

The Aid Transparency Toolkit

WHAT YOU ALWAYS WANTED TO KNOW ABOUT AID
AND HOW TO GET THE INFORMATION

A GUIDE FOR CIVIL SOCIETY ORGANISATIONS
AND MEMBERS OF THE PUBLIC



About this Toolkit



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The **Access Info Toolkits** series consists of user-friendly guides designed to help anyone wishing to make a request for information about particular issues or sectors of government activity.

Access Info provides training for civil society organisations and issue communities on how to exercise the right of access to information and how to integrate the right to know into research and advocacy strategies. For more information write to training@access-info.org

About Access Info

Access Info Europe is an international human rights organisation, based in Madrid, which works to promote a strong and functioning right of access to information in Europe and globally.

Access Info's goal is for the right of access to information to serve as a tool for defending civil liberties and human rights, for facilitating public participation in decision-making, and for holding governments accountable.



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THE AID TRANSPARENCY TOOLKIT

I. INTRODUCTION

Every year the world's richest countries spend millions to help people in the world's poorest countries get out of poverty. This international aid money is spent on food, on schools and hospitals, on reforming systems of government. The goal is to fight poverty and promote sustainable development. There is much debate over how well this money is spent. Without full transparency, members of the public cannot judge for themselves. Without information it's impossible for people living in developing countries to have control of their futures.

The right of access to information, which is now recognised as a fundamental human right, gives people the right to obtain information held by government bodies. We all have the right to know what the government is doing and how public funds are being spent. Since aid projects are funded by taxpayers in donor countries, the right of access to information should apply to all information about aid, with only limited exceptions. This right is not just for those in donor countries, it is a right for all. In the interlinked, globalised world in which we live, aid money is our money and it affects our future. Therefore we have a right to know whether it is being spent on the right things. We have the right to ask questions such as "Is aid effective?" or "What real difference is it making?" This **Aid Transparency Toolkit** is designed to help people who are interested in getting the answers to these questions.

1. About this Toolkit

The Aid Transparency Toolkit is a guide for civil society working in the aid world, for people in donor and recipient countries, and for anybody else who wants to get **information from donor countries** about their activities, budgets, projects, evaluations and other information related to the delivery and implementation of aid.

This toolkit explains the basic stuff you need to know about how to use the right of access to information in countries which have access to information laws (which is more than 80 countries worldwide, [click here for a full list](#)). As a starting point we have focused on how you can get information from public bodies in donor countries. The same principles of the right to know apply to aid recipient countries, but, as many of these are developing democracies, not all have access to information laws in place yet. Given the importance of aid transparency, Access Info is campaigning to increase the proactive publication and dissemination of information about aid in these countries. In addition, all countries are encouraged to establish mechanisms whereby people can request and receive information about aid, whether as stand-alone rules or part of a full access to information law.

2. Applying the Right to Information to the Aid Sector

Without information, neither recipients nor donors know how much money is being spent on aid in any particular country or sector, nor when funds will be available. This lack of knowledge opens the door to inefficiencies, to ineffective use of existing resources, and to corruption.

Without information, people in aid recipient countries cannot engage in decisions on the spending of aid funds. Without information, taxpayers in donor countries cannot hold their governments accountable for the promises they have made to give more and better aid.

Access Info's campaign on Aid Transparency aims to close the information gap. Our goal is to make more information available so that, armed with more and better information, citizens and their representatives in both recipient and donor countries can engage in planning, tracking and evaluating aid. Greater transparency will make aid more accountable and responsive to the needs of people.

One of the ways YOU can open up the aid world and promote transparency for effective aid is to exercise your right to information ...

II. STEP-BY-STEP GUIDE TO THE RIGHT OF ACCESS TO INFORMATION

1. What is access to information?

Public bodies are elected by people – which means by us, by you and me - and sustained by our taxes, which is why we all have a right to know what they are doing with that power and that money. This is what access to information is all about: it's about our right to ask and our right to know.

The right of access to information is the right to know what the government is doing ... it is the right of the citizen to know what the government knows

In a democracy it is essential that people can access a wide range of information in order to participate in a real and effective way in the matters that affect them. That means not just participating in elections but also participating in public debate and decision-making between elections, and in order to participate in a meaningful way we need information.

