

HANDBOOK FOR YOUNG PEOPLE
FOR EXERCISE OF THE RIGHT OF FREE
ACCESS TO PUBLIC INFORMATION

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HANDBOOK FOR YOUNG PEOPLE FOR THE EXERCISE OF THE RIGHT OF FREE ACCESS TO PUBLIC INFORMATION

Gostivar
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LFAPI KPD
HE
RNM
GET IT
ASPI
DUL
MFA
MTSP JP

Agency for free access to public information
Detailed urban plan
Ministry of Foreign Affairs
Ministry of Labor and Social Policy
Public Company

Law on Free Access to Public Information
Convention on the Rights of the Child
United Nations
Republic of North Macedonia
Free access to public information Civil organization

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1. Introduction

The purpose of this manual is to inform young people about the basic goals and benefits of the Law on Free Access to Public Information¹ (LFAPI), but also to guide them on how to exercise the right to access to public information. The manual presents the key issues of the Law in a simple way and guides the reader step by step through the processes it regulates.

The manual is an important resource for education in non-formal education on topics related to human rights, democracy and active youth. Practical activities can be found at the end of the Handbook, in order to help young people better understand the right of access to information.

The right to information is considered part of the basic corpus of human rights. Basic international human rights documents do not explicitly provide for the right to information, but today it is widely accepted that this right is closely related to freedom of speech. The point is that the right to information is a prerequisite for freedom of speech.² In 2009, the Council of Europe directly regulated this right with the Convention on Access to Official Documents (better known as the Tromsø Convention)³. The Convention entered into force in 2020, after it was ratified by a sufficient number of states and is a legally binding international document on the right of access to information of a public nature.⁴ In addition, the right to information is a basic component of numerous conventions and standards against corruption.

In the last two decades, many countries around the world have passed laws for free access to public information.⁵

The right to information is also part of the corpus of children's rights, according to the United Nations (UN) Convention on the Rights of the Child (CRC).⁶ The CRC defines as children persons up to 18 years of age, which obviously refers to persons who are already considered young.

The right to free access to information is established in the Constitution of the Republic of North Macedonia (RNM). Article 16, paragraph 3 of the Constitution "guarantees free access to information, freedom to receive and transmit information."⁷

1 Official Gazette 101/2019

2 McDonagh Maeve, The Right to Information in International Human Rights Law, Human Rights Law Review 13:1, 2013, p. 25-55

3 Council of Europe Convention on Access to Official Documents, CETS No. 205, 2009.

4 See for example: Convention of Access to Officials Documents Enters into Force, Newsroom, Council of Europe, December 2020, available at <https://www.coe.int/en/web/portal/-/convention-on-access-to-official-documents-enters-into-force#:~:text=Access%20to%20official%20documents%20enables,participation%20in%20decision%20making%20processes.>

5 See for example Ackerman John, M., and Sandoval-Ballesteros Irma E., The Global Explosion of Freedom of Information Laws, Administrative Law Review, 58(1), p. 85-130, 2006.

6 United Nations Convention on the Rights of the Child, General Assembly Resolution 44/25, 1989

In 2020, the Republic of North Macedonia adopted the Law on Youth Participation and Youth Policies,⁸ which emphasizes the right of young people to information.

The right of access to information is considered a basic prerequisite for the right of young people to actively participate in decisions that affect them, including in the making and implementation of public policies.⁹ It is generally accepted that without sufficient information, young people cannot participate in a relevant way in making the decisions and policies that affect them.

2. Building a culture of transparency and accountability

Access to information, together with informed public participation in decision-making, supports transparency and accountability and is therefore fundamental to the functioning of democracy.

Education on these topics is a prerequisite for youth involvement. Informing about the various aspects of the operation of the institutions provides an opportunity for greater engagement of young people.

In our country, there is a general understanding that institutions can, but do not have to, report to the citizens. Institutions declare principles of accountability and transparency but consider that they do not refer to specific issues and essential matters. It is considered that the principle of accountability is fulfilled if a general annual report is published in which there is no data on important, specific issues or if some general data is published on the website of the institution. However, if the institution is asked for some specific and important information, it may avoid providing it. Usually, the level of transparency depends on the goodwill of the institution and its management.

