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Canada: Bold Action Needed on Open Government

The Centre for Law and Democracy (CLD) has responded to the consultation on Canada's second Open Government Partnership (OGP) Action Plan by calling on the government to commit to clear and ambitious measures to advance transparency across the public sector. CLD's Submission to Canada's Open Government Consultations points to problems with both the consultation process and the substantive commitments the government is proposing to make. CLD's main criticism is that the government is still refusing to amend Canada's sorely outdated Access to Information Act, despite universal recognition among users that the system is broken.

"Canada is in 56th place globally out of 98 countries with access to information laws and tinkering with administrative measures, as the government is proposing to do, is just not acceptable," said Toby Mendel, Executive Director of CLD. *"The people of Canada have a constitutionally protected right to information, which our legal framework fails to respect."*

The CLD Submission also proposes several new ideas for inclusion in the Action Plan. These include the establishment of a registry of beneficial owners of Canadian companies, something which has already been included in the US Plan, mandatory disclosure of all public contracts over \$5,000, allowing Canada's scientists and officials to speak freely with the public, adopting minimum standards for consultation, and a process of review and reform of the system for classifying documents.

The Submission also notes weaknesses in the consultation process around the new Action Plan, while recognising that it has been much improved since the first consultation. A key problem has been confusion around the schedule and a failure to communicate the process clearly. In addition, the process has been unduly controlled, limiting the ability of participants to engage openly. Outreach efforts have also been limited, resulting in low levels of participation, particularly among civil society.

The Submission has been posted to Canada's Open Government Portal, and is also available at: www.law-democracy.org/live/canada-bold-action-needed-on-open-government/.

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