

INSTRUCTION MANUAL

UNESCO Survey on Public Access to Information (SDG Indicator 16.10.2)

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This manual is also available in French and Spanish, which will be added soon in the survey platform.

I. Introduction

A. Background and objective

Sustainable Development Goal (SDG) Indicator 16.10.2 looks at "the number of countries that have adopted and implemented constitutional, statutory and/or policy guarantees for public access to Information."

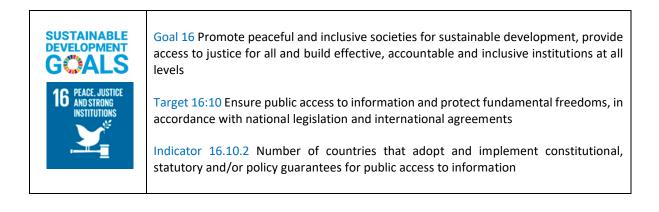
In line with its role as the UN custodian agency for Sustainable Development Goals (SDG) Indicator 16.10.2, UNESCO, via its International Programme for the Development of Communication (IPDC), has been mandated by its Member States to monitor and report progress on this indicator worldwide. Within this context, UNESCO conducts annually the *Survey on Public Access to Information (SDG Indicator 16.10.2)*.

The **objective** of the survey is to collect global data on the adoption of legal guarantees on Access to Information, as well as the main tendencies in the implementation of these guarantees. Upon completing this survey, countries **will not be** assigned to any level category (e.g.: low, medium or high). Results will only contribute to global analysis to illustrate the state of Access to Information implementation worldwide.

Findings of the survey will be reported to <u>UNESCO Member States via the IPDC Council</u> and will be included in other important reporting exercises at the international level, including the annual UN Secretary-General SDG Progress Report. Responses from countries will also enable UNESCO to develop a comprehensive online database, which will facilitate countries in tracking their progress over time.

Equally important, the data for this survey may be of value for countries at the national level to assess progress towards SDG 16 in their countries. For instance, the information collected through this exercise can feed into the preparation of Voluntary National Review (VNR) submitted to the UN High-Level Political Forum on the SDGs.

Thanks to the responses from each country, the UN General Assembly will be able to receive information about the overall global progress in ensuring public access to information that is vitally important for achieving sustainable development.



B. Respondent(s)

This survey should be filled out by the **central oversight institution/s** that is/are responsible for Access to Information:

- For countries which have an Access to Information law and where that law creates an institution (or institutions) with dedicated responsibilities for overseeing that law, such as Information Commission or Commissioner; Data Protection or Privacy Commission or Commissioner; Human Rights Commission; Ombudsman, that institution (or institutions) should fill out this survey;
- Where the Access to Information law does not identify an institution that has general oversight responsibilities, another appropriate entity should be identified to fill out this survey, such as a **Department or Ministry or Agency**.

Ideally, to ensure consistency, only one person should complete the survey, although he or she may seek information from others. Therefore, the institution tasked with filling out the survey will need to task someone with leading on this work, preferably the most senior official dealing with Access to Information.

Where applicable, an invitation to participate in this survey will also be sent to **SDG focal points** in each country in order to facilitate effective coordination of data collection/sharing among relevant stakeholders. These SDG focal points, often within the national statistical office (NSO), can also make use of the data for its own reporting purposes such as to parliament or in the Voluntary National Reviews.

C. Methodology

Based on the conception of Indicator 16.10.2, this survey is composed of two sections:

- Section I: Adoption of Access to Information Laws: This section looks at the adoption aspect of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions (Q1-Q5) with some follow-up questions.
- Section II: Implementation of Access to Information Laws: This section looks at the implementation aspect of the legal framework(s) guaranteeing public access to information adopted by your country. This section contains 3 main questions (Q6-Q8) with some follow-up questions.

