SURVEY REPORT
ON
ACCESS TO INFORMATION
IN LEBANON

Guita Hourani

September 2012
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Opinions expressed in this paper are those of the author and do not necessarily reflect views of the Lebanese Transparency Association (LTA), Carthage Center for Research and Information (CCRI) and Lebanese Development Network (LDN).

The author and the study team that worked on this report have made every effort to ensure that the information contained in this report is reliable, but make no guarantee of accuracy or completeness and accept no liability for any inaccuracies that it may inadvertently contain.

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<th>ACRONYMS</th>
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<td>Lebanese Parliamentarians Against Corruption</td>
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<td>Lebanese Transparency Association</td>
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Access to Information (ATI) is an important human right protected by the UN Covenant of Civil and Political Rights, and guaranteed by the Lebanese Constitution. It is also an important constituent of good governance, healthy democracy, and sustainable and equitable development.

Increasing public awareness has been focused on the prevalence of corruption and mismanagement, and their corrosive effects on individuals, communities and national life in developed and less developed countries in the last few decades. The health of the democratic system depends on the citizen’s fundamental ability to access information from public bodies without interference by the state or by pressure groups. A knowledgeable and informed citizenry that has access to a broad range of information will better understand and judge the role of the government and its decision-making system in current affairs, and thus be in a better position to construct their own opinions on civil matters, to determine their own choices in elections, to participate themselves in public life, and to hold public officials accountable for their performance.

Equally important, by firmly preserving the citizen’s access to information under open access laws, citizens can use information related to health care, education, and other public services to improve their lives, as well as to enhance professional and business development.

It is common knowledge that in Lebanon it is very difficult to access data and information from government bodies unless one uses wasta/political pull or one’s own social status. Thus, several initiatives were launched by various organizations in Lebanon to publicize the importance of having access to information, especially by drafting related laws and regulations to guarantee this right. Notwithstanding these efforts, the ATI law has not been yet ratified and adopted by the Lebanese Parliament.

The Lebanese Transparency Association (LTA) is a non-governmental organization (NGO) dedicated to combating corruption and promoting public transparency and accountability in Lebanon. To this end, one of LTA’s goals has been to advocate for the enactment and execution of anti-corruption laws, as well as for laws allowing broad access to information held by the state to Lebanese citizens.

As part of its effort, LTA was recently selected by the World Bank’s “Access to Information in the Middle East and North Africa” effort to lead an awareness-raising campaign about the topic and to advocate for the ratification of the ATI law presented to Parliament in 2009. In pursuit of this mission, LTA launched a survey to assess public knowledge of access norms and laws. This survey was undertaken to probe the knowledge and perception of the right to information within the populace, and their own experience with restrictions on information. This report is the result of that survey. It illustrates a vital point: in the absence of an Access to Information law, Lebanese citizens face numerous impediments to accessing information from the public bodies. Where access has been allowed, the procedures involved are arbitrary and inconsistent, and successfully obtaining information, most of the time, turns out to be contingent upon political interference or bribery.

The LTA entrusted the Carthage Center for Research and Information (CCRI) to design and carry out its survey. The survey was to be national in scope, encompassing samples from Beirut, the Bekaa, the
North, the South, and Mount Lebanon. The survey was implemented between August 7\textsuperscript{th} and September 5\textsuperscript{th}, 2012. It had three instruments: an in-depth quantitative questionnaire for professionals, a public opinion survey and an in-depth questionnaire for a small number of current members of parliament. The CCRI conducted interviews with a total of 100 professionals (e.g. lawyers, professors, teachers, managers, journalists, medical doctors, business owners, managers, civil society activists among others), collected 1155 public opinion questionnaires, and interviewed ten current members of parliament.

The results of this survey are meant to be used to design the public awareness campaign for Access To Information and to advocate for the ratification of the draft law presented to parliament in 2009. The proposed ATI law will provide Lebanese citizens a legally enforceable right to access information regarding matters of public concern held by government, public authorities, and the private sector. ATI law will yield many benefits: it will strengthen the constitutional rights granted to all Lebanese citizens; allow media and other actors to investigate the government and to hold it accountable; make it possible to combat unwarranted official secrecy; help root out corruption; and promote democratic principles and good governance.

Rabih Al Chaer
Managing Director
The Lebanese Transparency Association
EXECUTIVE SUMMARY

The Lebanese Transparency Association (LTA) is a Lebanese non-governmental organization working to combat corruption and to promote public transparency and accountability in Lebanon. For years, LTA has strongly advocated the adoption of anti-corruption legislation, coupled with legislation that would allow broader access to information. Neither anti-corruption nor access to information laws exist access to information laws exists today in Lebanon.

This study was commissioned by LTA through a World Bank fund. The aim of the survey was to assess Lebanese people’s familiarity with the nexus between their rights as citizens and the information they hold to allow the exercise of those rights. The survey was designed to map the impact of the absence of an Access To Information (ATI) law and regulations on three levels: the level of ordinary life, or in other words, the personal and family sphere; the level of professional and business activities; and on the sphere of good governance in the country, or in other words, on the level of the activity of elected officials themselves. To provide a sense of the current state of affairs vis-à-vis information access, the survey generated information about the prevailing difficulties to access information from public bodies, and the methods used by people to acquire needed information. More specifically, the general knowledge of the ATI draft law presented to parliament in 2009 in the population and among policymakers was probed.

For this purpose, Carthage Center for Research and Information conducted during the month of August 2012 a survey with three instruments – an in-depth questionnaire for professionals in various fields, a public opinion survey and an in-depth questionnaire for parliamentarians. Below are some of the most important results. It should be noted here that some of the interview and survey questions were non-exclusionary, while others were which explains why some of the percent numbers don't necessarily add up to 100% because certain questions had multiple choice answers.

In-Depth Interviews

One hundred interviews were administered to professionals in various fields, the percentages of which were as follows: 19% were working in managerial positions; 14% were business owners; 13% were from civil society organizations; 11% were journalists; 9% were lawyers and teachers respectively; and 6% were professors and medical doctors respectively.

In terms of gender representation in the professional survey and despite every effort to have a gender balance, 38% were women and 62% were males.

Across all types of the professionals interviewed, familiarity with the issues surrounding access to information was predominant: 53% were familiar, 31% were very familiar and 16% were somewhat familiar. In regard to whether citizens of Lebanon have the right to access information, 51% of the interviewees said no, versus 49% who said yes.

With regard to their knowledge about the existence of ATI draft law of 2009, 41% said that they had some knowledge of it versus 59% who said that they don’t.
With reference to the level of difficulties in accessing information, 72% of the professionals confirmed that it is very difficult to access information in Lebanon. Of the methods by which one could most easily access information, 81% mentioned wasata and political pull as the most successful means, while 23% referred to paying to access information. 48% said that public employees and officials are the primary recipients of these payments.

Vis-à-vis the lack of ATI legislation and its impact on the people of Lebanon, 60% of the professionals interviewed strongly agreed that it affects people’s personal and family quality of life. An identical percentage (60%) also strongly agreed that it impacts business and professional life.

In connection with the significance of ATI in various spheres, interviewees in this cohort indicated that access to information is the most significant in the political sphere, followed by the legal and the judicial.

ATI was held to contribute to transparency, accountability and good governance by 79%, while 68% said that it also enhances trust in public institutions. 52% believed that it raised the level and quantity of citizens’ participation in public debate and decision-making.

When asked about the nature and extent of information that is treated as ‘classified’ or even a ‘state secret’, 96% of the interviewed professionals indicated that secrets of national defense, national security are justifiable, and 55.6% said that it was justified to guard individuals’ private information. However, they held that other classifications are not justifiable.

The blame for the non-implementation of access to information rights was allotted by 49% to the government, 48% also blamed the parliament and 42% blamed the indifference and inaction of Lebanese citizens in not demanding these rights.

On the subject of the various obstacles that might face the implementation of ATI in Lebanon, the consensus among our professional interviewees was that the lack of an Access To Information law presents the main obstacle; if such legislation were passed, they believed that it would be practically blocked on the level of the institutional culture in Lebanon, where the idea of public consultation or public participation has never taken root, and that the public would hesitate to take it up as well, as it is a public that is not sufficiently aware of its rights.

On the question of whether there should be clear provisions in ATI legislation to guarantee access to information of vulnerable disadvantage persons (such as women, the poor, the youth, the foreigners, the physically and/or mentally challenged, and the like), 93% of the interviewed agreed that the law should guarantee their access.

In reference to whether the ATI law should protect whistleblowers or individuals who release information on wrongdoing such as corruption, embezzlement, bribery, mismanagement, etc., 95% of the interviewed said that the law should protect them.

In asking the professionals if they would be willing to participate in lobbying for the ATI law, 81% said that they would like to be involved.
Public Opinion Survey

The Public Opinion Survey targeted a different group. Most respondents were men (55.3%) versus women (44.7%) and the majority was between the ages of 16 and 51. In terms of occupation, those who worked for the private sector were most predominant amounting to 46% of the 1155 respondents.

The survey asked whether citizens of Lebanon have access to information. 18.5% said yes, versus 81.5% who replied no.

Concerning whether access to information is a right, a privilege or a favor, 85.1% replied that it is a right, 9% labeled it a privilege, and 2.8% said that it is a favor or a gift from the government.