When the institutions are asked for some specific information, for example in relation to the urban plan or the people hired as advisers and their fees or how much money has been paid for furniture or for art paintings, the institution often feels that this intrudes into its "privacy" and objects to providing the information. Institutions generally consider that citizens do not have the right to ask them for such specific information. In other words, there is a general culture of institutional non-transparency. The Law on Free Access to Public Information (LFAPI), which is the subject of this manual, says the opposite. Institutions are obliged to provide information to citizens when they request it. Institutions are also obliged to publish information from their domain of work to the public (usually on their web pages), without being asked to do so. It's called proactive transparency.

⁷ Constitution of the Republic of North Macedonia, Official Gazette of the RNM no. 1/92, 31/98,

91/01,84/03, 107/05, 3/09, 49/11, 6/19, 36/19.

8 Official Gazette no. 10/2020

9 Young People's Access to Rights through Youth Information and Counseling, Council of Europe, 2015.

This culture of non-transparency is an interesting topic to consider. The key question is why do institutions behave in such a way? One possible answer is that such behavior stems from people's attitudes toward power and how they understand the exercise of power.

It is important to note that culture can and must change. It can be built and shaped. Institutions can be "accustomed" to behave in a certain way, that is, to increase transparency. They can proactively, on their own initiative, make information more accessible and respond to citizens' requests for information of a public nature.

In the past 16 years, since the regulation on LFAPI was applied in RNM, there are indications of the process of changes, and of course, how difficult and slow that process is.

The institutions should realize that the moment a citizen or civil organization (CSO) asks them for information of a public nature, they are obliged to provide it. Institutions often provide the information unwillingly and only when they see that there are possible consequences if they do not act according to the LFAPI. This is drawn as a conclusion from the reports on the work of the Agency for Free Access to Public Information, as well as from various analyzes conducted by the CSO. However, the picture is not so simple. Not all institutions behave in the same way. From the reports of the Agency, it can be seen that a large part of the institutions respect the Law.

It is important to note that the culture of non-transparency has another side. It is based on the understanding of the citizens that they must not seek information from the institutions. A large part of citizens, especially young people, do not know that they have this right. It is only partially the result of ignorance of the law. To a large extent, since the past, it is due to the fear of the institutions and the government, that is, the attitude that the citizen must not oppose the power but must listen to it and submit to it. These are the two sides of the culture of unaccountability.

To be sure, changing institutional culture is NOT EASY. It is a difficult and gradual process. Some of the institutions do not apply LFAPI, especially not diligently, but not because it is unknown to them. Of course, insufficient knowledge of the law plays a significant role, but even more important for non-application of the law is because the institutions do not want to apply it, especially when a certain request for information is uncomfortable for them.

It is about a social conflict between the citizen and the government institutions. It is a conflict that exists in every society and is based on the control of power in society. Conflict over who will control the power.

In democratic societies, power is controlled by the citizens and is widely dispersed. The institutions are at the service of the citizens. In authoritarian societies, power is concentrated in the hands of a small circle of people, and in extreme cases, power is in the hands of a supreme leader (eg North Korea today, but also many countries throughout history). In those societies, the institutions are not accountable to the citizens.

A key instrument for building transparency in institutions as an important element of democracy is the regulation on LFAPI.

It can be considered that the new Law further strengthened the capacity for building accountability and transparency in the institutions. It is necessary to promote the civic culture for demanding accountability from the institutions, that is, informing and encouraging citizens to use the Law en masse. The inclusion of young people in this process is crucial, because they represent a significant part of the population and are generally more open to social changes and supporters of open and accountable government.

3. Law on Free Access to Public Information (LFAPI)

The Law on Free Access to Public Information (LFAPI) was adopted for the first time in RNM in 2006. The new law that is currently in force was passed in 2019. He introduced several important innovations. For example, previously, the body responsible for implementing the law was the Commission. With the new law, the Commission was transformed into the Agency for Free Access to Public Information (AFAPI) or the Agency. The deadlines for responses from the institutions from which public data are requested have been shortened. The public interest was precisely defined. Political parties were added to the list of information holders. It is particularly important that the Agency is given the authority to decide on appeals. When an institution does not respond or the response is not satisfactory, the requester of information can file an appeal. The Agency is now deciding on that appeal.

The Agency has a key role in all aspects of the implementation of the Law and the implementation of the Law is its basic competence. The agency prescribes the forms, compiles and updates the list of information holders, decides on appeals, decides in misdemeanor proceedings and much more.