Government bodies hold lots of information of various kinds on behalf of the public. This information "belongs" to the people who elected them and who pay their salaries: the taxpayers. That's why we all have the right of access to this information in the hands of the public bodies as "servants of the people".

This right of access to information places two key obligations on governments. First, there is the obligation to publish and disseminate key information about what different public bodies are doing. Second, governments have the obligation to receive from the public requests for information and the obligation to respond, either by letting the public view the original documents or receive copies of documents and information held by the public bodies.

With the rise of the internet it has become increasingly easy for public bodies to make the information they hold available at the click of a mouse: documents can be uploaded onto websites and entire databases can be released to the public, who can take them, process them, and add value by making further use of the information which has been generated using public funds.

So, access to information is a right with two parts to it:

a. Proactive:

The positive obligation of public bodies to provide, to publish and to disseminate information about their main activities, budgets and policies so that the public can know what they are doing, can participate in public matters and can control how public authorities are behaving.

b. Reactive:

The right of all persons to ask public officials for information about what they are doing and any documents they hold **and** the right to receive an answer. The majority of information held by public bodies should be available, but there are some cases where the information won't be available in order to protect privacy, national security or commercial interests.

2. What is transparency? Is it the same as access to information?

People often talk about access to information and transparency in the same breath, what is the difference?

A government is transparent when the great majority of the information that it holds about its activities, policies, etc., is available to the public. Therefore, **transparency** is the result of information being available.

A transparent public body is one that is characterized by visibility or accessibility of information by people. Usually, this means not only that the public body is good and fast at answering requests for information from the public, but also that they publish a large amount of information without the need for requests, for example by publishing on their internet site and in official journals as well as in user-friendly leaflets and reports.

It doesn't really matter too much if the words "transparency" or "access to information" are used, as the result is similar, but it helps to be specific.

In the 18th century the word "transparency" to describe open government was used in the works of political philosophers such as Jean-Jacques Rousseau (1712-1778), who promoted transparency of government, proposing that all public officeholders should operate "in the eyes of the public" and even wear a uniform so that they could never be anonymous.

3. I've been thinking: is access to information really a human right?

Yes! The right of access to information is a fundamental, universal human right.

And it's not just us saying this: there are plenty of decisions by national and international courts confirming that access to information is a human right.

The strongest decision comes from the Inter-American Court of Human Rights which in September 2006 said:

- Article 13 of the American Human Rights Convention protects the "*right of all individuals to **request** access to State-held information ...*"
- there is a "***right of the individual to receive such information and the positive obligation of the State to provide it ...***"

The European Court of Human Rights also confirmed (in 2009) that there is a right of access to information held by public bodies, especially when these bodies are the only ones who hold this information and when the information is needed for civil society organisations to perform their work holding governments accountable.

This right is also recognized in many international and regional treaties and conventions on human rights. In the majority of the cases it is recognized within the right to freedom of expression, which includes the right to seek, receive and impart information and ideas.

If you are interested in the human rights treaties, check out the following (you can click on each title for more information):

Universal Declarations of Human Rights - Article 19
International Covenant on Civil and Political Rights (ICCPR) - Article 19
American Convention on Human Rights - Article 13
European Convention on Human Rights - Article 10
Declaration of Principles on Freedom of Expression in Africa - Article IV

Constitutions that guarantee the right: In addition, many countries have recognized the right to information or access to administrative documents in their constitutions, either within the right to freedom of expression or separately as a stand-alone right of access to documents or access to information. At least 51 countries around the world have Constitutions which make this clear.



Have you ever read your country's constitution?

If you want to know more, visit the website www.Right2INFO.org. There's lots of legal stuff there and you can find extracts from Constitutions from around the world.

4. Can I have access to documents or to information?

Some laws refer to “access to information” and others to “access to documents”. Normally the definitions overlap and both are very wide concepts and include many kinds of formats on which information is held (including photographs, videos, DVDs, etc.)