With reference to the level of difficulty or easiness in accessing information in Lebanon, the majority of the respondents (49%) found it to be very difficult, 19.7% were unsure, and 12.5% said it is impossible to obtain information needed from public bodies.

A clear majority of the respondents believed that most people use wasa/political pull for acquiring information (74.8%), others also indicated the use of bribery of public employees/officials (61.7%), and yet others indicated that social status is an important tool for this purpose (42.5%).

Of the 1155 Public Opinion Survey respondents, 47.4% strongly agreed that lack of ATI impedes personal and family quality of life, 42.6% strongly agreed that it hampers professional and business life, and 45.5% strongly agreed that it weakens democratic institutions, prevents people from monitoring their government, and makes it difficult to hold officials accountable for their performance.

In connection with what sphere will be most impacted by the availability of access to information, the majority of respondents indicated that the judicial sphere, followed by the legal and the administrative will be most significantly impacted.

When asked who was to blame for the current non-implementation of the access to information right, 57.3% replied that it was the government’s fault, while 44.4% blamed Lebanese citizens for not taking any action in this regard, and 43.6% also blamed the political parties and the politicians.

Queried whether they had heard of the Access to Information law of 2009, the majority (78.8%) had not, while only 21.2% responded positively.

Asked if they would be willing to be involved in lobbying for ATI in Lebanon, 40% showed an interest in raising awareness, 20.3% would like to be enrolled in the movement and 13.4% expressed a willingness to participate in demonstrations.

Members of Parliament Survey

Of the ten parliamentarians interviewed, 80% were familiar with the access to information concept, 10% were very familiar and 10% were somewhat familiar. Queried whether Lebanese citizens have access to information, 30% said yes, versus 70% that said no.
In reference to the level of difficulty or easiness in obtaining information, 40% called it very difficult, 40% called it difficult, and 20% were unsure.

Asked what means people use to access information they need, 80% indicated that people use wasta/political pull, 70% also indicated that bribery of public employees/officials was common, and 60% indicated that social status was also a way to obtain needed information.

Regarding the lack of ATI legislation, all the parliamentarians (100%) agreed that the current situation impedes professional, business, personal and family life.

According to the interviewed parliamentarians, the public spending sphere would be most effected by being opened up by ATI law, followed by the legal and the administrative spheres.

In terms of ATI’s impact on good governance, all (100%) of the interviewed parliamentarians indicated that ATI will enhance trust in public institutions, followed by 90% who said that it will ensure transparency, accountability and good governance, and 80% said respectively that it will permit better citizens’ participation in public debate and decision-making, improve public safety, improve public security, and enhance the tackling of human rights abuses and abuses of the laws.

Support for the provision of the ATI law to protect whistleblowers or individuals who release information on wrongdoing such as corruption, embezzlement, bribery, and mismanagement received support from 80% of the interviewed parliamentarians, versus 20% who disagreed.

In response to the question of whether more information is treated as ‘classified’ or even a ‘state secret’ than it is necessary, the majority (60%) felt that the financial and economic interests of the state and safety of the national currency and preparatory and preliminary documents and incomplete administrative documents should not be classified. The interviewed parliaments were split 50/50 in regard to cabinet’s deliberations and decisions that are designated by the cabinet as confidential, while the majority agreed that secrets of national defense, individuals’ privacy, the state’s secret foreign relations, secrets protected by the law, facts of pending investigations, and confidential minutes of parliamentary sessions are justifiably considered as classified information.

When asked who they blame for the non-implementation of the access to information right, the parliamentarians blamed the government (60%), followed by the parliament (50%) and the private sector (30%).

When asked what obstacles most effect implementing ATI, the interviewed parliamentarians felt that lack of access to information law was the greatest obstacle to executing the ATI right, followed by lack of interest and absence of a clear vision and insufficient skills and know-how among public officials.

When asked whether they approved of having clear provisions in the law to guarantee access to information of vulnerable/disadvantaged persons (such as women, the poor, the youth, the foreigners, the physically and/or mentally challenged, and the like), 80% of the interviewed parliamentarians said yes versus 20% who said no.
In asking the parliamentarians whether they have heard of the Access to Information law of 2009, the majority responded in the positive (90%) while 10% responded in the negative.

Finally in asking the parliamentarians whether they will vote to ratify the draft law, 100% of them said they would.

**Observations from the Field**

Some observations from the field that were reported by the surveyors and are worth mentioning:

- The subject was declared very difficult and unfamiliar by most of those approached to take the Public Opinion Survey. In addition, the surveyors observed that the general public is not accustomed to being surveyed, which required multiple efforts to assure them of confidentiality in order to convince them to partake in the survey.

- Many questioned the reason for giving priority to this topic, that it is not a main concern for the people.

- As the general public was mostly unaware of the topic and its importance, administering the Public Opinion Survey had the by-product effect of educating the public about ATI and the meaning of certain questions in the survey.

- In general the word information was ambiguous to some, had various connotations to others, and yet others considered it exclusively as intelligence data or information about government secrets.

- The level of awareness of the issue of right to information is poor, save among professional sectors. Furthermore, knowledge about what access to information entails and what it can be used for is ambiguous.

- Most of the persons who took the Public Opinion Survey needed clarification regarding the content and purpose of the draft law of 2009.

- When it came to the question whether access to information is a right, a privilege, a favor/gift from the government, many people responded orally saying “ordinary citizens shouldn’t know about anything the government does.” There was also a perception that ordinary persons should not have full access to information. The meaning of “ordinary persons” was not fully clear, as it could mean everyone, or it could mean certain persons. The ambiguity surrounding the status of ordinary persons or “the others” might be the reason why there is a discrepancy between oral responses and the survey results.

- Many people declined taking the Public Opinion Survey because of their lack of trust in improving the laws and their enforcement in Lebanon, using expressions such as “Lebanon will never change” or “there are more important issues to deal with, fix the electricity cuts before dealing with these absurd issues”, or “when it comes to laws and their enforcement, Lebanon is a chronic hemiplegic that cannot be cured”, or “this effort will amount to nothing because
things in Lebanon will not change”. Some went on to say that “it will be a difficult to achieve access to information in Lebanon with all the corruption taking place”.

- Many were skeptical that the right to access to information would ever become a reality in Lebanon. Other interviewees said that “laws that are worth being ratified never succeed in Lebanon”, while others said that lobbying efforts are useless in Lebanon because “even if the law is passed, its implementation will be difficult”.

- People were very candid about answering whether the general public use wasra/political pull, bribing public employees/officials and invoking their social status to obtain needed information. Many declared sarcastically that as long as there is absence of accountability, resorting to the use of these options is justified.
INTRODUCTION

Background Information

Legislative guarantees to Access To Information (hereinafter ATI) and whistle-blower protection (those individuals who report corruption) are recognized as key components to achieving good governance in any democratic system. This can only be achieved through transparency and by holding government officials accountable for their performance. It is an important ingredient to equitable access to justice, human security and development.

Although Article 13 of the Lebanese Constitution acknowledges oral and written freedom of expression, to date there are no laws that guarantee access to information or protection for whistleblowers.

The movement to pass legislation guaranteeing access to information in Lebanon dates back to 2001, when the Office of the Minister of State for Administrative Reform prepared a draft law on Access to Information, which was subsequently revised in the following years. A draft of the law was submitted to the Council of Ministers in 2006 and again in 2008 for approval. A revised version of the draft of the law was submitted to the Lebanese parliament on the 9th of April 2009 (See Appendix I). The latter was the result of lobbying by an umbrella group under a multi-sectoral coalition called the National Network for the Right of Access to Information, which included the Lebanese Parliamentarians against Corruption (LebPAC) whose members were Ghassan Moukheiber, Yassine Jaber, Abdallah Hanna, Ismail Sukkarieh, and Jawad Boulos, The Lebanese Transparency Association (LTA), the Association pour la Défense des Droits et des Libertés (ADDL), and the American Bar Association (ABA) Rule of Law Initiative in Lebanon.

In 2009, the "National Network for the Right of Access to Information" submitted to the parliament a draft version of a law on access to information. According to this draft, the administration would be required to provide information to any person (a Lebanese or a foreigner, a corporate or legal entity) who demanded it, unless the information fell under the categories of stipulated exceptions, which included secrets of national defense or information that violates the right to privacy of individuals. The administration is obliged to provide in writing legal and factual reasons for any individual decision that affects the rights of a person or a legal entity.

After a report was issued by Said Almadhoun,1 several activities and events took place to support the drafting of an ATI. These activities included a campaign by the LebPAC, Nahwa al Muwatiniya (Na'am), and the ABA Rule of Law Initiative (ABA ROLI) that lobbies members of parliament to support the country’s access to information bill. Nahar Ash Shabab in its turn held a workshop on draft versions of the Access to Information Law and the Law on Protection of Whistleblowers. Furthermore, On

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September 30, 2009, the National Network for the Right of Access to Information (NNRAI) held a press conference in celebration of the International Right to Know Day.\(^2\)

Global Integrity, an independent information on government and corruption institution, published in 2009 a short report on entitled “Lebanon: Integrity Indicator Scorecard”\(^3\) in which it gave Lebanon the score of zero in regard to citizens legal right of access to information and a similar score of zero for the effectiveness of the right of access to information. In this scorecard, the institution declared that Lebanon does not have:

- laws that guarantees citizens’ right of appeal if access to a basic government record is denied; and
- Institutional mechanisms through which citizens can request government records.