One of the Agency's obligations is to promote the application of the Law. This manual, which is aimed directly at young people, is a step closer to realizing that competence. By promoting the application of the Law, the Agency is actually working on building a culture of transparency and strengthening democracy in the RNM, as well as raising awareness among young people that this prevents corruption. In essence, the law is anti-corruption. It is an essential part of the overall regulation in the country aimed at preventing corruption and reducing the possibility of institutions doing something beyond the control of citizens.

4. Who is obliged to respond to a request for a LFAPI?

The essence of the Law is that every natural person (citizen), as well as every legal person (organization, firm, institution) has the right to request information of a public nature from the institutions that have that information. The institutions are obliged to respond to the request.

The holders of information are the institutions that are obliged to proactively publish the information and respond to the request for the LFAPI.

The law defines as holders of information:

The bodies of the state government and other bodies and organizations established by law, the bodies of the municipalities, the City of Skopje and the municipalities in the City of Skopje, institutions and public services, public enterprises, legal and natural persons exercising public powers established by law and activities of public interest, as well as political parties in the area of income and expenditure (Article 3, paragraph 1).

As can be seen from the definition, we are talking about a larger number of information holders

The list of information holders is compiled and updated by the Agency.

In particular, the list in 2022 (when this manual was written) includes the following categories of information holders:

State institutions – 146;

Legal and natural persons exercising public powers and activities of public interest - 7310;

Public enterprises and institutions – 325;

Educational institutions – 579;

Health facilities -110;

Political parties – 57;

Judiciary – 67;

Municipalities and Centers for the Development of Planning Regions – 88.

The entire list of holders is available on the Agency's website and is regularly updated with information.

Graph 1. List of information holders



Source: <https://aspi.mk>

As can be seen from the Agency's website, the largest number of holders are from educational institutions. Most of them are primary schools and kindergartens. So any citizen can request information of a public nature from any school or kindergarten and they are obliged to answer him.

Obviously, normatively, this is a high standard of transparency. The law gives the citizen the right to address any institution in the state, to request information and receive an answer.

The existence of the list of information holders and its regular updating has an important function. It clearly determines who can be asked and who is obliged to provide information.

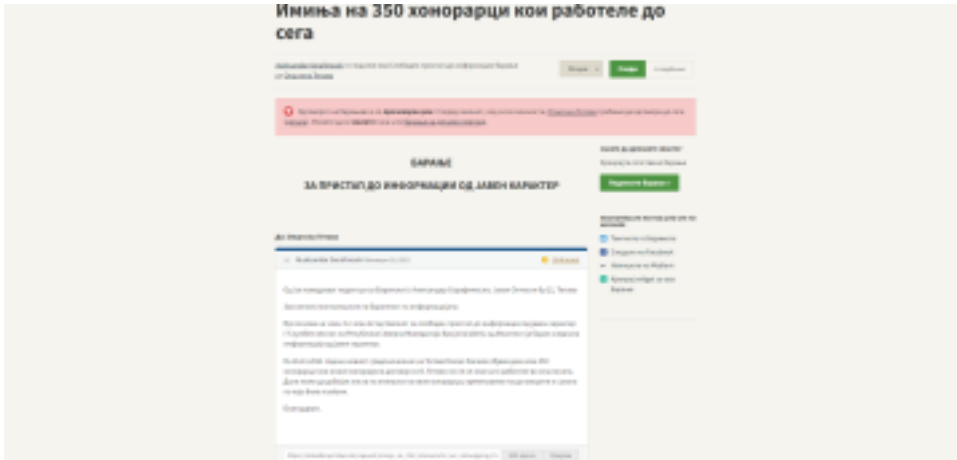
5. Public information

Any natural and legal person can request public information from the holders. Logically, the question arises, what is it? What is that information that is of a public nature? The answer is given by LFAPI. According to the law, public information is:

"Information in any form created or disposed of by the owner of the information in accordance with his powers."

As can be seen from the definition, public information is very broadly defined. It can be any job information from the jurisdiction of that institution.

Chart 2. Example of request for LFAPI



Source: https://slobodenpristap.mk/request/iminija_na_350_khonorartsi_koi_ra

For example, the authority of the institution is the adoption of detailed urban plans (DUPs). Recently, this has been an extremely topical topic in the country, because many citizens are against the excessive construction of new buildings in some municipalities. It often happens that the municipalities justify themselves with the argument that the citizens reacted too late, after the construction has already passed all stages of approval. Based on the Law, anyone can request any information regarding the DUPs under the authority of that institution.

