

Table 1	A2i in Constitution	Lawson A2i + reuse	Before 1990? Impact of A2i directives
Austria	No. "Official secrecy". But officials have to provide information unless it's forbidden.	Federal and provincial laws Some specific environmental laws also mention A2i	Major impact. Change of paradigm. There were references in laws on chemicals, water and contaminated sites
Belgium	Yes (general)	4 key acts	Major impact
Croatia	Yes 2010 (general)	3 laws Also reuse	Only general law
Denmark	No. 150 years ago	1 law 2013 (Since 1970)	Transposition in 1994, but almost ignored until 2010
Germany	Federal const: no Minority doctrine: yes Some State's constitutions: yes	Federal: 1 law State level: some yes, some no	Major impact. In West Germany out ruled the rule of secrecy in administrative law. In East Germany since 1989
Greece	Yes (general)	Some laws (transposing the directive and others)	Critical impact. Transposed 2 years later due to a Council of State decision on "direct effect"
Hungary	Yes (general)	3 laws, and Operative programs	Not a member of EU at the time
Ireland	No 1937	Wide range of measures. Overlapping regimes, considerable confusion in practice	Major impact. In 2007 the Commissioner for environmental information was created
Italy	Yes (general environment (indirectly))	Yes 2013	Major impact
Norway	Yes, specific A2 environmental information	2 main acts	Since 1970 there was a freedom of information act
Poland	Yes (general) 1997 Yes (specific)	4 Laws	Significant influence
Portugal	Yes (general) Yes (consumers) Yes (for purpose of access to justice) No environment	Several environmental and non environmental laws	Huge influence because the European regime applied to all public information (not just environmental)
Slovenia	Yes (general)	5 laws	A2i in general started in 1991 (after independence) and environmental information in 2003.
Spain	Yes (general) No (environment)	Some laws	Key impact, radical change
Sweden	Yes, since 1766 transparency principle	Freedom of press act, public access to information and secrecy act Environmental information act (2005)	No major changes
Switzerland	Yes (general)	There are laws (not transposing directives)	Indirect impact. Significant change in the 90's
Turkey	Yes (general)	General law (not environmental) adopted 2003 Not on reuse.	From 2003 on, information on human rights (negotiation of accession to the EU)
UK	---	Several laws.	Major impact
EU	Yes, charter of fundamental rights art 42 and TFEU art 15	Since 1990 (dir 90/313 Regulation 1049/2001 Aarhus is part of EU (216/2))	4 th environmental programme 1987.

Table 2	Statistic	“Environmental information”	Right of the holder (without interest)
Austria	No statistics. (lawyers and NGO)	Definition = (see ECJ ruling on GMO)	No jurisprudence
Belgium	No statistic information	Legislative proposal and the opinion of the Council of State are “environmental information”	Broad interpretation
Croatia	5 main difficulties in complying (based on official report)	Definition =. Some cases con the concept of “information”	Since 2013 not necessary to refer to the act on A2i
Denmark	No statistics	Interpretation of the concept in the last 4-5 years. 4 cases	Not questioned. Not problematic
Germany	No statistics. Industry is using A2i (namely on nuclear power)	Broad interpretation, no problems	No controversy
Greece	Access by citizens and NGOs. Weak points on A2J : staff, technical support, infrastructure.	Definition = difficulties in classifying information as “environmental”. No cases.	Definition = no relevant jurisprudence
Hungary	No statistics	Definition = No case law	Similar
Ireland	Access mainly by journalists, businesses and others. 7% increase, 62% granted in full	Definition = but difficult to apply in practice.	Definition = and not problematic
Italy	No general statistics	Definition = Law interpreted by the Consilio di Stato	Definition = jurisprudence confirms broad interpretation
Norway	> 50% journalists, 28% private, 7% NGOs and 2,9 researchers	Some case law (old forest) (Coreenvironmental information and non core...)	So called “over use of access rights” as a ground for refusal was criticized by the Ombudsman
Poland	Statistics on the number of applications	Catalogue of accessible information but it cannot narrow the scope of A2i	No problem. Everyone can
Portugal	Access by citizens, firms, NGOs, politicians, journalists. 88,5% granted in full	Definition = Not contested	Anyone can have access (including NGOs see legal requirements for NGOs)
Slovenia	Scarce, not provided	Examples of types of requests for environmental information.	Everyone can. The rule is respected.
Spain	No centralized statistics, multiple bodies. Almost 30000 requests.	Definition = Broad concept	National law even more liberal than EU
Sweden	Only general statistics on A2i in all areas of administration	No case law	There is case law. The required authority cannot ask for the identity of the requester
Switzerland	Access by media, private persons, attorneys.	Definition after compliance with Aarhus. Definition does not include energy provisions	Any person, adult or minor, national or not resident or not.
Turkey	On official reports there is the no of appeals (21% accepted)	Definition on general act	Everyone but does not say without interest
UK	Statistics on no. of requests, exemptions, time , types of users	Definition relevant for falling in the scope of environmental law or not. Provides examples	Case on interest in a cultural landscape issue
EU	Yes . there are statistics (information mostly required by academic professions, society groups and firms)	4 cases on environmental information (pesticide composition, residues and GHG, penalties for wrong labeling of GMO)	Potential conflict with regulation 45/2001 but identity of interlocutors.

