

ACCESS TO INFORMATION

The right to ask
The right to know



access
!Nfo

www.access-info.org

What is the right of access to information?

What is the right of access to information?

- The right of the individual to gain access to information held by the public authorities.

How do I access the information?

- Proactive: The public authorities make the information public, for example, on their websites.
- Reactive: I submit a request to a public authorities and they send me the information.

Recognition of the right

Universal Declaration of Human Rights

*Art. 19 – Everyone has the right to freedom of opinion and expression; this right includes **freedom to hold opinions without interference and to seek, receive and impart information** and ideas through any media and regardless of frontiers.*

European Convention on Human Rights

*Art. 10 – Everyone has the right to freedom of expression. This right shall include **freedom to hold opinions and to receive and impart information** and ideas without interference by public authority and regardless of frontiers.*

The right in Europe

EU Charter of Fundamental Rights

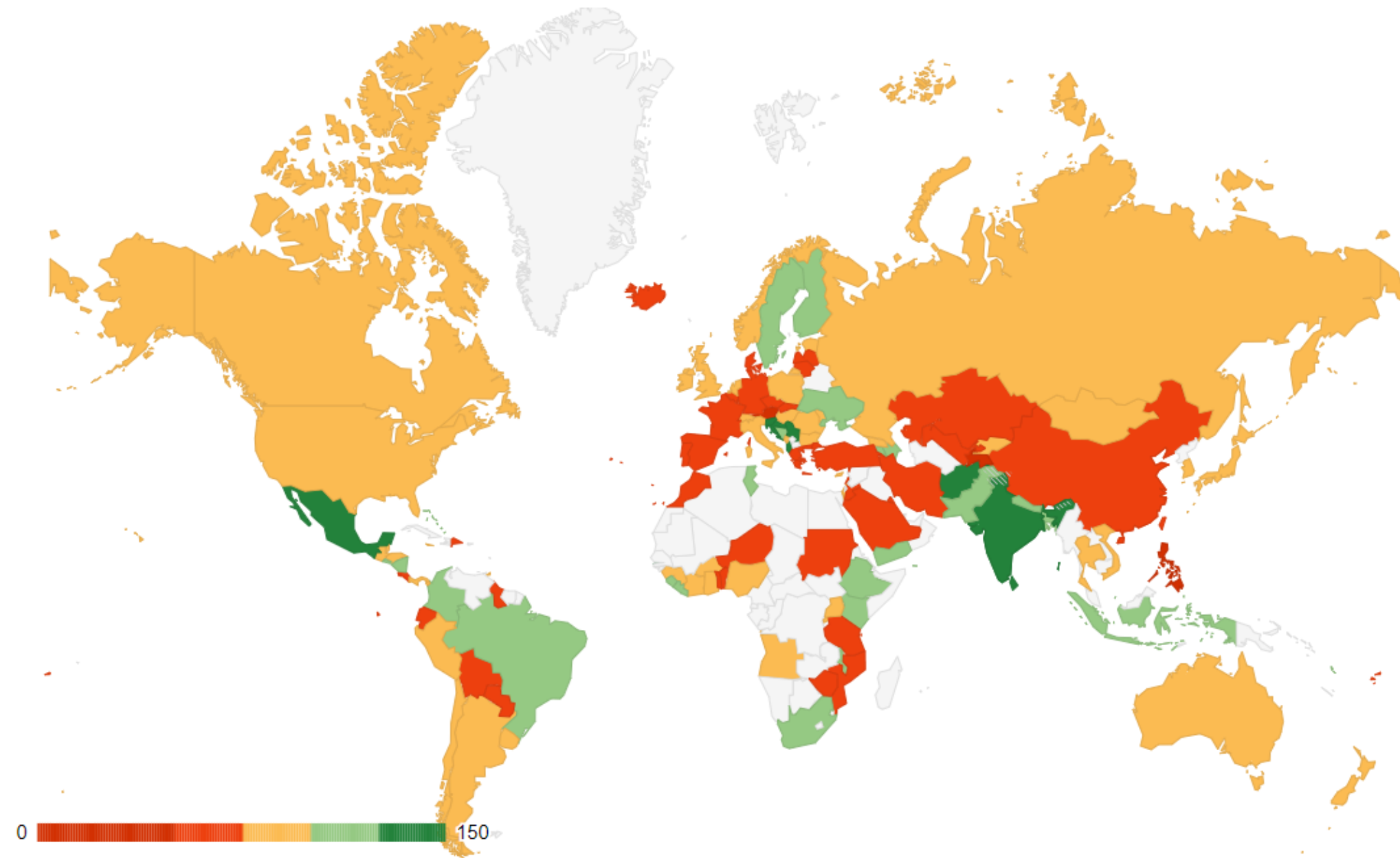
Art. 42 - Right of access to documents

***Any citizen of the Union, and any natural or legal person** residing or having its registered office in a Member State, has a right of access to **documents** of the institutions, bodies, offices and agencies of the Union, whatever their medium.*

Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents

RTI Rating – Find your national law!

