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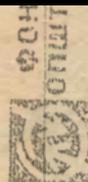
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# OVERCOMING THE PRINCIPLES OF SECRECY IN THE PUBLIC ADMINISTRATION'S OPERATION

REPORT FROM THE RESEARCH STUDY ON THE RIGHT TO PUBLIC INFORMATION IN MACEDONIA

територијата на Република Македонија;  
[REDACTED] овки и интеграција на Република Македонија во НАТО - одбранбени и воени прашања [REDACTED]  
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# INTRODUCTION

Citizens' right to request and receive information about the operation of the government, state and public administration bodies (defined in broad terms) is a common feature of all democratic and open societies. Hence, transparency is one of the basic principles of democracy that enables information on the operation and performance of the authorities. In that line, laws that guarantee the right to information actually provide access to information that are of interest for citizens, journalists and civil society. Currently more than 90 states worldwide have adopted individual laws on free access to information.<sup>1</sup>

Right to information originates in the idea for informed participation of citizens who, in democratic societies, must be given access to information on the operation of the government and the authorities in order to be able to control and assess their performance. Democracy depends on the degree to which citizens are equipped with knowledge, while access to broad spectrum of information enables them to fully participate in the public life, to assist in setting the public spending priorities, to obtain equal access to justice and to hold the civil servants accountable.<sup>2</sup>

On this account, free flow of information is of vital importance for citizens, communities and civil society organizations, as well as for their full participation in democratic processes. This is of even greater importance in the countries where the freedom of expression and the freedom of media are restricted.<sup>3</sup> In an open and democratic society, right to information can be a key element in the commitment to reduce corruption, increase accountability and strengthen citizens' confidence in the institutions.

- 1 Regularly updated list of laws on free access to information on global level and comments thereto are available at: [www.freedominfo.org](http://www.freedominfo.org)
- 2 Carter Centre, Access to Information: Key to Democracy, 2002
- 3 In the last several years, relevant international organizations warned about restrictions to freedom of expression and freedom of media. For more information, see: US Department of State, 2012 Country Report on Human Rights and Practices available at: <http://1.usa.gov/11QuGUB>; Freedom House: Freedom in the World 2013 available at: <http://bit.ly/168XjRR>; Reporters without Borders: Press Freedom Index 2013 available at: <http://bit.ly/WzSR5d>; Amnesty International Annual Report available at: <http://bit.ly/14GR8oD>; Open Budget Survey available at: <http://bit.ly/XXM9bh>.

## ABOUT THE LAW

Right to information as a foundation of good governance, increased transparency and meaningful civil participation in the public life, is treated as a fundamental human right.<sup>4</sup> In similar manner, the 1991 Constitution of the Republic of Macedonia stipulates that “free access to information and the freedom of reception and transmission of information are guaranteed”<sup>5</sup> as part and parcel of fundamental rights enjoyed by the citizens. 15 years later, on 25<sup>th</sup> January 2006, the Parliament of the Republic of Macedonia adopted the Law on Free Access to Public Information (hereinafter: the Law) whose enforcement officially started on 1<sup>st</sup> September 2006. In early 2010, the Law was subject of significant changes, which resulted in an improved legal framework that guarantees the right to information and is aligned with the international and European standards. Although the legal framework is assessed as satisfactory, the implementation remains deficient. “The exceptions to access to public information are vaguely worded, leaving scope for arbitrary interpretation. The sanctions set out in the Law are unclear and are not applied in practice.”<sup>6</sup>

## PREVIOUS RESEARCH STUDY

Foundation Open Society – Macedonia (hereinafter: the Foundation) is one of the most important civil society organizations that works on the promotion of the right to free access to information. Actually, the Foundation led the activities of more than 100 organizations that advocated for the adoption of the Law and is actively supporting its implementation for more than eight years now.<sup>7</sup> In that regard, one of its key activities is the monitoring of the Law’s implementation by submitting requests for free access to information and providing continuous and free legal assistance to all applicants/requesters whose right to free access to information had been denied.

.....  
4 See Articles 19 and 20 of the Universal Declaration of Human Rights and Article 10 of the European Convention of Human Rights.

5 Article 16, paragraph 3 of the Constitution of the Republic of Macedonia

6 EC’s 2012 Progress Report for the Republic of Macedonia

7 Activities include: capacity-building for the Commission; introducing an elective subject on the right to free access to information at the Faculty of Law in Skopje; provision of free legal aid to applicants whose information requests had been rejected; monitoring the Law’s implementation; active submission of FOI applications; preparing comments on the legal provisions; participation in the working groups tasked to draft amendments aimed to improve the Law; support NGOs that rely on the Law in their daily work; commissioning and conducting research studies, etc.

In 2009, the Foundation conducted a research on a national representative sample aimed to assess citizens' knowledge and familiarity with the Law and their right to information. Research results<sup>8</sup> indicated that majority of citizens are neither familiar with the Law nor believe in the openness of public institutions and administrations. On that occasion, the Foundation called the Commission for Protection of the Right to Free Access to Public Information (hereinafter: the Commission), in the capacity of an independent body competent to promote the right to information, to organize a public awareness campaign, because the citizens had identified this as a priority need.<sup>9</sup>

From that moment and as part of its annual reports, the Commission reflects on its education activities, which – to large extent - focus on information holders,<sup>10</sup> but it also makes modest attempts<sup>11</sup> to educate the broader public on the right to free access to information, notably by making appearances and promoting its work on different television programmes. On this account, the present research by the Foundation, aims to determine whether the Commission's efforts have resulted in increased awareness and knowledge among the citizens about the right to free access to information and inquire about their opinion on the openness and transparency in the Macedonian society. Comparison of results obtained from this survey against the 2009 research results enabled us to assess the trend in free access to information in the last years.

## RESEARCH GOALS

Having in mind that “freedom of information is a fundamental human right and [...] is the touchstone of all freedoms to which the United Nations is consecrated”,<sup>12</sup> it is more than necessary for a democratic society to have insight in the manner this right is implemented and exercised. In practice, exercise of the right to free

.....  
8 Citizens' Perception about the Law on Free Access to Public Information, FOSIM, 2009, available at: [http://soros.org.mk/dokumenti/foi0109\\_16\\_03\\_2009.pdf](http://soros.org.mk/dokumenti/foi0109_16_03_2009.pdf)

9 FOSIM's press conference on the occasion of the International Right to Know Day, 28.9.2009

10 Information holders are state administration bodies and other bodies and institutions established by law, municipal bodies, bodies of the City of Skopje and municipalities in the City of Skopje, public institutions and services, public enterprises, and legal and natural persons performing public competences and activities of public interest determined by law (Article 3).

11 Primarily, by appearing as guest on daily shows and on events organized to celebrate the 28th September - International Right to Know Day.

12 UN General Assembly (1946), Resolution 59 (1), 65th Plenary Session, 14 December 1946

access to information is a “litmus test” about the overall situation with respect for human rights in the society. Nevertheless, the Republic of Macedonia has not introduced a regular monitoring system, although the Law is being implemented for more than seven years. Thus, “no statistics is kept by the public bodies on the number of information requests received”,<sup>13</sup> and, on the other hand, the obligation for submission of annual reports to the Commission that should serve as basis for assessing the overall situation are not adequately compiled with or are not submitted.<sup>14</sup>

In order to address this information gap, the research aims to provide a comprehensive image about the situation with the right to free access to information. Actually, the research surveyed the opinion of information requesters (citizens) and of information holders, as the only way to obtain a comprehensive image about the right to free access to information and its exercise, and to determine the level of knowledge about the Law among the general public.

Moreover, the research aims to assess citizens’ views and perceptions on the right to free access to information, i.e. to measure whether and to what extent citizens are aware about this right, and to identify the reasons for which the citizens have relied on this right. Finally, having in mind that underway is another (third) round of amendments to the Law, one can hope that data presented in this research study will serve the Government and the Parliament as guidelines for improving the legal framework, notably by acting on the recommendations put forward in this document.

The research study is organized in four sections. First is the executive summary that presents key conclusions and recommendations. The second section provides a detailed description of survey methodology and sample. The third section summarizes the citizens’ views and perceptions about their right to free access to information. The final, fourth section summarizes the opinions of information holders about the Law’s implementation, positive changes in their daily operation brought about by the Law and the problems they are facing. In addition, annexes to this study provide tabled and cross-referenced data about the main conclusions.

.....  
13 2012 SIGMA Assessment Report on the Republic of Macedonia

14 For example in 2012, only 819 or 60% from the total of 1,215 registered information holders submitted complete reports to the Commission, rendering the latter’s annual report on the Law’s implementation deficient. 2012 Annual Report of the Commission for Protection of the Right to Free Access to Public Information





# KEY FINDINGS

## CITIZENS

**Significant share of citizens are still unaware of their right to free access to information held by the public institutions.**

Survey results show that significant share of citizens does not believe they enjoy the right to request information from public and state institutions. In that regard, citizens' position depends on the type of institution addressed with the information request and the question that implies request for access to information.<sup>15</sup> Most often, citizens believe they are not entitled to request information from health care and state institutions, as every third citizen indicated this answer. Contrary to information held by the central government and health care institutions, almost

.....  
15 Here are examples of the questions raised to the citizens and related to types of institutions and types of information they might be interested in:

...Do you have the right to request, in personal capacity, documents from the Government and ministries, such as the minutes from government's meetings or work schedules of ministries or the prime minister?

...Do you have the right to request, in personal capacity, information held by the municipalities and public enterprises, such as the programs, plans, decisions, data on municipal councillors' or mayor's salary?

...Do you have the right to request, in personal capacity, information on environmental pollution and protection, such as the air and water pollution level in your town/village?

...Do you have the right to request, in personal capacity, information about the funds allocated under state/ municipal budget and how they are spent (public spending)?

...Do you have the right to request, in personal capacity, information held by health care institutions, such as the morbidity rate per disease, number of hospitalized patients, procedures on surgery scheduling or procedures on drug procurement?

...Do you have the right to request, in personal capacity, information held by education institutions, such as enrolment policy at schools and universities, minutes from the teaching council meetings or teachers' and professors' performance evaluations?

...Do you have the right to request, in personal capacity, information held by private entities performing public services, such as EVN Macedonia and T-Mobile, or the chambers (Commerce, Medical, Bar, etc.)?

# KEY FINDINGS

all citizens (90%) believe they have the right to request information related to environmental matters (quality, pollution, etc.). Every fifth interviewee believes he/she does not have the right to request information held by the municipalities and information in the field of education, and only one quarter of them believe they are not entitled to request information about public spending (the budget) and information from private entities performing public services. Detailed breakdown of answers is given in Table 1.

**Citizens are most interested in environmental matters, and least interested in information about the operation of the Government and line ministries**

In principle, citizens' opinion about their right to information correlates with their interest for the information in question. Major discrepancy was noted in regard to public information on the budget (public spending), where citizens expressed great interest and significant mistrust in availability/accessibility of this information.

Undoubtedly, citizens are least interested in information "held" by the Government and line ministries. On this question, interviewees provided equally divided answers, whereby half of them are not interested in obtaining this type of information. Two-thirds of citizens are interested in information held by the municipalities, education and health care institutions, while a slightly higher share of them are interested in information about the budget and private entities performing public services. Undoubtedly, the highest share of citizens is interested in obtaining access to information on environmental matters.

TABLE 1

	Believe they don't have the right	Are interested in
Health care	30,5%	62,9%
Government and line ministries	29,8%	54,9%
Budget	26,0%	69,7%
Private entities performing public services	24,9%	67,2%
Education	22,8%	65,8%
Municipalities and public enterprises	21,5%	64,3%
Environment	10,7%	90,3%

**One fifth of citizens requested access to information in personal capacity, but actually one third of them requested private information, although they were convinced it is a matter of public information, which is indicative of citizens' low awareness and exercise of this right**

Exactly 31.9% of interviewees indicated they submitted information requests in personal capacity (declared share). Nevertheless, when combined with the demographic parameters, significant differences were noted among answers provided by citizens who declared having requested access to information. Actually, citizens with higher education, youth (29 years), unemployed, citizens with higher monthly income (above MKD 24,000) and ethnic Albanians more frequently indicated they requested access to public information.

Detailed analysis of the information requested reveals that at least one third of interviewees who declared they have requested access to information in reality did not request information of public character.<sup>16</sup> After these answers were corrected, the share of citizens who have requested information of public character accounted for one fifth (corrected share).

TABLE 2

Declared share	31,9%
Requested information in personal capacity	31,9%
Corrected share (of those who requested information)	17,7%
Information requested is not of public character	35,3%
Refuses to specify, doesn't know, doesn't remember	2,0%
May be public information, the interviewee is unclear or unspecific	13,6%
Yes, it is most certainly a matter of public information	49,1%

**Only half of citizens who requested access to information were positively responded to. Only 5% of those who were denied access to information used their right to appeal.**

41.1% of citizens receive complete information within the deadline, while another tenth (12.9%) receive the information requested, but with a delay. One fifth (19.2%) receive only partial information, and an insignificant number of interviewees (1.3%)

<sup>16</sup> These requests usually concerned utility bills and interviewees' personal data.

# KEY FINDINGS

receive the information only after they have resorted to their right to appeal. One quarter of interviewees (25.4%) do not receive the information requested.

Only a small share of citizens who indicated they are not satisfied with the response or have received any response, are using their right to appeal in front of the Commission. Only 5% indicated they have lodged an appeal; additional 5% have lodged an appeal in front of the Administrative Court, while majority of citizens (84.5%) have not taken any further action.

**While majority of citizens (42%) do not have a particular reason for not requesting access to public information or are not interested in them (31%), a significant share of them are discouraged or demotivated to do so.**

More than one quarter of citizens (28%) indicated they do not request access to information because they believe that information is inaccessible or would not be disclosed. 16% of them do not know which institution and how to address it in order to obtain the information, which is indicative of the information gap between the state and its citizens. 7% of citizens are discouraged to request access to information because of lack of funds, while 16% of them do not have the time.

**Citizens still prefer the traditional methods of communication with the public institutions, but significant share of them expressed preference for ICTs. In spite of the Law, one quarter of citizens would still resort to connections and friends in order to obtain the information needed.**

Citizens still prefer to request information in traditional manner: in person (57%) or by telephone (33%). One quarter of them indicated ICT-enabled possibilities as the most appropriate manner for obtaining the information needed, 26% indicated they prefer to use e-mails, and 24% would browse the institution's website for information. 23% would attempt to obtain the information needed through their connections, personal contacts and friends. Other communication methods offered as possible answers were somewhat less attractive for the citizens: every tenth citizen would send an information request by registered mail, 4% by fax and 1% would pay bribe for access to information.