Furthermore, the institution stated that, in practice, the government of Lebanon gives no reasons for denying an information request.

Recently, the World Bank sponsored a workshop entitled “Access to Information in the Middle East and North Africa: The Road Ahead” from June 13 to June 15, 2012 in Marseille, France. This was under the broader aegis of a Regional Dialogue “Supporting Coalitions and Networking to Advance Access to Information (ATI)” in the MENA region. The meeting gathered multi-stakeholder teams from Jordan, Lebanon, Morocco and Tunisia to discuss progress made under the Regional Dialogue and to propose an action plan in order to enhance Access to Information (ATI) in the region.

One of the outcomes of this meeting was a decision to design public awareness campaigns, under the sponsorship of the Advocacy Working Group, composed of government ministries and NGOs. The Advocacy Working Group was assigned responsibility for raising awareness and building capacity to uphold these two rights through a series of outreach activities and the development of educational tools. The Advocacy Working Group was also directed to lobby parliamentarians to support the passage of the draft laws. In Lebanon, this group is run as a coordinate project by the Lebanese Transparency Association (LTA) and the National Network for the Right of Access to Information (NNRAI).

To design the awareness campaign, the Advocacy Working Group decided to assess public knowledge on a number of dimensions of access to information, sponsoring a public opinion survey to probe the general public and more specialized questionnaires aimed at the professional class (e.g. lawyers, journalists, researchers, professors, teachers, medical practitioners, businesspeople, students, managers, and the like) and interviews based on questionnaires with ten current parliamentarians.

**Purpose of the Survey Study**

The aim of this survey study is to show the current state of information access in the absence of any legislation mandating such access and its procedures. It points out the difficulties to access information from public bodies, and how a varying set of arbitrary procedures are correlated with the use of wasta

\(^2\) Lebanon Celebrates International Right to Know Day, (English) [http://www.abanet.org/rol/news/news_lebanon_international_right_to_know_day_1009.shtml](http://www.abanet.org/rol/news/news_lebanon_international_right_to_know_day_1009.shtml)

\(^3\) Global Integrity, “Lebanon: Integrity Indicators Scorecard”, 2009. [Access to Information-Project-2012\References\Lebanon Integrity Indicators Score Card.doc](Access to Information-Project-2012\References\Lebanon Integrity Indicators Score Card.doc).
and influence peddling, political pressure, bribery, cronyism, and cloutism to allow some access and 
exclude others. The study focused on the opinions of one hundred professional, ten parliamentarians 
and 1155 members of the general public.

The in-depth and parliamentarian questionnaires and the public opinion survey were all anonymous.

The public opinion survey, the face-to-face in-depth and the parliamentarian interviews were the three 
major instruments of the study, whose results are presented in this report. The three instruments were 
undertaken to:

a) assess the validity of common knowledge and perception of ATI;
b) assess the public knowledge of the ATI draft law of 2009;
c) assess the understanding of the Access to Information as an element of democracy;
d) identify methods used by Lebanese to obtain access to information from Lebanese public 
   bodies in absence of the ATI;
e) demonstrate the impact of lack of Access to Information on personal/family quality of life, 
   professional and business interests, and on good governance in Lebanon;
f) identify the party (or parties) responsible for the lack of ATI; and

g) present the willingness of certain members of the public and professionals to participate in 
   the movement to enact the ATI bill as law.

Access to information is defined in this study as a basic human right grounding the rights of all 
individuals and organizations of a country to have access to information contained in government 
records. This right has been recognized internationally since 1948 when the Universal Declaration of 
Human Rights proclaimed it in Article 19. While Article 13 of the Lebanese Constitution acknowledges 
oral and written freedom of expression, to date there is no law guaranteeing access to information. 
Even so, in 2008, Lebanon joined the United Nations Convention Against Corruption (UNCAC), which 
also guarantees Lebanese citizens the right to access information in its Article 10.

Methodology and Methods of Data Collection and Analysis

Three survey instruments were developed and written in English and then translated into Arabic. One 
was a Public Opinion Survey geared towards generating 1000 responses and the second is a close-ended 
in-depth survey involving face-to-face interviews with professionals from various professions and 
provinces in Lebanon. The second instrument was also administered to ten current members of 
parliament with the addition of one question related to whether they will vote to ratify the proposed 
draft law for access to information in Lebanon present to parliament in 2009.

The public opinion survey was opened to the public via Survey Monkey on August 17, 2012 and is mostly 
quantitative; the questions are meant to elicit the amount of information people have about ATI, and 
how they perceive the effect of lack of ATI in their lives, their businesses and the overall democracy in 
Lebanon. The public opinion survey was also administered to people in Lebanon in the following areas: 
Zahle, Sidon, Tyre, Beirut, Maten, Kisserwan, Batroun, Tripoli, and Byblos. Both the Survey Monkey and 
the fieldwork closed on September 5th, 2012.
The poll’s sample of public opinion was meant to cover both males and females, ranging in age from 16 to over 60, who live in Lebanon or abroad, including some non-Lebanese who live in Lebanon. We used Survey Monkey as an on-line survey tool and ran a campaign through emails, Facebook, list serve, among others.

The questions for the Survey Monkey used simple factual questions – requiring yes/no responses, as well as one type of the Likert scale. We purchased The Survey Monkey, uploaded our designed questionnaire and issued a call for participation, with the result that we received a statistically significant number of responses. Once the deadline was over, the results were aggregated.

The in-depth survey which was administered to professionals also contained a quantitative component, with the objective of assessing how individuals such as lawyers, journalists, professors, medical doctors, business owners, and civil society activists among others consider factual problems caused by lack of access to ATI. The survey was administered through face-to-face interview in the five provinces of Lebanon.4

To meet the criteria for accurately reflecting the Lebanese population, the in-depth survey was meant to cover both males and females ranging in age from 16 to over 60, with members coming from all five provinces in Lebanon. The target number was 100 interviewees.

The in-depth survey was administered simultaneously between August 7th and September 3rd, 2012. It consisted of conducting face-to-face interviews at home or business in English or Arabic by interviewers who were trained to administer the questionnaires and were fluent in both languages. In-depth interviewing is a research technique that involves conducting intensive individual interviews with a small number of respondents to explore their perspectives on a particular idea, program, or situation.

In order to make sure that the interviewees were representative of the targeted group, the following controlled variables were used for when respondents are identified: occupation (lawyers, journalists, researchers, professors, medical doctors, environmental activists, business leaders, syndicates, and NGOs), age, sex, and district of residence in Lebanon.

The in-depth interview plan encompassed the following:
- Compiling a list of over 260 professionals in the five provinces;
- Creating a b list of additional candidates for interviews who may be identified during data collection;
- Contacting the names on the list of professionals to request participation; and
- Ensuring research will follow international and national ethical research standards.

In designing the questionnaires for this report, we used structured questions, ranking questions and partially structured questions among others. Because the topic is difficult and at the same time alien to the general population of Lebanon, we have tried to achieve relative balance among combinations of words and phrases to determine 1) whether all sides of our questions are adequately represented and 2) whether any question is clearly tipped toward one direction or another, thus resolving obvious problems.

4 Beirut, the Bekaa, the North, the South, and Mount Lebanon.
of bias. However, due to the nature of the issue, some questions inevitably have a biased aura to them, although in many instances we tried to state alternative sides of these questions.

The survey instruments were prepared and interviews carried out by trained surveyors hired by the Carthage Center for Research and Information (CCRI). The occupational profiles of the 100 interviewees were as follows (Table 1):

<table>
<thead>
<tr>
<th>Table 1: Professionals Interviewed by Occupation and their Residential Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational Criteria</td>
</tr>
<tr>
<td>------------------------</td>
</tr>
<tr>
<td>Lawyers</td>
</tr>
<tr>
<td>Engineers</td>
</tr>
<tr>
<td>Doctors</td>
</tr>
<tr>
<td>Professors</td>
</tr>
<tr>
<td>Teachers</td>
</tr>
<tr>
<td>Journalists</td>
</tr>
<tr>
<td>Politicians/Mayors</td>
</tr>
<tr>
<td>Bankers/Banking Employees</td>
</tr>
<tr>
<td>Business Owners</td>
</tr>
<tr>
<td>Economists</td>
</tr>
<tr>
<td>Civil Society Activists</td>
</tr>
<tr>
<td>Managers</td>
</tr>
<tr>
<td>Clergy</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

After the initial processing of the survey and the questionnaire data, we verified the data, and then we analyzed and transcribed the data to form new tables and figures. In particular, this entailed keying-in the data in the Statistical Package for the Social Sciences (SPSS) to facilitate data processing and generating tables and figures for the analysis. The verification of the data ensured that most of the questionnaires were completed with no missing information, and that no duplication of data has occurred.

Survey Monkey, a tool that enables users to participate through Web-based surveys, was chosen to generate quantitative data for the public opinion survey. Our survey team administered the survey in several areas of Lebanon during the same time period, as we have indicated above.

The survey conducted among current parliamentarians used a sample of ten males to represent the major parliamentary blocks. The survey was also anonymous.

