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# The Organization to Conserve the Albanian Alps TOKA

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## How to Work Together for Change

### Using a Request for Information

Citizens and local NGOs should be aware that people have the right to ask for information and receive it. This is a human right, such as the right to live, the right to have a free opinion or the right to justice.

Any person has the right to access public information from a 'public sector body,' without having to explain why you are asking. What is a 'public sector body'? : national and local governments, judicial courts, and commercial companies if: 1. the state owns the majority of shares or 2. when the state has given public functions by law or to a commercial company. (such as: OSHEE, Tropoja Water Supply and Sewage, etc ...). Remember that private companies doing their own private work do *not* have to answer you.

In Albania the right to access to public information is guaranteed by the Constitution and by the Law No 119/2014 on the Right to Information approved in 2014. The Law on the Right to Information is based on the international convention called Aarhus Convention (the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters).

**Basically: You can ask the state administration what is going on, and they *have* to tell you, by law.**

#### How do you use a Request for Information as a Strategy?

1. Sometimes you just need the information. If someone starts building a hydropower, and you don't know anything about it, you can request full information from the government. Once one person gets the information, they can share it with other people.
2. Sometimes you need to pressure the government. Maybe you know something is being done badly, and the question you are asking is "When is the inspectorate going to come and do something about this?" If one person asks, they may get a stupid answer, or no answer. But if 50 people ask, it is much harder for the government to ignore you. Also, if they do not do what they are required to do, it makes a powerful media story that can bring more pressure and attention to the problem.
3. Multiple requests make everyone safer. If just one person files a request, that person can be seen as the cause of the problem, and may be harrassed. But if 100 people file the same request, they can't pressure 100 people at the same time!

#### How do you file a Request?

1. The easiest way is to use a form created by the government. It is very easy and fast to fill in, and you can send it by email, post or even delivering by hand to the office of the agency you are asking.
2. In most cases, they have to answer you within 10 business days (about 2 weeks).
3. The hardest thing can be to figure out who to send the request TO - but even if you make a mistake, and send it to the wrong office, that office *has* to forward it to the correct place, and tell you that they did it.
4. IF for some reason they do NOT answer you, or answer but don't give you what you asked for, then you can write a complaint to the Commissioner for Right to Information within 30 days. As long as you ask within this time, the Commissioner should force the office to give you the information you asked for. This is also a very simple form to fill out which is online, here: [https://www.idp.al/wp-content/uploads/2017/04/Model\\_Format\\_Ankese.doc](https://www.idp.al/wp-content/uploads/2017/04/Model_Format_Ankese.doc)



## **OK, but if you never did this before, how do you start?**

### **Do it by yourself:**

1. The request for information form is online, here: [http://drejtesia.gov.al/wp-content/uploads/2018/03/Model\\_Kerkese\\_per\\_informacion.pdf](http://drejtesia.gov.al/wp-content/uploads/2018/03/Model_Kerkese_per_informacion.pdf)
2. Then you can search online for an email address of the agency you think you should send it to. For example, if you think the environment is being damaged, you could send the request to the Ministry of Tourism and Environment, or to the National Environmental Agency.
3. Send it! If you can send from your email, you will get a fast answer by email, and you can prove that you sent it. If you don't have email, you can also send by post, but make sure you send the letter *registered*, and keep a copy of the letter and the receipt from the post office which has a tracking number.
4. Make sure you include a copy of your identification - ID card or passport!
5. If you deliver it by hand to the government agency's office, make sure you bring TWO copies, ask for a protocol number, and keep one copy for your own records.

### **Need help?**

1. We have the forms at TOKA, and can help you fill them out.
2. We have the addresses of the government agencies, so you don't have to search for them.
3. We can also help you send the request, by email or post.
4. We can help you know what do next, depending on what answer you receive.

## **For everything, feel free to contact us!**

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