



**Workshop on Free Access to Public Information**  
**27-29 November 2012**  
**Danilovgrad, Montenegro**

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**PROVISIONAL PROGRAMME**

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**Background**

The access to information is essential for a democratic society. The information enables the citizens to form their own opinions on the deeds of politicians and public officials, organs of public power and on the state of society, state or a municipality. A rapid access to truthful and complete information is a prerequisite for citizens to make sound decisions in elections or check the authorities as well as the use of public finances. The access to information also contributes to good governance, decreases the risk of corruption and strengthens the trust of citizens towards the state and its organs.

This system should be in place on the national, regional or local level. Since the EU adds a new, supranational, level, the duty of informing the citizens applies also to this new level. The right of the public to access the information seems to have gained ground as one of the fundamental principles of the EU legal system. As such it is required also from the future Member States.

The candidate and potential candidate countries are now in the process of harmonizing their legal systems with the body of the EU law, they are putting in place financial, organizational and legal instruments standard for the countries in the EU. The Slovak Republic adopted its first Law on Information in 2000 as a measure exercising a constitutional right to information and freedom of expression. Since then it has been amended several times and its application discussed and analyzed a number of times in order to find out to what extent it makes the information a genuine tool of democracy, citizen participation and civil society.

## Objectives

After completing the seminar, the participants will:

- ✓ Increase awareness of the importance of information for democratic and transparent decision-making and public control;
- ✓ Become familiar with the main sources of regulation in this area on the EU level;
- ✓ Have an overview of the situation in the Slovak Republic;
- ✓ Have had a chance to discuss the challenges of application practice of law on Free Access to Information in Slovakia;
- ✓ Have had an opportunity to discuss the state of affairs in selected WB countries.

## Content

The seminar will essentially cover three areas, namely i) the transparency issues and access to information on the EU level, ii) the adoption and implementation of the Free Access to Information Law in Slovakia, and iii) overview of the situation and challenges in WB. There will be an ample opportunity to discuss the application of such law in practise, the challenges it poses and experience from the Slovak Republic.

## Target Group

Public officials dealing with the issues of transparency and openness of the public administration, involved in provision of information on the state administration at central level.

## Workshop Trainers

*Mr Srdjan Blagovčanin* - Executive Director of Transparency International BiH. He has a legal background and is an expert on field rule law, anti corruption reforms, strategies and legislation. His main areas of interest are conflict of interests, freedom of information, criminal code and criminal procedure; surveys and polls preparation, conducting, monitoring and analysis; public procurement regulations and institutional capacity design, incl. tender evaluation; assessment of corruption in post-conflict countries and in the economies of transition. He published many researches and analyses on these themes and provided trainings for government officials at national and local level, NGOs and media. Also he worked with the World Bank, USAID, Global Integrity and many other international and local organisations.

*Ms. Marta Jendekova* - senior expert in the European Affairs unit at AINova, Slovakia. She has an MA degree in English and Library&Information Science from the Comenius University, Bratislava, Slovakia (1995) and MA in EU Legal Studies from EIPA Luxembourg/University of Nancy, France (2001, Thesis: The Access to Information. A Comparative Analysis of Slovak and EU Regulations in the Light of Enlargement). She has completed a number of train-the-trainers courses on EU law, EU negotiations, as well as project cycle management, public policy advising and institution building. She has been involved in EU integration affairs since 1997 when she administered several international training projects for civil servants dealing with law approximation issues. Since 2001 she has been a trainer on EU topics, especially institutional and legal framework of the EU, specialized EU terminology, EU information sources and practical aspects of the EU decision-making process, including law implementation, approximation, capacity building for managing EU affairs at national and sub-national levels, national coordination of EU affairs. She has provided training mainly for the civil servants in Slovakia but also internationally, for example within MEDA project, SlovakAid projects in Serbia/Montenegro. She is a member of the Team Europe Slovakia, a group of experts created by the Representation of the European Commission in Bratislava.

*Mr. Pavel Nechala* - attorney at law has eleven years of experience in the area of solving corporate and business affairs of clients, representing clients in judicial proceedings, creating of public policies, including preparation of legislative proposals and investigating instigations of unfair and fraudulent practices in different areas. He has worked as an expert for several international organizations: Transparency International, The World Bank, OECD, etc. especially in the areas of anti-corruption practices, whistleblower protection. Since 2001 he has closely cooperated with the Transparency International Slovakia. His expertise includes: preparation of legislative proposals for protection of whistleblowers for the Government Office of the Slovak Republic; expert coordination of Advocacy and Legal Advisory Center at the Transparency International Slovakia created to help citizens to solve incitements against fraudulent practices and misconduct of the public administration; participation in the preparation of the Constitutional law on conflict of interest of public representatives; preparation of anti-corruption directives and guidelines for several Slovak municipalities in different areas of their activities; monitoring and analysing the application of Freedom of Information Act in practice, commenting on the law as well as leading workshops in this area.

## Methodology

The trainers will proceed from general issues of transparency, human rights (right to information) to more specific issues of legal regulation of access to information. The emphasis will be put on practical exercises and discussions that will take turns with presentations. The exercises will include group work and presentations by participants, and case studies of for example court decisions.

### **DRAFT TRAINING PROGRAMME**

#### **Day 1 – 27 November 2012**

09.30	-	10.00	Welcome/ Introduction – Mr. Aqim Emurli, ReSPA Training Manager
10.00	-	11.00	Setting the scene – Human Rights, Transparency, Openness, Administrative procedures
11.00	-	11.15	<i>Coffee Break</i>
11.15	-	12.45	The Right to Information – International, European context Regulating the information on EU level (Introduction & Group work)
12.45	-	13.45	<i>Lunch</i>
13.45	-	14.45	Sources of regulation on EU level (Presentations by groups)
14.45	-	15.00	<i>Coffee Break</i>
15.00	-	16.00	Feed-back, Recent developments in this area in the EU, Conclusions
16.00	-		End of Day 1

#### **Day 2 – 28 November 2012**

09.30	-	11.00	Introduction – Day 1 Revisited Case of Slovakia – Background information & Highlights of its Road to the EU. Place of the Law on Information in this process.
11.00	-	11.15	<i>Coffee Break</i>
11.15	-	12.45	Workshop – What elements should/could be covered by a law on information, which information is public? Reflection based on the Law on Information in Slovakia.
12.45	-	13.45	<i>Lunch</i>
13.45	-	14.45	Application of the SK Law on Information in practice – challenges,

			court decisions, experience of the state administration. Discussion.
14.45	-	15.00	<i>Coffee Break</i>
15.00	-	16.00	How Freedom of Information is implemented in Bosnia and Herzegovina
16.00			End of Day 2

### Day 3 – 29 November 2012

09.30	-	11.00	Introduction – Day 2 Revisited Overview of the situation in WB countries in general - Glimpses of the national laws on freedom of information by participants. Best practices in how to provide information.
11.00	-	11.15	<i>Coffee Break</i>
11.15	-	12.45	Case studies on Freedom of Information Act in Bosnia and Herzegovina.
12.45	-	13.45	<i>Lunch</i>
13.45	-	14.45	Roundtable – Law on Information in practice in SK and BiH. Do's and Don'ts.
14.45	-	15.00	<i>Coffee Break</i>
15.00	-	16.00	Law on Information as an anti-corruption tool. Final remarks.
16.00			End of seminar