Similar preference of traditional methods was indicated in regard to information's receipt. Half of the interviewees (52%) stated that in an ideal situation they would like to receive the information in person, one third (34%) by telephone and one third (31%) via e-mail, while one quarter expect the information to be available on the information holder's website, and one fifth would prefer to receive the information requested by registered mail.

**Vast majority of citizens have positive attitude towards the Law and believe the Law increases transparency of and trust in the institutions**

Citizens believe that the Law is much needed, public information should be available free-of-charge and the Law’s scope should also include the political parties.

TABLE 3	
	Average agreement <sup>17</sup>
Public information should be available free-of-charge	4,70
Political parties should be obliged to disclose their information	4,47
Possibility to obtain information held by the institutions increases the citizens' trust in them	4,19
Free access to information contributes to more accountable and transparent public spending	3,94
Free access to information is unnecessary waste of public funds	2,15

**In spite of their positive attitude towards the Law, in general, the citizens do not believe they enjoy fast and easy access to public information (with the exception of information held by education institutions)**

In average, citizens believe that accessing public information is difficult, especially when it is a matter of information held by the government and line ministries, public enterprises and municipalities. On the other scale of trust are education and health care institutions, since the citizens believe their information are easily accessible and available. As high as 29% of citizens do not believe they would obtain information from state institutions and ministries, 7% of citizens share this position in regard to information disposed by education institutions.

More than half of citizens have never heard and are unaware of the Law on Free Access to Public Information, and only 13% of them are well knowledgeable about the Law.

17 1- Completely disagree; 3 – Agree and disagree; 5 – Completely agree

# KEY FINDINGS

TABLE 4: ARE CITIZENS KNOWLEDGEABLE ABOUT THE LAW?

	Број	Процент
Yes, I'm well knowledgeable	167	13,6
I'm knowledgeable, but uncertain	419	34,1
Have not heard	491	40,0
Don't know	151	12,3
Total:	1.228	100,0

## INFORMATION HOLDERS

**Most information holders implemented certain activities aimed to bring their practices in line with the Law and thus enable its efficient enforcement. However, as many as one quarter of them did not take any activities in this regard.**

Law on Free Access to Public Information stipulates that information holders are obliged to take certain activities for the purpose of facilitating the implementation of legal solutions, such as: to appoint an officer responsible for information mediation, to assign special premises for insight in information/documents, to publish the list of information and to proactively and voluntarily publish certain types of information.

Nevertheless, complete application of the Law requires additional measures, such as: revising record-keeping and archiving methods or introducing internal procedures related to responding to information requests, and providing training for the staff. Most respondents declared that their institutions have increased the number of information being proactively and voluntarily published on their websites (one third of information holders). In addition, one quarter of them have amended their relevant records-keeping and archiving procedures and have introduced internal procedures for responding to information requests. Unfortunately, one

quarter<sup>18</sup> of information holders have not taken any activities to improve and facilitate the Law's implementation.

On the other hand, high share of officers tasked to respond to information requests have been assigned to that position for more than three years, which proves that information holders are consistent and serious about the Law. These officers have completed higher education or postgraduate studies and are civil servants with long years of service. Such structure and resources provide a solid potential for adequate implementation of the Law.

**In the last year, high share of information holders were addressed with information requests, with an average of up to 10 information requests. Again, this is indicative of the low awareness about this right in Macedonia.**

Most information holders (58%) confirmed that they were addressed with information requests in the last year. However, a significant share (two fifths or 39.4%) have not received a single information request. Among those addressed with information requests, three quarters (77%) received up to 10 requests (of which 35.9% received only one or two requests) and one tenth of information holders received 11 to 20 requests. All these provide the conclusion that the Law's implementation is not a major challenge for information holders because 90% of those addressed with information requests usually receive less than 20 requests per year.

**Most common types of information requests concern tender contracts, followed by information on decisions taken by the institution and statistical data thereof.**

According to the information holders, majority of information requests they were presented with concern information on public spending. As high as 37% of them reported they were addressed with requests inquiring about the number of tender contracts signed, followed by requests inquiring about decisions taken by the institution (35%) and statistical data about the institution (34%). A somewhat lower share, i.e. 30% of information requests inquired about the institution's operation and performance results, and one quarter were interested in the annual financial reports, future plans, strategies and goals, and minutes from the meetings.

.....  
18 It should be noted that there are no significant differences in the number of information requests addressed to information holders that have or have not implemented activities to facilitate the Law's implementation.

**One third of information holders believe the Law did not contribute to increased transparency or they do not know if the Law resulted in significant changes in their daily operation**

Information holders were also asked to assess the positive effects of the Law, i.e. to specify the types of information that are now publicly available, but would not have been if the Law was not adopted. One quarter of them believes there is increases access to information on institutions' operation and performance, as well as on decisions they have taken and the statistical data. One fifth believes that the Law enabled greater access to tender documents, annual financial reports and information on institutions' future plans and strategies.

15% of information holders indicated that the Law did not produce any changes, while 16% of them are unaware of any effects created by the Law' adoption and application, especially in terms of increased availability of information. Law's adoption was least useful in enabling access to internal policies and procedures, as well as information and results from research and consultations (8%).<sup>19</sup>

**Information holders have divided opinions on issues whether citizens have high expectations about the Law, citizens' knowledge of the Law and the Law's active promotion**

More than half of information holders (54.6%) believe that citizens' expectations are unrealistic, i.e., they expect too much of this Law.

As regards the citizens' awareness and knowledge about the Law, 41% of information holders assessed that citizens have little or no knowledge of the Law, 40% indicated that citizens have certain knowledge about the Law and only 20% of them believe that citizens are well knowledgeable of the Law.

Also, more than half of information holders indicated they do not promote the Law or do not know whether they are promoting it, while 42% of institutions declared that they actively promote the Law. Combined with the fact that only 14% of citizens are well knowledgeable of the Law, it can be concluded that efforts made by the institution are underperforming, i.e., they do not produce the expected results.

.....  
19 (comment: Probably because they are low in number.)

**Four in ten information holders indicated discrepancy between the declared and actual transparency of institutions**

**Every tenth information holder faced difficulties in implementing the Law**

Most difficulties are created by the citizens' imprecise requests, as indicated by 57% of information holders. Other frequently indicated reasons include: understaffing (51%), no time (42%) and absence of internal procedures on processing and forwarding the information requests (26%).

**Both groups, i.e. information holders that faced or did not face difficulties in implementing the Law, agree that training for information holders and public awareness campaigns are much needed in order to overcome problems and shortfalls in the Law's implementation**

Three quarters of information holders that declared problems related to the Law's implementation are of the opinion that training will contribute to overcoming these problems. Two thirds of them proposed more activities targeting the citizens, i.e. media campaigns.

Weakest links in the Law's implementation include: citizens' ignorance (indicated by 66% of information holders) and untrained staff (indicated by 32% of information holders). Every fourth information holder referred to institutions' inertness as a problem that affects the Law's implementation.

**High share (70%) of information holders respond to citizens' information requests within the law-stipulated deadline.**

An insignificant number of information holders stated they do not comply with the deadline (5.5%), but worrying is the fact that one quarter of information mediation officers at the information holders are unaware whether the procedure on free access to information is completed within the law-stipulated deadline. One can only assume that these answers were indicated as general observations about the situation and concern all information holders, not the respondent's institution.

# KEY FINDINGS

## **There is still fear from disclosing information, while only one fifth of institutions apply sanctions for violation of the Law**

15% of information holders explicitly, and another 43% partially, agree with the statement that in some cases the citizens do not receive the information requested because certain officers are afraid to disclose them. Only one third of information holders disagree with the statement that there is still fear from disclosing information and 10% of them do not know whether this is true or not.

If fear from disclosing information does exist, it is unnecessary in the cases when information is not disclosed, i.e. the Law is violated. 83.5% of institutions do not apply sanctions in cases the citizens were denied access to public information, and 9% of institutions rarely apply these sanctions. 4.5% of institutions occasionally apply the sanctions and only 3% of them frequently apply the sanctions.

## **Only half of information holders communicate with the Commission**

Only half of information holders communicate with the Commission for Protection of the Right to Free Access to Public Information, and in 28% of cases this communication concerned an appeal being lodged against the institution. With half of institutions, these communication exchanges happened in relation to attendance at training sessions organized and delivered by the Commission, while in 55% of cases concern the obligation on submitting annual reports to the Commission.

Remaining half of information holders has no contacts with the Commission.





# CITIZENS ABOUT THE RIGHT TO FREE ACCESS TO INFORMATION

This section of the research study provides a detailed overview of citizens' responses about their right to free access to public information in the Republic of Macedonia, obtained during the quantitative survey conducted on a national representative sample. Worrying is the fact that vast majority of citizens are not aware of the right to free access to information. Significant share of them believe they do not have the right to access to public information, especially in the field of health care and information held by the government and line ministries. On the other hand, a positive tendency identified is the fact that citizens are interested in obtaining access to information, especially those related to environmental matters.

Moreover, the survey established that small share of citizens do request information, i.e. one in five citizens has requested information, although every third citizen believes he/she has requested information. This difference is due to citizens' perception whereby any form of information is actually a request for access to public information, including, for example, request for insight in their utility bills and explanation of their debt. This is indicative of the low political culture among citizens in Macedonia.

## RIGHT TO KNOW: CITIZENS' OPINION ON THEIR RIGHT TO KNOW AND REQUEST INFORMATION

At the beginning, citizens were asked whether they have the right to request public information in personal capacity. This set of questions was followed by clarifications offered as specific examples and divided in groups according to different government levels (information holders from central and local governments, as well as private entities performing public services) and per different field of operation (environment, public finances, health care and education).

These questions inquired about the citizens' awareness about their right to know and request information in personal capacity. Additionally, data collected enabled comparisons between different types of information holders and different types of information that could be requested by the citizens. Actually, survey answers enabled us to identify the citizens' position whether this right depends on the information holder or the type of information requested. Finally, citizens were asked whether they are interested in having access to the said types of information, which gave us an indicator on the types of information that could be proactively and voluntarily published by the public institutions.

Survey results show that significant share of citizens does not believe they enjoy the right to request information from public and state institutions. In this regard, citizens' position depends on the type of institution addressed with the information request and the question that implies request for access to information. Most often, citizens believe they do not have the right to request information from health care and state institutions, as every third citizen indicated they are not entitled to request information of this type. Contrary to information held by the central government and health care institutions, almost all citizens (90%) believe they have the right to request information related to environmental matters (quality, pollution, etc.). Every fifth interviewee indicated he/she does not have the right to request information held by the municipalities and information in the field of education, and only one quarter of interviewees believe they are not entitled to request information about public spending (the budget) and information from private entities performing public services.

The analysis shows small differences in answers according to the interviewees' gender, i.e. although marked by a small margin, male interviews more frequently indicated they have the right to free access to information and are more interested in this type of information. Nevertheless, this difference is not prominent in all fields included in the survey, especially not in the field of health care where female interviewees show greater interest and more frequently believe they are entitled access to such information. The analysis also shows differences in answers according to the interviewees' ethnic background, whereby, in general, Albanians show greater interest in having access to information and more frequently indicated they have the right to information. Differences in answers were noted according to the interviewees' education background,<sup>20</sup> i.e. those with completed secondary education (the biggest group of interviewees) have less faith in their right to information (compared against those with lower or higher education). Be that as it may, differences were not observed according to the interviewees' interest in receiving public information. Differences in answers were recorded according to

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20 The analysis excluded the share of interviewees who do not whether they have the right to information, majority of which have lower education.

interviewees' geographical distribution (region). Citizens from the Northeast and Southeast regions are marked by higher interest and greater believe in their right to know; on the other hand, citizens from Skopje and East regions provided the lowest share of answers indicating they have the right to know. Citizens from the Southeast and Vardar regions demonstrated the lowest interest in receiving public information.

No differences were observed according to the interviewees' age, labour market status or income level.

## HOW MANY CITIZENS REQUESTED (OR BELIEVE THEY HAVE REQUESTED) INFORMATION IN PERSONAL CAPACITY?

One survey question inquired whether the citizens have submitted an information request in personal capacity. The idea was to see how often citizens exercise this right in practice. Citizens who indicated they have submitted information requests were also asked about their experience and the efficiency of the system on free access to information. Results obtained on this set of questions are analysed below.

Exactly 31.9% of interviewees indicated they have submitted information requests in personal capacity. This is the so-called declared share, because all citizens who indicated this answer were later asked to provide details about the information requested. The analysis of detailed descriptions concerning the information requested by the citizens shows that significant share of those who (every third citizen) indicated submission of information request in reality have not submitted such request due to their misconception that different types of communication with public institutions constitute official request for access to public information. In other words, citizens – to a large extent – believe that any communication with public and state institutions and organizations is actually access to public information. Most frequently, communication exchanges related to individual utility bills (for example, high electricity bills) or access to personal data (for example, insight in employment contributions paid) were reported as requests for free access to information. Once these misunderstandings were corrected, the number of citizens who requested access to public information accounts for one fifth (corrected share) in the most optimal variation (including citizens who refused to specify their information requests or those who were unclear whether their requests fall under the definition of request for access to public information). Detailed data are shown in Table 5.

TABLE 5: HOW OFTEN AND WHAT TYPE OF INFORMATION WERE REQUESTED BY THE CITIZENS?

	Number	Share
Declared share	392	31,9%
Information requests submitted in personal capacity	392	31,9%
Corrected share (of those who requested information)	491	17,7%
It's not a matter of public information		35,3%
Refuses to specify the information, doesn't know, doesn't remember	7	2,0%
May be public information, the interviewee is unclear or unpecific	47	13,6%
Yes, it's a matter of public information	170	49,1%

Therefore, it can be concluded that significant share of citizens do not understand what public information means and implies. In addition, the analysis of detailed descriptions offered by the interviewees shows that citizens most often requested access to information, and not to documents, which is a positive trend. However, these results are indicative of the need for further education of citizens and for provision of free legal aid by information holders to specify the information request and assist the information requesters in determining the information they need.

On the other hand, the analysis shows significant differences in answers among interviewees who indicated they have submitted information requests. First, interviewees' education background significantly influences their answers resulting in major differences between interviewees with lower and those with higher education. As expected, interviewees with lower education have submitted low number of information requests, whereas those with higher education have submitted a high number of requests. Age has a role in their answers, as young people (to 29 years) appear as the most frequent information requesters, while the lowest frequency of positive answers was noted among the oldest age group (70+ years). Inactive citizens submitted the lowest number of information requests, compared to the employed interviewees, who submitted the highest number of information requests.