- <https://www.rti-rating.org/>



[0 - 50] [51 - 75] [76 - 100] [101 - 125] [126 - 150]

Regulation
1049/2001

What does it
say?

- Right to request '**documents**'.
- It applies to the **European Parliament**, the **European Commission** and the **Council of the European Union** – Other EU bodies have their own internal rules and guidelines for access to documents.
- You have the right to ask in any of the 24 official **EU languages**.
- The EU body should reply in **15 working days**

*All detailed information is available in the '*Guide on Access to EU documents*'

Access to EU documents

- Platform to submit access to documents requests to EU bodies: **Asktheeu.org**:
<https://www.asktheeu.org/>
- It's free of charge!
- It's available in English, French, German and Spanish.
- Alaveteli software.

AsktheEU.org

The screenshot shows the homepage of AskTheEU.org. At the top left is the logo "asktheEU.org" with the tagline "it's your right". To the right, there are language options: "English", "Deutsch", "Español", and "Français", all circled in red. Below the language options is a "Sign in or sign up" link, also circled in red, followed by a search bar with a magnifying glass icon. A green navigation bar contains the following links: "How it works", "Which EU body?", "Make a request", "Browse requests", and "Blog", all circled in red. The main content area features a large banner with a background image of EU flags and a building. The banner text reads "Get answers from EU Institutions" in large white font, followed by "AskTheEU.org is an online platform for citizens to send access to documents requests directly to EU institutions." Below this text are two buttons: a green "Send a request" button and a white "Find out more" button with a red underline.

Alaveteli in EU countries

- Belgium: [Transparencia](#)
- Croatia: [Imamo pravo znati](#)
- Czech Republic: [Info Pro Všechny](#)
- France: [MaDada](#)
- Greece: [arthro5A.gr](#)
- Hungary: [Ki Mit Tud](#)
- Netherlands: [de Wob-Knop](#)
- Romania: [Ia Statul Ia Întrebări](#)
- Sweden: [Handlingar](#)
- Other Alaveteli platforms:
<https://alaveteli.org/deployments/>
- Similar platforms: FragDenStaat in [Germany](#) and [Austria](#)

I want
information,
but for what?

- I'm a journalist, and I need information to verify my story, or to write a new one.
- I'm a student, or a researcher, and I need information to write my thesis.
- I'm a lobbyist, and I need information to participate in the policy-making process.
- I'm a climate change advocate, and I need information to build my campaign.
- I'm a citizen, and I need information to decide my vote for the upcoming elections.
- To identify fake news.

Use Cases

Investigative Journalism with FOI – *Follow the Money on Revolving Door*

Peter Teffer, for investigative outlet Follow the Money, [requested emails and documents via AsktheEU](#), showing that a former director of the European Defence Agency took up a new position as a defence company lobbyist before getting approval from the EU. This violated EU rules, [the investigation](#) revealed in 2020.

Use Cases

Using AsktheEU for National Reporting – *Maldita & the Spanish Mask Tax*

Through an [AsktheEU request](#), Sergio Sangiao and Maldito Dato obtained a letter from the European Commission, which told the Spanish Ministry of Finance that sales tax on face masks could be reduced – seven months before the Spanish government actually lowered the tax rate. The request featured in [this 2020 article](#).

Use Cases

Requests Gaining Media Attention – *Vaccine Negotiations Over SMS?*

Alexander Fanta, netzpolitik.org, [requested via AsktheEU](#) text messages exchanged during the Covid vaccine deals between EU Commission President Ursula Von der Leyen and Pfizer CEO Albert Bourla.

The request was denied, sparking a debate of what is considered a “document” under EU regulation, with the Commission receiving [criticism from the Ombudsman](#). Spiegel International reported on the request in 2021 article [“The European Commission Deletes Mass Amounts of Emails and Doesn't Archive Chats”](#).

Tips for submitting requests

Plan ahead to save time

- Do your background research! Check the national law – can you submit? How do you submit? Is it access to information or documents?
- Be very specific about which documents you want to access.
- Make your request as early as possible – it takes longer than you think.

Tips for submitting requests

Start out with a simple request

- No need to give a reason, just state the information that you wish to access.
- Starting out simple would limit the chance of delay for the public body to extend your request because it is not precise enough or is 'complex'.
- Once you have received an initial response with some information, then it is possible to make more specific or supplementary requests.

Tips for submitting requests

- **Check the rules about fees and ask for electronic documents**
- **State how you would like to receive the information** (by post, or digital copies by email, in machine-readable format, etc.)
- **Keep a record and check the timelines**

Tips for submitting requests

Show that you know your rights!

