000	2001		Promotion of access to information act Promotion of access to information act
South Korea	1996	1998	2004	Act on disclosure of information by public agencies Act on disclosure of information by public agencies
Spain	1992	1992	1999	Law on rules for public information Law on rules for public information
Sweden	1766	1766	1976	Freedom of the press act Tryckfrihetsförordningen
Switzerland	2004	2006		Federal law on the principle of administrative transparency Loi sur la transparence / Öffentlichkeitsgesetz
Taiwan		2005		Freedom of government information law Freedom of government information law
Tajikistan	2002	2002		Law on information Law on information
Thailand	1997	1997		Official information act Official information act
Trinidad & Tobago	1999	2001		Freedom of information act Freedom of information act
Turkey	2003	2004		Law on right to information Law on right to information
Uganda	2005	2006		Access to information act Access to information act
Ukraine	1992	1992	2002	Law on information Law on information
United Kingdom	2000	2005		Freedom of information act Freedom of information act
United States of America	1966	1967	2009	Freedom of information act Freedom of information act
Uruguay	2008	2009		Law on the right of access to public information Law on the right of access to public information
Uzbekistan	1997	1997	2003	Law on the principles and guarantees of FOI Law on the principles and guarantees of FOI
St Vincent & Grenadines		2003		FOIA FOIA
Zimbabwe	2002	2002	2007	Access to information and privacy protection act Access to information and privacy protection act

Territories

Aland		1977	2008	Act on the openness of government activities Lag om allmänna handlingars offentlighet
Aruba	1999	1999	2006	Lob: Act on public access to government information Lob: Landsverordening openbaarheid van bestuur
Cayman Islands	2008	2009		FOIA FOIA
Dutch Antilles	1999	1999		Lob: Act on public access to government information Lob: Landsverordening openbaarheid van bestuur
Far Or	2004	2004		Law on openness in administration Landstingslov om offentlighed i forvaltningen
Greenland	1994	1995	1999	Law on openness in administration Landstingslov om offentlighed i forvaltningen
Hong Kong [SAR]	1995	1998		Code on access to information Code on access to information
Scotland	2002	2005		Freedom of information act Freedom of information act

- FOIA = Name unknown

- Territories are, in this list, those not fully independent countries which have an own FOIA and legal system

The A2 list The 90 FOIA countries and territories in chronological order

<u>Ranking</u>	<u>Countries & territories</u>	Year of formal approval or formal adoption of the FOIA			Name of the FOIA, in English
			<u>Year in which the FOIA came in power</u>	Year of latest FOIA revision	
1	Sweden	1766	1766	1976	Freedom of the press act
2	Colombia	1888	1888	1998	Law ordering the publicity of official acts and documents
3	Finland	1951	1951	2009	Act on the openness of government activities
4	USA	1966	1967	2009	Freedom of information act
5	Denmark	1970	1970	2000	Access to public administration files act
	Norway	1970	1970	2006	Freedom of information act
7	Aland		1977	2008	Act on the openness of government activities
8	France	1978	1978	2005	Law on access to administrative documents
9	Netherlands	1978	1980	2009	Wob: Act on public access to government information
10	Australia	1982	1982	2009	Freedom of information act
11	Canada	1982	1983	2001	Access to information act
	New Zealand	1982	1983	2003	Official information act
13	Greece	1986	1986	1999	Code of administrative procedure
14	Austria	1987	1987	2005	Federal law on the duty to furnish information
15	Italy	1990	1990	2005	Law on administrative procedure and the right of access ...
16	Hungary	1992	1992	2005	Act on the protection of pers. data and public access ...
	Spain	1992	1992	1999	Law on rules for public information
	Ukraine	1992	1992	2002	Law on information
19	Kazakhstan		1993		FOIA
	Portugal	1993	1993	1999	Law on access to administrative documents
21	Belgium	1994	1994	2000	Law on the right of access to administrative documents ...
	Belize	1994	1994		Freedom of information act
23	Greenland	1994	1995	1999	Law on openness in administration
24	Iceland	1996	1997	2003	Information act
	Thailand	1997	1997		Official information act
	Uzbekistan	1997	1997	2003	Law on the principles and guarantees of FOI
27	Hong Kong [SAR]	1995	1998		Code on access to information
	Ireland	1997	1998	2005	Freedom of information act
	Latvia	1998	1998	2006	Law on freedom of information
	South Korea	1996	1998	2004	Act on disclosure of information by public agencies
31	Albania	1999	1999		Law on right to information for official documents
	Israel	1998	1999	2009	Freedom of Information Law
	Aruba	1999	1999	2006	Lob: Act on public access to government information
	Dutch Antilles	1999	1999		Lob: Act on public access to government information
35	Bulgaria	2000	2000		APIA: Access to public information act
	Czech Republic	1999	2000	2006	Law on free access to information
	Georgia	1999	2000	2001	General administrative code chapter III, Freedom of inform.
	Liechtenstein	1999	2000		Information act