Interviewees with higher personal income per month (above MKD 24,000) and ethnic Albanians more frequently submit information requests. Differences in answers were not identified according to the interviewees' gender. As regards the geographical distribution of answers, the Pelagonija region was marked by the lowest number of information requests compared to the Southwest region, where citizens frequently request access to information.

## HOW AND FROM WHICH TYPE OF INSTITUTIONS DID CITIZENS REQUEST INFORMATION?

Within the group of citizens who indicated they have submitted information requests, the highest number of requests concerned information held by the municipality (36%), private entities performing public services (32%) and education institutions (26%). Significantly lower share of requests concerned information held by public enterprises, the government and line ministries, as well as health care institutions. Lowest share of information requests (around 5%) were addressed to natural persons performing public services, chambers and judicial authorities (detailed results are presented in Table 6).

TABLE 6: WHICH INSTITUTIONS ARE MOST FREQUENTLY ADDRESSED WITH CITIZENS' INFORMATION REQUESTS?

	From 392 interviewees	From the sample
Municipalities	36	11
Private entities performing public services	32	10
Education institutions	26	8
Public enterprises	16	5
Government, ministries and agencies	15	5
Health care institutions	14	5
Natural persons performing public services	5	2
Chambers (Bar; Commerce; Medical; etc.)	4	1
Judicial authorities	4	1
Other	0	0

Citizens still prefer to request information in traditional manner, most frequently in person (75%) or by telephone (17%). The next most frequently used media for information requests are ICTs. 14% of interviewees indicated they request information by sending e-mails, and every tenth interviewee prefers to access information on the information holders' websites. Therefore, it is of great importance for all information holders to have valid and regularly updated e-mail addresses and functional websites by means of which citizens can address them, which in practice has proved to be problematic (for more information, see the sample of information holders in the section on the methodology). Every tenth citizen still requests information through personal connections and contacts with relatives and friends. 6% of citizens send the information requests by registered mail, and only 1% by fax.

## ONLY ONE HALF OF INFORMATION REQUESTS ARE RESPONDED TO

One half of citizens who submitted information requests were responded to. 41.1% of citizens receive complete information within the deadline, while another tenth (12.9%) receive the information requested, but with a delay. One fifth (19.2%) receive only partial responses, and an insignificant number of interviewees (1.3%) receive the information requested only after they have resorted to their right to appeal. One quarter of interviewees (25.4%) do not receive the information requested. The general distribution of answers does not change even after the elimination of invalid requests, i.e. when analysing only the corrected share of requests for free access to public information.

TABLE 7: DID YOU RECEIVE THE INFORMATION REQUESTED?

	Declared share		Corrected share	
	Frequency	Share	Frequency (clean data)	Share (clean data)
Yes, complete information within the deadline, directly from the information holder	149	38,0	92	41,1
Yes, complete information, but with a delay	49	12,5	29	12,9
Yes, complete information, but only after submitting an appeal	8	2,0	3	1,3
Yes, but incomplete information, some parts were missing	84	21,4	43	19,2
Did not receive the information	102	26,0	57	25,4
Total	392	100,0	92	100,0

Defeating is the fact that one quarter of citizens do not receive any response to their request for free access to information. This is indicative of the fact that so-called “silent rejections” still pose a major problem for complete exercise of the right to information. Nevertheless, compared to surveys and research conducted in the past (including the 2004 research conducted prior to the adoption of the Law on Free Access to Public Information) whose results indicated that “silent rejections” accounted for around 50% of all responses<sup>21</sup>, it seems that the situation has improved.

21 Korunovska N. and Danilovska, D. *WALL OF SCIENCE. A YEAR LATER: Report on the Implementation of the Law on Free Access to Public Information*, FOSIM, Skopje, 2007

## CITIZENS DO NOT USE THE LEGAL REMEDIES AVAILABLE TO PROTECT THEIR RIGHT TO FREE ACCESS TO INFORMATION

Only a small share of citizens who indicated they are not satisfied with the response or have not received any response, are using their right to appeal in front of the Commission. Only 5% indicated they have not lodged an appeal; additional 5% have lodged an appeal in front of the Administrative Court, while majority of citizens (84.5%) have not taken any further action. Six interviewees indicated they have taken another activity once they did not receive any response to their information request. One interviewee stated he had addressed all instances possible; one stated he addressed the new mayor; one addressed the public prosecutor; two interviewees complained they are unaware of instances they can address with an appeal; and one stated he will re-submit the request for free access to information, after a given time period.

Although survey results do not reveal the reasons behind the vast inactiveness on the part of citizens to protect their right to free access to information, the situation observed holds a major potential for further investigation on the part of the Commission and non-governmental organizations profiled in the field of human rights protection and provision of free services to citizens.<sup>22</sup>

## CITIZENS HAVE DIVIDED OPINIONS ABOUT THE FUNCTIONALITY OF THE SYSTEM ON FREE ACCESS TO INFORMATION IN MACEDONIA

Based on their experience, the interviewees who submitted information requests were also asked to share their opinion about the functionality of the system on free access to information. Citizens have divided opinions about this issue and majority of them (42.1%) believe the system is only partially functional. 29.6% of citizens are satisfied, 28.3% believe the system functions poorly or does not function, and as high as 16.3% of those who submitted information requests believe the Law and the system are not functional in practice. Deduction of invalid information requests from this group of answers, i.e. analysis of answers included in the corrected share does not arrive to significant differences in assessments made about the system's functionality. Detailed overview of answers is given in Table 8.

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22 Toll-free telephone line 0800 44 222

**TABLE 8: ASSESSMENT ABOUT THE EFFICIENCY OF THE SYSTEM ON FREE ACCESS TO INFORMATION**

	Frequency	Valid share		No. of citizens who addressed this types of institutions with information requests	Average assessment
Does not function	64	16,3	Education institutions	103	3,13
Functions poorly	47	12,0	Health care institutions	56	2,93
Functions partially	165	42,1	Municipalities	141	2,90
Functions well	85	21,7	Private entities	127	2,90
Functions excellently	31	7,9	Government and line ministries	56	2,89
Total	392	100,0	Public enterprises	61	2,84
			Chambers	16	2,81
			Judiciary	14	2,64
			Natural persons	20	2,55
			Overall average assessment	392	2,93

Note: It is possible for one citizen to have requested information from more than one institution.

Analysis of citizens' assessments about the system's functionality reveals small differences in answers depending on the type of institution addressed with the information request. In that, citizens were asked to rank their experience on the scale from 1 to 5, where 1 means "does not function" and 5 means "functions excellently". As we already noted, in average, the citizens assessed the system as partially functional, with an average assessment of 2.93. Most satisfied with the system are the citizens who requested information from the education institutions (average assessment of 3.33), followed by health care institutions, municipalities and private entities performing public services. On the other hand, citizens are the least satisfied with the judicial authorities and natural persons performing public services.

## WHY DO CITIZENS REFRAIN FROM REQUESTING ACCESS TO INFORMATION?

The survey made an attempt to reveal the reasons that prevent citizens from requesting information, and therefore the citizens who indicated they have not requested information in personal capacity (N=832) were asked to explain the reasons thereof. Analysis of their answers shows that majority of citizens (42%) do not have a particular reason for not requesting access to public information, or they are not interest in them (31%). Nevertheless, a significant share of citizens are discouraged or demotivated and believe that information is inaccessible, meaning they would not receive them (28%) or they do not know which institution and how to address it in order to obtain the information (16%), which is indicative of the information gap between the state and its citizens. 7% of citizens are discouraged to request access to information because of lack of funds, while 16% of them do not have the time.

Among the citizens who indicated another reason for not requesting access to public information most numerous (3.2%) are those who stated they had no need for public information, 1.3% stated they were prevented (illness, change of residence, young age), 0.6% already accessed the information (it was publicly available) and 0.5% would ask somebody else (most often a member of their family).

## CITIZENS' PREFERRED MANNER OF COMMUNICATION WITH THE INSTITUTIONS

All citizens were asked about their preferences in terms of future communication methods with the information holders, should they need access to public information. Positive is the fact that 99% of citizens indicated a preferred manner of communication, meaning they expect to submit information requests, and only 1% of citizens stated they would not need access to information in the future. Therefore, the Commission and information holders should have a strong motive to improve the access to public information, in order to accommodate the planned demand for information as indicated by the citizens.

On the other hand, the survey shows that citizens still prefer to request information in traditional manners: in person (57%) or by telephone (33%). One quarter of interviewees indicated ICT-enabled possibilities as the most appropriate manner for obtaining the information needed, 26% indicted they prefer to use e-mails, and 24% of citizens would browse the institution's website for information. Disappointing is the conclusion that every fourth citizen (23%) would attempt to obtain the information needed through their connections, personal contacts and friends. Other communication methods offered as possible answers were somewhat less

attractive for the citizens: every tenth citizen would send an information request by registered mail, 4% by fax and 1% would pay bribe for access to information. In the group of answers indicating other communication methods most numerous are the media used as a tool for access to public information, meaning these interviewees would look for information through the media. Detailed breakdown of answers is given in Table 9.

**TABLE 9: PREFERRED MANNER OF FUTURE REQUEST FOR INFORMATION**

	Share
Submit an information request in person	57
Submit an information request by telephone	33
Submit an information request via e-mail	26
Search for information on the website	24
Use friends, connections and contacts	23
Submit an information request by registered mail	10
Don't know	4
Submit an information request by fax	4
Offer bribe	1
I will not need information	1

Similar preference of traditional methods was indicated in regard to information's receipt. Half of interviewees (52%) stated that in an ideal situation they would like to receive the information in person; one third (34%) by telephone and one third (31%) via e-mail, while one quarter of interviewees expect the information to be available on the information holder's website, and one fifth of them prefer to receive the information requested by registered mail. Breakdown of answers is shown in Table 10.

**TABLE 10: IDEALLY, WHAT IS YOUR PREFERRED MANNER OF RECEIVING THE INFORMATION?**

	Share
In person	52
By telephone	34
Via e-mail	31
Information to be available on the website	25
By registered mail	19
By fax	5
Don't know/ Refuses to answer	5

## MAJORITY OF CITIZENS ARE STILL UNAWARE OF THE LAW THAT GUARANTEES THEIR RIGHT TO FREE ACCESS TO INFORMATION

Further, the survey inquired whether the citizens have heard of, i.e. are they knowledgeable about the Law on Free Access to Public Information. Namely, the citizens were first read the definition of public information.<sup>23</sup> Then they were asked whether they are aware of the Law that guarantees their right to free access to information. After that citizens were directly asked whether they are knowledgeable about the Law's existence and its contents. Unfortunately, more than half of citizens have never heard and are unaware of the Law on Free Access to Public Information, while only 13 of them are well knowledgeable about with the Law.

TABLE 11: ARE CITIZENS KNOWLEDGEABLE ABOUT THE LAW?

	Number	Share
Yes, I'm well knowledgeable	167	13,6
I'm knowledgeable, but uncertain	419	34,1
Have not heard	491	40,0
Don't know	151	12,3
Total	1.228	100,0

This is indicative of the great information gap among the citizens. Without systematized and targeted education, one cannot expect the citizens to learn and get familiarized with their rights on their own, especially when in the past these rights have not been guaranteed by the state. Law's successful implementation largely depends on the pressure created by "the demand for information", and therefore it is very important for the state and the Commission to seriously reconsider the type of education campaigns that could increase the knowledge about this right among the citizens.

The situation related to citizen's knowledge about the Commission for Protection of the Right to Free Access to Public Information is much better. Citizens who are familiar with the Law (N=167) were asked whether they have heard of or are aware

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 23 I'll read you the definition of public information, i.e. information of public character. These are information created and disposed by state bodies and public enterprises. So, any document of the government, ministries, municipalities, courts, health care and education institutions, chambers and private entities performing public service is considered to be public information.

of the Commission's existence. Two thirds of them (65.3%) are familiar, i.e. have heard about the Commission, while one third (32.9%) are unaware of its existence. Additional 1.8% of citizens are not sure. The fact that citizens are aware of the Commission that protects their right to information, but do not use the legal remedies it offers (appeals), especially in cases when they have been denied access to information, is indicative of the need for an in-depth analysis of citizens' perceptions and views on the Commission's performance, position and efficiency.

## VAST MAJORITY OF CITIZENS HAVE POSITIVE ATTITUDE TOWARDS THE LAW AND BELIEVE THE LAW INCREASES THE TRANSPARENCY OF AND TRUST IN THE INSTITUTIONS

In the end, citizens were asked to indicate their agreement or disagreement with certain statements about the Law and public information. In that, citizens indicated their agreement or disagreement on the scale from 1 to 5, where 1 means "complete disagreement" and 5 means "complete agreement". Table 12 summarizes their answers, ranked from greatest to lowest agreement. Based on the survey results, it is concluded that a vast majority of citizens have positive attitudes towards the Law and the public information. Namely, high share of citizens (85.3%) completely agree with the statement that public information should be made available free of charge. Furthermore, three in four citizens (75.3%) agree that the Law should cover the political parties.<sup>24</sup> Majority of citizens (60.4%) completely agree that the ability to receive information from the institutions increases the confidence in them, while additional 20.3% partially agree with this statement. On the other hand, citizens disagree with the statement that provision of free access to information is an unnecessary waste of public funds. Finally, majority of citizens believe that free access to information increases cost-effectiveness in the state, i.e. makes public spending more accountable and more transparent.

.....  
24 In 2007, the political parties were defined as information holders for the purpose of the law. The Commission reversed its decision in 2011 and exempted them from the List of Public Information Holders.

TABLE 12

	Average agreement
Public information should be available free of charge	4,70
Political parties should be obliged to disclose their information	4,47
Possibility to obtain information held by the institutions increases the citizens' trust in them	4,19
Free access to information contributes to more accountable and transparent public spending	3,94
Free access to information is unnecessary waste of public funds	2,15

## IN GENERAL, CITIZENS DO NOT BELIEVE THEY ENJOY FAST AND EASY ACCESS TO PUBLIC INFORMATION (WITH THE EXCEPTION OF INFORMATION HELD BY EDUCATION INSTITUTIONS)

Despite citizens' positive attitude towards the Law, they still do not believe there is fast and easy access to public information. In average, citizens believe that accessing public information is difficult, especially when it is a matter of information held by the government and line ministries, public enterprises and municipalities. Education and health care institutions enjoy the highest trust of citizens in terms of access to information they possess. As high as 29% of citizens do not believe they would obtain information from state institutions and ministries, 7% of citizens share this position in regard to information disposed by education institutions.

