

Roger Vleugels

Postbox 10107
3505 AB Utrecht – The Netherlands
Tel 003130 261 6351
Mobile 00316 2152 5790
E-mail roger.vleugels@planet.nl
KvK 30153114
Giro 1739465 tnv IVON, Utrecht

Overview of FOIA Countries Worldwide – February 1 2006

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Working definition of country in this overview: territory with own jurisdiction
In the E-list are those bodies which have an own jurisdiction system

The A-list: The 68 FOIA countries in chronological order

<u>Country</u>	<u>Year of formal approval or formal adoption of the FOIA</u>		
	<u>Year in which the FOIA came in power</u>		
	<u>Name of the FOIA</u>		
Sweden	1766	1766	Latest revision 1976: Freedom of the Press Act
Colombia	1888	1888	Latest revision 1985: Law Ordering the Publicity of Off. Acts and Documents
Finland	1951	1951	Latest revision 1999: Act on the Openness of Government Activities
USA	1966	1967	Latest revision 2002: FOIA
Denmark	1970	1970	Latest revision 1985: Access to Public Administration Files Act
Norway	1970	1970	FOIA
France	1978	1978	Law on Access to Administrative Documents
Netherlands	1978	1980	Latest revision 2005: WOB: Wet openbaarheid van bestuur
Australia	1982	1982	FOIA
New Zealand	1982	1982	Official Information Act
Canada	1982	1983	AIA: Access to Information Act
Greece	1986	1986	Latest revision 1999: Code of Adm. Procedure
Austria	1987	1987	Auskunftspflichtsgesetz
Italy	1990	1990	Law No 241
Spain	1992	1992	Law on Rules for Public Information [limited access]
Ukraine	1992	1992	Constitution art. 34 and OAI
Hungary	1992	1993	The Protection of Personal Data and Public Access to Data of Public Interest
Portugal	1993	1993	Law on Access to Administrative Documents
Belgium	1994	1994	WOB: Wet openbaarheid van bestuur
Belize	1994	1994	FOIA
Iceland	1969	1996	Information Act
Thailand	1997	1997	Official Information Act
Uzbekistan	1997	1997	Latest revision 2003: Law on the Principles and Guarantees of FOI
Hong Kong	1995	1998	CAI
Ireland	1997	1998	FOIA
Latvia	1998	1998	LFOI
South Korea	1996	1998	Act on Disclosure of Information
Albania	1999	1999	Law on Right to Information for Official Documents
Aruba	1999	1999	LOB: Landsverordening openbaarheid van bestuur
Dutch Antilles	1999	1999	LOB: Landsverordening openbaarheid van bestuur
Israel	1998	1999	Freedom of Information Law
Bulgaria	2000	2000	APIC: Access to Public Information Act
Czech Republic	1999	2000	Law on Free Access to Information
Liechtenstein	1999	2000	Informationsgesetz
Lithuania	1996	2000	Law on the Provision of Information to the Public
Moldova	2000	2000	Law on Access to Information
Estonia	2000	2001	PIA: Public Information Act
Georgia	1999	2001	LFOI: Law on Freedom of Information
Japan	1999	2001	Law Concerning Access to Information
Romania	2001	2001	Law on Free Access to Information of Public Interest
Slovakia	2000	2001	Act on Free Access to Information
South Africa	2000	2001	Promotion of Access to Information Act
Trinidad & Tob.	1999	2001	FOIA

Bosnia & Herz.	2000	2002	FOIA
Jamaica	2002	2002	Access to Information Act
Pakistan	2002	2002	Freedom of Information Ordinance
Panama	2002	2002	Law on Transparency in Public Administration
Poland	2001	2002	Law on Access to Public Information
Tajikistan	2002	2002	Law on Information
Zimbabwe	2002	2002	Access to Information and Protection to Privacy Act
Armenia	2003	2003	Law on Freedom of Information
Croatia	2003	2003	Act on the Right of Access to Information
Kosovo	2003	2003	Law on Access to Official Documents
Mexico	2002	2003	Federal Transparency and Access to Public Government Information Law
Peru	2002	2003	Law on Transparency
Slovenia	2003	2003	Act on Access to Information of Public Character
Antigua/Barbuda	2004	2004	FOIA
Dominican Rep	2004	2004	Law on Access to Information
Ecuador	2004	2004	Transparency and Access to Information Law
Serbia	2003	2004	Law on Free Access to Information of Public Importance
Turkey	2003	2004	Law on Right to Information
India	2002	2005	Right to Information Act
Montenegro	?	2005	?
Scotland	2002	2005	FOIA
Uganda	2005	2005	Access to Information Act
United Kingdom	2000	2005	FOIA [UK minus Scotland]
Germany	2005	2006	IFG: Informationsfreiheitsgesetz
Switzerland	2004	2006	Öffentlichkeitsgesetz