In the chart below you can see whether the access laws of some major European donor countries plus the European Union refer to information or documents. As noted, in practice there is a little difference but it can be useful when writing your request to ask for “documents” or “information”.

Country	<u>Documents</u>	<u>Information</u>
European Union	♦	
Austria		♦
Belgium	♦	
Denmark	♦	
Finland	♦	
France	♦	
Germany		♦
Ireland		♦
Italy	♦	
Netherlands	♦	
Norway	♦	
Spain	♦	
Sweden	♦	
United Kingdom		♦

See www.access-info.org for more detailed information

5. What about inter-governmental organizations?

Many inter-governmental bodies hold information about aid and play the role of donors, often channelling funds from donor to recipient countries. These bodies include the World Bank, the Inter-American Development Bank, the African Development Bank Group, the Asian Development Bank, the European Bank for Reconstruction and Development and the United Nations Development Programme.

There is still a lot of discussion about whether the right of access to information applies to intergovernmental organizations because they are outside the scope of national laws and also do not sign international human rights treaties. Thanks to the work of campaigning groups such as the Global Transparency Initiative, many of the key inter-governmental organizations

that are active in the aid world do have internal rules which are a bit like national access to information laws. These are called “disclosure policies” or “access to information policies”. For more information visit the Global Transparency Initiative website: www.ifitransparency.org.

6. But can I get access to all information (or documents) held by public bodies?

No. The right of access to information is **not an absolute right**. There may be some small quantities of information that public bodies hold that would cause harm if they were released, at least if released at this point in time.

For example, to release all information about an ongoing police criminal inquiry might harm the possibility that the police will catch the criminal suspect. After the enquiry is finished and the criminal arrested, the information could be released.

This is an example of information being withheld to protect what is known as a “legitimate interest” To justify withholding information public bodies must demonstrate that there would be harm to a predefined interest specified by law.

These common grounds for exceptions found in access to information laws fall into the following three groups:

1) Exceptions to protect state interests:

- Protection of national security and defence of the state
- Protection of international relations;
- Protection of public safety or public order;
- Protection of the economic, monetary and exchange rate policies of the state;

2) Protections aimed at ensuring effective government:

- protection of internal deliberations within public authorities prior to decision-making – this is known as the “space to think” exception;
- Protection of criminal investigations;

3) Exceptions to protect private interests, human rights and other rights:

- Protection of privacy and other legitimate private interests;
- Protection of commercial and other economic interests, such as protecting trades secrets or the ability of a private company to compete effectively in the marketplace;
- protection of the environment [such as locations of endangered species];
- guaranteeing the equality of parties in court proceedings or the effective administration of Justice

Wow! All these reasons? This seems like a long list, and can be a bit off-putting, but if properly applied, only a small percentage of all the information held by public bodies should be exempted from disclosure. And even when a document contains some sensitive information, some or all of it may still be released because the public body has to consider two other key factors which are detailed below:

(i) Partial Access or “Give me the non-sensitive stuff!”

Even if an exception applies, that doesn't mean you can't get any information. In most countries, public bodies are obliged to black out or otherwise remove the sensitive information and give you the rest of the document. If the information is in electronic form, then the sensitive information can be removed, but in that case the public body should tell you that they have done some “editing” and mark where that was and they should justify in detail why it was necessary. Check with the public authority if partial access is possible in your country.

(ii) Exceptions to Exceptions: When Transparency Trumps Secrecy

Sometimes information may be a bit sensitive but it is really important to make it public so that we know how the government is working or how our taxes are being spent.

For example, information about a contract between a public body and a private contractor will contain information about the money paid for the services of that contractor. If the contractor offered the government a very low price for its services, they might not want to disclose that information as it would hurt their ability to negotiate a higher price with other clients in the future. But on the other hand, the public has a right to know how public funds are being spent, and there is a strong public interest in knowing that taxpayer's money is being used properly, so the information should be disclosed.

In this kind of example, public officials have to apply what is called the “**public interest test**”. They have to consider the exceptions, and the possibility of not releasing the information, and then they have to consider the public's interest in knowing the information. Many access to information laws have this kind of test built into them. In other case the Information Commissioner or Courts will consider the public interest when there is an appeal. In a well functioning access to information regime, there will be many cases when transparency overrides secrecy.