TABLE 13: CITIZENS' ATTITUDES ABOUT FAST AND EASY ACCESS TO INFORMATION HELD BY DIFFERENT INFORMATION HOLDERS

If you request information from (insert holder), will you receive it in fast and easy manner?	Frequency	Don't know	Average assessment
Education institutions	960	172	2,46
Health care institutions	996	136	2,27
Private entities performing public services	998	134	2,20
Municipalities or public enterprises	1.059	73	2,14
Government and ministries	1.011		1,85



# LAW ON FREE ACCESS TO PUBLIC INFORMATION FROM THE PERSPECTIVE OF INFORMATION HOLDERS: EXPERIENCES AND POSITIONS

While there are limited research and reports on citizens' awareness and attitude towards the Law on Free Access to Public Information, several reports covering the information holders do exist. Namely, as part of its annual reports the Commission regularly provides an overview on the Law's implementation and reflects on the obligation of and data it receives from the information holders, as the latter are tasked with submission of annual reports to the Commission. Although these reports are partial,<sup>25</sup> they provide an image about the situation concerning the Law's implementation by the information holders.

In that line, this section presents the survey results obtained from 446 information holders on the online questionnaire and aims to address certain aspects that have not been researched in Macedonia. Namely, the survey inquired about the type and extent of activities taken by information holders to align their practices with the Law, how much do they believe the Law will contribute to their increased transparency, what difficulties and challenges they have faced in implementing the Law and what is their attitude towards the Law. In our opinion, a complete image about the Law's implementation must make due consideration of opinions and attitudes upheld by the information holders, which are directly competent for provision of information and are in direct contact with the citizens.

## HAVE INFORMATION HOLDERS TAKEN ACTIVITIES TO COMPLY WITH THE LAW?

First, information holders were asked whether they had taken any activities to comply with the Law and to ensure the Law's efficient implementation. The idea was to see the range and scope of their activities, and the most and the least common type of activities.

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25 Because high share of information holders do not comply with their law-stipulated obligation and do not submit their annual reports to the Commission.

Law on Free Access to Public Information stipulates that information holders are obliged to take certain activities for the purpose of facilitating the implementation of legal solutions, such as: to appoint an officer responsible for information mediation, to assign special premises for insight in information/documents, to publish the list of information and to proactively and voluntarily publish certain types of information. Positive is the fact that most of information holders have taken activities to comply and align with the Law (detailed information is given in Table 14).

In spite of these measures, complete application of the Law requires additional activities, such as: revising record-keeping and archiving methods or introducing internal procedures related to responding to information requests, and providing training for the staff. One third of information holders stated they have increased the number of information being proactively or voluntarily published on their websites. One quarter of information holders have amended their relevant records-keeping and archiving procedures. Another quarter changed their operational procedures in order to accommodate internal practices and communication related to responding to requests for free access to information. Nevertheless, worrying is the fact that as many as one quarter of information holders have not taken any activities, while additional 7% of responsible officers do not know whether the institution has taken any steps to facilitate the Law's implementation in practice.<sup>26</sup>

	Share
Increased number of information being proactively published by the institution	32
Changes to procedures on records-keeping and archiving	24
Changes to operational procedures to accommodate internal practices and communication for related to responding to information requests	23
No changes/activities	23
Don't know	7

On the other hand, high share of officers tasked to respond to information requests have been assigned to that position for more than three years, which proves that information holders are consistent and serious about the Law. These officers have completed higher education or postgraduate studies and are civil servants with long years of service. Such structure and resources provide a solid potential for adequate implementation of the Law.

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26 It should be noted that there are no significant differences in the number of received information requests between information holders that have or have not implemented activities to facilitate the Law's implementation.

## PROACTIVE PUBLICATION OF INFORMATION

Law on Free Access to Public Information obliges the information holders to proactively publish certain types of information. The idea for so-called active transparency is to make available key information on their operation and citizens to have access to them without having to formally initiate the process for requesting access to public information.<sup>27</sup> Although the Law enlists the types of information and manners in which they should be made available, in reality the information holders find it difficult to comply with this obligation.

In that sense, the survey made an attempt to identify the types of information which the information holders publish on voluntary basis and by automatism. Data shown in Table 15 provide the conclusion that there are major discrepancies in types of information published by the information holders. Hence, while most information holders publish information related to their operation, every tenth information holder publishes its internal policies and procedures or results from consultations and research. Although these are categories of information that should be published by the relevant information holder and should be provided free of charge, it was observed that these legal provisions are not fully complied with.

Active transparency is very important knowing that significant share of citizens indicated that their preferred manner of receiving information is the information holder's website. Hence, in the future, focusing on compliance with this legal obligation would be of crucial importance in terms of increasing publicly available information, but also in terms of facilitating the access to public information in general. This conclusion is in line with the Open Government Partnership<sup>28</sup> and Macedonia's first OGP Action Plan, where measures envisaged by the Government include increased scope of publicly available information on the websites of competent institutions.

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27 For more information, see Davitkovski B. and Pavlova-Daneva A., Comments on the Law on Free Access to Public Information, FOSM 2011.

28 For more information see: [www.opengovpartnership.org](http://www.opengovpartnership.org)

**TABLE 15: WHAT TYPES OF INFORMATION DO INFORMATION HOLDER PUBLISH VOLUNTARY AND BY AUTOMATISM?**

	Share
Information on the institution's performance and achievements	53
Institution's statistical data (for ex., number of employees)	39
Information on future plans, strategies, goals	39
Information on decisions taken by the institution	39
Annual narrative reports	31
Annual financial reports	31
Details on signed tender contracts	26
Minutes from meetings	17
Details and results from consultations and research	14
Internal policies and procedures (for ex., disciplinary procedure)	9
Staff's personal data	8
Nothing from the above-indicated	7
Don't know	4

## SCOPE OF INFORMATION REQUESTS

Information holders were asked whether they have received requests for free access to information in the last 12 months. Most of them (58%) confirmed that they were addressed with information requests in the last year. However, a significant share or two fifths (39.4%) have not received a single request for free access to information (detailed overview of answers is given in Table 16). In addition, every tenth information holder did not respond on this question, which raises the dilemma whether these information holders were unaware or have not received requests for free access to information in the last year.

**TABLE 16: HAVE YOU RECEIVED INFORMATION REQUESTS IN THE LAST 12 MONTHS?**

	Frequency	Share
Yes	231	58,1
No	157	39,4
Don't know	10	2,5
Total	398	100,0

Furthermore, in order to measure the scope of Law’s application, information holders that positively responded to the question on received requests were also asked to indicate the exact number thereof. Results obtained on this question show that, in average, information holders are addressed with low number of information requests (see Table 17). Three quarters of them (77%) have received up to 10 information requests (of which 35.9% have received only one or two requests) and an additional tenth of information holders have received 11 to 20 information requests. Therefore, it can be concluded that the Law’s implementation is not a major challenge for information holders because 90% of those addressed with information requests usually receive less than 20 requests per year.

**TABLE 17: NUMBER OF RECEIVED INFORMATION REQUESTS PER YEAR**

	Frequency	Share
1 or 2	83	35,9
3 to 10	95	41,1
11 to 20	24	2,10,4
21 to 30	14	6,1
31 to 50	11	4,8
51 to 100	3	1,3
100 to 200	1	0,4
<b>Total</b>	<b>231</b>	<b>100,0</b>

These results are indicative of the Law’s poor scope of application, which is mainly due to the non-existing “demand for information” among citizens and organizations. On the other hand, when compared against the number of citizens who declared they have requested access to information (corrected rate of 17%) and the total number of information requests<sup>29</sup> reported for the year 2012, it can be concluded that record-keeping and archiving practices related to information requests need to be improved, in order to establish the actual situation related to the exercise of this right. Namely, in order to have complete insight in the number, type and nature of information requests, the information holders should have uniformed record-keeping practices. This should be a priority in the forthcoming period, and would also facilitate the Commission’s annual reporting obligation.

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 29 In its 2012 Annual Report, the Commission notes: “after having processed the overall data presented to us, it was established that in the reporting year (2012), a total of 4,865 information requests have been submitted, which is the highest number recorded from the start of the Law’s implementation”.

## MOST COMMON TYPES OF INFORMATION REQUESTS ADDRESSED TO THE INFORMATION HOLDERS

Information holders were asked about the type of requests they are presented with. Requests inquiring about public spending are the most frequently reported requests by the information holders. As high as 37% of holders addressed with information requests indicated they were presented with requests inquiring about the number of tender contracts signed. Following are requests inquiring about decisions taken by the institution (35%) and statistical data related to the information holder (34%). A somewhat lower share of information requests (30%) inquired about the institution's operation and performance results, and one quarter were interested in the annual financial reports, future plans, and strategies, and even inquired about minutes from the meetings. Breakdown of answers obtained on this question is given in Table 18.

TABLE 18: TYPE OF INFORMATION REQUESTED

	Share
Details on tender contracts signed	37
Information on decisions taken by the institution	35
Statistical data about the organization	34
Information on the institution's operation and achievements	30
Annual financial reports	24
Information about future plans, strategies and goals	22
Minutes from meetings	22
Annual narrative reports	13
Staff's personal data	9
Details and results from consultations and research	9
Internal policies and procedures (for ex., disciplinary procedure)	7
Don't know	2
Nothing from the above-indicated	13

These results could be interpreted as indicators on the most useful and most significant information citizens are interested in. Given that these information pertain to the category of information whose publication is mandatory and access to which should be granted free-of-charge (the so-called active transparency stipulated under Article 10 of the Law), in the future, when deciding on the types of

information to be voluntarily and automatically published the information holder should be guided by the citizens' interests. Actually, the information holders should improve publication of information related to tender and public procurement contracts signed, decisions they have adopted, and should also include more statistical data about the institution.

## RESTRICTIONS TO THE RIGHT TO INFORMATION

Restrictions are an important aspect of the right to free access to public information, and they are regulated by exceptions from free access to public information. For years now, the Macedonian freedom of information legislation has been criticized in this regard. Series of analyses show that "the exceptions to access to public information are vaguely worded, leaving scope for arbitrary interpretation"<sup>30</sup> and therefore it was important for us to see how often do information holders reject access to information and what are the reasons indicated for non-disclosure of or restricted access to information.

The survey shows that, in principle, information holders guarantee/enable access to information. One in ten information holders (or a total of 42) stated they encountered situations in which they did not respond or denied access to information. Another 8.7% indicated they never encountered such situations, while 2.8% do not know whether access to information had been restricted.

Most frequently indicated reason for restricting access to information is the fact that the information holders do not dispose with the information requested. As high as 38% of information holders indicated this answer, followed by 26% indicating that access to information was restricted on the grounds of personal data protection. Every fourth information holder declared that access was denied because it was a matter of classified information, while one in five information holders justified denied access with the document being under preparation.

Worrying is the fact that every fifth information holder indicated that the vaguely formulated information request is the reason for restricted access to public information. Having in mind that citizens are neither familiar with nor informed about their right to free access to information, while the public information lists published by the information holders are scarce, it seems that information holders need to take serious efforts in order to assist citizens in specifying their requests. This means that in the spirit of the Law, the information holders should draw out the essence of the information requests and treat them in compliance with the legal provisions. Further research is needed in order to establish whether the information holders do provide legal assistance to citizens when submitting

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30 EC's 2012 Progress Report for the Republic of Macedonia; 2012 SIGMA Assessment Report on the Republic of Macedonia.

information requests and how service-oriented are they in performing this competence. Furthermore, 17% of information requests were not responded to because the information were already available in another form, while other reasons offered as possible answers were selected in extremely low number of cases (detailed breakdown of answers is given in Table 19).

**TABLE 19: REASONS FOR RESTRICTED/DENIED ACCESS TO PUBLIC INFORMATION**

	Share
My organization/institution does not dispose with the information requested	38
Personal data	26
Classified information	24
Documents under preparation	21
Information request is vague	19
Information is already available in other form	17
Commercially sensitive data (business secret)	12
Incomplete request	12
Material costs for the information were not settled	10
Oral request	2
Don't know	0

## INFORMATION HOLDERS' OPINION ABOUT THE LAW'S POSITIVE EFFECTS

Information holders were also asked to assess the positive effects of the Law, i.e. to specify the types of information that are now publicly available, but would not have been if the Law was not adopted. One quarter of them believes there is increased access to information on institutions' operation and performance, as well as on decisions they have taken and the statistical data. One fifth believes that the Law enabled greater access to tender documents, annual financial reports and information on institutions' future plans and strategies.

According to survey results, one third of information holders believes that the Law did not result in increased transparency or do not know whether it had triggered significant changes in their operation. Namely, 15% of information holders indicated that the Law did not produce any changes, while 16% of them are unaware of any effects created by the Law's adoption and application, especially in terms of increased availability of information. Law's adoption was least useful

in enabling access to internal policies and procedures, as well as information and results from research and consultations (8%). Breakdown of all answers obtained on this question is given in Table 20.

**TABLE 20: INFORMATION MADE PUBLICLY AVAILABLE AS A RESULT OF THE LAW'S ADOPTION**

	Share
Information on the institution's operation and performance	24
Information on decisions adopted by the institution	23
Statistical data about the organization (for ex., the number of employee)	22
Details on tender contracts signed	21
Annual financial reports	19
Information on future plans, strategies and goals	19
Don't know	16
Minutes from meetings	14
Annual narrative reports	13
Staff's personal data	9
Details and results from consultations and research	8
Internal policies and procedures (for ex., disciplinary procedure)	8
None from the above-indicated, the Law did not create significant changes	15

## INFORMATION HOLDERS' OPINION ABOUT THE CITIZENS' KNOWLEDGE OF THE LAW

The survey inquired about the information holders' opinion about citizens' knowledge of the Law n Free Access to Public Information, and the activities they have taken to increase public information about the Law. For that purpose, information holders were asked to make an estimate of citizens' knowledge about the Law. Results show that information holders are realistic about the situation, i.e. they are aware that significant share of citizens are not familiar with the Law, which was confirmed by the citizens' survey. Namely, 40.5% of information holders assessed that citizens have little or no knowledge of the Law, while 40.3% believe that citizens have certain knowledge thereof. Only 19.2% believe that citizens are well familiar with the Law. Complete overview of answers is given in Table 21.