	Lithuania	2000	2000	2005	Law on the provision of information to the public
	Moldova	2000	2000	2003	Law on access to information
41	Estonia	2000	2001	2009	Public information act
	Japan	1999	2001	2003	Law concerning access to information
	Romania	2001	2001	2007	Law on free access to public Information
	Slovak Republic	2000	2001	2008	Act on free access to information
	South Africa	2000	2001		Promotion of access to information act
	Trinidad & Tobago	1999	2001		Freedom of information act
47	Angola		2002	2006	Access to administrative documents
	Bosnia & Herzegov.	2001	2002		Freedom of access to information act
	Pakistan	2002	2002		Freedom of information ordinance
	Panama	2001	2002		Law on transparency in public administration
	Poland	2001	2002		Law on access to public information
	Tajikistan	2002	2002		Law on information
	Zimbabwe	2002	2002		Access to information and privacy protection act
54	Argentina	2003	2003		Improvement of the quality of the democracy and ...
	Armenia	2003	2003		Law on freedom of information
	Croatia	2003	2003		Act on the right of access to information
	Kosovo	2003	2003		Law on access to official documents
	Mexico	2002	2003	2006	Fed. transparency and access to publ. govt. information law
	Peru	2002	2003		Law of transparency and access to public information
	Slovenia	2003	2003	2005	Access to public information act
	St Vincent & Gren.		2003		FOIA
62	Antigua/Barbuda	2004	2004		Freedom of information act
	Dominican Republic	2004	2004		Law on access to information
	Ecuador	2004	2004		Organic Law on Transparency and Access to Public Info.
	Far Or	2004	2004		Law on openness in administration
	Jamaica	2002	2004	2004	Access to information act
	Serbia	2004	2004	2007	Law on free access to information of public interest
	Turkey	2003	2004		Law on right to information
69	Azerbaijan	2005	2005		Law on access to information
	India	2005	2005		RTI: Right to information act
	Montenegro	2005	2005		Law on free access to information
	Scotland	2002	2005		Freedom of information act
	Taiwan		2005		Freedom of government information law
	United Kingdom	2000	2005		Freedom of information act
75	Germany	2005	2006		Act to regulate access to federal government information
	Honduras		2006		Transparency and Access to Public Information Law
	Macedonia	2006	2006	2008	Law on free access to information of public character
	Switzerland	2004	2006		Federal law on the principle of administrative transparency
	Uganda	2005	2006		Access to information act
80	Jordan	2007	2007		Access to information law
	Kyrgyzstan		2007		Access to information law
	Nepal		2007		Bill on right to information
	Nicaragua		2007		Law on Access to Public Information
84	China	2007	2008		Open government information regulations
85	Bangladesh	2008	2009		Right to information ordinance
	Cayman Islands	2008	2009		FOIA
	Chile	2008	2009		Law of Transparency of the Public Function and Access ...
	Cook Islands		2009		Official information act
	Guatemala	2008	2009		Law for free access to public information
	Uruguay	2008	2009		Law on the right of access to public information

$\frac{+}{90}$

The ranking position is defined by the year in which the FOIA came in power

Thailand	1997	1997		Official information act
Turkey	2003	2004		Law on right to information
Uzbekistan	1997	1997	2003	Law on the principles and guarantees of FOI

Europe

Aland		1977	2008	Act on the openness of government activities
Albania	1999	1999		Law on right to information for official documents
Austria	1987	1987	2005	Federal law on the duty to furnish information
Belgium	1994	1994	2000	Law on the right of access to administrative documents ...
Bosnia & Herzegovina	2001	2002		Freedom of access to information act
Bulgaria	2000	2000		APIA: Access to public information act
Croatia	2003	2003		Act on the right of access to information
Czech Republic	1999	2000	2006	Law on free access to information
Denmark	1970	1970	2000	Access to public administration files act
Estonia	2000	2001	2009	Public information act
Far Or	2004	2004		Law on openness in administration
Finland	1951	1951	2009	Act on the openness of government activities
France	1978	1978	2005	Law on access to administrative documents
Germany	2005	2006		Act to regulate access to federal government information
Greece	1986	1986	1999	Code of administrative procedure
Greenland	1994	1995	1999	Law on openness in administration
Hungary	1992	1992	2005	Act on the protection of pers. data and public access ...
Iceland	1996	1997	2003	Information act
Ireland	1997	1998	2005	Freedom of information act
Italy	1990	1990	2005	Law on administrative procedure and the right of access ...
Kosovo	2003	2003		Law on access to official documents
Latvia	1998	1998	2006	Law on freedom of information
Liechtenstein	1999	2000		Information act
Lithuania	2000	2000	2005	Law on the provision of information to the public
Macedonia	2006	2006	2008	Law on free access to information of public character
Moldova	2000	2000	2003	Law on access to information
Montenegro	2005	2005		Law on free access to information
Netherlands	1978	1980	2009	Wob: Act on public access to government information
Norway	1970	1970	2006	Freedom of information act
Poland	2001	2002		Law on access to public information
Portugal	1993	1993	1999	Law on access to administrative documents
Romania	2001	2001	2007	Law on free access to public Information
Serbia	2004	2004	2007	Law on free access to information of public interest
Scotland	2002	2005		Freedom of information act
Slovak Republic	2000	2001	2008	Act on free access to information
Slovenia	2003	2003	2005	Access to public information act
Spain	1992	1992	1999	Law on rules for public information
Sweden	1766	1766	1976	Freedom of the press act
Switzerland	2004	2006		Federal Law on the Principle of Administrative Transparency
Ukraine	1992	1992	2002	Law on information
United Kingdom	2000	2005		Freedom of information act

