



Right to Information

Right to Information Empowers Citizens to Shape Policies

The right to access government-held information is a critical component of democracy and a foundational pillar of open government. Access to information inherently improves government transparency which can enable the public to participate meaningfully in official decision-making and to hold government actors accountable for their decisions. Reforms in this area are especially important in the context of the COVID-19 pandemic, during which many governments restricted right-to-information (RTI) laws in the wake of the emergency.

The enactment of domestic right-to-information legislation became commonplace in the second half of the 20th century thanks to its inclusion in the International Covenant on Civil and Political Rights in 1976. Specifically, Article 19 states that everyone has the right to “receive and impart information and ideas of all kinds, regardless of frontiers.”¹ As of 2019, [125 countries](#) have enacted RTI laws. More recently, additional motivation has come in the form of Sustainable Development Goal 16.10.2, which focuses on “increasing the adoption and implementation of constitutional statutory and/or policy guarantees for public access to information.”

Trajectory in OGP

Strong Laws, but Gaps in Implementation

While more than half of OGP members made RTI commitments in the early years of the partnership, it has become [less common over time](#). Since 2016, the number of OGP members working on RTI commitments has dropped to just over one-third.

OGP commitments that focus on creating or reforming RTI laws and regulations have been both common and successful. 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. However, RTI implementation remains a challenge that fewer commitments have addressed.

Building Global Networks to Support National Action

At the global level, the OGP platform has helped translate high-level conversations on international commitments into ground-level action. The OGP Support Unit amplifies advocacy by local civil society and concrete reforms made by OGP members at multilateral forums, such as UNESCO, which supports implementation of access to information among its membership. The Support Unit also works with partners like Access Info Europe, Article 19, Centre for Law and Democracy, and the Carter Center which each offer ongoing technical support to countries implementing RTI commitments, in addition to global and national advocacy.

About OGP and this series

In 2011, government leaders and civil society advocates came together to create a unique partnership—one that combines these powerful forces to promote transparent, participatory, inclusive and accountable governance. As the Open Government Partnership (OGP) completes 10 years, this series of thematic snapshots provide a glimpse how policy areas have advanced, as accelerated by the OGP platform and a growing global community of reformers in governments, civil society, business, media and international organizations.



How OGP Supports RTI Reform

Public consultation: The OGP platform creates a space for civil society to advocate reforms. [Croatia](#) amended its act on RTI to include a legal obligation to consult with the public about new legislation and enforce a directive on the re-use of public sector information.

Creating or expanding RTI legislation: The OGP platform provides additional momentum and support for countries working to expand, improve, or create new RTI legislation. In [Kenya](#), the 2016 passage of the Access To Information Act represents the culmination of years of advocacy, including through the OGP national process by civil society to enforce constitutional provisions guaranteeing the public's right to information. [Ireland](#) implemented several freedom-of-information commitments that strengthened its legislative framework and significantly improved government practice in terms of access to information. [Ghana](#) passed the Right to Information law, which they had worked to achieve through several OGP action plans.

Tackling Implementation Gaps: While OGP countries have embraced RTI legislation, they have been slower to create and strengthen institutions and systems that make such legislation a reality. Still, some countries have begun to make commitments that extend beyond legislation to implementation and enforcement. For example, [the Seychelles](#) committed to conduct training for all information commissioners and to take measures to ensure the autonomy of all information officers. [Sri Lanka](#) created a robust RTI infrastructure that included mass training for public servants. Additionally, [Nigeria](#) is working to improve the record management system for information requests to ensure efficient delivery of information to the requester.

Proactive Disclosure

Governments should endeavor to proactively disclose government-held information in addition to creating mechanisms by which citizens can request information. The Support Unit encourages OGP members to build on their existing RTI frameworks to make open disclosure of information a standard across government agencies. [Argentina](#) has leveraged RTI legislation to build a growing open data infrastructure, from [asset declaration by MPs](#) to an [open contracting platform](#) for the National Institute of Social Services for Retirees and Pensioners and [a national greenhouse gas inventory](#). Similarly, the [United States](#) committed to modernize implementation of the Freedom of Information Act (FOIA), including through more proactive disclosure in response to concerns about delays, redactions, and restrictive criteria in the release of government information.

Inclusion and disclosure

For governments to be truly open and transparent, all citizens must have equal access to information. Several OGP commitments focus on making information disclosure more inclusive and accessible for marginalized groups. [Colombia](#) facilitated access to information for people living with disabilities; people with visual disabilities were offered screen reader software, and a relay center offering virtual translation into sign language was set up to allow interaction with people with hearing disabilities. [Uruguay](#) is integrating gender perspectives into its [transparency provisions](#) and is taking steps to strengthen open data on [gender-based violence](#).

Looking Ahead

The OGP Support Unit will work with reformers across government and civil society to implement existing RTI requirements, especially through proactive disclosure, minimizing exemptions, training officials, citizen monitoring, and investing in gender-disaggregated data.

Furthermore, the OGP Support Unit will encourage countries to enable greater access to particular types of information by anchoring reforms in existing RTI frameworks. For example, the OGP Steering Committee and Support Unit engages members in making commitments related to beneficial ownership, lobbying, and algorithmic transparency. The Support Unit is also working with partners, Global Data Barometer and Transparency International, to examine disclosure of administrative data related to RTI compliance. This can be a helpful, intermediate step at understanding where compliance and implementation are seeing setbacks. In each of these cases, RTI instruments remain key to advancing reform in these other frontier areas.

References

¹ [The International Covenant on Civil and Political Rights](#).