The questions were based on what can be called "Principles of Access to Information", and which highlight essential components for effective implementation of Access to Information at the country level. These Principles are synthesized from existing frameworks and documents recognised internationally.¹ For the purpose of this survey, the principles of relevance are as follows:

- 1. Legal frameworks for Access to Information
- 2. Limited exemptions
- 3. Oversight mechanism

¹ These include Article 10 of the United Nations Convention against Corruption; resolutions of the UN General Assembly and Human Rights Council; the Commonwealth's Model Freedom of Information Bill; Organization of American States (OAS)'s Model Law on Access to Information; African Union's Model Law on Access to Information and reports from the UN the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

- 4. Appeals mechanism
- 5. Record keeping and reporting

Definitions of these principles are available in Section II below.

Responses to the survey will be computed using a weighted system, where each question values between 0 and 1. There is a total of 8 key questions. A country can obtain a total score between 0-9 points.

The total score of each country will not be assigned to any level category (e.g.: low, medium or high). However, it will contribute to global aggregates, in which data will be interpreted using the sum formula to show overall trends. The trends will illustrate the state of Access to Information implementation as per "Principles of Access to Information", as cited above.

The table below shows the questions and scores that can be obtained.

Ma	ain questions	Score	Follow	v-up questions (no	t scored; to be used only for contextual analysis
1.	Whether a constitutional, statutory and/or other legal guarantee that recognises Access to Information as a fundamental right	Yes = 1 No = 0 In progress: 0.5	YES	What are the guarantees?	 Primary legislation Secondary legislation/regulation Binding policy document Others
	exists in your country.		NO	If there are any non-binding policies on ATI, please specify.	Choose one or more Public Statement (such as Open Government Partnership Action Plan) Strategy (such as in Open Government/Open Data/ Open Access) Master or Action Plan/ SOP/ protocols/ digital or e-government policies relating to implementation of ATI Others
			IN PR	DGRESS	Please explain:
2.	Whether the legal guarantee on Access to Information specifies the need of a dedicated oversight institution [or institutions].	Yes = 1 No = 0	YES	a) What is it / are they?	Choose one or more Choose one or more Information National level Commission or Subnational level Data Protection National level or privacy Subnational level Commission or Subnational level Commission or Subnational level Commission or Subnational level Commission or Subnational level Converged body National level that combines Subnational level data/privacy Subnational level protection and Access to

			r		r		
						Human Rights Commission Ombudsman Department or Ministry or Agency	 National level Subnational level National level Subnational level National level Subnational level Subnational level
						Other	National level Subnational level
				b) Who appointed the Head of the oversight institution/s ?		Executive Executive Legislative Judiciary Other (e.g. a mult committee):	istakeholder (please explain)
				c) Who approved the budget of the oversight institution/s?		Executive Executive Legislative Judiciary Other: <i>explain</i>)	(please
				d) To whom does/do the oversight institution/s directly report about their activities?		ose one or more Executive Legislative Other: explain)	(please
3.	Whether the legal guarantee on Access to Information specifies the need for national public bodies (Ministry/Agency/Dep artment) to appoint public information officers or a specific unit to handle Access to Information requests from the public.	Yes, to ALL public bodies being required to appoint = 1 Yes, but only to some public bodies = 0.5 No = 0	N/A				
4.	Whether the legal guarantee on Access to Information mandates the following roles for the dedicated Access to Information oversight institution/s : a) Oversight (legal responsibility to ensure	0.2 for each role selected Total point = 1		e are any other ma provide further inf			ered in this question,