Still no FOIA in Andorra / Cyprus / Luxembourg / Malta / S Marino / Monaco / Vatican / lots of territories

Oceania

Australia	1982	1982	2009	Freedom of information act
Cook Islands		2009		Official information act
New Zealand	1982	1983	2003	Official information act

The A4 list Law links of all 90 FOIAs

<u>Countries</u>	Link to the FOIA law text in English Link to the FOIA law text in native tongue
Albania	www.hidaa.gov.al/english/laws/l_8503.htm
Angola	www.privacyinternational.org/countries/angola/foi-law02.doc
Antigua/B.	www.ab.gov.ag/gov_v2/government/parliament/laws/freedom_of_info.pdf
Argentina	http://infoleg.mecon.gov.ar/infolegInternet/anexos/90000-94999/90763/norma.htm
Armenia	www.foi.am/en/content/53/ www.legislationline.org/documents/action/popup/id/6410
Australia	www.austlii.edu.au/au/legis/cth/consol_act/foia1982222/ www.austlii.edu.au/au/legis/cth/consol_act/foia1982222/
Austria	
Azerbaijan	http://portal.unesco.org/ci/en/files/26135/12047260333Azerbaijan.pdf/Azerbaijan.pdf
Bangladesh	http://right2info.org/resources/publications/Bangladesh-RTI%20Ordinance%202008.pdf
Belgium	www.privacyinternational.org/countries/belgium/loi-publicite.rtf
Belize	www.belizelaw.org/lawadmin/PDF%20files/cap013.pdf
Bosnia & H.	www.ohr.int/ohr-dept/media-d/med-recon/freedom/default.asp?content_id=7269
Bulgaria	www.aip-bg.org/library/laws/apia.htm
Canada	www.infocom.gc.ca/acts/pdfs/accessact.pdf www.infocom.gc.ca/acts/pdfs/accessact.pdf
Chile	www.bcn.cl/leyes/pdf/original/276363.pdf
China	http://chinesefoi.org/regulation.aspx
Colombia	www.privacyinternational.org/countries/colombia/ley57-foi.doc
Cook Isl.	www.cook-islands.gov.ck/view_release.php?release_id=1180
Croati	www.gradjani-imaju-pravo-znati.hho.hr/index.php?lang=en www.gradjani-imaju-pravo-znati.hho.hr/index.php?lang=hr
Czech Rep.	http://mujweb.cz/www/vaske/informace.htm
Denmark	www.privacyinternational.org/countries/denmark/dk-foi-85.doc www.update.dk/cfje/Lovbasen.nsf/ID/LB00000597?OpenDocument
Dominican R.	www.centrojuanmontalvo.org.do/documentos/acceso.pdf
Ecuador	www.freedominfo.org/documents/ecuador-spanish.pdf
Estonia	www.legaltext.ee/text/en/X40095K2.htm
Finland	www.finlex.fi/en/laki/kaannokset/1999/en19990621.pdf www.finlex.fi/fi/laki/ajantasa/1999/19990621
France	www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGITEXT000006068643&dateTexte=20090629
Georgia	
Germany	www.bfdi.bund.de/cdn_030/nn_672734/IFG/Gesetze/IFG/TextIFG_EN.templateId=raw.property=publicationFile.pdf/TextIFG_EN.pdf www.bfdi.bund.de/cdn_030/nn_672714/IFG/Gesetze/IFG/TextIFG.templateId=raw.property=publicationFile.pdf/TextIFG.pdf
Greece	http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN001820.pdf

