

World's First Rating of Right to Information: Laws Vary Enormously

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On International Right to Know Day, two leading human rights organisations, Access Info Europe (Spain) and the Centre for Law and Democracy (Canada), are launching the first detailed analysis of the legal framework for the right to information (RTI) in 89 countries around the world.

The RTI Rating is based on *61 Indicators* drawn from a wide range of international standards on the right to information, feedback from an international *Advisory Council* of renowned experts on the right to information and comparative study of numerous right to information and related laws from around the world.

The findings of the RTI Rating show that there is a significant variety in the quality of the legal framework, with scores out of a maximum possible 150 ranging from 24 (Greece) to 135 (Serbia). Some of the key results:

- » More recent laws protect the right to know more strongly; of the 20 countries with scores above 100, 11 adopted their RTI laws since 2005, and 7 since 2000 – these laws tend to have much stronger oversight, enforcement and promotion.
- » Of the 20 countries with scores above 100, 7 are in East and Central Europe, 5 in Asia, 4 in the Americas, 3 in Africa and only one is in Western Europe;
- » Europe overall accounts for 15 of the bottom 20, primarily the older European laws which are more limited in scope and have weaker appeals mechanisms;

“Effective protection of human rights like the right to information requires a sound legal basis,” said Toby Mendel, Executive Director of the Centre for Law and Democracy. *“This rating tool enables us to pinpoint areas of weakness in the legal framework for RTI, and to direct future advocacy at resolving these.”*

The RTI Rating shows not only a country's overall score, but also but also its strengths and weaknesses in relation to seven main categories: Right of Access, Scope; Requesting Procedures; Exceptions and Refusals; Appeals; Sanctions and Protections; and Promotional Measures.

The score for the legal framework did not always accord with overall levels of transparency in a country in practice. Some national experts who reviewed the AIE and CLD country assessments noted that is sometimes a gap between the quality of the law and the practice. In some northern European countries, the older legal frameworks do not fully reflect the culture of transparency in practice, whereas in countries like Azerbaijan, Nepal and Ethiopia, strong laws on paper do not necessarily reflect a fully

open society; the strong laws in El Salvador and Liberia were adopted too recently to assess the practice.

"Testing of levels of transparency in practice is essential to have a full picture," commented Helen Darbshire, Executive Director of Access Info Europe. "Adopting a law is only a first step to transparency; without accurate measures of access to information in practice, governments can participate in 'transparency washing' and claim greater respect for this fundamental human right than is in fact the case."

Note for editors

More information about the tools used in preparing the RTI Rating, the Advisory Committee and the detailed ratings for each country can be found at: www.rti-rating.org/.

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