**TABLE 21: CITIZENS' KNOWLEDGE OF THE RIGHT TO FREE ACCESS TO INFORMATION**

	Frequency	Share	Valid share
Completely unknowledgeable	4	0,9	1,0
Little knowledgeable	152	33,9	39,5
Somewhat knowledgeable	155	34,6	40,3
Well knowledgeable	69	15,4	17,9
Completely knowledgeable	5	1,1	1,3
<b>Total</b>	<b>385</b>	<b>85,9</b>	<b>100,0</b>
Don't know	15	3,3	
Missing answers	48	10,7	
<b>Total</b>	<b>63</b>	<b>14,1</b>	
<b>Total</b>	<b>448</b>	<b>100,0</b>	

Moreover, the information holders were asked whether they actively promote the right to free access to information or are passive and leave the citizens to learn about this right on their own. More than half of them indicated they do not promote the Law or do not know whether they are promoting it, while 41.7% of institutions declared they actively promote the Law. Combined with the fact that only 14% of citizens are well knowledgeable of the Law, it can be concluded that efforts made by the institutions are underperforming, i.e. they do not produce the expected results.

**TABLE 22: PROMOTION OF THE RIGHT TO INFORMATION**

	Frequency	Share	Valid share
Active promotion	187	41,7	46,8
Citizens learn on their own	174	38,8	43,5
Don't know	39	8,7	9,8
<b>Total</b>	<b>400</b>	<b>89,3</b>	<b>100,0</b>
Missing answers	48	10,7	
<b>Total</b>	<b>448</b>	<b>100,0</b>	

In addition, the information holders were asked to share their opinion about citizens' expectations from the Law. Information holders were of divided opinion on the question whether citizens' expectations are unrealistic. More than half of

information holders (54.6%) believe that citizens' expectations are unrealistic, i.e. they expect too much of this Law.

## DISCREPANCY BETWEEN DECLARED TRANSPARENCY AND ACTUAL PRACTICE

In order to establish how much did the Law contribute to increased transparency on the part of public institutions, the information holders were asked whether there is a discrepancy between what is declared as transparency in operation of state institutions and what is implemented in practice. Although the question is general, we believe it is indicative of the level of openness of state institutions and, to a certain extent, reflects the environment in which the Law is implemented. For that purpose, the information holders were also required to explain their answer.

Most information holders (57.4%) are unaware of any discrepancy. However it should be noted that this survey question is characterized by the highest number of answers that do not provide any insight in the essence behind them, i.e. the responsible officers who responded to the question were unable to produce clear and coherent explanation. Additionally, every tenth information holder did not answer this question, while most of those that responded (58.7%) believe there are no discrepancies and 41.3% of them believe there is discrepancy between the declared and actual transparency. Detailed overview is given in Table 23.

**TABLE 23: IS THERE A DISCREPANCY BETWEEN THE DECLARED AND ACTUAL TRANSPARENCY?**

	Frequency	Share	Valid share
No (Why?)	84	18,8	58,7
Yes (Why?)	59	13,2	41,3
<b>Total</b>	<b>143</b>	<b>31,9</b>	<b>100,0</b>
Don't know	257	57,4	
Missing answers	48	10,7	
<b>Total</b>	<b>305</b>	<b>68,1</b>	
<b>Total</b>	<b>448</b>	<b>100,0</b>	

Information holders that indicated no discrepancies explained their answers as follows: the Law is fully complied with; the information requested is most frequently disclosed in written form and therefore, there can be no discrepancy; transparency is increased; institutions are open, and information is publicly

available. On the other hand, the explanations offered by the officers who indicated there is a discrepancy can be divided in several categories. First, majority of them explained the discrepancy with state institutions' failure to fully implement the Law, i.e. institutions deny access to information that can negatively reflect on their track record; it is a matter of access to sensitive information or they are afraid to disclose certain information. Namely, this group of information holders declared that transparency is pursued only in terms of positive performance results, whereas the negative aspects of their operation are not disclosed. Another category of information holders indicated existence of internal resistance to disclose certain information, meaning that the employees cherish a culture of closeness. The third category of information holders includes those that believe that the discrepancy is due to lack of training, poor internal coordination and communication at the institutions. The fourth category of information holders believes that discrepancy is a result of the Law's non-alignment with other laws, primarily the Law on Personal Data Protection. The last group of information holders considers that discrepancy is a result of citizens' ignorance.

For this purpose, the information holders were asked whether they have encountered difficulties in implementing the Law. Three in four information holders (86.6%) declared they do not have difficulties, i.e. only one in ten information holders (13.3%) indicated they have encountered difficulties. Information holders that have encountered difficulties were asked to explain the reasons thereof. Most difficulties are created by the citizens' imprecise requests, as indicated by 57% of information holders. High share of them indicated problems related to understaffing (51%), no time (42%) and absence of internal procedures for responding to information requests (26%). Breakdown of answers is given in Table 24.

**TABLE 24: REASONS FOR DIFFICULT IMPLEMENTATION OF THE LAW**

	Frequency	Share
Imprecise information requests	30	57
Understaffing	27	51
No time	22	42
No internal procedures on responding to the information requests	14	26

In addition, these information holders (N=53) were asked to indicate the activities that need to be taken in order to overcome these difficulties. Although the sample comprised of these answers is too small to be generalized, it can serve as an indicator of the activities needed by the information holders. Given that answers provided do not derogate from the general assessment about the Law's shortfalls

(given below), it seems that the enlisted activities are really needed if the state wishes to fully implement the Law on Free Access to Public Information.

First, positive is the fact that information holders consider that a proactive approach is needed, i.e. no information holders declared that nothing should be taken in that regard. Furthermore, dominant share of answers indicated the need for education activities: training for information holders (74%), information to citizens (64%) and media campaign (45%). In addition, a significant share of information holders indicated the need for greater financial allocations, i.e. increased budget of information holders (40%) or the Commission (15%). One fourth of them (23%) believe that frequent meetings and direct communication with citizens are needed.

## SHORTFALLS OF THE LAW

Information holders were directly asked to pinpoint the shortfalls of the Law and its implementation. Citizens' ignorance (as indicated by 66% of information holders) and untrained staff (as indicated by 32% of information holders) were emphasized as the weakest aspects in the implementation. Every fourth information holder indicated the institutions' inertness as a problem. Every fifth information holder believes that organization-related difficulties and legal inconsistencies are the reasons for the poor implementation record. Breakdown of answers is given in Table 25.

	Frequency	Share
Citizens' ignorance	264	66
Untrained staff	128	32
Institutions' inertness	97	24
Organization-related difficulties	85	21
Legal shortfalls (inconsistencies, contradictory provisions, non-alignment with other laws, etc.)	77	19
Technical problems	65	16
Inefficiency of the Commission for Protection of the Right to Free Access to Public Information	18	5

Information holders were also asked about their opinion on the deadline for information disclosure, i.e. whether the law-stipulated deadline is complied with. According to their answers, high share (as high as 70%) believe the deadline for responding to citizens' information requests is complied with. On the other hand, an insignificant number of them stated they do not comply with the deadline

(5.5%), but worrying is the fact that one quarter of information mediation officers at the information holders are unaware whether the procedure on free access to information is completed within the law-stipulated deadline. One can only assume that these answers were indicated as general observations about the situation and concern all information holders, not the respondent's institution.

Next, the information holders were asked whether the fear from disclosing information is still present at the institutions. 15% of information holders explicitly, and another 43% partially, agree with the statement that in some cases the citizens do not receive the information requested because certain officers are afraid to disclose them. Only one third of information holders disagree with the statement that some information mediation officers are still afraid to disclose information and 10% of them do not know whether this is true or not.

If fear from disclosing information does exist, it is unnecessary in the cases when information is not disclosed, meaning that even if the Law is violated, relevant sanctions are not being applied. 83.5% of institutions do not apply sanctions in cases the citizens were denied access to public information, and 9% of institutions rarely apply these sanctions. 4.5% of institutions occasionally apply the sanctions and only 3% of them frequently apply the sanctions.

## COMMUNICATION WITH THE COMMISSION

Having in mind the position of the Commission *vis-à-vis* the information holders in the process related to free access to information, the survey included questions inquiring about the cooperation and communication between the Commission and information holders. Although by law, the information holders are obliged to communicate with the Commission, at least once a year (for ex., submission of annual reports), the survey results show that only half of information holders communicate with the Commission for Protection of the Right to Free Access to Public Information. In most cases, these exchanges happened in relation to attendance at training sessions delivered by the Commission, while 55% of cases concern the obligation on submitting annual reports to the Commission. 28% of information holders communicate with the Commission for matters related to appeals being lodged against them. Remaining half of information holders has no contacts with the Commission. Detailed overview is shown in Table 26.

**TABLE 26: MATTERS THAT ARE SUBJECT OF COMMUNICATION WITH THE COMMISSION?**

	Frequency	Share
Annual reports to be submitted to the Commission	110	55
Training sessions delivered by the Commission	107	53
Asking expert assistance for responding to information requests	93	46
Related to appeals lodged against the institution	56	28
Information holders that communicate with the Commission (N=201)		



# CONCLUSIONS AND RECOMMENDATIONS

The purpose of this research study was to gain insight in perceptions and experiences of citizens and of information holders in relation to the exercise of the right to free access to public information in Macedonia, and to compare them against the 2009 research results. Compared to 2009 research results it can be concluded that improvements are insignificant or there are no improvements made: conclusions and recommendations inferred from this research are similar, almost identical, with those obtained from the 2009 public opinion survey. Following are the most important conclusions and recommendations:

1. The Government and the Commission need to implement education campaigns aimed to inform citizens on the right to free access to information, especially geared towards increased knowledge of citizens about the types of information they are entitled to request. Moreover, these campaigns should encourage implementation of the Law on Free Access to Public Information among citizens and information holders, with a view to develop a society of active and educated citizens. Citizens' ignorance of the right to information must not be interpreted as their individual responsibility; on the contrary, the governing authorities must understand citizens' education as their obligation.
2. Information holders as well should actively contribute to the exercise of the right to free access to information, by implementing education activities for the citizens and proactive publication of public information, i.e. by publishing documents/information on their operation even before they are requested by citizens. Although information holders recognize the issue of citizens' ignorance about the right to free access to information, only half of them indicated they actively promote this right. In the spirit of the Law, proactive publication of information implies indirect and direct promotion of the right to free access to public information.
3. Activities are needed to overcome the issue of administration's silence in the exercise of the right to information, and they should be taken by information

holders and the Commission. The State is obliged to secure timely exercise of all rights enjoyed by the citizens.

4. Activities are needed to overcome the difficulties related to the Law's implementation and identified by the information holders: adequate organizational set-up, establishment of internal procedures at information holders for better "flow" of information, education of information holders. For that purpose, the Commission needs to establish regular communication channels with the information holders that would allow identification of all problems related to the Law's implementation.
5. The Commission's role and position must be strengthened and empowered, in terms of organizational, financial and regulatory matters. The Commission should be a key factor in the promotion of the right to free access to information by means of continuous contacts with information holders (because only half of interviewed information holders positively responded about having regular contacts with the Commission), and it should be given competences to impose misdemeanour sanctions. Namely, current practices of the Commission whereby it "establishes" violation of the Law on the part of information holders without taking any measures to sanction such behaviour has led to "careless" practices on the part of information holders.<sup>31</sup> Also, the Commission should be strengthened in financial terms. The Commission's exceptionally modest budget has been continuously reduced, and its 2012 budget has been reduced by 30% compared to the 2007 figures. The Commission is a "key" factor in the promotion of the right to free access to information and education for the information holders, and it can better perform this role only if it enjoys sufficient financial stability and security.
6. Sanctions need to be imposed in order to "discipline" the institutions. Law-stipulated sanctions must be enforced in the practice. Violation of the right to information must be given equal treatment and importance as any other violations.

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31 See example: [http://www.spinfor.org.mk/images/sluchai/Ministerstvo\\_za\\_trud\\_i\\_socijalna\\_politika/2013/s3.14-1/zakluchok\\_na\\_komisijata.pdf](http://www.spinfor.org.mk/images/sluchai/Ministerstvo_za_trud_i_socijalna_politika/2013/s3.14-1/zakluchok_na_komisijata.pdf), The Commission concludes that the information request was responded "with a delay".





# METHODOLOGY

This research study presents the results of a quantitative survey conducted by REACTOR – Research in Action in the period August-September 2013, which was commissioned and financially supported by the Foundation Open Society – Macedonia. The research study is comprised of two separate surveys targeting the key stakeholders in terms of the right to information. One survey was conducted among the citizens, by means of Computer Assisted Telephone Interviewing (CATI) on a sample comprised of the general adult population (18+ years) and aimed to determine the citizens' knowledge about this right. Actually, the survey was conducted on a representative sample of the overall population in the Republic of Macedonia comprised of 1,228 interviewees. The second survey targeted the information holders and aimed to determine the manner in which the Law is implemented, challenges faced by information holders, and changes made by information holders in order to facilitate the Law's implementation. This survey was conducted by means of online questionnaires addressed to 1,150 information holders, of which only 446 filled-in the questionnaires and their responses were integrated in the research results.

## SURVEY SAMPLE

When designing the study, we were faced with two important issues about the sample. First, it was important to decide whether the sample will be comprised only of members of the general population, or it will also include information holders. We opted for the second alternative and included the information holders in our research due to several reasons. First, the information holders, i.e. responsible officers dealing with information requests can make a significant contribution in assessing the efficiency of the system on free access to information, in particular because they are responsible to implement the Law on daily basis. Second, to present there is no national representative survey among information holders conducted in the Republic of Macedonia, although such a survey holds great potential in terms of identifying the weaknesses, but also the strengths in the Macedonian system on free access to information. Third, the previous research conducted in 2009 by

the Foundation Open Society – Macedonia targeted the information holders (in an indicative, rather than representative manner), and the research team considered the application of the same approach useful for comparison purposes.

The second important issue was the sample's size. The research team considered it was important for the citizens' sample to be representative of the overall population and thus the sample was standard and was comprised of 1,200+ interviewees. Different approach was applied in terms of the information holders, and the survey sample included all information holders from the List of Information Holders compiled, maintained and updated by the Commission. In practice, this sample was comprised of all information holders enlisted on the Commission's website ([www.komspi.org.mk](http://www.komspi.org.mk)) and included 1,150 entities, of which 850 have published their relevant e-mail addresses and were e-mailed the link to the online questionnaire.