	 implementation of the guarantee) b) Appeals c) Monitoring of Access to Information implementation d) Enforcement of compliance with Access to Information legal guarantee e) Mediation 			
	guarantee on Access to Information explicitly mention permissible exemptions that are elaborated in well-	No = 0	 Which of the following exemptions is/are mentioned: national security; international relations; public health and safety; the prevention, investigation and prosecution of legal 	
	defined categories whereby requests for information may be legally denied?		 wrongs; privacy; legitimate commercial and other economic interests; management of the economy; fair administration of justice and legal advice privilege conservation of the environment; legitimate policy making and other operations of public bodies. 	-
500	re for Section I	0-5		
	tion II: Implementation o		mation Laws	
Sec				
	re: 0-4	Access to mild		
Sco		Score	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco	re: 0-4 in questions Whether the	Score 0.4 for each		sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to	Score 0.4 for each activity	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight	Score 0.4 for each	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in	Score 0.4 for each activity selected	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020)	Score 0.4 for each activity selected	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020)	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities:	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department)	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department) c) Raised public	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or officials from public bodies (Ministry/Agency/ Department) c) Raised public awareness	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department) c) Raised public	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department) c) Raised public awareness d) Kept statistics on requests and/or appeals	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department) c) Raised public awareness d) Kept statistics on requests and/or appeals e) Requested public	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department) c) Raised public awareness d) Kept statistics on requests and/or appeals e) Requested public bodies to keep	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department) c) Raised public awareness d) Kept statistics on requests and/or appeals e) Requested public bodies to keep statistics of their	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)
Sco Ma	re: 0-4 in questions Whether the dedicated Access to Information oversight institution/s in practice during the reporting year (2020) has carried out the following activities: a) Published an Annual Report b) Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/ Department) c) Raised public awareness d) Kept statistics on requests and/or appeals e) Requested public bodies to keep	Score 0.4 for each activity selected Total point:	Follow-up questions (not scored; to be used only for contextual analy	sis)



 Whether in practice the dedicated Access to Information oversight institution/s at the national level receive/s reports from public bodies (Ministry/Agency/Dep artment) on the processing of ATI requests. 	Yes = 1 No = 0	 a) Reference year: data provided sho are not yet available, please choose t 2020 2019 2018 b) How many formal requests were made under the ATI guarantee(s)? 	 Received
		c) Did you keep disaggregated data on the reasons for non-disclosure and partial disclosure on the basis of the permissible exemptions as stipulated in your country's legal guarantee?	 Dismissed as ineligible Choose one only Yes No
8. Whether the dedicated Access to Information oversight institution/s keep/s statistics of appeals at the national level.	Yes = 1 No = 0	 a) Reference year: data provided sho are not yet available, please choose t 2020 2019 2018 b) How many appeals that your institution 	
		c) As regards monitoring of appeals, did you keep disaggregated data on the reasons for non-disclosure and partial disclosure on the basis of the permissible exemptions as stipulated in your country's legal guarantee?	Choose one only O Yes O No
Score for Section II	0-4		1
Total Score for the Survey	0-9		
(Section I and II)			

The scenario below can provide an example of how a country obtains its score:

Country X responded to the survey and based on its responses, it obtained points, as in below:

- Question 1: responded 'YES' and obtained 1 point
- Question 2: responded 'YES' and obtained 1 point
- Question 3: responded 'NO' and obtained 0 point
- Question 4: selected three of five options provided. Each answer has 0.2 point, so it obtained 0.6 point.
- Question 5: responded 'NO' and obtained 0 point.
- Question 6: selected four of five options provided. Each answer has 0.4 point and obtained 1.6 point.
- Question 7: responded 'NO and obtained 0 point
- Question 8: responded 'YES and obtained 1 point

Therefore, Country X obtained a total score of 5.2. This score will not be assigned to any level category (e.g.: low, medium or high). However, it will contribute to global aggregates, in which data will be interpreted using the sum formula to show overall trends.

D. Deadline and contact

The survey is available in English, French and Spanish. The **deadline** for returning the completed survey is on <u>3 May 2021</u>.

Section III of this Instruction Manual provides **technical guidance** on how to navigate the survey platform, including how to access the platform and submit responses.

For any queries please contact the **Help Desk Team** at <u>SDG16.10.2@unesco.org</u>, copying **Ms Dian Kuswandini** (<u>d.kuswandini@unesco.org</u>) and **Mr Khalid Aoutail** (<u>k.aoutail@unesco.org</u>).

II. Definition of terms

The definitions are organized into categories of related terms.