7. Are all bodies that engage in funding and delivering aid obliged under this right?

In theory, yes, they should be. In the major donor countries that is normally the case but in fact there are one or two exceptions. That's why campaign for greater aid transparency is needed: we have to make sure that all public bodies respect our right of access to information.

All central government ministries are covered by the access to information laws of the major donor countries. These laws also cover the aid agencies in the majority of cases.

It is unusual for private contractors and non-governmental organizations to be obliged under national access to information laws, which is why under Access Info's Aid Transparency Campaign we are calling for them to respect the right of access to information on a **voluntary basis**. But that doesn't mean that you can't find out information about these bodies: where public funds are involved, reports should be filed with the relevant governmental body and you can request copies of these reports.

III. HOW DO I GET INFORMATION ABOUT AID?

1. Where do I start looking?

TIP! Before you file a request for access to government information, it's a good idea to check if the information has already been made public. If it has you will save yourself (and the public body) time as you won't have to file a request and wait for an answer. But if you can't find the information easily, jump ahead to the next sections on how to file a request.

You remember that this publication of information is called the "proactive" part of access to information:

Proactive: There is a positive obligation of public bodies to provide, to publish and to disseminate crucial information about their activities, policies, staff, budget to the public even if no request has been made.

In most countries the law requires **proactive publication** of some basic information about the responsibilities, budgets, and activities of public bodies. There are many different ways of making information public, including by posting it on the websites of public bodies, free brochures, reports available in public libraries, or posters on local municipality notice boards.

Access Info's research shows that there is still far too little information about aid that is disclosed automatically by aid donors, which is why we are campaigning to change that. (See Access Info's October 2009 report [Not Available! Not Accessible!](#)). Box A gives a list of the information that we believe should be published without the need for the public to file requests. In the meantime, some government aid bodies, particularly those engaged in the International Aid Transparency Initiative (see www.aidtransparency.net) are making increasing amounts of information available.

a. Internet Research

The aid information that is currently available from donors is often published on each aid agency's website and sometimes on the websites of Ministries of Foreign Affairs.

You can also search for some financial information on specific aid databases. There are two main ones. The Development Gateway's AiDA database is the largest online directory of development activities, and can be found here: [AiDA](#). The other main source of information is the OECD's Development Assistance Committee's (DAC) database here: [DAC database](#).

TIP! You might want to try using a search engine such as Google, Yahoo, or a search engine popular in your region as sometimes useful documents can be found in unexpected places.

TIP! Try searching in other languages than your national language. Some useful information might be found in English or other languages in reports submitted to donor countries, or in reports written by international NGOs or think tanks.

BOX A

Principle 1. Information on aid should be published proactively

Public bodies engaged in funding and delivering aid, and those who deliver aid on their behalf, should proactively disseminate information on their aid and aid-related activities. They should develop the necessary systems to collect, generate and ensure the automatic and timely disclosure of, at a minimum, information on:

- **Aid policies and procedures** including clear criteria for the allocation of aid;
- **Aid strategies** at the regional, country and local; and programmatic, sector and project levels;
- **Aid flows** (including financial flows, in-kind aid and administrative costs), including data on aid planned, pledged, committed and disbursed, disaggregated according to internationally agreed schema by region, country, geographic area, sector, [disbursement/delivery] modality and spending agency;
- **Terms of aid**, including aid agreements, contracts and related documents, for example, information on all conditions, prior and agreed actions, benchmarks, triggers, and interim evaluation criteria; and details of any decisions to suspend, withdraw or reallocate aid resources;
- **Procurement** procedures, criteria, tenders and decisions, contracts, and reporting on contracts, including information about and from contractors and sub-contracting agents;
- **Assessments of aid and aid effectiveness** including monitoring, evaluation, financial, audit and annual reporting;
- **Integrity procedures**, including corruption risk assessments, declarations of gifts and assets, complaint policies and mechanisms and protection of whistleblowers, details of their own transparency policy if they have one;
- **Public participation**: opportunities for public engagement in decision-making and evaluation, consultative/draft documentation, copies of submissions to the consultation processes, and reports on how inputs were taken into account;
- **Access to information**: organizational structure, contact information and disclosure mechanisms and policies

The only restrictions on the proactive publication of this information should be based on limited exceptions consistent with international law and subject to consideration of the public interest in the disclosure of information.

