



Open Government: A Journal on Freedom of Information

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Volume 5 issue 2 – 28 December 2009

Open Government is supported by the Open Society Institute

<http://www.soros.org/initiatives/information>

Welcome

We are excited to present the second issue of the OGJ for 2009, thanks to the funding from the Open Society Institute and the collaboration of authors and editorial members.

For 2010, we have decided to re-launch the “Open Government Journal Essay Contest” due to the high quality work received. The topic of the 2010 contest will be open to all areas of access and freedom of information. In addition to the winning article, all entries of sufficient quality will be published.

The articles must follow the editorial guidelines found on the OGJ website. The author of the winning article will receive \$500.00 CDN. Submissions for the contest must be received by no later than June 30th, 2010. In this issue, you will find the contest’s rules.

I send an invitation to all readers and authors to publicize in the Open Government Journal and the OGJ Research / Essay Contest.

Recent developments

In Spain, the largest country in the European Union without an access to information law, representatives from the Coalición Pro Acceso met with the Spanish Government on December 10th 2009, to discuss a possible new law on access to information. For more information visit www.access-info.org

The world's first treaty on access to information, the Council of Europe Convention on Access to Official Documents was opened for signature on June 18th 2009. To date, twelve of the forty seven country human rights organizations have signed. The signatories include Belgium, Estonia, Finland, Georgia, Latvia, Montenegro, Macedonia, Norway, Serbia and Sweden. The UK and the Netherlands have stated officially that they will not sign at present, as they are reviewing possible changes to the national access to information laws.

For more information see: <http://www.access-info.org/en/council-of-europe> and the *FOI Around the World* article in the current issue of the Open Government Journal under Council of Europe.

In the United States of America, President Obama is expected to sign an executive order to create a National Declassification Center to clear up the backlog of Cold War documents. The order is aimed at eliminating unnecessary secrecy and is expected to direct all agencies to revise their classification guides.

For more information see: Peter Yost, Associated Press, The Boston Globe, Monday, December 21, 2009, p. A-2.

This issue's articles

For the first time the OGJ has included a collaborative work from several authors outlining a picture of FOI around the world, featuring Canada, the European Union, New Zealand, the United Kingdom, and the United States. This issue contains a feature on Spain, the only country in the European Union with over a million inhabitants that does not have full access to information laws. Watch for the *FOI Around the World* perspective in future issues, with a focus on different countries and exciting new developments.

Emir Aly Crowne-Mohammed, an Assistant Professor at the University of Windsor in Canada, and Mohamed Hashim co-authored a piece relating to third party business interests with a focus on British' Columbia's law. The article focuses on the way in which the term "supplied" has been interpreted to effectively silence section 21(1) of the British Columbia's act.

The article written by Ross E. Cheit from the United States answers the question do FOI laws counteract court secrecy by looking at secret settlements with the government as a defendant.

Natalia Torres, an independent consultant specialized in transparency policies, conducted a research study titled *Institutional design for an effective access to information*. This research aimed to study the influence of institutional design on the performance of the agencies in charge of the implementation of access to public information regulation based on Moe (1989)'s idea of structural politics and the Carpenter (2001) and Wilson (1989)'s concepts of bureaucratic autonomy. The article focuses on Argentina and Mexico.

For 2010, I urge the FOI community to send us their submissions for publication. The OGJ needs your input and collaboration.

Best wishes for 2010 to all readers!

Marc-Aurèle Racicot

Editor