In recent years, there have been several examples when citizens self-organized in defense of parks and green areas that the municipalities wanted to convert into spaces for the construction of buildings. These protests were regularly led by the youth. ¹¹

Another example is when, within the framework of its competencies, the institution has spent a certain amount of money on contracts in action. Information can be requested, for example, how many contracts have been concluded, for which specific works/services, for which duration, for which amounts and with which persons. From the reports of the Agency, it can be seen that such information is requested on the basis of LFAPI.

¹¹ It can be seen for example: "Park defenders" camp in defense of "Gruevski Park", A1on, August 2013, available at <https://a1on.mk/macedonia/parkobranite-kampuvaat-vo-odbran/>, In Defense of Debar Maalo: Park, not 60-story buildings in the parking lot in front of Holiday Inn, Mkd.mk, November 2018, available at <https://www.mkd.mk/makedonija/skopje/vo-odbrana-na-debar-maalo-park-a-ne-60-katnici-na-parkingot-pre-holiday-in>, Civic initiative for the defense of a park in Shtip, Radio MOF, November 2015, available at <https://www.radiomof.mk/gragjanska-inicijativa-za-odbrana-na-park-vo-shtip/>, Residents of Taftalidze will demand a local referendum to defend the park, Nova TV, August 2016, available at <https://novatv.mk/zhitelite-na-taftalidhe-ke-baraat-mesen-referendum-za-odbrana-na-parkot/>

The information on the topics that are important for the life of young people, and at the same time is information of a public nature, is numerous. Such information sometimes refers to a specific group or to an entire generation of young people. For example: How were the textbooks for secondary and primary education purchased and how much were they paid for;

How is the organization and payment of student excursions arranged; Under what conditions is the school gymnasium used and what are those funds used for?

Information about the work procedures of schools and colleges; How much money does the municipality set aside for financing youth projects?

5.1 What can be requested as information?

LFAPI provides the opportunity to request the information in any format in which it is available. The law states that a document is "any record of information, regardless of its physical form or characteristics, written or printed text, maps, diagrams, photographs, pictures, drawings, sketches, working materials, as well as sound, voice, magnetic or electronic, optical or video recordings in any form, as well as portable equipment for automatic data processing with built-in or removable memories for storing data in digital form".

In short, information can be requested in any format in which it is available. It is important to note that the applicant can also request insight into certain information. That means he can ask to come to the owner's premises and look directly at a register, DUP, file, etc.

All information that occurred in the course of or in connection with the work of schools, colleges or universities that are recorded in a certain document - rules, regulations, minutes, reports, are information that students have the right to request and know. At the same time, as was already mentioned, the institutions have an obligation for proactive transparency. This means that they have to publish important information about their work, without someone telling them to do so

5.2 From whom is the information requested?

According to the law, every holder of information is obliged to appoint an official.

That person is employed in that institution. The request is submitted to this official.

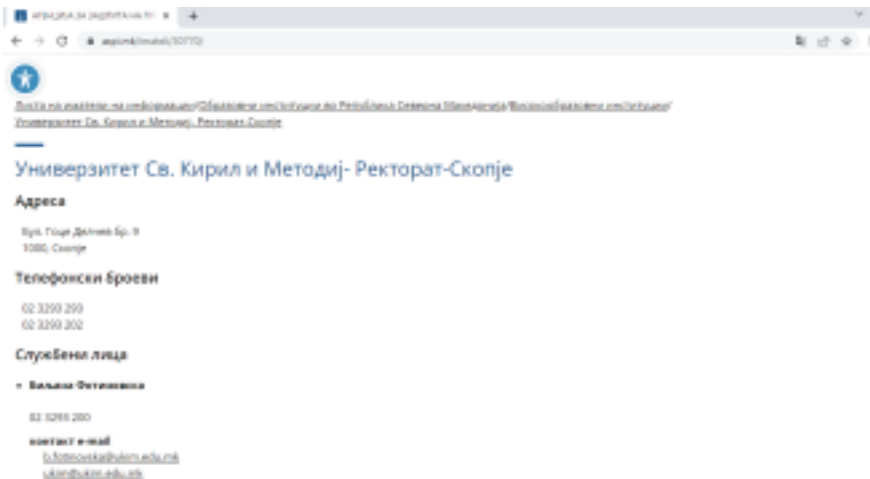
He/she is obliged to provide the information from the department in the institution that owns that information and to give it to the applicant within the stipulated legal term.