All public bodies engaged in aid, in donor and recipient countries, should publish an index of the classes of information that they hold, and wherever possible these should be organised so that all the documents linked to a particular country, programme, or project can be identified.

b. Telephone Research

It can be useful to make a phone call to the relevant public body to ask where you might get the information you are looking for. In some countries public officials are very used to receiving phone calls asking for information and can be very helpful. And remember, if you try to make a phone call and it turns out to be a frustrating experience, you can still try filing an access to information request.

TIP! In countries with access to information laws it's not acceptable and it's often illegal for the public official to ask you who you are or why you want the information. Just be confident of your rights, be polite and clear, and don't feel that you need to explain yourself beyond stating your name. If the public official insists on asking why you want the information, you can just answer "because I am interested in reading it". On the other hand, if you are a journalist, civil society representative, academic or student and you are doing some research, you might want to say a little bit more, but always remember that you don't have to and you certainly don't have to give detailed explanations about what you will do with the information.

TIP! If you are given information on the telephone, always ask for a written confirmation of it. This is particularly important if your phone call has been put through to a spokesperson or media relations officer as these people have the job of putting a public relations "spin" the information. Just ask politely but firmly if the facts or figures you have been given could be sent to you by e-mail or dropped into the post. Remember, it's your right to have the information in writing. If there is some reluctance to do this, just tell the official that you will follow up by submitting a formal request for information – sometimes this is enough to get them to send you the relevant documents immediately!

c. Visiting libraries and government information offices.

If you live near a public library or a government information office, you might try visiting them to see if they hold or can help you find the information you need. If you are not sure where to begin looking, speak to a librarian or administrator.

Public libraries increasingly have computers with **internet access**, which can be useful if you don't have an internet connection at home or if your organisation has a slow connection.

Not found what you are looking for? If all these attempts to find the information have failed, it's time to file a request for information.

Remember: if the information is in fact already published, the obligation is on the public body to tell you where to find it, so there's no need to be embarrassed about asking for information that you think should be published just because you couldn't find it.

2. How do I make a request for information?

Remember that you have the **right to ask** the government questions and the government has to respond, they have to “react” ... because it's your right to know! They may not always give you information (because there are some exceptions, so on occasions they can refuse to give you all the information you asked for), but they always have to answer your request.

The **reactive** dimension of the right of access to information is the one which gives every person the right to present to the governments **requests** for certain information, whether it has been published or not by the public body. And the government has an **obligation** to reply.

In this section we guide you through filing a request step by step. We are focusing here on how to file requests for information held by donor countries, as most of the major donor countries have access to information laws or access to documents laws.

a. Who can make a request?

Anybody can make a request for information regardless of their nationality. This right is a right of all individuals and not only citizens or residents of donor countries. For example, if you are a national of a recipient country you file a request for specific information about the aid delivered by a donor country.

Remember: There is also no need to justify your interest in the information nor to answer questions about the reason for asking for the information, nor do you have to give detailed answers to questions about who you are or what you will do with the information.

Note: A few countries still don't respect this rule. For example: in Canada only citizens and residents can request information, and in Spain the law says that only citizens can request information, although in practice in some cases information has been given to others as well. In Italy you have to state why you want the information and to show you have a direct interest in the information. Also in Finland and Sweden you can be asked why you want information if it is particularly sensitive data that might be subject to an exception on grounds such as national security. *But these are the exceptions that prove the rule:* in general you don't have to give reasons for asking and if a public official asks for those reasons, he or she may actually be breaking the law!

TIP! In some countries NGOs, associations, or businesses can file requests for access to information. In other countries only individuals can. So, if you want to exercise your right to know you should check your national law first. If the law says only individuals can request but you are doing it for work reasons, you could always send a letter on your organisation's letterhead, or mention in the e-mail that the organisation is interested. In some countries, NGOs tend to get faster answers and more information than individuals – this is not how it should be, but it's a reality in practice.

b. What information can I ask for?