Table 3	Private persons	Public authority	Practical arrangements
Austria	Definition = (No jurisprudence)	Includes information held by private operator	--
Belgium	--	Some examples (airport mediator, royal heritage commission,) (Regional association of municipalities, no)	Asking for the number of night flights was "abusive" considering that the calculations had to be done manually. Board on Access to Environmental Information considered that the administration could calculate an average number
Croatia	Definition of public authorities in Environmental law ot in line with directive. Updated list of authorities online (in the website of the commissioner)	No case law. Not problematic	Dead lines Forms of access Intellectual property
Denmark	No case law	1 case on environmental information	No case law
Germany	Criterion: performance of a task having impacts on the environment. German rail obliged to provide information.	Accepted the exemption of judicial and legal although not clear to what extent. What about EU infringement procedures and agreement by the ECJ to keep the "dialogue" EC-MS secret?	Nothing interesting
Greece	Definition = No case law, but privatization of public activities can raise questions. Ex abolition of Mapping and Cadastral Organization is contested by NGO fearing difficulties on access to information.	Definition= no jurisprudence	Shorter deadlines then the directive (20 days)
Hungary	No case law but if information hold by private persons is not voluntarily provided cannot go to court but can require it to the supervising pubic entity.	Legislative and judiciary excluded. No jurisprudence.	In line with directive
reland	Definition is more detailed than directive and goes beyond it. 4 examples of private persons considered "public authority"	Not obliged to create records where they don't exist	Give reasons for alternative forms of access
taly	Definition=. Cases: it's not the legal nature of the entity but the activity performed by the operator	National norm more restrictive. 2 cases	Case law on requests formulated in a general or vague manner
Norway	Very detailed rules based on different rules established in several laws	If information is in the Electronic Public Records, it is easily available. But sometimes information is not included. There is relevant case law.	Deadline not established ("without undue delay"). NO later than 15 working days. No discrimination on A2i. Access to electronic information "using simple procedures." No refusal based on the fact that the information is available in another format
Poland	Bodies in the institutional sense, bodies in the functional sense	Also information received from a third party	Information cannot be refused even if available elsewhere and in another form or format
Portugal	More detailed national definition. 1 case law on a private company. Functional criteria	Does not exclude judicial or legislative. Case law (regarding old law on A2i) on the purpose of the information (EU reports)	-shorter deadlines (10 days) - Annual report (not every 4 years) - nor refusal based on unreasonable demand - electronic means mandatory ("when