Those officials also bear the responsibility if the institution does not act according to the request.

In practice, it is commented that limiting the responsibility for not providing information only to the official is insufficient because he cannot give it to the requester if he fails to obtain it from another part of the institution that owns it. It puts the official at a disadvantage. In that sense, the comments that the main responsibility should be the head of the institution are logical. where

At the same time, it is obvious that the penalties are relatively low, if compared to a large number of other offences that protect a significantly smaller public interest.¹² The tendency of the legislator to prescribe lower penalties when they are aimed at the public sector is obvious.

Chart 3. List of holders. Official contact



The designation of the official person and the obligation that the contact of this person is indicated on the website of the holder has a really significant function. This prevents the well-known phenomenon of the labyrinth, that is, forwarding from one person to another within the same institution, who is supposedly in charge.

Searching the list of information holders, with just a few clicks, leads directly to the official person competent to respond to the request.

¹² For example, according to the Catering Act, the caterer can be fined 2,000 euros, if he does not indicate in a visible place the obligation to hire a tour guide during an organized stay of foreign tourists (Article 69a).

5.3 Exceptions to the PLFAPI

It is logical that sometimes the publication of certain data can cause harm to someone, and it can also harm the public interest. For example, if someone's personal information is published, it can cause harm to that particular person. Some data is confidential under other laws. Information that is part of a criminal investigation, criminal or other proceeding can also cause harm if released.

Hence, the owner of the information can completely or partially refuse to give the information to the requester if there are reasons that justify it. It can only be an exception to the general rule.

The law regulates these exceptions in Article 6. This provision of the law foresees five categories of exceptions:

- 1) if the requested information is classified according to another law, 2) if it is personal data whose publication is not allowed, 3) if the published information would harm the confidentiality of the tax procedure,
- 4) information related to investigations, criminal, misdemeanor, civil proceedings and the like,
- 5) information related to industrial or intellectual property rights (eg patent), protected according to law.

When a request contains any of these categories of information, the holder may refuse to provide that information, citing any of these grounds.

However, even in that case, the holder cannot refuse the request directly, but only after making the so-called harm test.

According to the law, a harm test is a "mandatory procedure carried out by the holder of the information, before refusing access in accordance with Article 6 paragraph (1) of this law, which checks the consequences on the interest protects, that is, the public interest that would be achieved by publishing the information."

This means that the institution should assess what is more important in the specific case: the interest that is protected by not publishing the information or the public interest that would be achieved by publishing it. In doing so, the law precisely defines what is meant by public interest in this sense (see the section below).

Obviously, this is not an easy task. For this reason, the Agency has created a special Manual for the implementation of a test for harmfulness, which should guide the holders in the implementation of this procedure.

In its 2021 report, the Agency notes that some institutions only formally invoke Article 6 exemptions and the harm test to justify a refusal to provide information, even though they have not actually conducted a real harm analysis. In other words, some institutions use this as a so-called "hole in the law".

This does not mean that that "hole" should be closed by repealing that article of the law. It is clear that this is not possible. Exceptions must exist. However, the Agency tries to control how institutions use the exemptions and prevent their abuse.

What should be essentially remembered is that the holder can refuse to provide information only as an exception and only after having assessed the reasons for and against publication.

5.4 What is public interest?

The concept of public interest implies that there are general or common interests in society that are more important than everyone's individual or group rights. Many of those public interests are explicitly defined by the highest legal acts of the states, the constitutions, as well as by many special laws. For example, everyone needs to breathe clean air and drink clean water. In that sense, clean air and drinking water are of particular public interest and are generally considered human rights.

What does that mean? This means that the private interest of a factory emitting toxic fumes, without installing an expensive filter that can cost millions of euros, cannot be more important than the public interest. The clash between the company's private interest (to save several million euros) and the public interest for citizens to breathe clean air is obvious.

