



# ■ WeBER Indicator Summary

AREA: ACCOUNTABILITY

## SERBIA

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<b>PAR Area</b>	<b>ACCOUNTABILITY</b>	<b>Country</b>	<b>SERBIA</b>
<b>SIGMA Principle</b>	<b>2. The right to access public information is enacted in legislation and consistently applied in practice</b>		

<b>WeBER Indicator</b>	<b>ACC_P2_I1: Civil society perception of the quality of legislation and practice of access to public information</b>
<b>Indicator approach</b>	
<p><i>This indicator focuses on the scope of right to access public information and if enforcement is enabling civil society to exercise this right in a meaningful manner. The entire indicator is based on an online perception survey, which is conducted widely among the civil society in each country, given that civil society organisations have vast experience in the application of the freedom of information legislation and rely on it strongly in their work. As representativeness of the sample is almost impossible to achieve, researchers ensure wide dissemination to various sectors and types of organisations, nation-wide.</i></p>	
<b>Summary of the findings</b>	
<p><i>Around quarter of surveyed CSOs (23.4%) either agree or strongly agree (1.9%) that public authorities in exercising their activities record sufficient information which enables the public to fulfil the right to free access of information of public importance. The same percentage of agreement occurs when asked whether the legislation prescribes adequate exceptions to the public character of information produced by public authorities, however with considerable number of surveyed CSOs stating they do not know if that is the case. Significantly lower level of agreement is recorded when reflecting on the statement whether these exceptions are adequately applied in practice – 10.7%, with again high number of “do not knows”.</i></p> <p><i>Out of those surveyed CSOs who have sent freedom of information request in the past year, almost a half replied that provided information is in the requested format with always or often (47%). Similarly, 44% of CSOs replied the same that information is provided within prescribed deadlines. A huge increase in responses stating often or always, pertains to the statement that information received based on freedom of information request is provided free of charge, just above 75%. Moreover, that the person requesting access to information is asked to provide reasons for such a request high percentage of 51.8% of surveyed CSOs answered rarely or never, yet with still around 12% of CSOs who have exercised this right stating often or always. Furthermore, when requesting access to information that contains classified materials, only 18.5% surveyed CSOs state that non-classified portions of these materials are often or always released, with almost half of CSOs who did not know (47%). When it comes to access to information containing personal data, there is a tangible increase in percentage of those CSOs stating that portions not containing personal data are released (34.6%), with once again prevailing percentage of “do not know” answers (44%). Following on the same subject, just about 20% of surveyed CSOs state either never or rarely that when only portions of requested materials are released, it is done so as to mislead the requesting person with partial information, and roughly 47% responded they do not know.</i></p> <p><i>Lastly, CSOs in Serbia positively perceive the role and actions of the designated supervisory body – Commissioner for Information of Public Importance and Personal Data Protection. That being sad, 79% of surveyed CSOs either agree or strongly agree that the Commissioner sets sufficiently high standards of the right to access public information, through its practice. Also, high percentage of surveyed CSOs either strongly agree or agree that soft measures issued by the Commissioner to public authorities are effective in protecting access to information – 59.3%. On the other hand, extent of agreement is markedly lower among surveyed CSOs when asked if the sanctions prescribed for the violation of right to free access of information lead to sufficiently grave consequences for the responsible persons in the non-compliant authorities, with just above 17% who either strongly agree or agree.</i></p>	
<b>Specific observations</b>	
<p><i>Survey of CSOs was administered through anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). N=183, the base for questions in this indicator was n=158 respondents, and n=81 for CSOs that answered yes to the question "Have you sent a FOI request in the past two years?"</i></p>	

<b>Indicator score</b>	<i>11 (out of 34 points)</i>
<b>Final indicator value</b>	<i>1 (scale 0-5)<sup>1</sup></i>
<b>Measurement period</b>	<i>Survey of CSOs: April 23<sup>rd</sup> – June 4<sup>th</sup> 2018</i>

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<sup>1</sup> Conversion of points: 0-6 points = 0; 7-11 points = 1; 12-17 points = 2; 18-23 points = 3; 24-28 points = 4; 29-34 points = 5.