A. General terms	
Access to Information	"Public access to information" is based upon the established human right to the fundamental freedom of expression (FOE) and association. States are duty-bearers for this right and measuring the fulfilment of this duty allows for assessment of progress.
	 In terms of defining what is being measured, Access to Information (ATI) has two principle components: the obligation for states to have a legal framework that is also implemented in practice, that: Entitles public to request access to information (documents and other information recorded in any format) and to respond to such requests in a timely fashion.

	 Obliges authorities to ensure that information of public interest is put into the public domain proactively, without the need for requests. Another term used interchangeably is the Right to Information (RTI). RTI is a component of the fundamental right of freedom of expression as set forth by Article 19 of the Universal Declaration of Human Rights (1948), and the subsequent International Covenant on Civil and Political Rights. These state that the fundamental right of freedom of expression encompasses the freedom "to seek, receive and impart information and ideas through any media and regardless of frontiers" (our italics). Seeking and receiving is the dimension of the right that is
	immediately relevant to SDG indicator 16.10.2, with the right to impart information and ideas constituting the other side of the coin. RTI is an umbrella term that refers to the legal right to access information held by public bodies. It is often used in the same way as terms such as Freedom of Information (FOI).
Adoption	Adoption refers to the act by which a country formally pass a law, policy or regulation.
Implementation	Implementation refers primarily to efforts to give practical effect to the provisions of the law, policy or regulation. Implementation thus designates government bodies providing information to the public (on request as well as proactively). Implementation is important to ensure that the benefits of the law, policy or regulation are realized.
Public bodies	For purposes of this survey, a public body is an authority is subject to the proactive and reactive disclosure obligations set out in the Access to Information constitutional rule, law or policy. Public bodies include Ministries, agencies, and departments, including those forming part of the judicial, legislative and executive branches of government, and State owned enterprises.
Public information officers or a specific unit to handle Access to Information requests from the public	Officials or a unit within a public body that have been formally designated (e.g. by a letter of appointment) with direct responsibilities in handling requests made by the public under the Access to Information guarantees. Relevant question in the survey: Q3
Limited exemptions	Exemptions (or exceptions) allow the withholding of certain categories of information. Limited exemptions mean that such withholding must be based on narrow, proportionate, necessary and clearly defined limitations. Exceptions should apply only where there is a risk of substantial harm to the protected interest and where the harm is greater the overall public interest in having access to the information. Bodies should provide reasons for any refusal to provide access to information.

	Coverel normiesible exemptions include:			
	Several permissible exemptions include:			
	 national security; international relations; public health and safety; the prevention, investigation and prosecution of legal wrongs; privacy; legitimate commercial and other economic interests; management of the economy; fair administration of justice and legal advice privilege; conservation of the environment; and legitimate policy making and other operations of public bodies. Relevant question in the survey: Q5			
B. Legal instruments				
Constitutional guarantees for access to information	 These refer to rules in the constitution which specifically guarantee individuals (or sometimes just citizens) the right to access information held by public bodies (right to information). General guarantees for freedom of expression do not qualify here unless they have been specifically held by senior courts to include the right to access information. These guarantees are binding, which means they are enforceable by a court. 			
	Relevant question in the survey: Q1			
Statutory guarantees for access to information				
	court.			
	Relevant question in the survey: Q1			
Policy guarantees for access to information	These refer to legally binding rules that are of a policy or sub-primary legal level. This might include, for example, an executive order, presidential ordinance or internal government rule which executive bodies were legally obliged to follow.			