## INSTRUMENTS

The survey is based on two separate questionnaires, each designed for one target group of interviewees. Citizens' questionnaire was designed by the research team and accommodated the Foundation's needs and research objectives, but also enabled comparisons against the 2009 research results. The questionnaire intended for information holders was designed in line with the questionnaires used by the relevant Freedom of Information Commissions in the UK and Scotland,<sup>32</sup> as well as in compliance with the 2009 research. Several steps were taken to ensure that the questionnaires accommodate the research goals and make due consideration of the local legal and institutional framework governing the right to information. In that regard, insights obtained during focus groups discussions were of great importance, as the focus group was organized to test the language and question formulations and to identify new categories or groups of questions. After the focus group, the citizens' questionnaire was piloted on 30 random interviews. In addition, the final version of the questionnaire and the methodology were subject of expert review and approval by the Foundation, i.e. Dance Danilovska – Bajdevska, Nada Naumovska and Marija Petrovska.

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32 In cases where the original questionnaires in English language were used as basis for formulation of questions, one researcher who speaks Macedonian as her mother tongue and has university education in law was tasked to make the conceptual translation of the original version of the questions (from English).

## PROCESS

### FOCUS GROUP

On 23 August 2013, the research team organized a focus group with total of 10 civil society representatives and journalists with relevant experience in submission of information requests. Focus group discussions were organized at REACTOR's office and lasted for an hour. Focus group discussions were recorder and moderated by a member of the research team. In addition, one member of the research team was taking the minutes during and after the discussions. Main goal pursued by the focus group was to verify the clarity, formulations, thoroughness and logical order of questions defined in both questionnaires. Moreover, the discussions were used to inquire about the participants' opinion about the right to information on the basis of their experiences and the specific aspects of the right to information that were in the focus of the research.

### PILOT TESTING

Once the citizens' questionnaire was designed, it was tested with a small group of interviewees. Namely, the research team conducted 10 direct interviews with the questionnaire in Macedonian language, aimed to identify the clarity of questions, and additional 5 direct interviews using the questionnaire in Albanian language. Interviews were followed up by discussions and served the purpose of stressing possible unclear or difficult questions and assessing the questionnaire' relevance. In addition, 20 random telephone-assisted interviews were made, in order to make the final test and estimate the interview's duration. Insights obtained from these actions were adequately integrated in the questionnaire. The pilot testing verified the interviewing method, which means that in addition to the questionnaire, this phase served the purpose of testing the CATI system, the surveillance method (audio recordings), surveyors' codification practices and instructions. In addition to the first test, data obtained from the first 100 filled-in survey questionnaires were analysed in order to determine any possible problems, but the results were impeccable.

The questionnaire intended for information holders was tested as well, whereby the research team checked the system for online surveys, codification practices and functionality of the online technical support and administration programme. These tests identified the need for the online survey to be migrated to a server of greater reliability (working memory) in order to enable speedy filling-in of questionnaires.

## SURVEY

Citizens' survey was conducted by REACTOR – Research in Action, by means of Computer Assisted Telephone Interviewing (CATI) and the average duration of interviews was 10 minutes. The survey was conducted in the period 25 August-11 September 2013, from 10:00 to 21:00 hours, every day. Team of surveyors was comprised of 8 ethnic Macedonians, 3 ethnic Albanians and 1 ethnic Roma, all trained and supervised by REACTOR – Research in Action. In line with the quality assurance procedures, the first 12 interviews were recorded and 20% thereof were examined by the research team. Surveyors were given daily feedback on the quality of their interviews, as well as guidelines to improve their interviewing methods. Total of 1,228 citizens were interviewed and provided a representative sample of the overall population in Macedonia.

Citizens' questionnaire inquired about the following aspects of the right to information:

- ▶ Types of information which the citizens believe they have the right to access, types of information they are interested in, and their personal experience with requesting access to public information;
- ▶ Citizens who requested access to information were asked about the manner in which they requested the information, whether they received the information requested and were also asked to assess the system on free access to information;
- ▶ Reasons for inactivity, i.e. reasons for not exercising the right to information;
- ▶ Citizens' preferences in terms of the manner of requesting and receiving information; and
- ▶ General opinion about transparency in Macedonia and the Law on Free Access to Public Information.

Information holders' survey was conducted by means of individual filling-in of online questionnaires by information mediation officers from the relevant institutions. Invitations to participate in the survey, together with a link to the online questionnaire, were sent to all e-mail addresses indicated in the official List of Information Holders compiled by the Commission for Protection of the Right to Free Access to Public Information (860 e-mail addresses in total). Information holders that did not fill-in the questionnaires were reminded to take part in the survey on three consecutive occasions. The questionnaire was filled-in by 465 information holders, of which 150 did so after the first invitation, 100 after the first reminder, 100 after the second reminder and 100 after the third and final reminder.

The questionnaire intended for information holders focused on three main aspects, as follows:

- ▶ Changes made to operational practices at the information holder following the Law's adoption;
- ▶ Law's implementation (number of information requests, reasons for denying access to information, problems related to the Law's implementation, information holders' capacity);
- ▶ Proactive transparency on the part of information holders.

Data analysis was developed by using the statistical software programmes SPSS and G\*Power.

## SAMPLE

### CITIZENS

Total of 1,228 citizens were interviewed, whose selection implied a two-stage random sampling exercise.<sup>33</sup> Response rate accounted for 14.1% of the assumed adequate sample (citizens who have landline or mobile phones). Details about the response rate are given in Table 27.

TABLE 27: RESPONSE RATE		
	Number	%
Turned off/out of operation or no response	4.993	57,3
Refuses to be surveyed	2.366	27,2
Survey interrupted during the interview	124	1,4
Completed survey	1.228	14,1
<b>Total</b>	<b>8.711</b>	<b>100,0</b>
<b>Response rate 1 (RR1)</b>		<b>11,6</b>
<b>Response rate 2 (RR2)</b>		<b>34</b>

RR1 - % of surveys completed and telephone numbers dialled

RR2 - % of surveys completed and contacts established

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 33 In the first stage a simple sample was compiled, while in the second stage the sample was stratified according to the gender, ethnicity, age and geographical region. It is assumed that the sample is representative of the overall population in Macedonia above the age of 18.

The survey sample was balanced in terms of interviewees' gender: 598 male (49%) and 630 female interviewees (51%).<sup>34</sup> Interviewees' geographical distribution covered all 84 municipalities and geographical regions in the country, as shown in Table 28. Interviewees' breakdown according to their ethnic background is the following: 913 interviewees are ethnic Macedonians (74.3%), 234 (or every fifth interviewee) are ethnic Albanians (19.1%), and 81 interviewees (6.6%) belong to another ethnic community, mainly Turkish, Roma, Bosniacs, and other. 16 interviewees did not disclose their ethnic background.

**TABLE 28: REGIONAL DISTRIBUTION**

	Number	%
Vardar region	100	8,1
Eastern region	97	7,9
Southwest region	142	11,6
Southeast region	100	8,1
Pelagonija region	133	10,8
Polog region	190	15,5
Northeast region	102	8,3
Skopje region	361	29,4
<b>Total</b>	<b>1.225</b>	<b>99,8</b>
Missing answers	3	0,2
<b>Total</b>	<b>1.228</b>	<b>100,0</b>

Interviewees were aged 18 to 91 years, with an average age of 43 years calculated for the sample.<sup>35</sup> Major share of interviewees (25.1%) pertain to the young group (18 to 29 years), followed by people aged 30-39 years and 40-49 years, which account for 19.4% and 17.5% of the sample, respectively. 16.8% of interviewees were persons aged 50-59 years, 12.9% were aged 60-69 years, 6.9% of interviewees were aged 70-79 years, and only 1.4% of the overall sample included persons above the age of 80. Interviewees' breakdown according to their age group is shown in Table 29.

.....  
34 21 persons did not indicate their gender.

35 Standard deviation of 17.

TABLE 29: AGE

	Number	%
18-29 years	308	25,1
30-39 years	238	19,4
40-49 years	215	17,5
50-59 years	206	16,8
60-69 years	159	12,9
70-79 years	85	6,9
80+ years	17	1,4
Total	1.228	100,0

Interviewees' distribution according to their education background is given in Table 30 and shows that: 18 interviewees or 1.5% have not completed primary education, 14.6% have completed (only) primary education. Half of interviewees (55.5%) have completed secondary education. 52 interviewees or 4.2% have completed college education, 24.6% have a university degree (bachelor or master). Five interviewees did not indicate their education background.

TABLE 30: EDUCATION BACKGROUND

	Number	%
No education or incomplete education	18	1,5
Primary education	178	14,5
Secondary education	674	54,9
College education	52	4,2
Higher education	301	24,5
Total	1.223	99,6
Missing answers	5	0,4
Total	1.228	100,0

In order to clarify matters and for statistical purposes,<sup>36</sup> the analysis simplified the education categories as follows: persons with completed primary education, less than primary education and no education were grouped in the category "lower education"; persons with completed secondary school comprise the category

.....  
 36 Due to the fact that some of the samples in the detailed categories were too small

“secondary education” and academics (college, bachelor and master studies) were grouped under the category “higher education”.

The sample was diverse also in terms of interviewees’ labour status and household purchase power. According to their labour market status, 45.8% of interviewees indicated they are employed and 18% reported they are unemployed. Additional 36.2% are economically inactive, of which 19.6% are students and 52.4% are pensioners, 20.3% are housewives/homemakers and 7.6% indicated other reasons for their inactivity. Only one interviewee refused to disclose his/her labour status. As was the case in terms of their education background, interviewees were grouped into three categories according to their labour market status: employed, unemployed and inactive. The average monthly income calculated for the sample is low and reflects the unfavourable economic situation and low purchase power in the country. Interviewees’ breakdown according to their monthly income is given in Table 31.

**TABLE 31: AVERAGE MONTHLY INCOME**

	Number	%
Up to MKD 6,000	322	26,2
MKD 6,000 to 12,000	325	26,5
MKD 12,000 to 18,000	193	15,7
MKD 18,000 to 24,000	155	12,6
MKD 24,000 to 30,000	67	5,5
MKD 30,000 to 36,000	26	2,1
Above MKD 36,000	38	3,1
Refuses to respond	101	8,2
<b>Total</b>	<b>1.227</b>	<b>99,9</b>
Missing answers	1	0,1
<b>Total</b>	<b>1.228</b>	<b>100,0</b>

The questionnaire required the surveyors to assess interviewees’ functional literacy, i.e. to provide a personal assessment on how much did the interviewees understand the questions. In that, high share of interviewees (67%) fully and individually understood survey questions and one quarter (26.2%) understood most of the questions, with the surveyor’s help. Finally, 6.9% of interviewees had difficulties in understanding the questionnaire, i.e. they had serious problems in understanding the questions.

## INFORMATION HOLDERS

Table below provides information on the population and the sample comprised of information holders per category, as indicated in the List of Information Holders kept by the Commission and available on its website, which was used for this research study.<sup>37</sup>

	Population		Sample	
Total number of information holders	1.099	100%	26,2	
Information holders without e-mail address	217	19%	26,5	
Information holders with more than one e-mail address	198	18%	15,7	
Total number of information holders with (at least) one e-mail address	882	81%	12,6	
Category of information holders				
Education institutions (kindergartens, primary/secondary schools, higher education institutions, people's university)	523	48%	196	43,9%
Health care institutions	110	10%	31	7,0%
Judicial authorities	80	7%	25	5,6%
Local governments	82	7%	43	9,6%
State institutions	158	14%	62	13,9%
Public enterprises (public institutions)	107	10%	66	14,8%
Legal entities and natural persons performing public services (insurance companies, Internet providers, cable operators, chambers, and the like)	39	4%	13	2,9%
Parliament of the Republic of Macedonia (defined as state institution)			1	0,2%
Independent agencies (defined as state institutions)			7	1,6%
Other			2	0,4%
Total			446	100,0

Given that the survey was individually administered, i.e. information holders filled-in the online questionnaire individually; the intention was to have the information mediation officers respond to the questions. Table 33 provides the overview

.....  
 37 REACTOR contacted the Commission and requested an updated version of the List of Information Holders, but was referred to the website as the communication medium that presents the updated data on information holders.

of responses and the conclusion that almost all questionnaires (89.2%) were responded by the responsible officers. On the other hand, the survey enabled insight in the information holders' practices related to appointment of information mediation officers, whereby one third of information holders have appointed more than one officer to perform these duties.

**TABLE 33: ARE YOU THE INFORMATION MEDIATION OFFICER AT THE INSTITUTION?**

	Frequency	Share
Yes, I'm the only person appointed as the information mediation officer at the institution	255	57,2
Yes, but I'm not the only person appointed as the information mediation officers, my colleague also performs these duties	143	32,1
No	48	10,8
Total	448	100,0

In addition, the survey enabled insight in the responsible officer's length of service, i.e. experience with the Law's implementation of persons answering the questionnaire. This information is important for the quality of answers obtained and provides insight in the responsible officers' knowledge of the Law and practices established at their institutions. On the other hand, it also provides information about information holders' continuity and consistency in terms of responding to information requests. Table 34 provides an overview of answers obtained on this question.

**TABLE 34: HOW LONG HAVE YOU BEEN WORKING AS THE INFORMATION MEDIATION OFFICER?**

	Frequency	Share
Less than a year	42	9,4
One to two years	80	17,9
Two to three years	84	18,8
More than three years	192	43,0
Total	398	89,2
Missing answers	48	10,8
Total	446	100,0

Majority of information mediation officers have been employed for a number of years at the information holder. Only one quarter of officers have less than 5 years of service (complete data are given in Table 35). In addition, responsible officers

have completed higher education (Table 38), are female (Table 36) and aged 40-50 years (Table 37).