The A-list: The 68 FOIA countries continent wise

<u>Country</u>	<u>Year of formal approval or formal adoption of the FOIA</u>		<u>Year in which the FOIA came in power</u>	<u>Name of the FOIA</u>
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Africa

South Africa	2000	2001		Promotion of Access to Information Act
Uganda	2005	2005		Access to Information Act
Zimbabwe	2002	2002		Access to Information and Protection to Privacy Act

Asia [including The Middle East]

Armenia	2003	2003		Law on Freedom of Information
Georgia	1999	2001		LFOI: Law on Freedom of Information
Hong Kong	1995	1998		CAI
India	2002	2005		Right to Information Act
Israel	1998	1999		Freedom of Information Law
Japan	1999	2001		Law Concerning Access to Information
Pakistan	2002	2002		Freedom of Information Ordinance
South Korea	1996	1998		Act on Disclosure of Information
Tajikistan	2002	2002		Law on Information
Thailand	1997	1997		Official Information Act
Turkey	2003	2004		Law on Right to Information [[small part = Europe]]
Uzbekistan	1997	1997		Latest revision 2003: Law on the Principles and Guarantees of FOI

The Americas [including the Caribbean]

Antigua/Barbuda	2004	2004		FOIA
Aruba	1999	1999		LOB: Landsverordening openbaarheid van bestuur
Belize	1994	1994		FOIA
Canada	1982	1983		AIA: Access to Information Act
Colombia	1888	1888		Latest revision 1985: Law Ordering the Publicity of Off. Acts and Documents
Dominican Rep	2004	2004		Law on Access to Information
Dutch Antilles	1999	1999		LOB: Landsverordening openbaarheid van bestuur
Ecuador	2004	2004		Transparency and Access to Information Law
Jamaica	2002	2002		Access to Information Act
Mexico	2002	2003		Federal Transparency and Access to Public Government Information Law
Panama	2002	2002		Law on Transparency in Public Administration
Peru	2002	2003		Law on Transparency
Trinidad & Tob.	1999	2001		FOIA
USA	1966	1967		Latest revision 2002: FOIA

Europe

Albania	1999	1999		Law on Right to Information for Official Documents
Austria	1987	1987		Auskunftspflichtsgesetz
Belgium	1994	1994		WOB: Wet openbaarheid van bestuur
Bosnia & Herz.	2000	2002		FOIA
Bulgaria	2000	2000		APIC: Access to Public Information Act
Croatia	2003	2003		Act on the Right of Access to Information
Czech Republic	1999	2000		Law on Free Access to Information
Denmark	1970	1970		Latest revision 1985: Access to Public Administration Files Act
Estonia	2000	2001		PIA: Public Information Act
Finland	1951	1951		Latest revision 1999: Act on the Openness of Government Activities
France	1978	1978		Law on Access to Administrative Documents
Germany	2005	2006		IFG: Informationsfreiheitsgesetz
Greece	1986	1986		Latest revision 1999: Code of Adm. Procedure
Hungary	1992	1993		The Protection of Personal Data and Public Access to Data of Public Interest
Iceland	1969	1996		Information Act
Ireland	1997	1998		FOIA
Italy	1990	1990		Law No 241
Kosovo	2003	2003		Law on Access to Official Documents
Latvia	1998	1998		LFOI
Liechtenstein	1999	2000		Informationsgesetz

Lithuania	1996	2000	Law on the Provision of Information to the Public
Moldova	2000	2000	Law on Access to Information
Montenegro	?	2005	?
Netherlands	1978	1980	Latest revision 2005: WOB: Wet openbaarheid van bestuur
Norway	1970	1970	FOIA
Poland	2001	2002	Law on Access to Public Information
Portugal	1993	1993	Law on Access to Administrative Documents
Romania	2001	2001	Law on Free Access to Information of Public Interest
Scotland	2002	2005	FOIA
Serbia	2003	2004	Law on Free Access to Information of Public Importance
Slovakia	2000	2001	Act on Free Access to Information
Slovenia	2003	2003	Act on Access to Information of Public Character
Spain	1992	1992	Law on Rules for Public Information [limited access]
Sweden	1766	1766	Latest revision 1976: Freedom of the Press Act
Switzerland	2004	2006	Öffentlichkeitsgesetz
Ukraine	1992	1992	Constitution art. 34 and OAI
United Kingdom	2000	2005	FOIA [UK minus Scotland]