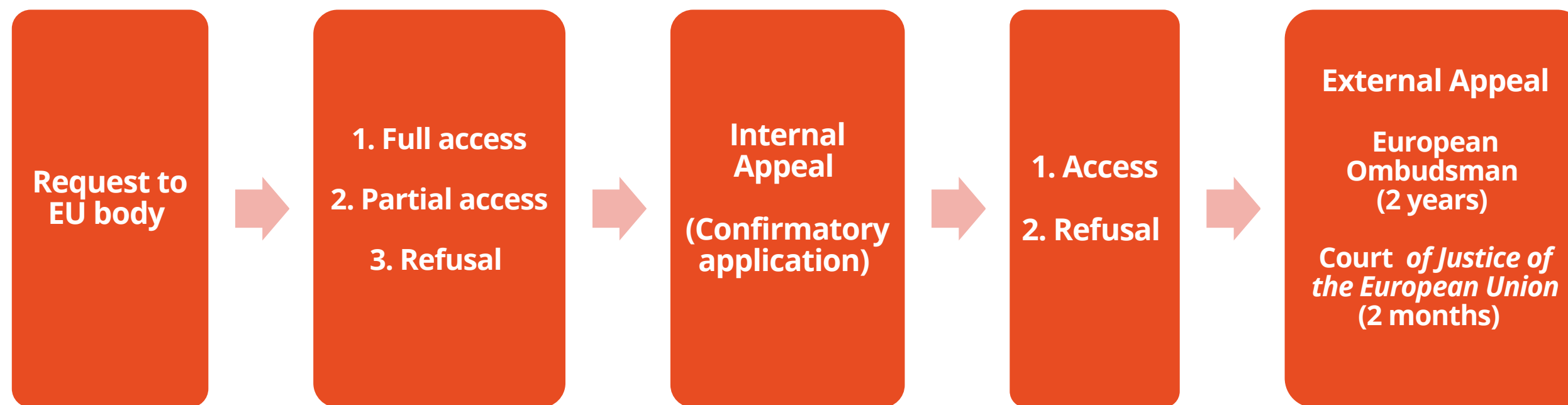
- It is recommended to cite an access to information law or freedom of information act in your request.
- Use language and etiquette appropriate to any other professional communication in your country.

Example:

*Dear European Anti-Fraud Office,
Under the right of access to documents in the EU treaties,
as developed in Regulation 1049/2001, I am requesting
documents which contain the following information:*

How to appeal

Appealing at the EU level



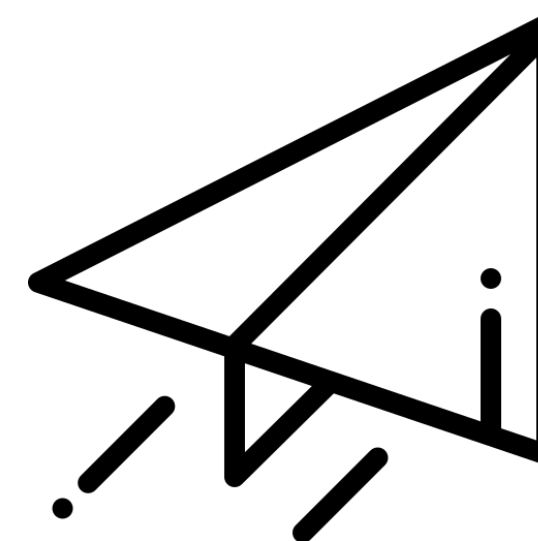
Did you
pay
attention?

Let's play!



Creating your request

1. Sign up on AsktheEU.org
2. Decide what do you want to ask
3. Choose to whom you will ask
4. Start your request
5. Use the template
6. Submit it!



...Or
find the
information
you want!

asktheEU
it's your right .org

English Deutsch Español Français

Sign in or sign up Search

How it works Which EU body? Make a request **Browse requests** Blog

Browse and search requests

Keywords

Made between

 and

all requests

successful requests

unsuccessful requests

unresolved requests

Search

Follow these requests

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Latest

[Browse latest responses →](#)

[Browse latest requests →](#)

About 11000 FOI requests found

Trilogue plan Fisheries Control Regulation

Response by Council of the European Union to Greta Rosén Fondahn on April 27, 2022.

 Awaiting classification.

Please find attached a letter from the General Secretariat of the Council concerning your request for access to documents. Yours sincerely, ...

Meetings between Director-General Henrik Hololei, their cabinet members, and the aviation industry

Follow up sent to Mobility and Transport by Ben Youriev on April 27, 2022.

 Successful.

My apologies for the miscommunication and thank you for sharing the documents previously. Yours sincerely, Ben Youriev

What do I ask?

LIST OF POTENTIAL TOPICS

- Climate Change
- Gender Equality
- Youth Employment
- Covid-19
- Refugees
- Erasmus

What do I ask?

LIST OF POTENTIAL QUESTIONS

- EU measures to tackle youth unemployment in the EU
- EU measures to tackle climate change within the EU institutions
- Number of European students who received an Erasmus scholarship in the last year
- Number of refugees taken in by each EU Member States (including country of origin)
- Number of people reporting to have suffered online harassment (disaggregated by gender)

Thank you!

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