TABLE 35: YEARS OF SERVICE		
	Frequency	Share
Up to 5 years	108	24,1
More than 5 years, but less than 10 years	108	24,1
More than 10 years, but less than 20 years	142	31,7
More than 20 years	87	19,4
Total	445	99,3
Missing answers	3	0,7
Total	448	100,0

TABLE 36: INFORMATION MEDIATION OFFICERS' GENDER		
	Frequency	Share
Female	270	60,5
Male	174	39,5
Total	446	100,0

TABLE 37: INFORMATION MEDIATION OFFICERS' AGE		
	Frequency	Share
Up to 30 years	48	10,8
30 to 40 years	102	22,9
40 to 50 years	154	34,5
More than 50 years	142	31,8
Total	446	100,0

TABLE 38: INFORMATION MEDIATION OFFICERS' EDUCATION BACKGROUND

	Frequency	Share
Secondary	18	4,0
College	28	6,3
Higher	335	75,1
Master or PhD studies	65	14,6
Total	446	100,0

TABLE A1 CITIZENS' AWARENESS ABOUT THEIR RIGHT TO REQUEST INFORMATION FROM THE GOVERNMENT AND MINISTRIES

	Frequency	%	Valid %	Gender		Age					Ethnic background			Education			Labour status			
				M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
No, I certainly don't have the right	96	7,8	9,1	7,9	10,3	5,8	7,5	12,1	10,2	10,3	13,2	18,2	10,1	4,6	8,4	10,2	7,6	8,5	9,8	9,6
No, I don't think I have the right	217	17,7	20,6	19,4	21,9	22,7	21,7	22,0	22,3	16,9	8,8	18,2	24,4	9,3	17,5	23,8	16,2	22,4	21,9	17,8
Depends, from some institutions	50	4,1	4,8	3,9	5,6	7,6	4,2	5,5	4,2	2,2	0,0	0,0	5,1	1,9	3,2	4,3	6,1	17,8	6,0	4,3
Yes, I have the right	432	35,2	41,1	39,9	42,2	42,2	40,1	42,3	41,0	37,5	45,6	27,3	39,7	44,4	40,9	41,8	39,8	40,9	39,3	42,3
Yes, I certainly have the right	257	20,9	24,4	28,9	20,0	21,7	26,4	18,1	22,3	33,1	32,4	36,4	20,7	39,8	29,9	20,0	30,3	23,8	23,0	26,1
<b>Total</b>	<b>1052</b>	<b>85,7</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>								
Don't know if I have the right	176	14,3																		
<b>Total</b>	<b>1228</b>	<b>100,0</b>																		

TABLE A1



TABLE A3 CITIZENS' AWARENESS ABOUT THEIR RIGHT TO REQUEST INFORMATION FROM THE MUNICIPALITIES AND PUBLIC ENTERPRISES

	Gender		Age					Ethnic background			Education			Labour status			
	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Frequency																	
%	Valid %																
8,4	9,2	8,0	10,4	10,3	6,2	10,3	7,1	11,6	20,0	10,8	4,4	7,1	10,0	9,0	9,0	11,7	8,2
No, I certainly don't have the right																	
137	11,2	9,1	13,3	14,0	13,4	10,8	14,6	9,2	5,8	13,6	7,5	9,4	15,3	7,8	11,7	11,7	13,4
No, I don't think I have the right																	
48	3,9	3,1	5,5	4,5	5,8	6,2	2,2	3,5	1,4	4,1	4,4	2,9	4,8	4,2	4,6	5,9	3,1
Depends, from some institutions																	
396	32,2	36,2	34,7	35,6	37,5	32,8	41,1	29,1	36,2	32,8	42,5	41,8	35,6	31,9	35,1	34,1	36,5
Yes, I have the right																	
432	35,2	43,5	34,0	35,6	37,1	40,0	31,9	51,1	44,9	50,0	41,2	38,8	34,3	47,0	39,5	36,6	38,8
Yes, I certainly have the right																	
1116	90,9	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Don't know if I have the right																	
112	9,1																
Total	1228	100,0															

TABLE A3



TABLE A5 CITIZENS' AWARENESS ABOUT THEIR RIGHT TO REQUEST INFORMATION ON ENVIRONMENTAL MATTERS

	Frequency	%	Valid %	Gender		Age				Ethnic background			Education			Labour status				
				M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
No, I certainly don't have the right	77	6,3	6,6	5,9	7,2	4,3	1,8	8,6	8,0	9,7	13,0	15,4	7,6	2,2	5,0	6,4	7,6	6,4	6,5	6,8
No, I don't think I have the right	48	3,9	4,1	3,7	4,5	4,7	2,7	4,3	4,0	5,2	2,9	7,7	4,2	4,4	3,9	4,2	4,1	4,4	4,7	3,4
Depends, from some institutions	5	0,4	0,4	0,5	0,3	1,0	0,0	0,5	0,0	0,0	1,4	0,0	0,5	0,4	0,6	0,5	0,3	0,2	0,5	0,7
Yes, I have the right	311	25,3	26,5	26,2	26,8	27,2	26,5	28,2	28,5	24,5	20,3	7,7	26,6	26,5	32,8	27,8	20,7	27,1	23,4	27,5
Yes, I certainly have the right	732	59,6	62,4	63,7	61,2	62,8	69,0	58,4	59,5	60,6	62,3	69,2	61,2	66,4	57,8	61,2	67,3	62,0	65,0	61,6
Total	1173	95,5	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Don't know if I have the right	55	4,5																		
Total	1228	100,0																		

TABLE A5



TABLE A7 CITIZENS' AWARENESS ABOUT THEIR RIGHT TO REQUEST INFORMATION RELATED TO THE BUDGET (PUBLIC SPENDING)

	Frequency	%	Gender		Age					Ethnic background			Education		Labour status				
			M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
No, I certainly don't have the right	135	11,0	11,2	13,6	10,7	11,9	14,1	12,6	10,7	18,8	15,4	13,5	8,2	13,3	14,7	7,6	11,5	15,0	12,2
No, I don't think I have the right	148	12,1	11,2	15,9	17,5	14,2	14,7	11,4	8,6	8,7	7,7	14,1	12,1	11,3	16,0	10,0	13,4	14,6	13,3
Depends, from some institutions	40	3,3	2,2	5,1	3,4	3,7	4,7	1,8	5,0	4,3	0,0	3,3	3,9	3,3	3,8	3,6	3,4	4,9	3,4
Yes, I have the right	328	26,7	28,6	31,5	28,2	32,0	30,9	32,9	32,1	20,3	23,1	29,6	30,0	33,3	29,9	29,1	29,8	29,6	30,5
Yes, I certainly have the right	439	35,7	46,7	34,0	40,2	38,4	35,6	41,3	43,6	47,8	53,8	39,4	45,9	38,7	35,6	49,7	41,9	35,9	40,6
Total	1/090	88,8	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Don't know if I have the right	138	11,2																	
Total	1228	100,0																	

TABLE A7



TABLE A9 CITIZENS' AWARENESS ABOUT THEIR RIGHT TO REQUEST INFORMATION FROM THE HEALTH CARE INSTITUTIONS

Frequency	%	Gender		Age					Ethnic background			Education		Labour status				
		M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
		Valid %																
134	10,9	12,9	11,9	12,1	11,1	15,0	12,4	9,4	13,9	12,4	14,4	6,6	8,6	14,4	10,4	12,2	14,7	11,4
197	16,0	17,1	19,3	23,9	20,2	16,6	13,0	15,8	9,7	18,2	18,9	15,0	6,7	20,2	19,9	19,2	20,3	15,8
44	3,6	4,1	4,3	5,5	2,9	3,2	4,5	2,9	5,6	4,1	3,3	8,5	2,5	3,5	6,0	4,8	3,0	3,6
329	26,8	30,4	29,2	29,4	26,9	36,4	35,6	28,8	22,2	30,4	29,2	34,7	35,6	28,5	31,2	32,2	30,5	27,5
380	30,9	35,1	34,7	29,1	38,9	28,9	34,5	43,2	48,6	35,1	34,3	35,2	46,6	33,4	32,5	31,5	31,5	41,6
1084	88,3	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
144	11,7																	
1228	100,0																	

TABLE A9



TABLE A11 CITIZENS' AWARENESS ABOUT THEIR RIGHT TO REQUEST INFORMATION FROM THE EDUCATION INSTITUTIONS

	Frequency	%	Gender		Age						Ethnic background			Education			Labour status		
			M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
No, I certainly don't have the right	131	10,7	11,4	12,6	11,4	10,5	11,9	13,3	14,2	14,3	0,0	14,2	5,4	11,0	13,7	9,1	11,5	15,4	10,9
No, I don't think I have the right	118	9,6	8,4	13,1	11,0	11,0	8,8	10,9	10,6	12,7	23,1	12,2	6,7	10,4	11,6	9,7	10,1	9,5	12,5
Depends, from some institutions	21	1,7	2,8	1,1	1,3	2,7	1,5	2,4	1,4	1,6	7,7	1,9	0,9	1,9	2,0	1,8	2,1	1,5	1,9
Yes, I have the right	326	26,5	29,4	30,0	26,1	27,9	32,0	35,2	34,0	28,6	7,7	30,3	27,8	35,7	30,5	25,7	28,9	30,3	30,8
Yes, I certainly have the right	498	40,6	48,0	43,2	50,2	47,9	45,9	38,2	39,7	42,9	61,5	41,3	59,2	40,9	42,2	53,8	47,4	43,3	44,0
<b>Total</b>	<b>1084</b>	<b>88,3</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>	<b>100,0</b>								
Don't know if I have the right	134	10,9																	
<b>Total</b>	<b>1228</b>	<b>100,0</b>																	

TABLE A11



TABLE A13 CITIZENS' AWARENESS ABOUT THEIR RIGHT TO REQUEST INFORMATION FROM PRIVATE ENTITIES PERFORMING PUBLIC SERVICE

	Frequency	%	Gender		Age					Ethnic background			Education			Вработеност			
			M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Alb.	Mac.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
No, I certainly don't have the right	98	8,0	8,6	9,5	11,9	11,3	10,0	5,7	4,2	6,2	8,3	10,5	5,4	5,5	11,4	6,8	9,9	10,9	7,0
No, I don't think I have the right	171	13,9	15,0	16,7	24,9	13,2	14,7	16,6	9,9	0,0	8,3	16,7	12,1	11,6	16,8	16,1	15,9	18,2	14,6
Depends, from some institutions	45	3,7	3,9	4,4	4,6	3,8	5,3	5,1	1,4	4,7	0,0	3,8	4,9	1,8	4,4	4,6	4,4	4,7	3,4
Yes, I have the right	313	25,5	26,5	31,4	20,7	31,6	32,6	29,7	36,6	31,2	8,3	29,9	27,8	32,9	28,7	27,9	28,8	26,0	30,8
Yes, I certainly have the right	453	36,9	46,0	38,0	37,9	40,1	37,4	42,9	47,9	57,8	75,0	39,2	49,8	48,2	38,7	44,6	41,1	40,1	44,1
Total	1084	88,3	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Don't know if I have the right	148	12,1																	
Total	1228	100,0																	

TABLE A13



TABLE A15 IS THE INFORMATION REQUESTED OF PUBLIC CHARACTER OR THE INTERVIEWEE IS CONFUSED

Frequency	%	Gender		Age					Ethnic background			Education			Labour status			
		M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
135	11,0	37,7	31,6	23,6	23,7	40,7	43,5	52,8	66,7	0,0	33,7	34,0	54,3	33,0	32,4	30,9	36,8	39,1
52	4,2	13,3	13,8	10,2	15,8	13,6	16,1	13,2	16,7	0,0	14,1	10,6	14,3	15,0	10,8	12,2	14,9	13,9
192	15,6	49,2	50,5	64,6	60,5	40,7	32,3	34,0	8,3	100,0	48,1	55,3	25,7	50,0	53,4	53,2	47,1	44,3
11	0,9	2,8	4,1	1,6	0,0	5,1	8,1	0,0	8,3	0,0	4,1	0,0	5,7	1,9	3,4	3,7	1,1	2,6
390	31,8	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

No, the information requested is not public

Maybe, the interviewee is unclear

Yes, for certain

Interviewee refuses to say or doesn't remember

Total



TABLE A17 ADDRESSEE OF INFORMATION REQUESTS

	Frequency	%	Gender		Age					Ethnic background			Education			Labour status				
			M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive	
State institutions (including the Parliament)	36	2,9	9,5	7,4	11,5	7,1	8,0	13,6	12,1	11,8	0,0	0,0	8,8	10,8	12,9	8,9	9,7	10,7	9,5	7,3
Local governments	86	7,0	22,6	29,1	16,2	29,4	30,7	10,2	17,2	11,8	30,0	100,0	23,8	17,2	6,5	24,1	23,4	27,8	20,2	15,6
Public enterprises	10	0,8	2,6	3,7	1,6	3,2	0,0	0,0	6,9	3,9	0,0	0,0	2,7	2,2	3,2	2,5	2,8	2,7	2,4	2,8
Judicial authorities	2	0,2	0,5	1,1	0,0	0,0	0,0	0,0	0,0	3,9	0,0	0,0	0,8	0,0	0,0	0,5	0,7	0,0	0,0	1,8
Health care institutions	21	2,0	6,6	2,6	10,5	7,9	9,3	8,5	0,0	3,9	10,0	0,0	6,9	6,5	9,7	6,9	5,5	4,8	8,3	8,3
Education institutions	73	5,9	19,2	11,1	27,2	32,5	22,7	15,3	8,6	2,0	0,0	0,0	16,9	28,0	9,7	19,2	21,4	17,1	22,6	20,2
Legal and natural entities performing public services	148	12,1	38,9	45,0	33,0	19,8	29,3	52,5	55,2	62,7	60,0	0,0	40,2	35,5	58,1	37,9	36,6	36,9	36,9	44,0
Total	380	31,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Missing	847	69,0																		
Total	1227	100,0																		

# TABLE A18

TABLE A18 HOW DID YOU REQUEST THE INFORMATION?

		Gender		Age						Ethnic background			Education			Labour status		
Frequency	% Valid	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
		М	Ж	18-29	30-39	40-49	50-59	60-69	70-79	80+	Мкд	Алб	Ниско	Средно	Високо	Вработен	Невработен	Неактивен
Фреквенција	% Валиден																	
294	24,0	20,8	31,6	22,7	20,5	21,4	28,3	10,6	5,9	21,7	33,3	12,3	23,7	30,9	26,7	27,1	19,0	39,7
96	7,8	8,9	7,2	7,6	8,8	8,7	9,4	4,7	0,0	7,9	8,5	7,7	6,4	10,8	7,5	8,1	8,1	14,7
42	3,4	3,8	4,2	4,2	3,7	2,9	2,5	1,2	0,0	3,5	3,8	0,5	3,9	4,2	5,2	3,6	1,1	0,9
49	4,0	5,4	8,5	4,6	4,2	1,5	0,0	0,0	0,0	3,9	3,4	0,0	3,0	7,9	4,6	5,4	2,5	17,2
4	0,3	0,3	0,7	0,4	0,0	0,5	0,0	0,0	0,0	0,4	0,0	0,0	0,4	0,3	0,5	0,5	0,0	27,6
23	1,9	1,4	0,7	2,5	2,3	3,4	1,9	0,0	0,0	2,1	1,7	0,5	1,6	3,1	2,3	3,2	0,7	100,0
40	3,3	4,8	7,5	4,2	2,3	0,5	0,6	0,0	0,0	3,7	1,3	0,0	3,1	5,4	2,3	6,8	2,7	

TABLE A19 WHICH INSTITUTION WAS ADDRESSED WITH THE INFORMATION REQUEST?

