

Good afternoon everyone. It's a great honour to be here with you today at the Scottish Public Information Forum, and I want to thank Campaign for Freedom of Information in Scotland for the invitation. I know how intense the work around a reform bill can be, so I'm grateful you made time to bring us together.

My name is Marzena Błaszczyk, and I work with Sieć Obywatelska Watchdog Polska, or in English: the Citizens Network Watchdog Poland. We are an organisation dedicated to defending and strengthening the right of access to public information. For more than twenty years we have been supporting citizens, journalists, community groups, and activists who use freedom of information every day to make better decisions and to hold power accountable.

Today, I want to talk about why what happens here in Scotland—your Freedom of Information Reform Bill—matters to us in Poland, and indeed, to many others in Europe. I also want to link this to the UN's theme for International Human Rights Day this year: "Everyday Essentials."

Because that is exactly what freedom of information is. Not a luxury. Not a tool for the select few. But an everyday essential for people trying to navigate public services, protect their communities, and understand the decisions that affect their lives.

Let me begin by saying a few words about our work.

Watchdog Poland is an independent civil society organisation established in 2002, just a year after Poland adopted its modern Freedom of Information Act. From the beginning, our aim has been to make the right to information real and accessible to everyone—not only lawyers or journalists, but ordinary residents concerned about decisions made in their town hall, their school, or their local planning office.

Today, we run one of the largest public-interest legal counselling centre in the country. Last year alone, we handled more than 1,500 individual cases. People come to us for help when they cannot get answers from public authorities, or when they need support navigating the procedures. They ask about environmental decisions. About spending of public money.

About school reforms. About contracts signed by their councils. About why their trees are being cut down. About why their hospital is being closed.

In addition to counselling, we conduct monitoring projects, litigate strategic cases before administrative and constitutional courts, engage in advocacy, and support activists who face legal retaliation, including SLAPPs—strategic lawsuits designed to silence them.

We see every day how crucial FOI is for defending democracy, human rights, transparency, and accountability

The UN theme for this year's Human Rights Day is "Everyday Essentials." And I think this is a brilliant frame for access to information.

FOI is often seen as something technical—something for specialists. But in reality, it is deeply connected to the daily life of ordinary people.

A parent wants to know why her child's school lacks resources.

FOI is her tool.

A family living near a polluting factory wants to see environmental inspection reports.

FOI gives them that possibility.

A resident wants to understand how their local council spends public money.

FOI opens the door.

Journalists working on corruption stories or abuse of power need documentation.

FOI provides it.

These are not abstract rights. They are woven into everyday needs.

It protects people not only from corruption, but from arbitrary decisions, from neglect, and from being ignored by the authorities that serve them.

FOI is essential for making democracy work in practice.

Unfortunately, in Poland over the last decade, we have seen increasing pressure on transparency mechanisms. I want to share some of the challenges we face, because they are not unique to us—they are part of a global trend that makes Scotland's reform even more important.

Authorities have become more reluctant to disclose information. They delay responses, reinterpret exemptions very broadly, or simply ignore requests. They use term "internal document" as an excuse to not release information, but we do not have such a term or merit in our provision

Some politicians openly argue that FOI is inconvenient, or that it should apply only to "real journalists," or only in non-sensitive areas. It is visible also on local level

We have seen attempts to weaken transparency standards through court interpretations.

Some judgments have made it harder to obtain information about public companies or public officials. We also have a case against Polish FOI law pending in our Constitutional Court - it is waiting like Sword of Damocles.

Individuals using FOI—especially environmental defenders and local activists—are increasingly targeted by SLAPP suits. They are sued for defamation, for "annoying officials," or for supposedly harming the reputation of the authority simply by asking too many questions. They can also find out, that there are abusing the law -

Much of the information that should be published automatically simply isn't. Citizens must fight for documents that, in theory, should be available as a matter of routine.

The result is a situation where the law looks strong on paper, but ordinary people experience many barriers in practice.

This is why the example of a strong, modern FOI system elsewhere—especially in a fellow democratic European country—is so valuable to us.

Let me now turn to Scotland, and why your reform process is so important not only for you, but also for people like us.

For many years, Scotland has been among the countries seen as leaders in FOI implementation. Your independent Information Commissioner, your culture of public debate, and your efforts to hold government accountable have been watched closely across Europe. When Scotland strengthens its FOI regime, it creates a positive example. It offers arguments we can use in our advocacy and litigation. It sends a signal that democratic societies are not only protecting FOI, but actively modernising it.