Guatemala	www.freedominfo.org/documents/Guatemalalaw_decreto_57-2008.pdf
Honduras	www.unah.hn/uploaded/content/category/1434383409.pdf
Hungary	http://abiweb.obh.hu/dpc/index.php?menu=gyoker/relevant/national/1992_LXVI
Iceland	http://eng.forsaetisraduneyti.is/media/English/accesstoinfo.doc
India	http://righttoinformation.gov.in/rti-act.pdf
Ireland	http://righttoinformation.gov.in/rti-actinhindi.pdf www.oic.irlgov.ie/en/FOIActsRegulations/ www.oic.irlgov.ie/en/FOIActsRegulations/
Israel	
Italy	
Jamaica	www.parlamento.it/leggi/050151.htm www.jis.gov.jm/special_sections/ATI/ATIACT.pdf
Japan	
Jordan	www.soumu.go.jp/main_sosiki/gyoukan/kanri/translation3.htm
Kazakhstan	http://right2info.org/resources/publications/Jordan-Access-Law-arabic.doc http://right2info.org/resources/publications/Constitution-of-Kazakhstan-FOI-excerpts.doc
Kosovo	www.unmikonline.org/regulations/2003/RE2003_32%20.pdf
Kyrgyzstan	
Latvia	
Liechtenstein	
Lithuania	www.gesetze.li/get_pdf.jsp?PDF=1999159.pdf www3.lrs.lt/cgi-bin/getfmt?c1=w&c2=170831 www3.lrs.lt/pls/inter2/dokpaieska.showdoc_e?p_id=101596
Macedonia	www.freedominfo.org/documents/Macedonia%20FOI%20Law%20ENG%20Official%20Gazette%2013-2006.doc
Mexico	
Moldova	http://freedominfo.org/documents/mexico_ley.pdf www.acces-info.org.md/index.php?cid=122&lid=815 www.acces-info.org.md/index.php?cid=122&lid=50
Montenegro	
Nepal	www.article19.org/pdfs/laws/Nepal.FOI.Sep06.doc
Netherlands	www.minbzkn.nl/bzk2006uk/subjects/constitution-and/publications/4327/act-on-public-access http://wetten.overheid.nl/zoeken_op/regeling_type_wetten+AMVB+ministeries/titel bevat wob/datum_29-6-2009
New Zealand	www.ombudsmen.parliament.nz/internal.asp?cat=100095
Nicaragua	
Norway	
Pakistan	
Panama	
Peru	www.legalinfo-panama.com/legislacion/administrativo/00195.pdf
Poland	www.justiceinitiative.org/db/resource2/fs/?file_id=15210
Portugal	
Romania	www.cada.pt/modules/news/article.php?storyid=28 http://www.dci.ro/En/Legi/544.pdf http://legislatie.resurse-pentru-democratie.org/544_2001.php
Serbia	

Slovak Rep.	
Slovenia	www.ip-rs.si/index.php?id=324 www.ip-rs.si/zakonodaja/zakon-o-dostopu-do-informacij-javnega-znacaja/
South Africa	
South Korea	www.freedominfo.org/documents/korea%20980258118_korea.doc
Spain	http://noticias.juridicas.com/base_datos/Admin/l30-1992.t4.html#c1
Sweden	www.riksdagen.se/templates/R_Page_6062.aspx
Switzerland	www.admin.ch/ch/f/ff/2004/6807.pdf
Taiwan	www.glin.gov/view.action?glinID=173514
Tajikistan	www.cipi.tj/index.php?option=com_content&task=view&id=9&Itemid=3
Thailand	www.oic.go.th/content_eng/act.htm
Trinidad & T.	www.foia.gov.tt/
Turkey	
Uganda	www.freedominfo.org/documents/uganda_ati_act_2005.pdf
Ukraine	www.archives.gov.ua/Eng/Law-base/Legislations1991-1994.php#03
UK	www.opsi.gov.uk/acts/acts2000/ukpga_20000036_en_1 www.opsi.gov.uk/acts/acts2000/ukpga_20000036_en_1
USA	www.usdoj.gov/oip/foiastat.htm www.usdoj.gov/oip/foiastat.htm
Uruguay	http://right2info.org/resources/publications/Uruguay%20ATI%20Law.doc
Uzbekistan	
St Vincent & G.	
Zimbabwe	www.kubatana.net/html/archive/legisl/030611aippamd.asp?sector=LEGISL

Territories

Aland	
Aruba	www.overheid.aw/index.asp?nmoduleid=4&wgid=6&nbrwsrdctn=-1&spagetype=6&docid=329
Cayman Isl.	
Dutch Antilles	www.curacao-gov.an/site.nsf/Sectionpages/LOB?OpenDocument
Far Or	
Greenland	www.lovgivning.gl/gh.gl-love/dk/1994/Lt/lt_nr_09-1994_dk.htm
Hong Kong	
Scotland	www.itspublicknowledge.info/Law/FOISA/FOISA.asp www.itspublicknowledge.info/Law/FOISA/FOISA.asp