Here is another example that is seen daily in practice on our streets. Every pedestrian has the right to be able to move safely in the city. For that, it is necessary to have a sidewalk that is safe. However, many drivers park where it is easiest and fastest for them, including on sidewalks. Thus, many of the sidewalks in cities in North Macedonia are blocked by vehicles, and pedestrians, including mothers with babies in strollers, are forced to walk on the roadway. In some municipalities pedestrians are safer because the sidewalks are protected by fences (because local institutions were more efficient), and in some they are not. This is a typical example of a clash of interests and rights, which can be seen as individual, group, and of course in their totality, as public interests. At first glance, this example may seem easy to solve or trivial. At the level of principle it is resolved, but in practice it occurs as a result of institutional inefficiency. However, the daily cases of pedestrians being run over and violence (resulting from the stress of participants) in traffic, especially in the capital, indicate that this is a serious problem.

It is obvious that the concept of public interest is very complex and that there is a constant need to analyze and measure the importance and primacy of certain interests in society.

Every society is in a constant process of evaluating and mediating between a multitude of interests. Public institutions have a vital role in these processes.

The law explicitly defines what is meant by public interest, which should be taken

into account by the holders of information. It should be noted that this is a novelty introduced by the 2019 legislation. According to the law (Article 3):

"Public interest in exercising the right of access to information implies, but is not limited to, interest in information, the publication of which, i.e. the exercise of access:

- 1) abuse of official position and corrupt behavior will be revealed; 2) illegal acquisition or spending of budget funds will be revealed; 3) a potential conflict of interest will be revealed;
- 4) serious threats to people's health and life will be prevented and discovered; 5) threats to the environment will be prevented and detected;
- 6) it will help to understand the issue for which a public policy is being created or a parliamentary debate is being conducted and
- 7) equal treatment of every citizen before the laws will be made possible."

The law envisages these seven grounds which are listed in Article 3, but it also states that the public interest is not limited to these grounds only. This means that other public interests that may arise in specific cases should be taken into account against which the decision to provide or not to provide the requested information should be analyzed.

5.5 Duty to publish information

Institutions are obliged to regularly publish information about their work on their websites.

The law (Article 10) contains a longer list of information that the institutions are obliged to publish, without anyone asking them to. It includes, for example, the regulations carried by the institution, strategic plans, budget, types of services performed by the institution, etc. At the same time, the institutions are obliged to designate on their web pages the contacts of their officials responsible for requests for LFAPI.

This disclosure of as much information as possible is called proactive transparency. The idea is that the more information the institution itself publishes, without anyone asking for it, the less the need to submit requests to the LFAPI.

6. How to submit a request for a FAPI?

The request for LFAPI can be submitted in any way, even orally. With that, the law gives the opportunity to request information even to persons who may not be able to fill out a written or electronic form. The law regulates how the institution should act when an oral request is submitted to it.

Of course, the usual ways to submit a request for the FAPI is by filling out a

written or electronic request.

The website of the Agency has an additional Portal for applicants, which can be accessed via the address www.slobodenpristap.mk.

Submitting a claim is very simple. In just a few simple steps, user registration is performed, then the user selects the institution to which he submits the request and enters a short and clear question.

As can be seen, after completing the request, the user can immediately share it on Twitter, Facebook, etc., which can further increase the visibility of the request and animate public opinion.

In general, the Agency has made the submission of the request remarkably quick and easy. It is again in addition to increasing the transparency and accountability of the institutions. The easier it is to submit a request, the more often citizens will submit them. Of course, a complicated form and procedure would lead to far fewer claims.

It is important to note that the applicant is not obliged to justify the request. It is enough to state that it is a request for the LFAPI.

It actually means that the law puts the citizen in a superior position in relation to the institution. This is contrary to the situation in which the citizen is expected to plead with the institution and give reasons so that it assesses whether it will approve something. The law puts the citizen in the position of a requester to whom the institution is obliged to respond.

After the request is submitted, the owner of the information should respond immediately, and within a legal period of 20 days (which can be extended up to 30 days) at the latest.

6.1 What if the holder does not respond to the request?

The holder may reject the request (because it was not in the required form or complete) or reject the request in whole or in part. Also, the owner may not respond to the request at all, that is, ignore it. This is the situation that

most often happens in practice, when the holder does not respond to the request. It is called "silence of the administration".

In all these cases, the applicant can file an appeal with the Agency. The applicant submits the appeal to the Agency and it is obliged to decide on the appeal within 15 days. If the Agency does not decide on the appeal within the stipulated period, the applicant has the right to initiate an administrative dispute before the Administrative Court.

Filing an appeal is very simple. The appeal form is made by the Agency and is posted on its website (Graph 4, below). It is sufficient for the complainant to provide a brief description of the basis for the appeal.

