



# ■ WeBER Indicator Summary

AREA: ACCOUNTABILITY

## KOSOVO

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<b>PAR Area</b>	<b>ACCOUNTABILITY</b>	<b>Country</b>	<b>KOSOVO</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>Survey results showed that barely 21% of CSOs agreed that public authorities, in exercising their activities, record sufficient information to enable the public to fulfil the right to free access of information of public importance. In that regard, while 30.3% of CSOs claim that the legislation prescribes adequate exceptions to the public character of information produced by public authorities, only 4.6% agreed that these exceptions are adequately applied in practice. Out of all CSOs which have practiced their right to FOI in the last two year, almost 40% claimed that provided information is “often” or “always” in the requested format, 42.9% affirmed that information is provided within prescribed deadlines, and vast majority (71.4%) declared that they are provided free of charge. Moreover, CSOs with previous experiences with FOI requests, claimed that upon submitting their request they are most likely required to provide corresponding reasons for such request, with only a quarter (25%) of CSOs claiming to have “never” or “rarely” been asked to do so.</i></p> <p><i>As for the content of the requested information, the majority of CSOs (57%) were not able to answer whether non-classified portion of materials that contain classified materials are released or not. Only 7.2% of CSOs declared so. In addition, roughly 18% of CSOs affirmed that when requiring information that may contain personal data materials, portions not containing personal data of these materials are released. However, a considerable portion of CSOs (39.3%) answered “do not know” when asked whether if public institutions respond accordingly to CSOs’ request. To that extent, whether potential discrepancy between information requested and provided is intentional and is done so as to mislead the requesting person with only partial information, 14.3% of CSOs claim to “rarely” or “never” find this statement to be true, but a striking 46% of CSOs could not provide an actual answer (don’t know). Rather a more positive and promising perception is evident with regard to the standards of the right to access public information set by the 03/l-215 Law on Access to Public Documents, and the effectiveness of soft measures for protecting access to information by the same legislation; 60.7% of CSOs agree with the former, whereas 50% agree with the latter. Yet, in case of the violation of right to free access of information from public institutions, only 21.4 % of CSOs agree that prescribed sanctions lead to sufficiently grave consequences for the responsible persons in the non-compliant authorities.</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=52, the base for questions in this indicator was n=43 respondents, and n=28 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>	<b>10 (out of 34 points)</b>
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<b>Final indicator value</b>	<i>1 (scale 0-5)<sup>1</sup></i>
<b>Measurement period</b>	<i>October – January 2018 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.