	These guarantees are binding, which means they are enforceable by a court.
	Relevant question in the survey: Q1
Primary legislation	It refers to legislation made by the legislative branch of government.
	Relevant question in the survey: Q1 (follow-up)
Secondary legislation/regulation	It refers to regulation and administrative rules made by executive authority (e.g. an authority that has the power to enforce laws). These are based on primary legislation.
	Relevant question in the survey: Q1 (follow-up)
Non-binding policies	These refer to policies that are not enforceable by a court.
	Examples of non-binding policies:
	 Public statement: e.g. policy papers, government announcement, Open Government action plan. Strategy (e.g. political statements about public domain information; Open Government strategy and Open Data/ Open Access)
	Relevant question in the survey: Q1 (follow-up)
C. Oversight institut	ions for Access to Information: types and roles
Dedicated Oversight	An oversight institution refers to the institution charged with ensuring the process of supervision, monitoring, evaluation of performance and review, to ensure compliance with laws, regulations and policies. It therefore ensures accountability for the implementation of ATI. The same body or another may also do appeals, although appeals is a distinct function from oversight and are sometimes done by a separate body. This is why some countries, there exists more than one oversight institution, depending on the different tasks performed.
	 The oversight function can be exercised by the following (indicative) institutions: Information Commission/ Commissioner; Data Protection or Privacy Commission / Commissioner Human Rights Commission Ombudsman Department/ Ministry/ Agency

	Relevant question in the survey: Q2				
Types of oversight institutions					
Information Commission/ Commissioner	An Information Commission/ Commissioner refers to an institution with dedicated powers in relation to oversight of the right to information. In almost all cases, these institutions have the power to decide on complaints about failures by public bodies to process requests for information. In many cases, they also have a mandate to promote the right to information, for example, by raising public awareness or training officials. In some jurisdictions, these institutions have a dual mandate (see box below) over both the right to information and the right to privacy (and/or personal data protection). <i>Relevant question in the survey: Q2</i>				
Data Protection or Privacy Commission / Commissioner	A Data Protection or Privacy Commission / Commissioner is an institution that has a mandate to address data protection and/or privacy issues. In some cases, these bodies, while not holding a dual mandate over information, do also address some right to information issues. Relevant question in the survey: Q2				
Human Rights Commission	A Human Rights Commission has general powers to review the performance of public bodies in relation to human rights. The exact powers and mandate of these bodies varies considerably, from having binding powers to investigate and resolve human rights issues, whether in response to a complaints or on its own motion, to merely having the power to make recommendations in this regard. In some countries, instead of creating a dedicated information commission, the right to information law allocates oversight functions in relation to the right to information to a Human Rights Commission. <i>Relevant question in the survey: Q2</i>				
Ombudsman	An Ombudsman is an officer or office which addresses problems in the way the administration operates. In most cases, an Ombudsman has the power, among others, to respond to complaints from individuals about administrative behaviour, such as unfair treatment, a failure to provide a service or any other issue. In some countries, instead of creating a dedicated information commission, the right to information law allocates oversight functions				

Department/Ministry/ Agency	 in relation to the right to information to an Ombudsman. Where this is the case, relevant questions in the survey should be answered in relation to this body, but only to the extent that it deals with right to information issues. <i>Relevant question in the survey: Q2</i> For the purpose of this survey, the term Department/Ministry/Agency refers to the institution that has general oversight responsibilities, in a context where the Access to Information law does not identify an institution (or institutions) with dedicated responsibilities for overseeing that law. <i>Relevant question in the survey: Q2</i>
Roles of oversight institutio	ns
Oversight (legal responsibility to ensure implementation of the guarantee)	This roles covers the process of supervision, monitoring, evaluation of performance and review, to ensure compliance with laws, regulations and policies. It entails assessing and enforcing implementation. Oversight of implementation is thus different to executing the actual implementation itself in regard to the direct provision of information. <i>Relevant question in the survey: Q4</i>
Appeals	This role refers to reviewing applications of appeals relating to a request for information. By definition, an appeal is an application for a decision (or lack of a decision), which normally involves a request to reconsider failures by duty-bearers to provide information. Ideally, an independent and impartial review body will be established with the power to compel disclosure. While in some jurisdictions, courts may be an effective alternative to a review body, they can be slow and expensive, and therefore may prevent many people from seeking review. <i>Relevant question in the survey: Q4</i>
Monitoring of Access to Information implementation	Monitoring the implementation of access to information refers to the supervision and examination conducted by the dedicated Access to Information oversight institution to ensure effective application of the legal guarantee(s). This includes a role in assessing efforts made by public bodies with a view to advance access to information in the country. Relevant question in the survey: Q4