There were several limitations to this survey. The first limitation derived from our funding constraints, which put an upward bound on the number of professionals and parliamentarians we could afford to interview. The second was a time constraint, as the survey had to be executed over one month’s time. The month of August was chosen for organizational reasons: however, this is the month when most people are unavailable, due to annual vacations and travels and when the universities in the country are closed. The fourth and most important limitation is related to the level of understanding by the general public of this very complex subject. A major concern in the Public Opinion Survey was to generate a picture of the impact of the obstacles to access to information law in ordinary life, and in various
businesses, political and other spheres. Yet the whole notion of access to information has not been broadly discussed in the media, or in the educational system; thus, the responses to this question were skewed because the respondents might have had difficulty cognitively grasping the meanings of the respective terms and the difference between them.

However, in spite of these limitations, we did reach the targeted number of the survey. Nor did they have a major influence on its results. Despite the short time span, we were able to conduct 100 in-depth interviews, over 1000 public opinion survey and ten current members of parliament.
FINDINGS AND ANALYSIS

PART I. RESPONSES OF THE IN-DEPTH INTERVIEWS

A. SOCIO-DEMOGRAPHIC INFORMATION

1. Gender and Occupation

Despite our effort to balance our pool of respondents among men and women, the in-depth interviews’ number was skewed towards males, accounting for (62%) of the total. Looking at each occupation, the proportion of men was highest among business owners (19.4%), managers (17.7%) and lawyers. The proportion of women was highest among civil society activists (26.3), journalists (13.2%) and teachers (10.5%) (Table 2).

<table>
<thead>
<tr>
<th>Type of Respondents</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>% for occupation</td>
<td>% for gender</td>
</tr>
<tr>
<td>Lawyers</td>
<td>7</td>
<td>77.7</td>
<td>11.3</td>
</tr>
<tr>
<td>Engineers</td>
<td>4</td>
<td>100</td>
<td>6.5</td>
</tr>
<tr>
<td>Doctors</td>
<td>4</td>
<td>66.6</td>
<td>6.5</td>
</tr>
<tr>
<td>Professors</td>
<td>3</td>
<td>100</td>
<td>4.8</td>
</tr>
<tr>
<td>Teachers</td>
<td>5</td>
<td>55.5</td>
<td>8.1</td>
</tr>
<tr>
<td>Journalists</td>
<td>6</td>
<td>54.5</td>
<td>9.7</td>
</tr>
<tr>
<td>Politicians</td>
<td>4</td>
<td>100</td>
<td>6.5</td>
</tr>
<tr>
<td>Bankers/Banking Employees</td>
<td>1</td>
<td>33.4</td>
<td>1.6</td>
</tr>
<tr>
<td>Business Owners</td>
<td>12</td>
<td>85.7</td>
<td>19.4</td>
</tr>
<tr>
<td>Economists</td>
<td>1</td>
<td>100</td>
<td>1.6</td>
</tr>
<tr>
<td>Civil Society Activists</td>
<td>3</td>
<td>23</td>
<td>4.8</td>
</tr>
<tr>
<td>Managers</td>
<td>11</td>
<td>58</td>
<td>17.7</td>
</tr>
<tr>
<td>Clergy</td>
<td>1</td>
<td>100</td>
<td>1.6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>62</strong></td>
<td><strong>62</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

2. Age

Twenty five percent of the respondents were between the ages of 34 and 42 years of age. Lawyers, business owners and managers had the highest percentage of persons falling in this age group at 20%) and 16% respectively followed by civil society activists with 12% (Figure 1).
3. **Occupation**

We have tried our best to diversify our sample of professionals; however the majority of the respondents were mostly managers (19%), followed by business owners (14%), civil society activists (13%), journalists (11%), lawyers and teachers (9%) respectively, professors and doctors (6%) respectively, engineers and politicians (4.0%) respectively, and bankers (3.0%) (Figure 2).
B. FAMILIARITY WITH THE CONCEPT AND ACCESSING INFORMATION IN LEBANON

1. Familiarity with the General Concept of Access to Information
Fifty three percent of the 100 professionals interviewed indicated that they were familiar with the concept, while 16% said that they were somewhat familiar. Among the 31% who indicated that they were very familiar with the ATI concept, the civil society activists were prominent with 20.7% (Figure 3).

![Figure 3: Professionals Interviewed and their Degree of Familiarity with ATI](image)

2. Right to Access Information
Of the 100 professional interviewees, 51% said that citizens in Lebanon do not have the right to access information, while 49% said that they do. (Figure 4)

![Figure 4: Professionals Interviewed and their Opinion on the Right to ATI in Lebanon](image)

3. Difficulty or Easiness in Obtaining Information/Perceptions Regarding Access to Information
Seventy two percent of the 100 interviewees stated that it is very difficult to obtain information from public bodies in Lebanon, 12% said that it was difficult, 6% said that it was practically impossible, 8% were unsure, and only 2% said that it was easy (Figure 5).
4. Methods Used to Access Information

The respondents to the in-depth questionnaire said that there were several methods to acquire information from the state: by using *wasta*/political pull, by bribing a public employee or official, by using one’s social status, and by relying on existing laws/regulations. The use of each manner of getting information is discussed in greater detail below (A multiple choice question, Table 3).

<table>
<thead>
<tr>
<th>Professionals Interviewed and their Opinion Regarding the Methods Used to Access Information</th>
<th>Yes (%)</th>
<th>No (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use <em>wasta</em>/political pull</td>
<td>81</td>
<td>19</td>
</tr>
<tr>
<td>Bribe a public employee/official</td>
<td>53</td>
<td>47</td>
</tr>
<tr>
<td>Use one’s social status</td>
<td>48</td>
<td>52</td>
</tr>
<tr>
<td>Rely on existing laws/regulations</td>
<td>14</td>
<td>86</td>
</tr>
</tbody>
</table>

In the absence of laws that govern access to information, people resort to one or more of the following methods:

4.1 Using *Wasta*/Political Pull
Eighty one percent said that people resort to using *wasta*/political pull as a way to obtaining information.

4.2 Bribing a Public Employee or Official
Fifty three percent mentioned that people also bribe a public employee/ official as a way to accessing information.

4.3 Using One’s Social Status
Forty eight percent said that people also use their own status (e.g. being the son/daughter of somebody, being a doctor or a judge, being a professor, being a wealthy person, etc.) to obtain information.
4.4 Relying on Existing Laws/Regulations
Only 14 percent said that people rely on existing laws and regulations to acquire information.

5. Payment as a Way to Obtaining Information
In responding to whether they had to pay (in cash or in kind) to obtain information from public bodies, 23% said yes versus 77% who said no. This is consistent with the majority using wasta/political pull as their first method of choice to acquiring information they need. It should be noted here that although the names of the in-depth interviewees were not known to those who tabulated the responses, the surveyor knew whom he was surveying. In this case, the interviewee may have been reluctant to admit that he/she has paid for information needed (Figure 6).

6. Who Receive Payment for Information
Public employees/officials are the main recipients of payment for information (48%), followed equally by lawyers/judges and brokers, at 24% respectively, and lastly politicians with 4% (Figure 7).
C. IMPACT OF ACCESS TO INFORMATION

1. Lack of ATI Impedes Personal and Family Quality of Life
Sixty of the interviewees felt strongly about the impact of the lack of access to information on the individual and family quality of life, 31% agreed that there was some impact, 6% were unsure, while 3% disagreed that there was any impact (Figure 8).

2. Lack of ATI Impedes Business and Professional Life
Sixty percent of the interviewees felt strongly about the impact of the lack of access to information on professional and business life, 33% agreed that there was impact, 6% were unsure, and 1% disagreed that there was any impact (Figure 9).

3. **Significance of ATI in Various Spheres**

When asked, professionals concurred with the notion that access to information is based on transparency and accountability. In ranking the degree of the impact of ATI, put the greatest emphasis on the impact in the political sphere, followed by the legal, the judicial, the administrative, the socioeconomic, public services, and lastly the public spending sphere (A rating scale question, Figure 10).
4. Contribution of ATI to Good Governance

Asked their own opinions on the effect of removing impediments to ATI, ensuring transparency, accountability and good governance scored the highest positive answers (79%) followed by enhancing trust in public institutions (68%), permitting better citizens’ participation in public debate and decision-making (52%), enhancing the tackling of human rights abuses and abuses of the laws (51%), and improving public safety and public security (47% respectively) (A multiple choice question, Table 4).

<table>
<thead>
<tr>
<th></th>
<th>Yes (%)</th>
<th>No (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensuring transparency, accountability and good governance</td>
<td>79</td>
<td>21</td>
</tr>
<tr>
<td>Enhancing trust in public institutions</td>
<td>68</td>
<td>32</td>
</tr>
<tr>
<td>Permitting better citizens’ participation in public debate and decision-making</td>
<td>52</td>
<td>48</td>
</tr>
<tr>
<td>Enhancing the tackling of human rights abuses and abuses of the laws</td>
<td>51</td>
<td>49</td>
</tr>
<tr>
<td>Improving public safety</td>
<td>47</td>
<td>53</td>
</tr>
<tr>
<td>Improving public security</td>
<td>47</td>
<td>53</td>
</tr>
</tbody>
</table>

Table 4: Opinion of Professionals about the Contribution of ATI to Good Governance
D. PROCEDURES AND EXEMPTIONS OF ACCESS TO INFORMATION

1. Publish Key Information
Ninety-eight percent of our interviewees affirmed that public bodies should be under an obligation to publish key information.

