

Right to Information Fact Sheet

KEY TAKEAWAYS

- ✓ Right to information (RTI) has historically been one of the most popular policy areas for reform among members of the [Open Government Partnership \(OGP\)](#), as well as an area that has seen effective commitment results.
- ✓ However, the percentage of members implementing RTI commitments has declined rapidly in recent years.
- ✓ Struggles to provide timely information during the COVID-19 pandemic have emphasized the importance of strengthening RTI practices in OGP countries.

WHY RIGHT TO INFORMATION?

The legal right to request information from the government allows the public to follow government decision-making, participate in ensuring better decisions, and hold the government accountable. OGP members are required to have laws enabling fair access to information. Through OGP, the effectiveness of these laws can be improved by removing additional barriers to information and creating platforms to report on fraud or corruption. Recently, the COVID-19 pandemic significantly increased pressure on governments to deliver complete, timely information to the public, leading to the suspension of right to information procedures in many countries.

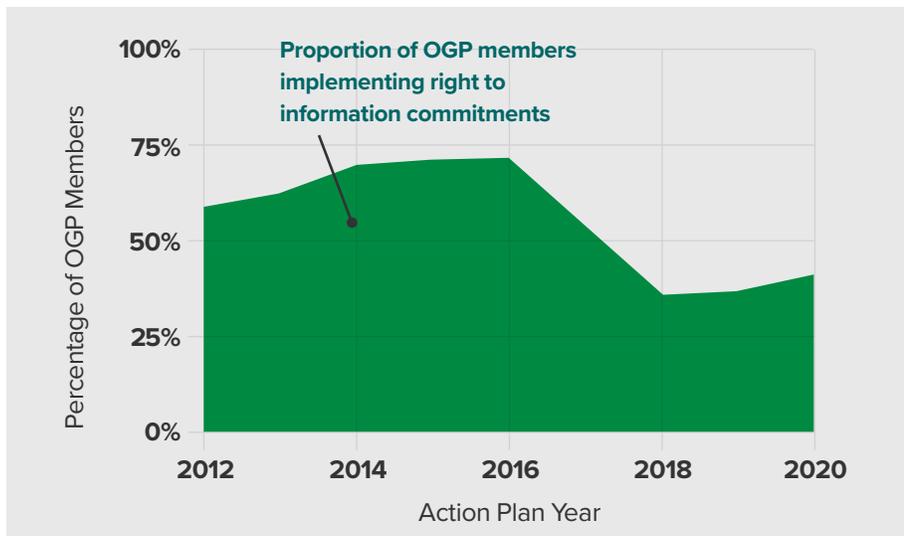
STATUS QUO

- **Limited rights during pandemic:** Nearly one in five OGP countries suspended or altered its RTI framework [in response to the pandemic](#).
- **Improvements made through OGP:** Seven of the world's ten [top-rated countries](#) for RTI legislation improved their legislation or its implementation through OGP. These countries include: Mexico, Serbia, Sri Lanka, Albania, Croatia, Liberia, and El Salvador.

Commitment data analyzes all commitments through the 2020 action plan cycle. As of 2020, OGP consisted of 98 national and local members.

COMMITMENT PROGRESS

Fewer members have made right to information commitments in recent years (see figure below). Currently, 19 OGP members are implementing right to information commitments from their 2019 or 2020 action plans. Altogether, 69 members have made 303 total right to information commitments since OGP was established in 2011.



WHAT ARE OGP MEMBERS DOING?

- Using online platforms to submit and service RTI requests
- Creating RTI legislation or regulations
- Implementing existing legislation
- Improving management of government records
- Publicly disclosing data requested through RTI

WHERE TO NEXT

The following recommendations summarize key actions for OGP members to implement:

Upholding Existing RTI Provisions

- In times of crisis, ensure capacity to maintain processing of requests for information.
- Keep in place requirements to provide information “as soon as possible”.
- Proactively publish comprehensible information in accessible, open formats to limit need for requests.