Chart 4. Guidelines and appeal form



7. Conclusions

The purpose of this manual is to bring LFAPI closer to young people. The more young people will know and use this law, the more they will contribute to the accountability of institutions and the quality of democratic processes in North Macedonia.

It is obvious that the Law is a powerful tool in the hands of young people, citizens, the media, CSOs, as well as other entities, for monitoring the work of institutions. From the reports of the Agency, it can be seen that in the past period, the zealous beneficiaries of the Law were CSOs.

The data from the Agency's report for 2021 indicate that the Law is applied, but also indicate that a real part of the information holders do not respect the law

sufficiently.

The forms and the procedure for submitting a request for LFAPI are extremely simple, which contributes to its efficient application.

Many young people and other citizens in RNM are not informed that they can monitor the work of the institutions in such an easy and simple way.

It is necessary to promote the Law as widely as possible, in order to constantly build a culture of accountability and transparency.

This manual contributes to this goal.

8. Program for training young people to get to know and use PLFAPI

8.1 Module 1

Subject:

Transparency and democracy

Session 1:

Plenary discussion with the entire group of participants. Concepts such as transparency, civil activism, and democracy are discussed.

Questions:

Why is there democracy in some countries and not in others? What kinds of states can we have on this basis? Which non-democratic countries do you know?

How did they become like that? What is the difference between institutions in democratic and non-democratic societies?

Is a country democratic because it is rich or did it become rich because it was democratic?

Can democracy be developed by writing laws?

To what extent does the type of social order depend on the citizens?

Why have there been fewer democratic countries in history than today?

8.2 Module 2

Subject:

Public interest

Session 1:

Work in small groups. The participants are divided into 4 to 6 smaller groups (depending on the number of the entire group). Each group should research the Internet and explain the concept of public interest. They are given 15 minutes to research and discuss in a group, and then each group presents.

Session 2:

Role playing. Participants are divided into teams. A question arises. One team takes an affirmative position, and the other an opposing one (the idea is to represent opposing sides in some social conflict of interest). Each team has for example 20 minutes to prepare and then 5 minutes to present, followed by a debate. The audience can comment. It is important that the questions are chosen to provoke debate.

Examples of possible debate questions:

- Young people should have the right to vote from the age of 16 (for/against).
- The media may also publish unverified information if it is in the public interest (for/against).
- Penalties for offences against officials with information holders are too small (for/against).
- It is not socially justifiable for the official holder of information to spend three working days to provide information to the requester. Without restrictions, institutions will only respond to requests (for/against) all the time.

Session 2a: Once the game is presented and the participants understand the principle, they can engage in the process of creating questions for debate.

They are divided into small groups and each group is asked to come up with several questions that could be the subject of a role play. Then all the proposed questions are considered and the appropriate ones are selected. The questions should be related to PLFAPI. It should be taken into account that the exercise requires more time and can only be applied if the entire training lasts longer (eg more than 1 day).

8.3 Module 3

Subject:

Possible questions of interest that can be requested

Session 1.

The participants are divided into smaller groups. Each group reviews media articles current in the past period and considers possible issues of public interest for which requests could be submitted. It also determines which holder would be competent to answer the question. About 40 minutes can be allocated for media review, in order to allow discussion in small groups. This is followed by presentations. Presentations are made in the following way. Each group presents the first question, followed by a discussion. Then it continues with another round of presentations on the second question, etc., depending on the time available. A minimum of 90 to 120 minutes is required to complete the exercise in its entirety.

Session 2.

The participants are divided into smaller groups. Each group reviews the list of information holders and considers possible issues of interest. At the same time, the focus can be on less visible holders (not the main state institutions and municipalities). In the context of the exercise, the participants must also search for

information about the competencies of the holders, in order to think about the issues that are within their competence. It takes about 40 minutes to work in groups, followed by rounds of presentations.

8.4 Module 4

Subject:

Applications available on the Applicant Portal

Session 1.

The participants are divided into smaller groups. Each group reviews and thinks about the requirements that are on the portal.

Session 2.

The work from Module 3 is continued. Write down (for example) the 10 most interesting requests on the board. Voting is done in order to choose the 4 with the most votes. Vote again to choose 2 of them. Vote again to choose 1 most interesting question that can be asked.

In the next step, the group sets the request. One participant is selected who registers a profile and submits the request (under supervision and with the support of an official from the Agency).

9. References

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