You can ask for almost anything! There is a general principle of maximum disclosure; this means that all information held by public bodies should be public and accessible. Therefore, if an exception applies, it is the public body the one that has the duty to prove this. So go on and start making requests today!

You might want to ask for statistical information or for information on policy positions of the public body. The general rule is that if the information exists (if it is recorded in any format in one or more documents or in a database) you have a right to access it.

BOX B

Information about aid you might want to ask for and which should be public

There is a lot of information about aid that you might be interested to ask for, for example:

- **Organizational structure** and staff directory of the main aid institutions in donor countries;
- **Strategy information** such as information about current strategy, or regional, countries and sectoral strategies;
- **Budget data:** A country or an institution's annual budget data. This might include accounts for the previous year(s), the planned aid budget for the current year, periodical reports on actual expenditures of the institution as a whole, as well as the operational expenditures of individual departments or projects.
- **The annual report** and other financial and narrative reports of a public body that is engaged in funding and delivering aid.
- **Evaluations** on the effectiveness of aid funds disbursed;
- **The real numbers:** how much aid was promised and how much money was actually spent?
- **Information about recipient countries:** what is that country's poverty reduction strategy or sectoral development strategy, for example.
- **Copies of agreements** between donors and recipients, or copies of public procurement contracts with third parties that deliver aid such as NGOs or private contractors.
- **Grants:** Information on grants-related to project aid and other grants to civil society groups- with details of the time frames for applying, criteria for selection;
- **Participation:** opportunities for you to comment on aid policies as well as information on consultation with civil society and other stakeholders in the recipient country;
- **Corruption Prevention:** what is the public body doing to prevent loss of money to corruption, what are the Corruption Risk Assessments for the aid projects, what mechanisms have been implemented to stop public money being lost to corruption?

... all this information and more should be available from donor governments.

Remember: There is also no obligation for you to check if that information is already available or published, but if this is the case the public body must indicate where you can find that information. As we noted above, you might want to check easily accessible public sources such as the website before filing your request – that will save you and the public body some time.

TIP! Anticipate the exceptions

Ask yourself if any of the information you are looking for might fall under one of those exceptions we mentioned in Section II. Could *the public body try to restrict access to that information on political grounds?* If you think it might, there are two things you can do:

1. When preparing your requests, separate potentially sensitive information from other information that common sense would say should not fall under an exception. Then split your request in two and file the two requests separately.

2. Before you file a request, it is also worth planning how you will react if you don't get the information, especially if you suspect that there may be some resistance to giving out the information. There are a number of strategies you can use:

- Announce in advance that you are filing the request – this strategy puts the government under pressure to answer;
- Let NGOs and journalists know that you are filing the request and that you will let them know what the answer is;
- Plan how you will mobilise your supporters if your request is denied;
- Depending on the context in your country, international actors such as influential inter-governmental organisations can be helpful in putting pressure on the government to release information;
- Talk to the legal experts working with your organisation or with the local freedom of information NGO and get their advice on how to appeal if the information is denied.

The logo for FOIANet, with 'FOIA' in blue and 'net' in a lighter blue.

If you are looking for an expert access to information organisation, one of the first places to start is the Freedom of Information Advocates Network, whose 160 members organisations worldwide are all listed on the website www.foiadvocates.net

c. Where can I make my request?

In most countries you do not have to find out by yourself which public body has the document or information you are asking for or which is the competent body. Most of the Access to Information laws establish the obligation to transfer or refer information requests to the correct public body which actually holds the information.

But, in order for you to save time and to make sure your request does not get lost in the transfer between public bodies, it's worth trying to file with the right body. This might mean that you do a bit of research in advance to find out which body holds the information you are looking for.

Example: in Norway funding for programmes in Kosovo is done by the Ministry of Foreign Affairs and not by Norad. So it would make sense to file a request for information about programmes in Kosovo with the Ministry. This information was found by checking the relevant websites.