Oceania

Australia	1982	1982	FOIA
New Zealand	1982	1982	Official Information Act

The A-list: The 68 FOIA countries in alphabetical order

<u>Country</u>	<u>Year of formal approval or formal adoption of the FOIA</u>		<u>Year in which the FOIA came in power</u>	<u>Name of the FOIA</u>
Albania	1999	1999		Law on Right to Information for Official Documents
Antigua/Barbuda	2004	2004		FOIA
Armenia	2003	2003		Law on Freedom of Information
Aruba	1999	1999		LOB: Landsverordening openbaarheid van bestuur
Australia	1982	1982		FOIA
Austria	1987	1987		Auskunftspflichtsgesetz
Belgium	1994	1994		WOB: Wet openbaarheid van bestuur
Belize	1994	1994		FOIA
Bosnia & Herz.	2000	2002		FOIA
Bulgaria	2000	2000		APIC: Access to Public Information Act
Canada	1982	1983		AIA: Access to Information Act
Colombia	1888	1888		Latest revision 1985: Law Ordering the Publicity of Off. Acts and Documents
Croatia	2003	2003		Act on the Right of Access to Information
Czech Republic	1999	2000		Law on Free Access to Information
Denmark	1970	1970		Latest revision 1985: Access to Public Administration Files Act
Dominican Rep	2004	2004		Law on Access to Information
Dutch Antilles	1999	1999		LOB: Landsverordening openbaarheid van bestuur
Ecuador	2004	2004		Transparency and Access to Information Law
Estonia	2000	2001		PIA: Public Information Act
Finland	1951	1951		Latest revision 1999: Act on the Openness of Government Activities
France	1978	1978		Law on Access to Administrative Documents
Georgia	1999	2001		LFOI: Law on Freedom of Information
Germany	2005	2006		IFG: Informationsfreiheitsgesetz
Greece	1986	1986		Latest revision 1999: Code of Adm. Procedure
Hong Kong	1995	1998		CAI
Hungary	1992	1993		The Protection of Personal Data and Public Access to Data of Public Interest
Iceland	1969	1996		Information Act
India	2002	2005		Right to Information Act
Ireland	1997	1998		FOIA
Israel	1998	1999		Freedom of Information Law
Italy	1990	1990		Law No 241
Jamaica	2002	2002		Access to Information Act
Japan	1999	2001		Law Concerning Access to Information
Kosovo	2003	2003		Law on Access to Official Documents
Latvia	1998	1998		LFOI
Liechtenstein	1999	2000		Informationsgesetz
Lithuania	1996	2000		Law on the Provision of Information to the Public
Mexico	2002	2003		Federal Transparency and Access to Public Government Information Law
Moldova	2000	2000		Law on Access to Information
Montenegro	?	2005	?	
Netherlands	1978	1980		Latest revision 2005: WOB: Wet openbaarheid van bestuur
New Zealand	1982	1982		Official Information Act
Norway	1970	1970		FOIA
Pakistan	2002	2002		Freedom of Information Ordinance
Panama	2002	2002		Law on Transparency in Public Administration
Peru	2002	2003		Law on Transparency
Poland	2001	2002		Law on Access to Public Information
Portugal	1993	1993		Law on Access to Administrative Documents
Romania	2001	2001		Law on Free Access to Information of Public Interest
Scotland	2002	2005		FOIA
Serbia	2003	2004		Law on Free Access to Information of Public Importance
Slovakia	2000	2001		Act on Free Access to Information
Slovenia	2003	2003		Act on Access to Information of Public Character
South Africa	2000	2001		Promotion of Access to Information Act
South Korea	1996	1998		Act on Disclosure of Information
Spain	1992	1992		Law on Rules for Public Information [limited access]
Sweden	1766	1766		Latest revision 1976: Freedom of the Press Act
Switzerland	2004	2006		Öffentlichkeitsgesetz
Tajikistan	2002	2002		Law on Information