Enforcement of compliance with Access to Information	Enforcement of compliance with Access to Information legal guarantee(s) refers to the actions of obliging adherence by duty- bearers to the respective requirements and the implementation of sanctions when violations are found. Enforcement is a disciplinary function that seeks to ensure that there are consequences to the violation of rules, involving a set of tools used to punish breaches of laws and regulations, and to deter future violations. For the purpose of this survey, enforcement includes activities related to investigation and audit. Relevant question in the survey: Q4
Mediation	Mediation is a negotiation facilitated by a neutral third party (a mediator). Mediation does not involve decision making by the neutral third party. Unlike a judge or an arbitrator, therefore, the mediator is not a decision-maker. In mediation, the disputing parties work with the mediator to resolve their disputes. The mediator assists the parties in reaching their own decision on a settlement of the dispute by supervising the exchange of information and the bargaining process. In some countries, appeals process may lead to this mediation. Relevant question in the survey: Q4
D. Requests	
	s a formal request under the Access to Information law by an individual to obtain specific information from a public body.
Received	This refers to the total number of requests made under the Access to Information law received during reporting year. Relevant question in the survey: Q7 (follow-up)
Granted	 Fully: refers to when the information is provided in whole. Partially: refers to when the information is provided but it is incomplete. In total: refers the total number of requests that are granted, both fully and partially. Relevant question in the survey: Q7 (follow-up)
Denied	Refers to when a request for information is rejected/refused. For

example, in some instances the request can be denied if revealing it

	would have a negative impact on right to privacy, on the administration of justice or on public security. Relevant question in the survey: Q7 (follow-up)
Pending	This refers to when a request for information is still awaiting decision for disclosure.
	Relevant question in the survey: Q7 (follow-up)
Dismissed as ineligible	 In some countries, a request for information could not be upheld due to reasons other than "legal exemptions/exceptions". This can therefore be categorised as "Dismissed as ineligible", and could include the following: incomplete applications; vexatious or repeated requests; information not in possession; information already in the public domain; requests submitted to entities other than public bodies or other bodies as permissible by law. Note that if the request cannot be upheld on the basis of legal exemptions, it should be included in the category of "Denied", not "Dismissed as ineligible".
E. Appeals	
to reconsider failures by	for a decision (or lack of a decision), which normally involves a request duty-bearers to provide information. For the purpose of this survey, t include those that were decided by courts.
Received	This refers to the total number of appeals received during reporting year. Relevant question in the survey: Q8 (follow-up)
Granted	 Fully: an appeal is fully granted when the body withholding the requested information is required to disclose the information in whole. Partially: an appeal is partially granted when the body withholding the requested information is required to disclose a portion of the information.



	 In total: refers the total number of appeals that are granted, both fully and partially. Relevant question in the survey: Q8 (follow-up)
	Relevant question in the survey. Q8 (jonow-up)
Denied	An appeal is denied when the appeal institution decides not to instruct disclosure. In this case, the appeal is considered and formally rejected/refused.
	Relevant question in the survey: Q8 (follow-up)
Dismissed as ineligible	In some countries, a request for information could not be upheld due to reasons other than "legal exemptions/exceptions". This can therefore be categorised as "Dismissed as ineligible", and could include the following:
	 incomplete applications; vexatious or repeated requests; information not in possession; information already in the public domain; costs incurred by the authority exceeds the legal limit; requests submitted to entities other than public bodies or other bodies as permissible by law.
	Note that if the request cannot be upheld on the basis of legal exemptions, it should be included in the category of "Denied", not "Dismissed as ineligible".
	Relevant question in the survey: Q8 (follow-up)

III. Practical guidance: How to navigate the survey platform

E. Access to the platform

The survey has been developed with the Open Source Software "LimeSurvey", and it is hosted on UNESCO technical infrastructure.