Freedom of information does not operate in isolation. Legislators, courts, ombuds institutions, civil society organisations—we all look at comparative standards.

If Scotland expands the scope of FOI to cover publicly funded bodies, outsourcing, and contractors, we can point to that when fighting for similar reforms in Poland.

If Scotland improves response timelines or enforcement mechanisms, we can cite that.

If Scotland explicitly integrates FOI with human rights frameworks, we can use that reasoning too.

Strong transparency systems are one of the most important democratic safeguards. They prevent corruption and arbitrariness. They help expose abuses of power. They support investigative journalism.

In countries facing democratic pressures—Poland is not alone—examples of strong openness laws elsewhere create a kind of shield. They make it harder for governments to justify weakening transparency norms.

If one of Europe's respected FOI regimes takes a step forward, it sends a message: "Transparency is not optional. It is modern, necessary, and achievable." Scotland's framing of FOI within human rights—particularly through the lens of International Human Rights Day—is powerful.

In our work in Poland, we also emphasise that access to information is not simply an administrative convenience. It is connected to:

- environmental rights,
- the right to participate in public life,
- freedom of expression,
- the right to a fair process,
- and even social rights, such as access to healthcare or education.

When Scotland articulates FOI as a human right, it strengthens the global understanding of transparency as part of the human rights architecture.

Let me share a few stories from our legal counselling practice. These are anonymised, but very typical.

We wanted to know who our constitutional judges were meeting with. So, we asked for their calendars. Simple.

But the Constitutional Tribunal refused, claiming their calendars weren't "public information." Polish courts agreed.

So we went to the European Court of Human Rights. And in 2024, we won.

The Court ruled that access to public information is part of freedom of expression — especially for watchdogs acting in the public interest.

This was a landmark judgment: it confirmed that asking questions about the judiciary is not only legitimate, it's protected speech.

### The "Envelope Election" — Uncovering Chaos Behind the Scenes

In 2020, the Polish government tried to organize presidential elections entirely by mail — without any legal basis.

State-owned companies started processing voter data and printing ballots, even though no law had come into law.

We filed FOI requests to each mayor and commune in Poland: Who gave the voters' data to the Polish post office without any legal basis?

We had asked 2477 cities, villages. Outcome - around 20% gave data without any legal merits.

Thanks to FOI, we exposed this dangerous breakdown of democratic procedure.

The Supreme Audit Office later confirmed the actions were illegal.

This is FOI protecting the rule of law — because power without records is power without accountability. But in the end, the MPs have passed the abolition law - it was covid pandemic, justification: acting in a state of necessity. The Data Protection Authority imposed the highest possible penalties.

Local journalists requested information about spending on a cultural festival. They suspected irregularities. The municipality refused to release invoices and contracts. We helped them litigate, and they finally uncovered overspending, nepotistic contracts, and misuse of public funds.

Without FOI, this story would never have come to light.

These examples show that FOI is not an abstract principle—it is a practical tool for people trying to defend their rights, their environment, their money, and their communities.

From our perspective, the following elements in your reform would have strong international value:

- Stronger enforcement powers for the Information Commissioner.

- Clearer and shorter deadlines for responding to requests.
- Better proactive disclosure, particularly in areas such as procurement, environmental decisions, and public spending.
- Protection for FOI requesters against retaliation, including SLAPPs.
- Digitalisation and accessibility, ensuring FOI works in the way people live today.
- Embedding FOI within a human rights framework, making its purpose explicit and harder to undermine.

If Scotland implements these reforms, it will not only serve Scottish citizens—it will strengthen transparency movements across Europe.

I want to close by reflecting on why this international connection matters.

We often think of FOI laws as domestic issues. And in a legal sense, they are. They are passed by national parliaments, implemented by national institutions, and used by people in their own communities.

But in reality, the struggle for transparency is global.

We are facing similar problems: secrecy, delays, political interference, privatisation of public functions, SLAPPs, misinformation, administrative resistance, digital challenges.

And we are working toward similar goals: democratic oversight, informed debate, accountability, and protection of human rights.

When Scotland takes a step forward, it shines a light for all of us.

When Scotland chooses openness over secrecy, it strengthens our arguments in court.

When Scotland protects requesters, it helps us advocate for people facing retaliation.

When Scotland modernises FOI for the digital era, it helps us push for the same.

When Scotland embraces transparency as a human right, it helps shift the narrative across Europe.

Your reform is not happening in isolation.

It is part of a larger movement of people defending democratic principles in challenging times.

And from Poland, from our own difficult experiences, we look to your work with admiration and hope