			possible" suppressed)
Slovenia	Also bodies under the surveillance of public bodies (to include companies)	Law in 2014: "Liable business entities subject to dominant influence of entities of public law".	Access conditions not challenged.
Spain	Indents a) and b) were merged. No jurisprudence.	Literal transposition. No litigation	No case law
Sweden	No caselaw	Environmental information act (2005) included private entities performing public functions (water management, fishery and wildlife) No case law	Public access to the diary of the authorities. Friendly search system available via the Internet on a cross-sectorial database including archives and collections held by both public and private archive institutions, libraries and museums. Usually information is provided promptly (1-2 days). For complex requests 1 week. The Ombudsman criticized the slow handling of requests for disclosure of public documents.
Switzerland	Broad definition.	Legislative and judicial organs excluded. Other organs can also be excluded.	Provide information as soon as possible, no longer than 20 days Request must be formulated in a sufficient accurate manner
Turkey	Not in line with the directive	Case on the assessment of a cave ecosystem. Rejected because there was no information (document or opinion).	15 days During personal access, supervision to avoid damaging, changing or stealing the original document.
UK	Explains fish legal case	No significant case law	Interesting case on request of real state information (compliance with regulations in the vicinity of a property)
EU	--	EU institutions are clearly public authorities but it is not clear when they are performing administrative tasks.	Commission often disregards delay laid down in the regulation. Court considers that disregard is equivalent to refusal.

Table 4	Charges	Copyright	Trade secrets, personal data (3rd parties standing)
Austria	Reasonable charges	No	Affected 3rd parties are notified and asked to give opinion on secrecy
Belgium	Gap between the law in the textbooks and the law in practice (according to ENVGs)	Yes, but no case law	No standing for third parties
Croatia	No cost of labor. No charge if cost less than 6,5€	No	No participation of third parties
Denmark	No case law	No	Some cases (fisherman, waste water, mink farms)
Germany	No case law	Restrictions only in case of continued commercial use of publicly generated information.. Question of equal treatment	It's regulated
Greece	Transposed but not regulated in detail yet. No charges are imposed	Used in practice but declared illegal	Not third parties Has to be improved
Hungary	Reasonable cost but no uniform charging by all entities	No	If information is on emissions, no refusal based on personal data, business secret, tax secrecy, rare species.
Ireland	Fee only for supplying information not for search and retrieve	Yes. Complex issues of copyright law	No
Italy	No relevant case law. Charges determined according to the basic cost of the service	Forbidden	Yes, third parties can participate
Norway	No case law but detailed rules on charges. If >100 copies there are charges. Payment where an agency runs its activities on a commercial basis (registration of property, geodata, etc).	Possible. Interesting situation when the information was produced by an undertaking or agency that is required to be self-funded	Interesting case on the duty to disclose information on fisherman compensated for seismic activity due to petroleum prospecting (identity and amount).
Poland	Reasonable charges	--	No third parties
Portugal	Reasonable charges, 50% discount for NGOs.	No	Yes, constitutional court case
Slovenia	If the party is unwilling to pay, no obligation to produce information	Yes	third parties can participate
Spain	Low fees (numbers provided)	No	No third parties
Sweden	<10 copies free of charge. >10 SEK 50 plus SEK 2 per copy	Access to maps for download can be restricted by copyright (not consultation)	The most important secrecy exceptions relate to state affairs, defence and armed forces, foreign affairs, privacy, business competition, administrative control and inspection, the protection of species and natural resources. Not trade secrets or personal data. Business secrecy in the area of chemicals but chemical industry has no standing
Switzerland	No charges if not provided. No charges if less than 100 francs.	Yes and also quotation of source	third parties can participate

Turkey	Fee if information provided exceeded 10 pages and required research, copy, review, compile	Yes and case law	Yes, third parties can participate
UK	Unreasonable charges. Staff time, overhead costs, costs of maintaining IT system (referred to the ECJ)	No, but for commercial use yes	Yes, some interesting cases
EU	There is a list of fees established by the commission but is not applied to high costs of collecting the fee. No fees for refusal.	No	The MS do not have a veto power. 1 famous case.