2. Requests for Information Should be Processed Rapidly and Fairly and an Independent Review of any Refusals Should be Available
Almost all interviewees 99% agreed that requests for information should be processed rapidly and fairly and an independent review of any refusals should be available.

3. Cost of Accessing Information
In terms of the cost to acquire information, 98% of our interviewees indicated that individuals should not pay excessive cost to access information.

4. Meetings of Public Bodies Should be Open to the Public
As for whether meetings of public bodies should be open to the public, 76% said they should be versus 24% who indicated that they should not be open.

5. Protection of Whistleblowers/Individuals who Release Information on Wrongdoing
An important component of the Access to Information law is the protection of whistleblowers or individuals who release information on wrongdoing (such as corruption, embezzlement, bribery, etc.). Their protection is supported by 95% of the respondents.

6. Information Justified as ‘State Secret’
There is a feeling that more information is treated as ‘classified’ or even a ‘state secret’ than is necessary. Our interviewed professionals largely agreed (by 96%) that secrets of national defense, national security and public security are justifiably so classified. 55.6 percent also felt that individuals’ privacy is justifiably classified as ‘state secrets’. However, our interviewees to a major degree felt that the rest of the reasons did not justify the ‘state secret’ label (A multiple choice question, Table 5).

<table>
<thead>
<tr>
<th>Table 5: Justification of Information Classified as 'State Secrets' According to the Professionals Interviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Justifiable (%)</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>Secrets of national defense, national security and public security</td>
</tr>
<tr>
<td>State’s secret foreign relations</td>
</tr>
<tr>
<td>Financial and economic interests of the State and safety of the national currency</td>
</tr>
<tr>
<td>Individuals’ privacy</td>
</tr>
<tr>
<td>Secrets protected by the law, such as professional and trade secrets</td>
</tr>
</tbody>
</table>
Facts of penal investigations before they are read in a public hearing, confidential trials and those related to juveniles and personal status  
Confidential minutes of parliamentary sessions or parliamentary committee meetings, unless decided otherwise  
Cabinet’s deliberations and decisions that are designated by the cabinet as confidential  
Preparatory and preliminary documents and incomplete administrative documents

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facts of penal investigations before they are read in a public hearing</td>
<td>44.4</td>
</tr>
<tr>
<td>Confidential minutes of parliamentary sessions</td>
<td>21.2</td>
</tr>
<tr>
<td>Cabinet’s deliberations and decisions that are designated by the cabinet as confidential</td>
<td>22.2</td>
</tr>
<tr>
<td>Preparatory and preliminary documents and incomplete administrative documents</td>
<td>18.2</td>
</tr>
<tr>
<td>Confidential minutes of parliamentary sessions or parliamentary committee meetings, unless decided otherwise</td>
<td>78.8</td>
</tr>
<tr>
<td>Cabinet’s deliberations and decisions that are designated by the cabinet as confidential</td>
<td>77.8</td>
</tr>
<tr>
<td>Preparatory and preliminary documents and incomplete administrative documents</td>
<td>81.1</td>
</tr>
</tbody>
</table>

E. IMPLEMENTING ACCESS TO INFORMATION

An important objective of this survey was to assess the knowledge of the existence of the Access to Information Draft Law which was presented to parliament in 2009. Forty-one percent of the professionals knew about the law, against 59% who did not (Figure 11).

![Figure 11: Knowledge about the Access to Information Draft Law of 2009 by the Professionals Interviewed](image)

2. Responsibility of the Non-Implementation of the Right to ATI
Of the 100 professionals interviewed, 49% blamed the government for not implementing the access to information right which is guaranteed in the constitution, 48% blamed the parliament, 42% blamed the inaction of the Lebanese citizenry, 39% blamed the political parties and politicians, 24% blamed the civil society and NGOs, and 13% blamed the private sector (A multiple choice question, Figure 12).
3. **Perceived Obstacles in Improving Access to Information**

Access to information in itself does not necessarily lead to better citizen participation, government accountability, state responsiveness, or good governance. In many countries, especially the developing ones, there are real structural and political barriers which hinder the proper implementation of ATI. Our interviewed professionals ranked the obstacles in Lebanon from the most important, the absence of the access to information law itself, in descending order as: an institutional culture that has no experience with public consultation and public participation; a public that is not sufficiently aware of its rights; resistance from politicians and their cronies in the public sector; existence of certain laws that hinder the process; lack of interest and absence of a clear vision; restricted resources; and lastly insufficient skills and know-how amongst public employees and officials (A rating scale question, Figure 13).
F. EQUALITY BEFORE THE LAW

1. Existing Gender Equality of Access to Information in Lebanon
Of the total number of interviewees, 62.6% agreed that women enjoy equal access to information in Lebanon, versus 37.4% who disagreed (figure 14).
2. **Access to Gender-Specific Information**
When asked whether some gender-specific information needs to be accessible due to differences in the social roles and status of women and men, such as structural barriers to accessing information, access without harassment and exploitation, access to reproductive health issues, and the like, 70.7% of the respondents agreed.

3. **Guaranteeing Access to Information of Vulnerable/Disadvantage Persons**
In response to the question of whether there should be clear provisions in the law to guarantee access to information of vulnerable/disadvantage persons such as women, the poor, the youth, and foreigners to prevent inequality and injustice, 93% responded in the affirmative.

G. **LOBBYING EFFORTS**

1. **Willingness to be Involved in Lobbying for ATI**
Eighty one percent of interviewees expressed a willingness to be involved in one way or another in lobbying for access to information in Lebanon. Nineteen percent were not interested in any way. Among those interested, 61% would like to be involved in raising awareness about the subject, 19% in writing about it, 17% in becoming enrolled in the movement, 8% in participating in demonstrations, 3% were willing to offer pro-bono work, and 6% would like to be kept updated on the topic (Figure 15).
Figure 15: Willingness to be Involved in Lobbying for ATI by Professionals Interviewed

- Raise awareness: 61%
- Write on the topic: 19%
- Be enrolled in movement: 17%
- Participate in demonstrations: 8%
- Stay updated: 6%
- Offer pro-bono work: 3%
PART II. PROFILE OF RESPONDENTS OF THE PUBLIC OPINION SURVEY

A. SOCIO-DEMOGRAPHIC INFORMATION

1. Gender
   The Public Opinion Survey (hereinafter POS) was skewed towards males, who accounted for (55.3%) of the total of 1155 who answered the question (Figure 1).

   ![Figure 1: Respondents to the POS by Gender]

2. Age
   Of the 1155 respondents of the Public Opinion Survey, 29% were between the ages of 25 and 33 years of age, followed by those who were between the ages of 16 to 24 (20.8%), those between the ages of 34-42 (20.6%), those between the ages of 52-60 (8.4%), and 4.8% who were over 60 (Figure 2).

   ![Figure 2: Respondents to the POS by Age]
3. Employment
The majority of the respondents of the Public Opinion Survey work in the private sector (46.0%), followed by those who have their own business (17.4%), students (14.2%) public sector workers (7.4%), and other (15.15%) (Figure 3).

![Figure 3: Respondents to the POS by Employment](image)

B. FAMILIARITY WITH THE CONCEPT AND ACCESSING INFORMATION IN LEBANON

1. Right to Access Information
Of the 1155 respondents, 81.5% said that citizens in Lebanon did not have the right to access information, while 18.5% said they did (Figure 4).

![Figure 4: Respondents to the POS and the Right to ATI in Lebanon?](image)
2. **Access to Information: A Right, a Privilege or a Favor**

85.1 percent said that access to information is a right, 9.0% said it is a privilege, 2.8% called it a favor/gift granted by the government, and 3.1% chose other (Figure 5).

![Figure 5: Respondents to the POS on the Right to ATI in Lebanon](image)

3. **Difficulty or Easiness in Obtaining Information/Perceptions Regarding Access to Information**

Forty nine percent of the POS respondents stated that it is very difficult to obtain information from public bodies in Lebanon, 19.7% were unsure, 12.5% said that it was impossible, and 11% said it was difficult. On the other hand, 6.6% said that was easy, and 1.3% said that it was very easy (Figure 6).

![Figure 6: Respondents to the POS and their Opinion Regarding the Difficulty/Easiness in Accessing Information](image)
4. **Methods Used to Access Information**

Almost seventy-five percent (74.8%) of the POS respondents indicated that people use wasta/political pull to obtain information they need, 61.70% said that people use bribery, 42.50% believed that people use their social status, while 11.0% said existing laws and regulations allow people access to needed information (A multiple choice question, Figure 7).

![Figure 7: Respondents to the POS and their Opinion Regarding the Methods Used to Access Information](image)

5. **Payment as a Way to Obtaining Information**

In responding to whether they personally had ever paid in cash or in kind to obtain information from public bodies, only 23.5% of the respondents to the POS said yes, against 76.5% who said no (Figure 8).