In its invitation by e-mail, UNESCO provides each country with a unique 45 characters identifier generated automatically by the system, also called as "token".

This secured token-based approach allows the recipients of the invitation to transfer the link to relevant people in the country without a login/password. Multiple respondents can contribute to /participate in completing the survey.

The URL for each country will look like the following screenshot, highlighted part of which represents the unique identifier/token:

survey.unesco.org/3/index.php?r=survey/index&sid=472136&token=q9LFK6HKIOqEshSRWW0X2qAdeA45AN&newtest=Y

In case of problem and upon request, the identifier can be changed/generated again by UNESCO administrator (please see Section I to find the contact details).

SERVICE ACCESS TO INFORMATION

F. Starting the survey and navigation aspects

	nesco
	SURVEY ON PUBLIC ACCESS TO INFORMATION (SDG INDICATOR 16.10.2)
	0%
	Language: English + 2
	ts data and information that will be used to monitor Sustainable Development Goal (SDG) Indicator 16.10.2 on the number of countries that adopt and implemen utory and/or policy guarantees for public access to information (ATI) at the global level.
ill be reported to t	s this survey as mandated by the Intergovernmental Council of the International Programme for the Development of Communication (IPDC). Findings of the survey the IPDC Council and will be included in other important reporting exercises at the international level, including the annual UN Secretary-General SDG Progress R also be made available online in order to facilitate countries in tracking their progress over time.
	I be filled out by the central oversight institution/s that is/are responsible for access to information, such as Information Commission or Commissioner; Data /acy Commission or Commissioner; Human Rights Commission; Ombudsman; Department or Ministry or Agency.
here are 8 questi ow to complete th	ions in this survey. Please refer to the Instruction Manual here to get detailed information on the survey methodology, definition of terms and practical guidance on his survey.
he deadline for re	eturning the completed survey is on 3 May 2021.
or any queries ple	ease send an email to SDG16.10.2@unesco.org.
	All fields marked with an asterisk (*) are mandatory. Please use the "NEXT" and "PREVIOUS" buttons to move between pages. Please do not use the browser's back and forward arrows. Submit the completed survey by clicking on the "SUBMIT" button at the end of the survey.
Please read and	d accept UNESCO Privacy Policy
	Nex

Figure 1: landing page

1	Progress bar that gives an idea on the remaining questions/screens to complete the survey.
2	The "Language" drop-down menu allows respondents to choose which language to use throughout the survey (English, French or Spanish are the three proposed languages for this survey).
3	The UNESCO privacy policy that needs to be accepted before starting to fill out the survey.
4	The navigation button to start filling out the questionnaire.

Language. Englisin ▼
Section I: Adoption of Access to Information Laws
This section looks at the adoption aspect of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions (Q1-Q5) with some follow-up questions.
1. Whether a constitutional, statutory and/or other legal guarantee that recognises access to information as a fundamental right exist in your country?
• Choose one of the following answer
⊖ Yes
O No
O In progress
Definition of terms used in this question can be found in the Instruction Manual here
Previous
Resume later 8 Question index - 9 Exit and clear survey
· · · · · · · · · · · · · · · · · · ·

Figure 2: example of question

5	A red asterisk before a question indicates that the question is mandatory. A pop-up will indicate when you miss a mandatory question and the related question will have disclaimer text in red indicating that it is mandatory (see figure 3 below).
6	Depending on the type of question, a tooltip lets you know what action is expected.
7	Below each question, a help section will redirect the respondent to a chapter of this instruction manual to help him/her in understanding the question.
8	Even if the survey has a recurring auto-save feature, the respondent can click this option to save the responses to be resumed later at any time.
9	The "Question Index" menu allows the respondent to navigate throughout the several sections of the survey.
10	The "Exit and clear survey" option on the footer allows the respondent to clear the questionnaire. It will erase all the responses already filled out and saved. The respondent will have to start over from the beginning.