The A5 list The number of requests per year per country

<u>Countries</u>	Number of requests per year	Inhabitants	Number of requests per 100,00 inhabitants
Albania		3,000,000	
Angola	< 100	11,000,000	<1
Antigua/Barbuda		60,000	
Argentina	2,000	38,000,000	5
Armenia		3,500,000	
Australia	4,000	20,000,000	20
Austria	<< 100	8,000,000	<1
Azerbaijan	400	8,000,000	5
Bangladesh		150,000,000	
Belgium	< 100	10,000,000	<1
Belize	<< 100	250,000	<1
Bosnia & Herzegovina		4,000,000	
Bulgaria	14,000	8,000,000	175
Canada		32,000,000	
Chile		16,000,000	
China	4,000	1,400,000,000	<1
Colombia	< 100	45,000,000	<1
Cook Islands		20,000	
Croatia	3,000	4,500,000	67
Czech Republic		10,000,000	
Denmark		5,000,000	
Dominican Republic		8,500,000	
Ecuador	< 100	13,000,000	<1
Estonia		1,500,000	
Finland	500	5,000,000	10
France	2,000	60,000,000	3
Georgia		5,000,000	
Germany	1,500	84,000,000	2
Greece	< 100	11,000,000	<1
Guatemala		14,000,000	
Honduras		7,000,000	
Hungary		10,000,000	[1]
Iceland		300,000	
India		1.100.000.000	
Ireland	3,000	4,000,000	75
Israel	3,000	6,500,000	46 [2]
Italy	< 100	55,000,000	<1
Jamaica	400	3,000,000	13
Japan	100,000	125,000,000	80
Jordan	<< 100	5,500,000	<1
Kazakhstan	< 100	15,000,000	<1
Kosovo	<< 100	2,000,000	<1
Kyrgyzstan	<< 100	5,000,000	<1
Latvia		2,500,000	
Liechtenstein	<< 100	35,000	<1
Lithuania		3,500,000	
Macedonia	600	2,000,000	30
Mexico	105,000	107,000,000	98
Moldova		4,000,000	
Montenegro		3,000,000	
Nepal		27,000,000	
Netherlands	1,200	16,000,000	7
New Zealand		4,000,000	
Nicaragua		5,000,000	
Norway		4,500,000	
Pakistan		160,000,000	
Panama		3,000,000	
Peru	2,500	28,000,000	9
Poland		38,000,000	
Portugal	< 100	10,000,000	<1

Romania	15,000	22,000,000	68	[3]
Serbia		7,000,000		
Slovak Republic		5,500,000		
Slovenia		2,000,000		
South Africa	20,000	44,000,000	45	
South Korea		48,000,000		
Spain	< 100	40,000,000	<1	
Sweden		9,000,000		
Switzerland		7,000,000		
Taiwan		23,000,000		
Tajikistan	<< 100	7,000,000	<1	
Thailand		65,000,000		
Trinidad & Tobago		1,300,000		
Turkey	39,000	70,000,000	56	
Uganda	< 100	27,000,000	<1	
Ukraine		48,000,000		
United Kingdom [-Scotland]	35,000	55,000,000	64	
United States of America	1.500.000	305,000,000	492	
Uruguay		3,500,000		
Uzbekistan	< 100	30,000,000	<1	
St Vincent & Grenadines		100,000		
Zimbabwe	< 100	12,000,000	<1	

Territories

Aland			
Aruba	< 100	100,000	<1
Cayman Islands		50,000	
Dutch Antilles	< 100	200,000	<1
Far Or		50,000	
Greenland		60,000	
Hong Kong [SAR]		7,000,000	
Scotland	3,000	5,000,000	60

Notes

[1] Unreliable figure: 78,000

[2] This figure excludes FOIA requests filed by journalists. Journalists request usually informal not using the FOIA for two reasons: quicker and cheaper [filing a FOIA request costs in Israel approx 16 euro]

[3] Unreliable figure: 55,000

The working definition of 'Number of requests' in this list is:

- **written requests** [=paper+digital-oral] filed at
 - **national/federal bodies and/or level of**
 - **executive bodies** [=trias politica minus courts and minus parliaments] and
 - **excluded in this presentation: requests for personal formalities, social security applies etc.**
- The future has to tell if this is a good definition.

A lot of the presented figures are downsized by me. The downsizing is based on the working definition. For Bulgaria for instance I skipped the oral requests [9,885] and for the US the requests with a purely private nature [900,000 according to an estimate of the US DoJ]; in Australia about 90% of all request is of a pure private nature, so I downsized the figure by 90%..

In my view the volume of requests is one of the important indicators to assess the health of the FOI climate in a country or territory. That is why I, realising that the quality/ of the figures is poor, publish them. [True comparing needs, by the way, an assessment of the pro-active transparency rate versus passive transparency.] I hope that this presentation will stimulate debate on the working definition and on the quality of statistics provided by governments, information commissioners, lobbyists and NGOs.

Warning: Even after my downsizing efforts lots of figures above are still sexed up.

The A6 list The country requests volume ranking

<u>Ranking</u>	<u>Countries & territories</u>	Number of requests per year per 100,000 inhabitants
1	United States of America	492
2	Bulgaria	175
3	Mexico	98
4	Japan	80
5	Ireland	75
6	Romania	68
7	Croatia	67
8	United Kingdom	64
9	Scotland	60
10	Turkey	56
11	Israel	46
12	South Africa	45
13	Macedonia	30
14	Australia	20
15	Jamaica	13
16	Finland	10
17	Peru	9
18	Netherlands	7
	Serbia	7
20	Argentina	5
	Azerbaijan	5
22	France	3
23	Germany	2
24	Angola	<1
	Aruba	<1
	Austria	<1
	Belgium	<1
	Belize	<1
	China	<1
	Colombia	<1
	Dutch Antilles	<1
	Ecuador	<1
	Greece	<1
	Italy	<1
	Jordan	<1
	Kazakhstan	<1
	Kosovo	<1
	Kyrgyzstan	<1
	Liechtenstein	<1
	Portugal	<1
	Spain	<1
	Tajikistan	<1
	Uganda	<1
	Uzbekistan	<1
	Zimbabwe	<1

+
45

No or no reliable information on 45 countries and territories

Warning: Even after my downsizing efforts lots of figures above are still sexed up [see the remarks on page 14].