If you search and you can't find out who holds the information, then send your request to the public body you think would have the information or document you want (Aid Agencies, Ministries of Foreign Affairs, etc.). The worst that can happen is that they answer you and say they don't hold the information, in which case you can try a different body.

TIP! If your information request is urgent and you are not sure who holds the information, there is nothing to stop you filing the request with two, three or more bodies at the same time. In some cases, the various bodies will give you different answers, but this can actually be helpful in giving you a fuller picture of the information available about what you are looking for.

Note: Almost all donor countries establish in their ATI Laws the duty of public officials to assist requesters, so if you have any doubts don't hesitate to ask for help.

TIP! If you are not in the donor country you can refer your request for information to the donor's embassy and they should transfer it to the competent public body.

TIP! In many cases donor countries aid agencies have offices in the recipient countries, so you can also address your request to these offices.

Access Info Help Desk: If you are in an aid recipient country and you are having problems submitting your request for information, please do not hesitate to contact us.

[Click here to write to the Access Info Help Desk.](#)

d. How do I make my request?

In general, to file a request is very simple and there are not many formalities. In most cases you can file your request both written and orally, and in case you file them in writing you can do it also by email.

Of the major donor countries listed in Annex I, the only two where you cannot make an oral request are Belgium and the UK, which only permit written requests.

In case of written requests you can send it by email, by post, fax or also deliver it in person. In case of oral requests you can do them either by phone or personally.

TIP! We advise you to make your request in writing and to save a copy or a record of it so that in the future you are able to demonstrate that your request was sent, in case you need to make an appeal against failure to answer, for example. There are a number of ways that you can do this:

- If you deliver the request by hand, take two copies and get one of them stamped
- If you send it by post, we suggest using recorded or registered mail
- If you send an e-mail, do it with a receive or return receipt, but be aware that in many countries this is not yet a legal proof like a formal record of delivery by mail. In some countries public authorities are required under the access to information law to issue a reference number to confirm that they got the e-mail, this is the case in the UK for example. It is worth checking what the law is in your country: Is a simple e-mail a legal document? Is there a system for electronic signatures?

e. What should I say in my request?

We recommend that your request is clear and specific about the information or documents you are looking for. In most cases it is not necessary to identify a specific document by any formal reference (Italy is an exception to this rule). Try to have in mind the job of the public official who has to answer you and try to help him or her identify the information and not have a reason to reject your request for not being clear.

In the first requests you send, it's a good idea to keep the requests relatively simple. That way you have a better chance of getting a quick answer and you can always make follow-up requests if necessary.

You don't have to mention the access to information law or freedom of information act but this can be useful because it shows you know your legal rights.

Use language and etiquette appropriate to any other professional communication in your country. Here is an example of a typical information request:

Dear Sir/Madam

I am writing to request the following information under the Law on Access to Information (2004):

* The total amount of money spent during each of 2006, 2007, 2008 on vaccinations for children under the age of 10 years old. I would like this information broken down by year and if possible by month.

* The total number of children vaccinated in each of 2006, 2007, 2008 under the government's new "Vaccines for All" programme.

I would prefer to have this information electronically sent to my e-mail address which is given below.

If you have any questions or need to clarify this request, please do not hesitate to contact me.

Yours faithfully,

Jane Smith

15 Old Town Street, Capital City

e-mail: jane@janesmith.com

f. What information about myself do I have to give?

Your name and address are usually required, and it's a good idea to give your e-mail address if you want the information electronically or if you live outside the country where you are requesting the information. It's also a good idea to give a phone number in case the public official wishes to contact you to clarify your request: that could speed up the process of getting the information.

In some countries there is no obligation to identify yourself with a real name (anonymous requests), although we advise you to provide your name and some address or contact details so that there is no obstacle to receive the information or documents requested or in case the public authority needs any clarification to answer your request.

TIP! If you live near where the information is held (for example you live in the capital where the documents are kept), you can also ask to inspect original documents. This can be helpful when researching information that might be held in a large number of documents and you'd like to have a look through them. Such inspection should be free of charge and should be arranged at a time that is reasonable and convenient for you.

Remember: you don't have to explain why you want the information nor what you will do with it.

g. Do I have to pay a fee to ask for information?