SURVEY	One or more mandatory questions have not been answered. You cannot proceed until these have been completed. R 16.10.2) Close	
	Language: English +	
is section looks at the adoption aspect o	Section I: Adoption of Access to Information Laws of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions follow-up questions.	s (Q1-Q5) with s
	tutory and/or other legal guarantee that recognises access to information as a fundamental right exist	in your
 1. Whether a constitutional, state country? Choose one of the following answers This question is mandatory 	tutory and/or other legal guarantee that recognises access to information as a fundamental right exist	in your
country? ① Choose one of the following answers	tutory and/or other legal guarantee that recognises access to information as a fundamental right exist	in your
country? • Choose one of the following answers • This question is mendatory	tutory and/or other legal guarantee that recognises access to information as a fundamental right exist	in your
country? © Choose one of the following answers © This question is mandatory Yes	tutory and/or other legal guarantee that recognises access to information as a fundamental right exist	in your
country? • Choose one of the following answers • The question is mandatory • Yes • No • In progress		in your
country? • Choose one of the following answers • This quantitar is mandatory • Yes • No		in your

Figure 3: mandatory question alerts

G. Submitting and accessing the results

The last page of the survey will display the score based on the responses provided by the respondent(s). In this last screen, the progress bar is at 90% and there is a **SUBMIT** button. Once clicked, it will not be possible to modify the responses anymore. In case of error, the country might contact the UNESCO administrator (please see Section I to find the contact details).

SURVEY ON PUBLIC ACCESS TO INFORMATION (SDG INDICATOR 16.10.2)	
90%	
Language: English 👻	
SCORE	
SECTION I: ADOPTION	
your score for question 1 : 0.5	
your score for question 2 :	
your score for question 3 : 0	
your score for question 4 : 0	
your score for question 5 :	
Your total score for ADOPTION is : 0.5	
SECTION II: IMPLEMENTATION	
your score for question 6 : 0	
your score for question 7 :	
your score for question 8 :	
Your total score for IMPLEMENTATION is : 0	
FINAL SCORE	
Your final score is: 0.5	
Previous	Submit

Figure 4: score page before definitive submission

Once the responses were submitted:

- 1) the respondent will be redirected to a final page in which he/she can access the results;
- 2) the initial focal point(s) will receive a confirmation e-mail including a link to the result page (protected with the country unique identifier).

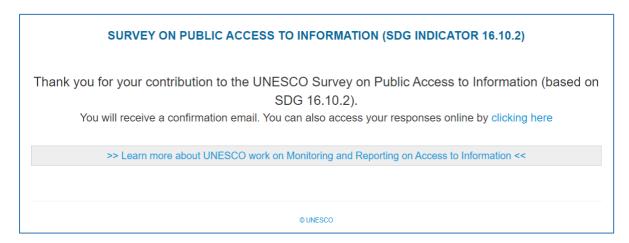


Figure 5: final page after submission

SERVICE ACCESS TO INFORMATION

The "Summary of result" page allows the respondent to print the result (as PDF or via a printer).

Only questions that have been responded are displayed in this summary.

-	Information (SDG Indicator 10.2)
Print Date: 23/Mar/202	1 - Submitted: 23/Mar/2021
Print	this page
This section looks at the adoption aspect of the legal framework(s) guarant	Access to Information Laws eeing public access to information in your country. This section contains 5 main some follow-up questions.
Question	Answer
 Whether a constitutional, statutory and/or other legal guarantee that recognises access to information as a fundamental right exist in your country? 	Yes
What are the guarantees? (Please add the name of the guarantee in the text box)	
Secondary legislation/regulation	Yes
This section looks at the adoption aspect of the legal framework(s) guarant	Access to Information Laws eeing public access to information in your country. This section contains 5 main some follow-up questions.
Question	Answer

2. Whether the legal guarantee on Access to Information specifies the need Yes

L

Figure 6: summary of results page