

World

Campaigners fined for asking questions about corruption

Spain
Graham Keeley Madrid

Thirty-seven years after General Francisco Franco died, transparency campaigners are still haunted by the ghost of a dictator who was renowned for cloaking Spanish society in secrecy. When Access

Info Europe, a non-governmental organisation that campaigns for transparency, requested information from the Government about measures it was taking to combat corruption, it received not an answer — but a €3,000 (£2,400) bill for legal costs.

“We wanted statistics on measures Spain was taking against corruption. It



Rules still apply: General Franco and his wife, Doña Carmen, in 1939

hoping to force Madrid to unveil any measures. The group asked the same questions of anti-corruption measures from the governments of Argentina, Colombia and Armenia, and received full answers. But in May the court ruled that the group was not asking for simple information. Instead, it said, Access Info Europe had demanded explanations of anti-corruption measures — action not permitted in the 1978 Spanish Constitution. The court ordered the Madrid-based group to pay legal costs.

As details of the case emerged yesterday, Access Info Europe said it planned to appeal to the Spanish Constitutional Court. “I think there is a big hangover from the Franco era,” said Ms Darbishire.

Details of the case have emerged as Spain's first Transparency Law is going through parliament. Spain is the only major European country that still lacks a freedom of information law.

The new law aims to allow citizens more access to published information. But it has been criticised by groups like Access Info Europe that say it still forbids citizens from gaining access to internal government reports.

“Under Franco there was nothing resembling transparency. That appears to have continued long after his death,” said Paul Preston, a British historian and biographer of Franco.

A Spanish Justice Ministry official said that this month, the Government had introduced changes to its penal code to combat corruption in public and private life.

had just signed a UN convention against corruption. So what is the problem of telling people what it is doing?” the group's British executive director, Helen Darbishire, told *The Times*.

In 2007, the group asked the Government to elaborate on actions it was taking in line with promises it made under the UN Convention Against Corruption. A year earlier, Spain had signed the UN convention, which also says citizens should have access to the information.

When two government departments failed to respond, Access Info Europe appealed to the Spanish Supreme Court,

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65	£39.5K	£52.5K	£65.5K	£78.5K	£91.5K
70	£50K	£67K	£83.5K	£100.5K	£117K
75	£57K	£76K	£95K	£114K	£133K
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