![Figure 8: Respondents to the Public Opinion Survey and their Views Regarding Payment as a Way to Accessing Information](image)
C. IMPACT OF ACCESS TO INFORMATION

1. Lack of ATI Impedes Personal and Family Quality of Life
   Nearly forty-eight percent of POS respondents felt that the impact of the lack of access to information on individual and family quality of life is major, 32.4% agreed that there is at least an impact, 15.6% were unsure, while 3.3% disagreed and 1.3% strongly disagreed (Figure 9).

   Figure 9: Respondents of the POS and their Opinion Regarding the Impact of the Lack of ATI on the Personal & the Family Quality of Life

   ![Pie Chart](chart1.png)

2. Lack of ATI Impedes Business and Professional Life
   Almost forty-three of the POS respondents felt that the lack of access to information had a major impact on professional and business life, 35.1% agreed that it did have an impact, 17.3% were unsure, 3.3% disagreed, and (1.6%) strongly disagreed (Figure 10).

   Figure 10: Respondents to the POS and their Opinion Regarding the Impact of the Lack of ATI on the Professional and Business Life

   ![Pie Chart](chart2.png)
3. **Lack of ATI Weakens Democratic Institutions**
When asked how they felt about the statement that lack of access to information prevents people from monitoring their government and from holding their officials accountable for their performance, as well as weakening democratic institutions, 45.5% of the POS respondents agreed strongly, 31.8% agreed, 19.3% were unsure, 2.9% disagreed, and only 0.5% strongly disagreed (Figure 11).

![Figure 11: Respondents to the Public Opinion Survey and their Opinion Regarding the Impact of the Lack of ATI Weakens Democratic Institutions](image)

4. **Significance of ATI in Various Spheres**
In ranking the impact of ATI, the respondents held that it was most significant in the judicial sphere, followed by the legal, the administrative, the political, the socioeconomic, the domain of public spending, and finally the public services sphere (A rating scale question, Figure 12).
D. IMPLEMENTING ACCESS TO INFORMATION

An important objective of this survey was to assess the degree of knowledge of the existence of the Access to Information bill that had been presented to parliament in 2009. When asked if they knew of this bill, 78.8% said no, while 21.2% replied that they did (Figure 13).
2. Responsibility of the Non-Implementation of the Right to ATI
Of the 1155 respondents for the Public Opinion Survey, 57.3% blamed the government for not implementing legislation to ensure the access to information right guaranteed in the constitution, 44.4% blamed the Lebanese citizens for not taking any action in this regard, 43.60% blamed the political parties and the politicians as well, 41.9% also blamed the parliament, 21.4% blamed the civil society and the NGOs too, and 10.30% blamed the private sector (A multiple choice question, Figure 14).

E. LOBBYING EFFORTS

1. Willingness to be Involved in Lobbying for ATI
Forty percent of the POS respondents expressed an interest in raising awareness about access to information in Lebanon, 20.3% said that they would like to be enrolled in the movement, 13.4% were willing to participate in demonstrations, 11.3% expressed willingness to write on the topic,
9.4% were willing to offer pro-bono work, and 33.5% expressed the willingness to do other activities (Figure 15).

Figure 15: Willingness to be Involved in Lobbying for ATI by the Respondents of the POS

- 40.0% Raise awareness
- 20.3% Enroll in the movement
- 13.4% Participate in demonstrations
- 11.3% Write on the topic
- 9.4% Offer pro-bono work
- 33.5% Other
PART III. PROFILE OF TEN PARLIAMENTARIAN RESPONSES

A. FAMILIARITY WITH THE CONCEPT AND ACCESSING INFORMATION IN LEBANON

1. Familiarity with the General Concept of Access to Information
One out of ten parliamentarians interviewed indicated that he was very familiar with the concept, eight said that they were rather familiar, while one signaled that he was somewhat familiar (Figure 1).

![Figure 1: MPs Interviewed and their Degree ATI](image)

2. Right to Access Information
Seven out of ten of the parliamentarians interviewed said that citizens in Lebanon do not have the right to access to information, while three contended that they do (Figure 2).

![Figure 2: MPs Interviewed and their Opinion on the Right to ATI in Lebanon Citizens](image)

3. Difficulty or Easiness to Obtain Information/Perceptions Regarding Access to Information
Four out of ten of the parliamentarians interviewed stated that it is very difficult to obtain information from public bodies in Lebanon; four said that it was difficult and two were unsure (Figure 3).

![Figure 3: Difficulty or Easiness to Obtain Information](image)
4. Methods Used to Access Information
When asked how people accessed information they needed from the state, eight parliamentarians interviewed said that people use mostly *wasta* or political pull, seven mentioned the bribing of a public employee or official and six mentioned the use of social status. Only three indicated that people, as well, may rely on existing laws/regulations to obtain information (A multiple choice question, Table 1).

<table>
<thead>
<tr>
<th>Method</th>
<th>Yes (%)</th>
<th>No (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use <em>Wasta</em>/political pull</td>
<td>80</td>
<td>20</td>
</tr>
<tr>
<td>Bribe a public employee/official</td>
<td>70</td>
<td>30</td>
</tr>
<tr>
<td>Use one’s social status</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>Rely on existing laws/regulation</td>
<td>30</td>
<td>70</td>
</tr>
</tbody>
</table>

B. IMPACT OF ACCESS TO INFORMATION

1. Lack of ATI Impedes Personal and Family Quality of Life
All of the members of parliament interviewed concurred that lack of access to information impedes personal and family quality of life. Two agreed, while eight simply agreed (Figure 4).
2. Lack of ATI Impedes Business and Professional Life
All the parliamentarians interviewed concurred that lack of access to information impedes business and professional life. Four strongly agreed, while six agreed (Figure 5).

3. Significance of ATI in the Following Spheres
The parliamentarians agreed that access to information is based on transparency and accountability. Given this definition of ATI, they ranked the impact of ATI from high to low, with the public spending sphere being most affected, followed by the legal sphere, and the administrative, the political the judicial, the socio-economic, and finally the sphere of public services (A rating scale question, Figure 6).
4. Contribution of ATI to Good Governance

In regard to the views of the parliamentarians about the effect of legislatively ensuring access to information, all believed it would enhance trust in public institutions, nine believed it would improve accountability, transparency and good governance, while eight believed that it would permit better citizens’ participation in public debate and decision-making, improve public safety, improve public security, and enhance tackling of human rights abuses and abuses of the laws (A multiple choice question, Table 2).

<table>
<thead>
<tr>
<th>Table 2: MPs Interviewed Opinion Regarding the Contribution of ATI to Good Governance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes (%)</td>
</tr>
<tr>
<td>Enhancing trust in public institutions</td>
</tr>
<tr>
<td>Ensuring transparency, accountability and good governance</td>
</tr>
<tr>
<td>Permitting better citizens’ participation in public debate and decision-making</td>
</tr>
<tr>
<td>Improving public safety</td>
</tr>
<tr>
<td>Improving public security</td>
</tr>
<tr>
<td>Enhancing the tackling of human rights abuses and abuses of the laws</td>
</tr>
</tbody>
</table>
C. PROCEDURES AND EXEMPTIONS OF ACCESS TO INFORMATION

1. Publish Key Information
   All the parliamentarians interviewed affirmed that public bodies should be under an obligation to publish key information.

2. Requests for Information Should be Processed Rapidly and Fairly and an Independent Review of any Refusals Should be Available
   All the parliamentarians interviewed agreed that requests for information should be processed rapidly and fairly and an independent review of any refusals should be available.

3. Cost of Accessing Information
   All the parliamentarians interviewed indicated that individuals should not pay excessive costs to access information.

4. Meetings of Public Bodies Should be Open to the Public
   Six parliamentarians believed meetings of public bodies should not be open to the public, while four believed they should be (Figure 7).

5. Protection of Whistleblowers/Individuals who Release Information on Wrongdoing
   An important component of the Access to Information law is the protection of whistleblowers or individuals who release information on wrongdoing such as corruption, embezzlement, bribery, and the like. Eight of the interviewed parliamentarians believed whistleblower protection is necessary, while two believed that it was not (Figure 8).
6. Information Justified as ‘State Secret’

The majority of our interviewed parliamentarians felt that secrets of national defense, the individual’s privacy, state’s secret foreign relations, secrets protected by the law (such as professional and trade secrets, facts of penal investigations before they are read in a public hearing, confidential trials and those related to juveniles and personal status) and confidential minutes of parliamentary sessions or parliamentary committee meetings (unless decided otherwise) are all justifiably considered ‘state secrets’, while at the same time they felt that the financial and economic interests of the state and safety of the national currency and preparatory and preliminary documents and incomplete administrative documents should not be given that classification. The interviewed parliaments were split 50/50 in regard to cabinet’s deliberations and decisions that are designated by the cabinet as confidential (A multiple choice question, Table 3).

<table>
<thead>
<tr>
<th></th>
<th>Justifiable</th>
<th>Not-justifiable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secrets of national defense, national security and public security</td>
<td>90</td>
<td>10</td>
</tr>
<tr>
<td>Individuals’ privacy</td>
<td>90</td>
<td>10</td>
</tr>
<tr>
<td>State’s secret foreign relations</td>
<td>80</td>
<td>20</td>
</tr>
<tr>
<td>Secrets protected by the law, such as professional and trade secrets</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>Facts of penal investigations before they are read in a public hearing, confidential trials and those related to juveniles and personal status</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>Confidential minutes of parliamentary sessions or parliamentary committee meetings, unless decided otherwise</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>Cabinet’s deliberations and decisions that are designated by the cabinet as confidential</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>
D. IMPLEMENTING ACCESS TO INFORMATION

An important objective of this survey was to assess the knowledge of the existence of the Access to Information Draft Law, which was presented to parliament in 2009. Nine of the parliamentarians interviewed knew about the bill, against one who did not (Figure 9).