Table 5	Exceptions	Judicial control	Actively available
Austria	Few exceptions. Were considered secret: a) information on operation and monitoring of a hydroelectric power station (flushing, water level, flood management) b) wastewater treatment plant (wastewater quantity might disclose internal technologies and processes)	No specialised administrative appeal bodies. If A2i is refused the applicant has to submit a further request for an official notification in order to be able to seek judicial remedies. Takes 6 month to get the official notification. (criticized by Aarhus compliance committee) Courts cannot order disclosure of information but just declare illegality of act or omission	Websites. Ongoing project group to create a "One-Stop-Shop" central information system.
Belgium	a legislative proposal on land planning is not unfinished information (even though the legislation was not yet enacted) Restrict interpretation on a case by case basis	Special administrative appeal boards (federal and regional) + appeal to the Council of State but access to justice in the case of this court is very difficult (case decided by the ECJ)	Website but there are regional differences and no national harmonization.
Croatia	Main reason for appeal is absence of timely response not exceptions	Specialized administrative body + court of appeal	List of acts to be disclosed
Denmark	Interesting case on antibiotics	No specialized body. Nature and environment appeal body +ordinary court	Websites
Germany	Conflicts are possible. Berlin airport case	Ombudsman on personal data. Strange system on in camera control	Websites but some information not available
Greece	No sufficient justification of exceptions. No definition of raw data, business, confidential	No authority. Quai judicial appeal	Some good initiatives (environmental information network) but still insufficient
Hungary	There are other exceptions in other laws. (is the list of exceptions exhaustive?)	Specific authority + data authority	General initiatives
Ireland	Secrecy (quarry reserves) Several cases	Specialized independent administrative appeal body but fee	Website
Italy	Some information contained in the national allocation plan was denied and the court ordered disclosure	No specialized body on environment. Just for access to administrative documents	Electronic
Norway	Ombudsman ordered disclosure of public tendering documents on Clean Development Mechanism. Information on geographic scope of nature diversity act refused. Case pending before the Aarhus Compliance Committee. Letter of formal notice by the EFTA on discriminatory treatment of petroleum companies released after Ombudsman intervention.	Appeals Board for Environmental Information Ombudsman for Public Administration. (sometimes decision on requests can take long. In the case pending before the CC the public authorities and the Ombudsman spent two years and five months dealing with the request	1. map-based database 2. site with basic information regarding the state of the environment (also in English) 3. register on administrative decisions regarding biodiversity 4. database on characteristics of products, including environmental effects 5. Norwegian Nature Index (ecosystem trends)
Poland	Yes, several examples of secrecy	Specific body(??)	Electronic registers. There are irregularities. Some data missing in the registers
Portugal	Supreme administrative court	Yes, an impartial and	Difficulties in having access to

	ordered information on GMOs (names and addresses of farmers) to be delivered despite the risk of criminal offence against the farmers	independent body	judicial and legal information.
Slovenia	No case law. Commissioner balancing of interests is fair	Yes and works well	General measures
Spain	Cases related to unfinished documents	No specialized organ. Just ordinary appeal to the courts	Information points with full time civil servants providing information
Sweden	Old case law on health inspections in restaurants. Courts decided on the disclosure and now naming and shaming is part of the business	Appeal to administrative courts (reformatory procedure) Except parliament, government and ministers Statements by parliamentary ombudsman are very respected	Information available 24 hours a day via electronic information tools (PRTR and Inspire)
Switzerland	There are exceptions but interpreted narrowly	Yes, mediator (30 days) and in camera control	Registers of environmental indicators. Project on open government data
Turkey	There is a provision on unfinished documents and internal communication. Yes on state secrecy.	Yes, there is a body and court review.	Website
UK	Interesting cases on various exceptions	Yes hybrid body issues judgment like decisions	Websites
EU	Separable acts of a permit shall be disclosed. Relations between EU and MS are not 'international relations' No case on weighing	Yes, Ombudsman but in some cases opinions were disregarded by the Commission..	Council has a good register of existing information, but not the Commission.