Thailand	1997	1997	Official Information Act
Trinidad & Tob.	1999	2001	FOIA
Turkey	2003	2004	Law on Right to Information
Uganda	2005	2005	Access to Information Act
Ukraine	1992	1992	Constitution art. 34 and OAI
United Kingdom	2000	2005	FOIA [UK minus Scotland]
USA	1966	1967	Latest revision 2002: FOIA
Uzbekistan	1997	1997	Latest revision 2003: Law on the Principles and Guarantees of FOI
Zimbabwe	2002	2002	Access to Information and Protection to Privacy Act

The B-list: Yet to come / Not yet in power / Pending / Vague wishes

<u>Country</u>	<u>Year of formal approval or formal adoption of the FOIA</u>		<u>Year in which the FOIA came in power</u>	<u>Name of the FOIA</u>
Angola	?	?		Right to Information / draft
Argentina	?	?		Federal presidential decree 2005
Azerbaijan	?	?		FOIA draft 2005
Bolivia	?	?		FOI Decree
Chile	?	?		FOI in constitution since 2005
Cook Islands	?	?		FOI Bill in cabinet 2005
Fiji Islands	?	?		FOI Bill Records Act / draft 2000/2005 / pending
Ghana	?	?		Freedom of Information Bill 2003 / draft
Indonesia	?	?		FOIA draft
Kenya	?	?		Freedom of Information Bill 2005 / draft
Luxemburg	?	?		An act [1978] and a decrete on archives / no real FOIA
Macedonia	2005	2006		Law on Access to Public Information / comes into force June 1 2006
Malawi	?	?		Access to Information Bill 2004 / draft
Maldives	?	?		Draft under construction
Mongolia	?	?		FOIA draft
Mozambique	?	?		Right to Information 2005 / draft
Nigeria	?	?		Freedom of Information Bill 1999 / draft
Papua Nw Guin.	?	?		Freedom of Information Bill / draft
Philippines	?	?		Administrative code followed by good constitutional FOI litigation since 1987
Russia	?	?		Partly FOIA / Partly only constitution 1995
Sierra Leone	?	?		Freedom of Information Bill / draft
Sri Lanka	?	?		Freedom of Information Bill 2003 / draft
Tanzania	?	?		No FOIA but interesting Constitution
Zambia	?	?		Freedom of Information Bill / draft

The C-list: Nothing

Afghanistan
Algeria
Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Benin
Bermuda
Bhutan
Botswana
Brazil
Brunei
Burkina Faso
Burundi
Cambodia
Cameroon
Cape Verde
Central African Republic
Chad
China
Comoros
Congo
Congo Democratic Republic
Costa Rica
Cuba
Cyprus
Djibouti
Dominica
East Timor
Egypt
El Salvador
Equatorial Guinea
Eritrea
Ethiopia
Gambia
Gabon
Grenada
Guatemala
Guinea

Guinea Bissau
Guyana
Haiti
Honduras
Iran
Iraq
Ivory Coast
Jordan
Kazakhstan
Kiribati
Kyrgyzstan
Kuwait
Laos
Lebanon
Lesotho
Liberia
Libya
Madagascar
Malaysia
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Micronesia
Morocco
Myanmar
Namibia
Nauru
Nepal
Nicaragua
Niger
North Korea
Oman
Palau
Palestine
Paraguay
Qatar
Rwanda
Samoa

Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Singapore
Solomon Islands
Somalia
St Kitts and Nevis
St Lucia
St Vincent & Grenadines
Sudan
Surinam
Swaziland
Syria
Taiwan
Togo
Tonga
Tunisia
Tuvalu
Turkmenistan
United Arab Emirates
Uruguay
Vanuatu
Venezuela
Vietnam
West Sahara
West Samoa
Yemen

Weird, but dead serious:
All under UN jurisdiction?