Strengthening RTI Practices

- Strengthen capacity to respond to requests by prioritizing digitalization, data collection, and adequate training.
- Mandate publication of metadata on the performance of RTI systems, disaggregated by agency and level of government.
- Invest in and publish gender-disaggregated data.
- Create opportunities for citizens to monitor and provide feedback on right to information processes.



NOTABLE COMMITMENTS

Recent Results

Tunisia - Strengthening Access to Information (2016)

In March 2016, the Tunisian parliament passed a law guaranteeing the right to information. As part of the law's implementation, Tunisia committed to translating the legal text into modernized RTI regulations. A major achievement of this commitment was the creation of the Authority of Access to Information, which provides a grievance mechanism for citizens whose requests for information are denied or not granted properly.

Brazil - Making Information Requests More Effective (2016)

In 2016, Brazil's government committed to improving the effectiveness of information request responses and identifying proper uses of denials due to classified information. In partnership with civil society organizations, the government instituted a time limit that required government agencies to respond to information requests by a certain deadline, and the second created stricter rules for denials of access to classified information.

Commitments to Watch

Nigeria - Improving Right to Information Procedures (2019)

Due to their high level of non-compliance regarding Freedom of Information Act (FOIA) requirements, Nigeria committed to improving right to information procedures in their 2019 action plan. Specifically, the aim is to improve compliance by proactively disclosing information, establishing an electronic portal for information requests, and mandating annual reports on request and response rates. Additionally, the commitment calls for increasing the number of FOI officers within public agencies, as most agencies currently lack FOI units.

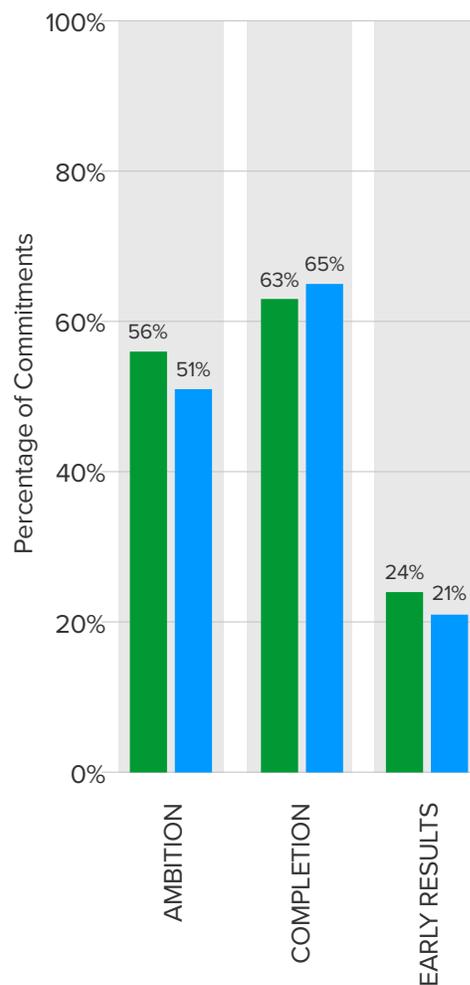
Spain - Reforming Right to Information Laws (2020)

Spain's 2020-2024 action plan includes a commitment to approve regulations that strengthen transparency and access to public information. The transparency regulations will increase compliance with Spain's active transparency obligations and promote citizens' right to information. The commitment also aims to demonstrate Spain's leadership on an international level by promoting the ratification of the Council of Europe Convention on Access to Official Documents.

IRM QUICK STATS

According to OGP's Independent Reporting Mechanism (IRM), right to information commitments have a bit more ambition than the average OGP commitment, but perform similarly on completion and early results.

Commitment Performance



 Right to Information commitments
 All OGP commitments

Ambition - Ambitious commitments are those that the IRM finds would make transformative changes if fully implemented.

Early Results - Strong early results indicate the commitment made significant improvements to government openness.