

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 \(OGP\)](#) and is an area that has seen effective commitment results.
- ✓ Struggles to provide timely information during the COVID-19 pandemic have emphasized the importance of strengthening RTI practices in OGP countries.
- ✓ Since most OGP countries now have RTI laws, next steps include improving oversight processes, managing request backlogs, and publishing performance data.

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. In addition, data on how well agencies implement RTI laws can help measure progress in protecting this important right, aid learning and accountability, and prioritize reforms.

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:** Six 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, and Liberia.
- **RTI performance data is limited:** [Less than half of OGP countries](#) publish data on the implementation of RTI laws, such as the number of requests received, average response times, or information on redactions and appeals. When data is published, it is typically not machine-readable.

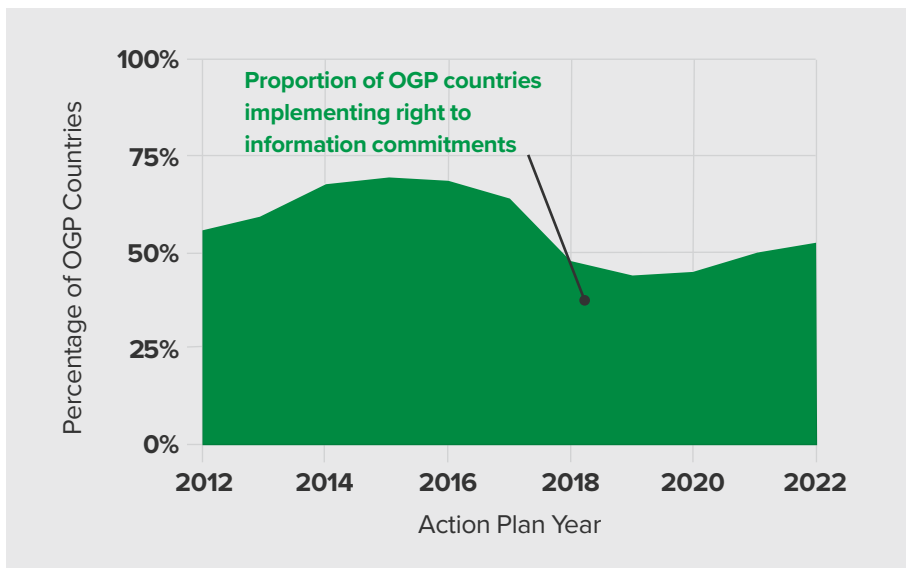
This fact sheet covers all commitments submitted as of June 30, 2023. As of this date, OGP consisted of 76 national and 104 local members.

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COMMITMENT PROGRESS

Fewer countries have made right to information commitments in recent years than before (see figure below*). Over half of active national action plans and nearly one in five local action plans currently include a right to information commitment. Altogether, 82 members have made a total of 330 right to information commitments since OGP was established in 2011.

*Figure displays commitment trends at the national level due to recent growth in local members.



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, as appropriate.
- Create opportunities for citizens to monitor and provide feedback on right to information processes.




NOTABLE COMMITMENTS

Recent Results

 **Philippines - Expanding Freedom of Information (2017, 2019)**
The Philippines made strides in strengthening government transparency through its 2017 action plan by onboarding over 98 percent of government agencies on to its eFOI portal, which shows all information requests submitted by citizens and the respective agencies' responses. While efforts have stalled to pass national legislation institutionalizing the right to information, the Philippines used its 2019 action plan to push for the creation of local-level FOI ordinances instead. The number of local governments that had passed an FOI ordinance or executive order tripled, rising from 20 to 61 governments.

 **Uruguay - Improving RTI Compliance Rates (2018)**
After discovering disparities in agency compliance with right to information laws, Uruguay's Unit for Access to Public Information (UAIP) developed the National Transparency and Access to Information Index. The index assesses public institutions on their compliance with the Access to Public Information Act, including ease of requesting public information, archive management, and institutional awareness. Following the first edition of the index, many public agencies contacted the UAIP to discuss eliminating barriers for citizens to access public information. This reform followed a [previous pilot](#) by the Central Bank to make data available online on RTI requests, which other public institutions adopted.

Commitments to Watch

 **Spain - Reforming Right to Information Laws (2020)**
Spain's 2020-2024 action plan includes a commitment to reform legislation that strengthens transparency and access to public information. The reformed transparency law 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.

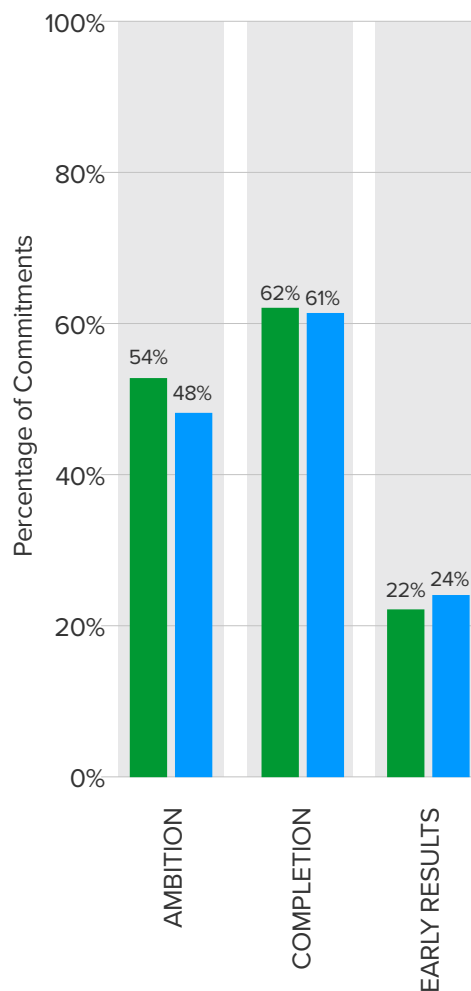
 **Papua New Guinea - Institutionalizing Access to Information (2022)**



A [2018 study](#) in Papua New Guinea found that almost 90 percent of state agencies did not provide information when directly requested. This commitment aims to institute a national access to information policy and legal framework, which will obligate all public organizations to make information publicly available, ease media access, and include penalties for non-compliance.

IRM QUICK STATS

According to OGP's Independent Reporting Mechanism (IRM), right to information commitments are more ambitious 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 have substantial potential for results, according to the IRM.

Completion - Completed commitments indicate that the commitment was substantially or fully implemented within the action plan period.

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