Arctic
Antarctic
Earth Atmosphere
Moon
Planets
Seas, Oceans
Space, Cosmos

The D-list: European exotics

<u>Country</u>	<u>Year of formal approval or formal adoption of the FOIA</u>		
	<u>Year in which the FOIA came in power</u>		<u>Which or own jurisdiction / Name of the FOIA</u>
Aland	?	?	Finnish jurisdiction?
Alderney	?	?	UK/English jurisdiction?
Andorra	?	?	French or Spanish [or Catalan] jurisdiction?
Far Or	?	?	Danish jurisdiction?
Gibraltar	?	?	UK/English jurisdiction?
Greenland	?	?	Danish jurisdiction?
Guernsey	?	?	UK/English jurisdiction?
Monaco	?	?	French jurisdiction?
Isle of Man	?	?	UK/English jurisdiction?
Isle of Wight	?	?	UK/English jurisdiction?
San Marino	?	?	Italian jurisdiction?
Sark	?	?	UK/English jurisdiction?
Vatican	?	?	Italian or Swiss jurisdiction?
Jersey	?	?	FOI Bill draft 2005

The E-list: Inter-, Super- and Supranational- Bodies

<u>Organisation</u>	<u>Year of formal approval or formal adoption of the FOIA</u>		
	<u>Year in which the FOIA came in power</u>		<u>Name of the FOIA</u>
African Union	?	?	Nothing
African Development Bank	1997	?	Nothing
ASEAN: Ass. of South East Asian Nations	?	?	Nothing
Asian Development Bank	1994	?	Nothing
Council of Europe	2000	2000	Latest revision: Resolution (2002) 2
Commonwealth	?	?	Nothing
ECO: Economic Cooperation Org.	?	?	Nothing
EBRD: European Bank for Recon. and Dev.	1996	?	Nothing
EFTA: European Free Trade Association	?	?	Nothing
EIB: European Investment Bank	?	?	Nothing
EU: European Union	2001	2001	FOI Regulation 1049
FAO: Food and Agricultural Org.	?	?	Nothing
FTAA: Free Trade Area of the Americas	?	?	Nothing
Inter American Development Bank	1994	?	Nothing
IMF: International Monetary Fund	2002	?	FOI policy statement
NATO: North Atlantic Treaty Org.	?	?	Nothing
OPEC: Org. of Petroleum Export. Countries	?	?	Nothing
OAS: Org. of American States	?	?	Nothing
OECD: Org. for Economic Coop. and Dev.	?	?	Nothing
OSCE: Org. for Security & Coop in Europe	?	?	Nothing
Pacific Forum Secretariat	?	?	Nothing
UN: United Nations	?	?	Nothing
UNDP: UN Development Programme	1997	?	Some kind of FOI regulation?
UNESCO	?	?	A formal commitment to adopt a FOI policy
WEU: Western European Union	?	?	Nothing
WHO: World Health Org.	?	?	Nothing
WTO: World Trade Org.	?	?	Nothing
World Bank	1994	?	Nothing

The Z-list: FOIA in name only

There is not yet an objective and operational set of definitions and criteria to qualify or to disqualify a FOIA.

And: all existing FOIA's are far from perfect. Having said so, some FOIA's are more terrible than others. Just a few are tolerable.

On the Z-list for sure:

Uzbekistan
Zimbabwe

Serious nominees for the Z-list:

Austria
France
Greece
Italy
Spain

A call for definitions and criteria:

Making this list I got a lot of support [thanks] but I have now more questions than ever. For instance what is a country, or what is a FOIA?

More complex are questions like: What is a good FOIA? What are objective criteria? What is a minimum standard for a FOIA? Would a ranking system be useful?

Components useable and even essential in producing criteria are in my view not only the FOIA itself, but also administrative law, case law, jurisprudence, opportunistic FOI behaviour of civil servants and/or cabinet members, the request volume, costs, the quality of the archives, time for processing, access problems, political culture, civil society culture and lots more.

Copyright and updates

Please feel free to republish this list. It would please me if you mention the source in your republishing [and sent or mail me a copy or an url].

If possible I want to publish, for instance twice a year, updates of this list. To be able to do so requires tips and comments. Please help and correct me and my list.

Roger Vleugels

Independent Dutch-based legal consultant. For more than 20 years I am specialised in FOI, FOIA and in the climax of non-transparency: intelligence and intelligence services.

For my clients I filed more than 2000 FOIA requests. These clients are lawyers, members of parliament, journalists, a range of Dutch networks and newspapers, NGO's, public interest groups, and so on.

In English I publish two specialists email journals:

Fringe Intelligence, a bi-weekly on intelligence next-to-mainstream, and

Fringe Spitting, a monthly with tips and tools for investigative journalism with lots of FOI news. Every month I write 1-2-3 articles on FOI or FOIA in Fringe Spitting, ranging from tips via case law to FOI politics.

Fringe has 600+ subscribers of whom 25% is non-Dutch. If you want a -free- subscription mail: start Fringe.