![Figure 9: MPs Knowledge About the Existence of the ATI Draft Law of 2009](image)

2. Responsibility of the Non-Implementation of the Right to ATI
Of the 10 parliamentarians interviewed, the majority blamed the government for not implementing the access to information right which is guaranteed in the constitution. Fault was also directed (in descending order) to the parliament, the private sector, the Lebanese citizens for not taking any action in this regard, the political parties and politicians, and lastly the civil society (A multiple choice question, Figure 10).
3. Perceived Obstacles in Improving Access to Information

Access to information in itself does not necessarily lead to better citizen participation, government accountability, state responsiveness, good governance and the like. In many countries, especially the developing ones, there are real structural and political barriers which hinder the proper implementation of ATI. The interviewed parliamentarians perceived that in Lebanon the absence of access to information legislation itself poses the most important obstacle to ATI, followed by disinterest on the part of the Lebanese public and leaders, absence of a clear sense of what ATI means, and insufficient skills and know-how amongst public officials. The limited resources of public bodies were judged a subordinate but important obstacle. Institutional culture – a lack of familiarity among public officials with the mechanisms of public consultation and public participation – was judged less important. The lack of awareness of the public was judged to hold a somewhat lesser degree of importance, while the parliamentarians saw the least important obstacle to ATI was resistance from politicians and their cronies in the public sector (Figure 11).
F. EQUALITY BEFORE THE LAW

1. Existing Gender Equality of Access to Information in Lebanon

Seven of the parliamentarians interviewed believed that women enjoy equal access to information in Lebanon, while three disagreed (Figure 12).
2. Access to Gender-Specific Information
When asked whether some gender-specific information needs to be accessible due to differences in the social roles and status of women and men, such as structural barriers to accessing information, access without harassment and exploitation, access to reproductive health issues, and the like, six of the interviewed parliamentarians agreed, versus (40%) who did not (Figure 13).

![Figure 13: MPs Opinion Regarding Accessibility to Gender-Specific Information](image)

3. Guaranteeing Access to Information of Vulnerable/Disadvantage Persons
In response to the question whether there should be clear provisions in the law to guarantee access to information of vulnerable/disadvantaged persons such as women, the poor, the youth, and foreigners to prevent inequality and injustice, eight of the interviewed parliamentarians agreed, versus two who disagreed (Figure 14).

![Figure 14: MPs Opinion Regarding Clear Provisions in the Law to Guarantee ATI Accessibility of Vulnerable/Disadvantage Persons](image)
G. LOBBYING EFFORTS

1. Willingness to be Involved in Lobbying for ATI
Eight of the ten parliamentarians interviewed said that they are willing to be involved in lobbying for ATI, while two answered in the negative. Of the eight who said yes, three expressed their willingness to write on behalf of ATI, two were interested in raising awareness, one was interested in enrolling in the movement, one was willing to work pro-bono for ATI legislation, and one did not specify (Figure 15).

![Figure 15: Willingness to be Involved in Lobbying for ATI by the Interviewed Parliamentarians](image)

2. Voting for the Ratification of Proposed ATI Draft Law

The most important reasons why we wanted to interview ten parliamentarians was to assess their response to whether they will vote to ratify the proposed draft law. The interviewed parliamentarians were representatives of the major blocks in the parliament. All ten parliamentarians interviewed for this survey indicated that they will vote to pass the law. When asked why, these are the reasons they gave:

MP 1 responded, “Information should be accessible to everyone.”

MP 2 indicated, “Access to information should be granted for all the benefits and advantages mentioned in the questions of this survey.”
MP 3 said, “It is necessary for any state that wants to venture into modernization and globalization to adopt every needed law in this matter.”

MP 4 responded, “It is a basic right that needs to be granted to all citizens and for all the reasons mentioned in the question regarding the contribution of ATI to Good Governance” (see Part III Table 2 of this survey).

MP 5 replied, “It will improve the quality of life.”

MP 6 replied the he has “always been a supporter of this right and that other countries have dealt with this matter and made access to information a right evenly accessible to everyone.”

MP 7 said that he believes that “it is a necessity.

MP 8 indicated that he has been asking for its ratification and for the amendment of the related laws such as Court of Accounts, Electronic Voting, Budget transparence, etc.

MP 9 stated,” All citizens have the right to access information for their development and the development of their skills and capacities.”

MP 10 pointed out that he believes in the ATI law’s necessity.
CONCLUDING REMARKS AND RECOMMENDATIONS

Concluding Remarks

Some conclusions can be drawn about people’s perceptions and opinions about access to information in Lebanon:

- Although almost all the interviewed and the surveyed believe that access to information is a right, they also know, to a large extent, that ATI laws and regulations do not exist in Lebanon.

- Information is a commodity with a price tag. Among all the groups in our survey, the consensus view of the ATI landscape in Lebanon at the moment is that information is accessed through influence, bribery and the use of one’s socioeconomic clout. As such power directly impacts access to information, it disadvantages those with less influence, money or clout.

- Professionals, public survey respondents and parliamentarians are all in general agreement that lack of ATI impedes personal and family life as well as professional and business life. Furthermore, almost half of the respondents to the public survey agreed that lack of ATI weakens democratic institutions, prevents people from monitoring their government and from holding their officials accountable for their performance.

- Professionals and the parliamentarians blamed the government for not having an ATI, while respondents to Public Opinion Survey blamed the parliament.

- A majority in all three of our groups favor an ATI law with clear provisions to guarantee access to information of vulnerable and disadvantage persons.

- A clear majority of the professional group and the public opinion respondents were not aware of the ATI draft law of 2009.

- A large majority across all three groups (professionals, public opinion respondents or parliamentarians) indicated their willingness to lobby one way or another for an ATI in Lebanon.

Recommendations

- Awareness-raising about accessing information needs to be increased through campaigns that target not only urban areas, but also rural areas through various media outlets and through the use of available social media tools.

- Awareness-raising and advocacy about the need to enact and enforce the ATI laws and regulations must be undertaken.
- There is a need to make every effort, especially at schools, universities, municipalities, companies, syndicates, associations, religious and cultural institutions, and the like, to alter the prevailing mind-set towards accessing information.

- It is advisable to train advisers who can go among the populace to speak out on ATI, the application of laws and regulations concerning ATI, and the use of the information as a practical and effective tool for an enhanced social, economic, and political life. This message needs to be especially delivered to those living in sub-urban and rural areas in particular.

- An ATI infrastructure must match ATI legislation initiatives. To this end, public employees or the “gatekeepers” need to understand that citizens have the right to information and need to be trained through workshops and seminars in information providing. They also need to know that information is an important input to any endeavor, from personal to business to national and as such they need to release information according to the laws and regulations, and understand how they are accountable.

- A dedicated monitoring or “watch dog group’ is needed to keep track of the performance of the government in regard to the enforcement of the laws and regulations pertaining to ATI, and to pinpoint and rectify any wrongdoing among public officials and government workers when it comes to disseminating requested information.

- LTA should capitalize on the expressed interest documented by the survey in regard to people’s willingness to participate in one way or another in lobbying for the law and its enforcement.

- LTA should coordinate with international donor organizations to consider the existence and enforcement of an Access to Information law as a precondition for any monetary or in kind assistance offered to the Lebanese government.
APPENDIX I

THE RIGHT BILL OF ACCESS TO INFORMATION

Bill on the Right of Access to Information
Chapter 1: General Provisions

Article 1: Objectives of the law

This law aims to enhance transparency within the administration and help combat corruption by enabling every person to exercise his/her right to access and view documents held by the administration in accordance with the provisions of this law.

Article 2: Administration

According to this law, the term “administration” means:

1. The State and its public administrations.
2. Public institutions.
3. Independent administrative authorities.
4. Judicial and arbitration authorities and councils, including judicial, administrative and religious courts.
5. Municipalities and federations of municipalities.
6. Private institutions and companies in charge of running a public utility or property.
8. All legal entities formed under public law.
9. Associations of public interest.

Article 3: Beneficiaries of the law

Every person, natural (i.e. physical) or legal, has the right to access and view information and documents held by the administration in accordance with the provisions of this law.

Article 4: Administrative documents

a- In accordance with this law, the term “administrative documents” shall mean written documents, electronic documents, audio and visual recordings, photographs and all machine readable materials, which are kept by the administration, regardless of their physical form or specifications.

b- In accordance with this law, the term “administrative documents” includes but is not limited to:
1- Files, reports, studies, minutes and statistics.
2- Orders, instructions, directives, circulars, memoranda, correspondence.
3- Contracts made by the administration.
4- Minutes of parliamentary sessions or parliamentary committee meetings.
5- Opinions, decisions, and draft programs issued by the administration.
6- Annual reports issued by the State Advisory Council, Civil Service Board, Central Inspection, Court of Audit, and every report issued about the administration’s activity.
7- National Archives documents.