The A7 list The name and shame list – *very experimental*

<u>Countries & territories</u>	less than 1 requests per 100,000 inhabitants per year and/or	special interest required and/or	poor complaint and appeal possibilities/practice and/or	poor execution of decisions and rulings and/or	veto for govt and/or	high costs	
Argentina		X	X				
Belgium	X		X				*
Georgia			X	X			
Italy	X	X					
Liechtenstein	X	X					
Moldova			X	X			
Panama			X	X			
Portugal	X			X			
Spain	X		X	X			
Tajikistan	X			X			
Ukraine			X	X			
Uzbekistan	X			X			
Zimbabwe	X	X	X	X	X	X	**

* Belgium is taking steps to improve its incredible poor complaint practice

** Without doubt the poorest of the 90 members of the A list

Methodology of this naming and shaming section

Enlisted are countries or territories which fail to meet at least two of the above six criteria. [That is a narrow escape for for instance Canada, UK and Scotland [veto right], Nepal [interest required], Germany and Israel [costs] or a whole range of countries with less than 1 request per 100,000 inhabitants]

Would the countries and territories which fail to meet just one of the above criteria be enlisted, the number of countries and territories in this section would double; would I have added 'time delay' as criteria almost all countries and territories would be on the list.

In other words this section is a call for debate on criteria to discriminate between good and poor FOIA texts and practices. My preference would be one list with next to good and poor, lots of shades of grey. My second preference is to not exclude any FOIA even if it is a very poor one.

Other criteria suggestions: The above used selection of criteria is arbitrary and a mixture of minimum-standards and best practice-like standards. Other suggestions for criteria are:

- + enforceable right of access
- + true law
- + govt holds information on behalf of the public
- + next to passive also active disclosure provisions
- + limited set of clear exemptions
- + time limits which enable access as real time as possible
- + no citizenship requirement
- + no costs
- + no interest requirement
- + no govt veto right
- + number of silent refusals
- + time delay
- + effective sanctions against time delay
- + effective sanctions against misconduct of civil servants
- + effective sanctions against misuse of exemptions

The B-list – Countries and territories more or less close to a FOIA

<u>Countries</u>	Year of first FOIA draft	Year of FOIA approval	Prognosis for coming into power of the FOIA	Status and/or name of the FOIA
Afghanistan				Right to information in Media law
Bahrain				Draft
Barbados	2008			Draft
Bolivia				FOIA Decree 2004
Brazil	2008	2008		Draft
Cambodia				Lobby
Cameroon				Lobby
Costa Rica				Draft
Ethiopia		2008	2010	Law on mass media and FOI
Fiji Islands	2005			Draft
Ghana	2002			Draft
Indonesia		2008	2010	Public information disclosure act
Kenya	2005			Draft
Kuwait				Draft
Liberia				Lobby
Luxemburg	1978			Act and decree on archives / no real FOIA
Malawi	2004			Draft
Malaysia	2005	2006	2010	Federal prognosis uncertain
Maldives			2009	Adopting process
Malta			2008	Freedom of information act
Mongolia				Draft
Morocco	2007			Lobby
Mozambique		2005		Draft
Nauru	2009			Lobby
Nigeria	1999	1994	2007	Freedom of information bill
Papua New Guinea				Draft
Paraguay				Draft
Philippines		2008	2009	FOIA
Russia	1987	1996	2009	Fed. law on providing access to information
Sierra Leone	2009			Lobby
Solomon Islands	2008			Lobby
Sri Lanka		2003		Draft
Surinam		2008		Draft
Tanzania				Draft
Vietnam		2009		Draft
Zambia				Draft
Yemen		2009		Draft
<u>Territories</u>				
Guernsey				Draft
Isle of Man		2008		Draft
Jersey		2005		Draft

The C-list – Countries and territories with no sign of a FOIA

Countries

Algeria
Bahamas
Belarus
Benin
Bermuda
Bhutan
Botswana
Brunei
Burkina Faso
Burma
Burundi
Cape Verde
Central African Republic
Chad
Comoros
Congo
Congo Democratic Republic
Cuba
Cyprus
Djibouti
Dominica
East Timor
Egypt
El Salvador
Equatorial Guinea
Eritrea
French Guyana
French Polynesia
Gambia
Gabon
Grenada
Guinea
Guinea Bissau
Guyana
Haiti
Iran
Iraq
Ivory Coast
Kiribati
Laos
Lebanon
Lesotho
Libya
Madagascar
Mali
Marshall Islands
Mauritania
Mauritius
Micronesia
Myanmar
Namibia
Niger
North Korea
Oman
Palau
Palestine
Pitcairn Islands
Puerto Rico
Qatar
Reunion
Rwanda
Samoa

Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Singapore
Somalia
St Helena
St Kitts and Nevis
St Lucia
St Pierre and Miquelon
Sudan
Swaziland
Syria
Togo
Tonga
Tunisia
Turkmenistan
Turks and Caicos Islands
Tuvalu
United Arab Emirates
Vanuatu
Venezuela
Wallis and Futuna
West Sahara
West Samoa

