Values of Access to Information

- Increases transparency
- Government accountability
- Greater efficiency and effectiveness
- Allows for citizen engagement
- Improves trust
- More foreign investment
- Exercise of socio-economic rights
- Fundamental human right
Definition of Right of Access to Information

- Article 19 of the UDHR
- Obligation on state and other specified bodies to automatically disclose certain classes of information and right of persons to request specific information from these entities
- Not the same as right of internet access or right to knowledge
National Freedom of Information Laws 2007

*Not all National laws have been implemented or are effective. See www.privacyinternational.org/foi/survey for analysis and updates of the laws and practices.*
Challenges

- Backsliding of existing laws
  - Increased use of national security argument
- Countries without laws or with repressive laws
- Patchy implementation
- Technological advances have outpaced policy and good practice
- Power of private sector and international organizations
- New concentration on socio-economic rights
The right of access to information is:

- Inherent in all cultures and systems of government
- A lack of access to information disproportionately affects the poor, women and other marginalized people
- Fundamental to human dignity, equity, peace with justice, and democracy
- Necessary for security
Key Principles

- Fundamental human right
- The right extends to information held by:
  - All parts of the state;
  - Inter-governmental organizations;
  - International financial institutions; and
  - Non-state actors, including the private sector, that:
    - Receive public funds
    - Carry out public functions
    - Exploit natural resources
    - Big corporations when necessary for human rights
- Laws and international instruments must meet certain tenets, which are listed in the Declaration, and must be implemented
Plan of Action:
International Organizations, States, and NGO’s and Private Sector

- International Organizations internal disclosure policy and encourage member states to fulfill the principles of the right of access to information
- States should put in place effective information management policies and systems
- Technology innovators should develop and share new methods for the promotion of the right of access to information,
- Civil society should ensure full enjoyment of the right of access to information by demanding and using public information, and promoting and defending the right, AND
- Build solidarity with a full range of stakeholders who share a common transparency agenda
Effect of Internet Economy on Right of Access to Information

Benefits:

- Quick and without need for making specific request
- More economical for government and requestors
- Helps in record-keeping and organization
- Document security
- More timely release of information
- Can serve as platform for making requests
Challenges:

- Digital dissonance
  - Literacy
  - Language
  - Availability
  - Users
- Panacea for effective right of access to information
  - Documents not meaningful
  - Aggregation
  - Lack searchability
- Denials based on “public domain”
- Maintenance
- Exemptions and arbitrary denials
Thank You.

For further information on the Conference please see [www.cartercenter.org/accessstoinformation/html](http://www.cartercenter.org/accessstoinformation/html)

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