Filing your request for information should always be free of charge (in a few countries this is not the case and there is a small fee. Ireland and Canada are examples).

You can ask the public body to send the information either to your postal or your electronic address. If you ask for paper copies sent by post there may be charges for photocopying and the postage costs. Electronic delivery should be free.

In some cases you will be asked to pay a fee for receiving information in another format (like copies, DVDs, etc.) and in most cases the authority is not allowed to charge more than the actual cost of copying or reproduction of the information in to any given format.

The fee charged for photocopying, postage or for materials such as a CD or DVD should be according to already published rates. If you suspect you are being charged too much, raise a concern with the public body and/or with the ombudsman or information commissioner.

h. How will I receive the information?

You can get access to the requested information in different formats: inspection of originals, photocopies, e-mails, attachments to e-mails, DVDs, CDs, etc. In almost all cases you can specify the format you prefer and you have a right to receive the information in that format, unless it is impossible or too expensive. For example, the cost of transcribing a police training video is high and so it is unlikely that you would receive a transcript even if you requested it, but you should be able to get the video in any case.

TIP! In your request state politely which format you prefer. If you want information

electronically, make sure to give your e-mail address. The advantage of electronic information is that it usually saves you from paying the photocopying and postage fee.

i. When will I receive the information?

Countries have different time frames for answering requests or providing information, for notifications of extensions or issuing refusals, which go from as soon as possible to 1 month.

The countries with the fastest responses are Norway and Sweden where the access to information laws do not establish a time frame but, in practice, requests are answered within 3 days. In Norway administrative silence can be appealed after 2 weeks. At the other end of the scale, the only country in Europe where the timeframe is longer than 1 month is Spain where the administrative law gives 3 months for answering requests.

Extensions in case of complex requests: Most countries permit public bodies to extend the timeframes for a few days or up to a month if the request is particularly complex. In all cases the requestor should be notified of the delay and the reasons should be given.

TIP! In all countries, it is better to start with a simple request for information and then to add more questions once you get the initial information.

3. What happens if I don't get the information I asked for?

If you don't get the information that you asked for, then you always have right to appeal. There are normally at least two stages of appeal.

The first stage is to appeal to the body which refused to give you the information or which failed to answer you. You should check what your national access to information law says, but normally the appeal letter can be sent to the head of the institution. In countries which have good access to information laws, there will be a simple and clear system for filing appeals. The second stage of appeal is either to the courts or – if your country has one – the information commission or commissioner.

TIP! If you are not sure what to do for the first stage of appeal, you can contact the office of your information commission/commissioner and they will be able to help you. If you don't have such a body, try phoning the institution and asking them. If you still are having problems, then let Access Info know about it and we will try to help you, for example, by giving you the contact of an NGO or lawyer in the country.

Access Info Help Desk: If you have filed a request for information and it has been ignored or denied, we'd like to hear about it. We are interested in cases where people in aid recipient countries are having difficulty getting information from donor countries. We will try to find a way to help you, for example by giving you advice on how to appeal or finding an access to information expert or lawyer in your country.

[Click here to write to the Access Info Help Desk.](#)

Transparency of International Aid Funding:

The right to ask ... the right to know

Every year the world's richest countries spend millions of taxpayer's money to help people in the world's poorest countries get out of poverty. This international aid money is spent on food, on schools and hospitals, on reforming systems of government. The goal is to fight poverty and promote sustainable development. There is much debate over how well this money is spent. Without full transparency, it is impossible for members of the public to judge. And without information it's impossible for people living in developing countries to have a say in how their futures and their children's futures are being decided.

In the interlinked, globalised world in which we live, everyone has a stake in how aid money is used: it is our money and it affects our future. We therefore have a right to know how the strategies, activities, and impact of international development programmes. Access Info Europe, a human rights group specialising in the right of access to information, developed this "Aid Transparency Toolkit" to help anyone interested in knowing more about how aid works and where the money goes to get the answers to their questions. Our goal is to empower taxpayers in donor country and citizens in developing countries to use their right of access to information to contribute to ensuring that aid projects contribute to achieving sustainable development.