Territories and mandates

<u>Territories and mandates</u>	<u>Part of ?</u>
Akrotiri	UK
Alderney	UK
Andorra	
Anguilla	UK
Gibraltar	UK
Guadeloupe	France
Guam	US
Isle of Wight	UK
Jan Mayen	Norway
Macau [SAR]	China
Martinique	France
Mayotte	France
Midway Islands	US
Monaco	
Montserrat	UK
New Caledonia	France
Niue	Nw Zealand
Norfolk Islands	Australia
N.. Mariana Island	US
San Marino	
Sark	UK
Svalbard	Norway
Vatican	
Virgin Islands	US

Strange entities [a dead serious FOI problem]

Arctic
Antarctic
Continental Shelves
Moon
Planets
Seas, Oceans
Space

Extra list – Inter-, super- and supranational bodies with/without a FOIA

Organisation

Year of formal approval/adoption of a FOIA regulation
Year in which the FOIA regulation came in power
Status and/or name of the FOIA

IFTI: International Financial & Trade Institutions

ABEDA: Arab Bank for Ec. Development in Africa	?	?	-
AfDB: African Development Bank	1997	?	-
ASEAN: Association of South East Asian Nations	?	?	-
Asian Development Bank	1994	?	-
ECO: Economic Cooperation Organisation	?	?	-
EBRD: European Bank for Recon. and Develp.	1996	?	-
EFTA: European Free Trade Association	?	?	-
EIB: European Investment Bank	?	?	-
FTAA: Free Trade Area of the Americas	?	?	-
Inter American Development Bank	1994	?	-
IMF: International Monetary Fund	2002	?	FOI policy statement
Mercosur: Southern Common Market	?	?	-
OPEC: Org. of Petroleum Export. Countries	?	?	-
OECD: Org. for Economic Coop. and Develp.	?	?	-
SADC: Southern African Develp. Community	?	?	-
WAEMU: West African Econ. & Mon. Union	?	?	-
WTO: World Trade Organisation	?	?	-
World Bank	1994	?	-

Non-IFTI

AU: African Union	?	?	-
Council of Europe	?	?	-
Commonwealth	?	?	-
Egmont Group	?	?	-
EU: European Union	2001	2001	FOI Regulation
FAO: Food and Agricultural Organisation	?	?	-
NATO: North Atlantic Treaty Organisation	?	?	-
OAS: Org. of American States	?	?	-
OSCE: Org. for Security & Coop in Europe	?	?	-
Pacific Forum Secretariat	?	?	-
SECI: Southeast European Coop. Initiative	?	?	-
Sparteca: South Pacific Coop Agreement	?	?	-
UN: United Nations	?	?	Some kind of FOI regulation in early stage
UNDP: UN Development Programme	?	?	Some kind of FOI regulation in early stage
UNEP: UN Environment Program	?	?	-
UNESCO	?	?	Formal commitment to adopt a FOI policy
UNHCR: UN High Comm. for Refugees	?	?	-
UNICEF	?	?	-
UNIDO: UN Industrial Development Organisation	?	?	-
WEU: Western European Union	?	?	-
WCO: World Customs Organisation	?	?	-
WFO: World Food Program	?	?	-
WHO: World Health Organisation	?	?	-
Zangger Committee	?	?	-

- On this list those bodies which have more or less an own legal system and/or jurisdiction
- It is remarkable that some of the above mentioned bodies, like the Council of Europe, the UN or the Worldbank, have opinions on FOI and FOIA without having a good set of transparency rules for their own information

10 – Outside The Netherlands and outside the Wob

I have lectured for students and journalists in and from: Aruba, Belgium, Bulgaria, Denmark, Finland, Germany, Hungary, Iran [once they had a draft FOIA], Macedonia, Moldova, Norway, Sweden, Turkey and United Kingdom. Most popular courses or lectures are the ones on Tactics and Exemptions/Obstruction.

Prices and conditions are of course negotiable. Most of my foreign projects are co-financed by organizations like Dutch or the German Foreign Ministry, The Council of Europe, Soros, Universities or Funds for investigative journalism.

11 – Legal advisor

The price includes all: client contacts, formulating, filing, monitoring, etc	
+ Request = 1x 240	240 €
+ Administrative complaint = 2x 240 [without plea] or 3x 240 [with plea]	720 €
+ Court appeal = 3x 240	720 €
+ High Court appeal [at Council of State] = 3x 240	720 €
<u>Extra:</u>	
+ Courts charge registry costs of a couple of hundred euro's	
+ I charge extra for content research and for exceptional legal research	
+ I work at reduced rates, reductions of 50-100% are possible, for people and organizations with very modest or no means	
<u>Other option:</u>	
+ Legal advice is for free for the first 30 minutes, after that 2 euro per minute	

▶▶▶▶▶▶▶▶▶▶ *Fringe Colophon*

Fringe is a project of Roger Vleugels

I am a Dutch independent forensic intelligence analyst and freedom of information specialist. Since 1986 I lecture on journalism schools and universities on intelligence, on freedom of information and on journalism, especially on investigative journalism. In my legal practice I filed more than 2500 FOIA/Wob requests for my clients, most of them press organisations, but also NGOs, researchers and private person. On intelligence I conduct own research and comment on actual topics in the press. Next to this regular work I publish the Fringe journals.

