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## Italy: Draft Right to Information Law Falls Short

Italy is one of the few countries in Europe which still does not have a dedicated law on access to information held by public authorities (right to information law). Member of Parliament Anna Ascani has now prepared a dedicated RTI law with a view to addressing this anomaly, but the draft has a long way to go to meet international standards in this area, according to an Analysis prepared by the Centre for Law and Democracy (CLD).

*"We very much welcome moves in Italy to adopt a dedicated RTI law", said Toby Mendel, Executive Director of CLD. "But a far more ambitious approach is needed to provide Italians with an effective tool for accessing public information."*

The draft law has some positive features, including a relatively broad scope in terms of the public authorities and information covered, and some interesting innovations in the area of appeals. At the same time, it suffers from a number of weaknesses, including the following:

- Only individual citizens are granted a right to make requests for information.
- The procedural rules for making and processing requests are far too brief and limited in nature, with key issues such as assistance and time limits simply left out.
- The relationship of the RTI law to secrecy provisions in other laws is unclear, too many exceptions are overbroad and/or lack a harm test, and the public interest override is limited to just one exception.
- Officials who disclose information in good faith pursuant to the law are not provided with protection against sanctions.
- Most of the promotional measures found in better practice laws are missing.

CLD urges the Italian authorities to revisit the draft law and to introduce wide-ranging changes to bring it in more fully into line with international standards regarding the right to information.

The CLD analysis is available at: <http://www.law-democracy.org/live/wp-content/uploads/2015/10/Analysis-of-the-Draft-Right-to-Information-Law.pdf>

The draft law is available at: <http://www.law-democracy.org/live/wp-content/uploads/2015/10/Draft-Right-to-Information-Law.pdf>

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