Article 5: Administrative documents containing personal information

a. The concerned party has the sole right to access the following documents:

1- Personal files and any assessment report related to a natural (i.e. physical) person, referred to by name or by some identifying number, symbol, or other identifying description such as a fingerprint, eye, voice or photograph.

2- The document that describes someone’s behavior if the disclosure of such behavior might inflict damage on him/her or influence his/her legal status in any way.

b. The concerned party can correct, complete, update or delete wrong, incomplete, ambiguous or outdated personal information about him/her or personal information which collection, use, exchange or conservation is prohibited.

Article 6: Administrative documents that cannot be accessed

a. Administrative documents which cannot be accessed are the ones which, if accessed and exchanged, lead to interfering with:

1. Secrets of national defense, national security and public security.
2. State’s secret foreign relations.
3. Financial and economic interests of the State and safety of the national currency.
4. Individuals’ privacy.
5. Secrets protected by the law, such as professional and trade secrets.
b. Other documents that cannot be accessed include:

1. Facts of penal investigations before they are read in a public hearing, confidential trials and those related to juveniles and personal status.

2. Confidential minutes of parliamentary sessions or parliamentary committee meetings, unless decided otherwise.

3. Cabinet’s deliberations and decisions that are designated by the cabinet as confidential.

4. Preparatory and preliminary documents and incomplete administrative documents.

Article 7: Spoliation of administrative documents

Spoliation of administrative documents covered by this law is prohibited.

Chapter 2: Obligation to publish

Article 8: Administrations bound to publish

Administrations bound to publish are those mentioned in article 2 of this law, with the exception of municipalities that are not subject to monitoring by the Civil Service Board. The head of unit in each administration is in charge of this activity.

Article 9: Administrative documents which shall be automatically published

In addition to other laws stipulating the obligation to publish, documents which shall be automatically published are:

- Decisions, directives, circulars and memoranda which include an interpretation of laws and regulations or which carry a regulatory nature, within 15 days of their issuance date.

- Annual reports issued by the administration according to the legally set deadlines for every administration, or by the end of March of each year in case no deadline is set.

- Explanatory notes to the law.
Article 10: Annual Reports

a. The head of unit in every administration referred to in article 2 of this law shall provide an annual report about his/her administration’s activities.

b. Annual reports shall include but not be limited to:

1- Administrative information about the working procedures of the administration. Such information shall include costs, objectives, rules, accomplishments and obstacles that hindered the administration’s work and audited accounts.

2- General policy and projects specific to the public administration, including those which were executed and those which were not, and reasons for not executing them.

3- Any other information which the administration deems necessary to publish.

Article 11: Publishing means

In addition to publishing in the official gazette, all documents mentioned in the previous article shall be posted on the websites of the competent administrations.

Chapter 3 - Obligation to provide reasons for administrative decisions

Article 12: The right to access the reasons for administrative decisions

Natural (i.e. physical) or legal persons have the right to immediately access the reasons that prompted the administration to take the administrative decisions that affect their rights.

Article 13: Conditions for providing reasons

To ensure transparency and avoid discretionary and arbitrary action, administrative decisions shall meet the following conditions, or else, they shall be revoked:

1- The reasons shall be in writing.

2- The reasons shall include the legal and factual grounds for decisions.

3- The reasons shall be signed by the authority that issued them and bear the signatory’s name and the date of signature.

Article 14: Exemption from providing reasons

a. The administration is exempted from providing reasons in the following cases:
1- Announcement of the state of emergency.
2- Exceptional circumstances.

b. In case motives for exempting the administration from providing reasons cease to exist or a decision of tacit denial is made, the concerned party can request, within the judicial appeal period, to access the reasons for such decision. The competent authority shall immediately inform him/her in writing.

Chapter 4 - Request of Information

Article 15: Information clerk

The head of unit in every administration shall appoint a clerk to examine requests to access information. The administration shall provide the clerk with the necessary resources to research and access the requested information and provide it to citizens.

Article 16: Facilitating access to records

The administration shall keep the information it holds in an orderly and systematic manner to help the appointed clerk extract it more easily. It shall also retain the information electronically whenever possible.

Article 17: Submitting requests

a. Requests for access to information shall be submitted in writing to administrations that hold this information. These requests shall include sufficient details to enable the appointed clerk to retrieve records containing the related information easily.

b. The applicant shall take an official address and inform the administration of this address upon submitting the request.

c. The appointed clerk shall prepare a file containing all requests received and give the applicant an acknowledgement of receipt once he/she receives the request. This acknowledgement shall include the date of the request, the type of information requested and the period needed to respond to the request.

d. In case the request is not sufficiently accurate, the information clerk shall request from the applicant the necessary clarification and assist him/her with all available means.
Article 18: Deadlines for responding to requests

The appointed clerk has to respond to the request within 15 days of the date of the request. The deadline can be extended once and for a period not exceeding 15 days if the request contains a lot of information or if access to this information requires the consultation of a third party or another administration. Lack of response within this period is considered as a tacit denial of the request.

Article 19: Approval of access to information requests

a. If the request is approved, the appointed clerk shall entitle the applicant to access the information he/she asked for in his/her request. If the latter contains more than one piece of information, the appointed clerk can allow the applicant to access part of this information if the other information falls within the exceptions defined in this law.

b. The administration is not bound to meet arbitrary requests, due to their number or repetitive nature.

c. Intellectual and artistic property rights shall be respected when accessing administrative documents.

Article 20: How to access administrative documents

a- Administrative documents are accessed for free in the places where they are found unless the reasons for physical archiving of the documents prevent that.

b- The concerned party shall obtain a copy or photocopy of the required document at his/her own expense, provided this expense does not exceed the cost of copying or photocopying or the cost determined by law. In case the document is electronic or is an audio or visual recording, the concerned party can request, at his/her own expense, a printed copy, or an electronic, audio or visual recording of the document. The electronic document can be sent to the applicant’s e-mail address for free.

Article 21: Denial of access to information

a- Decisions to deny access to information shall be in writing and reasons for denial shall be provided.

b- The administration shall notify the concerned party of the explicit denial of access. If needed, the latter shall appeal the independent administrative commission designated in the law establishing a national anti-corruption commission or directly appeal the State Advisory Council, within a two-month period in either case.
c- Tacit denial to access certain documents can be appealed in accordance with the procedures mentioned in the previous article.

**Article 22: Reusing information**

Exercising the right of access to information, which is guaranteed by this law, does not entitle its beneficiaries or others to transfer, publish or use the accessed documents for commercial purposes unless these documents are collected and classified in a database which, by reason of the selection or arrangement of its content, constitute an intellectual creation according to article 3 of law no 75 dated 4/3/1999 related to intellectual and artistic property rights. These documents shall not contain any personal information and shall comply with intellectual property rights.

**Article 23: National Archives documents**

Depositing accessible administrative documents at the National Archives in accordance with this law does not prevent their access at any time.

Accessing inaccessible administrative documents in accordance with this law can be possible at the expiration of the deadlines set by the law and the procedures defined in law No.162 on National Archives dated 12/2/1997.

**Chapter 5- The Independent Administrative Commission (“the Commission”)**

**Article 24: Duties of the Commission**

The “Commission” designated in the law establishing a national anti-corruption commission shall ensure that the present law is applied. It shall:

1- Receive complaints related to the implementation of this law, investigate them and issue a decision in this regard in accordance with article 25 of this law after due hearing of both parties.

2- Advise the competent authorities on every issue related to the implementation of this law.

3- Upon the request of the competent authority or the Commission’s initiative, propose amendments to the provisions of this law or the National Archives law and to every procedure that can facilitate the application of this law.

4- Publish an annual report which highlights the major difficulties hindering people’s access to information pertaining to various types of documents and
special reports on important topics, as needed, according to article 11 of this law.

5- Contribute in educating and raising citizens' awareness on the importance of the right of access to information and on how to use it, and training civil servants and executives in the administration on the process and importance of enabling individuals to access information.

**Article 25: Decisions of the Commission**

a. The Commission shall issue a decision to approve or reject the request within two months of submitting the appeal. In case of an approval, the commission shall send a letter to the competent authority demanding to provide the applicant with the requested document.

b. The Commission's decisions are binding to both the administration and the applicants. Administrative authorities shall implement the mentioned decisions within a reasonable period at their own responsibility. In case they delay implementation without justification, the Commission may, upon the request of the person affected (the applicant) impose a compulsory fine. Such fine shall be determined by the Commission and shall accumulate periodically until the decision is implemented.

c. Decisions issued by the Commission can be appealed before the State Consultative Council within a period of two months. This Council shall enforce the summary procedures in this regard.

d. Every employee who uses his/her authority or power, directly or indirectly, to obstruct or delay the implementation of a decision taken by the above mentioned Commission is fined before the Audit Court for no less than a three-month salary and no more than a six-month salary.

**Chapter 6: Final provisions**

**Article 26: Texts infringing the provisions of this law**

All texts infringing or contradicting the provisions of this law shall be abolished.

**Article 27: Minutes implementing the provisions of this law**

When necessary, the minutes implementing the provisions of this law shall be defined by cabinet decrees upon a proposal by the Prime Minister.
Article 28: Date of enforcement of this law

This law enters into force once published in the official gazette.