	Gender		Age					Ethnic background			Education			Labour status							
	Valid %	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive			
Frequency	%																				
Government and ministries	57	4,6	4,0	5,2	4,6	6,3	5,6	5,3	3,1	0,0	0,0	0,0	4,7	5,1	2,6	3,4	8,2	6,2	5,4	2,3	7,3
Municipality	141	11,5	13,3	9,9	16,6	14,7	7,9	10,2	8,2	3,5	5,9	11,3	12,0	5,1	11,6	14,7	14,8	13,1	6,5	6,5	15,6
Public enterprises	61	5,0	6,0	4,0	2,9	5,0	3,7	5,8	10,1	4,7	0,0	5,6	2,1	1,5	4,2	8,5	5,5	3,6	5,0	5,0	2,8
Health care institutions	55	4,5	2,9	6,0	7,5	5,0	3,7	3,4	2,5	1,2	0,0	4,7	3,8	2,1	4,7	5,4	4,1	6,8	3,8	3,8	1,8
Education institutions	103	8,4	5,7	11,0	15,3	9,7	8,8	5,3	1,9	0,0	0,0	7,9	12,0	2,1	8,0	12,7	9,4	11,8	5,4	5,4	8,3
Chambers (Bar, Commerce, Medical)	16	1,3	1,0	1,6	1,3	1,7	0,9	1,5	1,9	0,0	0,0	1,4	1,3	1,0	1,2	1,7	1,1	2,3	1,1	1,1	20,2
Private entities performing public services	127	10,4	12,8	7,9	8,8	7,6	10,2	13,1	17,0	7,1	0,0	9,0	15,4	8,2	10,2	11,9	10,0	11,8	10,2	10,2	44,0
Natural persons performing public services	20	1,6	1,3	1,9	0,7	0,8	3,3	2,4	1,9	1,2	0,0	1,9	0,9	0,5	2,1	1,4	1,6	3,2	0,9	0,9	100,0
Judiciary	14	1,1	1,2	1,1	0,0	1,3	0,9	2,4	2,5	0,0	0,0	1,4	0,4	1,5	0,7	1,7	1,4	0,9	0,9	0,9	0,9



TABLE A21 WHAT IS THE REASON FOR NOT REQUESTING ACCESS TO PUBLIC INFORMATION?

	Gender		Age							Ethnic background			Education			Labour status				
	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive			
Frequency	%	Valid %																		
Not interested in the information, I didn't want the information	255	20,8	21,8	19,7	22,1	21,0	24,2	16,5	17,6	22,4	23,5	21,5	17,5	24,1	21,2	17,8	23,1	14,5	21,0	0,2
Information is not available, I won't receive them	230	18,7	16,3	21,1	13,0	20,6	22,3	20,9	18,9	21,2	11,8	20,2	13,2	17,9	19,6	17,6	19,9	20,8	16,3	0,2
Don't know where or how to request information	133	10,8	9,1	12,6	6,8	9,2	13,0	14,6	10,1	16,5	11,8	10,4	9,8	22,1	10,4	5,4	8,7	11,3	13,3	5,9
No time	133	10,8	10,2	11,4	9,4	12,6	15,3	10,2	7,5	7,1	11,8	11,1	10,3	14,4	11,3	8,2	14,2	9,5	7,2	1,8
No money	56	4,6	4,5	4,6	2,3	1,7	6,0	6,8	6,9	7,1	5,9	4,8	2,6	7,2	5,3	1,7	3,6	5,0	5,6	8,3
No special reason	354	28,9	29,0	28,8	26,1	34,5	26,0	30,1	22,6	37,6	35,3	30,9	20,5	26,2	31,2	26,1	28,1	26,7	30,7	20,2
No possibility due to illness, youth, residence abroad, etc.	11	0,9	0,8	1,0	1,0	0,8	0,5	0,5	1,3	1,2	5,9	0,8	1,3	1,0	1,2	0,3	0,5	0,5	1,6	44,0
I already have the information	5	0,4	0,2	0,6	0,3	0,0	0,5	0,0	1,9	0,0	0,0	0,5	0,0	0,5	0,1	0,8	0,2	0,5	0,7	100,0
Will ask somebody from the family	4	0,3	0,0	0,6	0,7	0,4	0,5	0,0	0,0	0,0	0,0	0,2	0,9	0,0	0,6	0,0	0,2	0,5	0,5	
No need for information	27	2,2	1,8	2,5	2,0	1,3	3,3	1,9	1,9	3,5	5,9	2,3	2,1	2,1	2,2	2,3	1,4	1,8	3,4	
Refuses to answer	5	0,4	0,3	0,5	0,0	0,0	0,5	0,0	1,3	2,4	0,0	0,5	0,0	1,5	0,0	0,6	0,2	0,0	0,9	

# TABLE 22

TABLE A22 DID YOU DO ANYTHING ABOUT IT?

		Gender		Age					Ethnic background			Education			Labour status			
	Valid %	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Appealed in front of the Commission	0,4	0,5	0,3	1,0	0,0	0,0	0,5	0,6	0,0	0,0	0,1	1,7	0,0	0,6	0,3	0,4	0,9	0,2
Appealed in front of Administrative Court	0,4	0,3	0,5	0,3	0,0	0,5	1,0	0,6	0,0	0,0	0,4	0,4	0,5	0,1	0,8	0,7	0,0	0,2
Nothing	7,0	8,2	5,7	5,9	6,7	5,6	8,7	10,1	7,1	0,0	7,3	4,7	7,2	6,2	8,2	8,0	6,8	5,9

TABLE A23 IDEALLY, WHAT IS YOUR PREFERRED MANNER OF RECEIVING THE INFORMATION?

	Gender		Age						Ethnic background			Education			Labour status			
	Valid %	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Frequency	%																	
In person	638	52,0	52,0	52,1	53,2	47,0	52,4	53,5	49,4	47,1	50,8	55,6	46,9	56,5	45,9	48,8	56,6	53,6
By telephone	420	34,2	33,1	35,2	33,1	32,8	34,9	34,0	41,2	35,3	32,5	38,5	43,9	36,8	24,1	31,0	39,4	35,8
Via e-mail	380	30,9	32,0	30,0	39,3	36,1	38,1	27,2	18,2	3,5	29,7	36,8	15,3	26,4	48,7	38,3	37,1	21,2
By fax	66	5,4	5,7	5,1	4,9	4,6	7,9	5,8	4,4	3,5	4,7	7,7	7,1	4,6	5,9	4,6	7,7	5,2
By registered mail	235	19,1	22,5	16,0	14,3	16,4	19,5	25,2	23,3	21,2	20,0	16,2	16,8	19,9	19,3	18,1	20,4	19,8
To be available on website	307	25,0	26,2	24,0	30,5	34,9	32,6	17,5	11,9	4,7	26,1	22,6	14,3	24,9	31,2	30,2	31,2	15,3
Don't know	60	4,9	3,2	6,3	1,3	3,4	4,2	3,9	6,9	17,6	5,5	2,1	12,8	3,5	2,5	2,8	2,3	8,8

TABLE A23

# TABLE A24

TABLE A24 ARE YOU KNOWLEDGEABLE ABOUT THE LAW ON FREE ACCESS TO PUBLIC INFORMATION?

	Gender		Age				Ethnic background			Education			Labour status				
	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Frequency																	
%	Valid %																
167	13,6	13,3	9,1	12,6	15,8	14,6	18,2	17,6	5,9	15,0	10,7	4,6	11,7	22,1	14,6	13,6	12,4
419	34,1	31,3	24,7	34,5	34,0	40,3	42,1	35,3	47,1	35,5	29,9	29,1	32,5	39,7	37,4	29,0	32,4
491	40,0	42,5	54,9	39,1	37,7	29,6	30,8	40,0	23,5	37,0	49,6	49,0	42,0	31,7	35,4	43,9	43,9
151	12,3	12,9	11,4	13,9	12,6	15,5	8,8	7,1	23,5	12,5	9,8	17,3	13,8	6,5	12,6	13,6	11,3
1228	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

Yes, I'm well knowledgeable

I'm knowledgeable, but uncertain

Haven't heard

Don't know

Total

TABLE A2.5 ARE YOU KNOWLEDGEABLE ABOUT THE COMMISSION FOR PROTECTION OF THE RIGHT TO FREE ACCESS TO PUBLIC INFORMATION?

	Gender		Age					Ethnic background			Education			Labour status				
	Valid %	M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Yes	8,9	71,1	59,5	57,1	56,7	67,6	60,0	75,9	80,0	100,0	65,0	64,0	66,7	65,8	65,4	59,8	63,3	74,5
No	4,5	27,7	38,1	42,9	40,0	32,4	40,0	17,2	20,0	0	33,6	32,0	33,3	32,9	32,1	39,0	36,7	21,8
Not sure	0,2	1,2	2,4	0,0	3,3	0,0	0,0	6,9	0,0	0	1,5	4,0	0,0	1,3	2,6	1,2	0,0	3,6
Total	167	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Missing	1061	86,4																
Total	1228	100,0																



TABLE A27 POSSIBILITY TO OBTAIN INFORMATION HELD BY THE INSTITUTIONS INCREASES THE CITIZENS' TRUST IN THEM?

	Frequency	%	Valid %	Gender		Age					Ethnic background			Education			Labour status			
				M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Completely disagree	103	8,4	9,0	8,0	10,0	6,1	8,9	9,9	6,8	12,6	18,7	0,0	9,7	8,1	10,6	9,7	7,0	8,6	6,7	10,8
Partially disagree	54	4,4	4,7	3,9	5,5	4,4	5,8	5,9	4,2	4,9	1,3	0,0	3,8	5,4	7,5	4,6	3,2	4,3	5,3	5,0
Depends, I agree and disagree	63	5,1	5,5	4,4	6,6	4,1	5,4	4,4	4,2	7,7	10,7	20,0	6,0	4,5	10,0	4,9	4,6	4,3	3,3	8,3
Partially agree	233	19,0	20,3	18,4	22,2	21,0	24,1	23,6	18,9	10,5	16,0	40,0	19,6	23,9	26,2	20,1	18,3	20,7	24,4	17,8
Completely agree	692	56,4	60,4	65,3	55,7	64,4	55,8	56,2	65,8	64,3	53,3	40,0	60,9	58,1	45,6	60,8	67,0	62,2	60,3	58,0
Total	1145	93,2	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Don't know	83	6,8																		
Total	1228	100,0																		

TABLE A27



TABLE A29 PUBLIC INFORMATION SHOULD BE AVAILABLE FREE-OF-CHARGE

	Frequency	%	Valid %	Gender		Age					Ethnic background			Education			Labour status				
				M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive	
Completely disagree	46	3.7	3.8	2.9	4.7	4.6	2.6	2.3	3.9	4.7	7.3	0.0	3.3	5.7	6.0	3.6	3.1	2.7	3.2	5.6	
Partially disagree	12	1.0	1.0	1.0	1.0	0.7	1.3	2.3	0.0	0.7	1.2	0.0	0.8	0.0	1.6	0.9	0.6	0.9	1.4	0.9	
Depends, I agree and disagree	23	1.9	1.9	2.0	1.8	0.7	1.3	2.3	1.0	3.3	3.7	17.6	2.1	1.3	3.3	2.1	0.9	1.6	0.9	2.8	
Partially agree	90	7.3	7.5	6.1	8.8	7.9	6.8	8.9	7.4	6.0	6.1	11.8	7.2	7.5	11.0	6.7	7.1	7.7	6.0	7.9	
Completely agree	1034	84.2	85.8	87.9	83.8	86.2	88.1	84.1	87.7	85.3	81.7	70.6	86.6	85.5	78.0	86.7	88.4	88.5	88.5	82.8	
Total	1205	98.1	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Don't know	23	1.9																			
Total	1228	100.0																			

TABLE A29



TABLE A3.1 IF YOU REQUEST INFORMATION FROM THE GOVERNMENT AND LINE MINISTRIES...

	Frequency	%	Gender		Age						Ethnic background			Education			Labour status		
			M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Won't receive the information	347	28,3	30,3	32,4	30,3	19,3	29,8	36,5	41,9	42,5	35,7	29,5	40,0	34,5	32,1	28,0	28,4	31,4	35,2
With difficulties	603	49,1	54,7	54,2	56,2	66,1	55,6	48,3	42,6	46,6	57,1	55,0	49,8	51,	52,9	59,1	57,8	53,9	50,3
Fast and easy	157	12,8	15,0	13,4	13,4	14,7	14,6	15,2	15,4	11,0	7,1	15,5	10,2	13,9	15,0	12,9	13,7	14,7	14,5
Total	1107	90,1	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Don't know	121	9,9																	
Total	1228	100,0																	



TABLE A33 IF YOU REQUEST INFORMATION FROM THE HEALTH CARE INSTITUTIONS...

	Frequency	%	Gender		Age					Ethnic background			Education			Labour status			
			M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive
Won't receive the information	143	11,6	13,3	12,9	8,3	9,8	16,1	13,6	17,9	20,0	29,4	13,8	12,1	13,2	12,2	14,2	11,2	13,7	15,1
With difficulties	541	44,1	51,2	47,8	47,6	58,4	54,8	47,5	40,7	38,6	52,9	50,2	45,6	39,6	48,1	57,3	58,0	41,6	42,8
Fast and easy	408	33,2	35,5	39,2	44,1	31,8	29,0	39,0	41,4	41,4	17,6	36,0	42,2	47,2	39,7	28,5	30,7	44,7	42,1
Total	1092	88,9	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
Don't know	136	11,1																	
Total	1228	100,0																	

TABLE A33



TABLE A35 IF YOU REQUEST INFORMATION FROM PRIVATE ENTITIES PERFORMING PUBLIC SERVICES...

	Frequency	%	Valid %	Gender		Age					Ethnic background			Education			BpafopehocT				
				M	F	18-29	30-39	40-49	50-59	60-69	70-79	80+	Mac.	Alb.	Lower	Secondary	Higher	Employed	Unemployed	Inactive	
Won't receive the information	227	18,5	20,7	20,3	21,2	11,1	15,2	16,2	32,8	33,6	30,8	37,5	23,8	10,7	17,6	21,8	19,8	18,8	18,7	24,6	
With difficulties	457	37,2	41,8	42,5	41,0	34,7	43,5	49,2	40,6	44,5	41,5	50,0	44,6	32,6	40,5	39,9	45,9	45,0	39,4	38,5	
Fast and easy	410	33,4	37,5	37,2	37,8	54,2	41,3	34,6	26,7	21,9	27,7	12,5	31,7	56,7	41,8	38,3	34,3	36,2	41,9	36,9	
Total	1094	89,1	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	
Don't know	134	10,9																			
Total	1228	100,0																			

TABLE A35