The format of the Fringe journals

The goals of the Fringe journals are not being a regular magazine. They are purely a research tool. Articles are not selected for their content but for the facts or trends within them. One of the consequences is that I do not discriminate between information and disinformation. Other goals are trying to publish news in early stages, before the news is established with an overall focus on next to mainstream. After doing so Fringe will not cover such a topic further, unless there is again something special, and above all: Fringe hopes to stay a bit wayward.

The Fringe article gathering & The Fringe Stringers

Fringe would not be possible without a fine network of about twenty, Dutch and foreign, overt and covert stringers. Second to that is Fringe based on active surfing; on lots of subscriptions and on feeds and alerts. In this way I try to cover a substantial part of the intelligence and foia sites and of a representative part of the major newspapers and other periodicals worldwide.

Two Fringe Journals

Fringe Intelligence offers not yet established intelligence news and intelligence articles next to mainstream, while Fringe Spitting provides news and tools for investigative journalists, researchers and freedom of information specialists. Fringe Intelligence tries to focus on forensic and/or operational information. In other words tries not to publish about bureaucratic information and not about politics or formal and legal aspects. Fringe Intelligence does not focus on terrorism. In every issue of Fringe Intelligence 50+ articles ranging from intelligence and counterintelligence, via criminal intelligence and counter terrorism to parapolitics and other topics with intelligence aspects. Fringe Spitting is oriented on FOIA practitioners. In each issue of Spitting 20+ articles about news on laws, litigation, remarkable disclosures [among others about new old news with a bit a focus on intelligence matters]. And lots of tips, tricks and tools. Both are biweeklies [an article will never appear in both]. Occasionally Fringe publishes Specials, like the Index Dutch Intelligence, the Overview of FOIA Countries or Spying the Press. If there is a lot of news, for instance after a terror attack, Fringe Intelligence changes into a more frequent, if necessary daily, published journal. Almost all articles are internet downloads. 90+% English. Less than 10% is about or related to The Netherlands. The quality is the quality of the source.

1,800 subscribers

This circulation means that both Fringe journals have each in its own sector, respectively OSINT and FOIA, a strong position in the global rankings of independent email journals/newsletters/mailling lists. 50% of the subscribers are intelligence specialists, 30% journalists and 15% FOIA specialists. They live in 85 countries: 40% in NL, 25% in US and 35% in the rest of the world. 15% of the subscribers are employees of government bodies [50% of them of services of the intelligence communities] and 15% of universities and colleges.

Questions & Fringe Friends on Linked IN

Please feel free to mail me direct, or ask the questions in **Fringe Friends**: a group on Linked In exclusively for Fringe subscribers, or in one of the other more specialised groups on Linked In managed by me: **FOIA specialists** or **Web Specialists** or **Dutch Intelligence Watchers**.

Subscription are free of charge [voluntary contributions very are welcome] and enclose both journals

The journals are and will stay free of charge. This is for two reasons:

- I started, eight years ago, the Fringe project as a kind of service to my clients and relations.
- For legal reasons the journals have to be free of charge. It is forbidden to ask a mandatory contribution for publishing copyrighted material [the US fair use restrictions].

To start a subscription email: **Start Fringe** in the subject line, to roger.vleugels@planet.nl

To stop a subscription email: **Stop Fringe** in the subject line, to roger.vleugels@planet.nl

Donations

Fringe is a very time consuming project. Each year in January I ask the subscribers for a voluntary contribution. The percentage of subscribers who pays yearly is rising but still less than 10%. [Due to legal, copyright, reasons it is not allowed to charge for journals like Fringe. This means that the only way to collect money is via voluntary contribution or via donations.]

In order to give Fringe a more solid fundament every donation is welcome.

Voluntary contributions

Voluntary contributions are welcome. Once a year, in January, you will be asked to pay a voluntary contribution. My suggestion:

- 48.00 euro per year for individual subscribers [48,00 euro a year is 1.00 euro per issue]
- 24.00 euro per year for students and others with modest means
- 200.00 euro per year for an editorial office or other organization for multiple subscriptions

Payments from the Netherlands

Postbank no. 3432010 in the name of Roger Vleugels, in Utrecht
Reference for instance Fringe contribution or Fringe donation

Payments from abroad

IBAN: NL 31 PSTB 0003 4320 10 / BIC: PSTBNL21 in the name of Roger Vleugels, in Utrecht, The Netherlands
Reference for instance Fringe contribution of Fringe donation

Payments via snail mail [please consider, for larger sums, registered mail]

Roger Vleugels / Korfoedreef 213 / 3562 SL Utrecht / The Netherlands
Reference for instance Fringe contribution of Fringe donation